

Brad Hoylman, *Chair*
Bo Riccobono, *First Vice Chair*
Alison Greenberg, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
Keen Berger, *Assistant Secretary*

COMMUNITY BOARD No. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.cb2manhattan.org

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

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

FULL BOARD MINUTES

DATE: December 15, 2011
TIME: 6:00 P.M.
PLACE: Village Community School, Auditorium, 272-278 W. 10th Street

BOARD MEMBERS PRESENT: Susanna Aaron, Steve Ashkinazy, Keen Berger, Tobi Bergman, Carter Booth, Anita Brandt, William Bray, Sigrid Burton, Richard Caccappolo, Heather Campbell, Denise Collins, Terri Cude, Doris Diether, Robert Ely, Joshua Frost, Gideon Gil, Elizabeth Gilmore, Sasha Greene, Jo Hamilton, Anne Hearn, Brad Hoylman, Chair, Susan Kent, Arthur Kriemelman, Evan Lederman, Edward Ma, Florent Morellet, Lois Rakoff, David Reck, Robert Riccobono, Robin Rothstein, Maury Schott, Chenault Spence, Richard Stewart, Sean Sweeney, Antony Wong, Elaine Young

BOARD MEMBERS EXCUSED: Lisa Cannistraci, Sheelah Feinberg, Alison Greenberg, David Gruber, Raymond Lee, Jason Mansfield, Jane McCarthy, Alison McGonigal-Nelson, Judy Paul, Rocio Sanz, Wendy Schlazer, Shirley Secunda

BOARD MEMBERS ABSENT: Maria Passanante Derr, Alexander Meadows, Arthur Z. Schwartz

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

GUESTS: Katie Smith, Congressman Jerrold Nadler's office; Robert Atterbury, Senator Tom Duane's office; Mary Cooley, Senator 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; Vanessa Diaz Lopez, Victoria Hervas, Council Member Rosie Mendez's office; Matt Viggiano, Council Member Margaret Chin's office; Eileen Stu Kane, Steven Thales, Bernie Shore, Lori Kleinman, Robin Felsher, Brian Smith, Max Levine, Daryl Ward, Cristy Dwyer, Davide Gentile, Augustine Hope, Karyn Pappas, Ben and Nancy Olsen, Vianna Vang Olsen, Nayra Elias, Andy Castillo, Laura Wallis Hall, Matt Heyd, R. Kennedy, Steve Charles, Herb Lekuche, Mimi Vang Olsen, Thomas Kowal, Sandra Oh, Phillip Rivlin, Dustin Francis, David Zar, Joy Waldon, Dorene Internicola, Danial Puchkoff, Michael Swirsky, Peter Kostmayer, Laura Gottescheiner, Gary Onsum

MEETING SUMMARY

Meeting Date –December 15, 2011
Board Members Present – 35
Board Members Excused–12
Board Members Absent 3

I. SUMMARY AND INDEX

ATTENDANCE	1
MEETING SUMMARY	1
SUMMARY AND INDEX	2
PUBLIC SESSION	2
ADOPTION OF AGENDA	2
ELECTED OFFICIALS' REPORTS	2
ADOPTION OF MINUTES	3
EXECUTIVE SESSION	3
TREASURER'S REPORT	3
STANDING COMMITTEE REPORTS	3
LANDMARKS AND PUBLIC AESTHETICS	3
LAND USE & BUSINESS DEVELOPMENT	6
SIDEWALKS, PUBLIC FACILITIES AND ACCESS	7
SLA LICENSING	16
STREET ACTIVITY & FILM PERMITS	38
TRAFFIC AND TRANSPORTATION	39

II. PUBLIC SESSION

Non-Agenda Items

Manhattan Smoke-Free

Sandra Oh spoke in favor of a smoke-free Manhattan.

Tobacco Advertising

Brian Smith spoke against tobacco advertising to youth.

Grants

Peter Kostmayer spoke in favor of grants.

Occupy Wall Street

Laura Gotteschenir, representing Occupy Wall Street introduced herself.

Matt Heyd, representing Trinity Church, spoke regarding Occupy Wall Street.

SLA Licensing Items

Naum Medevoy, on Behalf of Entity to be formed, TBD, 547 Hudson St.

Phil Rivlin, Mimi Vang Olsen, Thomas Kowalk, Gary Onsum, Michael Swirsky, Steven Thales, Bernie Shore, Augustine Hope, and Karyn Pappas, spoke against the proposed beer and wine license.

Andrew Breslin or Entity to be formed, 33 Greenwich Ave.

Robin Felsherand Lorie Kleinman spoke against the proposed liquor license.

III. ADOPTION OF AGENDA

IV. ELECTED OFFICIALS PRESENT AND REPORTING

Katie Smith, Congressman Jerrold Nadler's office

Robert Atterbury, Senator Tom Duane's office

Mary Cooley, Senator 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

Matt Viggiano, Council Member Margaret Chin's office

Vanessa Diaz Lopez and Victoria Hervas, Council Member Rosie Mendez's office

V. ADOPTION OF MINUTES

Adoption of September and October minutes and distribution of November minutes.

VI. EXECUTIVE SESSION

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

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

3. **Treasurer's Report** (attached)

STANDING COMMITTEE REPORTS

LANDMARKS AND PUBLIC AESTHETICS

1ST LANDMARKS MEETING

1. **LPC #11 – 295 Lafayette St.** (Puck Building) – Individual Landmark. A Romanesque Revival style commercial building designed by Albert Wagner & built in 1885-86 with alterations in 1891-92 & 1897-99. Application is to install HVAC louvers.

Whereas, the Puck Building is an individual landmark, and

Whereas, although only 5 windows out of the 75 windows will have the new louvers, and one of these is blocked from sight by the fire escape and others are on a narrow alley and not easily visible from the street, but

Whereas, on this building the large green louvers seem inappropriate and could set a precedent for other such large louvers to be inserted into picturesque arched windows,

THEREFORE BE IT RESOLVED CB#2, Man. recommends that this application for 295 Lafayette St. be denied and another solution for the HVAC units be found.

Vote: Unanimous, with 35 Board members in favor.

2. LPC #12 – 2-6 West 4 St. aka 693-687 Broadway – NoHo Historic District. A Beaux-Arts style store & office building designed by William C. Frehne, built in 1908. Application is to replace storefront infill and signage.

Whereas, this proposed Duane Reade store plans to replace the present store windows with single pane windows with a 24” bulkhead below the windows, and

Whereas, the proposal is for four signs on each façade of the building, two with halo lighting, and

Whereas, this storefront is on Broadway where it might be appropriate to have single pane store windows, but

Whereas, the eight proposed signs seems too much, and should be reduced to perhaps one sign on each façade, and any halo lighting should be soft lighting,

THEREFORE BE IT RESOLVED CB#2, Man. recommends approval of the proposal for the windows, but believes the amount of signage should be reduced for 2-6 West 4 St.

Vote: Unanimous, with 35 Board members in favor.

3. LPC #13 – 440 Lafayette St. – NoHo Historic District. A Second Empire-style carriage warehouse designed by Edward H. Kendall, built in 1870-71 & altered in 1888-1891. Application is to replace windows.

Whereas, the proposal is to remove the current security gates on the second floor and replace the wood windows with tall two over two aluminum windows to match the existing ones, and

Whereas, the minor differences in the windows are not easily apparent from the street,

THEREFORE BE IT RESOLVED CB#2, Man. recommends approval of this application for 440 Lafayette St.

Vote: Unanimous, with 35 Board members in favor.

4. LPC #15 – 214 West 11 St. – Greenwich Village Historic District. An Italianate style rowhouse built in 1856. Application is to replace windows.

Whereas, the proposal for the first floor is for casement windows of three over three panes with a two pane transom window above, and

Whereas, the proposed windows above the first floor are two over two panes, and

Whereas, the buildings 210-214 are similar in style, and 210 is the model which should be used for any changes to the rest of the row, and

Whereas, above the first floor, the windows should be two over two casement windows with a two pane transom above, similar to 210,

THEREFORE BE IT RESOLVED CB#2, Man. recommends approval of the windows for the first floor but recommends the plans for the upper floor windows be changed to 2 over 2 casement windows with a two-pane transom above for 214 West 11 St.

Vote: Unanimous, with 35 Board members in favor.

2ND LANDMARKS MEETING

1 - LPC Item:6 - 261 Canal Street, aka 21-23 Howard Street (Broadway/Lafayette) – SoHo-Cast Iron Historic District Extension. An Italianate style store and loft building built c. 1853-57. Application is to install storefront infill and modify the loading platform.

Whereas, the restoration overall is commendable. This is be the largest storefront on Canal Street and will be a great improvement to that thoroughfare, as well as providing a benchmark for the rest of the street. The proposal takes a battered storefront and upgrades it to an attractive space within an historical context; and

Whereas, the proposed signage is in scale and does not detract from the building or the district; and

Whereas, the restoration of the bulkhead is welcomed; and it is commendable that the applicant chooses not to have a low bulkhead, but rather maintains a bulkhead whose height conforms to those in traditional storefronts in the historic district; and

Whereas, repairing and replacing many of the historic elements on both facades will improve the building and the district; and

Whereas, moving the exterior gates to inside is commendable; but

Whereas, we have a problem with the two central bays on the Canal Street façade, bays number six and seven, which represent the central core of the building.

We understand why the applicant designed these two bays so asymmetrical, since bay seven covers an elevator shaft, which is not original to the building.

But we prefer that the bays be symmetrical, with a door in bay seven, reflecting and matching the door arrangement in bay six. Doing this would tie in the two bays with the symmetry of the paired bays on the upper floors that form the central core of this 1850s facade.

The applicant expressed reservation that such a solution is faux; however it conforms to the double door treatment in the historic tax photo and is no more faux than the treatment the applicant proposes; now

THEREFORE BE IT RESOLVED that CB#2, Man. recommends general approval of this application; but,

FURTHER, BE IT RESOLVED that CB#2, Man. recommends that a door replace the proposed window in bay seven, so that the storefront will be more symmetrical and uniform.

Vote: Unanimous, with 35 Board members in favor.

LAND USE AND BUSINESS DEVELOPMENT

1. 27 Wooster Street, ULURP Nos. 060492(A) ZSM, 060493 (A) ZSM, (Block 228, Lot 30) City Planning Modification Application to renew a ZR Section 74-712 special permit to allow, on a vacant lot on the corner of Grand Street and Wooster Street within the SoHo-Cast Iron District, the construction of an 8-story plus penthouse, approximately 45,000 SF (5 FAR) residential building with ground floor retail and a renewal of a special permit which increased the as of right accessory parking spaces from 4 to 10. within M1-5A and M1-5B zoning districts

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

WHEREAS, This is an application for minor modifications of an application previously approved by Community Board #2, And,

WHEREAS, The Zoning Lot's location in a flood zone presents a valid reason for the modifications, And

WHEREAS, This special permit does not allow an increase in floor area over the underlying FAR of 5.0 and does not allow an eating and drinking establishment.

