

Teri Cude, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Erik Coler, *Assistant Secretary*

COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE
NEW YORK, NY 10012-1899

www.cb2manhattan.org

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

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

FULL BOARD MINUTES

DATE: July 20, 2017
TIME: 6:30 P.M.
PLACE: Scholastic Building, 557 Broadway, Auditorium

BOARD MEMBERS PRESENT: Susanna Aaron, Keen Berger, Tobi Bergman, Carter Booth, Don Borelli, Katy Bordonaro, Anita Brandt, William Bray, Richard Caccappolo, Ritu Chattree, Erik Coler, Terri Cude, Chair; Doris Diether, Cristy Dwyer, Kathleen Faccini, Stella Fitzgerald, Cormac Flynn, Joseph Gallagher, Jonathan Geballe, Robin Goldberg, Nicholas Gottlieb, Susan Kent, Jeannine Kiely, Patricia Laraia, Edward Ma, Daniel Miller, Lois Rakoff, Robert Riccobono, Robin Rothstein, Sandy Russo, Rocio Sanz, Kristin Shea, Shirley Smith, Susan Wittenberg

BOARD MEMBERS ABSENT WITH NOTIFICATION: Don Borelli, Coral Dawson, Robert Ely, Susan Gammie, Jon Giacobbe, Elaine Young

BOARD MEMBERS ABSENT: Billy Freeland, Maud Maron, Lauren Racusin

BOARD MEMBERS PRESENT/ARRIVED LATE: Tom Connor, David Gruber, Shirley Secunda, Chenault Spence, Antony Wong

BOARD MEMBERS PRESENT/LEFT EARLY: Lisa Cannistraci, Frederica Sigel, Georgia Silvera Seamans

BOARD STAFF PRESENT: Bob Gormley, District Manager; Florence Arenas, Community Coordinator; Eva Mai Community Assistant

GUESTS: Robert Atterbury, Congressman Jerrold Nadler's office; Elena Sorisi, Senator Brad Hoylman's office; Andrew Chang, Manhattan Borough President Gale Brewer's office; Laurence Hong, Assembly Member Yuh-Line Niou's office; Charles Anderson, Assembly Member Deborah Glick's office; Eric Holguin, NYC Comptroller Scott Stringer's office; Adam Chen, Public Advocate Letitia James' office; Patrice Comerford, Council Member Corey Johnson's office; Sheila Rodriguez, Council Member Rosie Mendez's office; Sabrina Hua, Council Member Margaret Chin's office; Wendy DeRosa, Peter Schoenfeld, Suzanne Rubin, Rina Blair, Kathrine Jason, John Collins, James Carney, Nofeen Navin, Avery Riester, Betsy Mickel, Lisa Gardner, Cordelia Persen, Mike De Rosa, Marsha Kness, Monique LeBrun, James Drougas, Robert Goldberg, Ronald Hellman, Pat Gallagher, Richard Zlez, Barbara vander Sweagh, Leila Tamani, Jim Bozart, F. Siegel, Jane Polichetti, James Lambert, Antonia Maggie Pisceone, Karen Wasserman, Bret Gardner, Jan Stout, Lou Vuolo, Larry Early, Noah Gordon, Ginger Keppler, Iva Ann Rosado, Giovanni Tognozzi, Brian Pape, Jane Carey, Roberta Grabler, Mark Grabler, Michael Walczak, David Lieber, Kyle Kibbe, Harriet Glassman, Reuben Cobia, Michael Spielvogel, Brenda Levin, Howard Chynsky, Jay Segal, Herb Niemirow, Jeremy Crimm, Danielle Carney, Nicholas Pispcau, Pete Davies, Ilene Diamond, Nicholas Warren, Nancy Shambyn, Jennifer Norton, Marian Guerra, Gabrielle Dann-Allel, Jay Goldstein, Noel Hattem, Frank Ferrucci, Fayanne Betan, Michael Raab,

GUESTS (continued): Deb Russell, Jewel Bacharach, Judith Early, Jean Strait, Charles Weissman, Jim Bingeman

MEETING SUMMARY

Meeting Date – July 20, 2017
Board Members Present – 41
Board Members Absent With Notification – 6
Board Members Absent - 9
Board Members Present/Arrived Late - 5
Board Members Present/Left Early – 3

I. SUMMARY AND INDEX

ATTENDANCE	1
MEETING SUMMARY	2
SUMMARY AND INDEX	2
PUBLIC SESSION	2
ADOPTION OF AGENDA	3
ELECTED OFFICIALS' REPORTS	3
ADOPTION OF MINUTES	3
EXECUTIVE SESSION	3
STANDING COMMITTEE REPORTS	3
LAND USE & BUSINESS DEVELOPMENT	3
LANDMARKS AND PUBLIC AESTHETICS	9
QUALITY OF LIFE	12
SLA LICENSING	18
TRAFFIC AND TRANSPORTATION	37

II. PUBLIC SESSION

Non-Agenda Items

SoHo Neighborhood

Pete Davies spoke regarding various issues in Soho.

Whitney Museum of American Art

Jane Carey updated everyone regarding the various activities/events going on at the museum.

Pacifica Radio

Jim Bigeman spoke in favor of keeping the radio station going.

Ottomanelli Meats

Sandy Russo spoke against the establishment due to a hate crime that occurred at the meat market.

Land Use and Business Development Items

West Village Houses seeks authorization from City Planning Commission to eliminate parking requirement
Marsha Kness, Jean Strait, Charles Weissman, Harriet Glassman, Maggie Pisacane, and Jay Segal (representing the applicant), spoke in favor of the proposal.

Quality of Life Items

Bar Giacosa Corp., d/b/a N/A, 270 6th Ave. with 6 tables & 12 chairs
Giovanni Tognozzi (principal), James Drougas, Reuben Cobia, Michael Spielfogel, Noreen Navin, and James Carney, all spoke in favor of the proposed sidewalk café application.

III. ADOPTION OF AGENDA

IV. ELECTED OFFICIALS PRESENT AND REPORTING

Robert Atterbury, Congressman Jerrold Nadler's office

Elena Sorisi, Senator Brad Hoylman's office

Laurence Hong, Assembly Member Yuh-Line Niou's office

Charles Anderson, Assembly Member Deborah Glick's office

Eric Holguin, NYC Comptroller Scott Stringer's office

Andrew Chang, Manhattan Borough President Gale Brewer's office

Patrice Comerford, Council Member Corey Johnson's office

Sabrina Hua, Council Member Margaret Chin's office

Sheila Rodriguez, Council Member Rosie Mendez's office

V. ADOPTION OF MINUTES

Adoption of June minutes

VI. EXECUTIVE SESSION

1. **Chair's Report** Terri Cude reported.

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

STANDING COMMITTEE REPORTS

LAND USE AND BUSINESS DEVELOPMENT

1. **West Village Houses** Housing Development Fund Corporation (a 428 apartment unit residential complex between Bank and Morton Streets and Washington and West Streets) has applied for a Zoning Authorization pursuant to Section 13-443 of the Zoning Resolution to eliminate the requirement to maintain accessory off-street parking spaces currently accommodated in a four-story garage located at 738-742 Greenwich Street. The parking requirement was required at the time that the West Village Houses residential complex was constructed in 1970's.

A recommendation to DENY because the application fails to address the required finding regarding the impact of the loss of parking on residents and businesses in the area, UNLESS the community benefits from a plan that provides long-term affordability at WVH.

Whereas:

Parking Issues

1. The garage currently operates as a public garage in accordance with its Certificate of Occupancy and Department of Consumer Affairs License, with a capacity of 240 total spaces, under a lease from the Applicant.
2. For off-street parking facilities built before May 8, 2013, ZR 13-443 permits the City Planning Commission (“CPC”) to authorize a reduction in the number of required accessory off-street parking spaces if “...such reduction will not have undue adverse effects on residents, businesses or community facilities in the surrounding area, as applicable.” It also provides that CPC can prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.
3. The applicant states that the nine WVH units currently utilizing monthly parking can easily be accommodated in 14 public garages within ¼ mile of WVH (five of which it stated are within one block).
4. Parking availability in this area of the West Village was never abundant, and at least four of the 14 public garages in the area either being redeveloped for or reserved for upscale residential development, making the scarcity even greater. In addition, luxury development itself creates increased demand for parking.
5. The applicant did not address the availability of alternative parking for transient parkers plus the other approximately 140 current legal monthly parkers (or any residents of units in WVH who want a monthly space in the future and currently have a right to get one).
6. The applicant has provided no evidence on who is using the transient parking at the Garage or whether the Garage is usually at capacity for such parking. If these parkers cannot find garage space, they will add to the traffic looking for already-scarce street parking, which will have an adverse effect on the traffic and on businesses and residents in the area.
7. There has been significant increase in office space that may require daytime parking for employees who do not live near transit options.

Affordability Issues

8. WVH has long been an important Mitchell-Lama affordable housing complex in the West Village.
9. In 2006, the owner of WVH sought to leave the Mitchell-Lama Program, and the tenants negotiated a deal with New York City to convert the project into a non-eviction residential cooperative, which is the applicant.
10. As part of the agreement with NYC, the applicant became the owner of the WVH residential buildings and the garage and received certain concessions, including reduced real estate taxes for the cooperative for a 12-year period ending March 2018. Existing tenants were permitted to buy the shares in the cooperative allocated to residential units at discounted prices.
11. The rent charged on units for residents who continued to rent and did not become shareholders remained “affordable” for that 12-year period.
12. The applicant stated that, of the 420 units, (a) shares attributable to approximately 370 of the units are owned by residents, and 50 are owned by a private investor, and (b) of the 50 units controlled by the private investor, with approximately 40 currently rented to residents who did not buy.

13. CB2's Land Use Committee held two hearings, because the Land Use committee wanted more information and a better understanding of how removing the parking restriction and selling the garage would affect WHV affordability in the long term. Approximately 85 people from WVH attended the July meeting and expressed their view that affordability past March 2018 can only be achieved by removing the parking requirement for the garage.
14. A representative of WVH stated that removal of the parking requirement would, via monetizing the parking building and paying down a mortgage, offset a maintenance increase due to the reset of taxes once the reduction expires in 2018. However, none of the speakers from WVH had any information as to how the coop will pay future property tax increases, which will impact affordability in just a few years.
15. It appears to CB2, Man. that selling the garage will only benefit current shareholders, and even that will only last a short time and only for people who had purchased at greatly reduced prices and could now sell at market rate with the extra sale price support of low maintenance fees.
16. Members of the committee asked some of the WVH residents present why they did not seriously investigate and consider the HPD offer of separating out at least 40 units that would continue having the tax abatement for 20 years, thereby keeping maintenance low, in exchange for capping sales prices based on a percentage of AMI. A representative of the WVH Board said that the legal fees of approximately \$400,000 made the offer unviable. However, committee members felt that \$400,000 for legal fees was a small amount of money to ensure that at least some WVH units would be affordable for decades and allow new, lower-income residents to buy in at below-market prices.
17. The committee felt that instead of dedicating \$1.6 million from the proceeds of the garage sale to fund a four-month maintenance holiday for shareholders (per the proxy document seeking shareholder votes for sale of the garage, closing on July 17, 2017), some of this money could be used to cover legal fees.
18. In short, nothing about the applicant's two presentations and the ensuing discussion persuaded members of the Land Use committee that removal of the parking requirement would in any way benefit the community by keeping WVH affordable for any significant length of time and for any future families.

