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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

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

FULL BOARD MINUTES

DATE: January 18, 2018
TIME: 6:30 P.M.
PLACE: St. Anthony of Padua Church, 151-155 Sullivan St., Lower Hall

BOARD MEMBERS PRESENT: Susanna Aaron, Keen Berger, Tobi Bergman, Carter Booth, Katy Bordonaro, Anita Brandt, William Bray, Richard Caccappolo, Erik Coler, Tom Connor, Terri Cude, Chair; Doris Diether, Robert Ely, Stella Fitzgerald, Cormac Flynn, Joseph Gallagher, Susan Gammie, Jonathan Geballe, Jon Giacobbe, Nicholas Gottlieb, David Gruber, Susan Kent, Jeannine Kiely, Patricia Laraia, Edward Ma, Maud Maron, Daniel Miller, Lois Rakoff, Robert Riccobono, Robin Rothstein, Sandy Russo, Rocio Sanz, Shirley Smith, Antony Wong, Elaine Young

BOARD MEMBERS ABSENT WITH NOTIFICATION: Ritu Chattree, Cristy Dwyer, Kathleen Faccini, Joseph Gallagher, Shirley Secunda, Frederica Sigel, Chenault Spence

BOARD MEMBERS ABSENT: Lisa Cannistraci

BOARD MEMBERS PRESENT/ARRIVED LATE: Robin Goldberg, Kristin Shea

BOARD MEMBERS PRESENT/LEFT EARLY: Coral Dawson, Georgia Silvera Seamans, Susan Wittenberg

BOARD STAFF PRESENT: Bob Gormley, District Manager; Josh Thompson, Assistant District Manager, and Florence Arenas, Community Coordinator

GUESTS: Robert Atterbury, Congressman Jerrold Nadler's office; Elena Sorisi, Senator Brad Hoylman's office; Fiona Jung, Senator Brian Kavanaugh's office; Andrew Chang, Manhattan Borough President Gale Brewer's office; Adam Chen, Public Advocate Letitia James' office; Council Speaker Corey Johnson, Patrice Comerford, Council Speaker Corey Johnson's office; Council Member Carlina Rivera, Irak Cehonski, Council Member Carlina Rivera's office; Pete Davies, Christina Scifo, Nicholas Bergman, Peter Hoffman, Cordelia Persen, Vivien Sylvester, Jane Carey, Carla Maxwell, Sandeep Kandhari, Delaney Alvarado, M. Sugar, Jean Marie Salman, James Carpenter, Diane Cooper, Ingrid Scheib-Rothbart, Dean Mades, Felipe Olmeta, Elizabeth Torres, Adrienne Deschler, Cate Roepke, Joan Melnick, Anne Chapas, Victor Trager, Rob Houtenbon, Zella Jones, Yannis Bakog, Bob Jones, Andy Dalin, Lee Hetfield, Andrew Menhoff, Leonore Malen

MEETING SUMMARY

Meeting Date – January 18, 2018
Board Members Present – 37
Board Members Absent With Notification – 7
Board Members Absent - 1
Board Members Present/Arrived Late - 2
Board Members Present/Left Early – 2

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II. PUBLIC SESSION

Non-Agenda Items

NYC Women's March

Sandy Russo spoke in favor of the March being held on Saturday, and encouraged everyone to participate.

Integration and Diversity

Sandeep Kandhari spoke in favor of integration and diversity.

SoHo Landmarks

Pete Davies spoke regarding this topic.

Whitney Museum

Jane Carey updated everyone on the museum's programs and activities.

Landmarks & Public Aesthetics Items

SLA Licensing Items

Great Jones Distillers, LLC, d/b/a Great Jones Distillers, 686 Broadway Basement, 1st, 2nd, & 3rd floors
Nicholas Bergman (representing the applicant), Andrew Menhoff, Cordelia Persen, Vivien Sylvester, Anne Chapas, and Lee Hetfield, all spoke in favor of the proposed application.

Joan Melnick, Peter Hoffman, Carla Maxwell, Yannis Makos and Zella Jones, all spoke against the proposed application.

Leonore Malen spoke regarding the proposed liquor license and distillery 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

Fiona Jung, Senator Brian Kavanagh's office;

Andrew Chang, Manhattan Borough President Gale Brewer's office

Council Speaker Corey Johnson

Council Member Carlina Rivera

V. ADOPTION OF MINUTES

Distribution of December minutes

VI. EXECUTIVE SESSION

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

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

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

STANDING COMMITTEE REPORTS

LANDMARKS AND PUBLIC AESTHETICS

1. **487 Hudson St.** - Application is to install an ADA chairlift and alter an adjacent staircase and platform, modify an enclosed porch, and relocate historic windows, all visible from a publicly accessible garden.

Whereas:

1. The application is to alter the visible garden entrance to accommodate a handicap lift and replace the existing metal stairs with one new stair including a five foot radius landing; and
2. The modifications to the rear façade include removing two windows, relocating masonry openings, reuse of historic brick and installation of two new windows to match the original wood windows; and
3. Modify the rear elevation to modestly enlarge the interior; and
4. The proposed exterior metal stair to resemble the existing to be removed in detailing of the rail and stringer; now

Therefore be it resolved that CB2, Man. recommends approval.

Vote: Unanimous, with 35 Board members in favor.

2. **1 Perry St.** – Application is to modify existing storefront including existing openings, install new awnings, repaint existing first floor masonry, and replace HVAC equipment on roof set back.

Whereas:

1. Located on a prominent corner on Greenwich Avenue, this application for a storefront remodel includes wrap around awnings, new wood doors in enlarged openings similar to those recorded in historic photos and a new signage band with a small LED light strip; and
2. The proposal appears generic, without distinction and has little recognition of the historic context where this building is located on a highly visible corner; and
3. The proposal is to paint the ground floor a grey color, not the brick red color above and currently there; and
4. New mechanical equipment to replace old equipment will be installed on the one story extension on the Perry Street facade and will be visible, similar to the current condition; now

Therefore be it resolved that CB2, Man. recommends approval provided that

1. Additional attention be paid to elevate the design to authentically reflect the historic architecture of the district; and
 2. The applicant add a continuous raised trim piece to architecturally distinguish between the ground floor and the upper floors where the paint color change is proposed.
3. **140 Grand St.** – Application is to install a hand-painted changeable advertising sign.

Whereas:

1. The proposed hand painted sign follows the same LPC signage rules and regulations set forth in other applications
2. The wall sign appears to be the maximum size allowed; now

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

1. The size be reduced vertically to allow a minimum of 1'-0" clear unpainted masonry above the lower windows; and
2. The street edge of the sign be pushed back to allow a minimum of 4'-0" unpainted masonry.

Vote: Unanimous, with 35 Board members in favor.

4. **298 Elizabeth St.** – Application is to legalize/modify a storefront installed without LPC permits.

Whereas:

1. The application was presented with drawings that incorrectly represented the area of work (the drawings included modifications to the residential entry which is not part of the application), and
2. The design was minimal and modern with no reference to the historic context of the building or neighborhood; and
3. The applicant agreed to redesign and present at our next monthly meeting; now

Therefore be it resolved that CB2, Man. recommends denial.

Vote: Unanimous, with 35 Board members in favor.

5. 436 W. Broadway – Application is to install signage.

Whereas:

1. The application is to install a new blade sign and signage on the transom on a tiny storefront in the SoHo district; and
2. The blade sign conforms to the LPC regulations in size and location; and
3. The signage on the transom is tasteful and minimal; now

Therefore be it resolved that CB2, Man. recommends approval.

Vote: Unanimous, with 35 Board members in favor.

6. 4 Astor Pl. – Application is to install signage.

Whereas

1. The application is to remove an existing non-historic sign with a new sign that is both internally illuminated and large in height and width; and
2. The applicant did not present examples of previously LPC approved signage similar to the proposal; and
3. The proposed sign over 32 feet long and is made up of 2 foot high internally illuminated letters; and
4. The sign is not in keeping with the character of the NoHo historic district; now

Therefore be it resolved that CB2, Man. recommends denial.

Vote: Unanimous, with 35 Board members in favor.

7. 90 Grove St. - Application is to legalize the removal of a cornice and paint from the façade without Landmarks Preservation Commission permit(s).

Whereas:

1. The application concerns a 1827 row house that has an adjacent building originally similar in design and scale; and
2. In 1893 this building underwent a “modernization” which included a double height studio tripartite window and resulted in the interrupted cornice; and
3. The roof leaders were removed from the façade before the 1940 tax photo while the cornice remnant remained for over 100 years until it was removed without permission in 1997; and
4. The cornice piece that was removed and not reinstalled is significant since it references the old roof line, refers back to the adjacent building’s roof line, adds a unique detail to this unique building and was there at the time of designation; and
5. This work also included removing the paint from the façade without LPC approval. The adjacent building in the same row does not have any paint covering the brick and the paint removal reveals red brick that has been meticulously restored; now

Therefore be it resolved that CB2, Man. recommends:

1. Approval of the paint removal from the façade; and
2. Denial of the legalization of the removal of the portion of the cornice that was removed after designation and that it be restored to the condition at designation.

