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Terri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



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

COMMUNITY BOARD NO. 2, MANHATTAN

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

FULL BOARD MINUTES

DATE: December 18, 2014
TIME: 6:00 P.M.
PLACE: Scholastic Building, 557 Broadway, Auditorium

BOARD MEMBERS PRESENT: Susanna Aaron, Keen Berger, Tobi Bergman, Chair; Carter Booth, Katy Bordonaro, Anita Brandt, William Bray, Heather Campbell, Lisa Cannistraci, Ritu Chattree, Denise Collins, Tom Connor, Terri Cude, Coral Dawson, Maria Passanante Derr, Cristy Dwyer, Robert Ely, Jonathan Geballe, Robin Goldberg, Anne Hearn, Susan Kent, Jeannine Kiely, Daniel Miller, Lois Rakoff, Robert Riccobono, Robin Rothstein, Sandy Russo, Rocio Sanz, Maury Schott, Federica Sigel, Shirley Smith, Richard Stewart, Sean Sweeney, Shannon Tyree, Antony Wong, Robert Woodworth, Elaine Young

BOARD MEMBERS ABSENT WITH NOTIFICATION: Doris Diether, Sasha Greene, David Gruber, Alexander Meadows, Shirley Secunda, Susan Wittenberg

BOARD MEMBERS ABSENT: Daniel Ballen, Arthur Kriemelman, Arthur Z. Schwartz

BOARD MEMBERS PRESENT/ARRIVED LATE: Joshua Frost, Edward Ma, Chenault Spence

BOARD MEMBERS PRESENT/LEFT EARLY: Richard Caccappolo

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

GUESTS: Jacqueline Blank, Congressman Jerrold Nadler's office; Tara Klein, Senator Brad Hoylman's office; Robert Young, Senator Daniel Squadron's office; Patricia Ceccarelli, Man. Borough President Gale Brewer's office; Matt Borden, Assembly Member Deborah Glick's office, Crystal Feng, NYC Comptroller's office; Margaret Bangs, Council Member Corey Johnson's office; John Blasco, Council Member Rosie Mendez's office; Sam Spokony, Council Member Margaret Chin's office; Charlene Edwards, Joseph Gallagher, Jessica Warriner, Mark Hallenbeck, Leonard Tragrande, Andy Gottlieb, Nichole Huff, Amy Tse, Pete Davies, Michele Campo, Bolsi Spaho, Nick Spaho, Wayne Kawalder

MEETING SUMMARY

Meeting Date –December 18, 2014
Board Members Present – 41
Board Members Absent With Notification –6
Board Members Absent - 3
Board Members Present/Arrived Late - 3
Board Members Present/Left Early - 1

I. SUMMARY AND INDEX

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II. PUBLIC SESSION

Non-Agenda Items

Excessive Film Permits

Mark Hallenbeck spoke against excessive filming in the district.

WTC Study of Children

Leonardo Tragrande spoke regarding this program and other related work.

Lenox Hill HealthPlex

Wayne Kawadler presented a general update.

MPIA

Amy Tse presented a general update.

III. ADOPTION OF AGENDA

IV. ELECTED OFFICIALS PRESENT AND REPORTING

Jacqueline Blank, Congressman Jerrold Nadler's office

Tara Klein, Senator Brad Hoylman's office

Robert Young, Senator Daniel Squadron's office;

Crystal Feng, NYC Comptroller's office;

Patricia Ceccarelli, Man. Borough President Gale Brewer's office

Matt Borden, Assembly Member Deborah Glick's office

Margaret Bangs, Council Member Corey Johnson's office

Sam Spokony, Council Member Margaret Chin's office

John Blasco, Council Member Rosie Mendez's office

V. ADOPTION OF MINUTES

Adoption of the October and November minutes

VI. EXECUTIVE SESSION

1. **Chair's Report** David Gruber reported
2. **District Manager's Report** Bob Gormley reported.
3. **Treasurer's Report** Antony Wong reported.

STANDING COMMITTEE REPORTS

ARTS AND INSTUTIONS

Proposal by NYC Department of Parks & Recreation, Department of Transportation and NYU to modify part of the open space on Bleecker Street between Mercer Street and LaGuardia Place, and part of LaGuardia Park on LaGuardia Place between Bleecker and W. 3rd Streets.

Whereas, the two parcels of land in question are owned by the City of New York and changes to these parks are required by the Restrictive Declaration created as part of the NYU 2031 Plan approvals, and

Whereas, there is a lack of clarity about whether this Restrictive Declaration will stand, as the NYU 2031 Plan is the subject of an appeal submitted to the New York State Court of Appeals, and

Whereas, CB2, Man. opining on these open spaces does not imply that CB2 considers NYU to have any rights or authority over these or other City-owned lands, and

Whereas, CB2, Man. has long sought remapping of all the open spaces on the perimeter of the Superblocks to the Department of Parks and Recreation (DPR), which has not yet occurred despite being promised as part of the City's approval of NYU 2031, and

Whereas, the Maintenance & Operations (M&O) agreement between DPR and NYU has not yet been signed; given NYU's poor track record of stewardship of open spaces in this neighborhood the community needs enforceable assurance that these redesigned spaces will be kept well maintained and secure with appropriate trash receptacles, signage, safety patrols, vermin abatement, noise control, lighting that does not disturb the local bird habitat, snow removal, and other quality-of-life issues in this dense residential area, and

Whereas, the third element in this stage of the NYU 2031 Plan, also required before the demolition of Coles Sports Center, is the new site for the Mercer Houston Dog Run. However, no plans for the dog run have been provided for consideration by CB2, and

Re: Bleecker Street South strip approximately between the Morton Williams Supermarket and the back of Coles Sports Center

- 1) **Whereas**, the community expressed much concern about the impact of new benches, especially the two facing south, as they are likely to greatly increase nighttime noise reaching the Silver Towers, 505 LaGuardia and Washington Square Village residential buildings due to people congregating there on their way to the subway from local drinking establishments, as well as create potential locations for drug dealers and other undesired elements, and
- 2) **Whereas**, there are limited resources that can be dedicated to this area by the local police precinct and no assurance of additional security overnight, and
- 3) **Whereas**, the idea of additional north/south pathways was generally acceptable, but concerns were raised about the safety of traversing the proposed bluestone pavers, especially by those with mobility challenges such as walkers and canes, and
- 4) **Whereas**, CB2, Man. questions whether the lowered fences are the optimal height to assure sightlines yet discourage entry over the fences into the planting areas and Silver Towers site, and the existing fence is poorly maintained causing concern that the new fences in the redesigned space might also fall into disrepair, and
- 5) **Whereas**, the Silver Towers site is landmarked and original NYU Plan 2031 revisions were approved by the Landmarks Preservation Commission (LPC), but this plan requires revisions to those plans that have not been brought to CB2, and
- 6) **Whereas**, a question was raised as to the ownership of or jurisdiction over the westernmost planting bed north of 505 LaGuardia, and
- 7) **Whereas**, CB2, Man. appreciates that the planned new plantings will be attractive if they are well implemented and maintained, and

Re: LaGuardia Park

- 1) **Whereas**, CB2, Man. is greatly concerned that a large part of LaGuardia Park will be removed from public use for almost a year, even though that same area may become a construction equipment staging area for a future NYU building possibly starting in 2022, so the park will lose a year of use just six years before it may be destroyed, and
- 2) **Whereas**, a not-for-profit community organization, the Friends of LaGuardia Place, created and has overseen the park's operation for decades, but there is no defined role for these volunteers going forward despite their having commissioned and paid for the statue of Fiorello LaGuardia and received approval in 2009 from the Public Design Commission (PDC) for an already partly-implemented redesign, and
- 3) **Whereas**, the current pathways, especially those at the South and North ends of the park, are well utilized and were designed with experience in how people move through this area. Therefore, any changes should keep the concept of additional movement and enjoyment of the park but retain the existing utility, and

4) **Whereas**, a north/south pathway, rather than the current east/west pathways, may present a greater security risk as it would not be as easily seen from the street or the inner sidewalk, and

5) **Whereas**, concerns were expressed that any new pathways must be carefully designed to provide safe and secure footing, including for seniors and the mobility challenged, and

6) **Whereas**, the north quadrant was not shown as modified on the plans, although NYU said during the Q&A that it will be similarly planted but did not specify if the other modifications would be continued into that area, and

7) **Whereas**, CB2, Man. appreciates that the design for the plaza in front of the Fiorello LaGuardia statue has been opened up in response to community concerns, and that the designers state the current amount of unencumbered space will match what it there now,

THEREFORE BE IT RESOLVED that CB2, Man. votes to deny this application unless:

- transfer of the park strips on the Superblocks to the Department of Parks and Recreation occurs before any changes are made to these spaces, and
- on the Bleecker Street strip: the two south-facing benches are removed, and
- in LaGuardia Park: the north quadrant is fully included, the park or as much of it as possible is kept open so this resource is not removed from public use for an entire season, and Adrienne's Garden and its seating area is kept open throughout the renovation, and
- the Friends of LaGuardia Place is consulted and included in the design discussions for LaGuardia Park, and a role for that organization going forward be determined and agreed upon, and

BE IT FURTHER RESOLVED: security, safety, cleanliness and ongoing maintenance must be planned for and arrangements made to assure these are done regularly and on an ongoing basis, and both CB2, Man. and the Open Space Oversight Organization should be given the opportunity to weigh in on the Maintenance and Operations agreement prior to its being signed, and

BE IT FURTHER RESOLVED: all possible precautions must be taken to preserve the existing mature trees, and

BE IT FINALLY RESOLVED: the concerns expressed throughout this resolution should be carefully considered and enforceable solutions created and approved by CB2, Man. prior to any changes being made to these public lands.

Vote: Unanimous, with 41 Board Members in favor.

EXECUTIVE

Incorporation of "Mosaic Trail" Poles into Astor Place/Cooper Square Renovation

WHEREAS, a proposal for integrating a series of mosaics into the Astor Place/Cooper Square Renovation Project, currently under construction and expected to be completed in late 2015, was reviewed at a special meeting of the Astor Place Task Force on December 9, 2014. In 2005, this Joint Task Force of Community Boards 2 and 3, Manhattan (CB 2 and CB 3) was formed to review an initial proposal for a renovation of

Astor Place/Cooper Square by the NYC Dept. of Transportation (DOT) and the NYC Dept. of Parks and Recreation (DPR), and has been called upon from time to time since then to review and comment upon various elements and revisions of the project plan as it has progressed in response to community input, as well as to conditions and needs. In July 2008, CB 2 and CB 3 approved a conceptual design concerning street geometry with modifications addressing concerns that had been raised at a series of Task Force meetings, and that design was approved by the Arts Commission. In January 2011, CB 2 and CB 3 approved proposed design elements, such as trees and other plantings, seating, paving and lighting, that had been presented to the Task Force; and

WHEREAS, In 1985, Jim Power, a public artist known as the “Mosaic Man,” began creating a Mosaic Trail of hand-crafted mosaic artwork on the poles of the lampposts along East 8th Street and St. Mark’s Place from Broadway east to Avenue A and along the perimeter of Tompkins Square Park. About 80 mosaic poles have been created over the past 30 years, with 12 mosaic poles within or very near the border of the project area for the Astor Place/Cooper Square renovation. The mosaic poles pay tribute to the history of the neighborhood, city and nation, commemorating cultural institutions and events. For example, one mosaic pole within the Astor Place/Cooper Square Renovation project area celebrates The Cooper Union Speech, delivered by Abraham Lincoln on February 27, 1860. Another mosaic pole is a tribute to firefighters who lost their lives on 9/11, emblazoned with the letters “FDNY” and “RIP,” as well as a listing of nearby firehouses, surrounded by a sea of broken tiles; and

WHEREAS, In 2013, the Village Alliance BID, the City’s maintenance partner for the public plaza where ten of the mosaic poles are located, held public outreach meetings to seek input on programming in the public plaza. Many members of the public expressed their desire that the well-loved mosaics should be preserved on public display in Astor Place. DOT responded to public concerns by preserving the mosaic poles in storage, while design options were developed to incorporate them into the new Astor Place/Cooper Square renovation project; and

WHEREAS, In December 2014, at a public meeting of the Joint CB 2 and CB 3 Astor Place Task Force, DOT presented two options for locating the mosaic poles. Option one would closely maintain the existing Mosaic Trail locations along East 8th Street and St. Mark’s Place. Option two would relocate the mosaic poles into a more formal arrangement along the east side of Fourth Ave near the Cooper Union Foundation Building; now

THEREFORE, BE IT RESOLVED, that CB2/CB3 Man. supports the design amendment presented as option one, which would maintain the approximate historic position of the mosaic poles on this segment of the Mosaic Trail.