THEREFORE BE IT RESOLVED, that Community Board #2 recommends approval of this City Planning Modification Application to renew a ZR Section 74-712 special permit to allow, on a vacant lot on the corner of Grand Street and Wooster Street within the SoHo-Cast Iron District, the construction of an 8-story plus penthouse, approximately 45,000 SF (5 FAR) residential building with ground floor retail and a renewal of a special permit which increased the as of right accessory parking spaces from 4 to 10. within M1-5A and M1-5B zoning districts

Vote: Unanimous, with 35 Board members in favor.

2. 64-68 Wooster Street #120062ZSM (Block 486, Lot 2) City Planning Commission Special Permit Application Pursuant to ZR §74-781 to allow modification of the permitted use provisions in ZR § 42-14 D to permit a Use Group 6 commercial use on the ground floor and cellar in an existing eight-story building in an M1-5A District

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

WHEREAS, The Applicant has represented to the Board that there will be no Eating and Drinking establishments allowed in this build, And,

WHEREAS, The Community Board is satisfied that the Applicant has complied with the requirements of section 74-781 by advertising and marketing the Space in good faith for an as-of-right tenant for more than one year and has not received any offers.

THEREFORE BE IT RESOLVED, that Community Board #2 recommends approval of this City Planning Application Pursuant to ZR §74-781 to allow modification of the permitted use provisions in ZR § 42-14 D to permit a Use Group 6 commercial use on the ground floor and cellar in an existing eight-story building in an M1-5A District.

Vote: Unanimous, with 35 Board members in favor.

SIDEWALKS, PUBLIC FACILITIES AND ACCESS

App. revocable consent from NYCDOT to construct, maintain and use:

1. Entrance detail at 95 Horatio Street (on Gansevoort St side, btw Washington St & West St)

Block:643 Lot:1	Lot Frontage:81.67' Lot Depth:100	Year Built:1930
Number of Buildings:1;	Number of Floors:10	Residential Units:272
Total # of Units:279	Zoning:C6-2A	Landmark Building: Yes
Historic District: Gansevoort Market		

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

Whereas, this application is for consent to use 4 ft, 8 in of the 12 ft, 7.5 in sidewalk on the Gansevoort St. side of the building, which is in the Gansevoort Market Historic District, to construct two ‘loading dock’ type structures as barrier-free access ramps to new retail storefronts being developed along this block, and

Whereas, the western ramp/dock is roughly 105 ft long and the eastern one has been increased in this modification from roughly 70 ft to 120 ft, and

Whereas, this sidewalk is immediately across the street from the entrance to the High Line and what will be the main entrance to the Whitney Museum, and

Whereas, a different version of this proposal was included in a Landmarks application for a master plan for the building which was heard approved by the Commission on 11/27/2007, but the length has now been increased from approximately 105 ft and the proposal apparently did not specify a depth of the dock nor the width of the sidewalk or the percentage of what would be required for this structure, and

Whereas, the LPC approval was given 18 months before the opening of the first phase of the High Line and the increase in pedestrian use of this block from the park and soon the Whitney Museum could not have been anticipated by the Commission, and

Whereas, the committee has seen no evidence that a ‘loading dock’ of this type was ever part of the façade of these buildings, and

Whereas, on a block that will soon see a substantial increase in pedestrian traffic this proposal will reduce the publicly accessible sidewalk to the minimum 8 ft allowed by current law, and

Whereas, given the substantial expansion of the length of the proposed structure since the Master Plan was originally presented and the subsequent popularity of the High Line and impending addition of the Whitney Museum, we request this application be given further scrutiny by the Landmarks Preservation Commission,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **DENIAL** of this application for revocable consent from NYCDOT to construct, maintain and use an **Entrance detail at 95 Horatio Street (on Gansevoort St side, btw Washington St & West St)**

VOTE: Unanimous, with 35 Board members in favor.

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

2. Sange Restaurant, Inc. d/b/a Tio Pepe, 168 W. 4th St. (btw Jones St & Cornelia St), with 8 tables & 16 seats, DCA# 0693313

Block:590 Lot:29 Lot Frontage:44.75' Lot Depth:72.83 Year Built:1920 (estimated)
Number of Buildings:1; Number of Floors:6 Residential Units:15
Total # of Units:17 Zoning:R6 ; Commercial Overlay:C1-5 Landmark Building: Yes
Historic District: Greenwich Village Historic Dist. Ext. II

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

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Enclosed sidewalk café for **Sange Restaurant, Inc. d/b/a Tio Pepe, 168 W. 4th St. (btw Jones St & Cornelia St), with 8 tables & 16 seats, DCA# 0693313**

VOTE: Unanimous, with 35 Board members in favor.

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

3. P.M.W., Inc. d/b/a Spring Street Natural Restaurant, 62 Spring St. (SE corner Cleveland Pl/Lafayette St), with 7 tables & 27 seats, DCA# 1193198

Block:481 Lot:7502 Lot Frontage:75.67' Lot Depth:114.33 Year Built:1926
Number of Buildings:1; Number of Floors:12 Residential Units:41
Total # of Units:42 Zoning:C6-2

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 many years, and

Whereas, the committee noted that since this café is entirely on Lafayette St, this application is not approvable as filed as only small sidewalk cafes are allowed on Lafayette St between Canal St and Houston St, and

Whereas, the current plan does not meet the criteria for small sidewalk cafes, and

Whereas, the applicant continues to have existing violations in the café including several large planters, no separation between smoking and non-smoking areas, a food service cart, a beverage cooler and a sandwich board sign,

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 **P.M.W., Inc. d/b/a Spring Street Natural Restaurant, 62 Spring St. (SE corner Cleveland Pl/Lafayette St), with 7 tables & 27 seats, DCA# 1193198**

AND requests DCA work with the applicant to correctly file an application under the small sidewalk café provisions found within Chapter 4, Section 14-30 of the NYC Zoning Ordinance

VOTE: Unanimous, with 35 Board members in favor.

4. 7th Avenue Rest. Group, LLC, d/b/a Tasca, 130-138 7th Ave. So. (NW corner W 10 St), with 23 tables & 68 seats, DCA# 1252679

Block:611 Lot:38	Lot Frontage:103.08' Lot Depth:78.08	Year Built:1920
Number of Buildings:1;	Number of Floors:1	Residential Units:0
Total # of Units:4	Zoning:C2-6	Landmark Building: Yes
Historic District: Greenwich Village		

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

Whereas, this café has been operated by this applicant for two years, and

Whereas, the committee continues to be confused that the d/b/a on this license ('Tasca') is from a former business and the applicant confirmed that the correct d/b/a is 'Veranda', and

Whereas, the committee noted that the applicant often leaves planters on the sidewalk after café hours in order to use all or part of the café space not as café seating but as smoking, congregating and 'velvet rope' areas after the restaurant is changed to a late-night lounge/nightclub, and

Whereas, the use of the restaurant as a nightclub, which can be extensively documented via websites, (YouTube, etc) as well as being confirmed in person by at least one member of this committee, is in direct violation of the applicant's SLA license Method of Operation and dancing allowed in the restaurant is also illegal as the establishment has no Cabaret License from the NYC Dept. of Consumer Affairs, and

Whereas, the current usage of the restaurant in violation of NYC law and its SLA license have been reflected in numerous fines from the NYC Dept. of Buildings, and continuing action from the SLA with whom the applicant is now in an Article 78 action having been denied a renewal of their liquor license, and

Whereas, this illegal usage has directly affected the late-night use of the sidewalk space permitted exclusively as a sidewalk café,

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 **7th Avenue Rest. Group, LLC, d/b/a Tasca, 130-138 7th Ave. So. (NW corner W 10 St), with 23 tables & 68 seats, DCA# 1252679**

VOTE: Unanimous, with 35 Board members in favor.

5. Le Basket, Inc. d/b/a Le Basket, 683 Broadway (NW corner W 3 St), with 10 tables & 20 seats, DCA# 1334388

Block:535 Lot:7501	Lot Frontage:209' Lot Depth:200	Year Built:1908
Number of Buildings:1;	Number of Floors:12	Residential Units:274
Total # of Units:275	Zoning:C6-2	Landmark Building: Yes
Historic District: NoHo		

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 for many years with established issues, but this is a new applicant, and

Whereas, the committee noted there is no table service at this café and there have been and continue to be issues with supervision, clean up, non-patrons using the space and café size creep,

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 **Le Basket, Inc. d/b/a Le Basket, 683 Broadway (NW corner W 3 St), with 10 tables & 20 seats, DCA# 1334388**

VOTE: Unanimous, with 35 Board members in favor.

6. Pee Wee & Tyson, Ltd, d/b/a Café Gitane, 242 Mott St. (NE corner Prince St), with 4 tables & 8 seats, DCA# 1011960

Block:508 Lot:53	Lot Frontage:27.83' Lot Depth:79.17	Year Built:1910 (estimated)
Number of Buildings:1;	Number of Floors:6	Residential Units:16
Total # of Units:19	Zoning:C6-2	

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

Whereas, this café has been operated for several years by this applicant, and

Whereas, the committee noted that the café seating is not being kept against the façade as required on this 12.5 ft sidewalk and includes planters, cigarette sand pots and umbrellas which further extend the café into the public sidewalk, and

Whereas, the committee noted and an additional community member stated the restaurant does nothing to control waiting patrons who often completely block the public sidewalk, and

Whereas, one community member said there has been seating beyond that approved for the café, and

Whereas, one community member claimed he has witnessed alcoholic beverage service from the establishment's take-out window and the applicant was unable to assure the committee that this was not true,

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 **Pee Wee & Tyson, Ltd, d/b/a Café Gitane, 242 Mott St. (NE corner Prince St), with 4 tables & 8 seats, DCA# 1011960**

VOTE: Unanimous, with 35 Board members in favor.

7. K.I.D. Restaurant Corp. d/b/a Manatus Restaurant, 340 Bleecker St. (btw Christopher St & W 10 St), with 6 tables & 12 seats, DCA# 0885879

Block:619 Lot:26	Lot Frontage:90.5' Lot Depth:50.17	Year Built:1930
Number of Buildings:1;	Number of Floors:6	Residential Units:35
Total # of Units:38	Zoning:C1-6	Landmark Building: Yes

Historic District: Greenwich Village

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

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

Whereas, several community members expressed their support for the approval of this renewal, **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 **K.I.D. Restaurant Corp. d/b/a Manatus Restaurant, 340 Bleecker St. (btw Christopher St & W 10 St), with 6 tables & 12 seats, DCA# 0885879**

VOTE: Unanimous, with 35 Board members in favor.

8. Claudisal Rest. Corp. d/b/a Da' Massimo & Caffe Rellini, 206 Thompson St. (btw Bleecker St & W 3 St), with 9 tables & 18 seats, DCA# 1187924

Block:537	Lot:37	Lot Frontage:57.17'	Lot Depth:100	Year Built:1900 (estimated)
Number of Buildings:2;		Number of Floors:6		Residential Units: 40
Total # of Units:44		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's representative, Michael Kelly, was present, and

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

Whereas, the committee noted that the entire approved seating area is not always used, but that the applicant needs to ensure that 4-seat tables are only used at the ends of whatever seating is set up and Mr. Kelly committed to that,

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 **Claudisal Rest. Corp. d/b/a Da' Massimo & Caffe Rellini, 206 Thompson St. (btw Bleecker St & W 3 St), with 9 tables & 18 seats, DCA# 1187924**

VOTE: Unanimous, with 35 Board members in favor.

