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Bo Riccobono, *First Vice Chair*
Jo Hamilton, *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: March 20, 2014
TIME: 6:00 P.M.
PLACE: The New School, Tischman Auditorium, 63 Fifth Avenue

BOARD MEMBERS PRESENT: Susanna Aaron, Daniel Ballen, Keen Berger, Tobi Bergman, Carter Booth, Katy Bordonaro, Anita Brandt, William Bray, Richard Caccappolo, Heather Campbell, Lisa Cannistraci, Denise Collins, Tom Connor, Terri Cude, Coral Dawson, Maria Passanante Derr, Doris Diether, Cristy Dwyer, Robert Ely, Joshua Frost, Jonathan Geballe, Sasha Greene, David Gruber, Chair; Anne Hearn, Susan Kent, Arthur Kriemelman, Dodge Landesman, Alexander Meadows, Lois Rakoff, Robin Rothstein, Rocio Sanz, Maury Schott, Arthur Z. Schwartz, Shirley Secunda, Federica Sigel, Chenault Spence, Richard Stewart, Sean Sweeney, Shannon Tyree, Susan Wittenberg, Antony Wong, Robert Woodworth

BOARD MEMBERS EXCUSED: Robin Goldberg, Jo Hamilton, Judy Paul, Robert Riccobono, Elaine Young

BOARD MEMBERS ABSENT: Jeanine Kiely, Edward Ma

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

GUESTS: Celine Mizrahi, Congressman Jerrold Nadler's office Joshua Cole, Senator Brad Hoylman's office; Mary Cooley, Senator Daniel Squadron's office; Morris Chan and Jesse Bodine, Man. Borough President Gale Brewer's office; Sarah Sinchala, Assembly Member Deborah Glick's office, Crystal Feng, NYC Comptroller's office; Jeffrey LeFrancois, Council Member Corey Johnson's office; Victoria Hervas-Castaneda, Council Member Rosie Mendez's office; Amy Varghese, Council Member Margaret Chin's office; Preston Johnson, C. Colross, Thomas DeVito, Scott Hobbs, Heather Thomas, John Towser, Robert Tan, Amy Tse, Pete Davies, Halles Lord, Andre Christie, Betsy Kim, Dan Ping Luo, Mendy Haskel, Peter Mullav, Janet Liff, Bob Tuttle, Stephen Miller, Mary Johnson, Sybil Kossack, Pete Sturman, Doug Capraro Stephanie Sambeat, Yu Gao, Yinna Wang, William Kelley, Williamson Henderson, Zella Jones, Renzo Savano, Danielle Tchokkian, Jenny Gersten, Svetlana Svy, Sonia Pasechanian, Dan Benjoya, Arlene Fried, Scott Maguire, Steve Gradman, John Leeper, Vaylateena Jones

MEETING SUMMARY

Meeting Date –March 20, 2014
Board Members Present – 42
Board Members Excused–5
Board Members Absent - 2

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II. PUBLIC SESSION

Non-Agenda Items

Ruth Wittenberg Triangle

William Kelley, from the Village Alliance, reported that they are working on improving the Ruth Wittenberg Triangle.

Nextdoor

Dan Benjoya introduced Nextdoor, a private social network app for neighborhoods.

Greenwich Village Oral History Project

Susanna Aaron and Heather Campbell encouraged participation in the oral history project at the Jefferson Market Library.

The River Project

Yu Guo spoke regarding the project's upcoming 5K School Run

Stonewall Inn Plaque

Williamson Henderson spoke in favor of the installation of the plaque.

MPIA

Amy Tse informed everyone on upcoming events.

Bellevue Hospital Legislative Breakfast

Lois Rakoff made a public announcement regarding the hospital's legislative breakfast to be held on March 28th.

Parks

Pete Davis spoke in favor.

Emergency Preparedness

Waylateena Jones spoke regarding emergency preparedness workshops.

Sidewalks/Street Activities Items

132 4th Avenue Restaurant LLC, The Fourth, 132 4th Ave. (SW corner E 13 St.)

Scott Maguire spoke against the proposed sidewalk café application.

Street Fair on 7/12/14 - WitchesFest USA, Astor Pl. bet. Broadway & Lafayette St.

Starr Raven Hawk, sponsor, and Arlene Fried spoke in favor of the street event.

4/13/14 - Cooper Union Alumni Association Founder's Day, Astor Pl. bet. 4th Ave. & Lafayette St.

Yinna Wang and John Leeper spoke in favor of the annual street event.

7/6/14 - Pride On Astor Fair, Astor Pl. bet. Broadway & Lafayette St.

Steve Gradman, sponsor, spoke in favor of the street event.

Traffic and Transportation Items

Support of a Parking-Protected Bicycle Lane Upgrade on Lafayette St./4th Ave. bet. Spring and 14th Sts.

Zella Jones spoke against the bike lane upgrade.

Heather Thomas, Pete Sturman, Janet Liff, Scott Hobbs, and Sonia Pasechianian, spoke in favor of the bike lane upgrade.

III. ADOPTION OF AGENDA

IV. ELECTED OFFICIALS PRESENT AND REPORTING

Celine Mizrahi, Congressman Jerrold Nadler's office;

Joshua Cole, Senator Brad Hoylman's office

Mary Cooley, Senator Daniel Squadron's office;

Crystal Feng, NYC Comptroller's office;

Jesse Bodine and Morris Chan, Man. Borough President Gale Brewer's office;

Sarah Sinchala, Assembly Member Deborah Glick's office

Jeffrey LeFrancois, Council Member Corey Johnson's office

Amy Varghese, Council Member Margaret Chin's office;

Victoria Hervas-Castaneda, Council Member Rosie Mendez's office,

V. ADOPTION OF MINUTES

Adoption of January minutes and distribution of February minutes.

VI. EXECUTIVE SESSION

1. **Chair's Report** David Gruber reported

2. **Treasurer's Report** Antony Wong reported.

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

STANDING COMMITTEE REPORTS

LANDMARKS AND PUBLIC AESTHETICS

FIRST LANDMARKS MEETING

1 - LPC Item:8 - 16 West 12th Street (5th/6th) -Greenwich Village Historic District. A townhouse built in 1845-46 and altered in the early 20th century. Application is to alter the roof, rear facade and rear extension, and excavate the rear yard. Zoned R6

Whereas, about a dozen neighbors attended to express concern that the project could damage their buildings or mar the historic district; and

Whereas, the rooftop additions will not be visible from the street; and

Whereas, the rooftop work will have no negative impact on the historic district; and

Whereas, although the rear facade work will not destroy historic material and the proposed brickwork is an improvement over the existing stucco, the proposed windows further remove the fenestration from an historical style.

Instead, we prefer windows divided with smaller lights and with wooden frames; and

Whereas, the destruction of the tree and the proposed pavers on the rear yard sacrifice green garden space for what essentially will resemble patio space, a troubling proposal, not only aesthetically, but also environmentally; but

Whereas, since the basement excavation proposed would undoubtedly damage the adjacent buildings to some degree, we feel it better to respect these historic buildings, sacrificing some of the desired width of the new basement by simply pulling the excavation away from the party wall a couple of feet; now

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

- the rooftop work;
- the rear facade work - but with more traditional windows having divided lights and wooden frames;
- and the basement excavation - but not excavation as far as the party wall of the adjacent historic buildings, lest there be the inevitable damage a full excavation will cause; and
- denial of the pavers in the rear yard, suggesting instead some earth and sedum-like plantings to maintain a garden appearance and not a suburban patio.

Vote: Unanimous, with 40 Board members in favor.

2 - LPC Item:9 - 97 Bleecker Street -South Village Historic District. A building built in 1851-54 and altered in the Arts and Crafts style by Charles E. Miller in 1923. Application is to install storefront infill.

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

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

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

Vote: Unanimous, with 40 Board members in favor.

SECOND LANDMARKS MEETING

3 - LPC Item:2 - 142 Mercer Street (n.e. Prince) - SoHo Cast-Iron Historic District. A store and loft building with Corinthianesque details built in 1881-82. Application is to legalize the installation of signage and menu box without LPC permit(s).

Whereas, the signage and menu box are discreet, and the intensity of the light-box bulb is a mere 10W; and

Whereas, the restaurant is in the basement of what had been a speakeasy during Prohibition, and this signage is evocative of that era, while not detracting from the building or the district; now

Therefore, be it resolved that CB#2, Man. recommends approval of this application, but it should not be used as a precedent for other internally-lit sign boxes in the district.

Vote: Unanimous, with 40 Board members in favor.

5- LPC Item:4 - 19 West 8th Street - Greenwich Village Historic District. A Greek Revival style townhouse built in 1845-46, and altered in the early 20th century. Application is to modify windows installed without Landmarks Preservation Commission permit(s).

Whereas, the proposal is an improvement over existing conditions; but

Whereas, the window air conditioners are haphazardly placed. It would be nice if, as part of this application, the applicant could have the tenants arrange the AC window units more symmetrically; now

Therefore, be it resolved that CB#2, Man. recommends approval of this application, but suggest the existing window air conditioners be more symmetrically arranged to provide greater unity to the facade.

Vote: Unanimous, with 40 Board members in favor.

6 - LPC Item:3 - 109 Crosby Street - Withdrawn

7- LPC Item:5 - 33-36 Washington Square West (Washington Pl) - Greenwich Village H.D. A neo-Federal style apartment hotel designed by C.F. Winkelman and built in 1929. Application is to replace windows.

Whereas, the application, commendably, restores and/or replaces windows sorely in need of attention; now

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

Vote: Unanimous, with 40 Board members in favor.

8 - LPC Item:6 - 304 Bleecker Street -Greenwich Village Historic District. A dwelling originally built in 1829, converted to commercial use, with a fourth floor added in the early 20th century. Application is to replace windows.

Whereas, this restoration to a Federal-era context will greatly enhance the building and the district; now

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

Vote: Unanimous, with 40 Board members in favor.

9 - LPC Item:7 - 35 West 8th Street - Laid Over

10 - LPC Item:8 - 75 Greenwich Avenue, aka 73-77 Greenwich Avenue and 201-205 West 11th Street - Greenwich Village Historic District. An apartment building designed by George F. Pelham and built in 1924. Application is to install storefront infill, signage, lighting and awnings.

Whereas, at the time of designation, there were none of these bi-fold, “French” doors in the Greenwich Village Historic District.

A few snuck in during the early 1970s, which applicants have now been spuriously using as examples of “historical precedent”, as more bars and restaurants want to “open up” the interior of their establishments to the streetscape in order to drum up business.

However, destroying more historical configurations to introduce an ersatz Continental flavor is not the purpose of landmarking buildings; and

Whereas, doors in a building of this type should be of a size to accommodate the passage of a human. The proposed portals are simply too much, with their expanse being more appropriate for a garage; and

Whereas, the proposed fixed awnings will look odd with its cut-out required for the drop ladder of the fire escape to function properly.

More historical retractable awnings would not only be more authentic, but also obviate the need for a cutout in the awning; and

Whereas, the smaller second awning is unnecessary; and

Whereas, two lights are not needed over the second smaller awning; now

Therefore, be it resolved that CB#2, Man. recommends:

- denial of the French doors, an arriviste style completely incongruous to this building and the district;
- denial of the second smaller awning;

- approval of only one light above the secondary exit; and, further,
- requests a retractable awning instead of the proposed fixed awning

Vote: Unanimous, with CB#2, Man. Board members in favor.

11 - LPC Item:9 - 197 Bleeker Street (MacDougal/6th) - South Village Historic District. A building built in 1851-54 and altered in the Arts and Crafts style by Charles E. Miller in 1923. Application is to install storefront infill.

Whereas, this is the first application in the new South Village Historic District.