Vote: Unanimous, with 41 Board Members in favor.

LANDMARKS AND PUBLIC AESTHETICS

FIRST LANDMARKS MEETING

1 - LPC Item: 41 West 11th Street - Greenwich Village Historic District. A Greek Revival style rowhouse built in the mid-1840s. Application is to demolish the existing rear yard addition and construct rooftop and rear yard additions, install a pergola and planters at the roof, and modify the areaway.

Whereas, the rooftop addition will not be visible; furthermore, we are pleased that the applicant averred that the rail guard will be moved back so not to be visible from the street; and

Whereas, the front facade and sidewalk work are commendable, and we appreciate that the applicant will not widen the tree pit northward, onto the sidewalk; but

Whereas, the proposed stroller garage in the areaway should be moved eastward to the location of the current trash receptacle; and

Whereas, half the committee thought that the proposal for the rear-yard work was pleasing and sympathetic to the building, despite the loss of historic material and configuration; but

Whereas, the other half, although appreciating the integrity of the design, were greatly concerned with the removal of so much historic fabric; now

Therefore, be it resolved that CB#2, Man. recommends approval of the rooftop additions and the front facade restoration, but would prefer to see the stroller garage being moved eastward to the current location of the garbage receptacle.

~~**Further, be it resolved** that because the committee was evenly split on the appropriateness of removing so much historic fabric, Community Board 2 cannot opine on the proposal for the rear facade.~~

Vote to delete the above clause: Passed, with 21 Board members in favor, and 19 in opposition (S. Aaron, C. Booth, K. Bordonaro, H. Campbell, R. Chatree, T. Connor, R. Ely, J. Frost, J. Geballe, R. Goldberg, S. Kent, D. Miller, R. Riccobono, S. Russo, S. Smith, S. Sweeney, S. Tyree, A. Wong, E. Young).

After, the delete vote: Unanimous, with 41 Board members in favor.

2 - LPC Item: 37 West 12th Street (5th/6th) Greenwich Village Historic District. A Modern style apartment building designed by Mayer, Whittlesey, and Glass, and built in 1959. Application is to establish a Master Plan governing the future installation of windows.

Whereas, this proposal will benefit the preservation of the building without sacrificing the historical integrity of the fenestration; now

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

Vote: Unanimous, with 41 Board members in favor.

SECOND LANDMARKS MEETING

3A - LPC Item: 38 Greene Street – SoHo-Cast Iron Historic District. A store and warehouse building with French and Italianate style elements designed by Griffith Thomas and built in 1867. Application is to construct a rooftop addition.

Whereas, the rooftop addition, an interesting design, will be minimally visible from the street, and only from a great distance; now

Therefore, be it resolved that CB2, Man. recommends approval of this application.

There was a substitute motion to return the above application back to the committee. Please see resolution and new vote below.

3B - LPC Item: 38 Greene Street – SoHo-Cast Iron Historic District. A store and warehouse building with French and Italianate style elements designed by Griffith Thomas and built in 1867. Application is to construct a rooftop addition.

Whereas, CB2, Man. has learned that information presented by the applicant to the Landmarks Committee members was not accurate; and

Whereas, the inaccuracy was substantial and may have biased the Committee’s understanding of the application and resulting vote;

Therefore, be it resolved that CB2, Man. requests that the Landmarks Preservation Commission require that this applicant make a revised application to CB2’s Landmarks Committee.

Vote: Unanimous, with 41 Board members in favor.

4 - LPC Item: 584-588 Broadway (Houston/Prince) – SoHo-Cast Iron Historic District. A commercial building designed by Buchman and Deisle and built in 1897. Application is to replace entrance infill.

Whereas, the proposed door is a standard contemporary door with modern proportions and features. Instead of introducing a door that is consistent with the historical architecture, this proposal moves the modern interior design of the lobby outside to the exterior of this historic building; and

Whereas, just because some nearby buildings happen to have similar doors does not mean that this proposal should emulate those; and

Whereas, instead, let’s capture an opportunity to show what an historic district should look like; now

Therefore, be it resolved that CB2, Man. recommends denial of this application because it extends the design of a modern lobby outside to the front facade of an historic building.

Vote: Unanimous, with 41 Board members in favor.

5 - LPC Item: 357 Bleeker Street – Greenwich Village Historic District. A brick rowhouse built in 1829-30. Application is to construct a rear yard addition.

Whereas, this tiny addition will have a minimal impact on this building and rear yard; and

Whereas, it does not destroy any historical material; now

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

Vote: Unanimous, with 41 Board members in favor.

THIRD LANDMARKS MEETING

6 - LPC Item: 58 Bleeker Street (s.e. Crosby) – NoHo Historic District. An altered carriage house built c. 1825-27. Application is to legalize rooftop HVAC equipment installed without permit(s).

Whereas, it’s a shame that the HVAC’s location wasn’t designed with landmarks in mind, because it could have been made less visible; but

Whereas, it is there now and moving it would be terribly burdensome, and the unit's color blends well with the wall of the adjacent building, minimizing the HVAC's appearance; now

Therefore, be it resolved that CB#2, Man. has no objection to this application.

Vote: Unanimous, with 41 Board members in favor.

7 - LPC Item: 598 Broadway (Houston/Prince) – SoHo-Cast Iron Historic District. A mercantile building designed by Robert Maynicke and built in 1897-1898. Application is to establish a Master Plan governing the future installation of painted wall signs.

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 CB2, Man. recommends denial of this application in the absence of this important step in the review process and respectfully requests that the Commission not review this application until the applicant presents to the community board.

Vote: Unanimous, with 41 Board members in favor.

SIDEWALKS/STREET ACTIVITIES

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

1. Sal's Family Pizza Inc., 384 Broome St., with 6 tables & 12 chairs (15500-2014-ASWC)

Block:480 Lot:41	Lot Frontage:78.33' Lot Depth:100.42	Year Built:1900
Number of Buildings:2;	Number of Floors:6 Residential Units:40	Total # of Units:45
Zoning:C6-2G, C6-1	District: Special Little Italy District	

Whereas,

- a. the area was posted, community groups notified and there were no community members present regarding this application, and the applicant, Vincenzo Triolo, was present, and
- b. this café is proposed for a sidewalk of 17' width with no additional limiting obstructions and is proposed to be 8'3" deep, leaving 8'9" as clear pedestrian path, and using 11'6" of the roughly 15' frontage of the business, and
- c. the applicant was provided a copy of CB2's Sidewalk Café Guidelines, an abbreviated guide to the rules that the committee has most often seen cause issues with café operations, and
- d. this property lies within the Special Little Italy District and Section 109-02 of the Zoning Resolution states: "The use of the public streets and sidewalks for the maintenance of sidewalk cafes, outdoor cafes or any other structures shall require the separate approval of the Board of Estimate, which may be granted upon such terms and conditions as the Board of Estimate may deem appropriate," and
- e. for this reason a sidewalk café at this location should not be considered as-of-right and should require separate consideration and approval of the City Council,

THEREFORE BE IT RESOLVED that CB2, Man. recommends **APPROVAL** of this NEW application for revocable consent to operate an Unenclosed sidewalk café for **Sal’s Family Pizza Inc., 384 Broome St., with 6 tables & 12 chairs (15500-2014-ASWC)**.

BUT ONLY IF the City Council determines that the proposed terms and conditions are appropriate.

Vote: Unanimous, with 41 Board Members in favor.

FYI renewals:

Whereas, the renewals below were posted on the CB2 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,

2. L Plus L Productions LLC, 113 7th Ave. South, with 12 tables & 24 chairs (1347094-DCA)
3. Barbuto LLC, 775 Washington St., with 12 tables & 24 chairs (1219498-DCA)
4. 114 Kenmare Associates LLC, d/b/a La Esquina, 106 Kenmare St., with 8 tables & 26 chairs (1227042-DCA)
5. 161 Mulberry Restaurant LLC, d/b/a Gelso & Grand Italian Food Center, 161 Mulberry St., with 20 tables & 44 chairs (1443292-DCA)
6. 18 Front Inc., d/b/a Room 18, 18 Spring St., with 2 tables & 4 chairs (1221936-DCA)
7. P.J.’s of Little Italy Inc, d/b/a Pellegrino’s, 138 Mulberry St, with 5 tables & 10 chairs (1343750-DCA)

THEREFORE BE IT RESOLVED that CB2, Man. recommends **APPROVAL** of the RENEWAL applications for revocable consent to operate the indicated sidewalk café for the above applicants

Vote: Unanimous, with 41 Board Members in favor.

SLA LICENSING

1. SPRBAR, Inc. d/b/a The Anchor, 310 Spring St. 10013 (Alteration of existing on-premise license, adding days to existing method of operation to Lic. #1184232).

Whereas, the licensee currently operates a bar/lounge in a 1100 sq. ft. space located in the basement and first floor premises of a 4-story townhouse building (circa 1819) on Spring Street between Greenwich and Renwick Streets; and

Whereas, the licensee appeared before CB2 Man. for an alteration to its existing license to operate on 4 additional days of the week from Sunday through Wednesday; and

Whereas, since 2007 the current operator has operated his business only on Thursdays, Fridays and Saturday nights from 6 PM to 4 AM, there is no change in ownership but the operator now seeks to extend its operations to also operate from Sunday through Wednesday during the week; and

Whereas, the applicant previously appeared before CB#2 Man.'s SLA Committee in November/2014 but thereafter agreed to lay over its application at the request of the Committee to perform certain outreach with its neighbors and was referred to certain groups for this purpose; and

Whereas, the applicant thereafter reached out to and met with certain representatives of a neighbor coalition and reappeared before CB2 Man.'s SLA Committee; and

Whereas, CB2, Man. received a number of email correspondence, including one person who lived upstairs from the establishment with two children, who has been disturbed in the past from noise generated by loud music and cigarette smoke coming from the establishment but who did not appear at CB2 Man's public meeting; and

Whereas, members of the public appeared representing a Neighborhood Coalition and the Board President from a large residential building located at 505 Greenwich appeared, both relating concerns about the applicant's current late night hours (12 AM to 4 AM) and the lack of crowd control with patrons spelling out in the streets and sidewalks creating significant disturbances and unnecessary noise in an area that has notably changed in the past 15 years by the addition of significant numbers of new residential buildings and residential members to the existing mixed use neighborhood; and

Whereas, in response the applicant explained to his neighbors and to CB2, Man. that he intends to move away from a weekend environment designed for a younger clientele with entertainment level music and transform his business into an upscale mixology bar serving a light gourmet food selection that would open earlier in the day hoping to get a more professional, older clientele and has hired a seasoned professional mixologist to attract those who seek artisanal drinks at a higher price point; and

Whereas, the hours of operation will now be from 12 PM to 4 AM from Thursday through Saturday but will be limited to 12 PM to 1 AM from Sunday through Wednesday, there will be 10 tables with 34 seats, 1 bar with 10 seats, for total seating of 44, there are two bathrooms, no full service kitchen, music will be background only from Sunday through Wednesday; there will be occasional use of DJs permitted on the weekends but there will be no TVs and it will not operate as a Sports Bar; and

Whereas, the operator further agreed to have security located at the front door during night time hours until closing seven days a week for the purpose of maintaining order on the public sidewalk outside the premises, to keep the front door closed at all times and from preventing patrons from generating noise while smoking outside on the public sidewalk or when leaving/entering the establishment creating noise and disturbing the residential neighbors; 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 OP license and the stipulations are as follows:

1. Hours of operation will be from 12 PM to 1 AM Sunday through Wednesday and from 12 PM to 4 AM Thursday through Saturday.
2. There will be occasional use of DJ with entertainment level music but only on the Weekends and not during the week; and
3. When DJs are not in use, all other music will be quiet, background level only and there will be no live music, promoted events, scheduled performances or any events for which a cover fee is charged.
4. There will be no TVs and will not operate as a sports bar.
5. There will be no dancing.

6. Will close all doors and windows at all times.
7. There will be security personnel at the front door every night until closing to prevent noise from patrons leaving, entering or smoking outside the premises.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an alteration to the operators existing OP license to **SPRBAR, Inc. d/b/a The Anchor, 310 Spring St. 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” for an OP License.

Vote: Unanimous, with 41 Board members in favor.

2. Analogue, LLC d/b/a Analogue, 19 West 8th St. 10011 (Existing On-premise license # 1271799 seeking alteration to extend its late night hours of operation).