Vote: Unanimous, with 35 Board members in favor.

QUALITY OF LIFE

1. Presentation regarding Assembly Member Deborah Glick’s bill (A-8779) to deter bird collisions by incorporating bird-safe building materials and design features, including bird-friendly building glass, with consideration of a resolution regarding this legislation:

Whereas, New York City is located along the Atlantic Flyway—one of North America’s most important bird migration routes that cuts across the East Coast; and

Whereas, humans depend on birds for critical ecological functions, such as insect and rodent control, crop pollenization and seeding, and the limitation of diseases such as West Nile Virus, Zika and malaria; and

Whereas, a study published in *The Condor: Ornithological Applications* estimates that between 100 million and 1 billion birds are killed annually in the United States as a result of collisions with buildings and particularly collisions with windows; and

Whereas, the study found that 56% these collisions occur at low-rise buildings between 4-11 stories, and 44% at residences between 1-3 stories; and

Whereas, New York City continues new building development at a marked pace and advances in glass technology have increased the amount of glass used in construction; and

Whereas, bird-friendly design has become recognized as part of sustainable design and has been recognized with a Leadership in Energy and Environmental Design (LEED) pilot credit for reducing bird collisions (LEED Pilot Credit 55); and

Whereas, the Jacob K. Javitz Convention Center recently underwent renovation and installed all new glass panels imprinted with tiny dots (fritting) that are only perceptible upon close examination and have reduced bird deaths at the Javitz Center by 90% and have made the building more economical and environmentally sensitive; and

Whereas, other jurisdictions, including San Francisco, Toronto, and Minneapolis, have successfully enacted legislation or guidelines for the use of bird-safe design elements in urban construction; and
Whereas, New York State Assembly Member Deborah Glick, representing the 66th Assembly District in Lower Manhattan, has introduced an act (A-8779) to amend the administrative code of the City of New York, in relation to deterring bird collisions; and

Whereas, A-8779 would require that whenever a building undergoes construction work or substantial reconstruction work, such building shall be designed and constructed to comply with bird collision deterrent safety measures; and

Whereas, A-8779, when enacted and implemented, will contribute to the decrease in building-related bird collisions and deaths; now

Therefore Be It Resolved that CB2, Man. supports the passage and implementation of Assembly Member Glick’s Assembly Bill number A-8779—to deter bird collisions in the City of New York.

VOTE: Unanimous, with 37 Board Members in favor.

2. Application for a revocable consent to construct, maintain, and use a fenced-in planted area on the south sidewalk of Christopher Street between Washington and West Streets, in front of 642 Washington Street:

Whereas, the applicant wishes to construct this fenced-in area to contain a planted soil area that will be contiguous with an existing planted area surrounding the West Village Housing complex and will align with an existing planted area at an adjacent property on Christopher Street; and

Whereas, the applicant wishes to construct this area to assist in controlling site drainage, to provide a security buffer to a West Village Housing maintenance office building, and to provide an aesthetic continuity to the existing landscape elements, now

Therefore Be It Resolved that CB2, Man. recommends **approval** for a revocable consent to construct, maintain, and use a fenced-in planted area on the south sidewalk of Christopher Street between Washington and West Streets, in front of 642 Washington Street.

VOTE: Passed, with 36 Board Members in favor, and 1 recusal (K. Bordonaro).

3. Sidewalk Café Renewals:

- **Innovation Kitchens LLC, d/b/a Dominique Ansel Kitchen, 137 7th Avenue South**, with 5 tables and 24 chairs (2019224-DCA).
- **002 Mercury Tacos, LLC, d/b/a Otto’s Tacos, 131 7th Avenue South**, with 8 tables and 25 chairs (2019200-DCA).
- **Nisida, LLC, d/b/a Rosso Pomodoro, 118 Greenwich Ave.**, with 8 tables and 16 chairs (2023070-DCA).

Therefore Be It Resolved that CB2, Man. recommends approval of the subject renewals.

VOTE: Unanimous, with 37 Board Members in favor.

Village Restaurant Group, LLC, d/b/a Hudson Clearwater, 447 Hudson Street, with 6 tables and 12 chairs (2028884-DCA)

Whereas, this application was not placed on the agenda for a public hearing, however, the committee received an email from a local resident expressing opposition to the renewal of this sidewalk café because the resident did not believe the operator was compliant with the sidewalk café permit; and

Whereas, the committee received this email without the requisite time to invite the applicant to appear before the committee to speak to the issues raised in the email; and

Whereas, the committee urges the Department of Consumer Affairs to review the compliance of this sidewalk café; now

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

VOTE: Unanimous, with 37 Board Members in favor.

4. Street Activity Applications:

Saturday, January 27, 2018 – BMG and Bloomingdales Grammy Pop-up, Broadway between Spring and Broome Streets.

Whereas, the application is for a partial sidewalk closure and for the use of 2 parking spots in order to park a trailer selling merchandise of Grammy nominated artistes in coordination with Bloomingdales in order to celebrate the return of the Grammy Awards to New York City from Los Angeles; and

Whereas, the applicant intends to operate the trailer for a short time from 5 PM to 8 PM with set-up beginning at 3 PM that day; and

Whereas, the applicant expressed that they were aware that promotional events are prolific in this neighborhood and they had every intention of minimizing any extemporaneous noise and disruption to the block and Bloomingdales' employees and security would constantly monitor the event and any adjacent queue; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of this application for **BMG and Bloomingdales Grammy Pop-up**, Broadway between Spring and Broome Streets on 1/27/18.

VOTE: Unanimous, with 37 Board members in favor.

Sunday, April 1, 2018 – Women's Democratic Club—Astor Place Festival, Astor Place between Broadway and Lafayette Street.

Whereas, other than self-reported activities of phone banking and voter registration, no other activities of visible benefit to the community by this organization were discovered by the committee through an online search since 2012 and the applicant does not have a physical presence within the community; now

Therefore Be It Resolved that CB2, Man. recommends **denial** of this application for **Women's Democratic Club—Astor Place Festival**, Astor Place between Broadway and Lafayette Street on 4/1/18.

VOTE: Unanimous, with 37 Board members in favor.

Friday, May 18, 2018—Visiting Neighbors Pop Up Fair, Charlton Street between Varick Street and Hudson Street.

Whereas, this applicant is well known for its good works within the community and this event was successfully held last year at this location with no known complaints from the community; and

Whereas, the applicant expressed that last year's event was successful in attracting new volunteers to help carry out the mission of the organization; and

Therefore Be It Resolved that CB2, Man. recommends **approval** of this application for **Visiting Neighbors Pop Up Fair**, Charlton Street between Varick Street and Hudson Street on 5/18/18.

VOTE: Unanimous, with 37 Board members in favor.

Sunday, May 20, 2018—Children’s Museum of the Arts: Spring Family Day 2018, Charlton Street between Hudson and Greenwich Streets.

Whereas, this applicant held the same event in the same location for the last 2 years with no known complaints from the community; and

Whereas, the applicant wishes to host this event on the same block as the Museum 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 features local family-friendly vendors as well as free community art activities facilitated by museum teaching artists; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of this application for **Children’s Museum of the Arts: Spring Family Day 2018**, Charlton Street between Hudson and Greenwich Streets on 5/20/18.

VOTE: Unanimous, with 37 Board members in favor.

May 26, 2018-June 3, 2018—Washington Square Outdoor Art Exhibit, University Place between Waverly Place and East 13th Street

Whereas, the applicant has held this event for over 80 years and at this location for many years on Saturdays and Sundays between the dates listed and utilizes the sidewalks only and no street closures are required; and

Whereas, this event is known as a showcase for local artists as well as for artists around the world and is attended by art lovers from the neighborhood as well as tourists from around the world; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of this application for the **Washington Square Outdoor Art Exhibit**, University Place between Waverly Place and East 13th Street on Saturdays and Sundays from 5/26/18-6/3/18.

VOTE: Unanimous, with 37 Board members in favor

Saturday, July 14, 2018—NYC Wiccan Family Temple—7th Annual Witchfest USA, Astor Place between Broadway and Lafayette Street.

Whereas, WitchFest USA has been successfully held at this location for the past seven years without any known negative community impact, each year attracting increasingly larger community participation; and

Whereas, WitchFest USA is a registered 501(c)3 charity which engages in family- friendly educational programs about the Wiccan religion and culture and maintains an ongoing commitment to charitable work through its food and toiletry drives; and

Whereas, the applicant, NYC Wiccan Family Temple, conducts regular services throughout the year for its members in a rental space at 440 Lafayette Street, on the same block as this proposed event; and

Whereas, NYC Wiccan Family Temple, which operates the only Wiccan temple in New York state, has over the years of its operation of this event demonstrated a positive and unique cultural contribution to the local community and provides a welcome street-fair experience through its workshops, non- and minimally amplified music, and the selection of vendors offering artisanal wares that reflect Wiccan culture; and

Whereas, NYC Wiccan Family Temple hopes to use this event as an opportunity to bring light to a misunderstood religion at the same time that religious intolerance has been increasing in this country at an alarming rate; and

Whereas, proper notification was provided and no member of the public appeared to speak in opposition to the application and a member of the committee happened to pass through last year's event at this location and noted that it was a festive atmosphere with many families in attendance and presented an offering of unique and artisanal wares; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of this application for the **NYC Wiccan Family Temple—7th Annual Witchfest USA**, Astor Place between Broadway and Lafayette Street on 7/14/18.