Unfortunately, the proposed storefront could be plopped anywhere - in a mall or in midtown, for example. Thus great care must be exercised lest this generic design, which does not respect the architecture of the building or the district, set a bad precedent; and

Whereas, moving the elements of the facade to be plumb with the street wall is antithetical to the spirit of designation; and

Whereas, the minimal bulkhead maximizes the glazing, another inappropriate element; now

Therefore, be it resolved that CB#2, Man. recommends denial of this application, which does not respect the architecture of the newly designated historic district.

Vote: Unanimous, with 40 Board members in favor.

LAND USE AND BUSINESS DEVELOPMENT

496 Broadway, on the east side of Broadway between Broome and Spring. BSA Calendar #27-14-BZ: an application for a variance pursuant to ZR 72-21 to legalize retail use on the first floor of a five story building in an M1-5B zone and to permit retail use in the cellar contrary to ZR 42-14D(2)(b). A resolution stating no objection to an application to legalize retail use on the ground floor of a five story building in an M1-5B zone and permit additional retail use in the cellar.

Whereas:

1. A presentation was made to the Land Use committee by Nora Martins of Sheldon Lobel, PC. And Sherida Paulsen of PKSB Architects.
2. The application states that the narrow configuration of the building and the lack of a loading dock are unique conditions that make conforming uses of the ground level impractical;
3. Whether or not the conditions are unique, manufacturing and warehouse uses are indeed unlikely to succeed along this intense retail corridor, and their desirability is also questionable;
4. The applicant did not take advantage of the possibility of a special permit under ZR 74-711, a method preferred by the board for legalization of non-conforming uses because of its landmark preservation implications;
5. The building has undergone substantial improvements under supervision of the Landmark Preservation Commission;
6. The presentation states that the requested variance is for the minimal variance needed to create a successful project;
7. It was unclear, given the super-high values of retail in this area, why the expansion of retail to the cellar was included in the minimum variance, but the stated purpose was the need for additional storage space given the size of the store;

8. The application does not request a change to the JLWQA classification of the upper floors and the applicant stated there was no intent to change this use;
9. No one from the public spoke for or against the application.

Therefore it is resolved that CB#2, Man. has no objection to a variance allowing legalization of retail uses on the ground floor of 496 Broadway and expansion of retail storage use into the cellar.

Vote: Unanimous, with 42 Board members in favor.

SIDEWALKS/STREET ACTIVITIES

Renewal app for revocable consent to operate an Unenclosed sidewalk cafe for:

1. New Organico, Inc. d/b/a Caffe Organico, 89 7th Ave. So., with 14 tables & 30 chairs, 1308502-DCA

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, the CB#2, Man, office received one email from a building resident related to continuing loud music from the establishment, and while the applicant claimed the issues are being worked on with the resident, it was not clear to what extent this is the case, and

Whereas, this café has been operated for several years by this applicant with continuing issues with planters being too tall (with foliage) and not moved against the façade when the café is not in operation, and

Whereas, the applicant committed to resolving the issues, but also did so at the previous renewal 2 years ago and this has not happened,

Whereas, in addition to the planters, there is an antique lantern pole incorporated into one of the planters that is not allowed and also has a horizontal arm extending about a foot toward the sidewalk that may pose a risk to pedestrians,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **DENIAL** of this RENEWAL application for revocable consent to operate an Unenclosed sidewalk café for **New Organico, Inc. d/b/a Caffe Organico, 89 7th Ave. So., with 14 tables & 30 chairs, 1308502-DCA**

UNLESS the issues noted in Whereas 2-5 are resolved prior to this application moving to the City Council

VOTE: Unanimous, with 42 Board members in favor.

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

2. Kennedy Organics, LLC d/b/a Charlie Bird, 5 King St. (NE corner 6th Ave), with 19 tables & 38 chairs, 1121-2014-ASWC

Block: 520 Lot:85 Lot Frontage:34.9' Lot Depth:72.75 Year Built:1925(estimated)
Number of Buildings:1; Number of Floors:5 Residential Units:17 Total # of Units:18
Zoning:R7-2 ; Commercial Overlay:C1-5

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

Whereas, this café is proposed for a sidewalk of 20' 9" width which has subway sidewalk grates which does not further restrict the depth of the café, and

Whereas, it appears the café is designed with some unusual features which include space between the table and bordering planters and especially wide planters, all of which seem to be there primarily to use every bit of allowable sidewalk, but do not add to the amount of seating, and

Whereas, the committee provided the applicants with a copy of the CB2 Café Guidelines and reminded them that the planters must be no more than 30" high with foliage, and that they and the shown umbrellas must be moved off the sidewalk or against the façade when the café is not in operation, and

Whereas, the applicant stated that the umbrellas they planned to obtain weigh 800 lbs and were essentially immovable, and the committee pointed out that they must be movable, and the applicant stated the umbrellas planned might be altered or scrapped, and

Whereas, the committee strongly encouraged the applicant to rethink not only the umbrellas, but also the number and size of the planters to ensure they are cleared from the sidewalk as necessary,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **APPROVAL** of this NEW application for revocable consent to operate an Unenclosed sidewalk café for **Kennedy Organics, LLC d/b/a Charlie Bird, 5 King St. (NE corner 6th Ave), with 19 tables & 38 chairs, 1121-2014-ASWC**

CONDITIONAL UPON the applicant resolving the potential issue with the unmovable umbrellas and non-portable planters shown on the plan and, if necessary, filing a new plan with DCA showing any changes

VOTE: Unanimous, with 42 Board members in favor.

3. 132 4th Avenue Restaurant LLC, The Fourth, 132 4th Ave. (SW corner E 13 St.), with 13 tables & 26 chairs, 1131-2014-ASWC

Block: 564 Lot:45 Lot Frontage:101.15' Lot Depth:100.67 Year Built:1910
Number of Buildings:1; Number of Floors:11 Residential Units:0 Total # of Units:7
Zoning:C6-1

Whereas, the area was posted, community groups notified and there were community members present regarding this application, and the applicant's representative, Michael Kelly, was present, and

Whereas, this café is proposed for a sidewalk of 14'3" width with no obstructions other than a fire hydrant which slightly restricts the north end of the service aisle, and

Whereas, the plan provided with the application showed service occurring from the north door and tables in front of what is actually the main entrance to the restaurant, and

Whereas, Mr. Kelly provided a new plan which addressed the issue of the blocked entrance by removing 1 table & 2 chairs, moving the remaining seating to the north end of the property, indicating the north door would be locked during café operation, and designating the main entrance (south door) as the door used for service to the café, and

Whereas, two residents of the neighboring building were in attendance and the CB#2, Man. office received several emails from residents opposing this café due to the relatively narrow sidewalk and increasing pedestrian traffic on this block, and ongoing noise issues and concerns this café would exacerbate them, and

Whereas, the plan places the tables all in 4-top configurations against the façade with the service aisle outside it, and Mr. Kelly confirmed that there would be no border railing or planters in order to allow pedestrian use when servers are not present,

Whereas, the committee is concerned the small 19-inch tables will not truly accommodate 2 diners, and present too much possibility the table will be separated, which would reduce the pedestrian clear path to below the required 8 feet,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **DENIAL** of this NEW application for revocable consent to operate an Unenclosed sidewalk café for **132 4th Avenue Restaurant LLC, The Fourth, 132 4th Ave. (SW corner E 13 St), with 13 tables & 26 chairs, 1131-2014-ASWC**

UNLESS the applicant files the new plan showing the reduction to 12 tables & 24 chairs and correct placement of the seating with DCA prior to this application moving to the City Council; and

FURTHER BE IT RESOLVED that DCA or the Council consider requesting the applicant agree to reduce the café to 2-top tables to ensure the café does not impinge on the public sidewalk while allowing the table size to be increased to a normal 24”.

VOTE: Unanimous, with 42 Board members in favor.

4. Noodle Bar LLC d/b/a Noodle Bar, 26 Carmine St. (btw Bedford St & Bleecker St), with 6 tables & 12 chairs, 1940-2014-ASWC

Block: 527 Lot:69	Lot Frontage:50' Lot Depth:75	Year Built:1900(estimated)
Number of Buildings:1;	Number of Floors:6 Residential Units:26	Total # of Units:28
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 several years with no known issues, but the renewal was not filed in time and so the application was required to be filed as new, and

Whereas, there was no plan provided by DCA with the application but Mr. Kelly provided the original plan from 2009 which matched the plan CB2 had on file from that date, and stated there were no changes;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **APPROVAL** of this NEW application for revocable consent to operate an Unenclosed sidewalk café for **Noodle Bar LLC d/b/a Noodle Bar, 26 Carmine St. (btw Bedford St & Bleecker St), with 6 tables & 12 chairs, 1940-2014-ASWC**

VOTE: Unanimous, with 42 Board members in favor.

5. Thai Smile Restaurant, Inc. d/b/a Tue Tahi Food, 3 Greenwich Ave. (btw Christopher St & 6th Ave), with 12 tables & 24 chairs, 2419-2014-ASWC

Block: 593 Lot:13 Lot Frontage:85' Lot Depth:90 Year Built:1960(estimated)
Number of Buildings:1; Number of Floors:1 Residential Units:0 Total # of Units:8
Zoning:C4-5 R6

Whereas, the area was posted, community groups notified and there were community members present regarding this application, and the applicants and their representative, Andrew Carabello, were present, and

Whereas, this café is proposed as being 11' deep on a sidewalk of 24'7" width with no legal obstructions restricting the café depth, although there are two adjacent tree pits around which the pits are and must remain flush to allow this café depth, and

Whereas, the plan provided with the application showed what were essentially two long 'communal' tables that the committee has not seen proposed before and there was a concern about the possibility of large parties creating a particularly noisy environment, and

Whereas, the applicant agreed to remove 1 table and 2 chairs from the center of the inner bank of tables and 1 table and 2 chairs from the outer bank of tables and space all remaining tables in 4-top configurations, and

Whereas, the husband of the neighboring business owner to the east was in attendance at the meeting to express his deep concern that this café in conjunction with the café for Olio directly to the east would essentially 'bury' their business, particularly as they have had constant issues with the Olio café illegally spreading to in front of the business either with café furniture placement or waiter activity outside the approved café boundaries, which is an issue CB2 has also seen in many instances, and

Whereas, the applicants clearly stated that they would make every effort to carefully police the café to ensure it does not encroach on the sidewalk outside the approved footprint,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **DENIAL** of this NEW application for revocable consent to operate an Unenclosed sidewalk café for **Thai Smile Restaurant Inc. d/b/a Tue Tahi Food, 3 Greenwich Ave. (btw Christopher St & 6th Ave), with 12 tables & 24 chairs, 2419-2014-ASWC**

UNLESS the applicant files the new plan showing the reduction to 10 tables & 20 chairs with DCA prior to this application moving to the City Council

VOTE: Unanimous, with 42 Board members in favor.

6. FYI Renewals:

Whereas, the renewals below were posted on the CB#2, Man. website and there were no community members requesting these applications be heard, and

Whereas, these cafés have been operated for at least 2 years by these applicants and the Board has not been notified of any issues with their operation,

- BLL Restaurant Corp. d/b/a Porto Bello Restaurant, 208 Thompson St., with 2 tables & 5 chairs, 0924708-DCA
- Moonblu, Inc. d/b/a Joy Burger Bar, 361 6th Ave., with 14 tables & 29 chairs, 1473609-DCA
- Panzi Enterprises, LLC d/b/a Panca, 92 7th Ave. So., with 13 tables & 36 chairs, 1250013-DCA
- Dojo Restaurant Inc. d/b/a Dojo West, 14 W. 4th St., with 6 tables & 22 chairs, 0890588-DCA
- Legendary Night Spots Inc. d/b/a The Duplex, 61 Christopher St., with 18 tables & 36 chairs, 1190534-DCA

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **APPROVAL** of the RENEWAL applications for revocable consent to operate the indicated sidewalk cafés for the above applicants

VOTE: Unanimous, with 42 Board members in favor.