Therefore, it is resolved that CB2, Man. recommends denial of the application unless the loss of accessory parking is offset by a plan to protect long-term affordability at WVH in the form of, for example, the HPD proposal. Further:

- This application does not meet the Zoning Resolution's finding for reducing the parking requirement that requires that: "...such reduction will not have undue adverse effects on residents, businesses or community facilities in the surrounding area."
- This adverse effect could be overcome by a significant community benefit, such as an agreement with HPD that preserves affordable units, includes property tax abatements in exchange for sale caps and income restrictions for individually-owned coop units, and protects affordability for current and future shareholders as well as renters in sponsor-owned units.

Vote: Passed, with 32 Board members in favor, 6 in opposition (J. Gallagher, R. Goldberg, R. Sanz, S. Secunda, K. Shea, G. Silvera Seamans), 2 abstentions (L. Rakoff, A. Wong), and 1 recusal (K. Bordonaro).

2. **47 Greene Street** (west side between Broome and Grand Streets) BSA Cal No. 2017-191-BZ is an application filed pursuant to Section 72-21 of the Zoning Resolution to seek a variance to permit Use Group 6 retail use on the cellar and ground floors of premises located within an M1-5B zoning district.

Whereas:

1. The application is to legalize within the M1-5B zoning district, Use Group 6 commercial retail use within the cellar (3054sf) and ground floor (4746sf) of an existing six-story plus cellar building.
2. Originally built as a store and a loft, the premises are within the SoHo-Cast Iron Historic District.
3. The ground floor and the cellar of the building have been occupied by various commercial uses for the past 30 years and currently, the two floors are leased (illegally) to a retail clothing store.
4. Floors two through six are occupied by seven UG2 Interim Multiple Dwelling units and are not subject to this variance application.
5. Applicant states that the building's usable floor plate of only 3912sf makes it insufficient for manufacturing uses and that without a loading dock and space to install one, pedestrian-sized doors on the street, and its location on a narrow street, it is obsolete for conforming manufacturing uses. In addition, alteration of the doors would detract from the architectural significance of the façade of the building.
6. Adjacent buildings to the north and south of the premises are commercial ground floor uses.
7. Almost all the buildings along Greene St. and 65 out of 104 buildings within a 400-foot radius of the building have retail uses on the ground floor.
8. Financial analysis with variance granted shows a marginal positive return on investment of 0.2%.
9. This applicant originally presented at the June LU committee meeting, but returned to the committee in July to explain why it pursued a variance with the BSA rather than a special permit through the Department of City Planning.
10. Although the findings on "uniqueness" fall short and the project's positive return on investment is negligible, the BSA did encourage the applicant to pursue the route for a variance in its pre-application meeting.

Therefore, be it resolved that CB2, Man. recommends approval of this application on condition that the BSA apply its expertise to determine whether findings are actually met, that it stipulates no eating and drinking establishments and that it encourages the applicant to find tenants whose business is appropriate to membership in the SoHo Design District organization.

Vote: Unanimous, with 41 Board members in favor.

3. **111 Barrow Street** (SW corner of Barrow and Greenwich Street) BSA Cal No 2017-60-BZ is an application for special permit to allow the use of the ground floor for a child day care center operated by Bright Horizons. The site is located in an M1-5 zoning district, pursuant ZR 42-00.

Whereas:

1. The project site is located on a block that contains only three lots: the subject lot and two other lots that are occupied by commercial uses.
2. The lower floor was previously occupied by a Use Group 4 community facility use (The Village Adult Day Health Care Center) as set forth in the Certificate of Occupancy.
3. The entrance to the child care use would be on Greenwich St. and the upper floors of the building are occupied by residential units that have a separate entrance on Barrow.

4. The facility will house a maximum of 96 students and will meet NYS licensing and related requirements.
5. Hours and days of operation are Monday through Friday, 7am to 6:30pm.
6. Bright Horizons has been unable to find an appropriate site of appropriate size in the district where it would be as of right. In the last two years, 42 available commercial sites were evaluated.
7. The school is not located more than 400 feet from the boundary of a district where such a school is permitted as-of-right. School use is appropriate for the site and the surrounding community.
8. There is an adequate separation from noise, traffic and other adverse effects of the surrounding non-residential districts.
9. There are no outdoor play areas.
10. Given the young age of the children attending this facility, movement of traffic is not an issue. Children will arrive and depart accompanied by adults.
11. No public improvement projects or existing street systems will be affected.
12. It is requested that the Board grant the special permit for a minimum term of 10 years.
13. No one from the community attended to object to the application and the president of the Board (Kathleen Faccini) of the residential cooperative that owns the building (but does not control the rental of the retail space) reported that residents were generally in favor of a day care center in the retail space, once entrance was relocated to Greenwich St.

Therefore, CB2 recommends approval of the application for a period of 10 years.

Vote: Unanimous, with 41 Board members in favor.

4. 449 Broadway (between Grand and Howard Streets) DCP 170464 ZSM is an application for a special permit under ZR 74-781 to allow Use Group 6 commercial uses in the cellar and on the ground floor of this five-story building with cellar in an M1-5B zoning district. Existing Use Group 6 office uses will remain on the upper floors.

Whereas:

1. The building is in the SoHo-Cast Iron Historic District.
2. The applicant proposes that 4091 sf of floor space in the cellar and 4194 sf of zoning floor area on the ground floor will be used for Use Group 6 commercial use. The building's bulk will remain unchanged.
3. The applicant previously sought a special permit for the same use at the same site but withdrew the application on October 8, 2015 due to irregularity in advertising.
4. ZR-781 requires that the owner of a building with a floor plate of over 3600 square feet pursue a good faith marketing effort to rent the space to a permitted use at a fair market rate for a period of not less than one year prior to the date of application for the special permit.
5. On March 31, 2016, the applicant began advertising the availability of the cellar and ground floor for conforming uses. The applicant also wrote letters to 12 local and citywide industry groups to notify them of the availability of the space for conforming uses, based on an outdated list from DCP that does not include nationwide MLS services such as LoopNet or CoStar.
6. The rent set for the development site in concert with DCP was \$80 per square foot, applied to both the ground floor and cellar space.
7. At the CPC hearing on July 10, the commissioners questioned whether \$80 per sf is a viable rate for manufacturers and whether the list of 12 organizations approved by CPC is still appropriate.

8. On December 22, 2016 with respect to the ULURP application for 34 Howard St., the Borough President addressed her concerns with the required good faith marketing effort and wrote of the need for DCP “to work with our office on improving the process for this special permit.”
9. On March 17, 2017 with respect to fair market price and the ULURP applications for 357, 359 and 361 Canal St. and again on May 22, 2017 with respect to same for 462 Broadway, the Borough President frowned on rates of \$70 and \$80 per sf for manufacturing (rates discussed and set with DCP) and wrote, “If we are to continue to review 74-781 special permit applications in the absence of a study, we must insist that the Department of City Planning set an appropriate manufacturing price per square foot or provide applicants with an appropriate range and that such a range be based upon what manufacturers might pay for space in Lower Manhattan, and not some type of formula based upon the commercial, retail or residential value of the space.”
10. The Borough President was also opposed to charging for cellar space in the case of 462 Broadway.
11. All marketing efforts were presented as unsuccessful.
12. Applicant included the ads, letters, and the inquiries log.
13. The building does not have a Certificate of Occupancy.

Therefore, be it resolved that CB2, Man. recommends approval of this application and once again urges DCP to overhaul its outdated “good faith marketing” program and adjust the rates it counsels applicants to set.

Vote: Unanimous, with 41 Board members in favor.

5. 700 Broadway (Corner of 4th Street) BSA Cal. No 2017-208-BZ is an application for a new special permit for a physical culture establishment ("PCE") called Rumble Fitness LLC for a portion of cellar and ground floor in a commercial building, pursuant ZR 73-36.

Whereas:

1. A term of 10 years is requested.
2. This building was the first “green” building ever.
3. Because the facility is located entirely within the existing building, it will not interfere with any public improvement projects.
4. Hours of operation will be 5:30am to 10pm Monday through Friday and 6:30am to 7pm Saturday and Sunday. The proposed PCE is designed for class use only and each class will have a maximum capacity of 60 occupants.
5. The PCE is ADA-accessible.
6. Sound attenuation measures have been taken.
7. The PCE does not contain any sports facilities or swimming pools and it does not offer any massage, therapeutic or other relaxation therapy.
8. The PCE has no potential hazards or disadvantages that will adversely impact the privacy, quiet, light and/or air within the neighborhood.
9. There are two open Environmental Control Board violations and 11 open DOB violations for the premises, but they do not relate to the PCE and they will be cleared before the PCE is permitted to get a Certificate of Occupancy.
10. No one from the neighborhood appeared to speak against this application.

Therefore, CB2, Man. has no objection to this application.

Vote: Unanimous, with 41 Board members in favor.

LANDMARKS

1. ***45 Bond St. - Application is to replace the storefront, (doors, windows, glass) at the 1st and 2nd floors.**

Whereas:

- A. The second floor windows will be one over one suitable to the building; and
- B. The infill preserves the existing design with curved corners in the window frames and transoms, a suitable bulkhead, all with steel framing for which sample materials in flat black were shown, and
- C. The applicant represented that no historic photographs were available, and
- D. Two suitable lights will be installed beside the doorway, now

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

Vote: Unanimous, with 38 Board members in favor.

2. ***408-410 Avenue of the Americas – Application is to legalize rooftop mechanical equipment pieces installed without LPC permits.**

Whereas:

- A. A considerable amount of mechanical equipment has been installed over time without permits; and
- B. Care has been taken to install the equipment as far from the facade as practical in order to minimize the visibility from a public thoroughfare, and
- C. Certain ductwork that is visible will be lowered so that it is not visible, now

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

Vote: Unanimous, with 38 Board members in favor.

3. ***76 Wooster St. - Application is to install a previously existing fire escape.**

Whereas:

- A. The proposed fire escape replicates the one shown in historic photograph and is similar to fire escapes on similar buildings in the neighborhood, and
- B. A ladder from the top floor to the roof, required by code for the proposed new use of the building, is in keeping with the style of the fire escape and examples on similar buildings in the district shown in photographs, and
- C. The applicant represented that required Certificate of Occupancy and other Department of Buildings permits have not been secured for the variance and work to convert the use of the building to a use that requires the fire escape, and

- D. The Landmarks Committee takes exception to the review by staff rather than a full Board and Commission consideration of the ground floor storefront infill, signage, and lighting and in order not to inconvenience the applicant it has reviewed this portion of the application, now

Therefore be it resolved that CB2, Man. recommends:

- A. Denial of the application for the fire escape unless a Certificate of Occupancy and other permits are secured in connection with the conversion of the building to a use that requires the installation of the fire escape, and
- B. The Board recommends that the storefront infill, signage and lighting are acceptable.