Whereas, the current operator, who has only been operating his existing business for one year, appeared before CB#2 Man.’s SLA Committee seeking to increase and extend its late night operating hours in a ground floor storefront location in a five-story mixed use building (circa 1920) on West 8th Street between 5th Avenue and MacDougal Street; and

Whereas, before this operator was initially approved for its current on-premise liquor license in 2013, the premises had never been licensed for the service of alcohol and the premises had never previously operated for eating and drinking during evening or late night/early morning hours; and

Whereas, the existing licensed premises operates as a bar/lounge with live acoustical jazz but only on Sundays, Mondays and Tuesdays evenings in a 2,950 sq. ft. premise (ground floor is 2,100 sq. ft. and basement is 600 sq. ft.) with 15 tables with 34 seats and 2 bar with 18 seats for a total capacity of 52 seats and a maximum occupancy of 75, there is no sidewalk café and no backyard use; and,

Whereas, the current hours of operation are from Sunday to Thursday from 12:30 PM to 12:30 AM and on Fridays and Saturdays from 2:30 PM to 2:30 AM; and

Whereas, the licensee now seeks to increase its late night hours to 2 AM from Sunday through Wednesday, on Thursdays until 2:30 AM and on Fridays and Saturdays until 3:30 AM; and

Whereas, there is only security personnel employed at the premises on an “as needed” basis; music is live, acoustical and unamplified on Sundays, Mondays and Tuesdays only and there is background only music from a vintage record player played on the other nights of the week, there is no DJs, no promoted events, no cover fees, no velvet ropes, no movable barriers and no TV’s; and,

Whereas, no one from the neighborhood appeared to support the increase in late night hours for this licensee but the local block association, the West 8th Street Block Association, appeared in opposition to any increase in late night hours at this location; and

Whereas, when the licensee first applied for his liquor license he met with the West 8th Street Block Association, which made an exception for Analogue to agree to Analogue’s existing late night hours and ultimately submitted a letter in support which agreement was reached and outlined in a February/2013 “deny unless” resolution from Community Board 2 with stipulations incorporated into the applicant’s current method of operations; and,

Whereas, 10 years ago the storefronts that run along West 8th Street were predominantly, if not all, retail clothing, shoes and clothing accessory stores located on a long, mixed use block in a landmarked, historic district, and those the retail storefronts generally closed in the early evenings but that over the last 5 years and more recently those storefronts have been closed, altered and transformed into numerous eating and drinking establishments, with liquor licenses operating with late night hours, significantly impacting the Street and Neighborhood with a significant increase of a noisy, late night encroachment on the residential community that previously co-existed well with the commercial storefronts for many years; and

Whereas, to reduce the impact of so many new eating and drinking establishments coming into this neighborhood, for the last three years the West 8th Block Association has successfully negotiated with new applicants/licensees of eating and drinking businesses entering the neighborhood for late night hours of operation limited to 11 PM on week nights and 1 AM on weekends and that all other operators coming into the Street in the last three years have all agreed to limit their hours accordingly, but that Analogue was the one exception to those many other agreements designed to reduce the late night encroachment on the co-existing residential community; and

Whereas, CB#2 Man. sees absolutely no reason or public interest to grant Analogue later hours when **1)** they have already been provided with special treatment and granted deference when compared to other eating and drinking establishments on the same block, which **2)** because of Analogue's special treatment, are competing on less than equal terms with Analogue, much less **3)** the counter-productive message to potential new commercial operators, realtors and restaurant brokers looking for direction in terms of creating new commercial establishments on this block to replace the existing storefronts and **4)** to create a more positive balance between the pre-existing residential community living on this block and the ongoing transformation of future commercial storefronts on the block; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial for **Analogue, LLC d/b/a Analogue, 19 West 8th St. 10011** on its alteration application seeking to increase its late night hours on its existing full On Premise license; and

THEREFORE BE IT FURTHER RESOLVED that CB2, Man. respectfully requests that the Liquor Authority place this matter before the Full Board of the New York State Liquor Authority for consideration at a regularly scheduled meeting should this application be presented to the Liquor Authority so that members of the community have an opportunity to voice their specific concerns and address the matter directly.

Vote: Unanimous, with 41 Board members in favor.

3. Ramen-Ya, Inc. d/b/a t/b/d, 133 W. 3rd St. (Beer wine application, previously licensed location).

Whereas, this application is for a Beer Wine license for a family restaurant serving traditional Japanese noodles and Ramen in a 1100 sq. ft. storefront in a 4 story mixed use building (circa 1900) located on West 3rd Street between Sixth Avenue and MacDougal Street with a full service kitchen, two bathrooms, one entrance for patrons and no operable windows, there are 19 tables with 38 seats, 1 food service bar with no seats for a total patron capacity 38 seats; there will be no sidewalk café and there will only be one TV; and

Whereas, the premises were previously operated as a Thai Restaurant with a Restaurant Wine license; and

Whereas, the hours of operation will be from 12 PM to 12 AM every day/night seven days a week and music will be quiet background only: and

Whereas, the applicant also appeared before the Bleecker Area Merchants' and Residents' Association ("BAMRA") and entered into a signed stipulations agreement with BAMRA and further agreed to incorporate and merge that agreement into be a part of the operator's agreement with CB2, Man.; 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 OP license and the stipulations are as follows:

1. Premises will be advertised and advertised and operated as a full service family restaurant serving Japan Noodles and Ramen.
2. Will operate with hours of operation from 12 PM to 12 AM every day/night seven days a week.
3. Music will be quiet, background level only and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
4. There will only one TV.
5. Will close all doors and windows at all times.
6. There will be no benches placed outside and no sidewalk café.
7. All stipulations agreed to with the Bleecker Area Merchants' and Residents' Association are also included and incorporated in this stipulations agreement.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a Restaurant Wine license to **Ramen-Ya, Inc., 133 W. 3rd St. 10012** **unless** the statements of the applicant as presented to CB2, Man. 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" for the License.

Vote: Unanimous, with 41 Board members in favor.

4. An Entity to be formed by Barman Sharifi d/b/a t/b/d, 322 Spring St. aka 514 Greenwich St. 10013 (Transfer of existing no-premise license, license# 1025385 from Two Bacalhaus, Inc. d/b/a Pao exp. 10/31/2015)

Whereas, the applicant appeared before CB2, Man. seeking a new on-premise license to operate a full service family restaurant on a first floor of a corner storefront in a 4 story mixed use building (circa 1890) located at the corner of Spring and Greenwich Streets in a 1800 sq. ft. premises (900 sq. ft. basement and 900 sq. ft. first floor), a full service kitchen, with one bathroom, there are 6 tables with 24 seats, 1 bar with 6 seats for a total seat capacity for 30 patrons; there will be a sidewalk café but no backyard or other outdoor use; and,

Whereas, the premises were previously operated as a full service restaurant known as Pao; and

Whereas, the hours of operation will be from 11 AM to 1 AM every day/night seven days a week; music will be background only, there will be no TVs, no d.j., karaoke or live music and there will be no scheduled performances or events with a cover charge; and,

Whereas, the operator agreed to close its sidewalk café at 10 PM during the week and 11 PM on the weekends and further agreed to close its French Doors that exist on the front façades (both facades facing Greenwich and Spring Streets) every night at 9 PM; 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 OP license and the stipulations are as follows:

1. Premises will be advertised and operated as a full service family restaurant with a full service kitchen serving the Hudson Square Community.
2. Will operate with hours of operation from 11 AM to 1 AM every day/night seven days a week.
3. There will be no TVs.
4. The sidewalk café will close by 10 PM during the week (Sunday through Thursday) and by 11 PM on Fridays and Saturdays.
5. There will be no more than 16 tables with 32 seats at the sidewalk café.
6. All existing French doors or windows on the front facades of the building (including both Greenwich and Spring Streets) will be closed by 9 PM every night.
7. Music will be quiet, background level 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 CB2, Man. recommends **denial** of a transfer of an existing license at the same premises to **An Entity to be formed by Barman Sharifi d/b/a t/b/d, 322 Spring St. aka 514 Greenwich St. 10013** **unless** the statements of the applicant as presented to CB2, Man. 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" for the on-premise License.

Vote: Unanimous, with 41 Board members in favor.

5. Windy Point East, LLC d/b/a Houseman, 508 Greenwich St. 10013 (New OP, previously licensed location)

Whereas, the applicant appeared before CB#2 Man. for a new on-premise restaurant-brewer license to operate a full service neighborhood restaurant, but where the beer is also brewed on-premises, within a first floor, street level storefront in a 4 story mixed use building (circa 1900) located on Greenwich Street between Canal and Spring Streets in a 2500 sq. ft. premises (1250 sq. ft. basement and 1250 sq. ft. first floor), a full service kitchen, with two bathrooms, there are 15 tables with 52 seats, 1 bar with 12 seats for a total seat capacity for 64 patrons; there will be no sidewalk café and no backyard or other outdoor use; and,

Whereas, the premises were previously operated as a full service restaurant known as "508"; and

Whereas, the hours of operation will be from 7:30 AM to 12 AM Sunday through Wednesday and from 7:30 AM to 2 AM Thursday through Saturday; music will be background only, there will be no TVs, no d.j., karaoke or live music and there will be no scheduled performances or events with a cover charge; and,

Whereas, the premises currently operates with floor to ceiling accordion doors along the front façade of the premises that open out to the public sidewalk so the operator specifically agreed to close all its doors and front façade doors/windows by 9 PM Sunday through Wednesday and by 11 PM Thursday through Saturday; 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 OP license and the stipulations are as follows:

1. Premises will be advertised and operated as a full service restaurant with a full service kitchen serving the Hudson Square Community.
2. Will operate with hours of operation from 11 AM to 1 AM every day/night seven days a week.
3. There will be no TVs and will never operate as a Sports Bar.
4. All doors and windows will be closed by 10 PM Sunday through Wednesday and by 11 PM Thursday through Saturday.
5. There will be no sidewalk café or use/service provided to any other outdoor area.
6. Music will be quiet, background level 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 CB2, Man. recommends denial of a transfer of an existing license at the same premises to **Windy Point East, LLC d/b/a Houseman, 508 Greenwich St. 10013** unless the statements of the applicant as presented to CB2, Man. 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" for the on-premise License.

Vote: Unanimous, with 41 Board members in favor.

6. JL SOLO, Inc. d/b/a t/b/d, 206 Sullivan St. 10012 (new OP, previously licensed location)

Whereas, the applicant appeared before CB#2 Man. for a new on-premise license to operate a full service Italian restaurant serving gluten free fare with a full service kitchen in a 1030 sq. ft. (first floor 760 sq. ft. and basement 270 sq. ft.) storefront premises in a five story mixed use building on Sullivan Street between Bleecker and West 3rd Streets; and

Whereas, there will be 28 tables and 56 seats and 1 bar with six seats for a proposed occupancy of 62 patrons, with background (quiet) music only, two bathrooms, one TV, no sidewalk café or outdoor garden; and

Whereas, the hours of operation will be from 8 AM to 12 AM from Sunday to Wednesday and from 8 AM to 2 AM from Thursday through Saturday, there will be no DJs, karaoke or live music and there will be no scheduled performances or events with a cover charge; and

Whereas, the applicant also appeared before the Bleecker Area Merchants' and Residents' Association ("BAMRA") and entered into a signed stipulations agreement with BAMRA and further agreed to incorporate and merge that agreement into be a part of the operator's agreement with CB#2 Man.; and

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

- The premises will be advertised and operated as a full service Gluten Free Italian Restaurant with a full service kitchen with a full food menu available until closing.
- Will not operate a sidewalk café, outdoor garden or any outdoor area.
- Will operate Sunday to Wednesday from 8 AM to 12 AM and Thursday through Saturday from 8 AM to 2 AM.
- There will only be 1 TV, which will be no larger than 32".
- There will be no patron service in the basement.
- Will not be operated as a bar, sports bar or tavern.
- All doors and windows will be closed at all times, except for patron ingress and egress.

- 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.
- The Operator shall not install illuminated signage or lighting, on or within the Establishment that would adversely and unreasonably disturbs residents living near the Establishment.
- The Operators shall not place refuse at the curb except as close to pick up as possible and will make best efforts to coordinate garbage pick up times with other establishments.
- The Operator shall have an English-speaking manager or Owner on duty, capable of adequately communicating with residents of the community, to be present at the Establishment during all hours of operation.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of an on-premise license to **JL SOLO, Inc. d/b/a t/b/d, 206 Sullivan St. 10012** **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 41 Board members in favor.