7. Application for Street Activities Permit:

Whereas, CB#2, Man. attempts to determine within its ability that each sponsor is a community-based, not-for-profit organization, association, or the like, which has an indigenous relationship to the specific street, community or both, and

Whereas, community groups were notified and the applicants were present regarding the first application below, and

Whereas, the remaining items – noted as **FYI – Renewals** below – have been held for 3 or more years, and after the items were published on the CB2 Calendar of Meetings, no members of the community requested a public hearing be held regarding them, so CB#2, Man.. has no issue with these applications,

5/3/14 PS 130 Health Fair (Family Day), Hester St. bet. Mulberry & Baxter Sts.

Vote: Unanimous, with 42 Board members in favor.

5/31/14 Jane St. Block Assn, Street Sale, Jane St. bet. 8th Ave. & Hudson St.

Vote: Unanimous, with 42 Board members in favor.

6/1/14 Housing Works Open Air Street Fair, Crosby St. bet. Prince St. & E. Houston St.

Vote: Unanimous, with 42 Board members in favor.

6/21/14 12th Annual Arab-American Street Festival, Great Jones St. bet. Broadway & Lafayette St.

Vote: Unanimous, with 42 Board members in favor.

8. 5/30-6/1/14 World Science Festival, LaGuardia Pl. bet. Washington Square South & W. 3rd St.; Washington Square South bet. Macdougall St. & Washington Square East ; W. 4th St. bet. Washington Square East & Mercer St.

Whereas, while the committee continues to wonder what indigenous relationship this organization has with the area of the event other than an educational sponsorship by NYU, it appears to be far more substantial than many of the generic street fairs held in the district,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **APPROVAL** of this event on **LaGuardia Pl. bet. Washington Square South & W. 3rd St.; Washington Square South bet. Macdougall St. & Washington Square East ; W. 4th St. bet. Washington Square East & Mercer St.**

Vote: Unanimous, with 42 Board members in favor.

9. 7/6/14 Pride On Astor Fair, Astor Pl. bet. Broadway & Lafayette St.

Whereas, the applicant, Pride Democrats, was represented by Steve Gradman, Vice President, and one other member was present, who stated the organization had “about 45 members”, but the application provided no contact information for the organization other than that of their commercial producer and Mr. Gradman seemed particularly unsure of how money came in or on what it was spent, and

Whereas, Mr. Gradman stated they were no longer associated with Stonewall Veterans Assoc, another group whose viability CB#2, Man. questions, but could offer only a business card from a computer repair service as evidence that Pride Democrats was designing a website and CB#2, Man. can find no evidence that Pride Democrats in a non-profit registered with either the NYS Charities Bureau or the IRS,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **DENIAL** of this event on **Astor Pl. bet. Broadway & Lafayette St.**

Vote: Unanimous, with 42 Board members in favor.

10. 7/12/14 WitchesFest USA, Astor Pl. bet. Broadway & Lafayette St.

Whereas, the applicant, NYC Wiccan Family Temple, was represented by Starr RavenHawk, with one other member present, and is registered with the NYS Charities Bureau as a non-profit organization, and

Whereas, the organization has a mailing address in lower Manhattan at a PO Box located east of 1st Ave. and holds some meetings at a Cosi restaurant near Union Square, but has no particular indigenous relationship to CB#2, Man. and particularly none to the area near Astor Pl.;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **DENIAL** of this event on **Astor Pl. bet. Broadway & Lafayette St.**

Vote: Pass, with 40 Board members in favor, and 2 in opposition (K. Berger, A. Meadows).

11. 8/30/14 6th Precinct Explorers Block Party, Washington St. bet. W. 13th St. & W. 14th St.

Whereas, this is a new single-block event and the committee was informed by Joe Giovanni, from Mardi Gras Productions (and by phone by the 6th Precinct) that the location has been changed to W 13th St bet. Washington St & 9th Ave, and

Whereas, while the committee is loath to approve yet another tiresome, generic “tube socks and funnel cakes” street fair, we support the work of the 6th Precinct Explorers,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **APPROVAL** of this event on **W 13th St bet. Washington St & 9th Ave.**

Vote: Unanimous, with 42 Board members in favor.

SLA LICENSING

1. Ballato’s Restaurant Corp., d/b/a Ballato’s, 55 East Houston Street 10012 (existing OP license seeking corporate change among existing shareholders – SN1224039)

Whereas, the applicant appeared before CB2’s SLA committee; and,

Whereas, the applicant has operated an Italian Eatery Restaurant at 55 E. Houston Street in a five-story mixed use building between Mott & Mulberry Streets for many years with a restaurant wine license and recently upgraded to a on-premise restaurant liquor license in 2009 and now seeks to transfer shares of ownership among family members for estate planning only; and

Whereas, the current hours of operation are from 12 pm to 12 am from Sunday to Thursday and 12 am to 1am on Friday and Saturday, there are 17 tables and 69 seats and no bars, there are no TVs and music will be background only, there is no sidewalk café or backyard garden; and

Whereas, the restaurant operates on the 2000 SF first floor, has interior stairwell to the basement and uses a 1000 SF basement for storage purposes only, two bathrooms and one entrance/exit for patrons directly to the public sidewalk; and

Whereas, the applicant stated that there would be no change in its existing and above described method of operation as an old-style Italian Restaurant, there will be no live music, promoted events or scheduled performances, there will be occasional quiet private parties but there would be no change in the current method of operation into the future;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the corporate change to the existing full on-premise liquor license for **Ballato’s Restaurant Corp., d/b/a Ballato’s, 55 East Houston Street 10012** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that the above-stated and existing “Method of Operation” will continue on the On Premises License.

Vote: Unanimous, with 42 Board members in favor.

2. Forks & Parrot, LLC d/b/a Anyway Cafe, 517-519 Broome St. 10013 (New OP – Previously Unlicensed Location)

Whereas, the applicant appeared before CB2’s SLA committee; and,

Whereas, this application is for a new on-premise liquor license to operate a full service restaurant serving Russian/French fusion cuisine on the ground floor premises in a mixed use building at Thompson Street which previously operated for many years as a laundry mat; and

Whereas, the ground floor premises are approximately 1,060 SF and the applicant plans on having 15 tables and 60 seats and 1 bar with 13 seats for a total of 73 seats, there will be no sidewalk café or outdoor area; and,

Whereas, the hours of operation will be Sunday from 11 a.m. to 12 a.m., Monday through Thursday from 7:00 a.m. until 2:00 a.m. and on Friday and Saturday from 7:00 a.m. until 4:00 a.m., there will be private parties and live music but no plan to install soundproofing; and,

Whereas, the premises is in an area zoned M1-5B and the current Certificate of Occupancy reflects conforming use for the district with “Use Group 16” on the ground floor for a commercial Laundromat which does not include retail or restaurants; the conforming use group for a restaurant is generally “Use Group 6” and “Use Group 6” with eating and drinking is not allowed on the ground floor as of right in an M1-5B district in multi story buildings; and,

Whereas, there will be a significant change of occupancy and use for these premises that requires a change in the Certificate of Occupancy for the premises; and,

Whereas, the current Certificate of Occupancy does not permit the premises to be used as a eating and drinking establishment; and,

Whereas, when the applicant actually applied in August 2013 for a “letter of no objection” from the NYC Dept. of Buildings for an eating and drinking establishment “use group 6”, that request **was denied on August 8, 2013**; and,

Whereas, an application was filed by the building owner to change the Certificate of Occupancy for the ground floor to “use group 6” which was denied on June 18, 2013; and,

Whereas, this applicant and their representatives previously presented a similar application to CB#2, Man. for a full on premises license at the same premises in September 2013, at which time CB2 unanimously voted to deny such license; and

Whereas, the current application has not changed since CB2 previously denied this application in that the number of liquor license in proximity to this location continues to be 24 On-Premise Liquor Licenses within 500 ft., that there is evidence that an eating and drinking establishment is not permitted on these premises, that an increase in noise level would be generated by the proposed premises during evening and late night hours until 4am and that the applicant’s proposed method of operation is nebulous and sounds similar to other establishments operated by applicant involving late night drinking and live music but not as a full service restaurant; and,

Whereas, the applicant did present one petition in support with 10 signatures mostly from residents of a new rental/condo development, and a letter from a local condominium association was also presented, but the petitions and letter did not provide the signatories with the hours of operation on the petition; and,

Whereas, the applicant presented one person who purported to represent a neighboring condo development, but she did not know anyone else who lived in the building and then stated that she had only been living in the building for one week; and

Whereas, CB#2, Man. is very concerned regarding this application for many reasons, including but not limited to (1) a menu listing only breakfast items, sandwiches, quiches, desserts and salads but no main dinner courses, (2) on the applicant’s CB2 SLA Questionnaire in September/2013 the applicant stated this

will be a “family restaurant that will focus on home-made authentic flavor of French-Russian Cuisine” and yet on copies of letters/notices that the applicant stated they posted in the area in August/September 2013 it stated the restaurant “will feature a new American cuisine menu, created by celebrity chef ‘Julian Alonzo’”; (3) the applicant previously stated that the hours of operation will be for a “24 hours fine dining restaurant” differing greatly from the information provided to CB2 in its application; (4) in supporting materials for this new location it states that “The star of the lineup is alcohol” including “Infused vodkas—including apricot, black currant, and lychee [which] can be ordered as shots or in carafes that come in big (16 oz.) or small (8 oz.) sizes”; (5) this is a previously unlicensed location in a saturated area and alcohol is the primary driver of this establishment; (6) the principals operate other establishments which also include a live music component and the described method of operation seems very similar to those other establishments which cater to a late night bar atmosphere with live music; (7) the applicant could not present a recognizable method of operation as a full service restaurant; (8) it was inconsistent that the applicant would need hours of operation as presented by the applicant as those hours of operation are more reflective of late night revelry which is certainly plentiful in the area and not consistent with a restaurant operation; (9) this operation as described may have a significant impact on traffic in the area; (10) late night hours would have a significant impact on the quality of life through drunken patrons leaving the premises (11); the CB2 SLA Questionnaires received from the applicant were “inconsistent and factually inaccurate” compared to other materials presented by the applicant; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of a new on-premise liquor license for **Forks & Parrot, LLC, 517-519 Broome St. 10013.**

THE ABOVE APPLICATION WAS LAID OVER AFTER THE COMMITTEE MEETING, AND BEFORE THE FULL BOARD MEETING (SEE IN LAYOVERS SECTION).

3. Entity T/B/A d/b/a Holiday Inn Soho, 138 Lafayette Street, 10013 (Hotel OP License at previously licensed location)

Whereas, the applicant appeared before CB2’s SLA committee; and

Whereas, this application is for a transfer of existing Hotel OP license at a franchised Hotel with an existing Lounge and Restaurant/Bar on premises and previously operated as PNY IV Bev LLC, serial number 1198277 (Exp. Dated 12/31/2015) seeking to operate a Restaurant/Bar and Lounge within a Holiday Inn located at the corner of Lafayette and Howard Street in a 14 story mixed use building; and

Whereas, there will be no outdoor space, no sidewalk café or garden associated with these premises, there will be with 12 tables with 48 seats, 1 bar with 10 seats and mini bar in guest rooms; and

Whereas, the hours of operation will be from 6 am to 11 pm seven days per week, there are 4 TVs, music will be background only; and

Whereas, the applicant executed a stipulations agreement with CB#2, Man. that they agreed would be attached and incorporated in to their method of operation on their SLA Hotel OP license and the stipulations are as follows:

1. Will not operate as a Nightclub/Disco or seek Cabaret license.
2. Will operate the enclosed garden no later than 10 pm (lights out) daily.
3. Will not operate an outdoor garden or outdoor space.
4. Will employ two to three doorman/security personnel on a daily basis.
5. Will operate from 6 am to 11 pm seven days a week.