Vote: Unanimous, with 38 Board members in favor.

4. *143 Spring St. – Application is to install a barrier free access ramp at existing storefront on Wooster Street side.

Whereas:

- A. A sidewalk ramp leading to entrance of the contemporary portion of the building in diamond plate with steel railings similar to examples in the district is proposed, and
- B. The proposed plan retains required sidewalk width between the ramp and the tree pit opposite; and
- C. The applicant represented that lowering the entryway and installing an interior ramp or lift would intrude on the ceiling height in the cellar below which is used for storage, now

Therefore be it resolved that CB2, Man. recommends:

Denial of the application in that there are alternative reasonable layouts inside the building to achieve the ADA entrance requirement without occupying sidewalk public space.

Vote: Unanimous, with 38 Board members in favor.

- 5. *116 Prince St. - Application is to paint a mural on the west side of the building. (laid over)**
- 6. *41 Greenwich Ave. - Application is to reconstruct the brick façade in kind with matching historic brick, replace lintels and sills in cast stone to match the historic stone, replace windows in kind, and replace the existing cornice in a fiberglass assembly to replicate the historic profile.**

Whereas:

- A. The front facade is deteriorated, as illustrated in photographs and attested to by the structural engineer retained by the applicant, and will be rebuilt, and
- B. The brickwork will be reproduced in kind; matching the existing facade, and

- C. The third and fourth story windows will reproduce the existing windows in kind, and
- D. The second floor small window is to be replaced with a window similar to the other existing window openings on the same floor the existing windows match the upper stories, and
- E. The second floor windows lack a sill, disturbing the historic pattern and proportion of the fenestration, and
- F. The ground floor entrance is to be raised to street level with a simple surround and the windows are, now

Therefore be it resolved that CB2, Man. recommends:

Denial of the application, unless the storefront of the ground floor is lowered to reveal the three windowsills to match the upper stories windows.

Vote: Unanimous, with 38 Board members in favor.

- 7. ***308 W. 4th St. - Application is to alter the windows at the West 4th Street (east) façade at the 1st floor, to alter the rear façade, and to excavate the rear yard.**

Whereas:

- A. The windows on the third and fourth floors are to be replaced by historically correct six over six windows, and
- B. It is proposed to remove historical material from below the existing, original parlour floor window openings in order to accommodate six over nine windows which, though they are prevalent in the neighborhood, are historically inaccurate for this building, and
- C. The entryway and window frames will be painted black; and
- D. the non-historic window and door on the parlor level, and deck and stairs to the rear garden will be removed, and
- E. The proposed single pane tilt windows, replace the appropriate double hung one over one windows in the rear façade, and the full width wall of floor to ceiling windows at the garden level show no historic regard for proportion of masonry to glazing, and are aggressively modern, disturb the integrity of the building and are totally inappropriate in a row house, and
- F. The rear garden is to be lowered two feet with a 30-inch perimeter to assure that adjoins properties are not disturbed, now

Therefore be it resolved that CB2, Man. recommends:

- A. **Approval of the front facade upper windows and paint color of the windows and doorway, and**

- B. Denial of the alteration of the window openings in the front facade parlour windows, and**
- C. Approval of the reconfiguration of the rear facade window openings and the lowering of the garden, and**
- D. Denial of the rear façade single pane windows on the upper floors and the full width wall of floor to ceiling windows at the garden level.**

Vote: Unanimous, with 38 Board members in favor.

8. ***83 Wooster St. – Application is to install/paint a wall sign directly on the side wall.**

Whereas:

- A. An existing historic ghost sign contributes greatly to the landmark and aesthetic character of the neighborhood, and
- B. Even a temporary covering of the existing sign would deprive the neighborhood of enjoyment of this emblematic bit of history, and
- C. The existing sign, as a “ghost” sign and on account of its age, is presumed to be in a delicate condition, and
- D. The applicant represented, without substantiation or plausible explanation of the method to be used, that the proposed sign to be painted over the existing sign could be applied and removed without harm to the existing sign, and
- E. There was very considerable strong opposition to making any change that endangers or obscures the sign by the public in writing and delivered by a resident of the district,

Therefore be it resolved that CB2, Man. strongly recommends denial of this proposal.

Vote: Unanimous, with 38 Board members in favor.

QUALITY OF LIFE

New Applications for revocable consents to operate an unenclosed sidewalk café for:

1. **Tomino, LLC d/b/a Tomino Taberna Gallega, 192 Grand St. between Mulberry and Mott with 7 tables and 14 chairs (1579-2017-ASWC)**

Whereas, the applicant intends to open a full service restaurant serving Spanish cuisine in September of 2017; and

Whereas, the applicant appeared before the CB2 SLA committee in November of 2016 and stated that the sidewalk café will close by 10 PM Sunday through Thursday and by 11 PM Fridays and Saturdays and the applicant reiterated his compliance with those hours; and

Whereas, the applicant attested that all sidewalk furniture and fencing would be stored inside the restaurant overnight; and

Whereas, the plans presented by the applicant indicate that the unenclosed sidewalk café meets all clearance requirements; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of a sidewalk café for **Tomino, LLC d/b/a Tomino Taberna Gallega, 192 Grand St.** with 7 tables and 14 chairs, provided that the aforementioned conditions are met, and that the application conforms with all applicable zoning and sidewalk café laws.

VOTE: Unanimous, with 41 Board Members in favor.

2.A Bar Giacosa, Corp, d/b/a Il Pittino, 270 6th Avenue at Bleecker Street with 6 tables and 12 chairs (8756-2017-ASWC)

Whereas, this applicant came before CB2, Man. in September of 2015 with this same proposed sidewalk café with 6 tables and 12 chairs and CB2 unanimously voted to recommend denial of the application as the café is adjacent to an approved, designed, but not yet constructed, renovation of the Department of Parks community plaza called Little Red Square; and

Whereas, in September of 2015, the applicant was informed that the plaza renovation was to begin construction in early 2016 and the applicant withdrew the application as the fencing around the construction would prohibit the operation of the sidewalk café; and

Whereas, it is July 2017, and construction has still not yet begun on the renovation of the community plaza and the applicant expressed that he had lost possible revenue waiting for the construction to begin and believed he had waited a reasonable amount of time before reapplying; and

Whereas, CB2, Man. was informed by a representative from the Department of Parks that “based on getting a qualified low bid, the construction would begin in Spring 2018 and last one year”; and

Whereas, the applicant stated that he hoped to have the restaurant and sidewalk café operational by early fall of 2017 and that he would cease operation of the sidewalk café at such time as the plaza renovation construction begins; and

Whereas, the applicant attested that once construction of Little Red Square is complete, and if the proposed sidewalk café plan does not comply with clearance requirements based on the new plaza, the applicant would submit a new proposed sidewalk café plan that conforms with all applicable zoning and sidewalk café laws; and

Whereas, the applicant stated that the sidewalk café will close by 10 PM on Sundays, 11 PM Monday through Wednesday and by 12 AM Thursday through Saturday; and

Whereas, the applicant agreed that the café furniture will be stored within the restaurant overnight; and

Whereas, the applicant has been the owner of Bar Pitti, located next door at 268 6th Avenue, since 1992 and a neighbor spoke in favor of this application citing the applicant’s history of keeping both the sidewalk café and the surrounding area well-maintained and clean; and

Whereas, the applicant presented a petition of 72 signatures, 32 of which are from residents listed at an address within 5 blocks of the proposed sidewalk café, that state support of this proposed application; and

Whereas, in the interim of this applicant’s 2015 application, the restaurant Da Silvano, which operated an expansive sidewalk café at 260 6th Avenue within this same plaza, has permanently closed and therefore the total number of sidewalk cafes currently operating on this block would not be increased; and

Whereas, no member of the public appeared at the Quality of Life Committee meeting to speak in opposition to this application; now

Therefore Be It Resolved that CB2, Man. recommends approval of a sidewalk café for **Bar Giacosa, Corp, D/B/A Il Pittino, 270 6th Avenue with 6 tables and 12 chairs**, provided that the aforementioned conditions are met, and that the application conforms with all applicable zoning and sidewalk café laws.

The above resolution failed. Please see the substitute resolution below.

2B. Bar Giacosa, Corp, d/b/a Il Pittino, 270 6th Avenue at Bleecker Street with 6 tables and 12 chairs (8756-2017-ASWC)

Whereas, one of the key objectives of the designed, approved, and funded renovation of the square – along with beautification - is safety improvements aimed at addressing the danger create- because this corner is on a complicated, five street intersection for pedestrians through which many children pass each day - not just to get to Little Red Schoolhouse, but to other schools in the vicinity; and

Whereas, the proposed sidewalk cafe will intrude into the internal walkway in the renovated park running near the buildings between 6th Ave. and Bleecker St. as the chairs and tables as well as working wait staff and waiting patrons will discourage pedestrians from the internal pathway and back towards the curb of 6th Ave, thereby reducing some of the desired safety benefits from the renovation; and

Whereas, though the owner has pledged to be flexible as the renovated park progresses, closing during renovation and submitting a new design if the sidewalk café intrudes into the park, there will be no way to enforce this pledge and once it is set it will be hard to change or reduce the size of the café. In addition, CB2, Man. has asked if a temporary or shorter than 2-year term could be granted in this case and has been told by our Councilmember’s Land Use director that new sidewalk cafe consents are for two years and cannot be modified; and

Whereas, the information and maps provided by the Parks Department show that the proposed area for the sidewalk cafe is within this public park and the applicant has not provided any survey or map to show that the proposed area is a sidewalk and not part of a public park; and

Whereas,

- the sidewalk cafe guidelines state: “All sidewalk cafes shall maintain a minimum clearance of fifteen feet from large obstructions. For the purpose of this subsection, large obstructions shall be bus stop shelters, newsstands, subway entrances or any other object larger than fifteen square feet in area. The closed end of a subway entrance located along the front line may abut a sidewalk café.”

- And the fenced planting area in the new park design that will exist opposite the restaurant will be more than fifteen square feet in area and therefore a "large obstruction", thereby requiring the café to be 15 feet from this feature, which does not appear possible.

Therefore be it resolved that CB2, Man. recommends **DENIAL** of a sidewalk café for **Bar Giacosa, Corp, d/b/a Il Pittino, 270 6th Avenue with 6 tables and 12 chairs**.

VOTE: Passed, with 34 Board members in favor; 7 in opposition (W. Bray, R. Chattree, J.Gallagher, P. Laraia, R. Riccobono, R. Sanz, S. Wittenberg).

