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COMMUNITY BOARD No. 2, MANHATTAN

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

FULL BOARD MINUTES

DATE: September 22, 2011
TIME: 6:00 P.M.
PLACE: St. Anthony of Padua Church, Lower Hall, 151-155 Sullivan Street

BOARD MEMBERS PRESENT: Susanna Aaron, Steve Ashkinazy, Keen Berger, Tobi Bergman, , Sigrig Burton, Richard Caccappolo, Heather Campbell, Denise Collins, Terri Cude, Maria Passanante Derr, Doris Diether, Roberty Ely, Sheelah Feinberg, Joshua Frost, Gideon Gil, Elizabeth Gilmore, Alison Greenberg, Sasha Greene, Jo Hamilton, Anne Hearn, Brad Hoylman, Chair, Community Board #2, Manhattan (CB#2, Man.), Susan Kent, Arthur Kriemelman, Evan Lederman, Raymond Lee, Edward Ma, Jane McCarthy, Alison McGonigle-Nelson, Florent Morellet, Judy Paul, Lois Rakoff, David Reck, Robert Riccobono, Erin Roeder, Robin Rothstein, Rocio Sanz, Shirley Secunda, Chenault Spence, Richard Stewart, Sean Sweeney, Antony Wong, Elaine Young

BOARD MEMBERS EXCUSED: Carter Booth, Anita Brandt, William Bray, Lisa Cannistraci, Jason Mansfield, Alexander Meadows, Wendy Schlazer, Maury Schott, Arthur Z. Schwartz

BOARD MEMBERS ABSENT: David Gruber

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

GUESTS: Katie Smith, Congressman Jerrold Nadler's office; Laura Morrison, Senator Tom Duane's office; Mary Cooley, Sen. Daniel Squadron's office; Sandy Myers, Man. Borough President Scott Stringer's office; Sarah Malloy-Good, Assembly Member Deborah Glick's office; John Ricker, NYC Comptroller's office; Allie Nudelman, Council Speaker Christine Quinn's office; Lisa Kaplan, Vanessa Diaz-Lopez, Council Member Rosie Mendez's office; Yume Kitase, Council Member Margaret Chin's office; Alec Pruchnicki, Madhura Karnik, Brian Matur, Joseph Borteley, R. Kennedy, L. Greenblatt, Naomi Usher, Trevor Steward, Joan Schultz, Tom Rainone, David Andrejko, Frank Samperi, Julie A. McConnell, Lucy Franceschini, Jeffrey Decakas, Blake Martin, Pat Galante, Roy Ibrahim, Valerie Campbell, Michael Wilson, Robert Grossman, Gerrie Nussdorf, Angela Jones, T. A. Chianese, Irene Auerbach, Gary Tomei, Geoffrey Erb, Douglas Esposito, Lauren Kaufman, Corina Wang, Claire August, Tim Kaltenecker, Joseph Auld, Neal Goodwin, Barbara Borack, Michael Zwack, Wade Mammon, Amauri Guillen, Paulette Safdich, Matt McMorrow, John Vaccaro, Twanna Waren, Robert Atterburg, Jean Klein, Joan Engels Kroll, Eric Eisenbrey, Travis Terry, Martin Tessler, Gil Santamarina, Rob Magill, Jeff Strack, Emily Tepper, Judith Callet, Joseph Merante, Tim Fouratt, Diana Romero, Sue Nestler, John Thompson, Nic Kim, Will Bradley, Kelsey Edelen, Benjamin Litman, Leslie Taylor, Phillip Cameron, Carlos Menchaca, Sandy Russo, John Gilbert, Andrea Goldwyn, Caroline Benveniste, Al Butzel, Matthew Hopkins, Todd Stephens, Chris Tepper, Paul Kelterborn, Daniel Maury, Jeremy Stulberg, Randy Stulberg, Danya Sherman, Phil Schaffer

MEETING SUMMARY

Meeting Date – September 22, 2011

Board Members Present – 40

Board Members Excused– 9

Board Members Absent - 1

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II. PUBLIC SESSION

Non-Agenda Items

St. Vincent's/Rudin/North Shore-LIJ

Gerri Nussdorf, Rob Magill, David A. Andrejko, Jean Klein, Jim Fouratt and Caroline Benveniste, spoke against the above-referenced proposed project for the former St. Vincent's Hospital site.

John Gilbert and Andrea Goldwyn, spoke in favor of the above-referenced proposed project.

Naomi Usher spoke regarding the proposal.

High Line

Danya Sherman announced several upcoming events.

Truck Traffic

Brabara Borack and Benjamin Litman spoke against commercial and truck traffic on King Street.

Friends of LaGuardia Place

Lois Rakoff announced the upcoming Friends of LaGuardia Place Gala.

NYU Open Space

Martin Tessler spoke against this proposal.

Miscellaneous

Gary Tomei, Phil Schaffer and Al Butzel spoke regarding zoning.

Parks, Recreation & Open Space

AIDS Memorial Park at St. Vincent's Triangle

Matthew Hopkins, Todd Stephens, John Cameron, Paul Kelterborn, Daniel Maury, Jeremy Stulberg, Randy Stulberg, Jeff Strack, Matthew McMorrow, Will Bradley, Frank Samperi, Eric Eisenbrey, and Tim Kaltenecker spoke in favor of an AIDS Memorial Park at St. Vincent's Triangle.

Sidewalks, Public Facilities & Access Items

App. to Dept. of Consumer Affairs for review of newsstand application on Lafayette St (btw. Astor Pl & E. 8th St)

Martin Tessler and Gil Santamarina, spoke in favor of the proposed newsstand.

SLA Licensing Items

Greenwich Gardens, LLC d/b/a TBD, 609 Greenwich St.,

Sandy Russo and Joan Engels Kroll, spoke regarding the proposed liquor license application.

III. ADOPTION OF AGENDA

IV. ELECTED OFFICIALS PRESENT AND REPORTING

Katie Smith, Congressman Jerrold Nadler's office

Laura Morrison, Senator Tom Duane's office

Mary Cooley, Sen. Elect Daniel Squadron's office;

John Ricker, NYC Comptroller's office;

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

Sarah Malloy-Good, Assembly Member Deborah Glick's office

Allie Nudelman, Council Speaker Christine Quinn's office

Lisa Kaplan, Vanessa Diaz-Lopez, Council Member Margaret Chin's office;

Yume Kitase, Council Member Rosie Mendez's office,

V. ADOPTION OF MINUTES

Adoption of June minutes and distribution of July minutes.

VI. EXECUTIVE SESSION

1. **Chair's Report** Brad Hoylman reported

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

STANDING COMMITTEE REPORTS

EXECUTIVE (AUGUST)

LANDMARKS AND PUBLIC AESTHETICS

I. LPC Item #9 – 141 Greene St. – SoHo Cast Iron Historic District. A Federal Style house built in 1825 & altered with a full third floor in 1886. Application is to remove the loading dock, alter the entrance, & install new storefront infill.

WHEREAS, the pillars and pilasters are still on the building and will be retained, and

WHEREAS, the glass block on the sidewalk in front of the building will be retained, and

WHEREAS, when the loading dock is removed, the building will go back to a stair in the middle and elevator door on one side, with back painted glass for the elevator door, but steel rather than wood around the replaced store windows, and

WHEREAS, the cornice will be of fiberglass, with 5 small lights under the cornice facing down to illuminate the sidewalk, and

WHEREAS, by removing the loading dock, the building will be restored to more like the original 1886 structure,

THEREFORE BE IT RESOLVED CB#2, Man. recommends approval of this application for 141 Greene St.

Vote: Unanimous, with 40 Board members in favor.

2. LPC Item 12 – 476 Broadway – SoHo Cast Iron Historic District. A store and loft building designed by Robert Maynicke and built in 1902-03. Application is to install storefront infill and a mechanical louver.

WHEREAS, the security gates on the front of the building will be removed, and

WHEREAS, the air louver now within one of the store windows, will be removed and moved down into the cast iron panel under the store window, but the detail trim on the panel will be retained and the new air grill will be painted black to match the cast iron panel, and

WHEREAS, the air louver panel shown to CB#2, Man. was rather uninteresting,

THEREFORE BE IT RESOLVED CB#2, Man. recommends approval of the proposal for 476 Broadway but suggests a more delicate grill be chosen to go with the decorative panel.

Vote: Unanimous, with 40 Board members in favor.

3. LPC #13 – 151 Grand St. – SoHo Cast Iron Historic District Extension. A Second Empire style warehouse building designed by William Field & Son & built in 1869. Application is to replace a granite sidewalk.

WHEREAS, the current sidewalk is in poor condition, a possible tripping hazard, and also the current sidewalk is on a level with the street, and

WHEREAS, the proposal is to replace the sidewalk 6” above street level with a sloop at the corner for handicapped accessibility, and

WHEREAS, this proposal would raise the sidewalk higher than the one of the adjacent building, so that that end of the sidewalk would have to sloop down to the level of the neighboring one, and

WHEREAS, it appears to the committee that four of the current granite slabs could be re-used,

THEREFORE BE IT RSOLVED CB#2, Man. recommends approval of the proposal for 151 Grand St. but suggests that the LPC see if the four slabs of granite could be incorporated into the new sidewalk for this building.

Vote: Unanimous, with 40 Board members in favor.

4. LPC #14 – 375-379 Lafayette St., 30 Great Jones St. & 32-38 Great Jones St. – NoHo Historic District Extension. A parking lot. Application is to relocate the existing parking attendant booth and curb cut and install a “green” fence.

WHEREAS, these properties are now combined into one connected parking lot with an attendant booth at the corner, and

WHEREAS, the proposal is to create a green corner by installing posts and an 8’ grid fence for plants to grow on, the planting area being 1’9” wide and 18-24” deep, moving the attendant booth to halfway along the Lafayette St. side with a car entrance there, and another opening in the fencing along the side street, and

WHEREAS, there was a resident from the immediate area present who felt this would be an improvement for the street,

THEREFORE BE IT RESOLVED CB#2, Man. recommends approval of this application for 375-379 Lafayette St., 30 Great Jones St. & 32-38 Great Jones St.

Vote: Unanimous, with 40 Board members in favor.

5. LPC #15 – 372 Lafayette St. – NoHo Historic District. A one-story garage designed by Dietrick Wortman & built in 1833. Application is to demolish the existing building & construct a six-story building.

WHEREAS, the proposal is to construct a new building on the site, which is above the subway, with commercial on the first floor, four stories of residential above, and a fifth story set behind a faux façade matching the floors below, and

WHEREAS, although the top floor has the same facade as the floors below, the window openings give a view of the recessed top floor and the sky, and

WHEREAS, the majority of the committee felt that the faux wall continued the line of the facades of the adjoining building, that it was an appropriate aesthetic device, and that the theatricality was in the style of Italian Renaissance buildings,

THEREFORE BE IT RESOLVED CB#2, Man. recommends approval of this application for a new building at 372 Lafayette St.

Vote: Unanimous, with 40 Board members in favor.

6. LPC #17 – 406 Sixth Ave. – Greenwich Village Historic District. A building originally built as a rowhouse in 1839, & altered in 1896 & 1902 With the addition of a sheetmetal facade with Classical Revival style details. Application is to install signage.

WHEREAS, the Landmarks Preservation Commission’s publication “The Certificate 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 failed to appear before the Community Board Committee, nor did he contact us for a layover,

THEREFORE BE IT RESOLVED CB#2, Man. recommends denial of this application for 406 Sixth Ave. in the absence of this important step in the review process.

Vote: Unanimous, with 40 Board members in favor.