6. Music will be quiet, background level inside restaurant only and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of an On Premises license to **Entity T/B/A d/b/a Holiday Inn Soho, 138 Lafayette Street, 10013** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on the Hotel OP License.

Vote: Unanimous, with 42 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. Sweet 101 LLC, d/b/a Baby Grand, 161 Lafayette St., 10013

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on March 11, 2014, the applicant's attorney requested to lay over or withdraw this application from consideration until an application and all necessary paperwork was ready for review; and,

Whereas, this application is for a corporate change or "transfer" of the existing On-Premise liquor license;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed alteration, corporate change or "transfer to the Beer and Wine or On Premise license for **Sweet 101 LLC, d/b/a Baby Grand, 161 Lafayette St., 10013** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA 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 42 Board members in favor.

5. Forks & Parrot, LLC d/b/a Anyway Cafe, 517-519 Broome St. 10013

Whereas, after this month's CB2 SLA Licensing Committee meeting on March 11, 2014, the applicant requested to lay over or withdraw this application from consideration until an application and all necessary paperwork was ready for review; and,

Whereas, this application is for a new On Premises license in a previously unlicensed location;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed alteration, corporate change or "transfer to the Beer and Wine or On Premise license for **Forks & Parrot, LLC d/b/a Anyway Cafe, 517-519 Broome St. 10013** until the applicant has fully presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA 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 42 Board members in favor.

6. 74 Fifth Ave. Market Corp., 74 5th Ave., 10011

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on March 11, 2014, the applicant's attorney requested to lay over or withdraw this application from consideration until an application and all necessary paperwork was ready for review; and,

Whereas, this application is for a corporate change to the Beer and Wine or On-Premise license;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed alteration to the Beer and Wine or On Premise license to **74 Fifth Ave. Market Corp., 74 5th Ave., 10011** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA 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 42 Board members in favor.

7. Corkbuzz LLC d/b/a Corkbuzz Wine Studio, 13 E. 13th Street, 10003

Whereas, during this month's CB2 SLA Licensing Committee meeting on March 11, 2014, the principal requested to lay over this application from consideration until an application and all necessary paperwork was ready for review; and,

Whereas, this application is for an alteration to the hours of operation for the existing on-premise restaurant liquor license;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed alteration to the Beer and Wine or On Premise license to **Corkbuzz LLC d/b/a Corkbuzz Wine Studio, 13 E. 13th Street, 10003** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA 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 42 Board members in favor.

8. ADSAD, LLC d/b/a Onegin, 391 Sixth Avenue 10014

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on March 11, 2014, the applicant's attorney requested that the applicant layover this application from consideration until an application and all necessary paperwork was ready for review; and,

Whereas, this application is for the alteration to the existing On-Premise license;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed alteration to the On Premise license for **ADSAD, LLC d/b/a Onegin, 391 Sixth Avenue 10014** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA 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 42 Board members in favor.

9. The Princess and the Frog Flavors Corp. d/b/a The Frogs Crown, 204 Spring St. 10012

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on March 11, 2014, the applicant and/or his or her attorney requested that a layover or to withdraw this application from consideration until an application and all necessary paperwork was ready for review; and

Whereas, this application is for a full OP license;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed On Premise license to **The Princess and the Frog Flavors Corp. d/b/a The Frogs Crown, 204 Spring St. 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA 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 42 Board members in favor.

10. Donostia Bakery LLC d/b/a Home Sweet Home, 341 West Broadway, 10013

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on March 11, 2014, the applicant and/or his or her attorney requested that a layover or to withdraw this application from consideration until an application and all necessary paperwork was ready for review; and

Whereas, this application is for a full OP license;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any Beer and Wine or On Premise license for **Donostia Bakery LLC d/b/a Home Sweet Home, 341 West Broadway, 10013** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA 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 42 Board members in favor.

11. Little West 12th St. LLC and Basement Manager LLC d/b/a STK & Tenjune, 26 Little W. 12th St. 10014 (Corporate Change – SN1164726)

Whereas, the Licensee appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a "corporate change" to reflect that the licensee is now a publicly traded company operating under "The One Group, LLC" and "Committed Capital Acquisition Corporation"; the portion of the premises currently operating under the trade name "STK" is a modern American steakhouse and the basement portion of the premises currently operating under the trade name "Tenjune" is a night club; and,

Whereas, there will be no changes to the existing establishment or method of operation or any other changes; and,

Whereas, the Licensee reaffirmed through the execution of a “stipulations agreement” with CB2 in conjunction with this corporate change application that the licensee would:

1. Continue to operate under the exact same “method of operation”; and
2. All previously agreed to stipulations will remain in effect through this corporate change; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of a “corporate change” to the existing On Premise Liquor License, SN1164726 for **Little West 12th St. LLC and Basement Manager LLC d/b/a STK & Tenjune, 26 Little W. 12th St. 10014** unless the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 3rd “whereas” clause above and any existing stipulations agreements are incorporated into the “Method of Operation” on the on premise liquor license.

Vote: Unanimous, with 42 Board members in favor.

12. 246 Hospitality Group LLC, d/b/a TBD, 248 W. 14th St. 10011 (“transfer”/New OP)

Whereas, the applicants and their attorney appeared before the committee and,

Whereas, this application is for a “transfer” of an existing on premise liquor license (previously 14th Street Hospitality Group LLC, d/b/a Snap, SLA Serial #1240098) for a sports bar with full service kitchen/restaurant operating with a tavern license; and,

Whereas, this location will continue to operate as a sports bar with a full service kitchen and is located in a 2 story 4,400 sq. ft. premise (2,200 sq. per floor) in a mixed use building commercial residential building located on the first floor and basement, the premises is located between 7th and 8th Avenues, with 1 stand up bar with 10 seats and 26 tables with 72 seats on the ground floor and 1 stand up bar with no seats and 10 tables and 52 seats in the basement for a total of 2 stand up bars, 36 tables and 134 seats, the maximum occupancy is 122 persons on the ground floor and 74 in the basement for a total of 196 as indicated by the applicant; there is an existing certificate of occupancy indicating the same maximum occupancy, there is an existing Place of Assembly Permit for 196 persons which the applicant will update to reflect the new ownership, there is no backyard garden, there is no sidewalk cafe; and,

Whereas, the applicant stated the hours of operation for the interior are 11 am – 4 am 7 days a week, music is quiet background only at all times, music will be generated from iPod/c.d.’s, there may be dj’s Thursday to Sunday but music will continue to be background only and the dj’s will not be allowed to bring any additional sound amplification equipment utilizing the existing sound system which is under direct control of the establishment, there is existing sound proofing; there will be no promoted events, no scheduled performances, no outside promoters, no events for which a cover fee is charged, there may be private parties, there will be no “velvet ropes” or barricades, there will be security on premise Thursday to Saturday from 10 pm to ½ hour after close (4:30 am), there will be 16 televisions located throughout the premises; and,

Whereas, the current operator, contrary to what was originally presented to CB#2, Man., operates the basement portion of the premises as a separate entity, d/b/a Stash, which is billed as a “lounge” and advertised separately and has it’s own website and is identified differently from Snap, the sports lounge;

Whereas, this applicant specifically and repeatedly stated that the basement portion of the premises will be operated under the same d/b/a or more specifically the whole premises ground floor and basement will be operated under one d/b/a only and that the basement will be an extension of the ground floor “sports bar” but may occasionally be used for private parties where the whole basement is utilized; and

Whereas, the applicant presented a petition which appeared to be signed by local residents and no one appeared in opposition; and,

Whereas, the applicant executed a stipulations agreement with CB#2, Man. that they agreed would be attached and incorporated in to their “method of operation” on their SLA license stating that:

1. The premises will be advertised and operated as a sports bar with full service kitchen/restaurant (Tavern/License).
2. The premises will not operate as a nightclub/disco as defined under NYS ABC law.
3. The premises will not seek a NYC DCA Cabaret License.
4. There will be no dancing.
5. There will be no sidewalk café.
6. There will be no backyard garden.
7. The premises will employ a doorman/security personnel Thursday to Saturday from 10 pm to ½ hour after closing (4:30 am).
8. There is existing soundproofing.
9. All doors and windows will remain closed at all times except for ingress/egress (i.e. no doors will be propped open and all windows will remain closed.)
10. There will be no “French” doors or windows.
11. There will be no live music, there will be no promoted events, there will be no outside promoters, there will not be any event for which a cover fee is charged, there will be no scheduled performances.
12. There may be DJ’s but only Thursday to Sunday; DJ’s will be background music only (not entertainment level noise).
13. There will be no velvet ropes.
14. There will be an interior holding area for waiting patrons – there will be no lines maintained outside the premises.
15. The applicant/licensee will waive all rights to seek a NYC DCA Cabaret License.
16. No DJ’s will bring additional sound equipment – all sound volumes will be consistent throughout the week (i.e. not louder Thurs to Sunday than Mon to Wed).
17. The premises will operate under 1 d/b/a name only. The basement area will not be advertised under a different name and will only be used as an extension of the ground floor premise even if used for private events.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the transfer of an on-premise liquor license and the issuance of a new on-premise liquor license for **246 Hospitality Group LLC, d/b/a TBD, 248 W. 14th St. 10011** **unless** the statements the applicant has presented 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 42 Board members in favor.

13. 150 RFT Varick Corp. d/b/a Greenhouse/WIP, 150 Varick St. 10013 (Renewal - SN 1173366) previously sent

Whereas, the general manager, Ray Montgomery, and the Licensee's attorney, Warren Pesetsky, appeared before CB2's SLA Licensing committee on March 13th, 2014 after having been requested to appear by CB#2, Man. , at the behest of the local community, in regards to the upcoming renewal of the on-premise liquor license SLA Serial Number 1173366 for 150 RFT Varick Corp. d/b/a Greenhouse & WIP located at 150 Varick St.; and,

Whereas, there is a long history of issues at this premises that CB#2, Man, has conveyed to the Liquor Authority in several resolutions since the inception of this license in 2006, that have been communicated to the Liquor Authority through correspondence from local neighborhood associations and residents, and reports that have been delivered to the Liquor Authority from the New York City Police Department, the New York City Fire Department, The New York City Department of Buildings and other agencies; and,

Whereas, it is quite clear from the many issues since the inception of this license to present, that there is a pattern of an ongoing disorderly premise, criminal violations, violations of applicable building codes and laws, NYC Ordinances and Fire Codes that continue to plague the current licensee and the physical location, in addition to voluminous quality of life issues not limited to noise, traffic and illegal activities taking place on the immediate surrounding streets; and,

Whereas, from the inception of the first licensed premise at this location in the mid 1990's, there have been a succession of licensed premises with adverse histories, violence, drugs, disorderly premises, impacts on quality of life and a significant drain of city resources, namely the New York City Police Department resources to address issues created by the licensee's premises and these crimes have been a measurable, if not significant, driver of reported crime statistics for the local precinct and certainly the immediate area; and,

Whereas, CB#2, Man. is aware that there are current enforcement actions pending through a number of agencies, that the Liquor Authority has initiated actions and is aware of the voluminous violations and infractions and that there are a number of court proceedings that are either ongoing or resolved; and

Whereas, it is unclear who in fact the principals and owners of this establishment actually are, and replies to this question are "qualified" as "on paper" or "of record"; and,