4. Local & Vine Co Corp. , d/b/a Local & Vine, 282 Hudson Street between Dominick and Spring Streets with 9 tables & 18 chairs (8835-2017-ASWC)

Whereas, the applicant amended its original proposed sidewalk café plan to reflect that the 3 foot required service aisle will be located within the planters that delineate the boundaries of the sidewalk café and that said planters will not rise above 30 inches in height which includes the height of the plants themselves; and

Whereas, the amended plans presented by the applicant indicate that the sidewalk café meets all clearance requirements; and

Whereas, the applicant attested that all sidewalk café furniture would be stored in the restaurant overnight and that the planters would be secured against the façade of the restaurant when the café is not in service; and

Whereas, no member of the public appeared at the Quality of Life Committee meeting to speak in opposition to this application; now

Therefore Be It Resolved that CB2, Man. recommends approval of a sidewalk café for **Local & Vine Co Corp. , d/b/a Local & Vine, 282 Hudson Street with 9 tables & 18 chairs**, provided that the aforementioned conditions are met, and that the application conforms with all applicable zoning and sidewalk café laws.

VOTE: Unanimous, with 41 Board Members in favor.

Street Activity Applications

1. Wednesday, 8/23/17 - AOL Fashion Show, East 4th St. between Broadway and Lafayette St.

Whereas, the applicant did not appear to speak to this application; now

Therefore Be It Resolved that CB2, Man. recommends **DENIAL** of the AOL Fashion Show, East 4th St. between Broadway and Lafayette St. on August 23, 2017.

VOTE: Unanimous, with 41 Board members in favor

2. Thursday, 8/31/17 – The New School Annual Block Party; East 13th Street between 5th Avenue and University Place

Whereas, the applicant wishes to host this 20th annual block party to welcome new and returning students and faculty to The New School; and

Whereas, this event was previously held on 12th Street between 5th and 6th Avenues and the applicant has proposed this new location to be closer to the recently opened The New School University Center building; and

Whereas, the applicant wishes to close East 13th Street between 5th Avenue and University Place from 1 p.m. until 8 p.m.; and

Whereas, the applicant indicated that The New School Staff handed out a flyer on this block during the first week of July notifying neighboring residents and businesses of this proposed street activity and that businesses on this block will be invited to have a table at the event if they so choose; and

Whereas, the event will use no amplified sound on the block and will be staffed by The New School's security department in conjunction with the 6th Precinct; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of The New School Annual Block Party, East 13th Street between 5th Avenue and University Place on August 31, 2017.

VOTE: Unanimous, with 41 Board members in favor.

3. Friday, 9/8/17 – Dyson Supersonic Tour, Astor Place Plaza.

Whereas, the applicant indicated that they hope to host this event in Union Square but that location was inadvertently double-booked and the Astor Place Plaza is a back-up location should Union Square not be available; and

Whereas, this event is contained within the pedestrian plaza directly in front of the Chase Bank with an event footprint of 40 feet by 60 feet with the ability to condense the footprint to 35 feet by 50 feet, if necessary and the event requires no street closures; and

Whereas, the applicant wishes to hold this event to feature a new product, the Dyson Supersonic Hairdryer, and will operate a temporary blow-dry bar offering free blow-dry services to any interested guests; and

Whereas, the applicant will begin set-up of the event at 6 AM on 9/8/17 and will be clear of the space by 7 PM on 9/8/17;

Therefore Be It Resolved that CB2, Man. recommends **approval** of the Dyson Supersonic Tour in Astor Place Plaza on September 8, 2017.

VOTE: Unanimous, with 41 Board members in favor

4. Friday, 9/15/17 – Children's Museum of the Arts Kids Fair, Charlton Street between Varick and Hudson Streets.

Whereas, this applicant held this event on May 21, 2017 on Charlton Street between Hudson and Greenwich Streets, with no known complaints from the community; and

Whereas, the applicant wishes to host the event on this block in order to attract more professionals and their families that work in the area and to educate them about the mission of the museum; and

Whereas, the fair is free and open to the public and will feature local family-friendly vendors who pay a nominal fee to participate as well as free community art activities facilitated by museum teaching artists; and

Whereas, the applicant will begin set-up for the event starting at 8 AM on September 15 and breakdown of the event will be concluded by 8 PM on the same day; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of the Children’s Museum of the Arts Kids Fair, Charlton Street between Varick and Hudson Streets on September 15, 2017.

VOTE: Unanimous, with 41 Board members in favor

5. Sunday, 9/24/17 – First Freedoms Festival, University Place between East 9th and East 13th Streets.

Whereas, the applicant did not appear to speak to this application; now

Therefore Be It Resolved that CB2, Man. recommends **DENIAL** of the First Freedoms Festival, University Place between East 9th and East 13th Streets on September 24, 2017.

VOTE: Unanimous, with 41 Board members in favor.

6. Saturday, 9/30/17 – Our Lady of Pompeii Church 6th Avenue Festival, 1) Bleecker Street between 6th and 7th Avenues, 2) Carmine Street between 6th Avenue and Bedford Street.

Whereas, the applicant, complied with an FDNY request and moved their April 8, 2017 street fair from 6th Avenue between West Houston St. and Waverly Place to a new location on 6th Avenue between West 8th Street and West 14th Street; and

Whereas, members of the committee expressed a strong concern regarding any street fairs taking place on an Avenue which serves to disrupt traffic, bus patterns and has the potential to endanger public safety by limiting access for emergency vehicles; and

Whereas, the applicant acknowledged the committee’s concern and agreed to consider a new location for this September fair that would be less disruptive than closing a major Avenue and is proposing this location which the Church is directly adjacent to and was the original site of the Church’s elaborate annual festival that lasted many days; and

Whereas, the applicant expressed that this event is one of two primary fund raising efforts that are crucial to the organization; and

Whereas, members of the committee acknowledged the many contributions made by the applicant to the community over the years of great benefit, including serving as a cooling center in the summer months, providing space for ALANON and other community meetings, and allocating space for senior center operations; and

Whereas, the applicant will begin set-up for the event starting at 8 AM on September 30 and breakdown will be complete by 8 PM on the same day; now

Therefore be it resolved Therefore Be It Resolved that CB2, Man. recommends **approval** of the Our Lady of Pompeii Church 6th Avenue Festival, 1) Bleecker Street between 6th and 7th Avenues, 2) Carmine Street between 6th Avenue and Bedford Street on September 30, 2017.

VOTE: Unanimous, with 41 Board members in favor

7. Saturday, 10/21/17 – Visiting Neighbors Fall Fair; Bleecker Street between Broadway and Lafayette Street.

Whereas, this applicant is well known for its good works within the community and a similar event has been held successfully at other locations within CB2 in the past with no known complaints from the community; and

Whereas, a similar event was previously held on Charlton Street between Greenwich and Hudson Streets on May 19, 2017 and the applicant has proposed this new location to attract greater interest in the organization and its mission; and

Whereas, the applicant will begin set-up of the fair at 8 AM on September 30 and breakdown will be complete by 8 PM on the same day; now

Therefore Be It Resolved that CB2, Man recommends **approval** of the Visiting Neighbors Fall Fair, Bleecker Street between Broadway and Lafayette on September 21, 2017.

VOTE: Unanimous, with 41 Board members in favor

FYI/Renewal Street Activities

8. Saturday, 10/14/17 – Bedford Downing Block Association Sidewalk Sale, Downing Street between 6th Avenue and Bedford Street.

Therefore Be It Resolved that CB2, Man. recommends approval of this subject renewal.

VOTE: Unanimous, with 41 Board members in favor.

SLA LICENSING

1. Entity to be formed by Laurent Francois, d/b/a Botanicus Grand, 127 Grand St. 10013 (Restaurant Wine—previously unlicensed location).

A. Whereas, the applicant and the applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new Restaurant Wine license to operate a Vegan Restaurant in a storefront location on Grand Street between Crosby Street and Broadway that has never been previously licensed for the sale of liquor; and

B. Whereas, the storefront premises has never previously operated for eating and drinking and was last operated as an art supply store but there will be no new mechanical systems which will be installed and the existing HVAC system is to remain; and

C. Whereas, the storefront premises is approximately 3,336 Sq. ft. (1,668 sq. ft. ground floor and 1,668 sq. ft. basement—basement for storage and prep only), two patron bathrooms, 13 tables with an aggregate 53 seats and one (1) bar/food counter with eight (8) seats (food service counter, but alcohol will be served over it) for a total patron seating capacity of 61, there is no sidewalk café and no other outdoor areas for patrons, the location does not have and will not install operable windows; and,

D. Whereas, the hours of operation will be from 7 AM to 9 PM even days a week, 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 will be closed by 9 PM every night, there will be no dj, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, and only one (1) television; and,

E. 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 Restaurant Wine license and the stipulations are as follows:

1. The premises will be advertised and operated as a Vegan Restaurant.
2. The hours of operation will be from 11 AM to 11 PM Sunday through Saturday.
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will have one (1) television.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden, sidewalk cafe or any outdoor area for commercial purposes.
7. The premises will play quiet ambient, recorded background music only.
8. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. Exterior doors will be kept closed after 9 PM every night.
10. There will be no unlimited food and drink specials, "boozy brunches, or pitchers of beer.
11. There will be no "bottle service" or sale of bottles of alcohol except for the sale of wine products.
12. A certificate of occupancy or letter of no objection permitting use and occupancy for eating and drinking will be obtained from the Dept. of Buildings prior to issuance of liquor license.

F. Whereas, this application being for the service of Beer and Wine only and thus not subject to the 500 Foot Rule;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of an alteration application to an existing on premise license to **Entity to be formed by Laurent Francois, d/b/a Botanicus Grand, 127 Grand 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" on the Restaurant Wine License.

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

2. The Woo, Inc., d/b/a Pending, 206 Spring St. 10012 (OP – Restaurant)

A. Whereas, the applicant and his attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application for a new on premise liquor license to operate a full-service Korean Barbeque Family Restaurant in a mixed use building (circa 1917) on Spring Street between 6th Avenue and Sullivan Street (block # 490/ lot #23) in the SoHo neighborhood; and,

B. Whereas, the three-story premises is approximately 5,684 sq. ft. (Cellar is 1,284 sq. ft., 1st floor is 2,200 sq. ft. and 2nd floor is 2,200 sq. ft. – with the basement premises being for storage and ancillary purposes only and not for eating and drinking); a certificate of occupancy was presented which permits

eating and drinking on the first and second floors with storage, kitchen and accessory toilets in the cellar, the premises having previously been occupied and operated as Costata, a full-service Italian steak restaurant; and,

C. Whereas, the applicant's proposed hours of operation will be Sunday through Thursday from 12:00 p.m. to 11:00 p.m., and Friday and Saturday from 12:00 p.m. to 11:30 p.m., and have a total of 27 tables with 108 seats and one (1) bar with 10 seats for a total capacity of 118 and a maximum occupancy of 161, there will be no sidewalk café or other outdoor areas for the service of alcohol; music will be quiet background only consisting of music from ipod, there will be no d.j., no promoted events, no cover fees, no velvet ropes, no movable barriers and there will be no TVs; and,

D. Whereas, the applicant stipulated that they would obtain a public assembly permit before issuance of a liquor license; and,

E. Whereas, the applicant signed and notarized a stipulations agreement with CB2, Man. which are the following:

1. This will be advertised and operated as a full service, traditional Korean BBQ Restaurant only.
2. The hours of operation will be Sunday to Thursday from 12:00 p.m. to 11:00 a.m., and Friday and Saturday from 12:00 p.m. to 11:30 a.m.
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. There will be no televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden, sidewalk café or any outdoor area for commercial purposes.
7. The premises will play quiet ambient recorded background music only.
8. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. There will not be any French doors or windows installed to the front façade and all existing doors and windows will be closed by 9 PM every night.
10. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
11. No outdoor tables or furniture will be placed on the sidewalk in front of the premises.
12. There will be no "bottle service" on the sale of bottles of alcohol except for the sale of bottles of wine products.
13. The applicant will obtain a public assembly permit prior to issuance of liquor license.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an alteration to an existing OP license to **The Woo, Inc., d/b/a Pending, 206 Spring 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" for the OP License.

