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## COMMUNITY BOARD No. 2, MANHATTAN

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

### FULL BOARD MINUTES

**DATE:** June 21, 2018  
**TIME:** 6:30 P.M.  
**PLACE:** Village Community School, P.S. 41, 116 W. 11<sup>th</sup> St., Auditorium

**BOARD MEMBERS PRESENT:** Keen Berger, Tobi Bergman, Katy Bordonaro, Anita Brandt, Amy Brenna, Richard Caccappolo, Ritu Chattree, Erik Coler, Terri Cude, Chair; Doris Diether, Cristy Dwyer, Robert Ely, Kathleen Faccini, Stella Fitzgerald, Cormac Flynn, Joseph Gallagher, Susan Gammie, Nicholas Gottlieb, Susan Kent, Jeannine Kiely, Janet Liff, Daniel Miller, Lois Rakoff, Robert Riccobono, Robin Rothstein, Sandy Russo, Rocio Sanz, Shirley Secunda, Frederica Sigel, Georgia Silvera Seamans, Shirley Smith, Chenault Spence

**BOARD MEMBERS ABSENT WITH NOTIFICATION:** Susanna Aaron, Lisa Cannistraci, Robin Goldberg, David Gruber, Antony Wong

**BOARD MEMBERS ABSENT:** Jon Buono, Scott Sartiano

**BOARD MEMBERS PRESENT/ARRIVED LATE:** Carter Booth, William Bray, Tom Connor, Jonathan Geballe, Patricia Laraia, Edward Ma, Maud Maron, Kristin Shea, Susan Wittenberg, Adam Zeldin

**BOARD MEMBERS PRESENT/LEFT EARLY:** Coral Dawson, Maud Maron

**BOARD STAFF PRESENT:** Josh Thompson, Assistant District Manager, Florence Arenas, Community Coordinator, and Eva Mai, Community Assistant

**GUESTS:** Robert Atterbury, Congressman Jerrold Nadler's office; Jeremy Crimm, Congresswoman Carolyn Maloney'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; Rebecca Ou, Assembly Member Yuh-Line Niou's office; Charles Anderson, Assembly Member Deborah Glick's office, Adam Chen, Public Advocate Letitia James' office; Patrice Comerford, Council Speaker Corey Johnson's office; Irak Cehonski, Council Member Carlina Rivera's office; Marian Guerra, Council Member Margaret Chin's office; Rita Lee, Graeme Birchall, Caroline Spiruck, Laura Shephard, Moshe Bildres, Nancy Brous, Madison Norris, Daniel Lizio-Katzen, Luca Katzen, Zella Jones, Jonathan Ellis, Pete Davies, Adam Welch, Liva Katzen, Enzo Katzen, Catherine Schubart, Norm Sutara, Jane Carey, Ken Coughlin, Jacob McNally, Reed Rubey, Michael Hirschorn, Adina Taylor, Lewel Lindsay, Darlene Lutz, Cordelia Persen, Rachel Yarmolinsky, Robert Woodworth

## **MEETING SUMMARY**

Meeting Date – June 21, 2018  
Board Members Present – 41  
Board Members Absent With Notification – 5  
Board Members Absent - 2  
Board Members Present/Arrived Late - 10  
Board Members Present/Left Early – 2

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### **II. PUBLIC SESSION**

#### **Non-Agenda Items**

##### LGBT Center

Robert Woodworth updated everyone regarding Stonewall projects.

##### Whitney Museum

Jane Carey updated everyone on the museum's public art proposal.

##### Lincoln Plaza Cinema

Rita Lee announced that the Lincoln Plaza Cinema is offering free movie viewing on a weekly basis.

##### Washington Square Music Festival Concert Series

Lois Rakoff reminded everyone that the final concert will take place on Tuesday, June 26<sup>th</sup>.

##### Immigration Family Separation

Ritu Chattree spoke regarding this issue.

##### Pavers on Clarkson Street

Luca Katzen spoke in favor of the pavers on Clarkson St.

Daniel Lizio-Katzen spoke regarding the pavers.

Downtown Boathouse, Pier 26

Graeme Birchall spoke regarding activities available at the pier such as biking and kayaking.

Grupo Gitano, 76 Varick St.

Darlene Lutz and Catherine Schubart spoke against the venue, citing crowds, noise and quality-of life issues.

**Elizabeth Street Garden Working Group**

Jeannine Kiely updated everyone regarding the garden.

**Landmarks & Public Aesthetics Items**

16 Jones St. (Greenwich House Pottery) - Application is to install a 1-story structure in existing courtyard.

Adam Welch, the applicant, spoke in favor of the proposed landmarks application.

Michael Hirschorn spoke against the proposed expansion.

**SLA Licensing Items**

Gino Sorbillo, LLC d/b/a Gino Sorbillo, 334 Bowery 10012 (OP – Restaurant)(To include Sidewalk Café)

Zella Jones spoke against the alteration application to include the proposed sidewalk café.

Elmer Kennedy, LLC d/b/a Pasquale Jones, 86 Kenmare St. 10012 (OP – Restaurant)(Class Change)

Jonathan Ellis and Madison Norris spoke against the class change to an On Premise liquor license.

**Traffic and Transportation Items**

Request for a comprehensive study to review dangerous pedestrian, bicycle and illegal motorized bike and scooter congestion on the Hudson River Park bikeway bet. Canal and 14th Streets

Reed Rubey and Ken Coughlin spoke in favor of the resolution regarding the study.

Nancy Brous spoke regarding bike path safety.

NY State Senate Bill S-8784

Norm Sutoria spoke against the proposed bill, which would cede parkland to NYCTA to construct an electrical substation.

**III. ADOPTION OF AGENDA**

**IV. ELECTED OFFICIALS PRESENT AND REPORTING**

Robert Atterbury, Congressman Jerrold Nadler’s office

Jeremy Crimm, Congresswoman Carolyn Maloney’s office;

Elena Sorisi, Senator Brad Hoylman’s office

Fiona Jung, Senator Brian Kavanagh’s office

Rebecca Ou, Assembly Member Yuh-Line Niou’s office

Charles Anderson, Assembly Member Deborah Glick's office

Adam Chen, Public Advocate Letitia James' office

Andrew Chang, Manhattan Borough President Gale Brewer's office

Patrice Comerford, Council Speaker Corey Johnson's office

Marian Guerra, Council Member Margaret Chin's office

Irak Cehonski, Council Member Carlina Rivera's office

## **V. ADOPTION OF MINUTES**

Adoption of May minutes

## **VI. BUSINESS SESSION**

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

2. **District Manager's Report** Bob Gormley-not present, no report issued.

## **STANDING COMMITTEE REPORTS**

### **LAND USE AND BUSINESS DEVELOPMENT**

1. **Hudson Square BID Proposed Expansion** - Hudson Square Connection will present the proposed expansion of the Business Improvement District (BID).

#### **Whereas**

1. The Hudson Square Business Improvement District and its District Plan were created in 2008 and the Plan was amended in 2013, following the establishment of the Special Hudson Square (Zoning) District to create a new assessment class (Class F) for residential properties developed under the special zoning district.
2. This expansion of the district is described in the Amended District Plan, created in 2018, modifies, amends and replaces the 2013 Amended District Plan in its entirety for the Hudson Square BID and its corresponding district management association, The Hudson Square Connection.
3. The current boundaries are properties bounded by Greenwich St on the west, West Houston St on the north, and generally Sixth Avenue on the east and Canal Street on the south.
4. This application is to expand the boundaries to more accurately reflect the physical and economic neighborhood known as Hudson Square; and
5. The proposed boundaries will extend to include properties north to Clarkston St. and west to West St.
6. The scope of services remains unchanged.

**Therefore, be it resolved** CB2, Man. has no objection to this expansion.

Vote: Passed, with 35 Board members in favor, 4 opposed (G. Silvera Seamans, K. Bordonaro, S. Russo, R. Sanz), and 2 abstentions (A. Zeldin, D. Diether).

**2. M1 Hotel Text Amendment** (N 180349 ZRY) Department of City Planning (DCP) is proposing a citywide zoning text amendment to establish a new special permit for hotels in M1 districts under the jurisdiction of the City Planning Commission (CPC). These uses are currently as of right in M1 districts and, if passed, would require a special permit (except in MX and M1/R).

**Whereas:**

1. The NYC Department of City Planning proposes a zoning text amendment to require a City Planning Commission Special Permit for new hotels within all M1 districts. This proposal would limit the potential for conflicts between uses as well as achieve a balanced mix of uses and jobs in neighborhoods by ensuring that sufficient opportunities for industrial, commercial, and institutional growth remain.
2. Light Manufacturing zoning districts (M1 zones) have emerged as areas of opportunity, presenting some of the city's last reservoirs of buildable land, but rules regulating land use and development in these districts have changed little since the city was comprehensively rezoned in 1961.
3. Given the disparate characteristics of the city's M1 districts and M districts' position as potential areas to support economic opportunity and services for a growing residential population, the Department of City Planning needs to ensure that sufficient opportunities for industrial, commercial, and institutional growth remain, and believes it would be beneficial to revisit the zoning framework for M1 districts.
4. The New York City Department of City Planning (DCP) is proposing this zoning text amendment to establish a new Special Permit under the jurisdiction of the City Planning Commission (CPC) for new hotels, motels, tourist cabins, and boatels in light manufacturing (M1) districts citywide.
5. By establishing a new CPC special permit, DCP proposes a case-by-case, site-specific review process to ensure that hotel development occurs only on appropriate sites, based on reasonable considerations regarding whether a hotel presents the potential for conflicts with the surrounding uses and how well a hotel reflects the general character of the surrounding area.
6. The proposed CPC Special Permit would apply to all M1 districts, excluding M1 districts with existing hotel Special Permit provisions, since appropriate controls for hotel development have already been implemented for these areas.
7. Any hotel existing within M1 districts on the date of adoption of the proposed zoning text amendment would be considered a conforming use, meaning that any enlargement or extension would be permitted so long as it does not exceed 20% of the existing floor area and the zoning lot is not enlarged. Any enlargement or extension that does exceed 20% would require the proposed Special Permit.
8. The requirement for a special permit for hotels in M1-5 districts in CB2, Man. will help to assure that such development is not harmful to the mixed-use character of these areas.
9. The M1 districts in CB2, Man. have been transitioning away from traditional manufacturing uses, so the goal in these areas should be to promote and protect a harmonious balance including residential and commercial uses. This requires considerations different from those in districts where traditional manufacturing still dominates.
10. The Hudson Square Special District was created to promote residential and commercial growth in an M16 district and therefore provides very suitable language for manufacturing districts where manufacturing is no longer the predominant use in requiring a finding that *“a harmonious mix of ‘residential’ and non-‘residential uses’ has been established in the surrounding area, and such ‘transient hotel’ resulting from a ‘development’ or ‘enlargement’ is consistent with the character of such surrounding area.”*