Whereas, at this meeting frustrated residents and Block Associations again relayed their own experiences of witnessing crimes, describing the detritus left behind after each night of operation, fearing for their safety transiting through the streets on which they live, quality of life issues such as noise, traffic, trash, unruly behavior, impromptu street parties, lack of control of the immediate area surrounding the premises, all of which continue to be convincingly conveyed and backed up by reported incidents to the New York Police Department and citations issued to the premises and patrons by a variety of City Agencies including the NYPD and Department of Buildings and other agencies; and

Whereas, the Licensee's representatives' response again and again over the years are unfulfilled promises that improvements will occur, and yet they fail to materialize in any substantive fashion and blame is placed on shifting management, with each successive wave of "managers" claiming that they were unaware of the existing problems, as their general manager did at this meeting; All the while, violations are issued and penalties paid without any improvement and the slate wiped clean with the continuing

conditions placing the general public in danger; and, *Somehow the responsibility of the Principals on the License to oversee and manage the premises safely and who are ultimately responsible for the premises seems somehow overlooked in settling each new round of violations;* and,

Whereas, an argument that has been made several times by the Licensee's Attorneys (both Mr. Pesetsky and previously Mr. Terrance Flynn), that this Licensee opened in an area that was properly zoned for this use (a mixed use area) and that the recent rezoning of the area that is more friendly to residential uses has created the current problems because the Premises pre-exists the rezoning, is severely flawed;

- (1) Nothing is zoned for the type of operation run by 150 RFT Varick Corp - There is no zoning that exists that is designed to foster, encourage, or perpetuate crime and the abuse of a neighborhood;
- (2) It is inconceivable for the Licensee to tell people it's "Because of the kind of the neighborhood you live in", it is not because of kind of neighborhood, it's not because of rezoning, it's because Principals, Investors and Management of this facility are irresponsible and simply do not care;
- (3) It is not the fault that people live here, it is not the fault of the neighborhood people live in, these problems are the fault of the owners and Principals of this establishment
- (4) People have always lived in this neighborhood and even on the same block; The North side of Vandam St. was landmarked in 1966, well before this use of the premises, and a stretch of Federal Houses that date to the early 1800's on Vandam St. are 150 RFT Varick Corp's Neighbors, historic residential uses abound in the immediate neighborhood as well as more contemporary residential uses that predate the inception of this premises;
- (5) People also work in the neighborhood, and until not long ago people worked all night long in this neighborhood in various mixed use businesses primarily along the Avenues; They did not encourage crime or tolerate crime and their clientele, customers and patrons did not wreck havoc across their residential neighborhoods and impact their neighbors remotely in any similar fashion;
- (6) This is not a new neighborhood and the commercial/residential mixed use character long predates the arrival of this Licensee and if anything, this Licensee and the absentee Principals have proven over and over through their actions and lack of other actions that they do not deserve to be at this location or at any other location;
- (7) Nightclub use at this premises is in fact new to this neighborhood and was new in the mid 1990's and even though it's intended use may have been allowed under zoning, the location's operation has been fraught with violations of city codes and ordinances and Department of Building Regulations suggesting that the premises has never truly been in compliance with the same zoning the Licensee argues allows them to exist in the first place; and,

Whereas, a representative of the Licensee/"Principals" again stated they would try to make improvements but was unable to articulate exactly how this would be done; and,

Whereas, *CB#2, Man. urges the Liquor Authority to take the most holistic view possible of the this Licensee and the issues surrounding the operation of the premises within the Authority's purview in weighing and determining any course of action in relation to the existing liquor license and to use its powers as broadly as possible to address this continuing situation; and*

Whereas, in consideration of the general public's safety and in consideration of the mere fact that this licensed premises is a focal point of activities that continue on an ongoing basis to endanger the public's well being, *CB#2, Man. strongly recommends that the Liquor Authority not renew this on-premises liquor license and/or to take steps to remove the liquor license; and*

Whereas, CB#2 Man. also encourages the Liquor Authority to give great consideration and weight to any correspondence and testimony from residents and Block Associations regarding this licensee in arriving at any determination;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the renewal of the on-premise liquor license, SN#1173366 for 150 RFT Varick Corp. d/b/a Greenhouse/WIP, 150 Varick St. 10013.

Vote: Unanimous, with 42 Board members in favor.

14. Grand Sichuan West Village, Inc., 15 7th Ave. So., 10014

Whereas, the applicant's representative appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a "transfer" of an existing Restaurant Wine License for a full service "Authentic Sichuan Chinese Restaurant"; and,

Whereas, this application is for a new Restaurant Wine License via a "transfer" in a previously RW licensed location; the premises is in a mixed use commercial/residential building in a mixed use district located on the ground floor on 7th Avenue South between Bedford St. and Carmine St. for a roughly 1,000 sq. ft premise with 18 tables and 54 seats, there will be 1 service bar, there is a basement with a kitchen and storage, there is no patron use of the basement; there will not be a sidewalk cafe; there are no other outdoor seating areas and there is an application for a Certificate of Occupancy in process; and

Whereas, the hours of operation will be Monday to Friday from 11:30 am to 11 pm and from Saturday to Sunday from 1pm to 11 pm, there is no Sidewalk café included in this application, but any sidewalk café applied for in the future will also close at 11 pm 7 days a week and all tables and chairs will be removed at 11 pm, all doors and windows will be closed by 9 pm daily, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be one television; and,

Whereas, the applicant executed a stipulations agreement with CB2 that they agreed would be attached and incorporated in to the method of operation on the new restaurant wine SLA license stating that:

The premises will be advertised and operated as an Authentic Sichuan Chinese Restaurant.

The hours of operation will be Monday to Friday from 11:30 am to 11 pm and from Saturday to Sunday from 1pm to 11 pm.

The premises will not operate as a nightclub/disco as defined under NYS ABC law.

The premises will not seek a NYC DCA Cabaret License.

There will be no backyard garden.

There is no Sidewalk café included in this application. Any sidewalk café applied for in the future will also close at 11 pm 7 days a week and all tables and chairs will be removed at 11 pm.

There will be no "French" doors or windows.

There will be no DJ's, no live music, no promoted events, no events for which a cover fee is charged, and no scheduled performances.

This license is for a restaurant wine license only.

There will be only 1 TV in the premises.

Music will be quiet background only.

There will be no stand up bar in the premises.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of a “transfer” and new restaurant wine license for Grand Sichuan West Village, Inc., 15 7th Ave. So., 10014 unless the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 4th “whereas” clause above are incorporated into the “Method of Operation” on the SLA Restaurant Wine license.

Vote: Unanimous, with 42 Board members in favor.

15. Anjin LLC d/b/a Hirohisa, 73 Thompson St., 10012 (existing RW SN#1268903 - Extended hours)

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an alteration to an existing Restaurant Wine license to extend the hours of operation to include lunch service; and,

Whereas, the premises is located in a mixed use building on Thompson Street between Spring and Broome Streets for a 1,600 s.f. Japanese restaurant with 7 tables and 14 table seats and 7 counter seats for a total of 21 seats, there is only 1 service bar, there is no sidewalk café or outdoor seating area, there is an existing letter of no objection from the NYC Department of Buildings; and,

Whereas, the applicant stated the new hours of Operation will be from 12 pm (noon) to 11:30 pm 7 days a week; there will not be a sidewalk café application and there is no backyard garden; music will be iPod/CDs at background levels only; and,

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

Whereas, the applicant executed a stipulations agreement with CB2 that they agreed would be attached and incorporated in to the existing method of operation on the existing restaurant wine SLA license stating that:

1. The premises will be advertised and operated as a Japanese restaurant.
2. The Hours of Operation will be from 12 pm (noon) to 11:30 pm 7 days a week.
3. The kitchen will remain open until close,
4. There will b no backyard garden.
5. There will be no sidewalk café.
6. There will be no DJ’s, no live music, no promoted events, no events for which a cover fee is charged, and no scheduled performances.
7. All music will be quiet background only.
8. Any other existing stipulations will remain in effect.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of an alteration to the existing restaurant wine license SN#126890 for **Anjin LLC d/b/a Hirohisa, 73 Thompson St., 10012** unless the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 4th “whereas” clause above are incorporated into the existing “Method of Operation” on the SLA Restaurant Wine license.

Vote: Unanimous, with 42 Board members in favor.

16. New York Shakespeare Festival, 425 Lafayette St., 3rd Floor, 10003 (New Theater OP License – 3rd Fl.)

Whereas, the applicant appeared before CB2, Manhattan’s SLA Licensing Committee and,

Whereas, this application is for a new “Theater” On Premise Liquor License for a theater located in the Huesther Hall on the third floor of the New York Shakespeare Festival’s “The Public Theater” building; there are other licenses which exist within the building, but because the locations are not contiguous, a new license is sought for this premises; and,

Whereas, this location will continue to operate as a theater with this new application for a “theater” on premise liquor license, the location is on the third floor of a commercial building owned by the City of New York located between Astor Place and East 4th Street with approximately 2,000 sq ft. with 1 stand up bar with no seats, the total occupancy for the licensed area is 240 persons; the premises is in the process of securing its final Certificate of Occupancy, there is no backyard garden or outdoor area, there is no sidewalk cafe; and,

Whereas, the applicant stated the hours of operation for liquor service would occur only between the hours of 1 pm to 2 am daily with all of the conditions as imposed for an on-premise theater license; most likely performances and show times and post show alcohol service would end prior to 2 am. most days of the week subject to scheduled performance times; and,

Whereas, the applicant did perform community outreach and a letter of support from a local neighborhood organization was sent to CB2 indicating their support; and,

Whereas, the applicant executed a stipulations agreement with CB2 that they agreed would be attached and incorporated in to their method of operation on their Theatre On Premise Liquor License stating that:

1. The premises will be operated and advertised as a theatre; the license being applied for is a Liquor Theatre License.
2. The maximum hours of operation will be Monday to Sunday from 1 pm to 2 AM, with any provisions of a “theatre license” clearly governing the end of alcohol service after any performance.
3. There will be no sidewalk café.
4. This license is for a theatre on-premise liquor license only.
5. There will be only 1 “stand up” bar.
6. The area of this license encompasses the area as delineated on the diagram only and is located on the 3rd floor only.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of a new Theater Liquor License for **New York Shakespeare Festival, 425 Lafayette St., 3rd Floor, 10003** **unless** the statements the applicant has presented 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 42 Board members in favor.

17. JB Restaurant, LLC, d/b/a TBD, 60 Greenwich Ave. 10011 (New OP License at previously licensed Restaurant)

Whereas, the applicant appeared before CB2, Manhattan’s SLA Licensing Committee; and

Whereas, this application is for a new OP license in a mixed use three story townhouse on the ground floor and basement on Greenwich Ave. at Perry Street in a landmark district in a space previously occupied and operated as the Gusto Restaurant; and

Whereas, the applicant has an extensive background as a Chef at Lincoln Restaurant within Lincoln Center and plans to operate a white tablecloth full service Mediterranean seafood restaurant; and

Whereas, the ground floor (1300 SF) will be used for dining and the basement floor (1300 SF) will be used for storage and not for dining or for patron use, there are two stairwells, two bathrooms and one exit/entrance for patrons from the public sidewalk; and

Whereas, there will be no rear yard garden associated with these premises, there will be 17 tables with 58 seats, 1 bar with 16 seats and a total occupancy of 74; and

Whereas, there was a previous sidewalk café for these premises but this application currently does not include a sidewalk café within its current method of operation; and

Whereas, all existing mechanical and venting systems for cooking and/or operation of Restaurant currently in place will not be altered or relocated within or outside the premises, there is existing soundproofing and there is no plan for any French doors or windows; and

Whereas, the hours of operation will be from 12 pm to 12 am seven days per week, all doors and windows will be closed at 9 pm except for transient ingress and egress, there will be no TVs, music will be quiet background only; and

Whereas, the applicant executed a stipulations agreement with CB2 Man. that they agreed would be attached and incorporated in to their method of operation on their SLA on-premise restaurant liquor license and the stipulations are as follows:

1. The premises will be advertised and operated as a white tablecloth full service Mediterranean seafood restaurant.
2. The hours of operation will be from 12 pm to 12 am 7 days a week.
3. Any future sidewalk café or existing sidewalk café will be operated no later than 12 am (midnight) – at that time all tables and chairs will be cleared from the sidewalk café area.
4. There is existing soundproofing.
5. All doors and windows will be closed at 9 pm except for transient ingress and egress.
6. There will be no “French” doors or windows.
7. Will not operate as a Nightclub/Disco or seek Cabaret license.
8. Will not operate an outdoor/backyard/rooftop garden.
9. There will be no TVs.
10. Music will be quiet, background level inside restaurant only and there will be no live music, dj’s, promoted events, scheduled performances or any events for which a cover fee is charged.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of an On Premise Restaurant Liquor License to **JB Restaurant, LLC, d/b/a TBD, 60 Greenwich Ave. 10011** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on the OP License.