Vote: Unanimous, with 41 Board members in favor.

3. The Wing Soho, LLC, d/b/a The Wing, 52 Mercer St. aka 477 Broadway 10013 (OP – Work-share Space with Café – previously unlicensed location).

A. Whereas, the Applicant and her Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority for an on premise license to operate a café within an existing Work-share office space by membership only; and,

B. Whereas, the premises is an office space in a si- story commercial use building located on the fifth floor with an entrance on Mercer Street between Grand and Broome Streets in Soho in a roughly 9,000 sq. ft. premise and the applicant seeks to operate a café within this office space with 33 tables and 122 seats (includes lounge and couch seating), one standup bar with no seats for a total seating capacity of 122 patrons; the applicant not presenting a certificate of occupancy which permits eating and drinking at these premises; and,

C. Whereas, the applicant appeared twice in front of CB2, Manhattan’s SLA Licensing Committee, the first time in June seeking to license the entire 9,000 sq. ft. space until learning that the premises being located within M1-5B zonings is not an allowable use, Section 42-14 (D) (3) establishing that no eating or drinking place may be larger than 5,000 square feet; and

D. Whereas, because of this Zoning restriction, among others presented, the Applicant returned in July/2017 with a new plan to cordon off a 3,150 sq. ft. section of the entire 9,000 sq. ft. space in an attempt to circumvent the zoning restrictions, stating an occupancy at less than 75, the applicant suggesting that they would thus be able to obtain the requisite permit to operate the café as an eating and drinking establishment; and.

E. Whereas, the hours of operation for the café and work space will be 8AM to 11PM, seven days a week, there will be no operable facades or outdoor spaces, no TVs, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j.s, no scheduled performances or cover fees, no velvet ropes, no movable barriers but there will be private parties; and,

F. Whereas, the menu for the café includes “small bites”, sandwiches, salads and lite fare only, albeit it with coffee, pressed juices, wine and cocktails; and,

G. Whereas, the applicant not being able to establish the proper permits to operate an eating and drinking establishment within a designated space with an existing occupancy for office uses only, the certificate of occupancy not permitting eating and drinking, there being zoning regulations in the area of Soho which do not permit eating and drinking in a space this size even with a special permit, there being no letter of no objection (LNO) or other documentation from the NYC Department of Buildings permitting this type of use and occupancy, the applicant not willing to consider a beer and wine license at this premises, thus triggering the obligation to establish a public interest, the prerequisite of which is to establish that all the proper permits are in place prior to the issuance of such license; and,

H. Whereas, members of the Community appeared in opposition to this application citing zoning regulations applicable to Soho, as well as voicing concerns that other similar type attempts to convert office space into eating and drinking locations could proliferate in the future in the area, which also has a significant residential population, and that this application should not be permitted to occur; and,

I. Whereas, CB2, Man. has serious concerns about whether the proper permits to operate an eating and drinking establishment open to the public could ever be issued for these premises, that despite the efforts to cordon off the café area within the larger foot print the floor plan and anticipated occupancy will be greater than 74 and that NYC Zoning Regulations do not permit such occupancy and use within these premises;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** for **The Wing Soho, LLC, d/b/a The Wing, 52 Mercer St. aka 477 Broadway 10013 10012** on its application seeking a new OP license; and

THEREFORE BE IT FURTHER RESOLVED that should this application be considered by the SLA, CB2, Man. respectfully requests that this item be Calendared to appear before the Full Board of the SLA; and

THEREFORE BE IT FURTHER RESOLVED that if this application is considered by the SLA, despite CB2, Manhattan’s recommendation to deny this application, CB2, Man. requests that the SLA conduct a 500 foot hearing.

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:

4. 135 Tart, LLC, d/b/a Once Upon A Tart, 135 Sullivan St. 10012 (Upgrade to full liquor-Withdrawn)

A. Whereas, the applicant presented before CB2 Man. to upgrade their existing Restaurant Wine license to an on-premise license, and to extend their late night hours to 12 AM during the week and 1 AM on the weekends, for the purpose of continuing to operate a café and bakery simultaneously in two separate, unconnected and distinct “North” and “South” storefronts on the ground floor of a 6 story residential building (circa 1900) located on Sullivan Street between West Houston and Prince Streets; and

B. Whereas, at the meeting there was both support and opposition to the application, the SLA Committee voting to recommend denial of the OP license application at this location; and

C. Whereas, the applicant thereafter requested in writing **to withdraw** their instant application from further consideration at this time and stated that they would not move forward with their instant application at the NYS SLA and instead would perform more outreach with its neighbors in opposition for the purpose of addressing the concerns of the community and CB2, Man. and plans to come back in the future to represent another application and by filing a new 30 day notice;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **135 Tart, LLC, d/b/a Once Upon A Tart, 135 Sullivan St. 10012** **until** the Applicant has properly 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.

5. FT 328, LLC, d/b/a Bar Veloce, 328 W. 12th St. 10014 (OP – Bar/Tavern).

A. Whereas, the applicant presented before CB2, Man. for a new on premise license to operate a wine bar and tavern in a five story townhouse (circa 1900) located on the corner of West 12th and Greenwich Streets in a historic residentially zoned area; and

B. Whereas, the location was previously operated as the Restaurant Recette, there being significant opposition to this application with twelve neighbors living in the immediate area and adjacent to the storefront premises appearing in opposition, there being over 20 emails sent to CB2, Man. in opposition to this application; and

C. Whereas, in light of such opposition the applicant withdrew his application and plans to serve a new 30-day notice and for the purpose of presenting an application for a Tavern Wine license at the same premises;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **FT 328, LLC, d/b/a Bar Veloce, 328 W. 12th St. 10014** **until** the Applicant has properly 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.

6. 9 Crosby, LLC & Interstate Management Company LLC, d/b/a Nomo Soho, 9 Crosby St. 10013 (OP Alteration Hotel—Withdrawn)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on July 11, 2017, the Applicant requested to withdraw its application from further consideration;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **9 Crosby, LLC & Interstate Management Company LLC, d/b/a Nomo Soho, 9 Crosby St. 10013** **until** the Applicant has properly 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.

7. Mott Street Baking Company, LLC, d/b/a Little Cupcake Bake Shop, 30 Prince St. 10012
(TW – withdrawn)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on July 11, 2017, the Applicant and his counsel requested to withdraw this application from further consideration, there being no patron bathroom accessible within the premises as previously presented;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Mott Street Baking Company, LLC, d/b/a Little Cupcake Bake Shop, 30 Prince 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.

8. YN Winebar, LLC, d/b/a N/A, 227 Mott St. 10012 (OP – Pub/Tavern) (Transfer OP—laid over at request of Applicant).

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on July 11, 2017, the Applicant requested to lay over this application for an on premise license to August/2017;

THEREFORE BE IT RESOLVED that CB, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **YN Winebar, LLC, d/b/a N/A, 227 Mott 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.

9. Vittorio Assaf, d/b/a Serafina, 406 Broome St. 10012 (On Premise —Withdrawn)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on July 11, 2017, the Applicant requested to withdraw this application from further consideration and will not move forward with the application to the New York State Liquor Authority;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Vittorio Assaf, d/b/a Serafina, 406 Broome 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.

10. Sugar Beets, Inc., d/b/a Maman, 237-239 Centre St. 10013 (OP – Restaurant/Bakery Café) (laid over)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on July 11, 2017, the Applicant requested to lay over this application for an on premise license to August/2017;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Sugar Beets, Inc., d/b/a Maman, 237-239 Centre St. 10013** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

11. Svetlana Sky or Corp. to be formed, d/b/a Fork and Parrot, 519 Broome St. 10013 (OP – Previously Unlicensed - includes Live Music and Outdoor Seating—laid over at request of Applicant)

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on July 11, 2017, the Applicant requested to lay over this application for an on premise license to August/2017;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Svetlana Sky or Corp. to be formed, d/b/a Fork and Parrot, 519 Broome St. 10013** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

12. Murray’s Table LLC, d/b/a Murray’s Cheese Bar, 264 Bleecker St. 10014 (RW – Restaurant)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a corporate change to an existing restaurant wine license SN# 1263765 for a high-end wine and cheese bar restaurant; and,

ii. Whereas, this application is for an existing restaurant wine license in a mixed-use building on Bleecker St. between Morton St. and Cornelia St. for a roughly 1,618 sq. ft. premise (ground floor 1,150 sq. ft., cellar 468 sq. ft.); there are 15 tables and 36 table seats, 2 standup bars with 18 seats for a total of 54 seats; there is no outdoor seating, a Certificate of Occupancy was presented; and,

iii. Whereas, the hours of operation will be 8AM to 12AM 7 days a week (all patrons will be cleared from the ground floor of the premises and no patrons will remain after stated closing time), all doors will be closed by 10PM daily, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. Whereas, the Applicant executed an updated stipulations agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated in to the method of operation on the restaurant wine license stating that:

1. Premise will be advertised and operated as a high-end wine and cheese bar restaurant.
2. The hours of operation will be from 8AM to 12AM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only on the interior. All music levels and volumes will at all times comply with all New York City Laws and Regulations and will not be audible in adjacent residences at anytime.
8. The premises will not have DJ's, live music, cover charges or promoted events.
9. The premises will close all doors & windows at 10PM every night and anytime there is amplified music.
10. The premises will not have French doors, operable windows or open facades.
11. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
13. Will post a “please be considerate to neighbors” style sign in window.
14. All refuse will be kept inside the premises until 2 hours before pickup.
15. Will continue to maintain appropriate soundproofing and will continue to maintain the soundproofing on the ventilation system.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a corporate change for the existing restaurant wine license for **Murray's Table LLC, d/b/a Murray's Cheese Bar, 264 Blecker 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 Wine License.

Vote: Unanimous, with 41 Board members in favor.