SIDEWALKS, PUBLIC FACILITIES AND ACCESS

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

7. Arta LLC, d/b/a Scarpina Bar & Grill, 88 University Place (btw 11th St & 12th St), with 7 tables & 14 seats, DCA# 1401141

Block: 569 Lot:24	Lot Frontage: 31.75' Lot Depth: 110.83	Year Built: 1906
Number of Floors: 11	Residential Units: 0 Total # of Units: 1	Zoning: C1-7C6-1

Whereas, the area was posted, community groups notified and there were a substantial number of community members present regarding this application, and the applicant’s architect was present, and

Whereas, there appears to be only one business at this address and there is also a SLA application pending for the location under a different corporate name and the applicant was not present to explain this, and

Whereas, the residents from the area all expressed concern about the ownership issue and the clearance on this busy sidewalk which is the prime route between NYU and Union Square, particularly the minimum clearance between the café and a streetlight, and

Whereas, the committee feels strongly that the café should be reduced by the 1 table and 2 chairs that are against the building line as it is felt that once the café is approved the table/chairs will often be rearranged with the furniture infringing on the required 3 foot clearance from the south Siamese standpipe, and

Whereas, while the plan leaves just enough clearance from the corner of the café to the streetlight, the committee strongly feels the reduction of the seating detailed in the previous Whereas should allow the café depth to be decreased by roughly 1 foot reserving that much additional space to the public portion of this very busy sidewalk,

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 **Arta LLC, d/b/a Scarpina Bar & Grill, 88 University Place (btw 11th St & 12th St), with 7 tables & 14 seats, DCA# 1401141**

UNLESS the following conditions are met:

DCA, CB2 and the City Council are provided a suitable explanation for why Sidewalk Café and SLA applications are being processed for the same address under different corporate names. The applicant agrees to reduce the café to 6 tables and 12 seats by removing the 1 table and 2 seats currently proposed against the building line

VOTE: Unanimous, 40 Board members in favor

SLA LICENSING

1. Prince Street Restaurant, LLC, 70 Prince St. NYC 10012

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a transfer from an S-Corporation license to a New LLC license and the alteration of the current stand-up bar from the east wall to the west wall; and,

Whereas, this application is regarding the Full OP License in a mixed-use building on the corner of Prince and Crosby Street (block #496 / lot # 14); and,

Whereas, the applicant stated the hours of operation have changed to include Saturday and Sunday brunch so the new hours of operation are Sunday from 10:00 a.m. to 11:00 p.m., Monday through Thursday from 12:00 p.m. to 11:00 p.m., Friday from 12:00 p.m. to 1:00 a.m. and Saturday from 10:00 a.m. to 1:00 a.m.; and,

Whereas, there were no community members in attendance against this application; and,

Whereas, Peter Hoffman has always been an outstanding operator in our community; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends the Approval of the transfer and alteration to the Full OP License for **Prince Street Restaurant, LLC, 70 Prince St. NYC 10012.**

Vote: Unanimous, with 40 Board members in favor.

2. Umberto's Clam House, 132 Mulberry St., NYC 10013

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an alteration of the Full On Premise license, in a mixed use building on Mulberry Street between Grand and Hester Street, for a 990 s.f. restaurant which will now have 13 tables and 55 seats and 1 bar with 9 seats, there will be no sidewalk café and no back yard garden, and a maximum legal capacity of 72 persons; and,

Whereas, the applicant stated the hours of operation are Sunday through Thursday from 11:00 a.m. to 1:00 a.m. and Friday and Saturday from 11:00 a.m. to 4:00 a.m.; music will be background only; and,

Whereas, the alteration entails eliminating 4 tables and adding a stand-up bar/ food counter with 9 seats; and,

Whereas, there was no one from the community against this application; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends the **approval** to the alteration of the On Premise license for **Umberto's Clam House, 132 Mulberry St., NYC 10013.**

Vote: Unanimous, with 40 Board members in favor.

3. Travertine LLC, 19 Kenmare St., NYC

Whereas, the applicant's lawyer appeared before the committee and none of the principals; and,

Whereas, the applicant was asked to appear at CB2's SLA Committee; and,

Whereas, this application is for an renewal of the Full On Premise license, in a mixed use building on Kenmare Street between Bowery and Elizabeth Street, for a 3,000 s.f. restaurant including basement/cellar which has 23 tables and 113 seats and 1 bar with 8 seats, 1 service bar, there will be no sidewalk café and no back yard garden, and a maximum legal capacity of 150 persons; and,

Whereas, the applicant has appeared before CB#2, Man. twice, 1st in August 2008 for the original application for the On Premise license for which a "denied unless" recommendation was submitted and then again in January 2010 for an alteration to the original license for which a "Denial" recommendation was submitted; and,

Whereas, during the applicants first appearance in August 2008 in which many members of the local community appeared in strong opposition, the applicant emphatically stated and provided supporting materials and descriptions that their establishment would be an upscale restaurant with full fine dining throughout the establishment, and that music would be background only and provided a signed list of stipulations that included "#4 the volume of music played at the Premises will not exceed background levels." Additionally other supporting materials specifically stated that "Travertine will be an unforgettable dining experience, offering imaginative, fresh and wholesome cuisine in a luxurious atmosphere" and "Travertine will accommodate 67 diners on the ground floor and 40-50 casual diners on the lower level" and "Travertine will offer a tranquil, inviting atmosphere day and night" and "Travertine will cater to a mature clientele that appreciates sophisticated detailing and atmosphere, and is specifically marketing its late-night dinner service to Lower Manhattan's Financial Services Industry. These customers typically work longer hours and have few options for quality, late night dining in a non-bar scene. By offering a full menu at all hours and a small eight seat waiting area at the bar, Travertine has been specifically designed to avoid a loud, party atmosphere."; and,

Whereas, during the applicants second appearance in January 2010, the applicant reappeared after having opening and operating for only 4-5 months and requested later operating hours from what was previously requested and applied for. On the CB#2, Man. Liquor License questionnaire, the applicant checked that the location was a restaurant and that music was background only and did not check off that they operated with a DJ.

At the meeting, the applicant in light of community statements that they were operating music at louder than background levels conceded that they were operating with a DJ and louder than background levels, which the committee felt was a significant violation of the method of operation, and highlighted this in the subsequent resolution to recommend denial of the proposed alteration for an extension of hours. The applicant was later approved by the SLA for those later hours; and,

Whereas, from the time when the applicant last appeared, several issues have come to light. First, the applicant has been operating and advertising the lower level establishment under a different name than the upstairs level, operating as “XIX” an illegal cabaret with DJ, entertainment level music, dancing, limited to no food service as a required for a restaurant. A Principal and employees have routinely been identified and have cited in the press in interviews that there are two locations at their address, Travertine and “XIX” and many listings for nightlife establishments identify XIX as its own entity. Second, the applicant has not had a proper certificate of occupancy for the location since the last temporary certificate of occupancy expired on June 14, 2010, and a request for a Letter of No Objection was denied by the NYC DOB in February 2009. Third, questionnaires and applications submitted to both CB#2, Man. and to the SLA do not contain accurate representations of the current operation. Fourth, it appears that the applicants have not made any attempts to correct this information either with CB#2, Man. or the SLA. Fifth, the notice of renewal form to CB#2, Man. dated 7/14/2011 states that the establishment is a restaurant, does not state that there is a Disc Jockey or Patron Dancing. Sixth, when the applicant’s attorney appeared in August 2011, the attorney confirmed that the ground floor portion of the establishment where the Kitchen and what is now used for patron dining was currently closed and some vague description of enough food to meet the minimum requirements was available, but it seemed that no chef was employed and that the kitchen was closed; and

Whereas, in the applicants original application to the SLA they provided a detailed statement of public interest which is not supported by the operation. Specifically in section 3 of the Applicants statement they refer to taxes the establishment will generate, but it has come to CB#2, Man.’s attention that the New York State Department of State Tax Warrant Notice System lists two warrants for Travertine, LLC, Warrant ID#: E-033171330-W001-7 for \$66,711.58 and Warrant ID#: E-033171330-W002-2 for \$1,070.84, both dated June 15, 2011. In section 5, the applicant refers to CB#2, Man.’s original resolution that received support of CB2’s members of their application and states they would “comply with the conditions which are enumerated”, but clearly the operation does not reflect what is outlined in the resolution or the supporting materials presented by the applicant. In section 6, the applicant states that “The sort of relaxed, yet graceful, dining environment which is envisioned for this space will fill a void which presently exists in this neighborhood.”; and,

Whereas, CB#2, Man. respectfully requests that the applicants current method of operation and establishment are reviewed in detail by the SLA to ensure that they are not in violation of any ABC laws or the Rules of the State Liquor Authority; and,

Whereas, CB#2, Man. respectfully requests that the SLA consider denying the renewal of this license under the Rules of the State Liquor Authority Section 53.1 or compelling the applicant to conform with the stated method of operation; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **DENIAL** to the renewal of the On Premise license for **Travertine LLC, 19 Kenmare St., NYC.**

Vote: Unanimous, with 40 Board members in favor.

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

4. Hermes NY LLC, d/b/a Empanada Mama, 513 6th Ave., NYC 10011

Whereas, the applicant requested to withdraw from consideration of the application to this CB2 SLA Licensing Committee meeting and be reconsidered for review the following month; and,

Whereas, the applicant would like to return before the committee so to agree with the committee's request to decrease closing hours;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of any proposed liquor license to **Hermes NY LLC, d/b/a Empanada Mama, 513 6th Ave., NYC 10011** 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 40 Board members in favor.

5. Ryan Chadwick, d/b/a/ Esco, 173 Mott St., NYC 10013

Whereas, the applicant requested to withdraw from consideration of the application to the CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of any proposed liquor license to **Ryan Chadwick, d/b/a/ Esco, 173 Mott St., NYC 10013** 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 40 Board members in favor.

6. Left Foot LLC, d/b/a The Left Foot Pub, 88 University Pl., NYC 10003

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 that the SLA deny any proposed liquor license **Left Foot LLC, d/b/a The Left Foot Pub, 88 University Pl., NYC 10003** 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 40 Board members in favor.

7. Sogno Restaurant Corp. d/b/a The City Tavern, 22 E. 13th Street, NYC 10003

Whereas, the applicant did not appear before the committee for the **fourth** time after requesting to be on CB#2, Man.'s agenda; and,

Whereas, this application is for an unknown alteration; and,

Whereas, this is the fourth time the community has attended the hearing in expectation to discuss the unknown alteration with the applicant and request that it be noted that these repeated "no shows" are disrespectful to the community and their time; and,

Whereas, CB#2, Man. also feels that this is disrespectful to our district office and the severely over-worked staff;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed alteration to the liquor license for **Sogno Restaurant Corp. d/b/a The City Tavern, 22 E. 13th Street, NYC 10003** until the applicant has presented their application in front of the CB2 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 40 Board members in favor.

8. An Entity In Which Joel Fitzpatrick is a Principal d/b/a Abington, 611 Hudson St (at West 12th Street), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license for a 1,100 s.f. French cafe located in a mixed use building on Hudson and West 12th Streets with 37 table seats and 1 bar with 8 bar seats; and,

Whereas, the applicant stated the hours of operation for the establishment are Sunday through Thursday from 8:00 a.m. to 1:00 a.m. and Friday and Saturday from 8:00 a.m. to 2:00 a.m.; there will be a sidewalk café application but no backyard garden; music will be Ipod/CDs at background levels; and,

Whereas, the applicant has reached out to members of the community prior to the hearing; and,

Whereas, the applicant received 52 signature supporting the application; and,

Whereas, the President of the Jane Street Block Association appeared in support subject to a reduction in the closing hours of 1:00 a.m. daily; and,

Whereas, the applicant conceded to closing the accordion windows by 10pm daily but would not concede to a 1am closure on the weekend; and,

Whereas, members of this committee expressed their concerns with informal nature of the proposed establishment in a residential area, the lack of experience of the principal; and the proposed closing hours on a saturated block (over 7 new on premise licenses have been approved during the past year with a 12am or 1am closure); and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise license for **An Entity In Which Joel Fitzpatrick is a Principal d/b/a Abington, 611 Hudson St.**

Vote: Unanimous, with 40 Board members in favor.

9. Olga Vidov, d/b/a Momo Caffe, Inc. 150 W. 10th St. NYC

Whereas, the applicant did not appear before the committee nor requested a layover of consideration of the application to the next hearing; and,

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

Whereas, the immediate residential block is currently oversaturated with more than 8 liquor licensed establishments; and,

Whereas, this committee recognizes that this neighborhood is quickly becoming a popular site for nightlife establishments and recommend that any new liquor license application is properly vetted by the block association and CB#2, Man.; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of a Beer and Wine license **Olga Vidov, d/b/a Momo Caffe, Inc. 150 W. 10th St. 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 40 Board members in favor.

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

10. 1140 Broadway Mussel Corp. d/b/a TBD, 220-224 W. Houston St. (Varick and 6th Avenue), NYC

Whereas, the applicant appeared before the committee but withdrew 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, Mann. strongly recommends denial of an On Premise liquor license **1140 Broadway Mussel Corp. d/b/a TBD, 220-224 W. Houston St. 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, Ma.n 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 40 Board members in favor.

11. Innovation 2010 Inc. 15 Greenwich Ave. NYC 10014

Whereas, the applicant did not appear before the committee but requested 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 **Innovation 2010, Inc., 15 Greenwich Ave. NYC 10014 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, 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 40 Board members in favor.

12. Eighteen Partners, Inc., 122 Greenwich Avenue, NYC 10011

Whereas, the applicant did not appear before the committee but requested a layover of consideration of the application to the next hearing; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of an On Premise liquor license . **Eighteen Partners, Inc., 122 Greenwich Avenue 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 40 Board members in favor.

13. Greenwich Gardens, LLC d/b/a TBD, 609 Greenwich St., NYC 10014

Whereas, the applicant appeared before the committee but requested a layover of consideration of the application to the next hearing; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of an On Premise liquor license **Greenwich Gardens, LLC d/b/a TBD, 609 Greenwich St. 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 40 Board members in favor.