9. Caliente Tequila Grill, LLC, d/b/a Caliente Grill, 282 Bleecker St. aka 59 7th Ave. So. (btw Bleecker St & Morton St), with 10 tables & 30 seats, DCA# 1103058

Block:587	Lot:24	Lot Frontage:21'	Lot Depth:75	Year Built:1910 (estimated)
Number of Buildings:1;		Number of Floors:3		Residential Units:2
Total # of Units:3		Zoning:C2-6		Landmark Building: Yes

Historic District: Greenwich Village Historic Dist. Ext. II

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 many 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 **Caliente**

Tequila Grill, LLC, d/b/a Caliente Grill, 282 Bleecker St. aka 59 7th Ave. So. (btw Bleecker St & Morton St), with 10 tables & 30 seats, DCA# 1103058

VOTE: Unanimous, with 35 Board members in favor.

10. Salsa Salon, Inc. d/b/a Mexicana Mama, 47 E. 12th St. (btw University Pl & Broadway), with 3 tables & 6 seats, DCA# 1252203

Block:564 Lot:19 Lot Frontage:37.5' Lot Depth:116.75 Year Built:1910 (estimated)
Number of Buildings:2; Number of Floors:4 Residential Units:0
Total # of Units:10 Zoning:C6-1

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

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

Whereas, the committee noted the seating is often turned 90 degrees from its approved orientation and Mr. Wygoda committed to ensure the applicant sets up the seating as approved,

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 **Salsa Salon, Inc. d/b/a Mexicana Mama, 47 E. 12th St. (btw University Pl & Broadway), with 3 tables & 6 seats, DCA# 1252203**

VOTE: Unanimous, with 35 Board members in favor.

11. NoHo Star, Inc. d/b/a The NoHo Star, 330 Lafayette St. (SW corner Bleecker St), with 16 tables & 32 seats, DCA# 0931822

Block:522 Lot:7501 Lot Frontage:43.08' Lot Depth:116.08 Year Built:1910
Number of Buildings:1; Number of Floors:8 Residential Units:11
Total # of Units:13 Zoning:M1-5B Landmark Building: Yes
Historic District: NoHo

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 many 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 **NoHo Star, Inc. d/b/a The NoHo Star, 330 Lafayette St. (SW corner Bleecker St), with 16 tables & 32 seats, DCA# 0931822**

VOTE: Unanimous, with 35 Board members in favor.

12. The Original Vincent’s, Established 1904 Inc. d/b/a Vincent’s, 119 Mott St. (SW corner Hester St), with 9 tables & 18 seats, DCA# 1139678

Block:205 Lot:19 Lot Frontage:25.33' Lot Depth:100 Year Built:1910 (estimated)
Number of Buildings:3; Number of Floors:5 Residential Units:14

Total # of Units:16 Zoning:C6-2G

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 many years with no known issues, and

Whereas, the café plan does not show café seating on the west side of the main entrance that is used by the applicant and appears to be included in the licensed seat count,

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 **The Original Vincent's, Established 1904 Inc. d/b/a Vincent's, 119 Mott St. (SW corner Hester St), with 9 tables & 18 seats, DCA# 1139678**

CONDITIONAL UPON DCA confirming there is an approved plan showing the seating on the west side of the main entrance to the establishment

VOTE: Unanimous, with 35 Board members in favor.

13. Angelo of Mulberry Street, 146 Mulberry St. (btw Hester St & Grand St), with 3 tables & 10 seats, DCA# 0964932

Block:237 Lot:11	Lot Frontage:36' Lot Depth:100	Year Built:1900 (estimated)
Number of Buildings:1;	Number of Floors:6	Residential Units:15
Total # of Units:16	Zoning:C6-2G	

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 many years with no significant issues, and

Whereas, the committee noted the restaurant typically replaces the seating with an entry enclosure in winter, and

Whereas, the committee noted a large menu board on the sidewalk and the manager was reminded to keep any menu boards against the façade of the building,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Angelo of Mulberry Street, 146 Mulberry St. (btw Hester St & Grand St), with 3 tables & 10 seats, DCA# 0964932**

VOTE: Unanimous, with 35 Board members in favor.

14. 567 Hudson Street, Inc. d/b/a White Horse Tavern, 567 Hudson St. (SW corner W 11 St), with 24 tables & 48 seats, DCA# 0769952

Block:633 Lot:52	Lot Frontage:30' Lot Depth:50	Year Built:1910 (estimated)
Number of Buildings:2;	Number of Floors:3	Residential Units:1
Total # of Units:2	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 has been operated by this applicant for many years, and

Whereas, there appears to be a discrepancy between the approved plan and the seat count with the 12 picnic tables along the outer edge providing the full 48 seats, and

Whereas, the picnic tables should not be allowed in any case as the applicant does not remove them from the sidewalk overnight when the café is not in operation, and

Whereas, the additional small 2-seat tables against the façade appear to have been originally approved under a previous application that had a larger table/seat count, and

Whereas, both plans the committee was shown had more seats than the 48 that are currently approved,

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 **567 Hudson Street, Inc. d/b/a White Horse Tavern, 567 Hudson St. (SW corner W 11 St), with 24 tables & 48 seats, DCA# 0769952**

CONDITIONAL UPON DCA confirming there is an approved plan matching the approved seating of 24 tables and 48 seats for the establishment or that the approved seating is changed to reflect the approved plan

VOTE: Unanimous, with 35 Board members in favor.

15. Cavallacci, Fabrizio, d/b/a Café Reggio, 119 Macdougall St.(SW corner W 3 St) with 4 tables & 8 seats, DCA# 0782318

Block:543 Lot:21	Lot Frontage:25' Lot Depth:100	Year Built:1900 (estimated)
Number of Buildings:1;	Number of Floors:7	Residential Units:24
Total # of Units:29	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's manager was present, and

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

Whereas, the manager noted there is increasing drunken and disorderly conduct among patrons of surrounding bars, recently including the smashing of some of his restaurant's plate glass windows, and requests improved policing of the area,

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 **Cavallacci, Fabrizio, d/b/a Café Reggio, 119 Macdougall St.(SW corner W 3 St) with 4 tables & 8 seats, DCA# 0782318**

VOTE: Unanimous, with 35 Board members in favor.

16. Twelfth Street Corp. d/b/a Village Den Restaurant, 225 W. 12th St. (NE corner Greenwich Ave), with 7 tables & 14 seats, DCA# 1035310

Block:617 Lot:21	Lot Frontage:102.17' Lot Depth:103.25	Year Built:1930 (estimated)
------------------	---------------------------------------	-----------------------------

Number of Buildings:1; Number of Floors:6 Residential Units:50
Total # of Units:53 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 has been operated by this applicant for many 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 **Twelfth Street Corp. d/b/a Village Den Restaurant, 225 W. 12th St. (NE corner Greenwich Ave), with 7 tables & 14 seats, DCA# 1035310**

VOTE: Unanimous, with 35 Board members in favor.

17. MRG Restaurant Corp. d/b/a Positano, 122 Mulberry St. (btw Canal St & Hester St), with 3 tables & 6 seats, DCA# 1035770

Block:205 Lot:12 Lot Frontage:17' Lot Depth:50.08 Year Built:1910 (estimated)
Number of Buildings:1; Number of Floors:3 Residential Units:2
Total # of Units:3 Zoning:C6-2G

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 many 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 **MRG Restaurant Corp. d/b/a Positano, 122 Mulberry St. (btw Canal St & Hester St), with 3 tables & 6 seats, DCA# 1035770**

VOTE: Unanimous, with 35 Board members in favor.

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

18. Apicio, LLC, 359 6th Ave. (btw W 4 St & W Washington Pl), with 6 tables & 12 seats, DCA# 1424241

Block:592 Lot:19 Lot Frontage:39.25' Lot Depth:85 Year Built:1910(estimated)
Number of Buildings:2; Number of Floors:4 Residential Units:3
Total # of Units:5 Zoning:R7-2 ; Commercial Overlay:C1-5 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, Seamus Mullen, was present, and

Whereas, the plan for the café is based on the use of the building's residential entry for service which is not allowed, and additionally shows a fire hydrant that does not exist on the sidewalk, and

Whereas, the committee noted the café design was dictated in part by the clearance required from the non-existent hydrant, but the depth of the café would primarily be constrained by the required 3 ft clearance from the sidewalk grate in front of the full length of the establishment, and

Whereas, the current access to the restaurant is substantially different than what is shown on the print and is based on the use of a previous tenant and must be redrawn to show among other things the inaccessibility of the left-hand door,

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 **Apicio, LLC, 359 6th Ave. (btw W 4 St & W Washington Pl), with 6 tables & 12 seats, DCA# 1424241**

UNLESS DCA receives from the applicant a plan that does not include use of the residential entrance and correctly shows the current uses of the entrances to the establishment

VOTE: Unanimous, with 35 Board members in favor.

SLA LICENSING

1. Arsenoi, Inc. d/b/a Bonfire Chicken & Burgers, 404 6th Ave., NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a family style restaurant that will concentrate on Chicken, burgers and Greek cuisine; and,

Whereas, this application is for a new Full On Premise license, in a mixed-use building (block 57 / lot 2) on 6th Avenue between 8th and 9th Street for a 4,013 s.f. restaurant which has 28 tables and 86 seats and 1 bar with 12 seats, there will be no sidewalk café and no back yard garden, music will be background only and a maximum legal capacity of 157 persons; and,

Whereas, the applicant stated the hours of operation are Sunday through Thursday from 11:00 a.m. to 12:30 a.m. and Friday and Saturday from 11:00 a.m. to 2:00 a.m.; and,

Whereas, this applicant reached out to the community and worked out venting and sound issues and have complied with community request; and,

Whereas, the applicant presented and agreed to the following stipulations:

1. The hours of operation will be Sunday through Thursday from 11:00 a.m. to 12:30 a.m. and Friday and Saturday from 11:00 a.m. to 2:00 a.m.
2. The Operator shall use its best efforts to soundproof and prevent vibrations from the Establishment and to ensure that noise does not emanate from the Establishment, in any direction, particularly the wall that abuts 61 West 8th Street and meets or exceeds New York City noise code.
3. As the applicant has stated that this is solely one restaurant, neither the upstairs or downstairs space will be used as a club or similar nightlife/dance venue, or as a stand alone bar or on-going separate establishment.
4. The applicant will play no loud music of any kind in this space – background music only, no live music of DJ'd events.
5. There will be no waiting lines on the street, stanchions, velvet ropes, bouncers or similar door staff.

6. There will be no cover fees or similar club/venue arrangement.

7. Both Floors of the establishment will operate under the same name and concept with the same method of operations.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends the **denial** of the Full OP License for **Arsenoi, Inc. d/b/a Bonfire Chicken & Burgers, 404 6th Ave., NYC** unless all the stipulations agreed to in this resolution in the 6th Whereas clause are incorporated into the “Method of Operation”.

Vote: Unanimous, with 35 Board members in favor.