13. MK Restaurants, LLC, d/b/a Mekki, 15 West 8th St. 10011 (OP - Restaurant)

i. Whereas, the Applicant and attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a Moroccan restaurant focusing on great food and drinks with a famous chef from Morocco; and,

ii. Whereas, this application is for a new restaurant on-premise liquor license in a currently licensed premise located in a mixed-use building on the ground floor and basement on West 8th Street between Fifth Ave. and Six Ave. for a roughly 2,620 sq. ft. premise (1,800 sq. ft. ground floor patron use, 820 sq. ft. accessory basement, no patron use) with 28 tables and 58 seats and 1 bar with 8 seats, there is no sidewalk café and there are no other outdoor areas for patrons, the applicant submitted an incorrect Certificate of Occupancy dated April 5th, 1962, the last current Certificate of Occupancy listed on the NYC DOB Buildings Information System was a temporary Certificate of Occupancy #112410 which expired July 8th 1997, that C of O was never renewed; this building has multiple existing ground floor uses; no letter of no objection pertaining to this specific location within the building was presented; the applicant agreed to present a new letter of no objection or Certificate of Occupancy dated after July 12th, 2017 for this specific location within the building; and,

iii. Whereas, the hours of operation will be Saturday and Sunday from 10AM to 12AM and Monday to Friday from 11:30AM to 12AM, all patrons will be cleared and no patrons will remain after stated closing times, 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 all times except for patron ingress and egress, there will be no d.j., no promoted events, no live music, no private parties, no scheduled performances or cover fees, there will be no TV's, there will be no use by patrons of the basement; and,

iv. Whereas, the Applicant agreed to execute a stipulations agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated in to the method of operation on the restaurant on-premise liquor license stating that:

1. Premise will be advertised and operated as a Moroccan restaurant focusing on great food and drinks with a famous chef from Morocco as presented.
2. The hours of operation will be Saturday and Sunday from 10AM to 12AM and Monday to Friday from 11:30AM to 12AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only on the interior. All music levels and volumes will at all times comply with all New York City Laws and Regulations and will not be audible in adjacent residences at anytime.
8. The premises will not have DJ's, live music, cover charges or promoted events.
9. The premises will close all doors & windows at all times.
10. The premises will not have French doors, operable windows or open facades.
11. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
13. Will not change the front façade.
14. All live music components have been removed.
15. Will post a “please be considerate to neighbors” style sign in window.
16. Will maintain at all times a restaurant type character.
17. Will work with the Village Alliance BID regarding coordinating trash pickups.

vi. Whereas, the Applicants stated that they had contacted the local Block Association, the West 8th Street Block Association, but the local Block Association stated that that was not the case; a representative of the local Block Association appeared and started their concerns and specific and unique issues on this Block of West 8th Street which has seen a tremendous growth in licensed premises in a short period of time with the support of the local community due to adherence to stipulations agreements that have been agreed to with the Community and Community Board; the Applicant agreed to a number of stipulations to maintain the unique character of this block so as not to impact quality of life and minimize other concerns and to adhere to the specific zoning regulations on this street; and,

vii. Whereas, the applicant presented a petition in support; and,

viii. Whereas, there are currently approximately 16 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant On-Premise Liquor License for **MK Restaurants, LLC, d/b/a Mekki, 15 West 8th St. 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.

14. Rocky’s Pizza 14th Street Corp., d/b/a Rocky’s Pizza, 304-310 West 14th St. 10014 (RW – Restaurant)

i. 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 an exiting pizzeria restaurant; and,

ii. Whereas, this application is for a new restaurant wine license in a mixed use building on 14th St. between 8th and 9th Avenues for a roughly 1,100 sq. ft. premise; there are 7 tables and 27 table seats, 1 service bar; there is no outdoor seating, a Certificate of Occupancy was presented; and,

iii. Whereas, the hours of operation will be 10AM to 4AM 7 days a week; Beer and Wine service will end at 2AM Sunday to Thursday and 4AM Friday and Saturday (all patrons will be cleared from the ground floor of the premises and no patrons will remain after stated closing time), all doors and windows will be closed by 10PM daily, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

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

1. Premise will be advertised and operated as a Pizzeria Restaurant.
2. The hours of operation will be 10AM to 4AM 7 days a week. Beer and Wine service will end at 2AM Sunday to Thursday and 4AM Friday and Saturday. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.

4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only on the interior. All music levels and volumes will at all times comply with all New York City Laws and Regulations and will not be audible in adjacent residences at anytime.
8. The premises will not have DJ's, live music, cover charges or promoted events.
9. The premises will close all doors & windows at 10PM 7 days a week.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have "boozy brunches". No pitchers of beer.
11. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.
12. Will not have any outdoor public seating in front of the establishment.
13. Beer and Wine sales will end at 2AM Sunday to Thursday.
14. Will post signage on the interior indicating that beer and wine service ends at 2AM Sunday to Thursday.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a corporate change for the existing restaurant wine license **for Rocky's Pizza 14th Street Corp., d/b/a Rocky's Pizza, 304-310 West 14th 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 Wine License.

Vote: Unanimous, with 41 Board members in favor.

15. 62 Carmine Corp., d/b/a TBD, 62 Carmine St. 10014 (RW – Restaurant)

i. Whereas, the Applicant and representative appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a "transfer application" of an existing restaurant wine license for a full service Italian restaurant operating with a restaurant wine license; and,

ii. Whereas, this application is for a new restaurant wine license at a currently licensed location in a mixed-use building on Carmine St. between Bedford St. and 7th Avenue South for a premise with approximately 750 sq. ft. on the ground floor and a basement with no patron use; there are 12 tables and 52 table seats and 1 standup bar with 16 seats for a total of 68 seats; there is no sidewalk café and there are no outdoor benches, the location is in a grandfathered commercial space located in residential zoning which prohibits sidewalk cafes; a letter of no objection was presented; and,

iii. Whereas, the hours of operation will be Sunday to Thursday from 11AM to 12AM and Friday from 11AM to 1AM and Saturday from 10AM to 1AM (all patrons will be cleared from the ground floor of the premises and no patrons will remain after stated closing time), all doors will be closed by 10PM daily, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. Whereas, the Applicant executed a stipulations agreement with CB2, Man. that they agreed to submit to the SLA and agreed will be attached and incorporated in to the method of operation on the restaurant wine license stating that:

1. Premise will be advertised and operated as a full service Italian restaurant.
2. The hours of operation will be Sunday to Thursday from 11AM to 12AM and Friday from 11AM to 1AM and Saturday from 10AM to 1AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only on the interior. All music levels and volumes will at all times comply with all New York City Laws and Regulations and will not be audible in adjacent residences at anytime.
8. The premises will not have DJ’s, live music, cover charges or promoted events.
9. All doors and windows will be closed at 10PM every night and anytime there is amplified music. All doors will remain closed after 10 pm except for patron ingress and egress.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
12. There will be no outdoor benches.
13. There will be no patron use of basement.
14. Will install awning over the front of the establishment and entryway after receiving approval from NYC Landmarks Preservation Commission.
15. Music levels will be maintained so as not to be audible outside the premises when windows are open.

vi. Whereas, the applicant’s operate a number of other restaurants in New York City and several within CB2, Man., CB2, Man. has an adverse history of complaints with one of their operations and has objections to another currently pending application for this same Licensee; and,

vii. Whereas, the applicant met with a representative of the local community group and presented a petition in support; and,

viii. Whereas, as a result of the outreach with the local community group, the applicant agreed to stipulate to reduce their hours of operation to reflect the residential nature of the block and zoning and keeping in line with other restaurant operations on the block and it was noted that the establishment which operated at this location closed at earlier hours than stipulated, the operator also agreed to minimize impacts on quality of life by strictly adhering to closing their windows at 10PM and ensuring that no music is audible outside the premises and no outdoor furniture; and,

ix. Whereas, there are currently approximately 27 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new restaurant wine license for **62 Carmine Corp., d/b/a TBD, 62 Carmine 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 Wine License.

Vote: Unanimous, with 41 Board members in favor.

16. Bar Giacosa Corp., d/b/a Il Pittino, 268-270 6th Ave. 10014 (RW – Restaurant)

i. Whereas, in July/2017 the applicant appeared before CB2’s SLA Licensing committee to present an application for a new restaurant wine license to operate an Italian Restaurant in a historic district at 270 6th Avenue between Houston and Bleecker Streets in a seven-story mixed-use building (Circa 1900); the applicant had previously presented a similar application in May/2015, but discontinued the application; and

ii. Whereas, this storefront location was never operated for eating and drinking, was not previously licensed for the service of alcohol and previously operated for many years as a hair salon (Yana Herbal Beauty Salon, est. 1994) and is located immediately adjacent to the main entrance to the The Little Red School House, a K-8 grammar school; and

iii. Whereas, there is no certificate of occupancy and applicant has failed to provide a letter of no objection from the NYC Building Dept. for eating and drinking at the storefront premises; and

iv. Whereas, the interior space will have to be gutted and a kitchen with mechanical systems installed, the interior storefront space being only 381 SF on the first floor storefront with an additional 100 SF basement, there will be 13 interior tables with 26 seats, 1 stand up bar with 8 seats for a total number of interior patron seats at 34, there will be one bathroom, there will be no TVs, music will be background only and the hours of operation for the Restaurant will be from 12 PM to Midnight seven days per week; and,

v. Whereas, the applicant already owns and operates a large Italian restaurant called Bar Pitti located next door at 268 6th Avenue; the applicant states that the application being presented is for an extension of Bar Pitti, but will be a separately licensed establishment and will operate independently from next door, there will be no meat or fish served, there will be an abbreviated menu, there will be no food sharing between the establishments; and,

vi. Whereas, as part of this application, the applicant also seeks to operate a sidewalk café with 6 tables and 12 seats; and

vii. Whereas, the applicant’s restaurant next door, Bar Pitti, operates within two separate storefronts and accordion doors that permit the entire front façade of the restaurant to open out to the sidewalk and further operates with a large sidewalk café with 25 tables and 50 seats; and

viii. Whereas, there are concerns with the lack of any permit to operate the storefront for eating and drinking, that the diagram submitted did not identify or outline a full service kitchen or how certain mechanical systems could be installed for a full service kitchen, that the premises have never been used for eating or drinking or previously licensed for the service of alcohol, that the storefront premises is located immediately next door to the main entrance to a grammar and middle school, that the applicant currently operates an Italian Restaurant in the same building which already occupies two storefronts with an expansive outdoor sidewalk operation, and that there is also a second significantly sized previously licensed restaurant located adjacent to the existing Italian restaurant in the same building occupying an additional three storefronts that recently closed and is currently for rent, for a total of five of six existing storefronts being used for eating and drinking, each with extensive sidewalk café operations; and

ix. Whereas, the proposed sidewalk café will be located within the boundaries of an approved, fully designed and funded, but not yet constructed NYC Department of Parks park/community plaza (Little Red Square) beginning at the corner of Bleecker St. in front of Little Red School, extending southerly on Sixth Avenue in front of 268-270 Sixth Avenue and continuing along the Bar Pitti and the previous De Salvano cafes to the northern end of Passannante Park on Sixth Avenue; the Little Red Square is well used and the redesign was planned and finalized prior well before the proposed sidewalk café at this location was initially presented; the park redesign did not contemplate a sidewalk café at this proposed location and was only designed in contemplation of the previous existing sidewalk cafes bordering Little Red Square, the free flow of pedestrians and pedestrian safety were important elements of the redesign project; there is nothing to cause the applicant to change the sidewalk café design in the future when it becomes clear there is an infringement; The Little Red Square redesign should be fully installed without any infringements and the sidewalk café only be contemplated and reviewed after the redesign is complete to determine whether any infringement would occur; and,