14. Richard Michael Notar d/b/a Notar Hospitality, 349-53 W. 12th St., NYC

Whereas, the applicant did not appear before the committee but requested 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 any proposed liquor license to **Richard Michael Notar d/b/a Notar Hospitality, 349-53 W. 12th St. 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 40 Board members in favor.

15. Danny Bensusan or entity to be formed, 22 Little West 12th St. NYC

Whereas, the applicant appeared before the committee but requested a layover of consideration of the application to the next hearing; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of an On Premise liquor license **Danny Bensusan or entity to be formed, 22 Little West 12th St. 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 40 Board members in favor.

STREET ACTIVITY & FILM PERMITS

1. Support of Street Fair Permit Application Renewal

WHEREAS, the street fair permit application listed below is a renewal application which were approved by the Committee and Community Board 2 last year; 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 the 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 material community opposition to such application, nor any changes in the application from previous years when it was approved by CB#2. Man.; now

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

9/25/11-Housing Works Open Air Street Fair, Crosby St. bet. E. Houston & Prince St.

Vote: Unanimous, with 40 Board members in favor.

2. 10/1/11-Children’s Museum of the Arts Opening Weekend Festival, 103 Charlton St. bet. Hudson & Greenwich Sts.

WHEREAS, this is a new application for a onetime event to celebrate the opening of this new museum and will only include the closure of one street block; and

WHEREAS, the museum will be a welcome addition to the neighborhood; and

WHEREAS, this application is being approved on a one time basis only to mark the opening of the museum; now

THEREFORE BE IT RESOLVED, that CB#2, Man. supports the street fair permit application.

Vote: Unanimous, with 40 Board members in favor.

LANDMARKS AND PUBLIC AESTHETICS (SEPTEMBER)

1ST LANDMARKS MEETING

1. LPC Item #14 – 600-602 Broadway – SoHo Cast Iron Historic District. A store building designed by Samuel A. Warner & built in 1883-84. Application is to install painted wall sign.

Whereas, the application is to add an additional sign to the half of the blockfront building which now has no sign, and

Whereas, the existing Hollister sign was approved by LPC some time ago, and

Whereas, the proposed sign is a replica of the California flag, 20’ x 16’ in size, painted on the easterly portion of the building, and such design has been used in other of their establishments,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of the proposed new sign for 600-602 Broadway.

Vote: Unanimous, with 40 Board members in favor.

2. LPC #15 - 53 Greene St. – SoHo Cast Iron Historic District. A store & storehouse designed by Louis Burger & built in 1802. Application is to replace vault lights & bluestone at the sidewalk, install a ramp, & construct a rooftop addition.

3. LPC #16 – 53 Greene St. – SoHo Cast Iron Historic District. Application is to request that the LPC issue a report to the City Planning Commission for a Modification of Use pursuant to Section 74-711 of the Zoning Resolution.

Whereas, the applicant wishes to change the permitted uses in this building to: Floors 2 thru 5 to residential use with one unit per floor, and the first floor to retail but with a restriction that it will not be for an eating and drinking establishment, and

Whereas, the applicant intends to restore the building by replacing the present cornice with a new cornice like the original one, restoring the front windows to 2 over 2 panes and the rear ones to 6 over 6 panes, to clean and repaint the brickwork, and to reinstall metal shutters at the rear, and

Whereas, the top floor addition will be within the permitted Floor Area Ratio since the mezzanine at the first floor will be removed, the total size being 911 sq. ft., and the rooftop addition will be glass and metal with the south wall remaining masonry, and

Whereas, the present fire escape is a drop ladder along the front of the building, which will be replaced with a vertical ladder instead, and

Whereas, the current bluestone sidewalk in poor condition will be replaced with a new bluestone sidewalk, utilizing as much of the existing bluestone sidewalk as can be salvaged, and

Whereas, the existing vault lights will be replaced with new ones, and

Whereas, the storefront will be wood, but installed within the marble front of the building,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of both applications for 53 Greene St.

Vote: Unanimous, with 40 Board members in favor.

4. LPC #18 – 301 Canal St. – SoHo Cast Iron Historic District A two-story commercial building built c. 1955. Application is to replace a storefront, security gates, & signage installed without LPC permits.

Whereas, the original storefront had been removed without LPC permits, and

Whereas, the new proposal is to replace the storefront with two double windows on each side of two center doors, each of the side windows being glass panels with base panels and transoms, and

Whereas, there will be an interior security gate for the store, and no signage is planned at this time, and

Whereas, the entrance to the upstairs will be replaced with a new entrance door,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of this application for 301 Canal St.

Vote: Unanimous, with 40 Board members in favor.

5. LPC #20 – 644 Broadway – NoHo Historic District. A Queen Anne/Romanesque Revival style bank & loft building designed by Stephen D. Hatch & built in 1889-91. Application is to remove a window, enlarge a masonry opening, and install a door.

Whereas, the present window is in an interior courtyard or light well within the building and is about 12 feet from the street wall of the building, and

Whereas, the window will be enlarged to a door as a secondary entrance to the first floor store, and

Whereas, although the enlargement will require the removal of some original material from the building, because of its location it was felt that this would not be setting a precedent,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of this application for 644 Broadway.

Vote: Unanimous, with 40 Board members in favor.

6. LPC #21 – 81-85 Greenwich Ave. aka 2-4 Bank St. – Greenwich Village Historic District. An apartment building with classical style details & a commercial ground floor designed by Sass & Smallheiser & built in 1902. Application is to install new storefront infill, awnings, lighting and a barrier-free access ramp.

Whereas, this corner building has had a variety of retail stores over the years, which have altered the original storefront, and

Whereas, these stores will be replaced with one restaurant and the entrance will be moved to the corner of the building, and

Whereas, the plan is to keep the steel elements and frame the door and windows with wood, the windows to have bulkheads and transoms, and

Whereas, the columns on the Bank St. side will be retained and on that side of the building there will be three windows with bulkheads and transoms, and a handicapped entrance 36” wide with a one step ramp from the sidewalk, and

Whereas, striped retractable awnings are planned, and a rectangular sign 8’ long by 1’8” wide extending from the corner entrance illuminated with tiny white bulbs spelling out the name and creating a border, and other lighting will be by gooseneck fixtures, and

Whereas, the applicant has suggested he would be willing to reduce the height of the bulkheads on the store windows to 2’ high, and reduce the size of the sign with a change in the illumination,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of this application for 81-85 Greenwich Ave./2-4 Bank St. provided the changes in the bulkhead size and the sign recommended by CB#2 are incorporated into the revised application.

Vote: Unanimous, with 40 Board members in favor.

7. LPC #22 – 406 Sixth Ave, - Greenwich Village Historic District. A building originally built as a rowhouse in 1839, & altered in 1896 & 1902 with the addition of a sheet metal façade with Classical Revival style details. Application is to install signage.

Whereas, the Landmarks Preservation Commission’s 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 failed to appear before the Community Board Committee, nor did he contact us for a layover,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of this application for 406 Sixth Ave. in the absence of this important step in the review process.

Vote: Unanimous, with 40 Board members in favor.

8. LPC #23 – 153 West 13 St, - Greenwich Village Historic District. A Greek Revival style rowhouse built in 1847-48. Application is to enlarge window openings & replace windows at the rear elevation.

Whereas, the proposal is to enlarge the three top floor windows at the rear of the building to 7'3" tall, and to also enlarge the third floor windows, and

Whereas, the cornice is to be restored and also the brownstone lintels, and there will be no gates on the top floor,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of this application for 153 West 13 St. and believes that windows on both floors should remain the same with 6 over 6 windows.

Vote: Unanimous, with 40 Board members in favor.

9. LPC #24 – 53 Jane St. – Greenwich Village Historic District. A Greek Revival style rowhouse built in 1846. Application is to construct rooftop and rear yard additions.

Whereas, the rooftop addition is set back at the front of the building with a green space 6-1/2', a deck of 6', and then slanted windows with a door 2' further back, and

Whereas, the rear of the building would have a new terrace of glass in front of the existing walls on the top floor, set back 3' from the edge of the floor below,

Whereas, the new rooftop rear addition is set back 4' from the original roof top, and

Whereas, a number of residents from the immediate area came to the hearing, some in favor or the application because of the owner's outreach to them and one from an adjoining building fearing that the addition would decrease her light,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of this application for 53 Jane St. since it hides the original top floor, the project is "quirky", it will obstruct the view, and it is visible.

Vote: Unanimous, with 40 Board members in favor.

10. LPC #26 – 6 Bedford St. – Greenwich Village Historic District Extension. A Federal style building built in 1828-29, & altered to a Renaissance Revival style in 1870. Application is to reconstruct the brick façade & install new windows.

Whereas, the building has major construction problems, and is braced to keep it together, and

Whereas, this building was one of three built at the same time, and

Whereas, the proposal is to reconstruct the building by removing the stucco, restoring the first floor by maintaining the existing marble, replacing the front façade new bricks and a replicated fiberglass cornice, and replacing the six over six windows, and

Whereas, the present front door will be reused,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of this application for 6 Bedford St.

Vote: Unanimous, with 40 Board members in favor.

2ND LANDMARKS MEETING

11. LPC Item #12 – 38-50 Cooper Square — NoHo Historic District. A row of Italianate style dwellings altered by Fritz Nathan in 1960. Application is to alter the front façade, install storefront infill, install a marquee, & relocate an existing flagpole.

Whereas, this is an application by Grace Church to alter existing buildings for a new high school, and

Whereas, although the description from Landmarks is to “install storefront infill,” in fact, the proposal is to enlarge the existing windows on the first floor which are mis-matched, and to install a consistent metal bulkhead 2-1/2’ high along the first floor, and

Whereas, the current awnings will be removed, and the entry door to the school will be moved more to the center of the façade, with an entry to the upper and cellar floors at the north end of the building, and

Whereas, the Dept. of Transportation plans call for the creation of a plaza in front of the buildings by changing the street patterns, so the school will be erecting a marquee over the main entrance area to increase its visibility. The marquee will be translucent glass and metal framing, 25’ above the ground and sloped in shape to match the contours of the plaza. In the past there had been a marquee at the front of this building, and

Whereas, the plan also calls for moving the existing flagpole closer to the entrance, with a flag the same size as the existing flag,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of this application for 38-50 Cooper Square

Vote: Unanimous, with 40 Board members in favor.

12. LPC #5 - 61 Grove St. aka 76 Christopher St. – Greenwich Village Historic District. An apartment building designed by Franklin Baylies & built in 1890. Application is to legalize installation of storefront infill in non-compliance with COFA 03-1720.

Whereas, this is an application to legalize a storefront created not in compliance with the permit issued by LPC, and

Whereas, the applicant claimed that when work was started on the storefront what he presumed was original brick was found, and so the new storefront was created around this brickwork, and that there was no basic change in the storefront, and

Whereas, the new sign installed was the same size as the former sign, and

Whereas, it was pointed out by a committee member that the former sign was canvas tacked onto the façade, and

Whereas, the committee felt that the presentation did not supply enough information,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of this application for 61 Grove St. at the present time.

Vote: Unanimous, with 40 Board members in favor.

13. LPC #7- 5 Cornelia St. – Greenwich Village Historic District Extension II. A Colonial Revival style tenement building designed by George Keister & built in 1890. Application is to construct a rear yard addition.

Whereas, there already exists a cellar excavation in the rear yard of this building which is part of the restaurant in the building cellar, and

Whereas, the proposal is to enlarge this excavation with another portion, and

Whereas, this below grade portion of the restaurant connects with another portion of the restaurant on West 4 Street, and

Whereas, the proposal is to enclose this rear yard extension by creating a concrete covering over it,

THEREFORE BE IT RESOLVED, that despite what was felt to be a poor presentation, CB#2, Man. recommends approval of this application for 5 Cornelia St.

Vote: Unanimous, with 40 Board members in favor.

14. LPC #8 – 327 Bleecker St. – Greenwich Village Historic District A building originally constructed as two-story house in 1832-33, and altered in the 19th and 20th centuries. Application is to alter the façade, install storefront infill, replace windows, install rooftop mechanical equipment & relocate sidewalk pavers.

Whereas, we were told, and a member of the committee confirmed, that the building is in very poor condition and in need of repairs, and

Whereas, the applicants hoped to stabilize the building by constructing a lintel, which he referred to as a water table band, above the entire first floor, and

Whereas, the windows would be changed from casement windows to one over one windows, which the applicant justified by old photos of the building, and

Whereas, the storefront window with two panes was to be converted back to one pane to match the other windows, and the side door moved to the end of the building, and

Whereas, the one story portion of the building will be segregated from the main building by using black granite only on the one story portion, and

Whereas, there will be new air conditioning equipment on the roof, which will have some visibility from the ground, and a new railing will be installed around the edge of the side wall of the building (the front wall is protected by the cornice), and

Whereas, although the bluestone has sections in poor condition, the proposal is to create a band along the sidewalk at the front and side of the building, re-using the bluestone, and using concrete for the balance of the sidewalk,

Whereas, the plan is to recreate the cornices above all the windows,

THEREFORE BE IT RESOLVED that CB#2, Man. regretfully recommends approval of the proposals for 327 Bleecker St. but opposes the “water table” lintel above the first floor.