Vote: Unanimous, with 42 Board members in favor.

18. International Hospitality Concepts LLC, d/b/a La Loteria, 29 7th Ave. So. (New OP License at previously licensed Sushi Restaurant)

Whereas, the applicant appeared before CB2 Manhattan’s SLA Licensing Committee; and,

Whereas, this application is for a new On Premise Restaurant Liquor License to operate an upscale but casual Mexican style Restaurant in a mixed-use building located on 7th Avenue South at the corner and intersection with Bedford and Morton Streets in a 1200 SF premises (1st Floor for dining at 600 SF and basement for storage at 600 SF) with 13 tables with 25 seats, 1 bar with 10 seats and banquette seating for 10-16 additional patrons; and,

Whereas, the new owners will upgrade the interior of the premises and change to Mexican cuisine but will not change the existing occupancy for the premises; and,

Whereas, the hours of operation will be from 8 am to 1 am Sunday through Wednesday and from 8am through 2 am Thursday through Saturday, the doors and windows will be closed by 10 pm daily and there will be no backyard garden, there may be 1 TV, there will be no French doors or windows and music will be quiet background only; and,

Whereas, this application does not include a sidewalk café and the applicant agreed to return to this CB2 SLA Licensing Committee if a sidewalk café was to be incorporated into its current method of operation; and,

Whereas, the applicant executed a stipulations agreement with CB2 Man. that they agreed would be attached and incorporated in to their “method of operation” on their SLA On Premise Restaurant Liquor License and the stipulations are as follows:

1. The premise will be advertised and operated as a full service Mexican Restaurant with a Restaurant On-Premise Liquor License only.
2. The hours of operation will be Sunday to Wednesday from 8 am to 1 am and from Thursday to Saturday from 8 am to 2 am.
3. The premises will operate as a full service Mexican restaurant with the kitchen open and menu items available until closing every night.
4. There will be no backyard garden.
5. All doors and windows will be closed by 10 pm every night except for ingress and egress.
6. There will be no dj’s, no live music, no promoted events, no events for which a cover fee is charged, and no scheduled performances.
7. There will be only 1 television in the premises.
8. There will be Quiet background music only.
9. The applicant/licensee will return to CB2 Manhattan to present the Sidewalk Café portion this license as it will not be include in this resolution until the applicant has applied to the NYC DCA and presented the application before CB2 Manhattan’s Sidewalk and Street Activities Committee for review.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of an On Premises license to **International Hospitality Concepts, LLC d/b/a La Loteria, 29 7th Avenue South, 10014** unless the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on the OP License.

Vote: Unanimous, with 42 Board members in favor.

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

19. Prime 135 NYC, LLC d/b/a Prime 135, 135 7th Ave. So. a/k/a 163 W. 10th St. 10014 (pending RW SN#1277094) Previously sent

Whereas, neither the Applicant nor the Applicant's Attorney appeared before CB2 Manhattan's SLA Licensing Committee on March 13th, 2014 after submitting a 30 day notice for a new restaurant wine license to CB#2, Man. and after CB#2, Man, had requested that they appear before this committee on March 13th;

Whereas, neither the Applicant nor the Applicant's Attorney provided notice that the applicant would not appear; The Applicant has since filed an application for a restaurant wine with the Liquor Authority on March 17, 2014; and,

Whereas, the same Applicant appeared before CB2 Manhattan's SLA Licensing Committee on February 13th, 2014 for a On-Premise Liquor License, for which the Full Board of CB2 recommended denial; and,

Whereas, 8 residents appeared on March 13th, 2014 to voice concerns regarding the applicant and the restaurant wine application, in particular there were statements made to the effect that this Applicant was not acting in good faith and that representations made at CB2's February SLA Committee meeting by the Applicant, that the Applicant was willing and would work with the Residents in the Building and immediately adjacent neighbors going forward did not materialize and their has been no contact since February 2014; and,

Whereas, a representative of the Mid West 10th Street Block Association, which has a long history of working with and supporting Applicants and Licensee's pointed out that out of the 20 or more Licensees with which they have worked, this is the only one who signed a lease and began construction on their premises without first reaching out to area residents and was now unwilling to even maintain a dialogue with the community, which is not how responsible business owners conduct themselves, especially if they are a neighborhood friendly establishment that will serve the local community; and,

Whereas, residents in the building in which this License is to be located recently worked out an agreement and stipulations with a Jazz Club to be located below this premises demonstrating their willingness to have a reasonable dialogue; the Jazz Club was conditionally approved by the Liquor Authority for a full on-premise license with stipulations; and,

Whereas, the residents of this building almost all signed a petition against the issuance of a second on-premise license for this applicant which was applied for in February 2014, but several stated they may have been willing to support a restaurant wine license at the location if the Applicant appeared and discussed his application at CB2's SLA Licensing Committee meeting on March 13, 2014 and if they were willing to enter into some basic stipulations, but could only presume that by not appearing that the Applicant was acting in bad faith and was unwilling to continue any further dialogue in regards to the concerns of the residents and therefore they could offer no support; and,

Whereas, it is unclear if the Applicant is pursuing the same method of operation as presented in February 2014 except with a Restaurant Wine License; that application was for the proposed premises for Prime 135 NYC LLC to be located in a mixed use 5 story rental tenement building (16 residential units) on the ground floor located on 7th Avenue South between West 10th Street and Charles Street, the building is also known as 163 West 10th St and also

fronts West 10th St., the premises will be approximately 1,100 sq ft with 16 tables and 32 seats, 1 stand up bar with 8 seats, 1 food counter with 4 seats for a total of 44 interior seats; there is also a 600 sq ft outdoor patio area which will have 8 tables and 16 seats; there will be in the future, but it is not included in this application, an application for a sidewalk café with 6 tables and 12 seats, which will be presented to CB2's Sidewalks and Street Activities before it is presented to CB2's SLA Licensing Committee in the future; there is an existing temporary certificate of occupancy which indicates "Restaurant in Conjunction with Cellar" and the maximum occupancy on the ground floor (1st floor) is indicated as 32 persons (note that the proposed premises exists exclusively on the 1st floor with no connection at all to the premises which exists in the basement/cellar; and,

Whereas, the applicant's February 2014 application for an on-premise license also stated that the hours of operation would be Sunday to Thursday from 11 am to 1 am and Friday to Saturday from 11 am to 2 am, music will be background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), the applicant states they will install soundproofing as there is no current soundproofing by "install[ing] multiple layers of sheet rock and high density boards, as well as acoustical ceiling panels, there will be no d.j., no promoted events, there will be private parties, no velvet ropes, no movable barriers, no security, there are no plans there will be no T.V.'s, there will be no security; and,

Whereas, the continuing concern both in February 2014 and currently is that this application covers a significant percentage of the premises which has never been previously licensed, but a small portion of the premises has previously been licensed for a restaurant wine license (a small area on the ground floor adjacent to the outdoor area with approximately 300 sq. ft.) which had operating hours ending at 11 pm Sunday to Thursday and midnight Friday and Saturday; the current configuration of the proposed premises for Prime 135 NYC LLC was created by combining 4 retail spaces on the ground floor (portion of previous restaurant, barber shop, hair salon and flower shop), with the exception of the small portion that was previously licensed for the restaurant wine license, the spaces comprising the proposed space were non-eating and drinking uses, the location also includes an outdoor space within the property line which includes approximately 8 tables and 16 seats and will include a future sidewalk café, which is not a part of this application, which will have 6 tables and 12 seats for a total of 28 outdoor seats; the previously licensed restaurant wine license was primarily in the basement of the location and the kitchen was in the basement; the basement space which is now going to be a jazz venue located entirely in the basement which was presented to CB#2, Man. in January 2014 and the Full On-Premise License is currently conditionally approved for Mezzrow LLC with the SLA SN1276530; CB2 recommend deny unless stipulations are adhered to for Mezzrow LLC to the Liquor Authority after (1) extensive community outreach and negotiations, (2) installation of appropriate soundproofing (3) a number of stipulations involving signage, noise abatement, crowd control, garbage and advertising and (4) because the principal for Mezzrow LLC has significant experience operating another jazz venue located just one block away with a current on-premise liquor license; and,

Whereas, when asked in February, the Applicant stated that his experience consists of private catering for friends; and,

Whereas, the applicant performed community outreach in February 2014 for the on-premise application by reaching out to local community organizations and posting a notice in the subject building the week prior to CB2's SLA Licensing Committee meeting, inviting tenants to meet with him on two different evenings, several tenants did meet with the applicant but did not express support for the business owner and it was also noted that the posting did not include any contact information for the applicant and also indicated dates (2/6 and 2/7) which did not match the stated days (Wednesday and Thursday), several tenants in the building also tried to go to the premises for the second meeting but the applicant was not present, even though he stated that he would be there between 6 and 7 pm; and,

Whereas, *there has been no additional outreach performed by the Applicant as CB#2, Man. requests subsequent to February 2014 for the new application for a Restaurant Wine License;* and,

Whereas, the applicant presented a petition in support in February 2014 for an on-premise liquor license with 42 signatures, but most were not from the subject block or directly immediate area, though they were mostly located within Greenwich Village, no one appeared to speak in support; and,

Whereas, 8 individuals appeared to speak on March 13, 2014 all residents of the building in which the license is to be located or having windows overlooking the outdoor area, but the Applicant did not appear to present their application for a Restaurant Wine License as requested by CB#2, Man.; and,

Whereas, to illustrate the concerns of this location and application, 7 individuals spoke in opposition to the on-premise liquor license in February 2014, all were residents of the building in which the premises will be located or had windows overlooking the outdoor space, 17 letters in opposition were received in February 2014 for the proposed on-premise liquor license and a petition with 51 signatures in opposition was presented in February 2014; the petition in opposition includes 17 out of 21 residents in the building where the premises will be located and 1 signature from a commercial tenant in the building; the Mid West 10th Street Block Association, which covers this area and who have supported a large number of applications of new businesses in the area, was also in opposition to the issuance of an on-premise liquor license; and,

Whereas, CB#2, Man. received an additional 16 letters in opposition to the issuance of a Restaurant Wine License at this location in March 2014 citing similar concerns voiced previously, but in particular regarding;