x. Whereas, the NYC Dept. of Parks project originally planned to commence in the Spring of 2016 and is now planned to begin in Spring 2018 and continue for approximately 12 months shall consist of an expansion of the plaza, reconstruction of pavements, fencing, plantings and general construction site work and will include larger plant beds incorporating trees, additional bench seating and expanded lighting, along with clear pathways to encourage efficient pedestrian traffic and addresses the hazardous conditions of existing crosswalks at this location, specifically the six-way intersection of 6th Ave., Bleecker St., Downing St. and Minetta St., which are used by children coming and going to the schools in the area, - Our Lady of Pompeii, Little Red School House, the Academy of St. Joseph, PS 3 and PS 41 - and the design will deliver significant improvement to this end by extending the plaza via removal of the an extra lane on the east side of 6th Ave; and,

xi. Whereas, CB2, Man. participated in the scoping meeting of this park in or about February, 2014 when design commenced; and,

xii. Whereas, the proposed restaurant and sidewalk café will be located less than 50 feet from the entrance to Little Red School House, an elementary and middle school; the area in front of the school and where the proposed sidewalk is to be located is intensively used by the school as an area for after school pickup; as a part of the redesign of Little Red Square, some of the goals of the NYC Dept. of Parks redesign were to create a space for social gathering at the school entrance, provide larger planting areas for children to garden, protect the planting areas with low fencing and to increase seating, storm water capture capacity and to provide park lighting; and,

xiii. Whereas, there continue to exist significant concerns that this application conflicts with a carefully considered and long planned project by the NYC Department of Parks for which, irrespective of goodwill, there is no provision to review this application in the manner suggested by the applicant and the applicant declined to remove the sidewalk café from the application under consideration;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to **Bar Giacosa Corp., d/b/a Il Pittino, 270 6th Ave. 10014** on its application seeking a beer and wine license; and

THEREFORE BE IT FURTHER RESOLVED that should this application be considered, the SLA measure and determine that the proposed sidewalk café does not encroach or improperly infringe upon either the current or the planned expansion of the NYC Dept. of Parks park/plaza known as Little Red Square; and

THEREFORE BE IT FURTHER RESOLVED that should this application be considered by the SLA, CB#2, Man, respectfully requests that this item be Calendared to appear before the Full Board of the SLA.

Vote: Passed, with 31 Board members in favor, and 10 in opposition (W. Bray, L. Cannistraci, R. Chattree, J. Gallagher, N. Gottlieb, D. Gruber, P. Laria, B. Riccobono, R. Sanz, S. Wittenberg).

17. Blokes Retail, LLC, d/b/a N/A, 76 Carmine St. 10014 (OP – Bar/Tavern, including previously unlicensed Sidewalk Café)

i. Whereas, the Applicant provided CB2, Man. with a 30-day notice of their intention to file a new liquor license application at this location via a purchase of assets and was placed on the Agenda for CB2, Manhattan’s SLA Licensing Committee #2 Meeting on in June/2017; CB2, Man. was subsequently informed by the Applicant that they wished to layover the appearance until July/2017; they were placed on the July/2017 Agenda; the Applicant subsequently notified CB2, Man. that they would like to layover their appearance until August/2017 but that in the interim, they would be filing their application with the New York State Liquor Authority; and,

ii. Whereas, CB2, Man. informed the Applicant that CB2 would not waive the request to appear on July 13th as the CB2 Full Board does not meet in August, only the SLA Committees meet and as such the Board would not have a properly voted on position should the Applicant proceed to schedule a 500 ft. hearing prior to the September/2017 CB2 Full Board meeting; CB2, Man. welcomed the Applicant to return in August, but indicated that the Board would vote on a position should the applicant proceed to a 500 ft. hearing prior to CB2 being able to vote on a recommendation in September/2017; and,

iii. Whereas, the applicants materials were distributed to CB2’s SLA Licensing Committee and it was noted that the method of operation for this new application differed significantly from the currently licensed establishment: **(1)** the new application is for a concept barbershop with a coffee and craft liquor bar with a small cafe where they will serve gourmet coffee, craft liquor & cocktails as well as a small menu for breakfast, lunch and dinner; the currently licensed operation is for a full service restaurant, **(2)** the new proposed hours of operation are until 2AM 7 days a week; the current hours of operation are until 12AM during the week and 1AM on weekends, **(3)** the new application is for a Tavern OP License; the current licensed premise operates as a full service restaurant, **(4)** the new application includes changes to the front facade doors and windows which were not described, **(5)** the current licensee stipulated to operate as a restaurant only, **(6)** the current licensee never properly included their sidewalk cafe license into the on-premise liquor license, **(7)** the new applicant appears to have a segregated area within their business for their concept barbershop which appears to have a separate entrance to the street, **(8)** there exist in the area barbershops, craft liquor and coffee shops and cafes and the combination of these concepts into one entity does not in itself make this a unique operation and all these services are available in the area **(9)** the applicant was not present to discuss the nuances of the application and did not make themselves available or a representative available, **(10)** no letter of intent from the landlord or evidence of a lease was provided; and,

iv. Whereas, CB2, Man. regularly requests that applicants not file their application with the Liquor Authority until CB2, Man. has had an opportunity to meet with the applicant, review the application with the applicant and present a recommendation to the Liquor Authority; the applicant had ample opportunity to meet with CB2; the applicant has chosen to move forward with filing their application stating that their ability to file this a “transfer” application would be in jeopardy due to the passage of time; and,

v. **Whereas**, there are significant new elements in this new application that different from the currently licensed operation and would have an impact on quality of life on the surrounding area;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of any new application for an on-premise liquor license or “transfer” application for **Blokes Retail, LLC, 76 Carmine St. 10014**; and

THEREFORE BE IT FURTHER RESOLVED that CB2, Man. respectfully requests that this alteration application be placed on the calendar to be heard before the Full Board of the New York State Liquor Authority prior to any determination.

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:

18. PAALI Enterprises, Inc., d/b/a Nisi, 298-300-302 Bleecker St. 10014 (OP Alteration SN#1280172 - Layover)

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee #2 Meeting on July 13th, 2017, the Applicant requested to **layover** this application for an alteration application for an existing on-premise liquor license SN# 1280172 to add an additional storefront, an additional rear yard and an additional bar in a separate building connected only through an open rear yard outdoor pathway in order to among other things demonstrate that their existing use of the current rear yard is properly permitted and to explain how they intend to secure the proper DOB building paperwork for the newly acquired space and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **PAALI Enterprises, Inc., d/b/a Nisi, 298-300-302 Bleecker 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

19. KUT Operating Corp., d/b/a N/A, 301 Sixth Ave. 10014 (RW – Layover)

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee #2 Meeting on July 13th, 2017, the Applicant requested to **layover** this application for a new restaurant wine license in order to meet with members of the community and to further show how they intend to incorporate mechanicals in this landmarked building and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **KUT Operating Corp., d/b/a N/A, 301 Sixth Ave. 10014** **until** the Applicant has presented

their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

20. Zhang Ba Gou, Inc., d/b/a Xi'an Famous Foods, 313 6th Ave. 10014 (RW – Did not appear)

Whereas, the applicant failed to appear at CB2, Manhattan's SLA Licensing Committee #2 Meeting on July 13th, 2017 after having been placed on the calendar after receipt of a 30 day notice and having been notified several times of their requested appearance;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Zhang Ba Gou, Inc., d/b/a Xi'an Famous Foods, 313 6th Ave. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

21. Bel Fries Foods, LLC, d/b/a Bel-Fries, 195 Bleecker St. 10012 (RW - withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on July 13th, 2017, the Applicant requested to **withdraw** this application for a new restaurant wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Bel Fries Foods, LLC, d/b/a Bel-Fries, 195 Bleecker 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.

22. 29-33 Ninth Avenue, LLC, d/b/a TBD, 29-35 Ninth Ave. 10014 (OP Restaurant - laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on July 13th, 2017, the Applicant requested to **layover** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **29-33 Ninth Avenue, LLC, d/b/a TBD, 29-35 Ninth Ave. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

23. YS Pastry, LLC, d/b/a Patisserie Fouet, 15 E. 13th St. 10003 (OP Restaurant - laid over)

Whereas, prior to this months CB2, Manhattan's SLA Licensing Committee #2 Meeting on July 13th, 2017, the Applicant requested to **layover** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **YS Pastry, LLC, d/b/a Patisserie Fouet, 15 E. 13th St. 10003** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

24. St. Tropez Wine Bar, LLC, d/b/a St. Tropez Wine Bar, 120 Christopher St. 10014 (OP – withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on July 13th, 2017, the Applicant requested to **withdraw** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **St. Tropez Wine Bar, LLC, d/b/a St. Tropez Wine Bar, 120 Christopher 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.

TRAFFIC AND TRANSPORTATION

1. Resolution requesting STOP signs, blinking lights, raised crosswalks, painted signs in the streetbed and other pedestrian safety improvements at the Greene and Mercer Sts. crossings on E. 8th St.

Whereas in 2015-2016 the NYC Dept. of Transportation (DOT) installed high visibility crosswalks, along with epoxy gravel neckdowns with flexible delineators and planters, on E. 8th St. at Greene St. and at Mercer St. to shorten and safeguard these crossings for pedestrians, an action that the community supported and still does; and

Whereas as part of the original project, STOP signs were recommended to accompany these installations which then were declined by DOT, claiming the Traffic Standards warrant requirements for such signs weren't met, even though these Standards are a set of guidelines only, and, as put forth in the AASHTO Greenbook* and MUTCD** (the major sources for traffic engineering guidance), are meant to "allow sufficient flexibility to encourage independent designs tailored to particular situations" and open to "the application of engineering judgment,"; and

Whereas instead of STOP signs, "Pedestrian Crossing" signs were put up a few feet in advance of the Mercer and Greene St. crosswalks. The surrounding community reports that these signs are ignored by drivers who speed past, failing to yield to pedestrians, a highly dangerous situation, especially in an area filled with pedestrians, including families with young children, school children, college students, senior citizens and all the many other residents, working people and visitors who frequent 8th St.; and

Whereas the community also reports that the "Pedestrian Crossing" signs are misleading; that the walking pedestrian image on these signs gives people the false impression that they can safely cross the street at those spots in confidence, which is not the case; and

Whereas concerns have been voiced about these signs' lack of visibility, especially at night, and that they're obscured by trees, insufficient lighting, improper height and even by a "No Standing" sign that appears to be redundant, considering that flexible delineators already define the area where vehicles cannot stop; and

Whereas the standard STOP sign with its octagonal shape, white lettering and border on a red background is highly visible, very clear, well known and easily recognizable, with a significant capacity to attract drivers' attention and check their advance; and

Whereas physical changes in the street can slow vehicles from sprinting ahead to make the light on Broadway; and