Vote: Unanimous, with 40 Board members in favor.

15. LPC #9 – 295 Lafayette St. (Puck Building) – Individual landmark. A Romanesque Revival style building designed by Albert Wagner & built in 1885-86. Application is to construct rooftop additions.

Whereas, the vault lights are being restored, and the pier pattern between the sets of windows will be retained, and

Whereas, the closed up elements on the first floor are being re-opened, but

Whereas, the proposal is to add to the roofs of the two structures, glass and/or grill structures, two stories on the 9th floor building and two stories on the 11th floor building, both at least minimally visible from the two adjacent historic districts, and

Whereas, even though the grill sections are not as obtrusive, the glass sections are, and provoked negative comments from two people, one from SoHo and one from NoHo, and

Whereas, since this building is an individual landmark, there was real concern about making visible changes in such a building, and

Whereas, the possibility of these changes setting a precedent for such changes to other individual landmarks was a concern,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of this application for 295 Lafayette St.

Vote: Unanimous, with 40 Board members in favor.

16. LPC #10 – 678 Broadway – NoHo Historic District. A Renaissance Revival style store & warehouse building designed by D. & J. Jardine & constructed in 1874-75. Application is to remove vault lights & bluestone paving and install a new sidewalk.

Whereas, two portion of the sidewalk are involved, a section 28’ x 5’ in front of the building, and another such portion at the rear of the building on Shinbone Alley, and

Whereas, at the present time, sidewalk vault lights are hidden beneath the concrete sidewalk which was installed when the street elevation was changed, and

Whereas, there is leakage from the current situation, and the proposal is to replace the hidden vault lights and the bluestone panels at the rear of the building with concrete, and

Whereas, it was suggested to the applicant that if vault lights were not possible, perhaps diamond plate could be used, but the applicant did not seem receptive to that idea,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of this application for 678 Broadway.

Vote: Unanimous, with 40 Board members in favor.

17. LPC #11 – 344 Bowery – NoHo Historic District Extension. A Renaissance Revival style store & loft building designed by Frank Wennemer & built in 1892-93. App. is to install storefront infill.

Whereas, the applicant is attempting to recreate the style of storefronts which existed in the area, a wood and glass simple storefront with a spandrel and larger cornice, and

Whereas, the center panel would have one door rather than a double door, inset, with glass windows on either side, and

Whereas, the bulkheads would be paneled, and removable plants would be set in front of the bulkhead sections, and

Whereas, there would be a small (removable) planter hanging above the door with the name of the company on the front of the planter, and

Whereas, the color scheme would be grey with beige trim,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of this application for 344 Broadway.

Vote: Unanimous, with 40 Board members in favor.

18. LPC #13 – 72 Spring St. aka 65-73 Crosby St. – SoHo Cast Iron Historic District. A loft building designed by Charles I. Berg and built in 1907-08. Application is to install storefront infill.

Whereas, the proposal is to extend the bulkhead 21’3/4” and remove the roll-up gates, and

Whereas, the window and door pattern will consist of two small units surrounding one larger one, and the windows and door will have smaller panels above each one of them, and

Whereas, the new wood door and a 3’x 6’ flag sign on the existing flagpole are both a shade of green,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of the application for 72 Spring St., but has some concerns above the bright green color used for the door.

Vote: Unanimous, with 40 Board members in favor.

19. LPC #14 – 598 Broadway aka 132 Crosby St. – SoHo Cast Iron Historic District. A merchantile building designed by Robert Maynicke & built in 1897-1898. Application is to install a painted wall sign.

Whereas, the wall to be painted is behind and above the adjacent building with the painted “Hollister” sign, and the proposed sign will be only black and white, and

Whereas, the proposed sign is 39’ x 48’ in size, and

Whereas, the sign does not follow the normal sign regulations of being set back a distance from the building edge and the roof line,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial for the painted sign at 598 Broadway.

Vote: Unanimous, with 40 Board members in favor.

20. LPC #15 – 22 Little West 12 St. – Gansvoort Market Historic District. A neo-Georgian stable building designed by John M. Baker, and built in 1908-09. Application is to establish a Master Plan governing the installation of painted wall signs.

Whereas, the proposal for this Master Plan was accompanied by numerous examples of the kind of sign which would be permitted under this Master Plan, and

Whereas, the Master Plan would only apply to the wall shown in the design proposal, and

Whereas, by approval of this Master Plan, the applicant would not have to go through the whole LPC procedure each time the sign was changed; it could be handled at staff level,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of this Master Plan for signs on 22 Little West 12 St.

Vote: Unanimous, with 40 Board members in favor.

3RD LANDMARKS MEETING

21 - 61 Grove Street, aka 76 Christopher Street – Greenwich Village H.D. An apartment building designed by Franklin Baylies and built on 1890. Application is to legalize installation of storefront infill in non-compliance with COFA 03-1720. (This is a re-hearing of a presentation presented us a week earlier, being a revised resolution.)

Whereas, there is historical material exposed, which is usually preferred; however, in this instance, it is historical material that was intended to be hidden; and

Whereas, the exposed bricks are not in the style of the rest of the building. That is, the bricks of the main facade of the apartment building are refined; on the other hand, these exposed bricks are rustic and multi-colored with thick mortar, unlike the finely-tooled butter joints found in the rest of the building's brickwork; and

Whereas, the other examples in the historic district of exposed brickwork around the storefront infill that were offered as mitigation by the applicant were refined bricks matching the rest of the façade's refined brickwork, not the rough bricks found in this application; now

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

Vote: Unanimous, with 40 Board members in favor.

22 - LPC Item:15 - 12 East 11th Street (5th/University)– Greenwich Village Historic District. An Italianate style rowhouse built in 1852. Application is to construct a rear yard addition and install lot line windows

Whereas, it baffles us, considering the abundance of housing stock in the city, much of it modernist, why someone would buy a well preserved 1852 house in a well-known historic district, only to wreck it; and,

Whereas, it baffles us further why the Commission has been consistently permitting this wholesale destruction of historic rear facades. Let us hope this application will be an exception; and

Whereas, there is no precedent for lot-line windows within this context in the historic district; and

Whereas, an alarming amount of historic material, 80% of the rear façade according to the architect, will be destroyed, with not a single floor left unscathed; and

Whereas, the proposed of four window openings cast no reference to the existing pattern of three windows; and

Whereas, punched windows are typical in such town houses, both on the front and rear facades; this proposal removes that pattern, replacing the fenestration with a modern glass facade; and

Whereas, this proposal creates a front and a back of an historic building that have nothing in common with each other except inconsistency; and

Whereas, the proposal does not maintain the typography typical of a row-house rear yard; and

Whereas, the light shining out from this glass structure will be an affront to the surrounding rear yards; and

Whereas, the delineation of the floors is not forcefully shown; now

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

Vote: Unanimous, with 40 Board members in favor.

23 - LPC Item:16 - 406 6th Avenue (W8/W9) - Greenwich Village Historic District. A building originally built as a rowhouse in 1839, and altered in 1896 and 1902 with the addition of a sheet metal facade with Classical Revival style details. Application is to install signage

Whereas, the standard set by the Commission for blade signs is a maximum area six sq.ft. This proposal is for one about 10-1/3rd sq.ft.; and

Whereas, the applicant stated that this length is necessary to present properly the company's well-known corporate logo; but

Whereas, we question the imperative of that argument, since there is a MacDonald's on the Champs des Elysses with Golden Arches a mere six-inches in height; and

Whereas, the sign is illuminated internally, a lighting technique not traditionally present in a building of this vintage; and

Whereas, there is a request for six gooseneck fixtures; but

Whereas, the area is already well lit; now

Therefore, be it resolved that CB#2, Man. recommends denial of this application unless the blade sign be shortened to conform to the Commission's standard guidelines, that it not be internally illuminated, and that there be a reduction in the proposed gaggle of goosenecks.

Vote: Unanimous, with 40 Board members in favor.

24 - LPC Item:17 - 703-707 Washington Street, aka 145 Perry Street - Greenwich Village H.D. A two-story stucco building, used as a freight loading station since 1938. Application is to demolish the building and construct four new buildings. Zoned C1-6A

Whereas, the elegant design of the proposed buildings evokes institutional buildings of the Village, like the Village Nursing Home, Greenwich House or P.S. 3, while sharing some features of the larger manufacturing buildings in the district; and

Whereas, the larger building anchors the corner nicely; and

Whereas, the design is sophisticated, clearly representing a new building and not simply mimicking an historical one. It is a modern, complementary re-interpretation of local historic buildings; now

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

Vote: Unanimous, with 40 Board members in favor.

LAND USE AND BUSINESS DEVELOPMENT

2 Fifth Avenue BSA Cal. No.: 727-59-BZ Block 551, Lot 1 Board of Standards and Appeals application for an extension of the variance term for 10 years to permit the continued use of the garage at the Premises for transient parking. The physical layout of the parking garage has not changed since the previous BSA grant, with the exception of the addition of an enclosed space for bicycle parking on the first floor, and there are no proposed alterations. This application does not seek to modify the number of parking spaces permitted pursuant to the prior BSA grant.

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

WHEREAS, There have been no complaints involving the operation of this garage, And

WHEREAS, There will be no change in operation, with the exception of the addition of an enclosed space for bicycle parking,

THEREFORE BE IT RESOLVED, that CB#2, Man. recommends approval of this Board of Standards and Appeals application for an extension of the variance term for 10 years to permit the continued use of the garage at the Premises for transient parking.

Vote: Passed, with 39 Board members in favor, and 1 in opposition (D. Diether).

PARKS, RECREATION & OPEN SPACE

A resolution opposing a proposal for a promotional special event in Washington Square Park

Whereas, New York City & Company presented a proposal for an event to be held in Washington Square on September 21st, from 11AM to 7 PM.; and

Whereas, the event would include temporary placement of a shipping container allowing the public to be photographed with a Syfy network branded Halloween background; and

Whereas, the shipping container will be branded on all sides; and

Whereas, the sponsors intend to distribute branded cards with Syfy show information, Hershey's candy, and individually wrapped mini-chocolates; and

Whereas, the primary purpose of the event was stated to be promotional, with free photos being the only public purpose; and

Whereas, no contribution will be made to the park or any other entity; and

Whereas, CB#2, Man. has traditionally opposed promotion use of Washington Square Park as downgrading the acclaimed status of the park and establishing precedents that are likely to be copied by others due to the iconic setting;

THEREFORE BE IT RESOLVED that CB#2, Man. opposes granting of this application and encourages the applicants to relocate their event.

Vote: Unanimous, with 40 Board members in favor.

SIDEWALKS, PUBLIC FACILITIES AND ACCESS

App. to NYC Dept. of Transportation for:

1. Residential entry stoop, fenced in area, and snow-melt system in front of 4 East 10th St. (btw 5th Ave & University Pl)

Whereas, the area was posted, community groups notified, and the applicant's architects were present, and

Whereas, there was some concern on the committee about the clearance between the new stoop and a tree pit fence, this essentially matches the stoops on most addresses on the block and is a welcome return to the original design of the façade and entrance,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **APPROVAL** of this application to NYCDOT for a **Residential entry stoop, fenced in area, and snow-melt system in front of 4 East 10th St. (btw 5th Ave & University Pl).**

Vote: Unanimous, with 40 Board members in favor.

App. to Dept. of Consumer Affairs for:

2. Newsstand northeast corner of 6th Avenue & West 9th Street

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

Whereas, there were several emails sent to CB2 strongly opposed to the location for a newsstand due to heavy pedestrian traffic and a risky intersection which combines a bus lane, bike lane and substantial taxi traffic, and

Whereas, this is a new application by the license holder for a current newsstand on the SE corner of 6th Avenue & Waverly Place, which does not meet new NYCDOT location standards and must be moved, and

Whereas, the applicant is allowed to freely move to an approved location within 500 ft (the catchment), and the applicant identified and NYCDOT has approved a new location further south on the same block, and

Whereas, while that in-catchment location continues to be available to the applicant, he chose for his own reasons to apply to DCA for a different, out-of-catchment location, and

Whereas, there are at least four existing newsstands or news retailers on 6th Ave. within 3 blocks of this location, and

Whereas, neither members of the community nor anyone on the committee felt there was need or general benefit to using sidewalk space on this congested corner for another newsstand in an area that is extremely well-served by existing long-time businesses, particularly as the applicant has an approved option on his existing block,

THEREFORE BE IT RESOLVED that CB#2, Man. **STRONGLY** recommends DENIAL of an application for a newsstand at the northeast corner of 6th Avenue & West 9th Street.