VOTE: Passed with 36 Board members in favor and one in opposition (R. Sanz).

FYI/Renewal Street Activities:

3/25/18 – Ninth Precinct Community Council Astor Place Festival, Bleecker St. between Broadway and Lafayette St.

3/31/18 – 12/31/18 – Our Lady of Pompeii Church: Flea Market, Bleecker St. between Carmine St. and Leroy St.

3/31/18 – Visiting Neighbors Festival, Bleecker St. between Broadway and Lafayette St.

5/5/18 – Perry Street Block Association – Perryphernalia Block Party, Perry St. between Bleecker St. and West 4th St.

5/15/18 - New York University – Grad Alley 2018, 1) West 3rd St. between Mercer St. and LaGuardia Place 2) LaGuardia Place between Washington Square South and West 3rd St.

5/20/18 – Community Health Project Inc. d/b/a Callen Lourde Community Health CE: The Urban Bear Street Festival, Little West 12th St. between 10th Ave. and Washington St.

6/24/18 – NYC Pride, 1) Hudson St. between Bethune St. and West 14th St., 2) West 13th St. between 9th Ave. and West 4th St.

7/14/18 – Greenwich House Waverly Place Festival, Washington Square North between Washington Square West and 5th Ave.

7/21/18 – Village Committee for Jefferson Area Market / VID co-sponsored Bleecker Street Festival, Bleecker St. between Christopher St. and Bank St.

8/11/18 – Greenwich Village Chamber of Commerce and Stonewall Democrats: Greenwich Village Chamber of Commerce Broadway Festival Co-Sponsored Event, Broadway between Waverly Place and East 14th St.

8/26/18 – Transportation Alternatives: 4th Avenue Festival Co-Sponsored Event, 4th Ave. between East 9th St. and East 14th St.

9/29/18 –Friends of LaGuardia – Bleecker Street Festival, Washington Square North between MacDougal St. and 5th Ave.

10/7/18 – Avenues for Justice – Transportation Alternatives 4th Ave. Festival: Avenues for Justice. Inc. 4th Avenue Festival co-sponsored event, 4th Avenue between East 9th St. and East 14th St.

1

0/20/18 – Two Bridges Neighborhood Council, Inc.: 2018 Marco Polo Festival, Grand St. between Mulberry St. and Mott St.

Therefore Be It Resolved that CB2, Man. recommends **approval** of the subject renewals.

VOTE: Unanimous, with 37 Board members in favor.

SLA LICENSING

1. International Culinary Center, LLC, d/b/a L'Ecole & FCI Catering and Events, 462 Broadway a/k/a 22-24 Crosby 10013 (Catering OP – Corporate Change)

i. Whereas, the Applicant and his Attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a corporate change of an existing catering on premise license (Ser.# 1025240) to continue to operate a culinary school (class rooms and kitchens) and event space on multiple upper floors 2, 3, 4 and 5 covering approximately 50,000 SF (2nd 10,000 sq. ft., 3rd 10,000 sq. ft., 4th 20,000 sq. ft. and 5th 10,000 sq. ft.) in a commercial building on the corner of Broadway, Crosby Streets and between Broome and Grand Streets; and,

ii. Whereas, the sole shareholder and owner (Dorothy Hamilton) passed away recently and the Executor of her Estate, Bruce McCann appeared seeking to transfer the license into the name of the Estate, pending probate of the Estate; and,

iii. Whereas, the existing method of operation on the culinary school and institute will not change and those floors will continue to operate as a culinary school and catering event center with classrooms and kitchens for instruction as well as for catering events and as an event space, there will be no permanent stand up bars but temporary food counters and bars erected and installed for specific events, with the hours of operation that will continue to be from 11:30 AM to 11 PM on Sundays, from 12 PM to 12 AM Mondays through Thursdays and from 12 PM to 1 AM Fridays and Saturdays, music will be quiet background and there will be no d.j.s, no TVs, no outdoor spaces or sidewalk cafe; and,

iv. 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 Catering On Premise license and the stipulations are as follows:

1. The premises will be advertised and operated as a culinary school and catering event center.

2. The hours of operation will be from 11:30 AM to 11 PM on Sundays, from 12 PM to 12 AM Mondays through Thursdays and from 12 PM to 1 AM Fridays and Saturdays.
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 not have televisions.
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. Will close all doors and windows at all times.
8. The premises will play quiet ambient, recorded background music.
9. The premises will not have DJs, promoted events, any event where a cover fee is charged or any scheduled performances.
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. All events will not exceed 120 patrons and/or occupancy required.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an on premise license to **International Culinary Center, LLC, d/b/a L’Ecole & FCI Catering and Events, 462 Broadway a/k/a 22-24 Crosby 10013** **unless** the statements of the applicant as presented to CB2, Man. are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on the Tavern Wine License.

Vote: Unanimous, with 37 Board members in favor.

2A. Great Jones Distillers, LLC d/b/a Great Jones Distillers, 686 Broadway basement, 1st, 2nd & 3rd Floors, 10012 (New OP – Restaurant and Bar/Lounge with Distillery for Spirits – Previously Unlicensed)

i. Whereas, the applicant is Proximo Spirits, an American spirits importer and international distributor based in Jersey City, New Jersey that is best known for importing and distributing Jose Cuervo, the world’s largest-selling tequila brand; and,

ii. Whereas, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new Restaurant On Premise Liquor License to operate a craft distillery for the manufacturing of spirits and small retail store in conjunction with a full service restaurant and bar with ancillary lounge and basement speakeasy spaces, while also leasing and occupying an entire three story commercial building (Circa 1951) previously operated as a discount apparel/shoe store and before that as an Office Depot store, located on Broadway between East 4th and Great Jones Streets; and,

iii. Whereas, no portion of the three story commercial building has ever operated as a distillery, eating or drinking establishment or has been previously licensed for the service of alcohol, the building being located in a M1-5B manufacturing district unique to SoHo and NoHo, an existing certificate of occupancy being presented permitting “retail sales” in the sub-cellar, cellar, first and second floors and a fan room/bulkhead on a penthouse floor but not permitting the proposed use; the applicant further planning to gut renovate the entire building to install/build a micro distillery on the second floor for manufacturing bourbon whiskey spirits on site using the Great Jones Distillery label, while also building out a restaurant and bar on the first floor with ancillary mezzanine level (second floor) with an additional

bar overlooking the main dining restaurant space, a basement speakeasy with bar and a third floor “tasting room” lounge and planning to apply for modification of the existing Certificate of Occupancy to reflect those updated uses including Use Group 18 Distillery and Use Group 17 Bottling on the 2nd and 3rd Floors and,

iv. Whereas, there are two entrances (2) to the building on Broadway and the Broadway entrances will be the only entrances used for patrons to the establishment, there also being a rear emergency exit on Great Jones Alley in the rear of the building and a second rear entrance leading to Great Jones Alley that will be used for deliveries and trash removal only and will only be used during the day time hours between 6 AM and 8 AM and again between 11 AM and 3 PM for this purpose to prevent late night disruption on the private alleyway shared by multiple adjoining residential buildings; and,

v. Whereas, the entire interior building is approximately 15,660 sq. ft.; the applicant stated that they would operate with the 4 following separate and distinct patron eating and drinking areas with seats and occupancy limited as presented; the main dining room and first floor restaurant and bar taking up 1,775 sq. ft. with 22 tables, 60 table seats, 1 bar with 7 seats - total occupancy 76 people; the second floor tasting room taking up 665 sq. ft. with 1 bar with 12 seats, 12 tables with 28 additional patron seats - total occupancy 54 people; the third-floor lounge being 889 sq. ft. with 11 tables and 28 patron seats - total occupancy 36 people; and basement speakeasy being 648 sq. ft. with 1 bar with 10 seats and 5 tables with 20 seats – total occupancy 38 people; the grand total patron interior seating capacity is 165 patrons from basement to third floor and grand total patron occupancy 204 people, there being 14 bathrooms throughout, an additional 1,023 sq. ft. kitchen in the sub-basement with additional employee lounge and storage facilities, there are planned 4-6 TV screens that will be used for special events/private parties only but no such event will be operated in connection with televised events and those TVs will not be hooked up to a cable/satellite/internet provider for sports or other TV programming; and,

vi. Whereas, DJs or live music will be permitted for certain occasional, non-reoccurring special events and private parties only, but otherwise the entire eating and drinking premises will operate with background music on every floor on a daily/nightly basis; and,

vii. Whereas, as a part of the renovation of the building the applicant seeks to install open windows on the second floor and French doors on the third floor facing Broadway, but to curb and reduce such intrusion created by the installation of such windows out to the public thoroughfare and adjacent neighborhood, has further agreed to close those windows by 8 PM every night and anytime there is amplified music being played within the interior premises (albeit such levels of music will only be permitted during special events occurring before 8 PM); and