11. Including a similar finding in the proposed citywide zoning text amendment would help promote a vibrant mix of uses and provide consistency with existing special permit requirements.
12. In order to be able to protect nearby residences from hotel developments, the planning commission needs to be able to require enforceable conditions in the manner provided under ZR 74-21 Conditions and Safeguards.
13. M1-5A and M1-5B zones exist only in SoHo and NoHo. The proposed text change lacks clarity with regard to how the proposed hotel special permit will affect certain other zoning provisions in these zones.
14. While these areas will benefit from the proposed special permits, changes to the unusual and complex regulations in these areas should only be made after careful study of their impacts on the special character of these historic districts, with input from affected parties.
15. For example, the provisions of 74-711 that encourage landmark preservation should not be bypassed.
16. Currently, retail uses in M1-5A and M1-5B districts, including some hotel uses, are restricted below the level of the second floor, and special permits (74-711, 74-712 and 74-781) are currently available to hotel developers to modify these restrictions. Leaving these permit requirements in place will not be onerous to applicants because they will be able to apply simultaneously for existing permits under a single ULURP.

**Therefore, be it resolved** CB2, Man. supports a text amendment to require special permits for all hotel development in M1 areas within CB2, but only if:

1. An additional finding is added to protect and encourage a harmonious balance of uses consistent with the mixed-use character of CB2's M1-5 districts where non-manufacturing uses are prevalent.
2. The text change specifically allows the City Planning Commission to prescribe appropriate additional conditions, for example limitations on eating and drinking establishments, based on their impact on residential uses in the area, similar to the Conditions and Safeguards provision from ZR 74-21.
3. The existing restrictions on certain uses below the level of the second floor in M1-5A and M1-5B districts are retained and the text amendment requiring a hotel special permit will not supersede the requirement for any other special permit that may otherwise be applicable.

Vote: Passed, with 40 Board members in favor and 1 opposed (R. Sanz).

**3. 813 Broadway (Between east 11<sup>th</sup> and 12<sup>th</sup> Streets) - BSA Cal No. 197-05-BZ** is an application to amend previous approval and to extend construction time by two years. In 2008 BSA granted variance permitting an 11-story building with ground floor retail that exceed the permit FAR, OSR, height and setback dwelling unit count. A variance in 2010 permitted a second elevator and sub-cellar. This amendment is to propose new revised floor plans to accommodate new Codes and site conditions.

**Whereas**

1. This application is for (1) an amendment to the previously-approved plans under the BSA's resolution dated July 1, 2008, which granted a variance to permit an 11-story residential building with ground floor retail in the C6-1 district and (2) an extension of two years to complete construction at the site.
2. An amendment to the variance was granted on January 12, 2010 that allowed a second elevator and a sub-cellar. An extension of time to complete construction was also granted on August 29, 2014, stating that construction should be completed by April 29, 2018.

3. Since the prior extension was granted, the site's architect has determined that the construction of the new building should be performed in accordance with the 2014 Building Code, which has resulted in loss of floor area and has created non-compliances with the BSA-approved plans. Specifically, the layout of the residential floors 2-11 require significant modification (enlargement of bathrooms, wider entrance foyers and corridors and wider living rooms and bedrooms). Including an increase in stair width and enlarged elevators. The first commercial floor will also require modification as well to account for floor area losses.
4. The new proposed plans also reflect the consequences of an accident at the adjacent property at 809 Broadway that damaged the southern wall of the applicant's property, which required rebuilding, structural repairs and extensive modifications.
5. In order to accommodate the 2014 code changes, the consequences of the wall collapse and the need to relocate the core of the building, the applicant proposes to create a 2'-1" x 28'-0" bump-out at the rear of the building with no increase in FAR. The rear yard will still comply.
6. Due to these changes the applicant requests an extension to the construction time by two years.

**Therefore be it resolved** that CB2, Man. has no objection to this application.

Vote: Unanimous, with 41 Board members in favor.

### **LANDMARKS AND PUBLIC AESTHETICS**

**1. \*16 Jones St. (Greenwich House Pottery) - Application is to install a 1-story structure in existing courtyard.**

**Whereas:**

- A. The courtyard extends southward from the main Pottery House building which occupies its entire lot, and
- B. The area abuts the gardens of two row houses to the west and studio buildings of the applicant to the east, and a tenement building to the south and, together with the row house gardens and low studio buildings, forms an unusual and attractive doughnut, and
- C. The proposed 23' high structure covers the entire garden area, joining the main building to the north and accessory buildings to the east; and
- D. The applicant presented only a shadowed depiction of the area where the building is proposed to be located with no renderings or other representations of the building, and the vaguely referenced "transfer of the garden to the roof"; and
- E. Members of the public testified both for and against the proposal, with proponents citing the need for an elevator to enable several senior citizens easier access to the third floor, and opponents expressing concern over the destruction of the historic rear garden space and its effect on what little remains of the block's donut; and
- F. The replacement of the garden with a building of any height, regardless of the treatment of the roof, is an unacceptable intrusion on the surrounding historic buildings, including the applicants own property, and the ambience of the existing doughnut, and elevator access is achievable by other means; now

**Therefore, be it resolved** that CB2, Man. recommends **denial** of the application or any other structure that will result in the destruction of the historic and valuable garden.

Vote: Unanimous, with 38 Board members in favor.

**2. \*139 Thompson St. – Application is to raise north side parapet 1-½ feet in brick to match existing parapet.**

**Whereas:**

- A. The north side of the building is a former party wall revealed by the demolition of an adjoining building many years ago; and
- B. The wall and remaining chimneys with fireplace openings is in poor condition and requires restoration; and
- C. The increase in height of the parapet will conform to code and, though clearly visible, is not an intrusion on the views from public thoroughfares; and
- D. General restoration of the front facade and cornice will be undertaken; and
- E. The applicant agreed that the restoration of the north wall would use brick of a similar type and color existing and that the restoration though “clean” would clearly identify the wall as a secondary facade; now

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

Vote: Unanimous, with 38 Board members in favor.

**3. \*131 Perry St. – Application is to install a new barrier-free access ramp-**

(Laid over).

**4. \*12 Perry St. – Application is to install a new storefront.**

**Whereas:**

- A. The proposed position for the installation of the storefront is a dark, angled wall located on 7<sup>th</sup> Avenue South which is a remnant of the cuts to the existing properties by the creation of 7th Avenue South; and
- B. The infill replicates a suitable opening in the principal 7th Avenue South facade of the building; and
- C. The inoperable window will be a welcome addition to brighten the dark recess which is prone to graffiti; now

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

Vote: Unanimous, with 38 Board members in favor.



**5. \*404 Lafayette St. a/k/a 708 Broadway – Application is to renovate the storefront at 708 Broadway, install a new door at 404 Lafayette, and install new mechanical equipment on the roofs.**

**Whereas:**

- A. The Broadway facade is a remarkably intact commercial building from the time of the development of the area as a commercial center; and
- B. The proposed ground floor infill is aggressively modern with an overwhelming proportion of glazing to the thin metal that in no way respects the existing, original upper floors and makes no reference to storefronts typical of the style of the building, the period and the district; and
- C. The splayed pilasters, sign band and decorative band, though with classical influence, are not in harmony with the original existing design and detailing of the upper floors; and;
- D. The replacement exit door on Lafayette Street maintains the general proportions of the existing infill in adjacent bays and is of an unobtrusive design; and
- E. The mechanical equipment, though extensive, is enclosed in structures to reduce noise and presents a neat appearance; and
- F. Though the structures are clearly visible they do not detract from the building or the area and the applicant represented that the equipment specified is of the minimum height to serve the requirements of the building; now

**Therefore be it resolved** that CB2, Man. recommends:

- A.** A strong **denial** of the Broadway ground floor infill as with having no historic reference and inappropriate the period, the building and the district; and
- B. Approval** of the Lafayette Street door and the rooftop equipment.

Vote: Unanimous, with 38 Board members in favor.

**6. \*442 6th Ave. – Application is to legalize the installation of a storefront and signage in non-compliance with Certificate of Appropriateness 12-4488.**

(Laid over)

**7. \*254 W. 4th St. - Application is to legalize rooftop fencing and ground floor infill installed without LPC permits; and to install a planter box.**

**Whereas:**

- A. The building was constructed as a carriage house in the 19th century and has been considerably altered; and
- B. The existing ground floor windows and the proposed replacements do not comport with the style of the building nor do they reference the history of the building as a carriage house; and

- C. The windows in the upper floor give a “cottage” feeling to the building and their size and design could be used as a model for ground floor window; and
- D. The planting boxes are not in keeping with the building and have a distinctly tacked on feeling; and
- E. The lattice roof guard fence is heavy in appearance and intrudes on the view of the cornice; in an instance where a simple metal railing, placed as far from the facade as possible would better serve; now

**Therefore be it resolved** that CB2, Man. recommends:

- A. **Denial** of the ground floor windows and window boxes as not in keeping with the design and period of the building and the district; and
- B. **Denial** of the rooftop lattice railing and recommends instead a simple metal railing.