Vote: Unanimous, with 40 Board members in favor

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

3. Rajmar Holdings, Inc. d/b/a Hudson Bar and Books, 636 Hudson St. (btw Jane St & Horatio St), with 4 tables & 8 seats, DCA# 1092103

Block:626 Lot:27 Lot Frontage:46.83' Lot Depth:56 Year Built:1910(estimated)
Number of Floors:6 Residential Units:20 Total # of Units:23 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's manager was present, and

Whereas, this café has been operated by this applicant for several years with only one known issue, and

Whereas, the committee noted there are two benches against the façade within the sidewalk café which are not allowed and which shift the café further out on the sidewalk than approved and the manager committed to removing the two benches,

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 **Rajmar Holdings, Inc. d/b/a Hudson Bar and Books, 636 Hudson St. (btw Jane St & Horatio St), with 4 tables & 8 seats, DCA# 1092103**

VOTE: Unanimous, with 40 Board members in favor.

4. Cantaloupe, LLC, d/b/a Lovely Day, 196 Elizabeth St. (btw Spring St & Prince St), with 2 tables & 5 seats, DCA# 1260966

Block:492 Lot:4 Lot Frontage:25.17' Lot Depth:97.17 Year Built:1900(estimated)
Number of Floors:6 Residential Units:20 Total # of Units:21 Zoning:C6-2

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

Whereas, this 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 **Cantaloupe, LLC, d/b/a Lovely Day, 196 Elizabeth St. (btw Spring St & Prince St), with 2 tables & 5 seats, DCA# 1260966**

VOTE: Passed, with 28 Board members in favor, 11 in opposition (Caccappolo, Riccobono, Frost, Hamilton, Rakoff, Burton, Reck, Ely, Stewart, Young Campbell) and 1 abstention-(Berger).

5. RDK Restaurant Corp. d/b/a Bistro Les Amis, 180 Spring St. (at Thompson St), with 14 tables & 30 seats, DCA# 1101999

Block:488 Lot:15 Lot Frontage:19.83' Lot Depth:62.42 Year Built:1910(estimated)
Number of Floors:4 Residential Units:3 Total # of Units:4 Zoning:R7-2,
Commercial Overlay:C1-5

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

Whereas, this café has been operated by this applicants' family for several years with few known issues, and

Whereas, the committee did note in inspecting the café that liberties were being taken with the seating and the amount of sidewalk space being used, particularly on Thompson St which is a sidewalk of just 11 ½ feet and hosts part of the café only under grandfathering, and

Whereas, the primary issue on Thompson St is the seating has been done with the tables pulled out from the façade with chairs partially behind the tables, when the tables and chairs should be up against the façade, and

Whereas, the applicant spent substantial time with the committee in trying to understand the issues and appears to be committed to correcting them, and

Whereas, while this may require a modification application, the applicant may work with an architect to see if seating on Spring St can be better arranged to support customer seating while maintaining the approved seat count and layout,

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 **RDK Restaurant Corp. d/b/a Bistro Les Amis, 180 Spring St. (at Thompson St), with 14 tables & 30 seats, DCA# 1101999**

UNLESS the applicant shows improvement in complying with the approved seating layout between now and when the City Council reviews this application.

Vote: Unanimous, with 40 Board members in favor.

6. I Malatesta Trattoria, Inc. d/b/a Malatesta Trattoria, 649 Washington St. (at Christopher St), with 18 tables & 35 seats, DCA 1076713

Block:630 Lot:1 Lot Frontage:31.75' Lot Depth:68.25 Year Built:1919(estimated)
Number of Floors:5 Residential Units:12 Total # of Units:14 Zoning:R6
Landmark Building: Yes Historic District: Greenwich Village Historic Dist. Ext.

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

Whereas, the committee did note that chairs were sometimes placed on the Washington St sidewalk for the use of patrons waiting for tables, and the applicant committed to ceasing the practice, and

Whereas, the committee regretfully noted that the property is in R6 zoning with no commercial overlay and as such cannot legally have a sidewalk café and should never have been approved for one, and

Whereas, the committee noted that the other 3 segments of this busy intersection of Washington St and Christopher St are all zoned commercial and it seems inappropriate that this one segment of the intersection should not at least have a commercial overlay,

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 **I Malatesta Trattoria, Inc. d/b/a Malatesta Trattoria, 649 Washington St. (at Christopher St), with 18 tables & 35 seats, DCA 1076713**

UNLESS some way can be found to address the zoning compliance issue with the Dept. of City Planning, preferably by adding a commercial overlay to this property

VOTE: Unanimous, with 40 Board members in favor.

7. 60 Greenwich, LLC, 60 Greenwich Avenue (at Perry St), with 13 tables & 26 seats, DCA# 1191326

Block:606 Lot:25 Lot Frontage:25' Lot Depth:67.83 Year Built:1920(estimated)
Number of Floors:3 Residential Units:3 Total # of Units:5 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 café also uses space in front of 62 Greenwich Ave. which is owned by the applicant but is currently not in use for the restaurant, and

Whereas, the initial approval for the café was given two years ago with the limitation that most of the tables in front of 62 Greenwich Ave would need to be served from that building's door which the committee confirmed with the applicant has in fact never been available for use, and

Whereas, the plan on which the café is based is flawed in several other respects as well, some of which actually limit the size of the café more than is required, and

Whereas, the applicant confirmed what the committee had noted that the café has never seated more than 20 seats, and the committee feels this is a maximum practical number of seats for the amount of available space, and

Whereas, the applicant was told that several issues were observed in the café:

- no service aisle (for which they were recently cited by DCA),
- only 7 ft clearance from the café to a fire hydrant where there should be 8 ft,
- seats blocking a Siamese connection (there should be 3 ft clearance) and the door of 62 Greenwich Ave,
- the café has been opened before noon on Sunday, and

Whereas, while this may require a modification application, the committee feels the current seating plan is so flawed that the café cannot be approved for renewal as is and the applicant has committed to file a corrected print with DCA as part of moving forward with the renewal,

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 **60 Greenwich, LLC, 60 Greenwich Avenue (at Perry St), with 13 tables & 26 seats, DCA# 1191326**

UNLESS the applicant files an updated print which is not dependent on use of the door of 62 Greenwich Ave for service

Vote: Unanimous, with 40 Board members in favor.

8. Tre-Giovani, Inc., 548 LaGuardia Place (btw Bleecker St & W. 4th St), with 4 tables & 12 seats, DCA# 0997686

Block:537 Lot:21 Lot Frontage:20' Lot Depth:55 Year Built:1900
Number of Floors:4 Residential Units:3 Total # of Units:4 Zoning:R7-2,
Commercial Overlay:C1-5

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 under the rules to appear before the Community Board and did not contact the CB2 office to request a rehearing,

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 **Tre-Giovani, Inc., 548 LaGuardia Place (btw Bleecker St & W. 4th St), with 4 tables & 12 seats, DCA# 0997686**

Vote: Unanimous, with 40 Board members in favor.

9. PGT Rest. Corp. d/b/a Slainte, 304 Bowery (btw E. Houston St & E. 1st St), with 8 tables & 16 seats, DCA # 1318806

Block:521 Lot:7503 Lot Frontage:23.17' Lot Depth:88.83 Year Built:1910(estimated)
Number of Floors:6 Residential Units:5 Total # of Units:6 Zoning:C6-1
Landmark Building:Yes Historic District: Noho East

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

Whereas, this café has been operated by these applicants for several years with no known issues,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **PGT Rest. Corp. d/b/a Slainte, 304 Bowery (btw E. Houston St & E. 1st St), with 8 tables & 16 seats, DCA # 1318806**

VOTE: Unanimous, with 40 Board members in favor.

10. Florio's Enterprises Inc., 192 Grand St. (btw Mulberry St & Mott St), with 7 tables & 20 seats, DCA# 0890546

Block:471 Lot:57 Lot Frontage:24.75' Lot Depth:100 Year Built:1901(estimated)
Number of Floors:3.75 Residential Units:3 Total # of Units:4 Zoning:C6-2G
Landmark Building: Yes Historic District: No

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant's representative, an uncle, was present, and

Whereas, this café has been operated by this applicant for several years with few known issues, and

Whereas, the committee noted the presence of a large podium-style menu board placed on the sidewalk and the applicant agreed to remove it, and

Whereas, the committee also noted the café consistently expands – occasionally with extra seats, but mostly just in spacing – to encompass space in front of neighboring properties on both sides of the café and the applicant committed to keeping the café in its approved space only in front of the applicant’s establishment,

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 **Florio’s Enterprises Inc., 192 Grand St. (btw Mulberry St & Mott St), with 7 tables & 20 seats, DCA# 0890546**

UNLESS the applicant shows improvement in complying with the approved seating layout between now and when the City Council reviews this application

VOTE: Unanimous, with 40 Board members in favor.

11. Caffe Dante Inc., 81 Macdougall St. (btw W. Houston St & Bleecker St), with 7 tables & 14 seats, DCA# 0768933

Block:526 Lot:28 Lot Frontage:39.75' Lot Depth:100 Year Built:1910
Number of Floors:7 Residential Units:38 Total # of Units:40 Zoning:R7-2

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

Whereas, this café has been operated by this applicant for several years with few known issues, and

Whereas, the committee noted that 1 additional table and 2 chairs had been added to the café partially blocking the food service aisle and the representative committed to having the applicant correct the situation,

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 **Caffe Dante Inc., 81 Macdougall St. (btw W. Houston St & Bleecker St), with 7 tables & 14 seats, DCA# 0768933**

VOTE: Unanimous, with 40 Board members in favor.

12. French Roast Inc., 78 West 11th St. (at 6th Ave), with 8 tables & 16 seats, DCA# 0907203

Block:574 Lot:7 Lot Frontage:34.5' Lot Depth:121 Year Built:1920
Number of Floors:6 Residential Units:21 Total # of Units:22 Zoning:C1-6R6
Landmark Building: Yes Historic District: Greenwich Village

Whereas, the area was posted, community groups notified and there was one community member present regarding this application, and the applicant’s General Manager was present, and

Whereas, this café has been operated by these applicants for several years with few known issues, and

Whereas, the committee did note there was a large ‘podium-style’ menu board in front of the café and the applicant committed to removing or replacing it with a vertical version against the side of the café railing, and

Whereas, one member of the community noted there was a bench and 2 planters on the W. 11 St side of the establishment. While they are not in the café area, which is entirely on 6th Ave and could not be considered as part of this renewal, the committee informed the applicant the bench and planters were illegally on the sidewalk and they could be cited for them by the Dept. of Sanitation,

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 **French Roast Inc., 78 West 11th St. (at 6th Ave), with 8 tables & 16 seats, DCA# 0907203**

VOTE: Unanimous, with 40 Board members in favor.

13. Tortilla Flats Inc., 767 Washington St. (at W. 12th St), with 11 tables & 21 seats, DCA# 0805433

Block:640 Lot:40 Lot Frontage:20.08' Lot Depth:70.17 Year Built:1905(estimated)
Number of Floors:3 Residential Units:1 Total # of Units:2 Zoning:C1-6A
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, while there appear to have been few reported issues with the café, the committee noted to the applicant the following problems and concerns:

- there was a large steel service cart being used in the middle of the café,
- there were 3 tables and 7 chairs stored on the sidewalk nearby, presumably to expand the seating in the café beyond its approved size – both the storage and the increase are not allowed,
- the seating on the west side of the café was rearranged so the service aisle was reduced in part to approximately 1 foot, and

Whereas, there appeared to the committee to be some reticence on the part of the applicant to address these issues,

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 **Tortilla Flats Inc., 767 Washington St. (at W. 12th St), with 11 tables & 21 seats, DCA# 0805433**

UNLESS the issues listed in the 2nd Whereas of this resolution are resolved and consistently adhered to between now and when the City Council reviews this application

VOTE: Unanimous, with 40 Board members in favor.

Re-Apply App. for revocable consent to operate an Unenclosed sidewalk café for:

14. Cevicheria Grove, Inc. d/b/a Mercadito Grove, 100 7th Ave. So. (at Grove St), with 22 tables & 44 seats, DCA# 1202961

Block:591 Lot:10 Lot Frontage:86.5' Lot Depth:117.92 Year Built:1910(estimated)
Number of Floors:3 Residential Units:6 Total # of Units:8 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 NOT present, and

Whereas, the applicant is required under the rules to appear before the Community Board and did not contact the CB2 office to request a rehearing, and

Whereas, this is a re-apply application as the applicant had already failed to file for renewal of the license as the previous license expired in April 2011 and the applicant has continued to operate unlicensed since then,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **DENIAL** of this application for a RE-APPLY App. for revocable consent to operate an Unenclosed sidewalk café for **Cevicheria Grove, Inc. d/b/a Mercadito Grove, 100 7th Ave. So. (at Grove St), with 22 tables & 44 seats, DCA# 1202961**

Vote: Unanimous, with 40 Board members in favor.