viii. Whereas, there will be no outdoor areas for the service of alcohol to patrons on the rooftop, sidewalk in front or elsewhere, and the hours of operation will be from 11:00 AM to 12:00 AM every day/night of the week with all patrons being cleared from the premises at 12:00 AM every night; and,

ix. Whereas, the applicant plans simultaneously to apply for and to obtain Class A-1 Distiller and Farm Distiller licenses from the NYS SLA prior to opening, for the purpose of operating a micro distillery within the premises, while also planning to conduct tours of the distillery to the public at a cost, the distillery having and including a handmade copper still as its focal point, the applicant stating in its application and public interest statement that the craft distillery will promote and feature New York State craft made liquor and related agricultural products, the distillery being unique to the Boro of Manhattan in that according to the applicant the last Manhattan-based distillery closed over a century ago; the applicant

also stated that due to various restrictions and other reasons, the distillery would only operate about 50% of the manufacturing process that would normally occur on site at a distillery at this location, using other locations for the other 50% of the process; and,

x. Whereas, the applicant has stated through their lead architect that it has already reached out to the NYC Fire Department for preliminary discussions there clearly being fire safety concerns for a commercial distillery with highly flammable liquids, noxious odors and gases/smoke coming from the distillery within a closely urban setting with adjacent high-rise buildings with surrounding residential community; and,

xi. Whereas, the applicant's lead architect further explained that extra precautions will take place during the renovation process for the ancillary smoke, odors, Class C flammable liquids, venting and new mechanical systems, equipment and machinery used for the distillery and restaurant, at the direction of the FDNY that the two year process of storing and aging the distilled product will occur elsewhere after it is manufactured at the distillery (due to safety concerns with the storing of the product), that the existing fire alarm and existing sprinkler systems will be upgraded with more condensed and powerful sprinkler systems, the distillery portion of the building (identified as "bonded areas") will be enclosed with "3-hour rated partitions", patrons to the restaurant and bar areas being prohibited from walking through the partitioned, bonded distillery areas of the building, a "higher than usual air change rate to flush the processing areas to prevent flumes from accumulating", "use a LEL sensor system" to "continually monitor vapor levels", use explosion proof motors, lighting/power switches and fans in all the areas that will be exposed to the process and monitoring the drainage from the process areas to make sure "we are not discharging any alcohol in the drain system", the applicant's architect explaining and affirmatively stating that all fire prevention "will be above and beyond code requirements"; and,

xii. Whereas, as to the M1-5B zoning district where the commercial building is located, the applicant conceded that such a zoning district generally precludes retail eating and drinking establishments on the ground/first floor and cellar but in this case, the building has already been used for retail and retail (use group 6) is an existing permitted use according to the existing Certificate of Occupancy, that in addition a use group 18 (needed for alcohol beverage production or breweries) is also permitted in this zoning district provided it meets the performance standards of the district which they stated it does, the applicant agreeing that it will be seeking a change in the existing certificate of occupancy for the building to permit the use of distillery with Use Groups 17 and 18 indicated on the Certificate of Occupancy and for an eating/drinking establishment on the multiple floors of the building prior to opening; and,

xiii. Whereas, many people appeared and sent correspondence in support of the application, including the two residential buildings located on each side of the building where the applicant seeks to operate, buildings which share common walls and the Great Jones Alleyway at the rear with 686 Broadway, the applicant having agreed to a "Letter of Intent" with the two buildings (684 and 688 Broadway) limiting the operations of the Great Jones Distillery and hours of the restaurant and ancillary bars/lounge to reduce noise, maintain crowd control on Broadway in front of the premises and to curb excessive or disruptive uses of the Great Jones Alleyway during its proposed operations, all of the restrictions and limitations agreed to being necessary to sustain the public interest standard placed on this application, those restrictions and limitations being fully incorporated into a set of stipulations set forth by CB2, Man. herein and below which the applicant agreed would be attached and incorporated into its method of operation on its liquor license and the stipulations are as follows:

1. The premises will be advertised and operated as a Craft Distillery with a small retail shop, full-service restaurant with ancillary basement bar and third floor lounge.

2. The hours of operation will be from 11AM to 12 AM Sunday through Saturday and no patrons will remain after stated closing time.
3. The premises will not operate as a sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will have 4-6 televisions used for special one-time events but will not provide sports or TV programming.
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. Will close all doors and windows by 8 PM every night.
8. The premises will play quiet ambient recorded background music only on a regular basis.
10. DJ's and live music for special, one-time events only and there will be no cover/entrance fees charged or any scheduled performances, no Velvet ropes or metal barricade or queuing on the sidewalk.
11. There will be no unlimited food and drink specials, "boozy brunches, or pitchers of beer.
12. There will be no "bottle service".
13. There will be no sidewalk café.
14. All staff and all patrons/guests will enter on Broadway only and no patrons will be permitted in the GJ Alley at any time.
15. The use/access to/from rear service entrance on GJ Alley will be limited to/for deliveries and trash removal and such use/access will be limited to daytime hours only.
16. There will be no 3rd party promoters, "red carpet" or "celebrity" sponsored events.
17. Tour buses will not be permitted to stop in front of premises for any purpose.

xiv. Whereas, the people in support of this application also cited multiple positive consequences for the immediate neighborhood in adding the distillery and eating/drinking establishment, albeit based on the pretext that the premise will be closed by 12 AM every night, cited the growing number of storefront vacancies in the immediate Broadway area, especially at night, the addition of a distillery/restaurant creating additional foot traffic in the evenings thereby reducing concerns of vagrancy, drug use and other criminal activities, the commercial enterprise of a distillery being a creative and unique, perhaps creating economic prosperity for other storefronts in the immediate area, most of the buildings on Broadway having retail storefronts at their base; and,

xv. Whereas many people living in the area also appeared and sent-in correspondence in opposition to the application, including the NoHo Bowery Stakeholders, which also submitted an on-line petition in opposition with approximately 141 signatures from people living in the area, citing the largeness of the operations, the inappropriate nature of adding a distillery in an area in which many of the buildings on the immediate Broadway corridor have transformed mostly into residential uses above the second floor, the particular address has never before been licensed previously and the area is over-saturated with licensed establishments, the applicant's sole purpose is to promote the consumption of distilled spirits at or too near New York University, the venting and mechanical systems on the rooftop from the kitchens and fermentation still will cause excessive noise, obnoxious fumes and smells; and,

xvi. Whereas, there was additional opposition from other craft distillery owners in Brooklyn and in other points of NYC who appeared and questioned the uniqueness of the operations, the distillery proposed being small, a "token still" not being representative or consistent with a wave of craft distillers in NYC/NYS that have formed following a change in NYS distilling laws, meant to confuse drinkers into thinking that a particular brand is small and crafty when the actual spirits are distilled elsewhere where production is cheaper, the premises and distillery proposed representing a "branding headquarters" orchestrated by global, multi-national corporation with profoundly deep pockets; and,

xvii. Whereas, this application being subject to the 500 foot rule, requiring the applicant to demonstrate whether the public interest of the community would be served by the granting of the license, there being 8 on premise licenses within 500 ft. of the premises, 24 on premise licenses with 750 ft. of the premises, with 5 additional pending liquor license applications for the same geographic area but not including the many existing beer/wine licenses within this same area; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an on premise license to **Great Jones Distillers, LLC d/b/a Great Jones Distillers, 686 Broadway basement, 1st, 2nd & 3rd Floors, 10012, unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on the On Premise License.

Vote: Failed, with 20 Board members in opposition, and 17 in favor (K. Berger, K Bordonaro, A. Brandt, W. Bray, R. Caccappolo, T. Connor, C. Dawson, R. Ely, C. Flynn, R. Goldberg, N. Gottlieb, J. Kiely, M. Maron, D. Miller, R. Sanz, K. Shea, E. Young). **See substitute resolution below.**