Vote: Unanimous, with 38 Board members in favor.

**8. \*54 Morton St. – Application is to convert a multi-family building into a single-family residence.**

(Laid over)

**QUALITY OF LIFE**

**1. FYI/ Sidewalk Café Renewals:**

- **Think Bleecker, LLC d/b/a Think Coffee, 1 Bleecker St. with 10 tables & 20 chairs (1277645-DCA)**
- **G Chew, LLC d/b/a Ciccio, 190 6<sup>th</sup> Ave. with 3 tables & 6 chairs (2035427-DCA)**

**Whereas**, the area was posted, community groups notified and no member of the public requested either of these renewals to be heard in a public hearing nor appeared to speak regarding either of these applications; now

**Therefore Be It Resolved** that CB2, Man. recommends **approval** of the subject renewals, provided that all applications conform with all applicable zoning and sidewalk café laws and clearance requirements.

Vote: Unanimous, with 41 Board Members in favor.

**2. Street Activity Applications:**

**Wednesday, June 20, 2018— Civic Entertainment Group, LLC: Minetta Lane Party on Minetta Lane between Minetta Street and 6<sup>th</sup> Avenue (Sidewalk and partial curb lane closure on north side of Minetta Lane)**

**Whereas**, this event will proceed the opening night performance of the play Boys and Girls starring Carey Mulligan at The Minetta Lane Theatre and will include a step and repeat backdrop for photographs of attendees and production members; and

**Whereas**, no traffic will be impeded by this event and the sidewalk will only be used for photographs from 6-7 PM and again after the show from 8:45-9:30 PM; and

**Whereas**, this event has already occurred; now

**Therefore Be It Resolved** that CB2, Man. recommends **approval** of the **Minetta Lane Party on Minetta Lane between Minetta Street and 6<sup>th</sup> Avenue** on June 20, 2018.

VOTE: Unanimous, with 41 Board members in favor.

**Saturday, June 23, 2018— Two Spirit, LLC: Phluid Phest, Great Jones St. between Great Jones Alley and Broadway, (partial sidewalk and curb lane closure)**

**Whereas**, the Phluid Project is a newly opened gender-neutral shopping space that also offers community space where all people, especially young people, can explore self-expression; and

**Whereas**, this application seeks a partial sidewalk and curb lane closure for one block to celebrate Phluid Phest during Pride Week which will include activities inside the establishment as well as several tables and stools on the sidewalk and curb space for an ice cream truck from Big Gay Ice Cream (a CB2 establishment); now

**Therefore Be It Resolved** that CB2, Man. recommends **approval** of **Phluid Phest on Great Jones St. between Great Jones Alley and Broadway, (partial sidewalk and curb lane closure)** on June 23, 2018.

VOTE: Unanimous, with 41 Board members in favor.

**Sunday, September 9, 2018— Cornelia Street Block Party, Cornelia Street between Bleecker and West 4<sup>th</sup> Sts. (full street closure)**

**Whereas**, the area was posted, community groups notified, and the applicant was present, and no member of the public appeared to speak regarding this application; and

**Whereas**, this event has been help for 10+ years and organized by a different resident of this block who no longer wishes to organize the event but a different resident, Dr. Emil Chynn, is taking over the organizing responsibilities with resident support; and

**Whereas**, the event will be scaled down from previous years and participants will be primarily residents and business owners from this block who hope to use the event to help organize an official block association; and

**Whereas**, the event will consist of several meetings of residents and business owners with the goal of building community and a representative from the local precinct will be invited to give a presentation on safety and security; now

**SENT BACK TO COMMITTEE. SEE VOTE BELOW.**

Vote: Passed, with 34 Board members in favor, 6 opposed (R. Sanz, S. Russo, B. Bray, J. Gallagher, T. Connor, E. Ma), and 1 abstention (J. Liff).

**3. FYI/Renewal Street Activities**

- **6/23/18 – New York Grand Lodge Fdn. in OSIA516: Sons of Italy Founding Day, Grand St. between Mulberry St. and Mott St.**
- **7/17/18 – 11/22/18 – South Village Farmers Market, Sixth Ave. between Carmine St. and West 3<sup>rd</sup> St.**
- **8/19/18 – 129<sup>th</sup> Feast of St. Rocco Block Party, Baxter St. between Canal St. and Hester St.**

**Whereas**, these items were on the public agenda and were not requested to be heard for further discussion by any community member; now

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

VOTE: Unanimous, with 41 Board members in favor.

**SLA LICENSING**

**1. Gino Sorbillo Bowery, 334 Bowery St. 10012** (Alteration to add Service to Sidewalk Cafe)

**i. Whereas**, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority for an alteration to an existing Restaurant Wine license to include service to a sidewalk café; and,

**ii. Whereas**, the licensed storefront premise currently operates as a Restaurant specializing in Pizza Napolitano within a ground floor storefront in an eight-story mixed use building (Circa 1909) located on the Bowery between Bond and Great Jones Streets in Noho; and,

**iii. Whereas**, the restaurant has been operating for approximately one year with hours of operation will be from 12 PM to 12 AM Sunday through Saturday; and,

**iv. Whereas**, the sidewalk café will close by 11 PM every evening; and,

**v. Whereas**, the operator agreed to install an awning over the café to prevent noise and establish privacy for the residents living directly above the restaurant; and,

**vi. Whereas**, the licensee previous executed a stipulations agreement with CB2, Man. that will remain and continue to attached and incorporated into their method of operation on their Restaurant Wine license and the stipulations are as follows:

1. The premises will be advertised and operated as a Pizzeria Restaurant.
2. The hours of operation will be from 12 PM to 12 AM Sunday through Saturday.
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will have no televisions.
5. The premises will not permit dancing.
6. The sidewalk cafe will close by 11 PM every night.
7. There will be no sandwich boards or A-Frames on the public sidewalk.

8. The premises will play quiet ambient, recorded background music only.
9. The premises will not have DJs, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. The operator will not install French doors, operable windows or open facades and will close at existing doors and windows by 10 PM every night.
11. There will be no pitchers of beer and no all you can eat/drink specials or boozy brunches; and

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the Alteration application to **Gino Sorbillo Bowery, 334 Bowery St. 10012** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on the Restaurant Wine License.

Vote: Passed, with 39 Board members in favor, and 2 abstentions (A. Brandt, T. Connor).

**2. Carlia Ristorante & Pizzeria, LLC d/b/a Pomodoro Restaurant and Pizzeria, 51 Spring St. 10012** (Transfer RW – Restaurant/Pizzeria)

**i. Whereas**, the Applicant and her Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority for a transfer of an existing Restaurant Wine license to continue to operate a pizzeria restaurant serving pizza, rolls, calzones, heros and Italian dishes within a corner storefront premises in a five-story mixed-use building (circa 1900) at Spring and Mulberry Streets in Nolita; and

**ii Whereas**, the storefront premise has been previously operated for years as a Pizzeria Restaurant with a Restaurant Wine license, the applicant is not planning to make any significant changes to the interior or exterior of the premises, the method of operation being consistent with the prior operation of the storefront premises for eating and drinking, there being a letter of no objection presented permitting such use and occupancy thereat; and,

**iii. Whereas**, the existing pizzeria sells pizza by the slice in a 1,000 SF storefront premises with 17 tables and 34 patron seats, one food counter with three additional seats for a total patron seating occupancy of 37, two bathrooms and a sidewalk café with 4 exterior tables and 16 exterior seats, three TVs, no operable windows or French doors and there are no changes planned to renovate the front exterior facade; and,

**iv. Whereas**, the operator met with neighbors and agreed to operate with hours of operation will be from 11:00 AM to 11 PM Sunday through Wednesday, from 11:00 AM to 1 AM on Thursdays and from 11:00 AM to 2 AM Fridays and Saturdays, and further agreed to close its sidewalk café by 10 PM every night, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), all existing doors and windows will be closed by 9 PM, the sidewalk café will close by 11 PM every night and there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

**v. Whereas**, the applicant executed a stipulations agreement with CB2, Man. that they agreed would be attached and incorporated in to their method of operation on their Restaurant Wine license and the stipulations are as follows:

1. The premises will be advertised and operated as a Pizzeria Restaurant.
2. The hours of operation will be from 11:00 AM to 1 AM on Thursdays and from 11:00 AM to 2 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 have no televisions.
5. The premises will not permit dancing.
6. The sidewalk cafe will close by 10 PM every night.
7. The premises will play quiet ambient, recorded background music only.
8. The premises will not have DJs, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The operator will not install French doors, operable windows or open facades and will close at existing doors and windows by 9 PM every night.
10. There will be no pitchers of beer and no all you can eat/drink specials or boozy brunches; and

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

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the Restaurant Wine application to **Carlia Ristorante & Pizzeria, LLC d/b/a Pomodoro Restaurant and Pizzeria, 51 Spring St. 10012** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on the Restaurant Wine License.

Vote: Passed, with 39 Board members in favor, and 2 abstentions (A. Brandt, T. Connor).