SLA LICENSING

August SLA Licensing Committee resolutions not voted on at the August Executive Committee (voted on and adopted at the September Full Board meeting:

1. Amber 135, Inc. d/b/a Amber Asian Cuisine, 135 Christopher St. (Greenwich and Hudson Sts.), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license for a 2,200 s.f. Asian fusion restaurant located in a mixed use building on Christopher Street between Greenwich and Hudson Streets with 26 table seats and 1 bar with 5 bar seats; and,

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

Whereas, the applicant has supplied a petition with over 25 signatures in support; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of an On Premise license for **Amber 135, Inc. d/b/a Amber Asian Cuisine, 135 Christopher St.**

Vote: Unanimous, with 40 Board members in favor.

2. An Entity to be formed by John Meadow, 99 Bank St. (Greenwich Street and Hudson Street), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license in a mixed use building on Bank Street between Greenwich and Hudson Streets for a 3,013 s.f. Italian restaurant with 80 table seats, 2 bars with 7 seats with a maximum legal capacity of 260 persons; and,

Whereas, the applicant stated the hours of operation are Sunday through Thursday from 8:00 a.m. to 12:00 a.m. and Friday and Saturday 8:00 a.m. to 1:00 a.m.; there will not be a sidewalk café application and no backyard garden; music is IPod/CDs at background levels only; and,

Whereas, the applicant has agreed to the following stipulations:

1. The applicant will limit its closing hours to 12:00 a.m. Sunday through Thursday and 1:00 a.m. Friday and Saturday.
2. The applicant will obtain all required certificates, permits and related documents including a letter of no objection or Certificate of Occupancy from NYC Department of Buildings prior to opening the establishment.
3. The applicant will obtain all required certificates and related documents including a letter of no objection or amended Certificate of Occupancy from NYC Department of Buildings prior to using the basement area for dining.

Whereas, the applicant had reached out to members of the community; and,

Whereas, the applicant had submitted a petition with over 100 signatures in support; and,

Whereas, no one appeared in opposition from the community;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise license for **An Entity to be formed by John Meadow, 99 Bank St.** unless the condition agreed to by applicant relating to the fourth “whereas” clause above is incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 40 Board members in favor.

3. Sigma Burger Pie, LLC d/b/a Sigma Burger Pie, 68 W. 3rd St. (LaGuardia and Thompson), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a Beer and Wine license in a mixed use building on West 3rd Street between LaGuardia Place and Thompson Street for a 1,617 s.f. casual Pizza and Burger establishment with 48 table seats and no bar with a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation are Sunday through Tuesday from 10:00 a.m. to 12:00 a.m. and Wednesday through Saturday from 10:00 a.m. to 1:00 a.m.; there will not be a sidewalk café application and no backyard garden; music is IPod/CDs at background levels only; and,

Whereas, the applicant has agreed to the following stipulations:

1. The applicant will limit its closing hours to 12:00 a.m. Sunday through Tuesday and 1:00 a.m. Wednesday through Saturday.
2. The applicant will not operate the backyard garden and prohibit the public and employees from smoking in the outdoor area. The backyard garden will be used for employee transit purposes only.
3. The applicant will close all doors and windows by 10:00 p.m. daily.
4. The applicant will waive its rights to seek a DCA sidewalk café license.

5. The applicant will not operate as a Nightclub/Disco as defined under New York State Alcohol Beverage Consumption law guidelines.
6. The applicant will waive its rights to seek an On Premise License.
7. The applicant will not install large monitors or TV Screens.

Whereas, the applicant had reached out to members of the community; and,

Whereas, the applicant had submitted a petition with over 10 signatures and 4 emails in support; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of a Beer and Wine license for **Sigma Burger Pie, LLC d/b/a Sigma Burger Pie, 68 W. 3rd St.** unless those conditions agreed to by applicant relating to the fourth “whereas” clause above are incorporated into the “Method of Operation” on the SLA Beer and Wine license; and,

Vote: Unanimous, with 40 Board members in favor.

4. Rocky’s I, LLC d/b/a Rocky’s I, 304-310 W. 14th St. (Eighth and Ninth Avenues), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a Beer and Wine license in a mixed use building on West 14th Street between Eighth and Ninth Avenues for a 1,100 s.f. pizza establishment with 16 table seats and no bar with a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation are 24hrs a day for the food service portion of the establishment and Beer and Wine service hours are Sunday through Thursday from 12:00 p.m. to 2:00 a.m. and Friday and Saturday from 12:00 p.m. to 4:00 a.m.; there will not be a sidewalk café application and no backyard garden; music is iPod/CDs at background levels only; and,

Whereas, the applicant has agreed to the following stipulations:

1. The applicant will limit Beer and Wine service to end at to 2:00 a.m. Sunday through Thursday and 4:00 a.m. Friday and Saturday.
2. The applicant will close all doors and windows by 10:00 p.m. daily.
3. The applicant will not have any outdoor public seating in front of the establishment.

Whereas, no one appeared in opposition from the community;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of a Beer and Wine license for **Rocky’s I, LLC, d/b/a Rocky’s I, 304-310 W. 14th St.** unless those conditions agreed to by applicant relating to the fourth “whereas” clause above are incorporated into the “Method of Operation” on the SLA Beer and Wine license.

Vote: Unanimous, with 40 Board members in favor.

SEPTEMBER RESOLUTIONS

5. Greenwich Gardens, LLC d/b/a TBD, 609 Greenwich St. (Clarkson and Leroy), NYC

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

Whereas, this application is for an On Premise license in a commercial building on Greenwich Street between Clarkson and Leroy Streets for a rooftop restaurant and outdoor garden with 142 table seats, 2 bars with 14 seats with a maximum legal capacity of 200 persons; and,

Whereas, the applicant stated the hours of operation are Sunday through Thursday from 8:00 a.m. to 1:00 a.m. and Friday and Saturday from 8:00 a.m. to 2:00 a.m.; there is no sidewalk café application and no backyard garden; music is Ipod at entertainment levels only; and,

Whereas, the applicant has agreed to the following stipulations:

1. The applicant will terminate the music by 10:00 p.m. daily
2. The applicant will have a certified Lifeguard on premise whenever the pool is in use
3. The applicant will prohibit smoking on the rooftop
4. The applicant will close the pool area by 6:00 p.m. daily
5. The applicant will permit public use of the gardens and pool for a nominal fee
6. The applicant will stop serving alcoholic beverages from the outdoor bar and adjacent seating and chaise lounge area by 11:00 p.m. daily
7. The applicant will use best efforts to build a barrier surrounding the establishment
8. The applicant will obtain all required certificates, permits and related documents from the NYC Department of Buildings prior to opening the establishment.

Whereas, the applicant had reached out to members of the community and duly executed a Memorandum of Understanding with a list of stipulations; and,

Whereas, the applicant had submitted a petition with over 200 signatures in support; and,

Whereas, no members of the community appeared in support of the Applicant, but a few members of the community appeared in strong opposition of the proposed establishment accompanied by a list of 25+ signature from neighboring residents who had originally been working with the applicants to forge an agreement but could no longer support the concept; and,

Whereas, the petition provided by the applicant in support of the establishment contained only a vague description of the concept presented, which did not state that the establishment would occupy roughly 13,000 sq ft on the roof of the building, which did not include hours of operation or explain that a large portion of the premise would be outdoor open air rooftop dining and did not state that a pool would be included in the premises; and,

Whereas, the applicant provided a signed memorandum of understanding, but there was no counter party or list of residents/neighbors with whom the applicant worked with to arrive at the agreed upon stipulations; and,

Whereas, the principles of the applicant are experienced restaurateurs who operate successful destination locations yet presented the concept of this location as a neighborhood restaurant with a pool that could be used for a nominal fee, which one the principals suggested to be \$10 during the day, and

that a traffic plan would not be necessary because the occupancy would only be 200 and would not result in a significant traffic increase in the area; and,

Whereas, CB#2, Man. has historically only supported rooftop dining in very limited cases where the Applicant has gone above and beyond to demonstrate and work with all nearby interested parties to show that the impact will be limited prior to receiving approval from CB#2, Man.; and,

Whereas, the committee expressed concerns with its large rooftop garden footprint without a strong level of support from the neighboring residents for this specific operation and cited issues with a stand alone rooftop establishment as a potential “destination” spot in this neighborhood with the serious potential for significant impacts on quality of life to the immediate residences and the neighborhood; but highlighted that the applicant had performed a fair amount of community outreach; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **DENIAL** of an On Premise license for **Greenwich Gardens, LLC d/b/a TBD, 609 Greenwich St.**

Vote: Unanimous, with 40 Board members in favor.

6. Hermes NY LLC, d/b/a Empanada Mama, 513 6th Ave., (West 13th and 14th Streets), NYC

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

Whereas, this application is for an On Premise license in a mixed use building on 6th Avenue between West 13th and 14th Streets for a 1,157 s.f. restaurant serving empanada specialties with 32 table seats and no bar with a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation are 24 hours a day with alcohol service limited to Sunday through Wednesday from 11:00 a.m. to 1:00 a.m. and Thursday through Saturday from 11:00 a.m. to 2:00 a.m.; there will not be a sidewalk café application and no backyard garden; music is iPod/CDs at background levels only; and,

Whereas, the applicant has agreed to the following stipulations:

1. The applicant will stop serving alcoholic beverages by 1:00 a.m. Sunday through Wednesday and 2:00 a.m. Thursday through Saturday
2. The applicant will close all doors and windows from 10:00 p.m. to 6:00 a.m. daily

Whereas, the applicant had reached out to members of the community; and,

Whereas, the applicant had submitted a petition with over 500 signatures in support; 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 **Hermes NY LLC, d/b/a Empanada Mama, 513 6th Ave.** 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 40 Board members in favor.

7. Innovation 2010, Inc., 15 Greenwich Ave., (West 10th and Christopher), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an alteration of an existing On Premise license in a commercial building on Greenwich Avenue between West 10th and Christopher Streets for a 1,500 s.f. Japanese restaurant with 30 table seats, 1 bar with 3 seats with a maximum legal capacity of 74 persons; **to reconfigure the existing bar to 3 bar seats and 5 stools at the Sushi bar**; and,

Whereas, the applicant stated that there are no changes to the previously approved method of operation; hours of operation are seven days a week from 12:00 p.m. – 12:00 a.m.; there is existing sidewalk café application but no backyard garden; there is no music; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of the proposed alteration to an existing On Premise license for **Innovation 2010, Inc., 15 Greenwich Ave.**

Vote: Unanimous, with 40 Board members in favor.

8. Oreste, d/b/a Trattoria Oreste, 64 Carmine St., (Varick and Morton), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an alteration to an existing On Premise license for a restaurant d/b/a Trattoria Oreste located in a mixed use building located on Carmine Street between Varick and Morton Streets with 40 table seats and 1 bar with 8 bar seats and a maximum legal capacity of 74 persons; **to add 8 tables with 18 seats in an unenclosed sidewalk cafe**; and,

Whereas, the applicant stated there are no plans to change the previously approved operation; the applicant stated the SIDEWALK hours are seven days a week Sunday through Thursday from 12:00 p.m. to 10:30 p.m. and Friday and Saturday from 12:00 p.m. to 12:00 a.m.; music is Ipod/CD at background levels only; and,

Whereas, the applicant has received a sidewalk permit form the Department of Consumer Affairs; and,

Whereas, this committee has raised a concern that the establishment is located in an R6 zone which prohibits the use of a sidewalk café unless the NYC Department of Buildings has approved a C6 overlay; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **DENIAL** of the proposed alteration to an On Premise license for **Oreste, d/b/a Trattoria Oreste, 64 Carmine St.** unless the condition relating to the fourth “whereas” clause above (in reference to the C6 overlay requirement) has been satisfied.

Vote: Unanimous, with 40 Board members in favor.

9. New York Shakespeare Festival & Joes Pub LLC, 425 Lafayette St., North Shore (Astor Place and East 4th), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an alteration of an existing On Premise license in a commercial building on Lafayette Street between Astor Place and East 4th Street for a 2,000 s.f. bar/public theatre with 124 table seats, 1 bar with 18 seats with a maximum legal capacity of 200 persons; **to reconfigure the bar thus reducing the number of bar seats to 8 and adding 1 service bar**; and,

Whereas, the applicant stated that there are no changes to the previously approved method of operation; hours of operation are seven days a week from 6:00 p.m. – 2:00 a.m.; there is no sidewalk café application and no backyard garden; music live and Ipod/CDs only; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of the proposed alteration to an existing On Premise license for **New York Shakespeare Festival & Joes Pub LLC, 425 Lafayette St., North Shore.**

Vote: Unanimous, with 40 Board members in favor.