2. Mile End Sandwich, LLC, 53 Bond St., NYC 10012

Whereas, the applicant appeared before the committee; and,

Whereas, this is an application for a neighborhood sandwich shop that will serve Jewish delicatessen style sandwiches and other homemade foods; and,

Whereas, this application is for a new Beer and Wine license in a commercial building on Bond Street between Bowery and Lafayette (Block # 529 and Lot # 35), for a 1,275 s.f. Sandwich shop which has 1 stand-up table and no seats with room for approximately 34-36 standing patrons and 1 side counter with no seats and no there will be no bar and all beer and wine will be served from the single food counter in the middle of the establishment where food is served from. There will be no sidewalk café and no backyard garden, music will be background only, and a maximum legal capacity of 68 persons; and,

Whereas, the applicant states that the hours of operation are Sunday through Saturday from 8:00 a.m. to 2:00 a.m.; and,

Whereas, the applicant did not make an effort to do community outreach in the immediate area to the existing Neighborhood Association until the week before this meeting, even though the applicant took possession of the premise in August 2011 (almost 4 months ago) according to the lease, and with the exception of standing on the street and collecting signatures from passersby’s performed no other community outreach to neighboring buildings; and,

Whereas, the location next door in the same building was denied a recommendation for approval from CB#2, Man. for a Beer and Wine license in June 2010, yet was still issued a Beer and Wine license by the SLA and that applicant also came back before CB#2, Man. for an upgrade to a full On Premise license in November 2011 and was again recommended for denial to the SLA by CB#2, Man.; and,

Whereas, prior to 2006 there was one full on premise liquor license on this block of Bond St., there are now currently 2 full on premise licenses, a pending hotel liquor license and two beer and wine licenses (both of which are in the process of requesting upgrades to full on-premise licenses at this time); and,

Whereas, even though this license application is not subject to the 500 ft rule, it should be noted that **35** licensed establishments already exist within 500 feet of this location; and,

Whereas, this location has never been licensed before as was the same for the restaurant right next door to this address, both were previously a lumber and home supply store; and,

Whereas, this location is currently in M1-5B zoning which does not allow use group 6 eating and drinking as of right on the ground floor and to CB2's knowledge, neither the applicant nor his landlord have taken appropriate steps to seek a variance from City Planning; and,

Whereas, CB#2 Man. has asked the NYC Department of Buildings to review the self certified plans submitted to convert this location into an eating and drinking establishment; and,

Whereas, the NoHo neighborhood was represented by Zella Jones, who stated that they were in opposition of this application and was concerned about the late hours and the huge growth of SLA licensed establishments within NoHo which have had a dramatic impact on the quality of life in this area in the evenings and early morning hours and that it has created an over saturation issue to the point that most of the already existing establishments are having trouble surviving because there is limited daytime foot traffic due in part to the lack of a mix of retail establishments, that the corner of Bowery and Bond Street is not Boreum Hill where their other location is located, that this is 1 of 4 remaining manufacturing buildings in the area, that stand up style seating was of concern, and finally that because of the late hours of operation this application was unsupportable on a street that has seen exponential growth in 5 years ; and,

Whereas, Noho neighborhood has repeatedly submitted petitions with almost 200 signatures, including a significant amount of the residential units on Bond St. unequivocally stating that there are too many licensed premises in the area and expressing great concern for the rapid transformation of many storefronts in to eating/drinking/bar establishments; and,

Whereas, the applicant stated that they chose this location because of its connection to the lower east side, even though that is several neighborhoods away, and that they wanted to have a location that physically represented a physical in road to the community thereby making it accessible to everyone, which is of concern to the residents in the immediate area due to the very late hours of operation on a very residential block as a result of the large number of new buildings on the street; and,

Whereas, the applicant even stated to this committee that the sales from the Beer and Wine would probably not be a large percentage of dependent income since it will be over-the-counter service and a standing only table;

THEREFORE BE IT RESOLVED that CB#2, Man, recommends **denial** to the new Beer and Wine license for **Mile End Sandwich, LLC, 53 Bond St., NYC 10012**; and

THEREFORE BE IT FURTHER RESOLVED that CB#2, Man. respectfully requests that the SLA send this applicant back to re-present this application to CB#2, Man. for further consideration if any of the specific elements that comprise the method of operation or hours of operation are changed when the application is presented to the SLA.

Vote: Unanimous, with 35 Board members in favor.

3. B B Ho, Inc. d/b/a Tokyo Ramen, 90-92 University Pl., NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a corporate change of the existing license # 1028771 (which expires on 2/29/2012), in a mixed use building on University Place between East 11th and East 12th Street (Block # 569 and Lot # 22), for a 2,000 s.f. restaurant which has a total of 11 tables and 33 seats and 1 food counter with 8 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 52 persons; and,

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

Whereas, the applicant stated there were no changes of any kind to this business and that there would be no changes with the new Corporate Officer; and,

Whereas, no one appeared in opposition of this applicant;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **Approval** to the corporate change for **B B Ho, Inc. d/b/a Tokyo Ramen, 90-92 University Pl., NYC**

Vote: Unanimous, with 35 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. 26 Bond Street Retail, LLC d/b/a The Smile, 26 Bond St., NYC 10012

Whereas, the applicant has requested a layover of the application to CB#2, Man. SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **26 Bond Street Retail, LLC d/b/a The Smile, 26 Bond 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 35 Board members in favor.

5. Pop Underground, LLC d/b/a Pop Burger, 41 E. 11th St., NYC 10003

Whereas, the applicant has withdrawn from consideration of the application to CB#2, Man. SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends **denial** of any proposed liquor license to **Pop Underground, LLC d/b/a Pop Burger, 41 E. 11th St., 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 35 Board members in favor.

6. Tacombi NYC, LLC d/b/a Fonda Nolita Tacombi, 267 Elizabeth St., NYC 10012

Whereas, the applicant requested a layover of the application to the next CB#2, Man. SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **Tacombi NYC, LLC d/b/a Fonda Nolita Tacombi, 267 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 35 Board members in favor.

7. Alberto Benenati & Yves Jadot or Corp, to be formed, TBD, 17 E. 13th St., NYC

Whereas, the applicant requested a layover of the application to the next CB#2, Man. SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **Alberto Benenati & Yves Jadot or Corp, to be formed, TBD, 17 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 35 Board members in favor.

8. 153 Elizabeth Hotel, LLC & Blue Bell Restaurant Manager, 153 Elizabeth St. aka 40 Kenmare St., NYC 10012

Whereas, the applicant has withdrawn from consideration of the application to CB#2, Man. SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **153 Elizabeth Hotel, LLC & Blue Bell Restaurant Manager, 153 Elizabeth St. aka 40 Kenmare St., NYC 10012** until the applicant has presented their application in front of the SLA Licensing Committee and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 35 Board members in favor.

9. Blue Bell Restaurant, LLC, 153 Elizabeth St. aka 40 Kenmare St., NYC (Additional Space)

Whereas, the applicant has withdrawn from consideration of the application to CB#2, Man. SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **Blue Bell Restaurant, LLC, 153 Elizabeth St. aka 40 Kenmare St., NYC (Additional Space)** 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 35 Board members in favor.

10. ALN Restaurant Inc., d/b/a Giovanna's, 128 Mulberry St., NYC (sidewalk café)

Whereas, the applicant has withdrawn from consideration of the application to CB#2, Man. SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license alteration for **ALN Restaurant Inc., d/b/a Giovanna's, 128 Mulberry St., NYC sidewalk café** 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 35 Board members in favor.

11. 9 GJ Bar & Restaurant, Inc., d/b/a Acme, 9 Great Jones ST., NYC 10012

Whereas, the applicant requested a layover of consideration of the application to the next CB#2, Man. SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **9 GJ Bar & Restaurant, Inc., d/b/a Acme, 9 Great Jones 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 35 Board members in favor.

12. Toby's Public House II, Inc., 86 Kenmare St., NYC 10012

Whereas, the applicant requested a layover of consideration of the application to the next CB#2, Man. SLA Licensing Committee meeting;

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

Vote: Unanimous, with 35 Board members in favor.

13. The Bowery Kitchen, LLC, 220 Bowery, NYC 10012

Whereas, the applicant requested a layover of the application to the next CB#2, Man. SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **The Bowery Kitchen, LLC, 220 Bowery, NYC 10012** until the applicant has presented their application in front of the SLA Licensing Committee and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 35 Board members in favor.

14. Café Angelique, Inc., d/b/a Café Angelique, 317 Bleecker St., NYC 10014

Whereas, the applicant has withdrawn from consideration of the application to CB#2, Man. SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **Café Angelique, Inc., d/b/a Café Angelique, 317 Bleecker St., NYC 10014 until the applicant has presented their application in front of the SLA Licensing Committee and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.**

Vote: Unanimous, with 35 Board members in favor.

15. McNally Robinson Book Seller's LLC, d/b/a McNally Jackson Books, 52 Prince St., NYC 10012

Whereas, the applicant has withdrawn from consideration of the application to CB#2, Man. SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **McNally Robinson Book Seller's LLC, d/b/a McNally Jackson Books, 52 Prince 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 35 Board members in favor.

16. EB2 Gourmet, Inc. d/b/a Turkiss 104 MacDougal St., NYC

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

Whereas, this application was suppose to be on the agenda and was inadvertently left off;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **EB2 Gourmet, Inc. d/b/a Turkiss 104 MacDougal 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 35 Board members in favor.

17. 632 Below, LLC 632 Hudson St., NYC 10014

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a catering license in a 5 story mixed use building on Hudson St. between Jane St. and Horatio St. that the applicant owns for a two (2) story 2400 sq. ft. (1700 sq. ft ground floor and 700 sq. ft. basement only) small catering hall with 14 tables and 74 seats and 2 service bars for a total of 74 seats with a maximum legal capacity of up to 74 persons, the hours of operation will vary, but all events will only be conducted between 8 a.m. and 2 a.m.; and,

Whereas, while not having been licensed before, the location has operated with one day caterers permits by outside caterers for many events; and,

Whereas, the applicant has resolved with the NYC Department of Buildings and NYC Environmental Control Board numerous violations; and,

Whereas, the applicant stated that in conjunction with this space, a separate rooftop “where photo’s are taken” is part of the premise but will not be included in the licensed premise and no alcohol will be consumed or served outside of the ground floor and basement areas which are part of the licensed premise; and,

Whereas, the applicant stated that due to the nature of running a catering business that primarily caters to wedding parties, the applicant may have live music, live DJ’s in addition to ipod/CD’s music but that the music will primarily be background with amplified music as necessary and that it would not be a rowdy, loud or disruptive to the local surrounding neighborhood community; and,

Whereas, several members of the community were in attendance, including members of the Jane St. Block Association, who spoke favorably regarding the applicant and her willingness to resolve issues and a petition with 24 signatures in support was presented; and,

Whereas, the applicant executed a stipulations agreement and agreed to the following stipulations:

1. The applicant agrees there will not be any type of music after midnight.
2. The applicant agrees that the occupancy will never exceed 74 and that any use of the basement is to support events that are happening on the ground floor, for example drinks may be served in the basement prior to seating the same guests upstairs.
3. Catering equipment will not be loaded out of the establishment after events in the evening but will instead be picked up no earlier than 9 a.m. the following morning
4. The rooftop area at the location, which the applicant owns, will not be part of the licensed premise and no alcohol will be served or consumed on the rooftop and there will be no music on the rooftop.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of an On Premise liquor license for **632 Below, LLC 632 Hudson St., NYC 10014** unless the statements the applicant has presented above are accurate and that those conditions and stipulations agreed to by the applicant relating to the 8th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 35 Board members in favor.