7. Figure of 8 Trading, LLC d/b/a t/b/a, 79-81 MacDougal St. North Store and 83-85 MacDougal St. South Store 10012 (OP license, previously licensed location)

Whereas, the applicant appeared before CB#2 Man. for a transfer of an existing on-premise license (Caffé Dante lic. # 1025056, exp. 1/31/2015) to operate a full service restaurant serving European inspired fare with a full service kitchen within a 7-story mixed-use building located in a Historic District on McDougal Street between Houston and Bleecker Streets; and

Whereas, the premises was previously operated as a Café serving Italian pastries and espresso for almost 100 years; and

Whereas, the licensed premises will include two connected storefronts in two different buildings with a total of 2050 sq. ft. (1800 sq. ft. ground floor and 250 sq. ft. basement), there are two bathrooms, only one entrance/exit for patrons will be used, there will be 25 tables with 55 seats, 1 bar with 14 seats for a maximum occupancy of 65 patrons; there is no backyard use but there is a sidewalk café included in the application which was grandfathered for the previous operator, but it remains unclear if the current applicant will receive the same grandfathered exemption because the premises is located within a residentially zoned area with no commercial overlay and the sidewalk café should not be included in the licensed area until a sidewalk café license with the applicant's name is presented; a certificate of occupancy was provided for the southerly portion of the premise, but no letter of no objection or certificate of occupancy was presented for the northerly portion which is located in a different building; and

Whereas, the hours of operation will be from 7 AM to 1 AM Sunday through Thursday and from 7 AM to 2 AM on Fridays and Saturdays, there will be no TVs, music will be background only, there will be no d.j. or live music, no private parties, there will be no scheduled performances or events with a cover charge; and

Whereas, the operator is seeking an assignment of the existing grandfathered sidewalk café to serve alcohol, but agreed with CB#2 Man. should the sidewalk café be assigned to close that sidewalk café by 10 PM Sunday through Thursday and 11 PM on Fridays and Saturdays; and

Whereas, the operator met the Bleecker Area Merchants & Residents Association (“BAMRA”) and further agreed to abide by certain stipulations with BAMRA that are being incorporated herein; 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 OP license and the stipulations are as follows:

1. There will be no TVs and the premises will not operate as a Sports Bar.
2. Will operate with hours of operation from 7 AM to 1 AM Sunday through Thursday and from 7 AM to 2 AM on Fridays and Saturdays.
3. The sidewalk café will close by 10 PM Sunday through Thursday and 11 PM on Fridays and Saturdays.
4. Music will be quiet, background level only and there will be no live music, outside promoters, dj’s, promoted events, scheduled performances or any events for which a cover fee is charged.
5. Food will be served at all times.
6. Will not install French doors or windows that open out to sidewalk or otherwise.
7. Will close all doors and windows at all times.
8. Will not allow lines to form on the sidewalk in front of premises for patrons to enter.
9. The Operator shall not install illuminated signage or lighting, on or within the Establishment that would adversely and unreasonably disturbs residents living near the Establishment.
10. The Operators shall not place refuse at the curb except as close to pick up as possible and will make best efforts to coordinate garbage pick up times with other establishments.
11. The Operator shall have an English-speaking manager or Owner on duty, capable of adequately communicating with residents of the community, to be present at the Establishment during all hours of operation.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an OP license to **Figure of 8 Trading, LLC, 79-81 MacDougal St. North Store and 83-85 MacDougal St. South Store 10012** **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 41 Board members in favor.

8. Genuine Grand St., LLC d/b/a Genuine Roadside, 191 Grand St. 10013 (new OP, previously licensed location)

Whereas, the applicant appeared before CB#2 Man. for a new on-premise license to operate a full service restaurant with variations of classic American cuisine in a 2428 sf storefront premises (1080 sq. ft. ground floor and 1348 sq. ft. basement) in a 6 story mixed use building (circa 1939) at the corner of Grand and Mulberry Streets; and

Whereas, the storefront premises was previously operated as a full service Italian restaurant known as Novella; and

Whereas, there will be one entrance for patrons, two bathrooms, there will be 19 tables with 64 seats, 2 bars with 11 seats for a total of 75 seats; there may be a sidewalk café in the future, but the current application and agreement with CB#2 Man. does not include service to a sidewalk café and there will be no other outdoor service at this time; and,

Whereas, the hours of operation will be from 9 AM to 12 AM Sunday through Tuesday, from 9 AM to 1 AM on Wednesdays and from 9 AM to 2 am Thursday through Saturday, there will no TVs, music with be background only, there will be no d.j. or live music, no private parties, there will be no scheduled performances or events with a cover charge; 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 OP license and the stipulations are as follows:

1. Premises will be advertised and operated as a full service restaurant with a full service kitchen.
2. Will operate from 9 AM to 12 AM Sunday through Tuesday, from 9 AM to 1 AM on Wednesdays and from 9 AM to 2 am Thursday through Saturday.
3. There will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
4. Food will be served at all times.
5. Will operate only one business at the premises using only one d/b/a name.
6. Occupancy will be no greater than 75 patrons.
7. Service to the sidewalk café is not covered by this agreement.
8. There will be no TVs and premises will not operate as a Sports Bar.
9. Will close all doors and windows at all times.
10. There will be one entrance/exit for patrons.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an OP license to **Genuine Grand St., LLC d/b/a Genuine Roadside, 191 Grand St. 10013** **unless** the statements of the applicant as presented to CB2, Man. 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" for the OP License.

Vote: Unanimous, with 41 Board members in favor.

9. 310 Bowery Group, LLC, d/b/a Bowery Bar Room, 310 Bowery St. 10012 (transfer of existing OP license)

Whereas, the applicant appeared before CB#2 Man. for a transfer of an existing on-premise license (Crime Scene Pub, Inc. d/b/a Crime Scene Bar & Lounge, exp. 12/31/2014) to operate a Bar and Tavern at the ground floor storefront within a 3-story mixed-use building located on Bowery between Houston and Bleecker Streets; and

Whereas, the licensed premises is approximately 2,500 sf. (2,200 sf. ground floor and 200 sf. basement), there will be only one entrance/exit for patrons, two bathrooms, 10 tables with 66 seats, 1 bar with 8, one additional counter with 7 seats for a total occupancy of 81 patrons; there will be no backyard or other outdoor use and no sidewalk cafe; and,

Whereas, the hours of operation will be from 8 AM to 4 AM seven days a week, there will be three TVs, expected music levels will background (quiet) but there will also be an occasional use of d.j.s and live music at entertainment levels, no private parties, there will be no scheduled performances or events with a cover charge; 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 OP license and the stipulations are as follows:

1. There will only be three TVs and the premises will not operate as a Sports Bar.
2. Will operate with hours of operation from 8 AM to 4 AM every day/night seven days a week.
3. Music will be quiet, background levels with only occasional use of a DJ or live music entertainment at entertainment levels.
4. There will be no events for which a cover fee is charged.
5. Food will be served at all times.
6. Will close all doors and windows at all times.
7. There will be no velvet ropes and operator will not allow lines to form on the sidewalk in front of premises for patrons to enter.
8. There will be no dancing.
9. There will be no patron use of basement premises.
10. There will be security personnel located both at the front door and inside the premises during nighttime operation on every night.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of an OP license to **310 Bowery Group, LLC, d/b/a Bowery Bar Room, 310 Bowery St. 10012** **unless** the statements of the applicant as presented to CB2, Man. 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 41 Board members in favor.

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

10. Tango House, Inc./Colonnades Restaurant Associates, Ltd. d/b/a Malbec Restaurant & Bar/Tango House, 428 Lafayette St. 10013 (Request for layover by counsel)

Whereas, at this month’s CB2 SLA Licensing Committee meeting on December 9th, 2014, the applicant’s attorney requested to lay over this application from consideration until January/2015 so that they can perform additional outreach to the surrounding community and so it can appear again and present its application and all the necessary paperwork for review; and,

Whereas, this application is for a Transfer of an existing OP license to a new operator/licensee;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any proposed alteration, corporate change or transfer of the Beer and Wine or On Premise license for **Tango House, Inc./Colonnades Restaurant Associates, Ltd. d/b/a Malbec Restaurant & Bar/Tango House, 428 Lafayette 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; and,

Vote: Unanimous, with 41 Board members in favor.

11. Icon II, LLC d/b/a R Bar, 218-220 Bowery (on-premise, attorney requested layover at meeting to January/2015)

Whereas, at this month's CB2 SLA Licensing Committee meeting on December 9, 2014, the applicant appeared but thereafter his attorney requested to lay over this application from consideration until community outreach could be performed and until the application and all necessary paperwork was ready for review; and,

Whereas, this application seeks a full OP license;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any proposed corporate change or transfer of an OP license to **Icon II, LLC d/b/a R Bar, 218-220 Bowery** 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 41 Board members in favor.

12. An Entity to be formed by Michael Stern & Jerome Audureau, d/b/a Once Upon a Tart, 135 Sullivan St. 10012 (Beer Wine, applicant requested layover at meeting to January/2015 meeting to perform additional outreach)

Whereas, at this month's CB2 SLA Licensing Committee meeting on December 9, 2014, the principal/applicant requested to withdraw this application from consideration; and,

Whereas, this application is for a Beer/Wine license in a previously unlicensed location;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any proposed alteration to the Beer and Wine or On Premise license to **An Entity to be formed by Michael Stern & Jerome Audureau, d/b/a Once Upon a Tart, 135 Sullivan 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 41 Board members in favor.

13. Entity to be formed by Ann Redding, 8 Spring St. 10012 (attorney requested layover-now permanently withdrawn)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on December 9, 2014, the principal/applicant requested to withdraw this application from consideration; and,

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

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any proposed alteration to the Beer and Wine or On Premise license to **Entity to be formed by Ann Redding, 8 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 41 Board members in favor.

14. Cucina Buona Group, Inc. d/b/a Da Marcella, 142 West Houston St. 10012 (OP, laid over)
Whereas, prior to this month's CB2 SLA Licensing Committee meeting on December 9, 2014, the principal/applicant requested to layover and adjourn this application from consideration until January/2015; and,

Whereas, this application is for a On-premise license;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any proposed alteration to the Beer and Wine or On Premise license to **Cucina Buona Group, Inc. d/b/a Da Marcella, 142 West Houston 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 41 Board members in favor.

15. Oppa Corp., 162 West 4th St. 10014 (Transfer – Restaurant OP)

Whereas, the applicant 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 On-Premise Liquor License for Greek Restaurant which will be adding Asian Fusion Food; and,

Whereas, this application is for a "transfer" of a restaurant on-premise liquor license for a currently operating premises; it is located on the Southwest Corner of West 4th St. and Cornelia St. in a 5 story mixed use building in a mixed use neighborhood for a restaurant with bar on the first floor and basement which will be operated together as one premises with patron movement throughout and operated together under one business name; the ground floor is 1,558 sq. ft. and the basement is 1,866 sq. ft.; the ground floor has 15 tables and 42 seats and 1 standup bar with 12 seats and the basement has 4 tables and 8 seats and 1 standup bar with 7 seats; the total number of seats in the premises is 69, there is ample standing room; there is an existing certificate of occupancy which indicates occupancy on the ground floor of 74 patrons for an eating and drinking establishment and in the basement for 74 patrons for a food prep area, storage, boiler, toilets and an eating and drinking establishment; there is no existing Place of Assembly Permit in place; there are no outdoor areas included in this application, but there is an existing enclosed sidewalk cafe; and

Whereas, the hours of operation will be from 11am to 4am 7 days a week (no patrons shall remain in the premises at closing); music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music) from small speakers, the applicant states there is existing soundproofing which is sufficient, 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 2 TV's; and,

Whereas, the applicant had requested to layover the previous month at CB2's request in order to meet with the local Block Association; the applicant met with the Central Village Block Association and they communicated their support to CB2 Man. in a letter stating that "We are, as a rule, in staunch opposition

to 4 a.m. closing times for bars and restaurants in our area. While many applicants have, in the past, tried to persuade us that their situations were unique ones meriting special consideration, we have remained unpersuaded. This applicant, however, does indeed seem to have a unique situation worthy of special consideration. The premises is currently occupied by Karavas restaurant and they have (with the exception of their non-conforming electronic illuminated signage) been good neighbors for over two decades. They have been consistently responsible with their trash, keeping it in a basement room until pick up. There have not been noise issues and their clientele has not been disruptive. The current owner lives in the building above the restaurant and clearly demonstrates neighborly concern for street life. It seems that he will be maintaining a professional relationship with the new entity, Oppa, and that he will continue to live above it. The new owner, Oppa, has assured us that he has every intention of moving forward with the same regard for the community that has been demonstrated by Karavas in the past and that their trash and noise standards will not change. The applicant has requested our approval of maintaining Karavas' current hours, asking that we give him a chance to demonstrate that he will show the same level of sensitivity to neighborhood life. Based on the past history of the restaurant, the fact that the previous owner is himself a neighbor who will be maintaining a relationship with the new entity, and the new owner's stated commitment to maintaining the standards of the past, we feel that this truly is the exception to the rule and, with the following stipulations, are in favor of this application"; and,

Whereas, the applicant does not have experience operating an eating and drinking establishment, but will be hiring experienced employees including a direct relative who will be a chef and is familiar with the existing operation of this establishment and states he will not be making changes to the method of operation except to add Asian Fusion food and will conform with all stipulations below; and,

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

1. The premises will be advertised as restaurant with bar, specifically a Greek Restaurant with Asian Fusion Food.
2. The premises will be operated as a full service restaurant, Specifically a Greek restaurant with Asian Fusion food with the kitchen remaining open and a full food menu available until closing every evening.
3. The hours of operation will be from 11am to 4am 7 days a week. No patrons shall remain in the premises at closing.
4. The premises will not operate as a nightclub/disco or lounge and will not seek a Department of Consumer Affairs cabaret license.
5. There is existing soundproofing in the interior of the premises.
6. There are no French doors or windows.
7. All doors and windows will be closed by 9 pm every night.
8. There will be no DJs, live music, promoted events, any events at which a cover is charged or scheduled performances.
9. There will be no karaoke in the premises. Applicant agreed to permanently remove this from the method of operation presented.
10. Music will be quiet ambient background music only.
11. The applicant will remove nonconforming electric signs/strobe lighting and replace with Landmarks Preservation Commission approved signage.
12. The applicant will strive to maintain a 25% alcohol/75% food mix in revenue.
13. The entire premises—first floor and basement—will be operated as one business with one d/b/a name (one “doing business as” name) with only one primary entry/exit as indicated on plans West 4th St. approximately 15 feet from corner of Cornelia St. street and W. 4th St.