- (1) the good faith of this operator;**
- (2) the lack of experience of the operator operating a restaurant;**
- (3) regarding the physical location and condition of this 100 year old building;**
- (4) lack of appropriate sound proofing being installed;**
- (5) lack of appropriate venting which would most likely be constructed in an airshaft with numerous residential windows but for which no plans were shared with residents;**
- (6) concerns about location of mechanical equipment;**
- (7) that it is improper to build out a new kitchen where one did not previously exist and specifically because the service entrance to the kitchen is through the residential entry hallway to the building, that tenants should not be subject to security concerns through the use of the residential hallway by the applicant and restaurant employees, that there is great concern that deliveries to customers would also be conducted through the kitchen service area and residential hallway;**
- (8) that the eventual number of outdoor seats connected with this premises, 28, compared to the number of interior seats, 44, indicates that a good portion of the premises will be operated outdoors which residents state has always created problems in the past, especially the space within the property line of the building, with loud patrons drinking and smoking through all hours of operation and smoke, noise and odors drift into the windows of tenants above in particular because of the relation of the outdoor space and building which is on an angle;**
- (9) the operation of the outdoor area was significantly ameliorated in the past because the premises that used this area closed at 11 pm, there is tremendous concern regarding operating beyond 11 pm in the outdoor terrace;**
- (10) residents were concerned of retaliation from the landlord regarding opposition to the premises; and,**

Whereas, of particular concern, residents of the building indicated in March 2014 that the applicant was in the process of performing demolition work or has completed demolition work by removing structural walls located in the middle of the premises to create a more open floor layout and is in the process of removing existing bricks of an existing brick chimney located in the southwestern room in the diagrams along the west center wall in what is the proposed kitchen, which they feared would cause instability and potential structural issues or even building collapse; the applicant was not available to address these concerns or to present plans or any remediation efforts; and,

Whereas, as stated in CB2's February 2014 resolution regarding the application for an on-premise liquor license at this location, CB#2, Man. continues to share the same concerns with an application for a restaurant wine license and has serious reservations regarding this application in particular in regards to the lack of the applicant's forthrightness in engaging residential tenants of the building in which the premises will be located when he has been possession of the space for sometime prior and already begun work, occasionally at inconsiderate hours, and that he had not performed outreach earlier to building residents, that no sound test had been conducted when he should have been aware that this was of paramount concern to building tenants due to the tenement style construction which is over a century old, which even under the guidance of professional sound engineers - there is no guarantee that the space will be sound proofed and that there is no excuse whatsoever for this establishment if even one residents quality of life is impacted as they have ignored the residents at every step of the process and no

discussions have taken place with building residents to discuss concerns regarding the installation of mechanical units in the shaft way or the installation of kitchen venting located in close proximity to residential windows up the side of the building or seeking ways to mitigate any future potential issues prior to installation; and,

Whereas, CB#2, Man. also has concerns regarding the existing temporary certificate of occupancy which indicates “Restaurant in Conjunction with Cellar”, indicates no kitchen use on the ground floor, indicates no use for patrons of the outdoor space and which indicates the maximum occupancy on the ground floor (1st floor) is 32 persons (note that the proposed premises exists exclusively on the 1st floor with no connection at all to the premises which exists in the basement/cellar); and,

Whereas, it is inconceivable that the eventual 72-seat premise would request a waiver to the two bathroom rule by having only one restroom; and,

Whereas, because the applicant failed to appear as requested by CB#2, Man. to present their application for a Restaurant Wine License and for the concerns outlined above;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of a new restaurant wine license for **Prime 135 NYC LLC, d/b/a Prime 135, 135 Seventh Ave. South a/k/a 163 W. 10th St. 10014**; and,

THEREFORE BE IT FURTHER RESOLVED that should this applicant continue to pursue this restaurant wine license application, CB2 respectfully requests that the item be calendared on the agenda before the Full Board of the State Liquor Authority at a regularly scheduled meeting and that CB#2, Man. be notified of the date of that hearing; and

THEREFORE BE IT FURTHER RESOLVED that should the date of the Liquor Authority’s Full Board meeting occur after April 10th, 2014, that the Liquor Authority request that the applicant at their choice appear before CB2’s SLA Licensing Committee on April 10th, 2014 at the regularly scheduled meeting, so the issues outlined above can be discussed in an appropriate format at the Community Board level and perhaps agreements reached so as no to take up the valuable time of the Liquor Authority; and,

THEREFORE BE IT FURTHER RESOLVED that should this application be heard by the Full Board of the Liquor Authority without the applicant returning to CB#2, Man., that CB2 respectfully request in light of the concerns outlined above that the Liquor Authority consider the following stipulations as a condition of the license and any other stipulations suggested by residents including:

- (1) closing the outdoor terrace (dark) by 11 PM daily,
- (2) curtailing the hours of operation at 1 AM daily
- (3) no use of the residential hallway by the restaurant for any use except emergencies
- (4) permitting no patrons to loiter or smoke in the outdoor terrace area if not seated and dining; only seated patrons may be in the outdoor terrace
- (5) having a certified acoustical consultant at the applicants expense conduct sound tests in residences immediately above the premises prior to opening to the public (a commissioning test) taking into account normal patron voices and music levels and any heating/cooling system and sound system after the final installations, and should their be issues, correct those issues until the premises is in compliance with applicable NYC Noise Codes and also conduct any sound tests if requested by any residents in the building regarding the installation of any mechanicals if they are placed in the airshaft or in the outdoor terrace and ensure compliance with applicable NYC Noise Codes prior to opening to the public; the applicant should consider installing a sound limiter should the owner not be regularly on the premises in the evening hours through closing
- (6) no live music in the premises, quiet background music only; no music at all in the outdoor area

(7) The applicant will abide by all NYC DOB Regulations and other NYC Regulations and will produce a clear Certificate of Occupancy that states an independent Restaurant can operate on the ground floor with no mention of being operated in conjunction with the basement location, this should also indicate that the outdoor terrace can be used for patron dining

(8) all trash will be stored in closed containers within the premises until placed for collection on the 7th Avenue side of the building only

(9) all doors and windows will remain in a “closed” position after 9 pm, except for transient ingress/egress; all windows facing the interior airshaft shall remain closed at all times and shall be soundproofed

(10) the applicant will not place “a” frames on the sidewalk or hand out leaflets or place other signage on the sidewalk to “steer” the public into the premises

(11) the operator will provide to interested residents a contact number at which they can be reached at all times should residents need to contact him/her regarding complaints.

Vote: Unanimous, with 42 Board members in favor.

20. Mot Part Two, Inc. d/b/a ‘s Nice, 45 8th Ave. 10014

Whereas, the applicant **failed to appear** before CB2, Manhattan’s SLA Licensing Committee Meeting #2 on March 13th, 2014 after having laid over this application for a new restaurant wine license in February 2014;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, alteration, transfer, upgrade or changes to any existing license for **Mot Part Two, Inc. d/b/a ‘s Nice, 45 8th Ave. 10014** until the applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA 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 42 Board members in favor.

21. Cornelia Street Group, Inc. d/b/a Murray’s Cheese Shop, 254 Bleeker St., 10014 (Class Change-from beer to b&w and interior reconfiguration) (attorney requested layover)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting #2 on March 13th, 2014, the applicant’s representative requested to **layover** this application for a class change application and an alteration to the existing eating place beer license and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Cornelia Street Group, Inc. d/b/a Murray’s Cheese Shop, 254 Bleeker St., 10014** until the applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA 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 42 Board members in favor.

22. 316 Bowery LLC. d/b/a Saxon and Parole, 316 Bowery, 10012 (interior) (attorney requested layover)

Whereas, prior to this months CB2, Manhattan’s SLA Licensing Committee Meeting #2 on March 13th, 2014, the applicant’s representative requested to layover this application for an alteration to an existing on-premise liquor license and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any type of proposed on premise liquor license, beer and wine license, corporate change, alteration, transfer, upgrade or changes to any existing license for **316 Bowery LLC. d/b/a Saxon and Parole, 316 Bowery, 10012** until the applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA 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 42 Board members in favor.

23. Merchants 848 Washington Street Hotel LLC, 848 Washington St. 10014 (withdrawn by attorney)

Whereas, prior to this months CB2, Manhattan’s SLA Licensing Committee Meeting #2 on March 13th, 2014, the applicant’s representative requested to withdraw this application for a new on-premise liquor license for multiple venues within a Hotel (transfer) and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any type of proposed on premise liquor license, beer and wine license, corporate change, alteration, transfer, upgrade or changes to any existing license for **Merchants 848 Washington Street Hotel LLC, 848 Washington St. 10014** until the applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA 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 42 Board members in favor.

24. Windy Point East LLC d/b/a Houseman, 679 Greenwich St. a/k/a 139 Christopher St. 10014

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting #2 on March 13th, 2014, the applicant’s representative requested to withdraw this application for a new on-premise liquor license for a restaurant and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any type of proposed on premise liquor license, beer and wine license, corporate change, alteration, transfer, upgrade or changes to any existing license for **Windy Point East LLC d/b/a Houseman, 679 Greenwich St. a/k/a 139 Christopher St.** until the applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA 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 42 Board members in favor.

TRAFFIC AND TRANSPORTATION

1. Resolution urging (traffic light) signal phase changes that allow for separate, conflict free pedestrian crossings on Lafayette St. at the south side of Kenmare St. and on Broome St. at the west side of Lafayette St.

Whereas the dog leg progression of westbound traffic from Kenmare St. turning south on Lafayette St., proceeding on Lafayette to Broome St., then turning west on Broome is fraught with confusion, congestion, and extreme peril to pedestrians; and

Whereas most of this traffic comes from the Williamsburg Bridge heading for the Holland Tunnel, all in a great hurry to get from east to west, with drivers often ignoring or not noticing pedestrians and, because of the heavy volume of traffic, many surging forward to overtake other vehicles, encouraged by Lafayette St.'s increased width on this stretch; and

Whereas there is considerable pedestrian activity in this area, from businesses, tourists and the residential population as well as from many restaurants and nightclubs, and all of these walkers are exceptionally vulnerable to traffic in the crosswalks when they try to get across on both Lafayette St. at the south side of Kenmare St. and on Broome St. at the west side of Lafayette, even though they're crossing with the green "go" light; and

Whereas many letters received and people who were present from the surrounding community attested to the extreme danger pedestrians endure trying to cross on Broome and on Lafayette Sts. at these locations while at the same time facing the onslaught of multiple turning vehicles plunging ahead in a frenzied dash to reach the Holland Tunnel and other destinations without regard for people in the crosswalks (who often are forced to fearfully wend their way through traffic); and

Whereas the traffic light signal on Kenmare and Lafayette Sts. turns green allowing vehicular traffic coming west on Kenmare St. to turn south (left) on Lafayette St. at the same time pedestrians have the green light to cross Lafayette St., leading to the dangerous pedestrian-vehicle conflicts described above; and

Whereas similarly, the traffic light signal on Lafayette and Broome Sts. turns green allowing vehicular traffic coming south on Lafayette St. to turn west (right) on Broome St. at the same time pedestrians have the green light to cross Broome St., again leading to the same types of dangerous pedestrian-vehicle conflicts; and

Whereas recent research (Li Chen, Cynthia Chen, Reid Ewing – Journal of Transport Policy) has shown that "split-phase timing" of signals involving a third phase of the traffic cycle that stops all turns so pedestrians can cross (but not vehicular movement in all directions as in a "Barnes Dance") is extremely effective in protecting crossing pedestrians;

Therefore be it resolved that CB#2, Man. urges the NYC Department of Transportation (DOT) to change the traffic light signal phase for the left turn from Kenmare St. to Lafayette St. to "split phase timing" for a separate, conflict-free pedestrian crossing on Lafayette St. at the south side of Kenmare St., i.e., so that crossing pedestrians and turning vehicles don't get green "go" signals at the same time there; and

Be it further resolved that CB#2, Man. urges DOT to also change the traffic light signal phase for the right turn from Lafayette St. to Broome St. to “split phase timing” for a separate, conflict-free pedestrian crossing on Broome St. at the west side of Lafayette St., i.e., so that crossing pedestrians and turning vehicles don’t get green “go” signals at the same time there; and

Be it further resolved that CB#2, Man. asks that DOT work to ensure optimal coordination of the traffic lights at these two corners to achieve the requested goal and also to keep these corners clear to ensure adequate sightlines; and

Be it finally resolved that CB#2, Man. requests that DOT install countdown signals at these two corners, so that pedestrians can be aware of the time it takes to cross those streets.