**3. Paraiso Group, LLC d/b/a Her Name is Carmen, 525 Broome St. 10013** (New OP – Transfer)

**i. Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a transfer of an existing on premise liquor license to operate a full-service contemporary inspired Columbian Restaurant with an ancillary cellar/basement cocktail lounge in mixed-use six-story building (circa 1950) on Broome Street between Thompson and Sullivan Streets in Soho; and,

**ii. Whereas**, the two-level premise was previously operated as the Chalk Point Kitchen on the ground floor and Handy Liquor Bar on the basement/cellar level with a single OP license (525 Broome Street Restaurant, Lic. #1275252) since 2013, the current applicant and transferee of the license not planning to make any significant changes to the interior or exterior of the premises, the method of operation being consistent with the prior operation for eating and drinking, there currently being an expired temporary certificate of occupancy for the premises; and,

**iii. Whereas**, the premises will continue to have 17 tables with 68 seats, 2 bars with 23 seats for a total of 91 patron seats, all windows will be fixed and there will be no French doors installed and no outdoor areas for the service of alcohol, the applicant further acknowledging and understanding that there could be no sidewalk café permitted at these premises; and,

**iv. Whereas**, the applicant’s agreed upon hours of operation for ground floor Restaurant will be Sunday through Saturday 11 am to 1 am and for cellar cocktail lounge Sunday through Wednesday 5pm to 1 am, Thursday and Friday 5 pm to 2 am and on Saturdays only from 5 pm to 3 am, there will no TVs, music

will be quiet ambient background music only, there will be no DJ, no dancing, no promoted events, no cover fees, no velvet ropes, no movable barriers; and,

**v. Whereas,** the applicant signed and notarized a stipulations agreement with CB2, Man. which includes the following:

1. This application is for an on premise liquor license for a contemporary Columbian restaurant set in a casual and approachable, yet modern atmosphere. The restaurant will serve premium quality ingredients with family-style service, providing a high quality hospitality experience. The Ground Floor will be operated as a full service restaurant and the Cellar will be operated as an accessory small plates cocktail lounge with food available at all times.
2. The hours of operation on Ground Floor will be Sunday through Saturday 11AM to 1AM and the Cellar from Sunday through Wednesday 5PM to 1AM, Thursday and Friday 5PM to 2AM and on Saturdays only from 5PM to 3AM. All patrons will be cleared and no patrons will remain after stated closing times for each area.
3. The premises will operate as a full service restaurant, specifically a Columbian restaurant with the kitchen open and full menu items available until closing every night with an accessory small plates cocktail lounge in the Cellar.
4. The premises, or any portion of the premises will not operate as a tavern or sports bar.
5. The entire premises will be operated under one trade name (D/B/A) only. At the time of the presentation this is "Her Name was Carmen."
6. Only one entrance/exit door will be used at all times for the entire premises for patrons except for ADA compliance or emergency egress
7. The premise will not have televisions or projectors.
8. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a licensed sidewalk café.
9. No Sidewalk Café is included with this application.
10. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
11. All doors and windows will be closed at all times except for patron ingress and egress.
12. Will not install or have French doors, operable windows or open facades.
13. Will not make changes to the existing façade except to change signage or awning.
14. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
15. Will not have unlimited drink or unlimited food & drink specials. Will not have "boozy brunches".
16. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
17. The premises will not have dancing, DJ's, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades.
18. Doorman/Security will be utilized Thursday to Saturday from 10 pm to close and as necessary at other times.
19. Prior to the issuance of any license and prior to operating will present a physical copy of a valid current Place of Assembly Permit that is posted at the Premises and a physical copy of a valid and current non-expired temporary Certificate of Occupancy or a final Certificate of Occupancy. If a temporary Certificate of Occupancy is presented, will at all times keep current and renew as need until a final Certificate of Occupancy is obtained.
20. Licensee will incorporate attached stipulations agreed to by Thatcher Shultz and Andres Diaz, Principals of Paraiso Group, LLC with American Nut & Screw Condo Association dated 5/28/2018 into this Stipulations Agreement and On-Premise Liquor License.

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of the transfer of an existing On Premise license for **Paraiso Group, LLC d/b/a Her Name is Carmen, 525 Broome St. 10013** 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: Passed, with 39 Board members in favor, and 2 abstentions (A. Brandt, T. Connor).

**4. Elmer Kennedy, LLC d/b/a Pasquale Jones, 86 Kenmare St. 10012 (OP – Restaurant)**

**i. Whereas**, the Applicant and his Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee for the purpose of seeking to upgrade its existing restaurant wine license to an OP license for the purpose of continuing to operate a wood-fired restaurant specializing in Pizza and other plates cooked in a brick oven within a corner storefront; and,

**ii. Whereas**, restaurant has been open since 2016 and is located in a 6-story mixed-use tenement apartment building (circa 1900) with 30 residential apartments located on Kenmare St. at the corner of Mulberry St, for a roughly 1,000 sq. ft. licensed premise (with additional 1,000 sq. ft. basement for storage use only) with 21 tables and 42 seats and 1 standup bar with 10 seats for a total of 52 interior seats, there is a sidewalk café on Kenmare not previously included in the Applicant’s Restaurant Wine license application presented to CB2, Man. in June/2015, there are operable doors and windows, there is also an existing Certificate of Occupancy; and,

**iii. Whereas**, the Applicant previously agreed to stipulations outlining its method of operation as a restaurant and the hours of operation will continue to be Sunday to Monday from 11AM to 11PM and Tuesday to Saturday from 11AM to 12AM/Midnight, music is expected to be background only, doors and windows are to be closed by 9pm every night except for patron ingress and egress, there are no d.j.s, promoted events, live music or TV’s; and,

**iv. Whereas**, the principals of this Applicant are also principles of another restaurant within CB2, Kennedy Organics LLC d/b/a Charlie Bird SN#1268796; and,

**v. Whereas**, there is also another large two-story restaurant located within the same building albeit on the Western side of the building with extensive outdoor seating and a 124 patron occupancy with an on-premise liquor license that has generated quality of life issues in the immediate area, the residential entrance to the building being located between the two eating and drinking establishments and sidewalk cafes; and,

**vi. Whereas**, past operators within the same location for which this Applicant is seeking it’s on premise license have also had a checkered past, with a long adversarial relationship with the residents in the building and with the community which is well documented in hearings at the SLA and in resolutions generated by CB2, Man. for both the most recent licensee at this location, Toby’s Public House II LLC d/b/a Toby’s Public House SN#1260753 and the previous licensee, Village Tart, LLC SN#1222227; and,

**vii. Whereas**, a significant issue that has persistently continued with these premises since it was first licensed in 2009, formerly having been a dry cleaners, is that despite efforts (which the residents described and questioned as entirely inadequate) to soundproof the restaurant noise and music continues to be heard through the ceiling and walls disturbing tenants living above, the restaurant being a trendy and



popular location with an extensive wine list, the restaurant often being open past the scheduled closing time, the operable doors windows not being closed in a timely manner at the agreed upon time, the sidewalk café being open late at night and not closed at the agreed upon time, there being until recently consistent and continuing complaints and communications directly by resident's living in the building directly to the operator to turn down the volume of music; and,

**viii. Whereas**, a married couple living a few blocks away appeared to speak on behalf of the licensee to offer support for the applicant indicating it was a wonderful restaurant, and the Applicant presented a petition in support of its application; and

**ix. Whereas**, 8 people appeared from the local neighborhood, including the 86 Kenmare St. Tenant's Association President and other tenants of the building, all in opposition to the instant application, citing continuous violations with the operator's previously agreed upon stipulations as to closing times, music levels, the failure to close the sidewalk café or the operable windows by the agreed upon times, while also presenting a petition in opposition with signatures from 28 of the 30 residential apartments from the building, there being a significant amount of distrust against the current operator, that trust being exacerbated by the Applicant failing to even notify, perform any outreach or meet with the tenants in the same building to make them aware of their intentions to seek an on premise license; and,

**x. Whereas**, this application being subject to the 500 ft. rule requiring the applicant to demonstrate a recognizable public interest for adding yet another on premise liquor license in an area that is already greatly saturated with licensed establishments, there being 26 existing on premise licenses within 500 ft. of the subject premises, 54 existing on premise licenses within 750 ft. of the subject premises, with 7 additional on premise license pending with the NYS Liquor Authority and without even including the vast numbers of eating and drinking establishments in the area holding beer and wine licenses, there also being evidence presented that the operator's previously agreed upon stipulations and method of operation has not been followed as to closing times of the interior restaurant, the exterior sidewalk café, the operable windows/doors to the outside and as to interior music levels; and,

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** for **Elmer Kennedy, LLC d/b/a Pasquale Jones, 86 Kenmare St. 10012** on its application seeking a new OP license.

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

**THEREFORE BE IT FURTHER RESOLVED** that if this application is considered by the SLA, despite CB2, Manhattan's recommendation to deny this application, CB2 requests that the SLA conduct a 500 foot hearing because the premises has never been licensed for the service of alcohol at any point in the past.

Vote: Passed, with 39 Board members in favor, and 2 abstentions (A. Brandt, T. Connor).