14. There will be free flow of patrons throughout 1st floor and basement combined and, if required, a Place of Assembly Permit will be obtained because of combined use of basement and 1st floor and total occupancy numbers.
15. All other doors in the premises (except door on West 4th St. 15 ft. from corner of Cornelia St. and West 4th St. which is primary/entrance exit) will be used for emergency egress only – they will not be used for ingress of any patrons at any hour.
16. There will be only 2 televisions.
17. The premises will not operate as a Sports Bar.
18. The applicant has specifically agreed that there will be no DJ's or Live Music at anytime, especially in the basement.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a new Restaurant On-Premise Liquor License via a “transfer” application for **Oppa Corp., 162 West 4th St. 10014** unless the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On-Premise Liquor License.

Vote: Unanimous, with 41 Board members in favor.

16. BGH Dining, Inc. d/b/a Saikai Dining Bar (formerly Jinya Ramen), 24 Greenwich Ave. 10011 (Corporate Change – RW SN#1270181)

Whereas, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a corporate change for a beer and wine license for a modern high end Japanese Restaurant; and

Whereas, this application is for a corporate change of an existing Beer and Wine license SN1270181 located in a mixed use building located on Greenwich Avenue between West 10th Street and Charles Street in a currently and previously licensed location, for a 2,271 sq. ft premise (1st floor 1,646 sq. ft., and basement for non-patron use 625 sq. ft.) with 19 tables with 42 seats, 1 bar with 9 seats, and a food counter with 9 seats for a total of 60 seats and the maximum proposed maximum occupancy is less than 75 people, there is no sidewalk café and no backyard use; and,

Whereas, the hours of operation will be Sunday to Thursday from 11:30am to 12am and Friday and Saturday from 11:30am to 1:00am (No patrons shall remain after closing time), music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music) from small speakers, the applicant has installed soundproofing between the ground floor and second floor, 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 1 T.V.; and,

Whereas, the applicant reached out to the community and established and executed a new stipulations agreement with the Mid West 10th Street Block Association, CB2, Man. has incorporated those stipulations with the Block Association into a separate stipulations agreement directly with CB2, Man., which the applicant has agreed to submit to the SLA and the request that the stipulations to be incorporated into the “method of operation” on their SLA restaurant wine license; and,

Whereas, the stipulations agreed to with CB2, Man. are as follows:

1. The premises will be advertised and operate as a modern high-end Japanese restaurant

2. A full food menu will be available at all times and the kitchen shall remain open and menu items available until closing every night.
3. The hours of operation are Sunday to Thursday from 11:30am to 12am (midnight) and Friday to Saturday from 11:30am to 1am. No patrons will remain after closing time.
4. Premises will not operate as a nightclub, disco or lounge and will not seek a Department of Consumer Affairs Cabaret License.
5. There is no backyard garden.
6. There is no sidewalk café.
7. Sufficient soundproofing is already installed.
8. All doors and windows will be closed at 9pm except for ingress and egress every night.
9. There will be no French doors or windows.
10. There will be no DJs, live music, promoted events, any events at which a cover is charged or scheduled performances.
11. There will be no televisions.
12. Music will be quiet ambient background music only.
13. All stipulations agreed to with the Mid West 10th St. Block Association are incorporated into this agreement and are a part of this agreement with CB2. (agreement dated 11/29/2014).

Whereas, the stipulations also incorporated in to CB2's Stipulation agreement as agreed to with the Mid West 10th St. Block Association are as follows:

1. Hours of Operation: On each Sunday through Thursday, the Establishment shall be open from 8:00AM to 12:00AM (midnight). On each Friday through Saturday, the Establishment shall be open from 8:00AM to 1:00AM.
2. Certificates, Permits and Related Documents: The Operator shall obtain all required certificates, permits and related documents including a revised Certificate of Occupancy, or in lieu thereof a letter of no objection from the Department of Buildings.
3. Traffic: The Operator will schedule a meeting with the captain of the local FDNY Squad 18 firehouse to determine what, if any, impact the Establishment may have on traffic in the immediate area. The Operator will use reasonable efforts to remedy any traffic issues brought to its attention, to the extent that it can. The Operator will direct staff to monitor the patrons of the Establishment who are gathered outside the Establishment and the staff will direct such persons or traffic going to and from the Establishment to keep the area clear.
4. Manager: The Operator shall have an English-speaking general manager or manager on duty, capable of adequately communicating with residents of the community, to be present at the Establishment during all hours of operation. After three (3) months of operation, the Operator will meet with local residents and the Manhattan Community Board 2, if requested, to determine if a security guard is necessary.
5. Music: The Operator shall play quiet, background level music inside the Establishment and shall not play any music whatsoever outside the Establishment. The Operator shall not permit DJs, live music or outside promoters in the Establishment except by permit.
6. Soundproofing: The Operator shall use reasonable efforts to soundproof the Establishment, according to said recommendations so that excessive noise (including, but not limited to, noise generated by sound reproduction equipment, by patrons and staff, and by commercial equipment such as HVAC equipment, air handlers, compressors and fans) does not emanate from the Establishment, or its equipment, in any direction and meets or exceeds New York City noise code. The Operator also agrees to extend an awning in the rear of the building over the area in which its employees work and its trash receptacles are stored so as to mitigate any noise emanating from this area.

7. Sidewalk Café: The Operator agrees to waive the right to set up a sidewalk café for one year after which the Operator will only be able to apply for a sidewalk café should there be no objections from the Mid-West 10th Street Block Association Board members. Should a sidewalk café permit be consented to by the Mid-West 10th Street Block Association Board members, approved by Manhattan Community Board 2 and granted by the Division of Consumer Affairs, the Operator also agrees that reasonable efforts will be made to attenuate sound coming from the sidewalk café area including the placement of a retractable awning over the sidewalk café, the employment of a full-time manager to supervise the sidewalk café operation so that the operation runs effectively and noise is kept at a minimum (which may be the same manager referred to in para. 4) and the posting of signage easily seen by patrons to be respectful of the residents of the building by keeping noise at a minimum. Prior to any permit for a Sidewalk Café being issued for the Establishment, the Operator agrees that it will appear before Manhattan Community Board 2 to address any questions, comments or concerns. Operator's agreement to have a retractable awning is expressly conditioned upon and subject to Operator first obtaining any and all consents, approvals and permits therefore, including of its Landlord and any City agency or department having jurisdiction thereof. The Operator may retract the awning during all hours of operation prior to 6PM, at which time the awning is to be opened.
8. Front Door: The Operator shall take steps to mitigate noise emanating from the restaurant. Should the Mid-West 10th Street Block Association register complaints about noise emanating from the restaurant then the Operator shall install a double door vestibule to reduce the amount of noise that may escape onto the sidewalk. If installing this double door vestibule proves to be impossible within the legal constraints of the NYC buildings code or otherwise impracticable, the Operator agrees to take other comparable noise reducing measures. The Operator shall cause the doors and windows to remain in a closed position when not in use. The Operator shall not operate any outdoor speakers or sound amplification and shall not deliberately direct any sound outside of the Establishment.
9. Doors and Windows: The Operator shall not permit any doors or windows to remain open prior to the opening of the Establishment as specified in "Hours of Operation," except for cleaning the sidewalk and the placement and removal of tables and chairs for the sidewalk café which will occur no more than one hour before opening or no later than hour after closing. Should the Operator wish to pursue the alteration of the configuration of the doors and windows, the stipulations listed in "Soundproofing" will apply and all doors or windows will be closed by 9:00PM. If there is a change to the doors or windows, any replacement will be of double paned glass so as to aid the mitigation of noise from within the Establishment. The Operator agrees that it will appear before Manhattan Community Board 2 to address any questions, comments or concerns.
10. Sanitation: The Operator will store all garbage at the Establishment inside closed garbage containers which will be kept in the backyard of the Establishment. The Operator shall not place refuse at the curb except as close to pick up as possible. The Operator shall use reasonable efforts to arrange or coordinate trash pick up with a nearby merchant to try to limit the number of trucks that collect trash on the block.
11. Lighting: The Operator shall not install signage on or within the Establishment that will be lit by neon lighting or any lighting that adversely and unreasonably disturbs residents living across from the Establishment and residents adjacent to and across the street.
12. Advertising: The Operator shall not attempt to steer the public from the sidewalk into the Establishment. The Operator shall not distribute any fliers on the sidewalk or street.
13. Notification Of Change Of Ownership: The Operator shall notify Manhattan Community Board 2 in the event of a change of ownership as required by law.

14. Monthly And Quarterly Meetings: The Operator shall make available a general manager or manager to attend monthly meetings as requested with representatives of the community during the first six months of operation and quarterly thereafter.
15. Events: The Operator shall not host third party private events, meaning an activity by a non-affiliated group or individual where the Operator has no responsibility or staff involved. Nothing herein shall prohibit the Operator from having private events run by Operator.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a corporate change for the existing beer and wine license SN#1270181 for **BGH Dining, Inc. d/b/a Saikai Dining Bar (formerly Jinya Ramen), 24 Greenwich Ave. 10011** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the “Method of Operation” on the SLA restaurant wine license.

Vote: Unanimous, with 41 Board members in favor.