Vote: Unanimous, with 42 Board members in favor.

2. Resolution in support of a parking-protected bicycle lane upgrade on Lafayette St./4th Ave. bet. Spring and 14th Sts.

Whereas the NYC Department of Transportation (DOT) is proposing a protected bicycle lane with buffer on Lafayette St./4th Ave. bet. Spring and 14th Sts. to replace the current un-protected one that has serious safety problems and severe deterioration; and

Whereas the Lafayette St./4th Ave. corridor bet. Spring and 14th Sts. is heavily used by both pedestrians and bicyclists whose safety is greatly compromised by the overly wide street width there (Lafayette-48 ft./4th-71 ft., curb to curb) coupled with relatively light vehicular traffic causing speeding and aggressive driving, creating long pedestrian crossing distances, and, with scant markings or delineations, allowing for overlapping and disorganized bicycle and vehicular traffic movement; and

Whereas the upgraded lane will involve reconfiguration of the street bed and other changes that include:

- Primarily curbside bike lane, then buffer, then floating parking, requiring re-allocation of parking spaces resulting in a net increase of three spaces.
- Pedestrian islands in the crosswalks, shortening pedestrian crossing distance, planted with trees and also able to house planting beds (if there are maintenance partners).
- Moving lanes narrowed to 11 ft. (more appropriate for urban environments than what is currently a highway standard width) that will slow down and regularize vehicular traffic, promoting safety, while keeping the existing number of lanes.
- Adjusted signal timing to lessen waiting times (and extend crossing times) for pedestrians, who currently are kept from crossing the street for unnecessarily lengthy intervals.
- A “double-barreled” bike lane design between E. 12th and E. 14th Sts. (one lane on left; one lane on right) to facilitate safe right turns for bicyclists.
- Daylighting applications for unobstructed views at intersections.; and

Whereas DOT presented figures showing notable decreases in crashes and injuries after parking-protected bike lanes like the one proposed for Lafayette St./4th Ave. were installed on 1st, 2nd and 8th Aves., and studies have shown that more bicyclists use protected lanes than un-protected ones, keeping bikes moving in the right direction (as opposed to a contra flow) and out of the way of automotive traffic, better organizing the street; and

Whereas there is an exceptionally large and increasing number of pedestrians on Lafayette St., especially at the three subway locations at Houston St., Bleecker St. and Astor Pl., who need to be accommodated with larger than typical pedestrian islands to ensure adequate safety havens in crossing the street, including for those who are disabled; and

Whereas there is a continuing need to accommodate commercial parking for the Lafayette St./4th Ave. area, with many businesses and institutions along the way requiring regular pickups and deliveries, and DOT has indicated its openness to creating more commercial-friendly parking and establishing delivery zones on the side streets (as has been done in Community Board 4M) as well as its intentions to contact all businesses involved to ascertain their loading needs, has agreed to restore loading zone regulations and signage previously altered during past construction, and also has conveyed that the agency is looking into metering 3-hour loading zones there to provide more commercial parking turnover; and

Whereas in response to concerns about emergency access, DOT has specified that its standard design is to maintain 11 ft. clearance for first responders, maintenance crews, and other emergency vehicles; and

Whereas in response to concerns about potential conflicts with major construction occurring on Lafayette St., DOT has outlined its customary approach to handling integration of bike lanes at construction sites (a common and frequent occurrence around the city), including identifying every construction permit and contacting the people involved to make proper transportation arrangements, and presented photos of how bike lanes are moved to allow for staging in parking lanes, while being defined by flexible delineators; and

Whereas there is a considerable amount of taxi activity on Lafayette St., often with hailed cabs stopping short in the middle of the street, which would now be compounded by a lack of curb access because of the protected bike lane's design, and DOT has affirmed its willingness to install taxi stands, requesting that the community identify preferred locations; and

Whereas because Lafayette St. bet. 8th and 9th Sts. and 4th Ave. on the same stretch currently accommodate MTA NYC Transit buses laying over at peak hours with three or four parking lanes that, with the City's anticipated reconstruction of Astor Pl., will be reduced by two and the streetbed narrowed, there is concern over whether the protected bike lane as currently designed could coexist with buses laying over as it passes through Astor Pl.; and

Whereas close to 50 local people turned out in favor of the protected bike lane from addresses evenly spread both above and below Houston Street around the Lafayette St./4th Ave. area (as evidenced by the sign-in sheets), and letters of support were received; and

Whereas it was suggested that the protected bike lane begin at Grand St. going north from the west-east protected lane there;

Therefore be it resolved that CB#2, Man. supports installation of the parking-protected bicycle lane upgrade on Lafayette St./4th Ave. bet. Spring and 14th Sts.; and

Be it further resolved that CB#2, Man. appreciates DOT's sharing their proposed plan for this lane with and inviting input from the community, and encourages DOT to continue to inform, communicate and work with the community as the project progresses, consulting not only with CB#2, Man. but with all local stakeholders, including the three Business Improvement Districts, merchants and other businesses, property owners and residents, on local needs, potential refinements, timetables, impacts and other concerns, giving ample advance notice; and

Be it further resolved that CB#2, Man. urges DOT to provide larger pedestrian islands in the Lafayette St. crosswalks at Houston St., Bleecker St. and Astor Pl.; and

Be it further resolved that CB#2, Man. asks that DOT work with the neighboring BIDs, businesses, other stakeholders and elected officials to ensure that provisions are made for planting and maintaining flowers and other attractive blooms in the pedestrian islands (like those on 9th Ave.), organizing maintenance partners, in order to provide needed enhancement; and

Be it further resolved that CB#2, Man. calls upon DOT to follow through in working with adjacent businesses and institutions in establishing pickup and delivery accommodations, including delivery zones on the side streets as needed (as in CB4M) for both larger and smaller stores and for upstairs businesses in larger commercial buildings, as well as loading and unloading parking provisions on Lafayette St. (e.g. in the floating parking areas), where possible, with accompanying signage (including corrected signage, previously altered, reflecting current commercial loading zone needs), plus keep the community abreast of any plans for metered 3-hour commercial loading zones and get their input; and

Be it further resolved that CB#2, Man, requests that DOT work to ensure that the necessary access is provided for emergency medical technicians, fire trucks and other emergency vehicles, including the Great Jones St. firehouse; and

Be it further resolved that CB#2, Man, urges that DOT work not only with those who have construction permits, but also with the affected local stakeholders in ensuring in advance that there is smooth, safe and comfortable integration of the necessary bike lane format where construction takes place, including signage for bicyclists indicating a construction detour when the bike lane is interrupted, along with monitoring of its operation, and that there are clearly fashioned plans for re-configuration of the protected bike lane when construction is completed and allocated funds for its implementation; and

Be it further resolved that CB#2, Man. requests that DOT reach out to the local stakeholders to ascertain preferred taxi stand locations, and install them where needed; and

Be it further resolved that CB#2, Man, urges DOT to undertake a study of the bus layover spaces on Lafayette St. and on 4th Ave. bet. 8th and 9th Sts. in relation to their accommodation needs considering the new protected bike lane in concert with the new design of Astor Pl. as soon as possible to determine any adjustments that may need to be made in advance of the protected bike lane's implementation; and

Be it finally resolved that CB#2, Man. suggests that DOT study the feasibility of beginning the new protected bike lane route at Grand St. going north from the protected west-east lane there.

Vote: Unanimous, with 42 Board members in favor.

3. Resolution in favor of the Village Alliance BID's proposed improvements to enhance Ruth Wittenberg Triangle (Sixth Ave./Christopher St./Greenwich Ave./8th St.).

Whereas the Village Alliance Business Improvement District (BID) is proposing to improve the look, feel and comfort of the Ruth Wittenberg Triangle, located at the intersection of Avenue of the Americas (6th Ave.), Greenwich Ave., Christopher St. and W. 8th St., a place that has the potential to be an attractive, welcoming gateway to the center of Greenwich Village, but that's presently bereft of character, life, interest and appeal; and

Whereas the Triangle, named for a revered community activist deserving of a lovely, vibrant setting to honor her memory, is the first open space that people encounter when arriving from the W. 4th St. subway station, the PATH station on E. 9th St., or tour buses on W. 8th St.; and

Whereas the BID is planning to upgrade the Triangle with tables and seating, planters, colorful umbrellas and an information kiosk with maps, guides and other materials on the neighborhood, as well as with periodic public programming activities, to transform it into an active, inviting, green space where people can come together, be able to sit and socialize, bring a bite to eat, relax, people watch and generally enjoy the amenity of a true pedestrian plaza that enhances the area around it and the appeal of surrounding businesses; and

Whereas the BID will fund the improvements from its existing budget, and its maintenance staff will keep the space clean, safe and orderly as well as take out, put away, lock and unlock the furniture (which only will be used in warm weather); and

Whereas three alternative designs were presented entitled: 1. Streetside Seating, with the furniture and most plantings placed along the outside edge of the Triangle, which would bring people close to traffic, introducing safety and comfort issues; 2. The Mix, with planters aligned along the outside edge of the Triangle, which could interfere with people's access around the perimeter; and 3. Core Arrangement, which offers a balanced mix of the furniture and planters within the Triangle's center, leaving room for perimeter access and a buffer against traffic; and

Whereas a great many letters of strong support were received from block associations, businesses, residences, property owners and other stakeholders in the surrounding area, including the Jefferson Market Garden, the Greenwich Village Chelsea Chamber of Commerce, and C.O. Bigelow Apothecaries, all attesting to the need for an attractively enhanced and activated Ruth Wittenberg Triangle to help improve the neighborhood's physical and economic environment;

Therefore be it resolved that CB#2, Man. fully supports the Village Alliance BID's proposed improvements to enhance Ruth Wittenberg Triangle (Sixth Ave./Christopher St./Greenwich Ave./8th St.); and

Be it further resolved that CB#2, Man. favors the Core Arrangement design and encourages its choice and installation; and

Be it finally resolved that CB#2, Man. suggests that the BID also consider installing art as part of the Triangle improvement.

Vote: Unanimous, with 42 Board members in favor.

5. Resolution in support of Street Cleaning Rules on the west side of Mulberry St., bet. Spring and Kenmare Sts.

Whereas current parking regulations on the west side of Mulberry St, bet. Spring and Kenmare Sts. are "No Parking Mon - Fri 8 am - 6 pm"; and

Whereas commercial vehicles park there all day, and when the Dept. of Sanitation sweeper comes down the block, it has to go around them, and the street remains dirty; and

Whereas applying the same street cleaning rules on the west side of Mulberry St bet. Spring and Prince Sts. to the west side of Mulberry St, bet. Spring and Kenmare Sts. would allow for uniform street cleaning from one block to another; and

Whereas there was no opposition to this request (on this block are a Bar, a residential building, a clothing store and a pop up space);

Therefore be it resolved that CB#2, Man. requests street cleaning regulations for "No Parking 9:30 am - 11:00 am Mon - Thurs" (the same as on the west side of Mulberry St. bet. Spring and Prince Sts.) on the west side of Mulberry St, bet Spring and Kenmare Sts.

Vote: Unanimous, 42 Board members in favor.

NEW BUSINESS

Termination Of Colin Hu

At the Full board meeting on Thursday, March 20, 2014, the full board voted to dismiss Colin Hu from the position of Community Assistant.

Vote: Passed, with 39 Board members in favor, and 1 abstention (A. Wong).

Respectfully submitted,

Susan Kent
Secretary
Community Board #2, Manhattan