**5. Coriander Factory, Inc., d/b/a Bo Caphe, 222 Lafayette St. South Store 10012 (OP – Restaurant)**

**i. Whereas**, the Applicant and his Attorney appeared before CB2's SLA committee for the purpose of seeking to upgrade its existing restaurant wine license to an OP license for the purpose of continuing to

operate a restaurant serving French Vietnamese fare within a 1,030 sq. ft. storefront premises with 19 interior tables and 46 interior seats, 1 interior bar with 7 seats, 4 interior counter seats facing the sidewalk, 3 exterior tables with 6 seats for a total patron capacity of 63, no TVs and two patron bathrooms in a mixed use, six-story building on Lafayette Street between Spring and Kenmare Streets just across the street from Petrosino Square; and,

**ii. Whereas**, the restaurant has been open and operated for approximately three years, and when the operator originally appeared before CB2, Man. for its Restaurant Wine license in 2014 there was significant community opposition to the licensing of these premises, the storefront premises having previously to 2014 been occupied and operated as a “Subway” sandwich shop and never previously licensed for the service of alcohol, this particular storefront premises also being one of the last storefronts running along the west side of Petrosino Square that has not been licensed for the service of alcohol over the last 12 years; and

**iii. Whereas**, the significant opposition in 2014 has continued to the present time and has included residents living in the immediate area and the “Friends of Petrosino Square”, an organization representing residents surrounding the Square, voicing concerns about the rapid rate of liquor licenses surrounding the square and approval of new licenses over approximately the last ten to twelve years, the addition of numerous sidewalk cafes to the area over the last few years and the numbers of new liquor licenses in the area that have had an overwhelming impact on the quality of life for those existing residents living in the immediate area and character of the neighborhood; and

**iv. Whereas**, there are already four liquor licenses in three consecutive buildings on one block on the west side of Petrosino Square, where six storefronts that hold liquor licenses, there being nine liquor licenses already existing and surrounding the perimeter of Petrosino Square; and

**v. Whereas**, over the objection of CB2, Man. in 2014 the operator also renovated the storefront premises by installing bi-folding French style doors that opened up the entire interior of the business to the public sidewalk and moving forward with a sidewalk café where none had previously existed knowing that, with counsel present and guiding him through the process the increase impact on the community of the open façade and outdoor dining would not be subject to the 500-foot rule or the public interest standard; and

**vi. Whereas**, despite such opposition to the licensing of these particular premises and a recommendation from CB2, Man. to deny the Restaurant Wine license in 2014, the license was permitted by the SLA as the license sought at that time was for Beer and Wine and not subject to the 500 foot rule; and

**vii. Whereas**, despite not agreeing to execute a stipulation agreement with CB2, Man. in 2014 the applicant ultimately agreed to and self-certified with stipulations nearly identical to what was presented by CB2, Man to applicant in 2014 and those stipulations are as follows:

1. Premises will close Midnight Sunday through Wednesday and 1:00 Thursday through Saturday.
2. Windows and doors will close by 10:00 p.m.
3. Music will be quiet, background level inside restaurant only and there will be no dj’s, promoted events, scheduled performances or any events for which a cover fee is charged.
4. The sidewalk café will have four tables and eight seats.
5. The sidewalk café will be closed each night by 10 pm daily.

**viii. Whereas**, in December/2016 the applicant previously presented an application to upgrade his Restaurant Wine license to a full on-premise license subject to the 500 ft. rule, the recommendation from CB2 Manhattan at that time being negative and to deny the upgrade application for the reasons stated within a resolution presented to the NYS SLA in December/2016; and,

**ix. Whereas**, a 500-ft. rule hearing was held at the SLA in 2017, and the Administrative Judge reviewing the application, as well as the SLA Chairman and Commissioner, all issued decisions consistent with CB2, Man., denying the license as the public interest for the issuance of this license was not established, the surrounding area around Petrosino Square being already greatly saturated with liquor licenses, there being many taverns, bars, cafes, restaurants and other late night establishments already existing in this area, with 18 existing on premise licenses within 500 ft. of the subject premises, 38 existing on premise licenses within 750 ft. of the subject premises, with 7 additional on premise license pending with the NYS Liquor Authority, without even including the vast numbers of eating and drinking establishments in the area holding beer and wine licenses, the Applicant already having an extensive list of mocktails made from wine based products that that seem to meet the need for customers who are looking for “cocktails”, this particular café not being unique in lower Manhattan or serving a public interest for the surrounding community in contrast to an ever increasing, on-going need for other supplemental business services in the area designed to service the local community; and,

**x. Whereas**, again there was local opposition to the upgrade application, with residents from the area and the “Friends of Petrosino Square” sending in email correspondence and reappearing in opposition, stating that there has been a dramatic change in the character in the immediate area around Petrosino Square due to an over-saturation of liquor licenses, further stating that the applicant’s goal all along was to open his restaurant in 2014 not subject to the 500-ft. rule on the pretext that he could argue a few years later that the premises is already licensed, with there also being a history of transgressions by operating with exterior speakers, the illegal dumping of restaurant trash out onto Petrosino Square, the blasting of music from the interior of the restaurant with the front building façade being open during the day; and,

**xi. Whereas**, this application being subject to the 500-ft. rule requiring the applicant to demonstrate a recognizable public interest for adding yet another on premise liquor license in an area that is already greatly saturated with licensed establishments contributing to daytime and late night noise, traffic, trash, delivery trucks and revelers, the storefront premises having never previously been licensed for the service of alcohol prior to 2014;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial for **Coriander Factory Inc., d/b/a Bo Caphe, 222 Lafayette St. South Store 10012** on its application seeking a new OP license; and

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

**THEREFORE BE IT FURTHER RESOLVED** that if this application is considered by the SLA, despite CB2, Manhattan’s recommendation to deny this application, CB2 requests that the SLA conduct a 500 foot hearing because the premises has never been licensed for the service of alcohol at any point in the past.

Vote: Passed, with 39 Board members in favor, and 2 abstentions (A. Brandt, T. Connor).

**6. LPH One, LLC, 244 Mulberry St. (South Storefront) 10012** (New OP – Restaurant)

**i. Whereas**, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing

committee to present an application for a new on premise liquor license to operate a full-service Japanese inspired Sushi Restaurant in mixed use two story building (circa 1951) on Mulberry Street between Prince and Spring Streets in Nolita; and,

**ii. Whereas,** the 1,800 sq. ft. ground floor premises was previously operated as the Barca Restaurant (2014-2016) and Plan B Tapas (2013-2104) but previous to 2013 had not been licensed or operated for eating and drinking, a Letter of Objection having been issued for the eating and drinking in December/2012; and,

**iii. Whereas,** the premises will have 2 tables with 14 seats, one bar with 6 seats and one sushi counter with 20 additional seats, for a total of 40 seats, all windows will be fixed and there will be no French doors installed and no outdoor areas for the service of alcohol, the applicant further acknowledging and understanding that there could be no sidewalk café permitted at these premises; and,

**iv. Whereas,** the applicant's agreed upon hours of operation will be Sunday through Thursday from 11 AM to 12 AM and on Fridays and Saturdays from 11 AM to 1 AM, there will no TVs, music will be quiet ambient background music only, there will be no DJ, no dancing, no promoted events, no cover fees, no velvet ropes, no movable barriers; and,

**vi. Whereas,** the applicant signed and notarized a stipulations agreement with CB2, Man. which includes the following:

1. The premises will be advertised and operated as a full service Japanese-inspired Sushi Restaurant.
2. The hours of operation will be Sunday through Thursday from 11 AM to 12 AM and on Fridays and Saturdays from 11 AM to 1 AM.
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. There will be no TVs.
5. The premises will not operate a backyard garden, or any outdoor area for commercial purposes, including a sidewalk cafe.
6. The premises will play quiet ambient, recorded background music only. No music will be audible in adjacent residences at any time.
7. Will not install French doors, operable windows, or open façades.
8. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
10. There will be no "bottle service" on the sale of bottles of alcohol except for the sale of bottles of wine products.
11. The premises will not permit dancing.

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of the new On Premise license for **LPH One, LLC, 244 Mulberry St. (South Storefront) 10012** 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: Passed, with 39 Board members in favor, and 2 abstentions (A. Brandt, T. Connor).

**7. Gino Sorbillo, LLC d/b/a Gino Sorbillo, 334 Bowery 10012 (OP – Restaurant)**

**i. Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority seeking to upgrade its existing restaurant wine license to an OP license for the purpose of continuing to operate a fast-casual restaurant specializing in Pizza Napolitano within a ground floor storefront located in an eight-story mixed use building (Circa 1909) located on the Bowery between Bond and Great Jones Streets in Noho; and,

**ii. Whereas**, the Applicant has been operating for approximately one year or since June/2017, and before that from 2011 to 2015 the same storefront premise also operated as a Pizzeria Restaurant known as Forcella with a Restaurant Wine license, the storefront premises having never operated with an on premises license, a certificate of occupancy having been presented for a “store” use group 6; and,

**iii. Whereas**, the storefront premise is approximately 2,800 Sq. ft. (2,200 Sq. ft. ground floor restaurant and 800 Sq. Ft. basement, the basement not being for patron uses), there is a kitchen with existing wood burning Pizza oven, two patron bathrooms, one bar with 7 patron seats and 12 tables with 46 patron table seats for a total patron seating capacity at 53, there will be a sidewalk café with 5 tables and 10 seats but no other outdoor areas for patrons; and,

**iv. Whereas**, the hours of operation are from 12 PM to 12 AM Sunday through Saturday, the Applicant having previously entered into a stipulation agreement with CB2, Man. for its restaurant wine license, there being no TVs and music is background only; and,

**v. Whereas**, this application being subject to the 500 ft. rule requiring the applicant to demonstrate a recognizable public interest for adding yet another on premise liquor license in an area that is already greatly saturated with licensed establishments contributing to daytime and late night noise, traffic, trash, delivery trucks and revelers, the storefront premises having never previously held an on premises license and there being 25 existing On Premises licenses within 500 feet of the storefront premises, 56 On Premise licenses within 750 feet of the storefront premises, with 4 additional pending licenses and without even including the vast numbers of eating and drinking establishments in the area holding beer and wine licenses, this particular fast-casual restaurant specializing in inexpensive pizza not being unique in lower Manhattan or serving a public interest for the surrounding community considering the existing saturation of liquor licenses in the immediate surrounding area; and,

**vi. Whereas**, a person living in 334 Bowery for 22 years, living above the restaurant, who also appeared representing the residents of the building most affected by the license application, appeared in opposition to the application because the storefront premises has never had a full On Premise license, the area being already greatly saturated with licensed premises, there being concerns that the OP license application being a move to increase profits rather than one of demand for its specialty pizzas, the published reviews for the new restaurant having been less than favorable and lukewarm, there being concerns about what will happen after the on premise license is issued when the business transgresses to one driven more from spirits and drink rather than from its pizza, the Bowery already being a magnet for drinking patronage and that the Applicant stating that having alcohol would be in the public interest in that they could compete with other area businesses but did provided any additional public interest after being asked a number of times and afforded the opportunity to expand on their statement; and

**vii. Whereas**, the Applicant did provide a petition in support of the Application with 15 signatures,

but no one appeared in support;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial for **Gino Sorbillo, LLC d/b/a Gino Sorbillo, 334 Bowery 10012** on its application seeking a new OP license.