10. Slice, the perfect food, 535 Hudson St.

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

Whereas, a member of the community appeared to express concerns with the establishment; citing issues with their noisy hood system which allegedly is left on throughout the night; and,

Whereas, the operator has agreed to take proper measures to turn off the hood system each and every night at closing;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the renewal of an On Premise license for **Slice, the perfect food, 535 Hudson 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 Beer and Wine license.

Vote: Unanimous, with 40 Board members in favor.

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

11. Danny Bensusan or entity to be formed, 22 Little W. 12th 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;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends **DENIAL** of an On Premise liquor license to **Danny Bensusan or entity to be formed, 22 Little W. 12th 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 40 Board members in favor.

12. Chipotle Mexican Grill of Colorado, LLC d/b/a Chipotle Mexican Grill, 405 6th Avenue, NYC

Whereas, the applicant did appear before the committee but requested 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 **Chipotle Mexican Grill of Colorado, LLC d/b/a Chipotle Mexican Grill, 405 6th Avenue 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 40 Board members in favor.

13. Sbafo NYC, LLC, 581 Hudson St., South Store, NYC

Whereas, the applicant did not appear before the committee but requested 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 . **Sbafo NYC, LLC, 581 Hudson St., South Store 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 40 Board members in favor.

14. Serafina Meatpacking, LLC d/b/a Serafina, 7 9th Avenue, NYC

Whereas, the applicant did appear before the committee but requested a layover of consideration of the application to the next hearing; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends **DENIAL** of an On Premise liquor license **Serafina Meatpacking, LLC d/b/a Serafina, 7 9th Avenue 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 40 Board members in favor.

15. ITM Garden, Inc. d/b/a Revel Garden, 10-12 Little W. 12th St., NYC

Whereas, the applicant did appear before the committee but requested 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 . **ITM Garden, Inc. d/b/a Revel Garden, 10-12 Little W. 12th St., 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 40 Board members in favor.

16. Eighteen Partners, Inc., 122 Greenwich 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 any proposed liquor license to **Eighteen Partners, Inc., 122 Greenwich Ave. 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 40 Board members in favor.

17. Richard Michael Notar or Corp to be formed, 349-53 W. 12th Street, 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 any proposed liquor license to **Richard Michael Notar or Corp to be formed, 349-53 W. 12th Street. 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 40 Board members in favor.

18. West Houston Hall, d/b/a Houston Hall, 220-224 W. Houston St., NYC

Whereas, the applicant appeared before the committee for the third time; and,

Whereas, this application is for a new Full On Premise license, in a commercial building (block 528 / lot 16) on W. Houston Street between Varick Street and Avenue of the Americas (6th Ave.), for a 5900 s.f. restaurant/tavern which has 31 tables and 170 seats and 1 bar with 16 seats, there will be no sidewalk café and no back yard garden, music will be background only and a maximum legal capacity of 200 persons; and,

Whereas, as a result of strong community opposition to the applicant's original proposal that included a significant outdoor rooftop dining area, the applicant reached out to the community and adjusted his original plan to completely eliminate the outdoor rooftop dining component, which was a major roadblock to gaining approval from the community and CB#2, Man.; and,

Whereas, there were no community members in attendance for or against this application; and,

Whereas, after extensive dialogue with the community and CB#2, Man, the applicant agreed to the following stipulations:

1. All skylights will be soundproofed with laminated glass boxes.
2. There will be no patron access on Downing Street.
3. The door on Downing Street will be emergency exit only.
4. There will never be open rooftop dining on this one-story structure.
5. All deliveries will be on W. Houston only and never on Downing Street.
6. All garbage pick-ups will attempt to be coordinated with neighbors.
7. The hours of operation for this establishment will be:
Sunday - Monday: 12:00 p.m. to 1:00 a.m.
Tuesday – Wednesday: 12:00 p.m. to 2:00 a.m.
Thursday – Saturday: 12:00 p.m. to 3:00 a.m.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends the **denial** of the Full OP License for **West Houston Hall, d/b/a Houston Hall, 220-224 W. Houston St., NYC** unless all the stipulations agreed to in this resolution in the 5th Whereas clauses are incorporated into the “Method of Operation”.

Vote: Unanimous, with 40 Board members in favor.

19. Original Puglia, Inc. d/b/a Puglia Restaurant, 189 Hester St., NYC 10013

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an transfer of the Full On Premise license, in a mixed use building on Hester Street between Mott and Mulberry Street (Block # 237 and Lot # 35), for a 1,875 s.f. restaurant which will have 10 tables and 74 seats and no bar, there will be a sidewalk café but no back yard garden, and a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation are Sunday through Saturday from 11:00 a.m. to 11:00 p.m.; there will be live and background music; and,

Whereas, it appears that the applicant currently has a sidewalk café for which the NYC DCA cannot find a record of license, but since this location is within the “Mulberry Mall” and there seems to be some confusion to whether they are permitted or need a permit to have a sidewalk café, this application will NOT include the sidewalk café and will not include the area used during the Mulberry St. Mall and once the applicant has corrected this issue, must return before CB2 to apply for an alteration to this license to

include the sidewalk café and area used during the Mulberry St. Mall and must present appropriate floor plans for those areas; and,

Whereas, there was no one from the community against this application; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends the **denial** of the Full OP License for **Original Puglia, Inc. d/b/a Puglia Restaurant, 189 Hester St., NYC 10013** unless the DCA issue regarding their sidewalk café is corrected.

Vote: Unanimous, with 40 Board members in favor.

20. August Ventures, LLC, 61 W.8th St., NYC 10011

Whereas, the applicant appeared before the committee; and,

Whereas, this is an application for an accessibly priced sushi restaurant; and,

Whereas, this application is for a new Full On Premise license, in a mixed use building on 8th Street between 5th and 6th Avenue (Block # 572 and Lot # 10), for a 1,080 s.f. restaurant which has 6 tables and 24 seats and 1 sushi counter with 20 seats and no stand up bar and 1 service bar, there will be no sidewalk café and no back yard garden, and a maximum legal capacity of 44 persons; and,

Whereas, the applicant states that the hours of operation are Sunday through Saturday from 11:00 a.m. to 12:30 a.m.; and,

Whereas, the applicant made a verbal agreement with the 8th Street Block Association which was confirmed with a letter from the 8th St Block Association memorializing their agreement, which includes the following stipulations:

1. That the license hours should specify a closing time of 12:30 a.m. every night.
2. That the existing operable street-level windows should be sealed shut.
3. That the restaurant will have only soft background music that will not be audible outside the restaurant.

Whereas, the committee observed that the hours of operation are not consistent with later closing hours of other restaurants on this block and would be willing to hear this applicant again if he wished to alter these hours once the applicant has opened to the public; and,

Whereas, there was no one from the community against this application; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to the new On Premise license for **August Ventures, LLC, 61 W. 8th St., NYC 10011**, unless all the stipulations agreed to in this resolution in the 5th whereas clauses are incorporated into the “Method of Operation”.

Vote: Unanimous, with 40 Board members in favor.

21. Dorado Tacos II, LLC. d/b/a Dorado Tacos, 28 E. 12th Street, NYC 10003

Whereas, the applicant appeared before the committee; and,

Whereas, this is an application for a small restaurant that will take an innovative approach to Mexican food; and,

Whereas, this application is for a new Beer and Wine license, in a mixed use building on 12th Street between University Place and 5th Avenue (Block # 569 and Lot # 20), for a 560 s.f. restaurant which has 3 tables and 13 seats and no bar, there will be no sidewalk café and no back yard garden, music will be background only and a maximum legal capacity of 19 persons; and,

Whereas, the applicant states that the hours of operation are Sunday through Thursday from 11:00 a.m. to 12:00 a.m. and Friday and Saturday from 11:00 a.m. to 1:00 a.m.; and,

Whereas, the applicant agreed to the following stipulations with CB#2, Man. and the 12th Street and 13th Street Block [Associations](#):

STIPULATIONS

The undersigned, Dorado Tacos II, LLC, hereby agrees that an approval of an Restaurant Wine (RW) license by the New York State Liquor Authority shall be subject to compliance by the Initial Operator and any subsequent operator (a "Subsequent Operator" and, together with the Initial Operator, the "Operator") of the premises located at 28 East 12th Street, New York, NY, 10003 (the "Establishment") with the following stipulations:

Hours of operation: On each Sunday through Thursday night, the Operator shall close no later than 12:00 Midnight. On each Friday and Saturday night, (more correctly referred to as Saturday and Sunday morning) the Operator shall close no later than 1:00AM.

Soundproofing: The Operator shall use its best efforts to soundproof the Establishment to ensure that noise does not emanate from the Establishment, in any direction and does not meet or exceed New York City noise code.

Exterior Equipment: The Operator shall use its best efforts to soundproof the Exterior Equipment to ensure that all noise produced by any external equipment installed and operated by the Operator meets or exceeds New York City noise code.

Front door: The Operator shall construct a double door vestibule that prevents noise from escaping onto the sidewalk. The Operator shall cause the doors to remain in a closed position. The Operator shall not operate any outdoor speakers or sound amplification and shall not deliberately direct any sound outside of the Establishment. The Operator shall hang a sign outside the establishment, which shall be legible from 20 feet away, instructing patrons to keep the noise down and to respect the neighbors.

Windows: The Operator shall use its best efforts to ensure that noise does not emanate from the windows. The Operator shall not permit any doors or windows to be left open. If any windows are to be replaced they are to be replaced with non-operable windows.

Security: The Operator shall cause a communicative general manager to be present at the Establishment during all hours of operation.

Music: The Operator shall not permit DJs or live music in the Establishment. Only background music at a reasonable level shall be permitted.

Promoters: The Operator shall not use outside promoters or allow promoted third party events at the Establishment.

Dancing: The Operator shall not permit dancing in the Establishment.

Sanitation: The Operator shall not store garbage or garbage dumpsters outside of the Establishment. The Operator will schedule garbage pickup for _____. The Operator shall not place refuse at the curb. The Operator shall construct a refrigerated room to store the garbage and will store all garbage in said refrigerated room.

Outdoor Seating: The operator will not establish any outdoor seating or seek to obtain permission for any outdoor seating including but not limited to any unenclosed sidewalk cafe permit.

Lighting: The Operator shall not install any banner up-lighting on the exterior of the Establishment and shall replace said lighting with reduced brightness, spot-type down lighting so as to not disturb residents living above and around the Establishment.

Steering: The Operator shall not attempt to steer the public from the sidewalk into the Establishment. The Operator shall not distribute any fliers on the sidewalk or street.

Drink Specials: The Operator shall not offer any discounted drinks at any time. All drinks will always be sold at full price.

Kitchen: The Operator shall cause the kitchen to stay open serving a full menu until closing.

Signage: All signage will conform to signage standards found in landmark districts.

Monthly Meetings: Upon request, the Operator shall make available the general manager to attend monthly meetings with representatives of the community.

Basement: The Establishment's basement shall not be used to seat or serve patrons.

Kitchen Exhaust: The Operator shall insure that smells emitting from the establishment do not disturb the neighbors. Upon request the Operator shall implement whatever measures necessary to abate any extant odor issues emanating from the establishment.

Whereas, there was no one from the community against this application; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to the new Beer and Wine license for **Dorado Tacos II, LLC. d/b/a Dorado Tacos, 28 E. 12th Street, NYC 10003, unless** all the stipulations agreed to in this resolution in the 5th whereas clauses are incorporated into the “Method of Operation”.

Vote: Unanimous, with 40 Board members in favor.

22. YN Winebar, LLC, d/b/a YN 227 Mott St., NYC 10012

Whereas, the applicant appeared before the committee; and,

Whereas, this is an application for a small wine bar; and,

Whereas, this application is for a new Beer and Wine license, in a mixed use building on Mott Street (Block # 494 and Lot # 26), for a 600 s.f. wine bar which has 1 table and 6 seats and 1 bar with 18 seats, there will be no sidewalk café and no back yard garden, music will be background only, and a maximum legal capacity of 30 persons; and,

Whereas, the applicant states that the hours of operation are Sunday from 10:00 a.m. to 12:00 a.m. and Monday through Wednesday from 4:00 p.m. to 12:00 a.m. and Thursday and Friday from 4:00 p.m. to 2:00 a.m. Saturday from 10:00 a.m. to 2:00 a.m.; and,

Whereas, the applicant agreed to the following stipulations:

1. Hours of Operation are: Sunday from 10:00 a.m. to 12:00 a.m. and Monday through Wednesday from 4:00 p.m. to 12:00 a.m. and Thursday and Friday from 4:00 p.m. to 2:00 a.m. and Saturday from 10:00 a.m. to 2:00 a.m.