18. Franco American Restaurant Investment Group, Inc. d/b/a The Tea Set, 235 W. 12th St., NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an upgrade from an existing beer and wine license to full on-premise license for a restaurant described as a “tea bistro serving breakfast, lunch and dinner” and “Café-Tea Salon” located in a one story 750 s.f. premise in a mixed use building located on West 12th between Greenwich Avenue and West 4th Street with 12 tables and 28 seats, 1 bar with 2 seats, a sidewalk café

with 3 tables and 6 seats (applicant previously agreed with CB2 in March 2011 sidewalk café application to DCA), and a maximum legal capacity of 68 persons, there will be no TV's, music will be quiet background only from ipods/cd's, there may be occasional private parties,

Whereas, the applicant stated that there are 26 licensed premises within 500 feet; and,

Whereas, the applicant first appeared in front of CB#2, Man.'s SLA committee in November 2011 at which time the applicant was requested to perform additional community outreach including communicating with the Middle West 12th Street Block Association and return the following month, and at the December 2011 CB#2, Man. SLA meeting a representative of the Block Association, Andica Kunst, appeared and spoke to the fact that the applicant and Block Association had met and had agreed to execute a stipulations agreement; and

Whereas, the applicant executed a stipulations agreement with the Middle West 12th Street Block Association and executed a stipulations agreement with CB#2, Man. incorporating those stipulations with the exception that CB#2, Man. will not accept the paragraph "Nothing herein shall prevent a Subsequent Operator from seeking an amendment to the 12:00 a.m. closing time six months after the Subsequent Operator actually begins to operate the Establishment" because CB#2, Man.'s SLA Licensing Committee hears each and every SLA application only at the time it is presented and makes a recommendation on the current set of facts presented by the applicant; and

Whereas, the applicant stipulated to the following:

1. **Hours of Operation:** On Sunday through Thursday, the Establishment shall be open from 8:00 a.m. to 12:30 a.m.; and on Friday and Saturday, the Establishment shall be open from 8:00 a.m. to 1:00 a.m. All patrons will be out by closing time.
2. **Certificates, Permits and Related Documents:** The Operator shall obtain all required certificates, permits and related documents and shall remain in compliance with all necessary governmental codes including the Department of Buildings, Landmarks, and the Fire Department.
3. **Soundproofing:** The Operator shall ensure that the Establishment will meet or exceed the current New York City Noise Code guidelines for residential areas. The Operator shall use its best efforts to ensure that noise (including, but not limited to, noise generated by sound reproduction equipment, by patrons and staff, and by commercial equipment such as HVAC equipment, air handlers, compressors and fans) does not emanate from the Establishment, or its equipment, in any direction and meets or exceeds the New York City noise code.
4. **Doors and Windows:** The Operator shall not permit any doors or windows to be open prior to the opening of the Establishment as specified in "Hours of Operation" and after 8:00 p.m. on each day of operation.
5. **Music:** The Operator shall not permit DJs, live music or outside promoters (including promotional parties) in the Establishment. Any recorded music shall be background only.
6. **Party Bus:** The Operator shall not permit the entry of patrons arriving via a "party bus."
7. **Security:** The Operator shall have a general manager and/or a manager on duty, capable of adequately communicating with residents of the community, to be present at the Establishment during all hours of operation.
8. **Lighting & Signage:** The Operator shall not use signage on the Establishment that will be lit by neon lighting or any bright lighting beyond 10:30 p.m. The Operator also agrees to not have "Sandwich Board" advertisement out on the sidewalk in the public walkway impeding the free flow of pedestrian traffic as has been previously noted and observed, but will instead comply with regulations that allow that type of advertisement if it is leaned against the building front and not obstructing the sidewalk.
9. **Restaurant:** The Operator shall continue to and will always operate the Establishment as a full service restaurant (as defined in Alcoholic Beverage Control law section 3(27)) which they have

described as a “Café and Tea Salon”, a “Tea Bistro”, serving breakfast, brunch, lunch and dinner and will have a full menu available at all hours of operation until closing that consists of a full menu including Pastries, Eggs, Soups, Salads, Wraps, Sandwiches, Quiches, Appetizers etc. served from 8am – 4pm and a full menu of appetizers, salads, entrees, soups, sandwiches, and quiches from 4pm until closing. The menu will at all times be comparable to the menu presented to Community Board 2 and the SLA at the time of the application for a full liquor license. To be clear, the Establishment will not be operated as a bar or tavern now or in the future.

10. **Sidewalk Café:** The Operator will operate the sidewalk café in front of the establishment, which consists of 3 tables and 6 chairs, in compliance with all rules and regulations and in compliance with all necessary governmental codes including those enforced by the NYC Department of Consumer Affairs. All tables and chairs will be removed from the sidewalk in compliance with governmental regulations when the sidewalk café is not in operation. If the sidewalk café is not set up as described in the floor plan submitted to the SLA and within the hours of legal operation, the Operator will not allow patrons to remove alcoholic beverages from the interior of the Establishment or consume beverages in the outdoor area. The Operator agrees not to set up the sidewalk café prior to Noon (12:00 pm) on Sundays and will not serve alcohol in the outdoor area prior to Noon on Sundays. To be clear, if the applicant places non-permitted benches in the outdoor area instead of setting up the café in the legally proscribed manner, those benches and the outdoor area within the sidewalk café boundaries will not be utilized for the service or consumption of alcohol and the benches will be removed at the same hours as defined under the “Doors and Windows” which is 8:00 p.m.
11. **Change of Ownership:** The License shall not be transferable in the event of a change of ownership of the Establishment, unless the Operator first amends its hours of operation such that the closing time of the Establishment is 12:00 am every night. In the event there is a change in ownership, the Operator shall notify the Community Board and the Middle West 12th Street Block Association within 60 days prior to any such change.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of an On Premise liquor license for **Franco American Restaurant Investment Group, Inc. d/b/a The Tea Set, 235 W. 12th St. unless** the statements the applicant has presented above are accurate and that those conditions and stipulations agreed to by the applicant relating to the 6th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 35 Board members in favor.

19. Sbafo NYC, LLC, 581 Hudson St., South Store, NYC 10014

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an upgrade from a beer and wine license to a full on premise liquor license on the first floor and basement of a 5 story mixed use building on Hudson Street between West 11th and Bank Street for a 1180 s.f. (676 s.f. on 1st floor and 504 s.f. basement kitchen and prep area) neighborhood restaurant specializing in Italian food and pizza with 10 tables and 20 seats, a food counter with 6 seats and 1 bar with 7 seats for a total of 33 seats inside and a sidewalk café with 9 tables and 20 seats, and a maximum legal capacity inside of 36 persons; and,

Whereas, the applicant stated the hours of operation for the establishment are Sunday from 10:00 am to 10:30 pm, Monday to Friday from 12 noon – 12 midnight, and Saturday from 11 am to 12 midnight; music will be quiet background only from two speakers playing iPod music, there are 2 tvs ; and,

Whereas, the applicant originally appeared in front of CB#2, Man. in December 2009 requesting recommendation for a on-premise license for which CB#2, Man, recommended denial in part for lack of community outreach; and

Whereas, the applicant presented a petition with 96 signatures that clearly indicated the hours of operation and the majority of signatures were from the immediate neighborhood

Whereas, the applicant executed a CB#2, Man, stipulations agreement and agreed that hours of operation would be Sunday from 10:00 am to 10:30 pm, Monday to Friday from 12 noon – 12 midnight, and Saturday from 11 am to 12 midnight and that the establishment would be operated as a full service restaurant only;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of an On Premise liquor license for **Sbafo N.Y.C., LLC, 581 Hudson St., NYC 10014** **unless** the statements the applicant has presented above are accurate and that those conditions and stipulations agreed to by the applicant relating to the 6th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 35 Board members in favor.

20. 181 Thompson Restaurant, LLC, 181 Thompson St., NYC 10012

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new on premise liquor license on the first floor and basement of a 5 story mixed use building on Thompson Street between Bleecker St. and West Houston Street for a 1300 s.f. (1,100 s.f. on 1st floor and 200 s.f. basement) “fine dining Italian-American Restaurant” with 11 tables and 48 seats and 1 stand up bar with 11 seats for a total of 59 seats inside and a maximum legal capacity of less than 75 persons; and,

Whereas, the applicant stated the hours of operation for the establishment are Sunday – Wednesday from 12:00 pm to 1:00 am and Thursday – Saturday from 12:00 pm to 1:00 am; music will be quiet background only from ipod/cd’s music, there are no tv’s, there is no soundproofing and no soundproofing will be installed, there will be no French doors, accordion doors or windows that open, the applicant will not have promoted events, scheduled performances, outside promoters, will not have events for which a cover fee is charged but will have private parties, all doors and windows will be closed at 10:00pm; and,

Whereas, while this is an application for a new on premise liquor license, the location was previous licensed as Silma, Inc. d/b/a Rocco Restaurant, Serial Number 1025159 whose advertised hours were Tuesday-Thursday from 12 noon–11 pm, Friday-Saturday from 12 Noon-11:30 pm, Sunday from 1 pm-10 pm and closed Monday and the current applicant 181 Thompson Restaurant has made arrangements to keep the existing Rocco’s sign; and,

Whereas, 3 people appeared and spoke in favor of the applicant and a petition was presented in support of the applicant with 140 signatures and the petitions did include the hours of operation, however, *less than 5 of the addresses listed were on the immediate blocks surround the proposed premise*; and,

Whereas, the applicant was scheduled to appear the prior month but laid over the application in order to meet with interested parties as part of their community outreach and in particular met with the Bleecker Area Merchant’s and Residents’ Association (BAMRA) after which BAMRA voted in support of the applicant 31-0 provided that the applicant obtain the written support of residents of the building 181 Thompson Street in which the restaurant will be located and provided that they agree to the following stipulations in writing:

1. The restaurant will close by 2:00 a.m. on Friday and Saturday nights and by 1:00 a.m. on all other nights.
2. There will be no sidewalk service.
3. There will be no bar menu.
4. No live music will be played, and no music will be played while any exterior windows or doors are open.
5. Existing signage will be maintained.
6. Management will maintain an exterior sign reminding patrons to respect their neighbors and keep their noise down.
7. Management will maintain adequate control over patrons waiting outside, including traffic from those arriving by car, without the use of ropes or stanchions.
8. Management will exercise control over garbage pick-up and early morning deliveries and their associated noise.