Whereas the incidence of pedestrian traffic varies with the times of the year, month, week, or day, thus it's important to observe and evaluate conditions at different optimum times;

Therefore be it resolved that CB2, Man. thanks DOT for installing improvements on 8th St. to promote pedestrian safety; and

Be it further resolved that CB2, Man. strongly urges DOT to replace the "Pedestrian Crossing" signs on E. 8th St. at Greene and Mercer Sts., with STOP signs (or possibly "STOP Here For Pedestrians" signs), accompanied by flashing lights; and

Be it further resolved that CB2, Man. suggests that raised crosswalks (speed tables) level with the sidewalk with high visibility crosswalk markings be installed in place of the existing (flat) high visibility crosswalks on E. 8th St. at the Greene and Mercer crossings; and

Be it further resolved that CB2, Man. recommends that DOT trim intruding tree foliage, adjust signage height for better visibility and look into removing the redundant "No Standing" sign; and

Be it further resolved that CB2, Man. supports painting PED XING on the 8th St. streetbed in advance of the Greene and Mercer Sts. crosswalks; and

Be it further resolved that should DOT favor an alternative to the preferred STOP signs, CB2, Man. asks that the old standard YIELD sign (a downward pointing equilateral triangle with a red border and YIELD in red letters on a white background), which is much more visible, clear and clearly understood than the "Pedestrian Crossing" sign, (or possibly a "Yield Here to Pedestrians" sign) be placed on E. 8th St. at Greene and Mercer Sts.; and

Be it finally resolved that CB2, Man. requests that DOT conduct any examination and evaluation of pedestrian conditions and safety requirements on E. 8th St. at Greene and Mercer Sts. in September or October, times of full pedestrian use (including the NYU student body) reflecting optimum needs, and at different times of day on different days of the week.

*American Association of State Highway and Transportation Officials: *A Policy on Geometric Design of Highways and Streets*.

** Federal Highway Administration: *Manual of Uniform Traffic Control Devices*.

Vote: Unanimous, with 41 Board Members in favor.

2. Resolution requesting additional pedestrian safety measures to improve traffic safety conditions and reduce speeding and directional impacts at the pedestrian crossing on the east side of W. 8th St. at 6th Ave. (Ave. of the Americas) and at the complex intersection of W. 8th St., 6th and Greenwich Aves. [See also July 2017 Resolution requesting measures to improve pedestrian safety at the s.w. corner of Christopher St. and Greenwich Ave.].

Whereas in 2015 the NYC Dept. of Transportation (DOT) implemented a pedestrian safety project on 6th Ave. (Ave. of the Americas) at 8th St. and at Greenwich Ave., around Ruth Wittenberg Triangle (RWT), and east on 8th St.; and

Whereas among the project's improvements were signalization changes, extension of the RWT on all sides, and neckdowns (some textured/painted, some concrete), such as at the n.e. and s.e. corners of 8th St. and 6th Ave., the n.e. and s.e. corners of 9th St. and 6th Ave., and the s.w. side of Greenwich Ave. at 6th Ave., some of which have been working very well, some of which have been shown to need important modifications; and

Whereas on May 16, 2017 a woman was fatally struck at 8th St. and 6th Ave. by a private sanitation truck heading east from Greenwich Ave., a tragic and disturbing reminder of the still exceptionally hazardous conditions at that intersection; and

Whereas the length and odd angle of the pedestrian crossing on Greenwich Ave. on the western side of 6th Ave. continues to be considered one of the most hazardous by the community (also corroborated by NYPD 6th Precinct representatives), with constant turning conflicts as motor vehicles turn left at the s.w.

corner from 6th onto Greenwich while pedestrians try to cross dangerously exposed to and (because of the angle) with limited visibility of the oncoming, fast-moving vehicles, which continue their momentum as they head northwest on Greenwich, more often than not cutting diagonally from the south to north lane; and

Whereas even with many welcome improvements, the W. 8th St., 6th and Greenwich Aves. intersection remains an exceptionally wide open, irregular and confusing expanse that facilitates the swift advance of motor vehicles coming from the west, speeding eastward with ease as well as northward, very often through red lights, endangering pedestrians and running into local structures, e.g., the Jefferson Market Garden fence and the 6th Ave. islands and mini-gardens (as observed and reported by many in the community as well as by the 6th Precinct); and

Whereas DOT has indicated that it is planning to extend the current Complete St./Protected Bike Lane on 6th Ave., that now ends at 8th St., down to Canal St. and is working on a design; and

Whereas a community member reported that private garbage trucks speed, go through red lights and go on the sidewalk (which was verified by the 6th Precinct representative), a hazardous threat to pedestrians substantiated in a 1999 landmark study, *Killed by Automobiles* by Charles Komanoff, showing that private sanitation trucks have the highest pedestrian kill rate of any type of vehicle in NYC; and

Whereas NYC is working on a plan to reform the trash hauling industry and reduce private carting traffic by as much as 15 million miles annually, or 62%, aiming to consolidate redundant routes;

Therefore be it resolved that CB2, Man. thanks DOT for its attention to promoting pedestrian safety on 6th Ave. at 8th St. and at Greenwich Ave., around Ruth Wittenberg Triangle (RWT), and for its willingness, as previously expressed, to continue to observe conditions and make necessary modifications to its improvements in that area; and

Be it further resolved that CB2, Man. requests that DOT revisit this area as promptly as possible to evaluate conditions and the efficacy of existing measures, to devise new solutions and make modifications where necessary, and implement them in a timely manner; and

Be it further resolved that CB2, Man. proposes the following two alternative solutions to improve traffic safety conditions and reduce speeding and directional impacts at the pedestrian crossing on the east side of W. 8th St. at 6th Ave. (Ave. of the Americas) and at the complex intersection of W. 8th St., 6th and Greenwich Aves. and urges DOT to study and compare these two alternatives with an eye toward quick implementation:

- Continuation of the 6th Ave. Complete St./Protected Bike Lane south of 8th St. to Canal St. with a median treatment next to the southwestern corner (and part of the southwest side) of 6th Avenue at Greenwich Ave. The bike lane would continue curbside. Next to the bike lane would be a left-turn lane for motor vehicles and next to that would be the median (preferably concrete), alongside moving traffic. The bike lane would slow down the left-turning vehicles and in combination with the median would minimize and calm the intersection, while the median would serve as a buffer to slow down vehicles heading east. DOT has done this treatment at 14th St. and 8th Ave., including a designated left turn signal and a bike light there. Modification of the signalization at 6th and Greenwich is also recommended for either a split phase or a Split Leading Pedestrian Interval (LPI) with a flashing arrow, joined by a bike light.

- *Installation of a traffic diverter on the northside lane of Greenwich Ave. at 6th Ave. preventing left turns from 6th onto Greenwich.* The diverter would extend across the width of the northwest-bound lane. It could take various forms, e.g., a median barrier with vertical posts, an epoxy neckdown with flexible delineators, a row of large planters (similar to those on 9th Ave. in the Gansevoort area), even orange traffic cones. Channelization through the diverters could accommodate left-turning bikes. "No left turn" signage should be included. Motorists would be able to turn left on 9th St. While left turns would be prevented on Greenwich at 6th, the 8th St. bus (M8) still would be able to head east, as would emergency vehicles. Eastbound motor vehicles would be slowed by the diverter's delineation; and

Be it finally resolved that CB2, Man. entreats the City to speedily complete its plan to reform the trash hauling industry and reduce redundant private carting traffic, and to implement it posthaste.

Vote: Unanimous, with 41 Board Members in favor.

3. Resolution requesting measures to improve pedestrian safety at the s.w. corner of Christopher St. and Greenwich Ave. [See also July 2017 Resolution requesting additional pedestrian safety measures to improve traffic safety conditions and reduce speeding and directional impacts at the pedestrian crossing on the east side of W. 8th St. at 6th Ave. (Ave. of the Americas) and at the complex intersection of W. 8th St., 6th and Greenwich Aves.].

Whereas on April 20, 2017, a woman crossing on the s.w. side of Christopher St. at Greenwich Ave., with the light and in the crosswalk, was struck by a taxi that had turned left from 6th Ave. (Ave. of the Americas) onto Greenwich Ave. and then turned left again on Christopher. The woman suffered multiple injuries, including a broken ankle and foot, broken rib, damaged knee and herniated disc, plus bruises; and

Whereas, as reported by community members, CB2, Man. people and an NYPD 6th Precinct representative, the Christopher St./Greenwich Ave. intersection is difficult to maneuver safely because:

- The green light on 6th Ave. that gives the go-ahead for turning left onto Greenwich Ave. (n.w. bound) does not coordinate effectively with the traffic light at the Christopher/Greenwich intersection, which is red at first but quickly turns to green, causing confusion and encouraging motorists to quickly surge ahead on Greenwich from 6th to a swift left turn on Christopher at the same time pedestrians have the green light to cross there.
- Although the NYC Dept. of Transportation has made some modifications (such as small neckdowns) to slow down left-turning vehicles at the s.w. corner of 6th and Greenwich Aves., speeding still continues. Motorists turning left from 6th onto Greenwich sustain this speeding momentum as they head northwest on Greenwich, more often than not cutting diagonally from the southside to the northside lane and then cutting diagonally again from the northside to the southside lane to turn left on Christopher, typically without pause.
- Visibility is blocked by at least one parked car on the s.w. side of Greenwich Ave. at Christopher, making it difficult to see pedestrians crossing Christopher.;

Therefore be it resolved that CB2, Man. asks DOT to again look at conditions at the s.w. corner of 6th and Greenwich Aves. and at Greenwich Ave. and Christopher St. to assess what further steps may be taken to ensure pedestrian safety at these dangerous intersections; and

Be it further resolved that CB2, Man. requests traffic signal modifications to minimize pedestrian/vehicular conflicts at these locations, e.g., a delayed green light at the s.w. corner of 6th and Greenwich Aves. with a flashing arrow, or split phase signalization there, and a split phase with a dedicated green light for pedestrians on Christopher St. at the same time Greenwich Ave. has a dedicated red, or a flashing arrow with a delayed left turn from Greenwich Ave. to Christopher St.; and

Be it further resolved that CB2, Man. asks that at least one space be daylighted at the s.w. corner of Greenwich Ave. at Christopher St. to provide better visibility; and

Be it finally resolved that CB2, Man. recommends as an alternative approach installation of a traffic diverter on the northside lane of Greenwich Ave. at 6th Ave. preventing left turns from 6th onto Greenwich (as outlined in the July 2017 Resolution requesting additional pedestrian safety measures to improve traffic safety conditions and reduce speeding and directional impacts at the pedestrian crossing on the east side of W. 8th St. at 6th Ave. (Ave. of the Americas) and at the complex intersection of W. 8th St., 6th and Greenwich Aves.), which also would eliminate the problematic left turn from Greenwich Ave. on to Christopher St.

Vote: Unanimous, with 41 Board Members in favor.

Respectfully submitted,

Keen Berger
Secretary
Community Board #2, Manhattan