17. Rohart, Inc. d/b/a Clarkson Social, 225 Varick St. 10014 (Restaurant OP Alteration SN#1263763 – add service bar and interior reconfiguration)

Whereas, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority for an “alteration” of an existing restaurant On-Premise Liquor License for a traditional French Mediterranean style bistro to (1) add a service bar and (2) install full height partitions within the existing premises to create a demarcated quieter seating area accessible through sliding doors from the interior of the premises (see 6th “whereas” clause below); and

Whereas, the **applicant agreed to remove from the alteration application at this time** (1) the proposed **sidewalk café** until he presents the application to CB2’s Sidewalks and Street Activities Committee and then after he will return to CB2’s SLA Licensing Committee and (2) the applicant explained that the **door on Clarkson Street** indicated on the plans (approximately 30-40 feet from the corner of Varick St. and Clarkson), which leads into demarcated separate eating area which is the subject of this alteration application as indicated in diagrams **would not be used for patron ingress** (doing so would result in a violation of the 200 ft. rule); and

Whereas, this alteration application is for an existing restaurant on-premise liquor license on the ground floor of a 12 story commercial building located on the corner of Clarkson St. and Varick St., for a 2,000 square foot premise (with additional 1,000 sq. ft. basement storage/office only) with 28 tables, 60 table seats and one (1) stand up bar with 19 seats for a total of 79 seats, the proposed occupancy for the premise is 94 people and the maximum occupancy is 125 people, there is a certificate of occupancy, there is no backyard use, there is not a sidewalk café (but one will be applied for and subsequently present to CB2’s Sidewalk’s and Street Activities Committee and then to CB2’s SLA Licensing Committee in the future to be included within the diagramed premises for the service of alcohol); and,

Whereas, the current method of operation as originally presented to which there are no changes is as follows: *“the hours of operation will be Sunday to Monday from 8 a.m. to 1:30 a.m., Tuesday to Saturday from 8 a.m. to 2:30 a.m., the restaurant will be open for breakfast, lunch and dinner serving a full menu throughout the hours of operation, there will be live music consisting of a “small jazz trio or a guitar player” which will be at entertainment levels limited to between the hours of 12 p.m. to 5 p.m., at all other times music will be quiet background music generated from a “basic restaurant/retail system” with wall*

mounted speakers and 3 separate volume controls for three zones, there will specifically be no d.j., there will be no promoted events, no scheduled performances, no outside promoters, no events for which a cover fee is charged, but there may be private parties and corporate events, there will be no use of ropes or movable barriers”; and,

Whereas, there will continue to be no open façade, all existing French doors and windows have been removed, i.e. a “closed façade” on both sides, the second egress located on Clarkson St. will be used for emergency egress only, doors and windows will remain closed at all times; and,

Whereas, this alteration application specifically is to (1) add sliding doors to create a fully enclosed separate seating area accessible by patrons only through the interior of the premises - this area is located in the northwest corner of the premises as indicated in the diagrams; (2) add an 8 foot service bar within the same enclosed area which will be located at the extreme Northwest portion of the premises; this new fully enclosed area will not be separately named and will be accessed by patrons only through the main entrance on Varick St. and then through the main seating area of the Restaurant; and,

Whereas, members of CB2, Man. raised concerns in regards to past ongoing violations (for years) by the principal of this business at his other licensed premises both within CB2, Man. (Café Noir) and outside CB2 and there were continuing concerns that the applicant would adhere to all stipulations, in particular to not use the door on Clarkson Street for patron entry which would violate the 200 ft. rule and to return to CB2’s Sidewalks and Street Activities Committee to present his application for a sidewalk café prior to applying to the Liquor Authority to add it to his Liquor License; an additional concern is that this license would morph into two separate businesses with separate entrances; and,

Whereas, the applicant had previously executed a stipulations agreement that is currently incorporated into their method of operation on their SLA license stating that:

1. The hours of operation will be Sunday to Monday from 8am to 1:30am, Tuesday to Saturday from 8am to 2:30am. The premise will be closed and no customers present at the end of the hours of operation.
2. There will be live music consisting of a “small jazz trio or a guitar player” which will be at entertainment levels limited to between the hours of 12pm to 5pm, at all other times music will be quiet background music generated from a “basic restaurant/retail system” with wall mounted speakers and 3 separate volume controls for three zones.
3. There will be no D.J. at any time.
4. The establishment will never be operated over the proposed occupancy and will be operated in compliance with all NYC Rules and Regulations, particularly those administered by the NYC Department of Buildings.
5. There will not be a sidewalk café.

Whereas, the Licensee agreed to further add the following stipulations into his method of operation on his SLA license stating that:

1. The premises will be advertised and operated as a full service French Mediterranean Restaurant.
2. A full food menu will be available at all times and the kitchen shall remain open and menu items available until closing every night.
3. Premises will not operate as a nightclub, disco or lounge and will not seek a Department of Consumer Affairs Cabaret License.
4. There is no backyard garden.
5. Will never use any doors on Clarkson St. for patron ingress (this would violate the 200’ rule).

6. All existing stipulations remain in effect as previously agreed to.
7. Will add only one service bar as indicated on diagram.
8. Will add full height sliding doors to create new seating area that is enclosed as indicated.
9. Door in newly enclosed seating area to Clarkson St. will not be used for patron ingress ever.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an alteration application to the existing on-premise liquor license for **Rohart, Inc. d/b/a Clarkson Social, 225 Varick St. 10014 (Restaurant OP Alteration SN#1263763 – add service bar and interior reconfiguration) unless** the statements, diagrams and descriptions the applicant has presented are accurate and complete and that those conditions and stipulations agreed to by the applicant as indicated above continue to be and the new ones are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 41 Board members in favor.

18. Thai Smile Restaurant, Inc. d/b/a Tue Thai Food, 3 Greenwich Ave., Store #4 (Alteration to include sidewalk café into existing RW SN1261536)

Whereas, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for an alteration to an existing restaurant wine license to add a sidewalk café area consisting of 12 tables and 24 chairs for a family sit-down/take out restaurant specializing in Thai food; and

Whereas, this application is for an alteration to an existing restaurant wine license located in a commercial building located on the ground floor on the Greenwich Avenue between 6th Avenue and Christopher St. for a roughly 1,200 sq. ft. premise with 14 tables and 36 seats and 1 service bar, for a total of 36 interior seats, to add a sidewalk café with 10 tables and 20 seats which has already been licensed by the New York City Department of Consumer Affairs; and,

Whereas, the hours of operation of the entire premises both inside and the sidewalk café being added in this alteration application 11:30am to 11pm 7 days a week (No patrons shall remain after the closing hour), music on the interior only will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there are no operable French doors or windows, 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 no TV’s, there will be no use by patrons of the basement; and,

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

1. Premises will be advertised and operated as a full service Thai restaurant for sit down and take out orders.
2. A full food menu will be available at all times and the kitchen shall remain open and menu items available until closing every night.
3. The hours of operation are 11:30am to 11pm 7 days a week. No patrons will remain after closing time.
4. Premises will not operate as a nightclub, disco or lounge and will not seek a Department of Consumer Affairs Cabaret License.
5. There is no backyard garden.
6. Sufficient soundproofing is already installed.

7. All doors and windows will be closed at all times except for ingress and egress.
8. There will be no French doors or windows.
9. There will be no DJs, live music, promoted events, any events at which a cover is charged or scheduled performances.
10. Music will be quiet ambient background music only in the interior only – no music in the exterior.
11. All sidewalk tables and chairs (no more than 10 tables and 20 chairs) will always be set up to conform with Sidewalk Café plans.
12. All tables and chairs in Sidewalk Café will be removed at closing at 11pm when the sidewalk café and restaurant closes.
13. There will be no televisions.

Whereas, the applicant presented a petition from the local surrounding businesses; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an alteration to the existing Restaurant Wine License SN#1261536 for **Thai Smile Restaurant, Inc. d/b/a Tue Thai Food, 3 Greenwich Ave., Store #4 to include the DCA licensed sidewalk café unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 41 Board members in favor.

19. Bubby’s MP, LLC d/b/a Bubby’s High Line, 817 Washington St. 10014 (Alteration to existing restaurant OP to extend hours of alcohol service)

Whereas, the Licensee appeared before the committee to extend the hours of alcohol service by one hour on Thursday, Friday and Saturday for their existing Restaurant On-Premise License (SN#1271954), and

Whereas, the applicant originally appeared before CB2 Manhattan in June 2013 and September 2013 at which times the applicant agreed to an extensive list of stipulations which are outlined in CB2 Manhattan’s June 2013 and September Full Board Minutes in the form of resolutions recommending “deny unless” and which were copied to the Liquor Authority, the only change to the Method of Operation is that alcohol service will be extended until 2 am Thursday, Friday and Saturday evenings, there are no other changes to the premises, or to the Method of Operation other than the hours of alcohol service; and,

Whereas, the applicant executed a new revised stipulations agreement with CB#2, Man. that they agree will be attached and incorporated in to their method of operation on their SLA on-premise license as a condition to CB#2 Manhattan’s support stating that:

1. The establishment will be operated as a full service restaurant only.
2. The establishment will be operated similarly to the Principal’s “sister” restaurant Bubby’s at 120 Hudson St.
3. Service of all alcohol will stop at 1:00am Sunday to Wednesday and 2am Thursday to Saturday.
4. Food Service hours will be from 6 a.m. until 4 a.m.
5. The Premises will be closed from 4am to 6am seven days a week without exception (from 1:00am to 4am Sunday to Wednesday and from 2am to 4am Thursday to Saturday there will be no alcohol service)
6. All doors and windows (including French Doors) will be closed no later than 10pm seven days a week.

7. No music will be audible from more than 25 feet from the premises at any time.
8. Music will be background only.
9. There will be no live music, dj's (active manipulation of music), promoted events or promoters, scheduled performances or any events for which a cover fee is charged and there will be no dancing.
10. There will be no velvet ropes and no exterior patron waiting. Patrons will either wait inside or be notified when a table is available by remote messaging system in order to prevent congregating outside the premises.
11. If there is an ownership change of greater than 40%, the licensee agrees to present the Corporate Change Application to the Liquor Authority in front of CB2's SLA Licensing Committee prior to submitting the Corporate Change Application to the Liquor Authority.
12. (Previously agreed to in June 2013 and September 2013 – see above for modification of alcohol service hours but not food service hours) CB2 and residents have no objection after 1 year of operation to discussing the extension of food service hours (not alcohol service which will continue to end at 1am) from 4am to 5am on Friday, Saturday, and Sunday mornings in conjunction with an opening time of 7am on those same days. There is no representation that CB2 or members of the community will support such a change to the stipulations at that time.

Whereas, the applicant presented a petition in support; and

Whereas, CB2, Man. received a number of letters and several people spoke expressing concern and some opposition to the extension of hours of alcohol service, specifically, the opposition was based around (1) adding hours of alcohol consumption in an area overwhelmed with existing liquor licenses and extremely late night quality of life concerns primarily attributable to intoxicated individuals was irresponsible (2) most of the other legitimate full service restaurants close no later than 1am or earlier and in this case only alcohol service would end at 2am with food service continuing until 4am (3) those patronizing this area later in the evening have little regard or are unaware of the quality of life impact that they contribute to the local residential community (4) that the local residential community originally supported this application in good faith that the licensee would not return to extend their hours of alcohol service, otherwise, they would not have originally garnered local community support (5) the cumulative impact of late night quality of life issues cannot be understated and is overwhelming and in addition to late night noise, traffic and general oversaturation of liquor licenses, these quality of life issues include public urination in residential doorways, parked cars blasting music, very late night lingering of patrons in front of nearby residential buildings, heavy foot traffic at late hours of intoxicated individuals walking past residential buildings as people head South and East through otherwise very quiet residential communities, taxis and illegally cruising "for hire" vehicles stopping traffic temporarily and soliciting patrons which causes honking and unnecessary traffic congestion; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the alteration application to the existing On Premise license for **Bubby's MP, LLC d/b/a Bubby's MP, 73 Gansevoort St. 10014 (OP SN#1271954)**, **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant as presented above are incorporated into the "Method of Operation" on the SLA Restaurant On-Premise Liquor License.

Vote: Unanimous, with 41 Board members in favor.

20. Whitney Museum of American Art, Whit Food II LLC, Hudson Yards Catering LLC, d/b/a Whitney Museum; Restaurant: Untitled; Café: Studio Café; 99 Gansevoort St. 10014 (New OP – Museum with Restaurant, Café, Catering Operation)

Whereas, the applicants and their attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new on-premise liquor license for the premises encompassed by the new building soon to be completed by the Whitney Museum of American Art located at 99 Gansevoort Street, which will incorporate within the premises the Whitney Museum of American Art and the museum building will include a restaurant, a café and multiple spaces for private events that will be catered; the co-applicant Whitney Museum of American Art owns the premises and has entered into a management agreement with co-applicant Whit Food II LLC, part of Union Square Hospitality Group, pursuant to which Whit Food II LLC manages the food and beverage operations at the building, including a ground floor restaurant and eighth floor café; Hudson Yards Catering LLC d/b/a Union Square Events, also part of Union Square Hospitality Group, will provide catering services throughout the rest of the museum; and,

Whereas, the Whitney Museum of American Art has presented extensively to various Committees of CB2, Man. and every conceivable facet of local organizations and community groups over the past several years to inform and educate everyone who might be interested on their plans and aspirations for their new location at 99 Gansevoort St., which marks a return to CB2, Man. where the Museum was originally founded on West 8th St.; at each meeting, step and during each tour provided to interested members of CB2, Man., the eating and drinking establishments were pointed out and the various special unique areas within the Museum were explained; and,

Whereas, application specifically includes two permanently designated eating and drinking establishments within the Museum; and

Whereas, the first permanently designated eating and drinking area is the Ground Floor Restaurant d/b/a Untitled with an associated outdoor eating and drinking area on a seasonal basis within the building line with an attached basement Kitchen and Food preparation area; The restaurant will have 88 indoor seats (37 tables), 10 indoor bar seats, and 52 seasonal outdoor seats (26 tables) within the building’s property line; The ground floor will be 2,495 sq. ft. for the Interior and 1,680 sq. ft. seasonal exterior space for a total patron area of 4,175 sq. ft., the kitchen and storage areas in the Cellar will be 1,870 sq. ft.; and