Whereas, the applicant executed a CB#2, Man. stipulations agreement that states that the applicant will adhere to the stipulations that they agreed to with BAMRA as outlined in the previous “whereas” clause, that the kitchen will be open and operating at all hours until closing time, that they will not excavate the basement now or in the future and will not use the basement for restaurant patrons, they will not use velvet ropes or stanchions and that all doors and windows will be closed at 10:00 pm.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise liquor license for **181 Thompson Restaurant, LLC, 181 Thompson St., NYC 10012** unless the statements the applicant has presented above are accurate and that those conditions and stipulations agreed to by the applicant relating to the 7th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 35 Board members in favor.

21. Sergio & Mario Riva, Entity to be formed, 504 6th Ave., NYC 10011

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a transfer of an on premise liquor license on the first floor and basement of a 3 story mixed use building on the South-East corner of 6th Avenue and 13th Street for a 4,000 s.f. (2,000 s.f. on 1st floor and 2,000 s.f. basement with no patron access) “casual neighborhood Italian osteria and wine bar (osteria is a casual Italian bistro)” with 28 tables and 94 table seats, 1 food counter with 8 seats and 1 stand up bar with 12 seats for a total of 114 seats inside and a maximum legal capacity of 118 persons as stated on the certificate of occupancy, there is no sidewalk café licensed at the address and it is not included with this application, and the applicant will operate the restaurant similarly to their other existing establishment Osteria Cotta on the Upper West Side; and,

Whereas, the applicant stated the hours of operation for the establishment are Sunday from 10:00am to 2:00am, Monday-Wednesday from 11:30am to 2:00am, Thursday-Friday from 11:30am to 4:00am and Saturday from 10:00am-4:00am, music will be quiet background only from ipod/cd’s music, there will be 1 or 2 tv’s, the applicant will not install additional soundproofing, the existing French doors will be converted to windows that open, the applicant will not have promoted events, scheduled performances, outside promoters, will not have events for which a cover fee is charged but may have private parties, all doors and windows will be closed at 10:00pm; and,

Whereas, this applicant is proposing a transfer of an existing liquor license which was previously held by Maximopino Café 1 LLC & Trust 3 Hospitality LLC d/b/a Rockography Serial Number 1251341, which has operated as Rockography and most recently as Blitz! Brasserie and CB#2, Man. had received a number of complaints regarding the location when it was operated as Rockography; and,

Whereas, the applicant did meet with several members of the local block association who emailed the committee vice-chair prior to the meeting and expressed satisfaction with the applicants description of their proposed premise; and,

Whereas, the applicant executed a CB#, 2 Man. stipulations agreement that states that the applicant will not have DJ's, live music or third party promoters, that they will close all doors and windows by 10:00pm, they will not have a sidewalk café, music will be quiet ambient background music, the kitchen will remain open at all hours until the establishment closes, and that they will perform continuing community outreach initiatives;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of an On Premise liquor license for **Sergio & Mario Riva, Entity to be formed, 504 6th Ave., NYC 10011** **unless** the statements the applicant has presented above are accurate and that those conditions and stipulations agreed to by the applicant relating to the 6th "whereas" clause above are incorporated into the "Method of Operation" on the SLA On Premise license.

Vote: Unanimous, with 35 Board members in favor.

22. Andrew Breslin or Entity to be formed, 33 Greenwich Ave., NYC10014

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a transfer of an on premise liquor license for a restaurant and bar on the first floor of a 15 story residential building between west 10th Street and Charles Street for a 1,900 s.f. "family style restaurant that will focus on more modern neighborhood trends while providing inexpensive dishes" with 13 tables and 41 table seats, 1 banquet with 5 seats and 1 stand up bar with 9 seats for a total of 55 seats inside and the applicant states the maximum occupancy will be 100; and,

Whereas, the applicant stated the hours of operation for the establishment are from 11:00am to 4:00am seven days a week, music will consist of live music, iPods/Cd's, and will be at quiet background levels, there will be 4 televisions, there are windows that will open in the front of the establishment; and

Whereas, the applicant stated that the establishment would not have promoted events, scheduled performances, outside promoters, would not have events that charge a cover fee and would not have private parties; and,

Whereas, the applicant submitted a "sound proofing plan" which described methods they would employ to prevent sound leakage, methods to prevent excessive noise "inside the bar" which included "two ideas that we were able to implement in this plan to ensure that the noise inside the bar did not become excessive" which are to include a limiter on the sound system and custom speakers with built in limiters, "managers of the bar will be equipped with Galaxy Audio SPL meters" that will allow them "to accurately monitor the noise being generated inside and outside the establishment at all times to ensure that at no time the level of noise generated by the internal establishment noise and patrons outside are well under the NYC Department of Environmental Protection (DEP Code)(11) legal limit of 45dBa." (items in quotes are quoted from the Sound Proofing Plan presented by the applicant); and,

Whereas, the applicant stated that they would employ 1 security guard during the week and 3 security guards on the weekends; and,

Whereas, the applicant submitted a menu consisting of 5 salads, 6 entrees and a tapas menu with 8 items; and,

Whereas, the applicants own 7 other establishments, three of which are located within CB#2, Man. and include MacDougal G Corp d/b/a Alibi at 116 MacDougal St., 151 Bleecker LLC d/b/a Red Lion at 151-153 Bleecker St. and G Mac G Corp d/b/a Slane at 102 MacDougal St.; and,

Whereas, the applicant presented a list of 11 licensed premises within 500 feet of the proposed location; and,

Whereas, there was some confusion regarding an area in the licensed premise that was referred to as an enclosed sidewalk café, which is apparently constructed completely within the building's lot line and therefore not subject to Sidewalk Café rules; and,

Whereas, in September 2005 the previous licensee, Maracas Greenwich Avenue Partners, LLC, serial number 1170228, which closed in early October 2011, presented their application to CB#2, Man. and a resolution was prepared and forwarded to the SLA that states that the applicant affirmed that their premise was 2,500 sq. ft. had 126 table seats and 1 bar with 24 seats and that the hours of operation would be Sunday-Thursday from 11:30am to 12:00am and Friday-Saturday from 11:30 am to 2:00am and that music would be background only; and,

Whereas, in June 2010 the previous licensee appeared in front of CB#2, Man.'s Sidewalks, Public Facilities and Public Access Committee at which community members were present and emails and petitions were submitted by more than 60 members of the community requesting denial of the renewal application for the sidewalk café due to "noise, drunkenness and unruly behavior generated by this establishment"; and,

Whereas, in response to the current application, Six residents in the immediate area, including the President of the residential co-op board at 33 Greenwich Ave. in which the premise is located and members of the Mid West 10th St. Block Association appeared in opposition to the application and CB#2, Man. received letters from 27 people against the proposed establishment, 19 of which reside at 33 Greenwich Ave.; and,

Whereas, the President of the Board of 33 Greenwich Ave. and a member of the Mid-West 10th Street Block Association reached out to a representative of the applicant on December 1, 2011 via email in response to an email from the applicants representative to the President of the Mid West 10th Street Block Association and did not receive any reply to their attempt to contact the applicant prior to the meeting and whereas all in attendance in opposition and all letters sent to CB#2, Man. indicated that no one had been contacted by the applicant; and,

Whereas, members of the community presented a list of 30 establishments that are roughly within 500 feet of the establishment and challenged the applicants assertion that there are only 11 licensed premises within 500 feet, members of the community stated that there have been ongoing significant issues with the previous tenant that were never resolved, including excessive noise from music, inebriated patrons causing excessive noise inside and outside the establishment, a sidewalk café that often had disorderly patrons, inadequate soundproofing that caused music to emanate from the establishment, particularly from the enclosed area previously describe for which the roof is only one and a half feet from residents windows on the second floor, that there was woefully inadequate existing sound proofing that allowed

music to come up through the floors of residents apartments, that no solutions were ever remotely acceptable; and,

Whereas, members of the community expressed significant concern that this establishment would increase noise in their building, on the sidewalk and in the surround community in excess of the previous tenant despite efforts to soundproof the establishment especially in light of the fact that this applicant would like to operate to such late hours and have live music, concern was expressed that there would be increased traffic from taxi's and pedestrian traffic to much later hours as a result of the proposed hours of operation, members of the community also expressed disbelief that extending the hours of operation from the previous tenant and including a bar component into the business could possibly serve the public convenience and advantage and public interest particularly in light of the many new licenses in the area in previously unlicensed locations and degradation of quality of life in the evenings and early morning hours; and,

Whereas, members of the community raised an issue regarding a CB#2, Man. resolution from June 2011, which was sent to the SLA the same month regarding the renewal of a liquor license, serial number 1163059 for G Mac G Corp d/b/a Slane which has the same principals as this application which was in regards to renewal application which states among other issues that despite being notified, the applicants failed to appear, that the applicants are familiar with the advisory role of CB#2, Man. and in particular states that of the applicant "has displayed a complete disregard for the community, in particular for their refusal to simply close their doors and windows and for allowing amplified music performances, particularly Sunday-Thursday, which by virtue of placement of their speakers send music directly into apartments surrounding the establishment resulting in what one member of the community described as a "live concert on the street"" and which also states that "5 community members appeared at the hearing to complain of the fighting, blasting music, intense bass from music that vibrates the surrounding buildings, alcohol out on the streets in front of the establishment, noise that disrupts quality of life for residents above and across the street, lack of control of the unruly patrons on the sidewalk in front of the premise and complete disregard for neighbors who call the establishment directly to lodge complaints" and a video was presented at the time showing the issues (please refer to the resolution for more details); and,

Whereas, community members were particularly concerned that the verbal overview the applicants provided of their business as a restaurant with a bar business and that it did not match many aspects of the application; and,

Whereas, in the last several years, the Mid West 10th Street Block Association has successfully met with applicants prior to the completion of the presentation of their applications to CB#2 Man. and has executed stipulations agreements with almost all new operators in this area that help define the expectations and the relationship between business owners and residents and has been very accommodating in balancing reasonable issues between businesses and residents; and,

Whereas, CB#2, Man. SLA Licensing committee members in particular had concerns that while the applicant has presented a detailed "sound proofing plan" it was unclear why such a plan would be needed if the music was quiet background music and soft acoustical performances and furthermore questioned why the sound proofing plan constantly referred to the establishment as a "bar" with the expectation of having difficulty managing their noise levels of both patrons and music; and

Whereas, CB#2, Man. has concerns regarding why the establishment would require 3 security staff on the weekends which is far in excess of the NYPD NY Nightlife guidelines for licensed premises and CB#2, Man. also has concern for the number of seats in the establishment and questions the large discrepancy in the number of tables and seats in the establishment (55 seats in this application) in comparison to the previous applicants (which was 126 seats) which is almost half as many as the previous license holder; and

Whereas, at the end of the public testimony and after a lengthy discussion with the committee the applicant was willing to reduce their hours of operation slightly, was willing to close their windows at 10 pm or if there was live music, but would not eliminate the live music component; and

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of a on-premise liquor license for **Andrew Breslin or Entity to be formed, 33 Greenwich Ave**; and,

THEREFORE BE IT FURTHER RESOLVED that CB#2, Man. respectfully requests that if the SLA contemplates approval of this application OVER our denial, that the applicant be returned to the Board in order to agree upon stipulations to be included in the Method of Operation.

Vote: Unanimous, with 35 Board members in favor.