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

**THEREFORE BE IT FURTHER RESOLVED** that if this application is considered by the SLA, despite CB2, Manhattan’s recommendation to deny this application, CB2, Man. requests that the SLA conduct a 500 foot hearing because the premises has never been licensed for the service of alcohol at any point in the past.

Vote: Passed, 39 Board members in favor, and 2 abstentions (A. Brandt, T. Connor).

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

**8. Dastaan (Indian), Inc., d/b/a N/A, 126 Lafayette St. 10013 (Restaurant RW—Withdrawn)**

**Whereas**, prior to CB2, Manhattan’s SLA Licensing Committee #1 Meeting on June 12<sup>th</sup>, 2018, the Applicant requested to withdraw this application from further consideration and did not appear to review and discuss this application for on premise license;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any type of proposed alteration or changes to any existing license for **Dastaan (Indian), Inc., d/b/a N/A, 126 Lafayette St. 10013** until the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Passed, with 39 Board members in favor, and 2 abstentions (A. Brandt, T. Connor).

**9. Brkn Cent, LLC d/b/a Broken Coconut, 15 E. 4th St. 10003 (Café RW – withdrawn and may resubmit)**

**Whereas**, prior to CB2, Manhattan’s SLA Licensing Committee #1 Meeting on June 12<sup>th</sup>, 2018, the Applicant requested to withdraw this application from further consideration and did not appear to review and discuss this application for on premise license;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any type of proposed alteration or changes to any existing license for **Brkn Cent, LLC d/b/a Broken Coconut, 15 E. 4th 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: Passed, with 39 Board members in favor, and 2 abstentions (A. Brandt, T. Connor).

**10. Anyway Soho Ltd., d/b/a Anyway Café, 519 Broome St. (OP – LAYOVER requested until July/2018)**

**Whereas**, prior to CB2, Manhattan’s SLA Licensing Committee #1 Meeting on June 12<sup>th</sup>, 2018 the Applicant requested **to lay over** this application for an on premise license and indicated that 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 **Anyway Soho Ltd., d/b/a Anyway Café, 519 Broome St. until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Passed, with 39 Board members in favor, and 2 abstentions (A. Brandt, T. Connor).

**11. Emmanuel NY Corp., d/b/a Hometown Hotpot & BBQ, 194 Grand St. 10013 (RW-Restaurant)**

**Whereas**, prior to CB2, Manhattan’s SLA Licensing Committee #1 Meeting on May 8th, 2018 the Applicant requested **to lay over** this application for an on premise license and indicated that 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 **Emmanuel NY Corp., d/b/a Hometown Hotpot & BBQ, 194 Grand St. 10013 until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Passed, with 39 Board members in favor, and 2 abstentions (A. Brandt, T. Connor).

**12. Val City Lounge, LLC, d/b/a N/A, 201 Lafayette St. 10012 (OP – No Show/Failure to appear)**

**i. Whereas**, at CB2, Manhattan’s SLA Licensing Committee Meeting on May 8th, 2018, the Applicant appeared but his Attorney did not, and therefore requested to lay over this application for a corporate change to an existing on premise license and stated that he 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,

**ii. Whereas**, after the request to lay over was made, **neither the Applicant nor his Attorney appeared** before CB2, Manhattan’s SLA Licensing Committee on June 12<sup>th</sup>, 2018 or provided guidance as to the corporate change application, there also being concerns at this location that the existing operator

has previously altered its interior premises without permission at the NYS SLA after renovating its interior, moving bars and making significant alterations to its method of operation, there being opposition to this Application from people residing nearby, those from public appearing both in May and again in June seeking to oppose this application;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, corporate change, alteration, transfer or other changes to the existing license for **Val City Lounge, LLC, d/b/a N/A, 201 Lafayette St. 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Passed, with 39 Board members in favor, and 2 abstentions (A. Brandt, T. Connor).

**12. 316 Bowery, LLC d/b/a Saxon and Parole, 316 Bowery 10012 (OP – LAYOVER requested until July/2018]**

**Whereas**, at this month's CB2, Manhattan's SLA Licensing Committee #1 Meeting on June 12th, 2018 the Applicant requested **to lay over** this application for a corporate change to an existing on premise license and indicated that 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 **316 Bowery, LLC d/b/a Saxon and Parole, 316 Bowery 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Passed, with 39 Board members in favor, and 2 abstentions (A. Brandt, T. Connor).

**13. America Ootoya, Inc., d/b/a N/A, 41 E. 11<sup>th</sup> St. Store 1 10003 (Corporate Change RW SN#1281837)**

**i. Whereas**, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a corporate change application for an existing restaurant wine license SN#1281837 for a full service Japanese restaurant that has been operating for approximately 4 years at this location; this company owns and operates multiple locations throughout NYC and has other locations internationally; and,

**ii. Whereas**, the premises is located in a 11-story commercial building located on East 11<sup>th</sup> St. between University Place and Broadway and is roughly 3,200 square feet (Ground 2040 s.f. and basement 1,160 s.f., no patron use of basemen), there are 13 tables and 60 seats, 1 bar with 13 seats for an overall occupancy of 73 seats with three bathrooms, no outdoor area or sidewalk café, no operable windows that open out towards the sidewalk; there is an existing Certificate of Occupancy; and



**iii. Whereas,** the hours of operation will be from 11:30 am to 12 am every night, Sunday through Saturday, there will be no promoted events, DJs, live music, scheduled performances or any events for which a cover fee is charged, music is quiet background only and there will be no DJ, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers, no televisions; and

**Whereas,** the applicant originally met with the University Place Residents Association and agreed to additional stipulations with the Residents Association and further incorporate said stipulations with its existing stipulations agreement with CB2, Man.; and

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

1. This application is for a corporate change application for an existing restaurant wine license SN# 1281837 for a full service Japanese Restaurant.
2. The hours of operation are 11:30AM to 12AM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will operate a full service restaurant; specifically a full service Japanese Restaurant with the kitchen open and full menu items available until closing every night.
4. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
5. The premise will have not have televisions or projectors.
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. All doors and windows will be closed at 10PM every night and anytime there is music.
10. Will not install or have French doors, operable windows or open facades. All windows will remain fixed windows.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
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.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. The premises will not have dancing, DJs, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.
17. Agree to continue to incorporate into stipulations agreement all those stipulations agreed to with the University Place Residents Association.
18. The new principals to be included on the license are Izuru Yoshimoto and Yuji Nagase.

**v. Whereas,** there are currently approximately 6 On Premise Liquor Licenses and an unknown number of Beer and Wine Licenses within 500 ft of the premises;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a corporate change for the existing Restaurant Wine license for **American Ootoya Inc. d/b/a Ootoya, 41 East 11<sup>th</sup> St. 10003 SN#1281837** **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 BW License.

Vote: Unanimous, with 41 Board members in favor.

**14. John Dory LLC, d/b/a Market Table, 54 Carmine St. 10014 (OP Alteration SN#1270146 – Restaurant adding seating in basement & moving the existing bar.)**

**i. Whereas**, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an alteration application for an on-premise liquor license for a seasonal American restaurant which has been open since 2007 (SN#1270146) to add the interiorly connected basement to the license for the use of patrons as a private dining room with an additional 2 tables and 20 seats, to add a service bar in the basement and remove the existing L shaped stand up bar on the ground floor and replace it with an 8ft rectangular bar with 6 seats; there will also be an additional booth with seating where the current bar is located and the table configuration on the ground floor will change; and,

**ii. Whereas**, this alteration application is for an existing restaurant on premises liquor license in a mixed-use building located on Carmine St. at the intersection of Bedford St. and Carmine St. for a roughly 1,700 sq. ft. premise on two floor (1,200 sq. ft. ground floor and 500 sq. ft. basement) with 19 tables, 62 table seats, 1 stand up bar with 6 bar seats for a total of 68 seats; there is an existing Certificate of Occupancy for patron use on the ground floor; a revised Certificate of Occupancy is in the process of being obtained which will indicate patron use of the basement space; and,

**iii. Whereas**, the hours of operation will continue to be from 11:30AM to 12AM 7 days a week, no patrons will remain in the premises at closing, there is no sidewalk café, all doors and windows will be closed at 10PM, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be no DJs, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

**iv. Whereas**, the applicant holds 4 other liquor licenses located in CB2, Man. and this restaurant, which has been in operation for over 10 years has received no complaints; and,

**v. Whereas**, the applicant executed an updated stipulations agreement with CB2, Man. that they agreed would be attached and incorporated in to the method of operation on the altered on-premise liquor license stating that:

1. This is an alteration application to add a basement private dining room and service bar, reconfigure the ground floor bar and reconfigure ground floor seating for an existing restaurant on premise liquor license for a full service seasonal American restaurant.
2. The hours of operation are 11:30AM to 12AM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will operate a full service restaurant; specifically a seasonal American Restaurant with the kitchen open and full menu items available until closing every night.
4. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
5. The premise will have not have televisions or projectors.
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. All doors and windows will be closed at 10PM every night and anytime there is music.
10. Will not make changes to the existing façade except to change signage or awning.
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 have “boozy brunches”. No pitchers of beer.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. The premises will not have dancing, DJ’s, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.
16. Will not use basement for patron seating until obtaining an updated Certificate of Occupancy indicating private dining room accessory to restaurant for the basement area.

**vi. Whereas**, the applicant acknowledged that the space has already been used on occasion for private dining, but the alteration type 1 application to change the Certificate of Occupancy was filed some time ago with DOB and approved and the Licensee is waiting for a new Certificate of Occupancy to be issued indicating private dining uses in the basement; and,

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of an alteration application for the existing on-premise liquor license for **John Dory LLC, d/b/a Market Table, 54 Carmine St. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the revised SLA On Premise Liquor License.

Vote: Unanimous, with 41 Board members in favor.