2B. Great Jones Distillers, LLC d/b/a Great Jones Distillers, 686 Broadway basement, 1st, 2nd & 3rd Floors, 10012 (New OP – Restaurant and Bar/Lounge with Distillery for Spirits – Previously Unlicensed)

i. Whereas, the applicant is Proximo Spirits, an American spirits importer and international distributor based in Jersey City, New Jersey that is best known for importing and distributing Jose Cuervo, the world’s largest-selling tequila brand; and,

ii. Whereas, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new Restaurant On Premise Liquor License to operate a full service restaurant and bar with ancillary lounge, VIP room and basement speakeasy spaces located across 4 floors in conjunction with a proposed separately licensed craft distillery for the manufacturing of spirits and a small retail store, while also leasing and occupying an entire three story commercial building (Circa 1951) previously operated as a discount apparel/shoe store and before that as an Office Depot store, located on Broadway between East 4th and Great Jones Streets; and,

iii. Whereas, no portion of the three story commercial building has ever operated as a distillery, eating or drinking establishment or has been previously licensed for the service of alcohol, the building being located in a M1-5B manufacturing district, an existing certificate of occupancy being presented permitting “retail sales” in the sub-cellar, cellar, first and second floors and a fan room/bulkhead on a penthouse floor; the applicant further planning to gut renovate the entire building to install/build a micro distillery on the second floor for manufacturing bourbon whiskey spirits on site using the Great Jones Distillery label, while also building out a restaurant and bar on the first floor with ancillary mezzanine level (second floor) with an additional bar “tasting room” on the second floor, a third floor VIP lounge, a basement speakeasy with bar and kitchen in subbasement; and,

iv. Whereas, there are two entrances (2) to the building on Broadway and the Broadway entrances will be the only two entrances used by patrons for the establishment, three also being a rear emergency exit on Great Jones Alley in the rear of the building and a second rear entrance leading to Great Jones Alley that will be used for deliveries and trash removal only and will only be used during the day time hours between 6 AM and 8 AM and again between 11 AM and 3 PM for this purpose to prevent late night disruption on the private alleyway shared by multiple adjoining residential buildings; and,

v. **Whereas**, the entire interior building is approximately 15,660 sq. ft., the main dining room and first floor restaurant and bar taking up 1,775 sq. ft. with 22 tables, 60 table seats, 1 bar with 7 seats, the second floor tasting room taking up 665 sq. ft. with 1 bar with 12 seats, 12 tables with 28 additional patron seats, the third-floor lounge being 889 sq. ft. with 11 tables and 28 patron seats and basement speakeasy being 648 sq. ft. with 1 bar with 10 seats and 5 tables with 20 seats for a total patron interior seating capacity of 165 patrons from basement to third floor, there being 14 bathrooms throughout, an additional 1,023 sq. ft. kitchen in the sub-basement with additional employee lounge and storage facilities, there are planned 4-6 TV screens that will be used for special events/private parties only but no such event will be operated in connection with televised events and those TVs will not be hooked up to a cable/satellite/internet provider for sports or other TV programing; and,

vi. **Whereas**, DJs or live music will be permitted only for certain occasional, non-reoccurring special events and private parties only, but otherwise the entire eating and drinking premises will operate with background music on every floor on a daily/nightly basis; and,

vii. **Whereas**, as a part of the renovation of the building the applicant originally sought to install windows that open out on the second floor and French doors on the third floor facing Broadway, but to curb and reduce such intrusion created by the installation of such windows and doors out to the public thoroughfare and adjacent neighborhood, later agreed to only operable windows on the third floor and further agreed to close those windows by 8 PM every night and anytime there is music being played within the interior premises; and

viii. **Whereas**, there will be no outdoor areas for the service of alcohol to patrons on the rooftop, sidewalk in front or elsewhere, and the hours of operation will be from 11:00 AM to 12:00 AM every day/night of the week with all patrons being cleared from the premises at 12:00 AM every night; and,

ix. **Whereas**, the applicant was willing to agree to a number of stipulations listed below, but those stipulations were not sufficient to sway a large portion of local residents or members of CB2, Man.; the presented stipulations are as follows;

1. Premise will be advertised and operated as a Restaurant with bar/lounge, small retail shop and Craft Distillery on three floors & basement designed to promote and feature primarily craft made liquor and other products from NYS.
2. The hours of operation will be from 11AM to 12 AM Sunday through Saturday and no patrons will remain after stated closing time.
3. Will operate full service restaurant and bar/lounge spaces with the kitchen open and full menu items available until at least 11 PM every night or one hour prior to closing, whichever is earlier
4. The premises will not operate as a sports bar or allow any portion of the premises to be operated in such a manner.
5. The premises will have 4-6 televisions used for special one-time events only but will not provide sports or TV programming. No special events/private parties will be operated in connection with televised events.
6. The premises will not operate a backyard garden, sidewalk cafe or any outdoor area for commercial purposes.
7. Will close all doors & windows at 8 p.m. every night and anytime there is amplified music, live music or DJ.
8. Will not install or have French doors, operable windows or open facades on the first-floor storefront or the second floor. May install operable windows on the third floor facing Broadway.
9. Will play ambient, recorded background music only. Will comply with all NYC Noise Code requirements. No music should be audible in adjacent residences.

10. There will be no cover/entrance fees charged or any scheduled performances, no Velvet ropes or metal barricade or queuing on the sidewalk.
11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. Will not have unlimited drink or unlimited food & drink specials. Will not offer “boozy brunches”. No pitchers of beer.
13. There will be no “bottle service”.
14. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein
15. All staff and all patrons/guests will enter on Broadway only and no patrons will be permitted in the GJ Alley at any time.
16. The use/access to/from rear service entrance on GJ Alley will be limited to/for deliveries and trash removal and such use/access will be limited to daytime hours only.
17. Patron occupancy and seating across each individual eating/drinking area will be limited as presented to CB2, Man. (total patron occupancy 204 persons, total seating 165). Patrons will be restricted from taking drinks from each distinct eating/drinking area.
18. Any DJ and live music will be limited to one-time private events that will not reoccur on a regular basis.
19. All staff and all patrons/guests will enter on Broadway only and no patrons will be permitted in the Great Jones Alley at any times.
20. There will be an indoor refrigerated garbage room and all waste will be stored in this interior space before it is brought out for removal. Great Jones Alley will only be used to bring garbage out to the street and for deliveries via handcart or forklift during daytime hours at certain times (between 6 AM and 8 AM and again between 11 AM and 3 PM) as agreed upon with 684 Owners Corp. and Downtown RE Holdings LLC, the other parties in control of the Great Jones Alley.
21. Employees will be prohibited from smoking or congregating in Great Jones Alley for any purpose other than deliveries and waste removal.
22. GJD will seek to engage with nearby garages to minimize traffic on Broadway.
23. Appropriate sound proofing measures will be taken as recommended by GJD’s contracted sound consultant. Signs will be posted adjacent to the main entrance advising patrons to “Please respect our neighbors by lowering your voice”, or similar language, contingent upon approval from the New York City Landmarks Preservation Commission.
24. There will be no 3rd party promoters, “red carpet” or “celebrity” sponsored events. There will be no events which attract groups of people and/or paparazzi/freelance photographers to crowd and overwhelm the sidewalk or roadway in front of the premises, and there will be no queuing on the sidewalk. Any type of cross promotional or promotional events consisting of more than one hundred-fifty (150) guests will be limited to four (4) events per month, will strictly adhere to all stipulations during those events, and all areas in front of and adjacent to the premises will be kept clear of related activity at all times with no lines, barriers, or congregating and no additional outdoor activity or placement of promotional related exterior signage, exterior furniture or related vehicles in front of or adjacent to the premises. If there are multiple private events at any one time, GJD will use commercially reasonable efforts to stagger start/finish times of any such events in an effort to avoid sidewalk congestion.
25. GJD may have up to twelve (12) full buyouts per year for private or special events. There will be dedicated personnel to manage patron street activity (ingress, egress, congregating and smoking) from 9PM to Close and anytime there is any event of fifty (50) or more people, or otherwise needed.
26. The premises will not permit dancing. There will be no application for a cabaret license or dancing permitted, except at a wedding or similar private event *if it is affirmatively demonstrated that this is an allowed use under the proposed zoning use group and under the existing Certificate of Occupancy.*

27. Tour buses will not be permitted to stop in front of premises for any purposes, to the extent this is in the control of GJD.
28. There will be no transfer of the license to an unaffiliated party; the on-premise license will be surrendered upon leaving the premises.
29. GJD shall provide neighbors and the Community Board with working telephone numbers and the names of designated persons that may be contacted for questions or complaints. GJD is committed to meeting regularly with the Community Board and members of the Community upon request.
30. A copy of the executed stipulations will at all times be available for inspection and kept in close proximity to the liquor license.

x. Whereas, the applicant plans simultaneously to apply for and to obtain Class A-1 Distiller and Class D-1 Farm Distiller licenses from the NYS SLA prior to opening, for the purpose of operating a micro distillery within the premises, while also planning to conduct tours of the distillery to the public at a cost, the distillery having and including a handmade copper still as its focal point, the applicant stating in its application and public interest statement that the craft distillery will promote and feature NYS craft made liquor and related agricultural products, the distillery being unique to the Boro of Manhattan, but not to New York City, in that according to the applicant the last Manhattan-based distillery closed over a century ago; and,

xi. Whereas, the applicant has stated through their lead architect that it has already reached out to the NYC Fire Department for preliminary discussions there clearly being fire safety concerns for a commercial distillery with highly flammable liquids, noxious odors and gases/smoke coming from the distillery within a closely urban setting with adjacent high-rise residential buildings with surrounding residential community including historic loft buildings; and,

xii. Whereas, the applicant's lead architect further explained that precautions meeting all legal requirements will take place during the renovation process for the ancillary smoke, odors, Class C flammable liquids, venting and new mechanical systems, equipment and machinery used for the distillery and restaurant, that 50 percent of the distilling process including the two year process of storing and aging the distilled product will occur elsewhere after it is manufactured at the distillery (due to safety concerns with the storing of the product), that the existing fire alarm and existing sprinkler systems will be upgraded with more condensed and powerful sprinkler systems as required, the distillery portion of the building (identified as "bonded areas") will be enclosed with "3-hour rated partitions", patrons to the restaurant and bar areas being prohibited from walking through the partitioned, bonded distillery areas of the building, a "higher than usual air change rate to flush the processing areas to prevent flumes from accumulating", "use a LEL sensor system" to "continually monitor vapor levels", use explosion proof motors, lighting/power switches and fans in all the areas that will be exposed to the process and monitoring the drainage from the process areas to make sure "we are not discharging any alcohol in the drain system", the applicant's architect explaining and affirmatively stating that all fire prevention "will be above and beyond code requirements"; and,