2. All doors and windows will be closed at 10:00 p.m.

Whereas, there was no one from the community against this application; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to the new On Premise license for **YN Winebar, LLC, d/b/a YN 227 Mott St., NYC 10012**, unless all the stipulations agreed to in this resolution in the 5th whereas clauses are incorporated into the “Method of Operation”.

Vote: Unanimous, with 40 Board members in favor.

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

23. Stuff It, LLC, d/b/a TBD, 173 Mott Street, NYC 10013

Whereas, the applicant requested to withdraw from consideration of the application to this CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends **denial** of any proposed liquor license to **Stuff It, LLC, d/b/a TBD, 173 Mott Street, NYC 10013** 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 40 Board members in favor.

24. Left Foot LLC, d/b/a The Left Foot Pub, 88 University Pl., NYC 10003

Whereas, the applicant requested to withdraw from consideration of the application to the CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that CB2, Manhattan strongly recommends **denial** of any proposed liquor license to **Left Foot LLC, d/b/a The Left Foot Pub, 88 University Pl., NYC 10003** 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 40 Board members in favor.

25. FSE Inc., d/b/a Amici II, 165 Mulberry St., NYC 10003

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 that the SLA **deny** any proposed liquor license **FSE Inc., d/b/a Amici II, 165 Mulberry St., NYC 10003** 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 40 Board members in favor.

26. Bowery Ale House, d/b/a TBD, 168 Bowery, NYC 10013

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed liquor license **Bowery Ale House, d/b/a TBD, 168 Bowery, 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 40 Board members in favor.

27. Public Rest., L.P. Avroko Rest, GRP LLC, GP & 27 Ltd. PT, 206-210 Elizabeth 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 that the SLA deny any proposed liquor license **Public Rest., L.P. Avroko Rest, GRP LLC, GP & 27 Ltd. PT, 206-210 Elizabeth 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 40 Board members in favor.

28. 54 East Entertainment, Inc. d/b/a Karaoke Boho, 54 E. 13th 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 that the SLA deny any proposed liquor license **54 East Entertainment, Inc. d/b/a Karaoke Boho, 54 E. 13th 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 40 Board members in favor.

29. Bowery Poetry Club, Inc., Bowery, 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 that the SLA deny any proposed liquor license **Bowery Poetry Club, Inc., Bowery, NYC** 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 40 Board members in favor.

30. Molly Picon, LLC 224 Lafayette 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 that the SLA deny any proposed liquor license Molly Picon, LLC 224 Lafayette St., NYC 10012 **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 40 Board members in favor.

STREET ACTIVITY & FILM PERMITS

Support of Street Fair Permit Application Renewal

WHEREAS, the street fair permit application listed below is a renewal application which were approved by the Committee and Community Board 2 last year; 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 the 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 material community opposition to such application, nor any changes in the application from previous years when it was approved by CB#2, Man.; now

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

1. **10/15/11-Tavern** on Jane 16th Annual Block, Jane St. bet. Hudson St. & Eighth Ave.

Vote: Unanimous, with 40 Board members in favor.

2. **10/16/11-Crosby St. Block Party**, Crosby St. bet. Spring St. & Broome St.

Vote: Unanimous, with 40 Board members in favor.

3. **11/6/11-Gay St. Charity Picnic**, Gay St. bet. Waverly Pl. & Christopher St.

WHEREAS, this is a new application to close a small, non congested street for a public picnic that is being organized by the residents of Gay Street to benefit local charities, including Housing Works and a local animal shelter; and

WHEREAS, there will be no amplified sound or commercial activity associated with this street fair; 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 the 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”; now

THEREFORE BE IT RESOLVED, that CB#2, Man. supports the street fair permit application.

Vote: Unanimous, with 40 Board members in favor.

TRAFFIC AND TRANSPORTATION

1. Resolution in support of co-naming the northwest corner of Elizabeth and Spring Sts. “William and Sarah Richio Corner.

Whereas a request to co-name the northwest corner of Elizabeth and Spring Sts. “William and Sarah Richio Corner” has been accompanied by strong and compelling evidence that this application fully meets the requirements of **Community Board No. 2, Manhattan’s (CB2) Street Co-Naming Guidelines, Rev. Feb. 9, 2010 by the CB2 Traffic and Transportation Committee and Approved by the CB2 Full Board Feb. 18, 2010**, as follows:

- Both William and Sarah Richio spent their lives being dedicated advocates for improving health care and social welfare and serving those in need in their community in and surrounding this locale, such as helping to establish and preserve the Judson Healthcare Clinic on Spring St. and as active members in the activities of the Gouverneur Hospital Healthcare Services Advisory Board; advocating for better housing conditions and instrumental in creating the first affordable housing in Little Italy in over 75 years at 21 Spring St.; and organizing job, recreational and advisory programs for local children, youths, adults and seniors, thereby making a significant contribution both to their block and their community.
- Both William and Sarah Richio were long-time residents of the immediate community with a home office at 264 Elizabeth St., right at the corner of
- Elizabeth and Spring Sts., thus having a longstanding and direct presence and relationship with the community in the vicinity of the proposed co-naming and a special significance on the block.
- A petition with over 50 signatures of block residents and occupants (some located right at the proposed corner) in support of the co-naming was submitted by the Little Italy Restoration Association, Inc., an established and long-time community group that initiated the co-naming process, as well as a letter of support from Gouverneur Healthcare Services.
- Information sheets about both William and Sarah Richio were submitted, providing details on their contributions to the community, and indicating their decease dates (both in 2008, far in advance of the CB2 passage of two years requirement prior to co-naming initiation); and

Whereas this application does not promote commercial activity and benefit, does not memorialize victims of accidents or disaster, and asks for only one sign (all additionally in accordance with the CB2 Street Co-Naming Guidelines;

Therefore Be It Resolved that CB2 supports the co-naming of the northwest corner of Elizabeth and Spring Sts. “William and Sarah Richio Corner.”

Vote: Unanimous with 40 Board members in favor.

2. Resolution in support of installing a high-visibility crosswalk at the intersection of Canal and Hudson Sts. (across Holland Tunnel entrance)

Whereas a woman was struck and killed by a truck at Canal and Hudson Sts. (crossing from the north side of Canal to the south side) on July 14, 2011; and

Whereas this Canal/Hudson St. intersection is exceptionally complex and dangerous, and many concerns have been received from the community about its hazardous nature and the need to accommodate pedestrians and facilitate their access there; and

Whereas with the increased residential and working population in Hudson Square (the locale of this intersection) there is an ever increasing demand for pedestrian and mass transit access across this intersection, and people will continue to use it; and

Whereas the Hudson Square Connection Business Improvement District (BID) has been studying this intersection in depth in an effort to find an immediate solution to this exceedingly dangerous situation, in keeping with the pedestrian and traffic management improvements recommended in the BID’s interim traffic management plan; and

Whereas as a result of these observations, the BID has asked the NYC Department of Transportation (DOT) and the Port Authority of New York and New Jersey (PANYNJ) to address this situation and install a high-visibility crosswalk that follows the desire lines of current pedestrian crossing use traversing both Canal St. and the Holland Tunnel approach on the north side; and

Whereas this situation needs to be addressed immediately before further crashes and fatalities occur; and

Whereas in addition to the immediate installation of a high-visibility crosswalk, this hazardous crossing location at Canal and Hudson Sts. calls for long-term solutions to accommodate pedestrian access and safety there, e.g., extended sidewalks;

Therefore be it resolved that CB#2, Man. strongly urges that DOT and PANYNJ immediately install the high-visibility crosswalk recommended by the BID at the intersection of Canal and Hudson Sts. (across the Holland Tunnel entrance) and work in consultation with CB2, the BID, and the community to implement this and to discuss other improvements there consistent with the community’s goals of not only pedestrian safety, but also pedestrian access; and

Be it further resolved that CB#2, Man. urges that DOT and PANYNJ quickly address the need for permanent solutions at that location and present proposals to CB2 and the BID for a capital build-out there in the near term.

Vote: Unanimous with 40 Board members in favor

NEW BUSINESS

1. Resolution on NYU'S Recent Proposal for the Park Strips Adjacent to the Washington Square Village Superblocks

WHEREAS, CB#2, Man. passed a resolution on November 18, 2010, urging that NYU remove from its development proposals and ULURP application the proposal to acquire four 50-foot-wide strips of city-owned property on the eastern and western edges of their South Village superblocks (the "Park Strips"); and

WHEREAS, in such resolution CB#2, Man. called on the City of New York to transfer the Park Strips from the NYC Department of Transportation (NYCDOT) to the Parks Department in order to guarantee their public use and character in perpetuity, reaffirming a position CB#2, Man. has held for decades; and

WHEREAS, on December 5, 2010, CB#2, Man. held a press conference supporting the preservation of all of the Park Strips with community activists and every local elected official representing the area, including Congressman Jerrold Nadler, Manhattan Borough President Scott Stringer, State Senator Tom Duane, State Assembly member Deborah Glick and Councilmember Margaret Chin; and

WHEREAS, on September 15, 2011, NYU announced to the media that it would modify its ULURP plan and propose that two of the Park Strips be transferred from NYCDOT to the Parks Department, but the land beneath said Park Strips would be encumbered by easements to NYU which would allow (i) construction of occupied space under the land, thereby destroying the Park Land strips as they are presently used by the community; (ii) closing of public access during construction and at other times, and (iii) provide for access over the land to NYU facilities; and

WHEREAS, NYU did not work with CB#2, Man. on developing this plan or engage in any substantive conversations about this plan, nor did NYU notify CB#2, Man. of this proposal until the same day as its announcement to the media (although they did consult with other advocacy organizations).

THEREFORE BE IT RESOLVED that CB#2, Man. firmly rejects NYU's proposal for the following reasons:

- The easements would allow for long term temporary closing of the two Park Strips;
- There has not been an evaluation of the legal issues pertaining to the proposed transfer of the Park Strips, including the granting of easements below and across the land, and the need to propose alternatives to alienation of these two Park Strips, as well as the others, nor has there been an assessment of the direct or indirect effect of the project on open space, as called for by CB#2, Man. in its response to Draft Scope of Work for CEQR No. 11DCP121M (NYU Core);
- Use of the Park Strips would be in large part dominated by access across the land to NYU campus facilities;
- Large mature trees would need to be removed from the Park Strips and the land would not be appropriate for planting of large species trees because of the built space below; and
- All new open space included in the proposal, while publicly accessible, will be inward facing with a "university campus" look and feel -- not befitting the character of the community -- which makes the preservation of the Park Strips even more important.

BE IT FURTHER RESOLVED that CB#2, Man. admonishes NYU for not discussing the issue of the Park Strips with CB#2, Man. prior to its announcement to the media, which regretfully could be interpreted as a cynical attempt by NYU to manipulate the wider public, and urges NYU going forward to engage in good faith discussions with CB#2, Man. and the community on strategies to transfer all four of the Park Strips to the Parks Department and preserve them in a manner that comports with their significance to the local community as much used and cherished public open space.

Vote: Unanimous, with 40 Board members in favor.

2. Resolution to Clarify CB2's Position on the Proposed Hudson Square Rezoning

Whereas, an application for a major re-zoning of most of Hudson Square (the current M1-6 Zoning District) is being prepared by Trinity Real Estate; and

Whereas, it is unusual for a re-zoning application of this size to be prepared by a single property owner among many affected owners; and

Whereas, when the details of the proposal were announced, various stakeholders and groups of stakeholders became concerned that their efforts to communicate with Trinity Real Estate were not successful; and

Whereas, these affected parties contacted CB#2, Man. and the CB#2, Man.'s Land Use & Business Development Committee decided to hold a public hearing on July 14, 2011 to hear these various concerns prior to certification of the application; and

Whereas, CB#2, Man. departed from previous procedure and after the public hearing passed a resolution on July 21, 2011 (attached hereto) favoring certain changes to be included in the plan prior to certification; and

Whereas, this has created the incorrect appearance that CB2 has taken a position regarding this application prior to the start of the Uniform Land Use Review Procedure (ULURP) process and this could seem to affect its ability to consider all issues fully and neutrally, during ULURP, when additional public testimony will be considered.

THEREFORE, BE IT RESOLVED that CB#2, Man. rescinds its prior resolution to the extent that specific recommendations were made, but asks that the various concerns raised in this resolution be given consideration by Trinity Real Estate in crafting a final version of the application to begin the process of rezoning this area for the best interests of the entire community, at which time these issues will be reviewed in full, and that in any case, the concerns be included as alternatives in the draft scope so that their impacts can be studied during environmental review.

Vote: Unanimous, with 40 Board members in favor.

Respectfully submitted,

Susan Kent,
Secretary
Community Board #2, Manhattan