**15. LL Chinese Restaurant Holdings, LLC d/b/a Lucky Lee’s, 67 University Pl. 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 a new restaurant wine license for a fast casual family owned and operated (husband & wife) healthy Chinese restaurant; and,

**ii. Whereas**, this application is for a new restaurant wine license; the premises was previously a pizzeria and is located in a in a mixed used residential/commercial building located on the ground floor on University place between 10<sup>th</sup> and 11<sup>th</sup> St. for a roughly 2,000 sq. ft. premise (1,500 sq. ft. ground floor and 500 sq. ft. basement – no patron use of basement), with 15 tables and 40 seats, there is one stand-up bar with no seats; there are no other outdoor seating areas and a Certificate of Occupancy was provided; and,

**iii. Whereas**, the hours of operation will be from Sunday from 12PM to 10PM, and Monday to Saturday from 11AM to 11PM, there is no sidewalk café included with this application, all doors and windows will be closed at 10PM, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be no 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 SLA license stating that:

1. This application is for a new restaurant wine license for a family owned and operated (husband & wife) healthy Chinese restaurant.
2. The hours of operation are Sunday from 12PM to 10PM, and Monday to Saturday from 11AM to 11PM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will operate a full service restaurant; specifically a full service healthy Chinese restaurant with the kitchen open and full menu items available until closing every night.
4. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
5. The premise will have not have televisions or projectors.
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. All doors and windows will be closed at 10PM every night and anytime there is music.
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, Manhattan prior to submitting any changes to any stipulation agreed to herein.
14. The premises will not have dancing, DJ’s, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.
15. Will have no more than 15 tables and 40 seats and 1 stand up bar with no seats.

**v. Whereas**, a petition in support was presented and several residents of the building also appeared with concerns related to the mechanical infrastructure, specifically the installation of the HVAC system, and with respect to upgrading the extraction fan in the 12-story ventilation stack which runs up along the residential building, the applicant stated that they were working with their landlord who was in turn working with the Coop Board on those issues, the applicant was willing to play background music only and close any operable doors at 10PM which alleviated other local residents concerns; and,

**vi. Whereas**, there are currently approximately 13 On Premise Liquor Licenses and an unknown number of Beer and Wine Licenses within 500 ft. of the premises;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of a new restaurant wine license for **LL Chinese Restaurant Holdings, LLC d/b/a Lucky Lee’s, 67 University Pl. 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 41 Board members in favor.

**16. Sushi Nozawa NYC LLC d/b/a Sugarfish (Previously an Entity to be formed by A. Hernandez), 202 Spring St. 10012 (RW – Restaurant)**

**i. Whereas**, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new restaurant wine license for a full service sushi restaurant offering various types of sashimi and handrolls via a preset and a-la-carte menu; and,

**ii. Whereas**, this application is for a new restaurant wine license in a previously unlicensed location; the premises is located in a in a mixed-used residential/commercial building located on the ground floor on the corner of Spring St. and Sullivan St. for a roughly 1,747 sq. ft. premise, with 15 tables and 34 seats and 1 sushi counter with 8 seats, there is no stand-up bar; there are no other outdoor seating areas and a Certificate of Occupancy was provided; and,

**iii. Whereas**, the hours of operation will be from Sunday to Wednesday 11AM to 12AM and 11AM to 1AM Thursday to Saturday, there is no sidewalk café included with this application, all doors and windows will be closed at 10PM, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no 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 SLA license stating that:

1. This application is for a new restaurant wine license for a full service sushi restaurant offering various types of sashimi and handrolls via a preset and a-la-carte menu.
2. The hours of operation are Sunday to Wednesday 11AM to 12AM and 11AM to 1AM Thursday to Saturday. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will operate a full service restaurant; specifically a full service Sushi restaurant with the kitchen open and full menu items available until closing every night.
4. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
5. The premise will have not have televisions or projectors.
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. All doors and windows will be closed at 10PM every night and anytime there is music.
10. Will not install or have French doors, operable windows or open facades. All windows will remain fixed windows.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
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.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

16. The premises will not have dancing, DJs, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.
17. There will be no more than 15 tables and 34 seats and 1 sushi counter with 8 seats.
18. There is no standup bar.

**v. Whereas**, there were concerns raised that this is yet another retail location formerly operated as a nail salon and spa that is converting to eating and drinking use and thereby reducing the diversity of retail businesses in the surrounding area; and,

**vi. Whereas**, there are currently approximately 15 On Premise Liquor Licenses and an unknown number of Beer and Wine Licenses within 500 ft. of the premises;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a new restaurant wine license for **Sushi Nozawa NYC LLC d/b/a Sugarfish, 202 Spring St. 10012** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 41 Board members in favor.

**17. LHG Restaurant, Inc., 16 W. 8<sup>th</sup> St. 10011 (RW-Restaurant)**

**i. Whereas**, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new restaurant wine license for a Chinese restaurant specializing in rice noodles and varieties of traditional Northern Chinese appetizers; and,

**ii. Whereas**, this application is for a new restaurant wine license in a previously licensed location; the premises is located in a commercial building located on the ground floor on West 8<sup>th</sup> Street between Fifth Avenue and MacDougal Street for a roughly 1,000 sq. ft premise located on the ground floor only with 13 tables and 44 seats, there is no stand-up bar; there are no other outdoor seating areas and a Certificate of Occupancy was provided; and,

**iii. Whereas**, the hours of operation will be from Sunday to Thursday 11AM to 11PM and Friday and Saturday from 11AM to 12AM, there is no sidewalk café included with this application, all doors will be closed at 10PM, there are no operable windows, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be no 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 SLA license stating that:

1. This application is for a new restaurant wine license for a Chinese restaurant specializing in rice noodles and varieties of traditional Northern Chinese appetizers.
2. The hours of operation are Sunday to Thursday 11AM to 11PM and Friday and Saturday from 11AM to 12AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will operate a full service restaurant; specifically a full service Chinese restaurant specializing in rice noodles and varieties of traditional Northern Chinese appetizers with the kitchen open and full menu items available until closing every night.

4. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
5. The premise will have not have televisions or projectors.
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. All doors will be closed at 10PM every night and anytime there is music. There are no operable windows in the front or rear.
10. Will not install or have French doors, operable windows or open facades. All windows will remain fixed windows.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
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.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. The premises will not have dancing, DJ’s, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.
17. Stipulations agreed to with the West 8<sup>th</sup> Street Block Association on 6/7/18 are incorporated into this agreement.
18. There will be no more than 13 tables and 44 seats.
19. There is no standup bar.

**v. Whereas**, the applicant met with the local block association, the West 8<sup>th</sup> St. Block Association and agreed to a set of stipulations that address the block association’s concerns and in order to gain their support; and,

**vi. Whereas**, there are currently approximately 16 On Premise Liquor Licenses and an unknown number of Beer and Wine Licenses within 500 ft. of the premises;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a new restaurant wine license for **LHG Restaurant, Inc., 16 W. 8<sup>th</sup> St. 10011** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 41 Board members in favor.

**18. 7 Cornelia Hospitality, LLC d/b/a TBD, 7 Cornelia St. Southwest Store 10014 (OP – Restaurant)**

**i. Whereas**, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new restaurant on premise liquor license for an all day café specializing in pan Asian fare, driven by local seasonal produce; informal Australian style dining combining a comprehensive drinks menu of single origin non-alcoholic teas and coffees, and quality wines and cocktails, with spicy and innovative Southeast Asian shared plates; and,

**ii. Whereas,** this application is for a new on-premise liquor license; the premises is located in a mixed used residential/commercial building located on the ground floor of a quieter residential street on Cornelia Street between West 4<sup>th</sup> and Bleecker St. for a roughly 1,400 sq. ft. premise (1,000 sq. ft. ground floor and 400 sq. ft. basement – no patron use of basement), with 6 tables and 24 seats, and one stand-up bar with 7 seats and a chef’s counter with 6 seats for a total of 37 seats; there are no other outdoor seating areas and a Certificate of Occupancy was provided; and,

**iii. Whereas,** the hours of operation will be from Sunday to Thursday from 8AM to 12AM and Friday and Saturday from 8AM to 1AM, there is no sidewalk café included with this application, all doors will be closed at 9PM, there are no operable windows, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no 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 SLA license stating that:

1. This application is for a restaurant on-premise liquor license for an all day café specializing in pan Asian fare.
2. The hours of operation are Sunday to Thursday from 8AM to 12AM and Friday and Saturday from 8AM to 1AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will operate a full service restaurant; specifically an all day café specializing in pan Asian fare with the kitchen open and full menu items available until closing every night.
4. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
5. The premise will have not have televisions or projectors.
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. All doors will be closed at 9PM every night and anytime there is music.
10. Will not install or have French doors, operable windows or open facades. All windows will remain fixed windows.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
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.
15. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
16. The premises will not have dancing, DJs, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.
17. Will operate as an all day café open for breakfast, lunch and dinner 7 days a week with comprehensive drinks menu of single origin non-alcoholic teas and coffees, quality wines and cocktails and full food menu at all times.



**v. Whereas,** the applicant met with the local block association, the Central Village Block Association who stated that the applicant would run a similar business to the previous license d/b/a Chomp Chomps, that they were not aware of any complaints at this location, they stated that the applicant is understanding of the residential nature of Cornelia Street and shows good faith in respect to no loud amplified music, live music, DJs, or karaoke, has no intention of changing the storefront to open windows, garage doors, French doors, or any other configuration that would allow restaurant noise to pollute the street, that the applicant understands that the neighborhood is part of the Historic District and that LPC has regulations in place governing changes to the storefront, exterior lighting, and signage, that the applicant agrees to contract with a trash hauler presently engaged by at least one other restaurant on Cornelia St to minimize disruption and that they will adhere to their stipulated hours of operation with all patrons gone at closing; and,

**vi. Whereas,** it has been brought to CB2, Man.’s attention that there is a dispute with respect to the installation of the existing restaurant kitchen ventilation, which appears to be installed in such a fashion that it encroaches on the neighboring property owner’s property at 5 Cornelia St.; the owner of 7 Cornelia St., and the application refuse to address or correct this situation; and

**vii. Whereas,** there are currently approximately 23 On Premise Liquor Licenses and an unknown number of Beer and Wine Licenses within 500 ft. of the premises;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a new restaurant on-premise liquor license for **7 Cornelia Hospitality, LLC d/b/a TBD, 7 Cornelia St. Southwest Store 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On-Premise Liquor License.