xiii. Whereas, as to the M1-5B zoning district where the commercial building is located, the applicant conceded that such a zoning district precludes retail eating and drinking establishments on the ground/first floor and cellar or over 5,000 sq. ft. in total space, but in this case the building has already been used for retail and retail (use group 6) is an existing permitted use according to the existing Certificate of Occupancy (grandfathered location) and the applicant states that the premises used for eating and drinking will be less than 5,000 sq. ft.; the applicant states that in addition, a use group 18A (needed for alcohol beverage or breweries) is also permitted in this type of zoning district provided certain additional requirements are met pursuant to the zoning text and use group 17 (needed for bottling) is also allowed,

the applicant agreeing that it will be seeking a change in the existing certificate of occupancy for the building to permit the use of distillery, bottling and for an eating/drinking establishment on the multiple floors of the building prior to opening; and,

xiv. Whereas, the proposed building site is located within an M1-5B zoning district which allows certain residential use as of right and is located directly across the street from a C6-2 Zoning District; the abutting building to the North will be residential on the upper floors, the abutting building to the South is residential on the upper floors, the building to the rear is residential on the upper floors and the building across the street is residential on the upper floors; and,

xv. Whereas, many people appeared and sent correspondence in support of the application, including the individual owner/builder of the abutting residential building to the North which is a new building under construction and the Co-Op Board President of the abutting residential building to the south sent a letter, those two buildings share common walls and the Great Jones Alleyway at the rear with 686 Broadway, the applicant having agreed to a “Letter of Intent” with the two buildings (684 and 688 Broadway) limiting the operations of the Great Jones Distillery and hours of the restaurant and ancillary bars/lounge to reduce noise, maintain crowd control on Broadway in front of the premises and to curb excessive or disruptive uses of the Great Jones Alleyway during its proposed operations; and

xvi. Whereas, despite the letter of intent, a number of people living in 684 Broadway also appeared questioning the validity of the letter of intent proposed by its Coop Board, stating that the vast majority of people living in the building, including many families with children, were vehemently opposed to this liquor license application and that the other building (688 Broadway) was actually until recently a vacant lot that is under construction for the purpose of development of residential condos (other than the ground floor) but that the developer did not actually represent those living in the immediate community exposed to the late-night impacts which will occur from the licensing of such a large building with multiple bars, a distillery promoting the consumption of spirits and the day time tours of the facilities proposed; and.

xvii. Whereas, the people in support of this application also cited multiple positive consequences for the immediate neighborhood in adding the distillery and eating/drinking establishment, albeit based on the pretext that the premise will be closed by 12 AM every night, cited the growing number of storefront vacancies in the immediate Broadway area, especially at night, the addition of a distillery/restaurant creating additional foot traffic in the evenings thereby reducing concerns of vagrancy, drug use and other criminal activities, the commercial enterprise of a distillery being a creative and unique, perhaps creating economic prosperity for other storefronts in the immediate area, most of the buildings on Broadway having retail storefronts at their base; and,

xviii. Whereas, many people living in the area also appeared and sent-in correspondence in opposition to the application, including the NoHo Bowery Stakeholders, which also submitted an on-line petition in opposition with approximately 141 signatures from people living in the area, citing the largeness of the operations, the inappropriate nature of adding a distillery in an area in which many of the buildings on the immediate Broadway corridor are mostly residential uses above the second floor, the particular address has never before been licensed previously and the area is over-saturated with licensed establishments, the applicant’s sole purpose is to promote the consumption of distilled spirits at or too near a heavily residential area and adjacent to and in the middle of the New York University “campus”, the venting and mechanical systems on the rooftop from the kitchens and fermentation still will cause excessive noise, obnoxious fumes and smells; and,

xix. Whereas, there was also significant opposition to the application because the applicant would not adequately restrict the number of special events, simultaneous small-scale events in multiple spaces and similar style events and ongoing tours, which would have an impact on the quality of life in the immediate area, would not remove upper floor operable windows and there was also opposition to the application for the on-premise liquor license because the provisions of a farm distillery license already allow for a tasting room and retail off premise sales; and,

xx. Whereas, there was additional opposition from other craft distillery owners in Brooklyn and in other points of NYC who appeared and questioned the uniqueness of the operations, the distillery proposed being small, a “token still” not being representative or consistent with a wave of craft distillers in NYC/NYS that have formed following a change in NYS distilling laws or the ethos which they adhere to, meant to confuse drinkers into thinking that a particular brand is small and crafty when the actual spirits that will make up the majority of drinks served are distilled elsewhere where production is cheaper, the premises and distillery proposed representing a “branding headquarters” orchestrated by global, multi-national corporation with profoundly deep pockets; and,

xxi. Whereas, while not subject to any requirements for public interest, convenience or advantage or any other public review, the underlying application for both Class A-1 Distiller and Class D-1 Farm Distiller licenses do not appear to be congruent uses for this area, the residential occupancies on upper floors in all cardinal compass points emphasize this point; most distilleries operate in exclusively manufacturing/industrial areas and often in stand alone buildings and facilities with adjoining manufacturing/industrial uses; and,

xxii. Whereas, NoHo is a highly successful mixed-use neighborhood which has thrived for decades and is a successful commercial district with a high value mix of residential and office uses on the upper floors throughout the district and ground floor uses notably in transition due to the large floor plates and shifting commercial demographics, a multi-floor food and beverage use in conjunction with a distillery not having been demonstrated as a compatible with this neighborhood and commercial district or as a fitting use at this location; and,

xxiii. Whereas, this application being subject to the 500 foot rule, requiring the applicant to demonstrate whether the public interest of the community would be served by the granting of the license, there being 8 on premise licenses within 500 ft. of the premises, 24 on premise licenses with 750 ft. of the premises, with 5 additional pending liquor license applications for the same geographic area but not including the many existing beer/wine licenses within this same area; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** for **Great Jones Distillers, LLC d/b/a Great Jones Distillers, 686 Broadway basement, 1st, 2nd & 3rd Floors, 10012** on its application seeking a new OP license; and

THEREFORE BE IT FURTHER RESOLVED that if this application is filed by the applicant and is considered by the New York State Liquor Authority, CB2, Man. requests that this recommendation to deny the application is fully considered and thoroughly reviewed both at any 500-ft. hearings conducted and before the Members of the New York State Liquor Authority and request that appropriate consideration be weighed that the additional licenses filed by the applicant for Class A-1 Distiller and Class D-1 Farm Distiller licenses for which no demonstration of public interest, convenience and advantage is required and which allow for the service of alcohol produced on site, from other NYS producers and other allowable uses be considered as a adequate for the premises, despite the applicant proposing that only 50% of the distilling process will occur at this premise; and,

THEREFORE BE IT FURTHER RESOLVED that should this application be considered by the Liquor Authority and after a 500-ft. hearing is conducted, CB2, Man. respectfully requests that this item be Calendared to appear before the Members of the Authority for Determination; and,

THEREFORE BE IT FURTHER RESOLVED that if this application is approved by the Members of the Authority, despite the above-stated recommendation to deny this application, CB2, Man. requests that all the stipulations addressed above along with any additional stipulations that would address the impact of events at the premises, quality of life and other issues raised by immediately impacted residents and those with standing be incorporated into the “Method of Operation” on the On Premise License.

Vote: Passed, with 29 Board members in favor, and 8 in opposition (A. Brandt, W. Bray, T. Connor, R. Goldberg, N. Gottlieb, P. Laraia, R. Sanz, E. Young).

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

3. 135 Tart, LLC, d/b/a Once Upon A Tart, 135 Sullivan St., South Store 10012 (OP/upgrade—Withdrawn).

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on January 9, 2018, the Applicant requested to withdraw its application from further consideration at this time and would refile a new 30 day notice to CB2, Man. should it seek to move forward with this application at any time in the future;

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., South Store 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 37 Board members in favor.

4. Suri Restaurant Corp., d/b/a Bari, 417 Lafayette St. 10003 (OP – Restaurant) (laid over).

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on January 9, 2018 the Applicant requested to lay over this application for an on premise license to February/2018;

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 **Suri Restaurant Corp., d/b/a Bari, 417 Lafayette 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 37 Board members in favor.

5. 524 Broadway Tenant, LLC, d/b/a WeWork, 524 Broadway 7th, 8th & 9th floor 10012 (TW – Bar/Tavern seeking live music and DJs) (RW – Restaurant) (laid over)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on January 9, 2018, the Applicant requested to lay over this application for a Tavern Wine license to February/2018;

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 **524 Broadway Tenant, LLC, d/b/a WeWork, 524 Broadway 7th, 8th & 9th floor 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 37 Board members in favor.