Whereas, the second permanently designated eating and drinking area is the 8th floor café d/b/a Studio Café which will have an accompanying seasonal outdoor area; the 8th Floor café will have 66 indoor seats (27 tables), 11 indoor bar seats, and 52 seasonal outdoor seats (12 tables); The interior patron area of the 8th floor will be 1,365 sq. ft. and the seasonal exterior area will be 1,475 sq. ft., there will also be a 800 sq. ft. kitchen for a total of 3,640 sq. ft.; and

Whereas, additionally, The Museum seeks an application for the entire building, to allow for a range of private functions and events to be catered, which may include receptions, film screenings, meetings, private dinners, private gallery viewings, corporate functions, or other fundraising events; these events generally run from 7pm to 10:30pm, with guests departing the Museum by 11pm; on rare occasions, the Museum will host an event which will run until 1am; these events include the Museum’s annual fundraising gala and select private events; and,

Whereas, the event spaces which may host catered events are located throughout the building, which has a total square footage of 220,000; The Museum spaces that may be used for special events include the Ground Level Lobby (7,270 sq. ft.), Level 1 Gallery (1,310 sq. ft.), Level 3 Theater (2,520 sq. ft.) and

Theater Lobby (2,710 sq. ft.), Level 5 film/video gallery (1,000 sq. ft.), Level 5 Gallery (18,000 sq. ft.), Terrace on roof of Maintenance & Operations building (5,100 sq. ft.), Level 6 Gallery (11,400 sq. ft.), Level 6 Terrace (4,530 sq. ft.), Level 7 Gallery (9,000 sq. ft.), Level 7 Terrace (2,120 sq. ft.), Level 8 Gallery (4,870 sq. ft.), Level 8 Board Room (980 sq. ft.), Level 8 Terrace (1,475 sq. ft.); and

Whereas, The Museum participated in extensive dialogue with members of the local residential community and a list of stipulations was created and circulated to a wide number of residential members of the community to address the many concerns of the community, particularly as they related to the immediate Meat Packing District Area quality of life issues which generally encompass outdoor noise, late night noise, traffic related issues and a general oversaturation of licensed premises; and,

Whereas, the proposed set of stipulations seemed to address most, if not all concerns of the residential community and The Museum promised to return to participate in ongoing dialogue if necessary to address any new or ongoing issues that may arise in the future; and,

Whereas, the co-applicants, the Whitney Museum of American Art, Whit Food II LLC, and Hudson Yards Catering LLC have executed a stipulations agreement with CB2 that they agreed would be attached and incorporated into the method of operation of the on-premise liquor license stating that:

Restaurant and Café Hours of Operation:

Ground Floor Restaurant

Interior Space - 88 seats, 10 bar seats:

1. Posted Operating Hours will include soft closing hours – no reservations will be accepted after posted soft closing hours and no patrons without reservations will be seated after posted soft closing hours - Sunday to Thursday at 10pm and Friday to Saturday at 11pm.
2. Hard Operating Hours – No Patrons shall remain after closing hour or be seated prior to opening hour: Sunday from 10am to 12am, Monday to Thursday from 9am to 12am, Friday from 9am to 1am and Saturday from 10am to 1am.

Exterior space - 52 outdoor seats

Soft and Hard Operating Hours: will open at same time and close one hour earlier than the interior restaurant. Tables and chairs shall be removed at those closing times.

8th Floor Café and Adjoining Exterior Terrace

66 indoor seats, 10 bar seats, 52 outdoor seats

Both indoor areas and exterior terrace will be operated with hard operating hours of Saturday to Thursday from 10:30am to 6pm and Friday from 10:30am to 9pm. The indoor and outdoor areas will be closed Tuesday. At the closing time of 6pm daily with the exception of Friday at 9pm, no patrons or guests shall remain in those areas.

In interior of the Ground Floor Restaurant and the 8th Floor Café, there will be quiet background music only; there will be no DJ, no live music, no dancing and no scheduled performances. There will be no music or amplified sound in the exterior spaces of the Ground Floor Restaurant and the 8th Floor Café at any time. Any sound or music from the interior of the Ground Floor Restaurant or 8th Floor Café will not be heard in the adjoining exterior space.

Any Windows, Doors or French Doors adjoining the cafe, bar, or dining areas will be closed no later than 10pm (remain in a fixed closed position except for ingress and egress).

For all parties or events held on any of the museum's exterior spaces, no music or amplified sound will be permitted. However, there may be up to 6 special events per calendar year identified well in advance with exterior music or amplified sound that may be held only on the 5th floor terrace. The volume at which any music or amplified sound is utilized for those 6 events must conform to the limits described in #5 below and all such parties and events will end by 11pm with all patrons and guests having left the 5th floor terrace at 11pm. Those 6 exceptions for music or amplified sound on the 5th floor terrace must be identified well in advance and made known to any local residents who request to be notified at least 2 weeks in advance (email notice is acceptable) and to the 6th Precinct and CB2.

For all exterior art or programmatic activity, the Whitney will monitor and gather accurate db readings at frequencies down to 25 Hz, and will ensure that at no time will sound levels exceed 10db (7db after 10pm) over the ambient noise level when measured using both A-weighted and C-Weighted decibel scales. These measurements will be taken 15 feet away from, and at the same height as, the railings, which mark the boundaries of the space where the music is being played. Sub-woofers will not be installed. All individuals, artists or companies responsible for any aspect of music or amplified sound or any sound affiliated with exterior art or programmatic activity in exterior areas will be made aware of these requirements and a specific individual shall be identified for ensuring compliance during all times of operation. The Whitney and the Community will revisit these sound limits after the Museum has been operating for 6 months or as necessary should residents or the museum be experiencing any sound related issues. All exterior art or programmatic activity involving music or amplified sound or other sound will finish by 11pm with 6 exceptions allowed per year.

The Whitney Museum of American Art (The Whitney) will request that the New York City Department of Transportation (DOT) change the parking regulations on the north side of Gansevoort Street between Washington St. and 10th Avenue to "No Standing Anytime." The Whitney will also request that DOT allow two-way traffic on 10th Ave. between Horatio and 14th Streets and discourage northbound traffic on 10th Ave from turning east on Little West 12th Street. The Whitney will also request that DOT install signage at Gansevoort and 10th Ave. encouraging motorists to use West Street for travel both North and South. If there are no objections from the owner of 95 Horatio St., the Whitney will also request that DOT change the parking regulations on the south side of Gansevoort to "No Standing after 8pm." The Whitney will also request the creation of a Taxi Stand in the immediate area, to relieve congestion on Washington Street. The Whitney agrees to revisit any of these issues as necessary to mitigate traffic impacts.

The Whitney will station one or more properly attired and well identified traffic management agents outside the Museum during any events that are expected to draw unusually high numbers of vehicles, especially taxis and for hire vehicles, to help insure that Gansevoort Street and 10th Avenue adjoining the Museum do not at any time become blocked or obstructed by double-parked or standing vehicles.

All parties and special events in any of the interior areas of the Museum will end by midnight with all patrons and guests having left at that time. There may be up to 6 exceptions per year for special events lasting until 2am in the interior areas of the museum only. Those 6 exceptions must be identified well in advance and made known to any local residents who request to be notified at least 2 weeks in advance (email notice is acceptable) and to the 6th Precinct and CB2. At 2 am for the 6 exceptions, all patrons and guest shall have exited the premises.

No outside caterers or outside groups will serve alcohol within the premises except those that appear on the license. Should there be any changes to the operators of the Ground Floor Restaurant, 8th Floor Café or event caterer for any portion of the premises, The Whitney will return to CB2, Man. to present the

alteration with the new operators who will agree to the existing stipulations and any modifications as necessary to reflect any ongoing documented issues.

All information and details as presented to CB2, Man. in December of 2014 except as modified in this agreement are presented in good faith and are accurate and complete. Should there be any changes, The Whitney will return to CB2, Man, as soon as practical to present those changes; and

Whereas, a petition in support was presented and CB2, Man. received letters of support from local non-profit groups, block associations and several other Manhattan Community Boards in support of Union Square Hospitality and the Whitney Museum; and,

Whereas, CB2, Man. received correspondence in support from local residents provided the stipulations were adhered to and in particular exterior noise and late night traffic generation was managed appropriately and late night quality of life disruptions was kept to a minimum;

Whereas, the Museum was lauded for their willingness to work diligently with the local community and the community expressed confidence that the same level of excellence would be continued throughout the opening and ongoing operations of the Museum and there was a strong belief that the Whitney Museum of American Art and accompanying operations would be a magnet for the local community, in addition to other patrons and guests from beyond CB2's boundaries, and that they will add value to the local community; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new On Premise Liquor License for **Whitney Museum of American Art, Whit Food II LLC, Hudson Yards Catering LLC, d/b/a Whitney Museum; Restaurant: Untitled; Café: Studio Café; 99 Gansevoort St. 10014** as described above **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the "Method of Operation" on the SLA On Premise Liquor License.

Vote: Unanimous, with 41 Board members in favor.

21. Oaxaca Greenwich LLC, d/b/a Oaxaca Taqueria, 48 Greenwich Ave. 10011 (New RW – Previously Unlicensed)

Whereas, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new restaurant wine license for a previously unlicensed location for a Mexican taqueria restaurant; and,

Whereas, this application is for a new restaurant wine license located in a mixed use building located on the ground floor on Greenwich Ave between Charles Street and Perry St for a roughly 270 sq. ft. premise with 1 table and 3 seats and 1 bar with 7 seats, for a total of 10 seats, there is no sidewalk café and there are no other outdoor areas for patrons, a Letter of No Objection will be obtained from the NYC Department of Buildings because there is no Certificate of Occupancy; and,

Whereas, the hours of operation will be Sunday from 12pm to 11pm, Monday to Thursday from 11am to 12am, Friday to Saturday from 12pm to 1am (No patrons shall remain after the closing hour), music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 9pm except for ingress and egress,

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 no TV's, there will be no use by patrons of the basement; and

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

1. Premises will be advertised and operated as a full service Mexican taqueria restaurant.
2. A full food menu will be available at all times and the kitchen shall remain open and menu items available until closing every night.
3. The hours of operation are Sunday from 12pm to 11pm, Monday to Thursday from 11am to 12am (midnight), Friday to Saturday from 12pm to 1am. No patrons will remain after closing time.
4. Premises will not operate as a nightclub, disco or lounge and will not seek a Department of Consumer Affairs Cabaret License.
5. There is no backyard garden.
6. There is no sidewalk café.
7. Sufficient soundproofing is already installed.
8. All doors and windows will be closed at 9pm every night except for ingress and egress.
9. There will be no French doors or windows. There are no operable windows.
10. There will be no DJs, live music, promoted events, any events at which a cover is charged or scheduled performances.
11. There will be no televisions.
12. Music will be quiet ambient background music only not audible from outside the premises.

Whereas, the applicant presented a limited petition with local signatures in support of the application;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant Wine License for **Oaxaca Greenwich LLC, d/b/a Oaxaca Taqueria, 48 Greenwich Ave. 10011** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the "Method of Operation" on the SLA Restaurant Wine License.

Vote: Unanimous, with 41 Board members in favor.

22. French Cuisine, Inc. d/b/a Gloo, 7 Cornelia St. 10014 (New OP Restaurant)

Whereas, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new restaurant on premises liquor license for a "modern fine French cuisine [restaurant], featuring locally sourced and organic fare, reasonably priced and served in a warm and convivial atmosphere"; and,

Whereas, this application is for a new restaurant on premises liquor license in a previously licensed location located on the ground floor (Southwest unit previously Wong Hospitality Group) in a mixed use building on Cornelia Street between West 4th Street and Bleecker Street for a 1,520 sq. ft. restaurant (1st floor 920 sq. ft. basement 600 sq. ft.– no patron use) with 10 tables and 28 seats, 1 bars with 8 seats, and a food counter with 5 seats for a total of 41 seats, and a maximum legal capacity of 45 persons, there is no sidewalk café and there are no other outdoor areas for patrons, there is an existing Certificate of Occupancy; and,

Whereas, the hours of operation will be Sunday to Thursday from 11am to 12am and Friday to Saturday from 11am to 12:30am (No patrons shall remain after the closing hour), music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive pre arranged music), there are no operable French doors or operable windows, 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 no TV's, there will be no use by patrons of the basement; and,

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

1. Premises will be advertised and operated as a modern fine French cuisine full service restaurant.
2. A full food menu will be available at all times and the kitchen shall remain open and menu items available until closing every night.
3. The hours of operation are Sunday to Thursday from 11am to 12am (midnight) and Friday to Saturday from 11am to 12:30am. No patrons will remain after closing time. May open for brunch Saturday and Sunday at 10am.
4. Premises will not operate as a nightclub, disco or lounge and will not seek a Department of Consumer Affairs Cabaret License.
5. There is no backyard garden.
6. There is no sidewalk café.
7. Sufficient soundproofing is already installed.
8. All doors and windows will be closed at all times except for ingress and egress.
9. There will be no French doors or windows. There are no operable windows.
10. There will be no DJs, live music, promoted events, any events at which a cover is charged or scheduled performances.
11. There will be no televisions.
12. Music will be quiet ambient background music only.