23. Michael Sinensky and Sean McGarr, 159 Bleecker St., NYC 10012

Whereas, the applicant appeared before the committee; and,

Whereas, the application is for a new on premise liquor license for the above reference location; and,

Whereas, after presenting their application to the committee and receiving a tied vote for both a “deny unless” and a “deny” recommendation for consideration for the full board of CB#2, Man. the applicant requested to postpone their application from consideration for the full board of CB#2, Man. prior to CB#2, Man.’s regularly scheduled full board meeting in December, 2011; and

Whereas, the applicant stated that they would “show [their] intention for maintaining and improving the integrity of the community, through an outreach to the Community Board and Civic Associations” in light of concerns from members of the community and the committee and would then re-present their application to CB#2, Man. in one month; and

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for Michael Sinensky and Sean McGarr, 159 Bleecker St., NYC 10012 **until the applicant has presented their application in front of the SLA Licensing Committee and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.**

Vote: Unanimous, with 35 Board members in favor.

24. George Marcel, LLC d/b/a Scopa, 24 Minetta Lane, NYC 10012

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new on premise liquor license on the first floor and basement of a 5 story mixed use building on Minetta Lane between 6th Avenue and MacDougal Street for a approx. 3,000 s.f. (2,100 s.f. on 1st floor and 1,000 s.f. basement with no patron access) restaurant serving “regional Italian cuisine specializing in homemade pastas, breads and offcuts” with 11 tables and 36 seats and 2 stand up bars, one with 9 seats and the other with 10 seats, one of the bars will function mostly as a food counter, for a total of 55 seats inside and a maximum legal capacity of less than 75 persons; and,

Whereas, the applicant stated the hours of operation for the establishment are Sunday from 12:00pm to 1:00am, Monday-Wednesday from 4:00pm to 1:00am, Thursday from 4:00pm to 2:00am and Friday-

Saturday from 12:00pm to 2:00am, music will be quiet background only from iPod/cd's music, there are no tvs, the applicant will install soundproofing as presented to CB#2, Man. there are existing French doors/windows which will be closed at 10:00pm each day, the applicant will not have promoted events, scheduled performances, outside promoters, will not have events for which a cover fee is charged but may have private parties; and,

Whereas, there are 29 licensed premises within 500 ft and 6 people spoke in favor of the applicant including the landlord who lives in the building and the President of the Minetta Lane Block; and,

Whereas, the applicant is a principle in 4 other establishments within CB#2, Man. including John Dory LLC d/b/a Market Table, Happy Cooking LLC d/b/a Joseph Leonard, Little Wisco LLC d/b/a Fedora, and Penmanship LLC d/b/a Jeffrey's Grocery, the last three of which he is the sole principle and which have on-premise liquor licenses; and,

Whereas, the applicant executed a CB#2, Man. stipulations agreement that states that the applicant will soundproof the establishment as described to CB#2, Man. and presented in a written plan and will close all doors and windows by 10:00pm 7 days a week; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of an On Premise liquor license for **George Marcel, LLC, 24 Minetta Lane, NYC 10012** **unless** the statements the applicant has presented above are accurate and that those conditions and stipulations agreed to by the applicant relating to the 6th "whereas" clause above are incorporated into the "Method of Operation" on the SLA On Premise license.

Vote: Passed, with 34 Board members in favor and 1 recusal (S. Aaron).

25. Cereli Inc. d/b/a Mole, 57 Jane St., NYC 10014

Whereas, the applicant appeared before the committee; and,

Whereas, this an alteration application is to include the sidewalk café on Hudson Street adjacent to the establishment as part of the licensed premise for an existing on premise liquor license, serial number 1228611 and to add the 7 tables and 16 seats in the outdoor sidewalk café, the sidewalk café was previously approved by CB#2, Man. in February 2010, but is not yet licensed; and,

Whereas, the current establishment is on the first floor and basement of a 4 story mixed use building occupying 1,400 s.f. (1,000 s.f. 1st floor and 400 s.f. basement not accessible by patrons) and operates as a Mexican restaurant with hours of operation Sunday-Thursday from 11:00 am to 11:00 pm and Friday-Saturday from 11:00 am to 1:00 am with no tvs, music is quiet background only from iPod/cd music with small speakers, there are 16 tables with 32 table seats, 1 stand up bar with 4 seats and there will now be an additional 7 tables and 16 seats in the outdoor sidewalk café area and the maximum legal occupancy is less than 75 persons for the interior area as indicated in a letter of no objection from the NYC Department of Buildings; and,

Whereas, 4 people appeared in front of the committee to express concerns regarding this establishment, including immediate neighbors and the President of the Jane Street Block Association, specifically regarding issues of smoke and odors permeating the block from this establishment as a result of the location of the kitchen venting in the rear of the building, but did state that there had been dialogue with the applicant regarding this issue for some time and that he was in the process of taking some remedial action by relocating the exhaust vent from the rear of the building to the front but that he was not taking any actions to address the odor issue at this time; and,

Whereas, the applicant stated that he was in the process of relocating the kitchen exhaust vent from the rear of the building which was adjacent to neighboring apartment windows and balconies, and running a new exhaust duct to the front of the building on the Hudson Street side, which would effectively raise the vent 7 higher than it is currently because the building is higher in that area, but that he was limited by virtue of the buildings location in a land marked historic district and he further stated that if there is still an odor issue he would take steps after the relocation of the exhaust vent is completed; and,

Whereas, the applicant agreed to execute a CB#2, Man. stipulations agreement that states that the applicant will bring the kitchen exhaust venting to the front of the building and raise it 7 feet higher than it's current location and that the fan will be turned off when the restaurant closes and that he will continue to address this issue if odors are still a problem; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the alteration to the On Premise liquor license for **Cereli Inc. d/b/a Mole, 57 Jane St., NYC 10014** to include the sidewalk café **unless** the statements the applicant has presented above are accurate and that those conditions and stipulations agreed to by the applicant relating to the 6th "whereas" clause above are incorporated into the "Method of Operation" on the SLA On Premise license.

Vote: Unanimous, with 35 Board members in favor.

26. Naum Medevoy, on Behalf of Entity to be formed, TBD, 547 Hudson St., NYC10014

Whereas, the applicant appeared before the committee at the request of CB#2 Man.; and,

Whereas, this application is for a new beer and wine license on Hudson Street between Perry St. and Charles Street for the first floor and basement of a 4 story mixed use building that the applicant owns for an approximately 2,000 s.f. (1,200 s.f. on 1st floor and 800 s.f. basement) "high end espresso bar and café" which will "offer small items to eat such as baked goods, sandwiches & some small plates" and "will be a family run café just as our current café in Brooklyn is" with 10 tables and 42 seats and 1 stand up bar with 10 seats and a food counter with 4 seats for a total of 56 seats inside and a maximum legal occupancy which has not yet been determined by the NYC Department of Buildings but which the applicant expects to be less than 75 persons; and

Whereas, the applicant stated the hours of operation for the establishment would be Sunday-Thursday from 6:00am to 2:00am and Friday-Saturday from 6:00am to 3:30am, music would be quiet background only from a "basic sound system, speakers attached to iPod", there may be 1 television, that they would install soundproofing consisting of windows fitted with double paned glass and a shared brick wall would be covered so as to dampen noise, that they will not have promoted events, scheduled performances, outside promoters private parties or any events for which a cover fee is charged; and,

Whereas, the applicant stated that there would be up to 7 pinball machines in the basement, including vintage pinball machines and that there were many people who traveled to visit locations that have vintage pinball machines; and,

Whereas, the applicant submitted 7 letters in support of their application including several from the residents in the same building which they own; and,

Whereas, this location has never been licensed before for the service of beer and wine or alcohol and was previously a hair salon and spa and the applicant stated even though this license is not subject to the "500 foot rule" that there were at least 12 licensed premises within 500 ft, but failed to include among others the coffee shop café, Le Pain Quotidien located across the street which has a beer and wine license and others noted below; and,

Whereas, CB#2, Man. expressed concerns regarding the proposed application, specifically related to the proposed hours of operation for establishment they described as a “high end espresso bar and café” which will “offer small items to eat such as baked goods, sandwiches & some small plates” and felt the hours were significantly beyond those for any other coffee bar and café in the area, for example 3 locations within 500 ft that were not listed by the applicant but which have similar types of coffee/café businesses are Le Pain Quotidien located across the street which closes at 8pm and has a beer and wine license (within 500ft), Café Panino Mucho Giusto at 551 Hudson St which closes at 8pm and has a restaurant wine license (within 500 ft), 11th Street Café on West 11th Street which closes at 7pm and has a restaurant wine license (within 500ft) and there are many other coffee shops that have beer and wine licenses in the neighborhood but most if not all close prior to 11pm; and,

Whereas, CB#2, Man. noted that the applicants other location for Upright Coffee in Greenpoint, Brooklyn holds no licenses issued by the SLA, is very small, has a very abbreviated food menu consisting of oatmeal, pastries and granola bars in comparison to the menu presented for this location; and,

Whereas, CB#2, Man. feels that there is insufficient experience to operate this type of licensed premise with these types of extended hours until early morning hours; and,

Whereas, CB#2, Man. notes that the applicant has stated in their proposed menu that they will have 12 beers on tap, 12 beers in bottle, 6 red wines and 6 white wines and CB#2, Man. feels that the proposed establishment will simply operate similarly to a bar in the evening and early morning hours; and,

Whereas, CB#2, Man. feels that the business that the applicant proposes with late hours will not be able to operate in the manner they have described as a “high end espresso bar and café” which will “offer small items to eat such as baked goods, sandwiches & some small plates” because that business does not exist at those late hours in this area as is noted in the operating hours of other similar establishments noted above; and,

Whereas, the applicants have no experience operating a business with any type of license issued by the SLA, have no experience managing a location serving alcohol and were not convincing to CB#2, Man. that they would be able to maintain the method of operation for the type of business presented in this application; and,

Whereas, there was limited outreach on the part of the applicants to the surrounding block associations and neighbors in surrounding buildings specifically describing the business and hours of operation; and

Whereas, the applicant responded to the above concerns after a lengthy discussion with the committee and were even given time to adjourn to the hallway to discuss CB#2, Man.’s concerns, and stated that they would reduce their hours of operation to 1:30am Sunday-Thursday and 2:30 Friday-Saturday and stated that they would be unique because of their very inviting and simple breakfast, lunch and dinner and that they would pay great attention to detail in restoring the façade of the building and the interior of the building, both of which they own, and the applicant stated that the two younger gentleman who were his relatives who would be running the establishment were “young guys interested in building something”; and,

Whereas, CB#2, Man. felt the applicant’s response failed to address the major concerns outlined above and that their responses were again unconvincing; and,

Whereas, CB#2, Man. respectfully asks the SLA to consider the above concerns as good cause not to approve this application; and,

Whereas, this building does not have a certificate of occupancy and CB#2, Man. requests that if and when the applicant submits a letter of no objection from the NYC Department of Buildings that the SLA carefully review the letter to ensure that the letter covers the ground floor and basement areas for patron use; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of a Beer and Wine license for **Naum Medevoy, on Behalf of Entity to be formed, TBD, 547 Hudson St., NYC10014;** and

THEREFORE BE IT FURTHER RESOLVED that CB#2, Man. respectfully requests that if the SLA contemplates approval of this application OVER our denial, that the applicant be returned to the Board in order to agree upon stipulations to be included in the Method of Operation.