6. 524 Broadway Tenant, LLC, d/b/a WeWork, 524 Broadway 10th & 11th floors 10012 (TW – Bar/Tavern accessory to office space)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on January 9, 2018, the Applicant requested to lay over this application for a Tavern Wine license to February/2018;

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 **524 Broadway Tenant, LLC, d/b/a WeWork, 524 Broadway 7th, 8th, 9th, 10th & 11th floors 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 37 Board members in favor.

7. 428 Broadway Tenant, LLC, d/b/a WeWork, 428 Broadway 2nd, 3rd, 4th, 5th & 6th floor 10012 (TW – Bar/Tavern accessory to office space)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on January 9, 2018, the Applicant requested to lay over this application for a Tavern Wine license to February/2018;

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 **428 Broadway Tenant, LLC, d/b/a WeWork, 428 Broadway 2nd, 3rd, 4th, 5th & 6th floor 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 37 Board members in favor.

8. WW 379 W Broadway, LLC, d/b/a WeWork, 379 W. Broadway 2nd, 3rd, 4th & 5th floors 10012 (TW – Bar/Tavern accessory to office space)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on January 9, 2018, the Applicant requested to lay over this application for a Tavern Wine license to February/2018;

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 **WW 379 W Broadway, LLC, d/b/a WeWork, 379 W. Broadway 2nd, 3rd, 4th & 5th floors 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 37 Board members in favor.

9. 88 U Place Tenant, LLC, d/b/a WeWork, 88 University Pl. 2nd, 3rd, 4th, 5th & 6th floor 10003 (TW – Bar/Tavern accessory to office space)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on January 9, 2018, the Applicant requested to lay over this application for a Tavern Wine license to February/2018;

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 **88 U Place Tenant, LLC, d/b/a WeWork, 88 University Pl. 2nd, 3rd, 4th, 5th & 6th floor 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 37 Board members in favor.

10. 88 U Place Tenant, LLC, d/b/a WeWork, 88 University Pl. 7th, 8th, 9th & 10th floor 10003
(TW – Bar/Tavern accessory to office space)

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on January 9, 2018, the Applicant requested to lay over this application for a Tavern Wine license to February/2018;

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 **88 U Place Tenant, LLC, d/b/a WeWork, 88 University Pl. 7th, 8th, 9th & 10th floor 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 37 Board members in favor.

11. WeWork Little West 12th, LLC, d/b/a WeWork, 1 Little W. 12th St. 2nd, 3rd, 4th, 5th & 6th floor 10014 (TW – Bar/Tavern accessory to office space)

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on January 9, 2018, the Applicant requested to lay over this application for a Tavern Wine license to February/2018;

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 **WeWork Little West 12th, LLC, d/b/a WeWork, 1 Little W. 12th St. 2nd, 3rd, 4th, 5th & 6th floor 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 37 Board members in favor.

12. The Green Brooklyn, LLC, d/b/a TBD, 252 W. 14th St. 10011 (OP – Bar / Eatery)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present a “transfer” application to the Liquor Authority for a new on-premise liquor license for a local pub eatery with a focus on Irish hospitality, but not the “Irish Bar” frequently found in NYC, no televisions, low recorded music, nice comfort food and nice ambiance; there will be a change of interior décor, upgrade of plumbing, minor storefront change including adding small operable window and addition of kitchen area; and,

ii. Whereas, this application is for a new On-Premise Liquor License for a previously licensed location on 14th Street between 7th Avenue and 8th Avenue in a mixed use building on the ground floor and basement (1,500 sq. ft. ground floor for patron use, 200 sq. ft. basement – no patron use of basement), with 8 tables and 20 seats and 2 stand up bars with 16 seats; there is an existing Certificate of Occupancy; there will not be a sidewalk café and there are no French doors but there will be a small operable window; and,

iii. Whereas, the hours of operation will continue to be 10AM to 4AM 7 days a week (no patrons shall remain at closing), music will be ambient quiet background only consisting of recorded music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no DJ, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; there may be live music once a week from a small 3 piece acoustic only trio – windows and doors will remain shut during performances; and,

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

1. The premises will be advertised and operated as a local pub eatery with focus on Irish hospitality but not an “Irish Bar”, no televisions, low music, nice food and ambiance.
2. The hours of operation will be from 10AM to 4AM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The Premises will operate with less than a full service kitchen, but will serve food during all hours of operation.
4. The premises will not operate as a lounge or sports bar.
5. The premises will not have televisions.
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. Will close all doors & windows at 10PM and anytime there is amplified music or live music.
9. Will not make changes to the existing façade except as described below.
10. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
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 appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
14. The premises will not have Dancing, DJs, live music**, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades.
15. Premises will have security 7 days a week in the evenings.
16. Will install window in front façade that begins at waist level. Window will be closed anytime there is music or live music.
17. There may be a 3 piece live unamplified music one night a week only.
18. Occupancy at all times will not exceed 70 people.

v. Whereas, the principals own another bar Thirty Trees Corp. operated as Hartley's in Brooklyn; and,

vi. Whereas, the applicant provided a petition with a few names in support; and,

vii. Whereas, there are currently approximately 12 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 On-Premise Liquor License for **The Green Brooklyn, LLC, d/b/a TBD, 252 W. 14th 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 On Premise Liquor License.

Vote: Unanimous, with 37 Board members in favor.

13. Ethos Labs, LLC, d/b/a Gin Lane, 446 West 14th St. 10014 (OP – Bar Lounge)

i. Whereas, the Applicant and Attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to modify an application presented to CB2, Man. in October 2017 for a new seasonal temporary on premise liquor license to operate a pop-up whisky lounge in a ground floor storefront on 14th Street between Washington Street and 10th Avenue in the Meat Packing District through April 30, 2018; the applicant also stated that it is their intention to now seek an regular on-premise liquor license via a “class change” application which will be filed for when the seasonal winter on-premise liquor license expires; the venue will have the feel and tempo of a Brandy library on North Moore Street featuring comfortable lounge seating with a modern décor; and,

ii. Whereas, the first-floor store front premise is located in a three-story commercial use building (c1936) in a roughly 7,730 sq. ft. premise (ground floor 3,766 sq. ft., basement 3,964 sq. ft. – no patron use of the basement); the ground floor layout was altered from the originally presented plan in 10/2017 and is now a long straight bar extending through the premises as presented on the diagram; there will be lounge seating with 28 tables and 102 table seats proposed and 1 standup bar with 21 seats, for a total patron seating capacity of 123; maximum occupancy will be 147 patrons; there is no outdoor seating or service proposed, there are no operable facades to the storefront and a Certificate of Occupancy was presented permitting “Mercantile” uses on the ground floor only with storage rooms including boiler and gas meter rooms designated for the cellar; and,

iii. Whereas, the storefront premise has never been licensed previously and there has never been eating and drinking at this location in the past; and,

iv. Whereas, the proposed hours of operation are from Sunday to Wednesday from 3:00 PM to 1:00 AM and Thursday to Saturday from 3:00 PM to 2:00 AM, there is no full-service kitchen or mechanical systems proposed for installation, the proposed menu is for small plates, pizza, bites and desserts only, music is 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 DJs, no scheduled performances or cover fees, no velvet ropes and no movable barriers; and

v. Whereas, this application being subject to the 500 ft. Rule requiring the applicant to establish the public interest standard, the meatpacking district being an area greatly saturated with liquor licenses and late night eating and drinking establishments, vehicular traffic, noise and congestion and other quality of life issues, there being 12 on premise licenses within 500 ft. of the applicant’s storefront premises, 28 on premise licenses with 750 ft. of the storefront premises, with 5 additional pending liquor license applications for the same geographic area and not including the many existing beer/wine licenses within this same area; and,

vi. Whereas, the applicant did communicate with members of the local community and members of the community appeared both in October/2017 and January/2018 to express concerns, but were not in opposition provided the applicant adhere to the agreed upon stipulations; there were concerns that this location was previously unlicensed and that any later hours of operation or expansion in size would have an adverse impact on the community; and,

vii. 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 On-premises liquor license and the stipulations are as follows:

1. The premises will be advertised and operated as a whisky bar as described.
2. The hours of operation will be Sunday to Wednesday from 3:00 PM to 1:00 AM and Thursday to Saturday from 3:00 PM to 2:00 AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The Premises will operate with less than a full service kitchen, but will serve food during all hours of operation.
4. The premises will not operate as a sports bar.
5. The premises will not have televisions.
6. The premises will not operate a backyard garden, sidewalk cafe or any outdoor area for commercial purposes.
7. The premises will play recorded background music only.
8. The premises will not have Dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, will not have security personnel/doorman.
9. The Premises will not have French doors, operable windows or open facades and will close all doors and windows at all times except for patron ingress and egress.
10. There will be no unlimited food and drink specials, “boozy brunches”, or pitchers of beer.
11. Will appear before CB2 prior to submitting any changes to any stipulations.
12. Total occupancy will not exceed 147 people.
13. Basement will not be used for patrons.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an on-premise liquor license including the changes to the layout as presented for **Ethos Labs, LLC, d/b/a Gin Lane, 446 W. 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 their on-premise liquor license.

Vote: Unanimous, with 37 Board members in favor.