Whereas, the Central Village Block Association submitted a letter in support;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a On Premise Liquor License for **French Cuisine, Inc. d/b/a Gloo, 7 Cornelia St. 10014** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 41 Board members in favor.

THE FOLLOWING ARE RESOLUTIONS FOR APPLICANTS THAT WERE LAID OVER, WITHDRAWN, OR WHO DID NOT APPEAR BEFORE CB2 AS REQUESTED:

23. Delice & Sarrasin, LLC, 20 Christopher St. 10014

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on December 11th, 2014, the applicant requested to layover this application for a new restaurant wine license in order to properly address numerous issues, including many outstanding Department of Building issues for which he was unable to provide explanation, including significant fines outstanding, uncorrected DOB violations which seem to involve building safety and illegal renovations of the proposed commercial space, particularly paperwork that was presented in support of the application does not seem to conform to the proposed/as

built conditions specifically in that there is a commercial kitchen where DOB documentation (Old Certificate of Occupancy) seems to indicate a non-housekeeping apartment and the restaurant occupies the entire ground floor; there is additional concern that improper changes have been made to expand non-conforming commercial use in the building which is located in a residentially zoned area with no commercial overlay (only a portion of the proposed premises seems to be grandfathered commercial space); and,

Whereas, until an explanation can be provided as to how the above concerns can be addressed, it seems unreasonable for CB2, Man. to provide a recommendation as it does not appear that the application as presented is allowable and would seem to require significant changes to either the proposed operation as presented to CB2, Man. or evidence from an architect as to how such plans would be approved by the Department of Buildings as presented to CB2, Man.;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed restaurant wine license, tavern wine license, new/transfer on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Delice & Sarrasin, LLC, 20 Christopher St. 10014** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2, Man. 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 41 Board members in favor.

24. Innovation Kitchens, LLC, 137 7th Avenue So. 10014 (layover – New OP)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on December 11th, 2014, the applicant and the applicant's representative requested to layover this application for a new restaurant on-premise liquor license in order to present a complete CB2 Questionnaire with all details including finalized seating diagrams and to address issues as raised by the committee specific to this application and to perform additional community outreach and meet with any local block associations;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed new on premise liquor license, restaurant or tavern wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Innovation Kitchens, LLC, 137 7th Avenue So. 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 41 Board members in favor.

25. 55 Grove LLC, 55 Grove St. 10014 (Layover – New OP)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on December 11th, 2014, the applicant's representative requested to **layover** this application for a new restaurant 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 or restaurant or tavern wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **55 Grove LLC, 55 Grove 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 41 Board members in favor.

26. West Houston Hall, Inc. d/b/a Houston Hall, 222 West Houston St. 10014 (Layover – Renewal)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on December 11th, 2014, the applicant's attorney requested to **layover** this renewal notice for an existing on-premise liquor license because the sole principal is out of the country and would like to personally address any issues and he will return to CB2's SLA Licensing Committee meeting in January 2015; and,

Whereas, CB2, Man. had at the request of a member of the community placed this item on the agenda to discuss issues concerning the operation of the licensed premises;

THEREFORE BE IT RESOLVED that CB2, Man. requests that the Licensee be permitted to continue operation through the last day of the month of January 2015, one month beyond the expiration of the current license, but also requests that the SLA take no action on the renewal of the existing on-premise liquor license for **West Houston Hall, Inc. d/b/a Houston Hall, 222 West Houston St. 10014** until the Licensee has appeared before CB2's SLA Licensing Committee to address the Community's concerns and CB2 has forwarded a recommendation to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

27. Tea and Sympathy, Inc., 108 Greenwich Ave. 10011 (New RW - withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on December 11th, 2014, the applicant's attorney requested to **withdraw** this application for a new restaurant wine license and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB2, 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 **Tea and Sympathy, Inc., 108 Greenwich 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 41 Board members in favor.

28. Toby's Coffee West Village LLC, d/b/a Toby's Estate Coffee West Village, 44 Charles St. 10014 (New EPB - Withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on December 11th, 2014, the applicant's attorney requested to withdraw this application for a new 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 eating place beer, on premise liquor license, beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Toby's Coffee West Village LLC, d/b/a Toby's Estate Coffee West Village, 44 Charles 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 41 Board members in favor.

29. Minerva Hospitality Group Ltd, d/b/a Minerva, 302-304 4th St. 10014 (New RW - layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on December 11th, 2014, the applicant's attorney requested to layover this application for a new restaurant wine license (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 or restaurant or tavern wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Minerva Hospitality Group Ltd, d/b/a Minerva, 302-304 4th 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 41 Board members in favor.

SCHOOLS AND EDUCATION

PS 3/Grove Street Sidewalk Repair Resolution

Whereas, the sidewalk on Grove Street between Hudson and Bedford is in need of significant repairs because of a crack stretching almost the entire block and additional areas of severely uneven payment, and

Whereas, this sidewalk has been in this state since at least 2013, when this area became a Play Street for the children at PS 3; and

Whereas, the Department of Transportation and Community Board 2 approved the creation of the PS 3 Street Play Street and renewed their approvals in May 2014; and

Whereas, the sidewalk's condition poses a very real risk of harm to children who use this area on an almost daily basis for play (i.e. running, jumping and potentially falling), and to residents and the many tourists who flock to this area; and

Whereas, repairing the area would allow the Grove Street Association to repair the wickets around the tree beds, which are also in need of repair, adding to the aesthetic beauty of this area; and

Whereas, support for these repairs comes from a united community as demonstrated through a letter from The Grove Street Block Association, a letter from PS 3 Principal Lisa Siegman, a petition with over 100 signatures of parents and many children at PS 3 and an online petition with 49 signatures, and

whereas the owner of the building connected to this sidewalk is the City of New York, it is the DOT's responsibility for the maintenance of this area, just as other owners of the buildings in the surrounding area are responsible for and held accountable for their sidewalks,

Therefore be it resolved that CB2, Man. strongly urges the Department of Transportation to immediately repair the sidewalk on Grove Street between Hudson and Bedford Streets for the safety of our children, residents and guests of our city.

Vote: Unanimous, with 41 Board Members in favor.

TRAFFIC AND TRANSPORTATION

1. Resolution urging installation of signage, traffic signal changes and other traffic controls at the southeast and southwest corners of Broadway at Houston St.

Whereas the intersection of Broadway and Houston St. is an exceptionally hazardous one with heavy volumes of fast-moving vehicles advancing in several lanes and turning in different directions, causing confusion and posing danger to the large numbers of pedestrians as well as vehicles there, a situation that is further compounded by Houston St.'s jogging right at that point, obscuring visibility and adding to the disorder; and

Whereas the pedestrian crossing on Broadway at the south side of Houston St. is particularly perilous and problematic: Motor vehicles turning left (south) on a dedicated green from the northeast corner of Houston St. onto Broadway take some time to reach the south side of Houston because of the street's large expanse, and pedestrians, unaware of their approach (and seeing most other traffic halted), cross in great numbers (many thousands every day) against the red light, placing themselves in great danger; and

Whereas this endemic jaywalking leads to the oncoming left-turning vehicles stopping short for the crossing pedestrians, preventing eastbound traffic on the south side of Houston St. from advancing when the light turns green, causing tie-ups, congestion and horn honking, and generally exacerbating the overall chaos; and

Whereas many tourists use that crossing, who are unfamiliar with the traffic rules and/or who don't speak English; and

Whereas these misguided pedestrians (many of whom assume the walk signal is broken and proceed on that basis) will no doubt continue their jaywalking in view of current conditions but need to have their safety ensured and be protected from themselves; and

Whereas there are NYPD traffic agents regulating pedestrian and vehicular movement at that intersection from time to time, but not on a regular basis; and

Whereas several people from the surrounding community attended the public hearing on this problem, including the director of the SoHo Alliance, representing a data base of over 1,000 and hundreds of paid community members, and letters from the community were also received, all testifying to the extremely dangerous conditions threatening both pedestrians and vehicles at the Broadway crossing on the southern side of Houston St.;

Therefore be it resolved that CB2, Man. exhorts the NYC Dept. of Transportation (DOT) to conduct an intensive study of the Broadway/Houston St. intersection, concentrating especially on the pedestrian crossing on Broadway at Houston St.'s south side and pedestrian/vehicle conflicts there and on turning movements at the northeast turning bay on Houston St. at Broadway, in order to develop solutions to eliminate these dangerous conditions; and

Be it further resolved that CB2, Man. strongly urges DOT to institute early action improvements to provide immediate relief by quickly installing one sign at the southeast corner of Broadway and Houston St. facing west, and one sign at the southwest corner of Broadway and Houston St. facing east (on the reverse side of the already existing sign there), at pedestrian visual level, displaying one of the following warnings (or similar appropriate standard warning): "DELAYED GREEN" "WAIT TO WALK" "CROSS WITH CARE" "WATCH (OUT) FOR TURNING VEHICLES" "WAIT FOR WALK SIGNAL" "DANGEROUS INTERSECTION," thereby alerting pedestrians to the approaching traffic; and

Be it further resolved that CB2, Man. suggests that one illustrated sign each be placed on the southeast and southwest corners of Broadway at Houston St. and that an overhead sign for drivers displaying "YIELD TO PEDESTRIANS IN CROSSWALK" be placed on the south side of Houston St. at Broadway; and

Be it further resolved that CB2, Man. highly recommends that the new type Split Phase LPI (Leading Pedestrian Interval) for traffic signalization be installed as soon as possible at the intersection of Houston St. and Broadway, including a lengthy green light phase for pedestrians crossing Broadway on the south side of Houston St. that operates concurrently with a red left-turn arrow on the north side of Houston St. (preventing vehicles from turning left/south from the north side of Houston into Broadway at the same time pedestrians are crossing, but allowing through traffic to proceed east and west on Houston St. with a green light); and

Be it further resolved that, as part of this improvement, CB2, Man. encourages DOT to install countdown signals on both the southeast and southwest sides of the Broadway pedestrian crossing at Houston St. for the pedestrian green phase, along with a flashing red light following the countdown; and

Be it finally resolved that CB2, Man. urgently requests that NYPD traffic agents be stationed at the Broadway-Houston St. intersection on a steady basis at all peak days and times to regulate vehicular traffic movement and enforce pedestrian street crossings.

Vote: Unanimous, with 41 Board Members in favor.

2. Resolution concerning request for a jitney bus stop in front of 48 7th Ave., west side of 7th bet. W. 13th and W. 14th Sts.

Whereas Hampton Jitney, Inc. has applied for a bus stop in front of 48 7th Ave., west side of the street bet. W. 13th and W. 14th Sts.; and

Whereas the proposed inter-city bus stop would be in a location currently regulated with 82 feet of existing bus stop for the MTA bus, and the MTA bus stop would remain; and

Whereas there will be no pick-ups and one drop-off on Wednesdays at 11:31 AM, and the bus will travel from New York City to Long Island; and

Whereas no one was on hand to present this application for a three-year permit, but several people testified to its need in Greenwich Village, to its low impact (it only stops for a minute or two to drop people off, and the bus carries less than 20 people), and to its advantage in reducing the commute for locals and encouraging people not to use their cars; and

Whereas the NYC Dept. of Transportation (DOT) indicated that the jitney operates elsewhere in the City where it has worked and received no complaints, and that the permit is easy to revoke;

Therefore be it resolved that CB2, Man. has no objection to allowing a bus stop for Hampton Jitney, Inc. only for drop-offs on Wednesdays at 11:31 AM in front of 48 7th Ave., west side of the street bet. W. 13th and W. 14th Sts.; and

Be it further resolved that CB2, Man. asks DOT to monitor the Hampton Jitney's operations at the proposed location and report back to CB2, Man. in one year for a review of the jitney's performance there.

Vote: Unanimous, with 41 Board Members in favor.

Respectfully submitted,

Keen Berger
Secretary
Community Board #2, Manhattan