Vote: Unanimous, with 35 Board members in favor.

27. Negril Village, 70 W. Third St., NYC

Whereas, after being notified by CB2 of their placement on the agenda due to community complaints for the renewal of their liquor license, the applicant failed to appear before the committee or communicate in any manner with CB2 regarding the outstanding concerns raised by the community; and,

Whereas, two members of the community appeared to express concerns regarding this applicant including an adjacent neighbor and the Chair of the Noise Committee for the Bleecker Area Merchant's and Residents' Association (BAMRA) which is comprised of the owners of many of the licensed establishments in the area and many residents in the area; and,

Whereas, the issues that resulted in the applicant being placed on the calendar were specifically related to smoke and odors from the kitchen venting system for the establishment and excessive noise generated by kitchen venting system and the applicants failure to turn off the kitchen venting system exhaust fan after the close of the kitchen for many years even while being aware of the impact it was having on neighbors; and

Whereas, the applicant and/or a representative of the applicant who is the manager or similar has received complaints over many years regarding the issues surrounding the kitchen venting system and has in the past communicated with the neighbor who's apartment abuts the roof of the establishment and is directly affected by the condition and the neighbor noted that the applicants representative will no longer talk to him and will only communicate through the neighbors building superintendent and he noted that another contact number he has yields no results because of a language barrier with the restaurant staff and that there is no interest in resolving this condition; and,

Whereas, on December 8, 2011 an inspector from the NYC Department of Buildings responded to a complaint regarding the location of the Kitchen Exhaust Fan Vent on the roof and determined that the location and height of the Kitchen Exhaust Fan Vent was in compliance with Building Codes; and,

Whereas, in November or December of 2011 a Department of Environmental Protection Inspector issued an Environment Control Board violation for violating a provision of the noise code for excessive sound from the Kitchen Exhaust Fan Vent according to testimony provided by a neighbor to CB#2, Man. and at the time of the inspection restaurant staff had trouble locating the switch to turn off, which was of great concern to the neighbors and they felt this was indicative of the problem that the fan is never turned off; and

Whereas, testimony was provided that the Chair of the Merchants Committee of BAMRA attempted to reach out to the applicant to help mediate the issue and was never contacted by the applicant and the Chair

of the Noise Committee of BAMRA also attempted to reach out to the Applicant and was told by a representative of the owner that they were going to “sue” the neighbor with concerns for harassment; and

Whereas, CB#2, Man. does not understand why the kitchen exhaust venting fan cannot be turned off when the kitchen is closed and was unable to ascertain the answer to this because the applicant did not comply with CB#2, Man.’s request to appear at this meeting which we believe to be a part of the renewal process as a result of the applicants’ requirement to notify CB#2, Man. prior to their renewal;

THEREFORE BE IT RESOLVED that CB#2 Man. respectfully requests that the SLA note that the **Negril Village, 70 W. Third St., NYC** did not comply with CB#2, Man.’s request to appear in front of the committee and furthermore, CB#2, Man. requests that the SLA note that there is a NYC DEP ECB violation that will be heard by the ECB and if that violation is upheld note that the applicant is not complying with the NYC’s Noise laws.

Vote: Unanimous, with 35 Board members in favor.

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

28. Greenwich Street Hospitality Group, LLC, TBD, 771 Greenwich St., NYC 10014

Whereas, prior to this months Committee meeting, the applicant *requested a layover* of consideration of their application for the above referenced location to a future CB#2, Man. SLA Licensing Committee meeting; and,

Whereas, this application is for a new on-premise license at this location;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for Greenwich Street Hospitality Group, LLC, TBD, 771 Greenwich St., NYC 10014 **until the applicant has presented their application in front of the SLA Licensing Committee and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.**

Vote: Unanimous, with 35 Board members in favor.

29. Galanga, Inc., 149 W. 4th St., NYC 10012

Whereas, prior to this months Committee meeting, the applicant *requested to withdraw* from consideration their application for the above referenced location; and,

Whereas, this application is for an upgrade to a existing beer and wine license to a on-premise license at this location; and,

Whereas, if the applicant proceeds in the future with this alteration, they will re-notify CB#2, Man. to have it placed back on a future agenda for the CB2 SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed changes to the existing beer and wine license for Galanga, Inc., 149 W. 4th 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 Board members in favor.

30. JEC II LLC, d/b/a One, 2-8 9th Ave. aka 1 Little W. 12th St., NYC 10014

Whereas, prior to this months Committee meeting, the applicant *requested to withdraw* from consideration their application for the above referenced location; and,

Whereas, this application is for an alteration to an existing on-premise license at this location; and,

Whereas, if the applicant proceeds in the future with this alteration, they will re-notify CB#2, Man. to have it placed back on a future agenda for the CB2 SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license alteration for JEC II LLC, d/b/a One, 2-8 9th Ave. aka 1 Little W. 12th St., NYC 10014 **until the applicant has presented their application in front of the SLA Licensing Committee and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.**

Vote: Unanimous, with 35 Board members in favor.

31. MacDougal G Corp. 116 MacDougal St., NYC 10012

Whereas, prior to this months Committee meeting, the applicant *requested to withdraw* from consideration their application for the above referenced location for a Corporate Change; and,

Whereas, this application is for a Corporate Change to an existing on-premise license at this location; and

Whereas, if the applicant proceeds in the future with this Corporate Change, they will re-notify CB#2, Man. to have it placed back on a future agenda for the CB#2, Man. SLA Licensing Committee meeting; and

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed Corporate Change or alteration to the liquor license for MacDougal G Corp. 116 MacDougal 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 35 Board members in favor.

32. Chippy LLC, d/b/a Chippy, 99 MacDougal St., NYC 10012

Whereas, prior to this months Committee meeting, the applicant *requested a layover* of consideration of their application for the above referenced location to a future CB#2, Man. SLA Licensing Committee meeting; and,

Whereas, this application is for a new beer and wine license;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed beer and wine or other liquor license for Chipsy LLC, d/b/a Chipsy, 99 MacDougal 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 35 Board members in favor.

33. Bleecker & Grove Café, Inc. d/b/a Café Angelique, 317 Bleecker St., NYC 10014

Whereas, prior to this months Committee meeting, the applicant *requested to withdraw* from consideration their application for the above referenced location; and,

Whereas, this application is for a beer and wine license at this location; and,

Whereas, if the applicant proceeds in the future with this application, they will re-notify CB2 to have it placed back on a future agenda for the CB#2, Man. SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any application for a beer and wine or other liquor license for Bleecker & Grove Café, Inc. d/b/a Café Angelique, 317 Bleecker St., NYC 10014 **until the applicant has presented their application in front of the SLA Licensing Committee and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.**

Vote: Unanimous, with 35 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 CB#2, Man. 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. 3/3/12- Film Safety Training, Washington Pl. bet. Broadway & Mercer Sts.
2. 5/5/12- Grace Church School Annual Spring Fair, E. 10th St. bet. Broadway and 4th Ave.
3. 5/6/12- Urban Bear Street Fair, Little West 12th St. bet. Washington St. & 10th Ave.
4. 5/15/12- NYU Grad Alley, LaGuardia Pl. bet W. 3rd & Washington Square South; West 4th St. bet. Mercer St. & Macdougall St.; Greene St. bet. W. 4th St. & Waverly Pl. West 3rd St. bet. Mercer St. & LaGuardia Pl.
5. 5/26/12-6/3/12- Washington Square Outdoor Art Exhibit, Inc. Spring Show, University Pl. bet. E. 13th St. & Waverly Pl.; Washington Sq. East bet. Waverly Pl. & West 4th St.; Washington Pl. bet Washington Square East & Mercer St.
6. 6/24/12- PrideFest, Hudson St. bet. Bethune St. and W. 14th St.; West 13th St. bet 9th Ave. & W. 4th St.— **Note, applicant agreed to setup at 8am, not 6am.**
7. 8/1/12- Little Red School House End-of-Season Celebration, Charlton St. bet. 6th Ave. & Varick St.
8. 9/1/12-9/9/12- Washington Square Outdoor Art Exhibit, Inc. Fall Show, University Pl. bet. E. 13th St. & Waverly Pl.; Washington Square East bet. Waverly Pl. & West 4th St.; Washington Pl. bet Washington Sq. East & Mercer St.
9. 10/20/12- Marco Polo 2012, Grand St. bet. Mott Street & Mulberry St.

Vote: Unanimous, with 35 Board members in favor.

2. Conditional Denials for No Shows

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

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

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

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

5/20/12-Fine Art and Designer Crafts on Bleecker, Bleecker St. bet. Bank St. & Christopher St.

Vote: Unanimous, with 35 Board members in favor.

TRAFFIC AND TRANSPORTATION

1. Resolution in support of the Minetta Street Lighting Project

Whereas the NYC Department of Transportation (DOT) presented an overview of plans for the Minetta Distinctive Street Lighting Project that DOT has developed in response to and in conjunction with the Minetta Block Association which has raised funds, as required, to finance this project; and

Whereas this project entails replacing five cobra lights with Bishop's Crooks lights on Minetta St. and Minetta Lane, in keeping with the historical ambience of that environment, a fitting enhancement that the Minetta Block Association has wanted for many years; and

Whereas Minetta St. and Minetta Lane are just outside the Greenwich Village Historic District, but they have the same historic context and scale as nearby streets in the District, exceptionally appropriate for historic lighting; and

Whereas there was a large turnout of supporters of this project from the Minetta Block Association, all emphasizing the importance of having historic lighting on the Minetta blocks to better reflect the character of these streets;

Therefore Be It Resolved that Cfully supports the Minetta Distinctive Street Lighting Project and looks forward to the installation of the proposed historic lights.

Vote: Unanimous with 35 Board members in favor.

2. Resolution in support of granting a modification of a revocable consent to New York University to construct new communications conduit facilities on E. 10th St. east of 5th Ave.

Whereas New York University (NYU) is requesting a modification of an existing revocable consent from the NYC Department of Transportation to construct new communications conduit facilities on E. 10th St. east of 5th Ave. in order to extend the communications system from 35 5th Ave. to 7 E. 10th St. (both NYU properties) and provide an expanded telephone and data processing network; and

Whereas this work, which is expected to begin in March or April 2012, would entail digging three feet below the street and installing an underground conduit, which is expected to take one week from start to finish between 8 a.m. and 4 p.m.; and

Whereas during the project, the bicycle lane next to the curb at that site will be closed, and the applicant has indicated that signage will be erected to direct bike riders and ensure their safety; and

Whereas the applicant has also indicated that precautions will be taken to ensure safety on the street where all of the work is being done, and that the street will be fully rebuilt and restored, and redone with appropriate striping, as previously in existence at that site;

Therefore Be It Resolved that CB#2, Man. supports granting a modification of a revocable consent to NYU to construct new communications conduit facilities on E. 10th St. east of 5th Ave.

Vote: Unanimous with 35 Board members in favor.

Respectfully submitted,

Susan Kent, Secretary
Community Board #2, Manhattan