14. LPBK Corp., d/b/a Takumi, 1 University Pl. Store #2 10003 (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 transfer of an existing restaurant wine license for a Japanese restaurant focusing on a variety of ramen; the d/b/a name and method of operation will not change; and,

ii. Whereas, this application is for a Beer and Wine license in a mixed-use building located on the corner of University Place and Washington Square North for a roughly 1,800 sq. ft. premise (1,200 sq. ft. ground floor and 600 sq. ft. basement – no patron use of basement) with 19 tables and 47 seats and no stand up bar; maximum occupancy is 74 people, there is no sidewalk café and no backyard garden; there is no sidewalk café and no operable windows or French doors; and,

iii. Whereas, the hours of operation will be from 11AM to 12AM 7 days a week (no patrons shall remain at closing), music will be ambient 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 DJ, no promoted events, 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 would be attached and incorporated in to the method of operation on the new Restaurant Wine License stating that:

1. This application is for a restaurant wine license.
2. Premise will be advertised and operated as a Japanese restaurant focusing on ramen.
3. The hours of operation will be from 11AM to 12AM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
4. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
5. The premise will not have televisions.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a licensed sidewalk café.
7. A sidewalk café is not included in this application.
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. The premises will not have dancing, DJs, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.
10. All doors and windows will be closed at 10PM every night and anytime there is amplified music.
11. There will only be a fixed façade. There will be no French doors or operable windows that open.
12. Will play quiet ambient background music only. No music will be audible in any adjacent residences anytime.
13. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.

v. Whereas, the principal currently operates several restaurants;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a new Restaurant Wine License for **LPBK Corp., d/b/a Takumi, 1 University Pl. Store #2 10003** 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 37 Board members in favor.

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

15. Slice West Village, Ltd. d/b/a Slice, The Perfect Food, 535 Hudson St. 10014 (RW – Restaurant) (layover)

Whereas, at the October 12th CB2, Man. SLA Licensing Committee #2 meeting the Applicant agreed to return to CB2 in December to further address issues and complaints raised by local residents; On December 13, 2017, the manager, representative and contractor appeared but not the owner; the manager had only been working at the establishment for a number of weeks; CB2, Man. requested that the owner return in January 2018; On January 11, 2018 another manager and contractor appeared but not the owner to update the committee, but acknowledge that work was done the morning of the meeting and just a few days prior and they had not met with residents as they had said they would to calibrate and review the issues on site; the applicant agreed to return again in February 2018; the complaints to be addressed are the same that have been raised year over year and were last memorialized by CB2, Man. in 2013 in a resolution to the Liquor Authority; residents and the applicant agreed to try to once again resolve these issues which center around issues with operation of the sidewalk café and not adhering to Department of Consumer Affairs regulations and ongoing Quality of Life Issues centering around an inability to resolve issues with noisy ventilation fans which the applicant has promised to fix for YEARS but still continues to cause problems; in December 2017, the contractor who appeared acknowledged that the timer on the ventilation fan that shuts it off overnight may be defective and stated they would mount the ventilation equipment on the roof on rubber mounts; as a continuing good faith gesture, CB2, Man. extended the courtesy to the Applicant of a 2- month layover which was extended to 3 months during which time they can meet with local residents and hopefully resolve the matter once and for all;

THEREFORE BE IT RESOLVED that CB2, Man. recommends that the applicant, **Slice West Village, Ltd. d/b/a Slice, The Perfect Food, 535 Hudson St. 10014**, resolve with local, immediately impacted residents the issues surrounding the operation of their sidewalk café and the quality-of-life issues, particularly the noise issues associated with their vent fan which is left on 24 hours a day causing unnecessary noise and vibration and that they return to CB2 in January 2018 to update the Board on these matters and CB2, Man. requests that the Liquor Authority await further advisement on this situation from CB2 regarding any recommended course of conduct.

Vote: Unanimous, with 37 Board members in favor.

16. Beau Maison Corp. d/b/a El Cantinero, 86 University Pl. 10003 (OP – Bar/Tavern Alteration – SN# 1024183)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on January 11th, 2018, the Applicant requested to again **layover** this application for an **alteration/change in method of operation** to add security guards only in response to disciplinary proceedings for an existing on premise liquor license SN# 1024183 because they were not prepared with materials and their attorney was not present; members of the community appeared in opposition and the Licensee did hear several complaints and concerns from residents regarding the current operation as they related to the operation of exterior space, noise, and music coming from windows and other Quality of Life issues; the Licensee 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 an **Beau Maison Corp. d/b/a El Cantinero, 86 University Pl. 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 37 Board members in favor.

17. Dragonfly Soul, Inc., d/b/a N/A, 140 West 4th St. 10012 (RW – Restaurant)

Whereas, after properly notifying CB2, Man. of their intent to file a beer and wine license and being placed on CB2, Manhattan's SLA Licensing Committee #2 Meeting Agenda on January 11th, 2018, the Applicant failed to appear or request to layover this application for a new beer/wine/cider license;

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 **Dragonfly Soul, Inc., d/b/a N/A, 140 West 4th 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 37 Board members in favor.

18. LXC, Inc. d/b/a N/A, 162 W. 4th St. 10014 (RW – Rest) (Layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on January 11th, 2018, the Applicant requested to layover this application for a new beer/wine/cider 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 an **LXC, Inc. d/b/a N/A, 162 W. 4th St. 10014**, until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 37 Board members in favor.

19. Soho Village Hotel LLC & San Marino at Soho Inc., d/b/a Four Points by Sheraton & San Marino Ristorante, 66 Charlton St. 10014 (OP – Hotel Restaurant)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee #2 Meeting on January 11th, 2018, the Applicant requested to layover this application for an alteration to an existing Hotel Liquor License, SN#1203960 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 **Soho Village Hotel, LLC & San Marino at Soho, Inc. d/b/a Four Points by Sheraton & San Marino Ristorante, 66 Charlton St. 10014 SN#1203960** 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 37 Board members in favor.

20. 289 Bleecker Restaurant LLC, d/b/a The Loyal (Previously Pagani), 289 Bleecker St. 10014 (OP – Restaurant)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee #2 Meeting on January 11th, 2018, the Applicant requested to layover this application for an alteration to an on-premise liquor license, SN#1267960 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 **289 Bleecker Restaurant LLC, d/b/a The Loyal (Previously Pagani), 289 Bleecker St. 10014 SN# 1267960** 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 37 Board members in favor.

21. Juicerie 3, LLC, d/b/a The Butcher’s Daughter, 581 Hudson St., South Store 10014 (OP – Restaurant)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee #2 Meeting on January 11th, 2018, the Applicant requested to layover this application for an alteration to an on-premise liquor license, SN# 1291280 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 **Juicerie 3, LLC, d/b/a The Butcher's Daughter, 581 Hudson St., South Store 10014 SN# 1291280** 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 37 Board members in favor.

22. Moon Wrap, LLC, d/b/a Wolfnights, 235 Bleecker St. 10014 (Beer & Cider – Quick Service Wraps Restaurant)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on January 11th, 2018, the Applicant requested to layover this application for a new beer/wine/cider 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; and

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 an **Moon Wrap, LLC d/b/a Wolfnights, 235 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 37 Board members in favor.

23. JN Kazoku, Inc., d/b/a Japonica, 90 University Pl. 10003 (OP – Restaurant)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on January 11th, 2018, the Applicant requested to layover this application for a new on-premise liquor license, SN# 1291280 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 **JN Kazoku, Inc., d/b/a Japonica, 90 University Pl. 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 37 Board members in favor.

24. Upright Holdings 547, LLC, d/b/a Upright Brew House, 547 Hudson St. 10014 (OP – Restaurant)(Class Change)

i. Whereas, the Licensee appeared before CB2's SLA Licensing committee in December 2017 to present an application to upgrade an existing tavern wine license SN#1261312 to a full on-premise liquor license

and to extend by one hour the stipulated operating times for the Department of Consumer Affairs Licensed Sidewalk Cafe; there was community opposition from immediately impacted residents who spoke in opposition; and

ii. Whereas, after presenting before CB2, Man. and after CB2's SLA Licensing Committee had unanimously recommended to Deny the proposed application as presented on December 13th, 2017, but prior to its presentation to the full board of CB2 in December 2017, the Licensee requested to return to CB2 in January 2018 to further discuss the application and use the interim time period explore additional changes that may be worthy of reconsideration by the Committee and local residents; and,

iii. Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on January 11th, 2018, the Applicant again requested additional time over their previous request in December 2017 and requested to return to CB2 in February 2018 to further discuss the application and use the interim time period explore additional changes that may be worthy of reconsideration by the Committee and local residents; the applicant will not submit the application to the SLA in the interim until after they appear before CB2, Man. in February/2018;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of alteration or class change application or any other changes to the existing tavern wine license SN#1261312 for **Upright Holdings 547, LLC, d/b/a Upright Brew House, 547 Hudson St. 10014** **until** the Applicant has returned to re-present the application before CB2 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 without reappearing before CB2, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 37 Board members in favor.

Respectfully submitted,

Keen Berger
Secretary
Community Board #2, Manhattan