Vote: Passed, with 36 Board members in favor, 1 in opposition (J. Kiely), 3 abstentions (T. Connor, S. Secucnda, S. Smith), and 1 recusal (R. Sanz).

**19. Fiaschetteria West, Ltd. d/b/a Fiaschetteria Pistoia, 114 Christopher St. 10014 (RW – Restaurant)**

**i. Whereas,** the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new restaurant wine license for a small family oriented Italian restaurant similar to its sister restaurant on the lower east side operated by the same principal; and,

**ii. Whereas,** this application is for a new restaurant wine license; the premises is located in a in a mixed used residential/commercial building located on the ground floor of Christopher St. between Bleecker and Bedford Street for a roughly 372 sq. ft. premise, with 12 tables and 24 seats, there is no stand-up bar; there are no other outdoor seating areas and a Certificate of Occupancy was provided; and,

**iii. Whereas,** the hours of operation will be from 1PM to 1AM 7 days a week, there is no sidewalk café included with this application, all doors and windows will be closed at 10PM, the rear window is not planned on being used at this time, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), 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 SLA license stating that:

1. This application is for a new restaurant wine license for a small family oriented Italian restaurant.
2. The hours of operation are 1PM to 1AM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will operate a full service restaurant; specifically a small family oriented Italian restaurant with the kitchen open and full menu items available until closing every night.
4. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
5. The premise will have not have televisions or projectors.
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. All doors will be closed at 10PM every night and anytime there is music.
10. Will not install or have French doors, operable windows or open facades. All windows will remain fixed windows.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
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.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. The premises will not have dancing, DJs, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.
17. There will be no stand up bar.
18. There will be no more than 12 tables and 24 seats.
19. No outdoor areas, particularly in the rear, will be used.
20. If the rear window is opened, it will be closed by 10PM every night.

**v. Whereas**, there were concerns raised that this is yet another smaller retail location formerly operated as a non-eating and drinking retail premises being converted to eating and drinking use and thereby reducing the diversity of retail businesses in the surrounding area; and,

**vi. Whereas**, 2 residents of the building appeared and spoke raised concern with respect to the hours of operation and potential use of the rear window which is operable and opens into a rear residential shaft way area from which noise would have an adverse impact on residents, the applicant stated they did not intend to use that window, but should they in the future they would close the window by 10PM or earlier should it become a problem; and,

**vii. Whereas**, a letter in support from the Christopher Street Block and Merchant Association was presented; and,

**viii. Whereas**, there are currently approximately 27 On Premise Liquor Licenses and an unknown number of Beer and Wine Licenses within 500 ft. of the premises;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a new restaurant wine license for **Fiaschetteria West, Ltd. d/b/a Fiaschetteria Pistoia, 114 Christopher St. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and

stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 41 Board members in favor.

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

**20. 320 West Broadway Diner Corp., d/b/a TBD, 320 W. Broadway 10013 (OP – 24 hour Diner/Restaurant with outdoor side yard)**

**i. Whereas**, the Licensee appeared before CB2’s SLA Licensing committee to present an application for a new on premise liquor license for a 24 hour diner/restaurant with alcohol service from 8AM to 2AM Sunday to Wednesday and 8AM to 4AM Thursday to Saturday; the premises includes an 1,600 sq. ft. accessory outdoor dining area open until 11PM Sunday to Wednesday and 12AM Thursday to Saturday; the premises is located in the Northern portion of the SoHo Grand Hotel ground floor and outdoor area; the outdoor area was previously a dog run for hotel guests and private dog run members; the dog run is being moved to the Western portion of the property; there was strong community opposition from immediately impacted residents who spoke in opposition, there was some written support provided from area residents and dog run members; and

**ii. Whereas**, after presenting before CB2, Man. and after CB2’s SLA2 Licensing Committee had unanimously recommended to Deny the proposed application as presented on June 14<sup>th</sup>, 2018, but prior to it’s presentation to the full board of CB2 in June 2018, the Licensee requested to return to CB2 in July 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 to have further meetings with local residents; the applicant will not submit the application to the SLA in the interim until after they appear before CB2 in July/2018;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of on-premise liquor license for **320 West Broadway Diner Corp., d/b/a TBD, 320 W. Broadway 10013** **until** the Applicant has returned to re-present the application before CB2 in front of CB2’s SLA2 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 41 Board members in favor.

**21. Hudson Café NYC, LLC d/b/a Hudson Café NYC, 628 Hudson St. 10014 (RW – Restaurant)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee #2 Meeting on June 14th, 2018, the Applicant requested to **withdraw** this application for a new restaurant wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of alteration application or proposed on premise liquor license, tavern wine license, restaurant wine

license, any other beer and wine license, corporate change, class change, transfer, upgrade or changes to any existing license for **Hudson Café NYC, LLC d/b/a Hudson Café NYC, 628 Hudson St. 10014** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

**22. Perry & Hudson, LLC, d/b/a TBD, 551 Hudson St. 10014 (OP – Restaurant, includes Sidewalk Cafe) (withdrawn)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on June 14th, 2018, the Applicant requested to withdraw this application for a new restaurant on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any type of alteration application or proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, transfer, upgrade or changes to any existing license for **Perry & Hudson, LLC, d/b/a TBD, 551 Hudson St. 10014** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

**TRAFFIC AND TRANSPORTATION**

**1. Resolution in response to Staten Island Express Bus Redesign Project Plan**

**Whereas** MTA NYC Transit presented their plan for new Staten Island express bus routes, the presentation focusing mainly on the SIM7 and SIM33 which will travel through streets in CB2, Man.; and

**Whereas** the new route will operate during peak hours, i.e., on weekdays from 5 a.m. to 9 a.m. (into Manhattan) and from 3 p.m. to 7 p.m. (leaving Manhattan) and will run every 12-15 minutes. Between peak hours, the buses will deadhead (travel not in service) to lay over at the MTA NYCT depot uptown; and

**Whereas** bus stops have not been completely finalized, but in CB2, Man. are expected to be on Prince St./6<sup>th</sup> Ave., Waverly Pl./6<sup>th</sup> Ave. and 14<sup>th</sup> St./6<sup>th</sup> Ave. heading in (in a.m.), and on 14<sup>th</sup> St./Park Ave., Waverly Pl./B'way, Mercer St./Houston St., and Varick St./Houston St. heading out (in p.m.); and

**Whereas** the route followed in CB2, Man. is planned to go north on West St., turn east on Spring St. and north on 6<sup>th</sup> Ave. to 14<sup>th</sup> St. in the morning peak; it is planned to go south on B'way, turn west on Houston St. and south on West St. in the afternoon peak; Off-peak and on weekends, the same route as now will be continued (in CB2, north on 6<sup>th</sup> Ave. and south on Broadway); and

**Whereas** the route will not cross 14th St. at any time; and

**Whereas** extensive construction will be taking place on 550 Washington St., which will include removing an overpass on Houston St. at West St., thus blocking access to West St., a consideration for the planned Houston to West St. route; and

**Whereas** MTA NYCT expects the new scheme to result in less express buses in the CB2, Man. area and indicated that its end goal is to reduce express bus activity; and

**Whereas** express buses from Staten Island don't run at full capacity during certain hours, especially off peak; and

**Whereas** MTA NYCT intends to evaluate the new routes in action, including through surveys;

**Therefore be it resolved** that CB2, Man. thanks MTA NYCT for coming to present the newly redesigned express bus route plan as it will operate in the CB2 area; and

**Be it further resolved** that CB2, Man. suggests that MTA NYCT look into the plans for removing the overpass on Houston St. and West St. and consider potential alternatives to approaching the planned Houston to West St. portion of the new route; and

**Be it further resolved** that CB2, Man. welcomes MTA NYCT's goal to reduce express bus activity and encourages that steps be taken toward this goal by channeling express bus passengers to rail service; and

**Be it further resolved** that CB2, Man. asks that MTA NYCT also consider pooling passengers in Staten Island at times of less ridership to further lessen the number of express buses; and

**Be it finally resolved** that CB2, Man. urges MTA NYCT to closely monitor the new routes, as intended, and looks forward to the results.

Vote: Unanimous, with 41 Board Members in favor.

## **2. Resolution in support of two speed humps on W. 10th St. btw. 6th and 5th Aves.**

**Whereas** residents of W. 10th St. btw. 6th and 5th Aves. have requested, both through letters and in person, that a speed hump be installed on that block to slow down vehicular traffic; and

**Whereas** the people living on the block in question, as well as others who pass through frequently, report that cars, trucks and motorcycles speed through too quickly, endangering the many pedestrians who cross the street, including seniors, parents and children, and children on their way to school; and

**Whereas** the NYC Dept. of Transportation (DOT) has indicated that conditions on W. 10th btw. 6th and 5th Aves. meet the criteria for a speed hump; and

**Whereas** examples in other cities as well as on certain streets in CB2, Man. have shown that installing two speed humps on a block helps sustain a steady slow speed in motor vehicles that otherwise go full speed ahead once going over a single speed hump;

**Therefore be it resolved** that CB2, Man. fully supports speed hump installation on W. 10<sup>th</sup> St. btw. 6<sup>th</sup> and 5<sup>th</sup> Aves. and requests that DOT install two speed humps on W. 10<sup>th</sup> St. btw. 6<sup>th</sup> and 5<sup>th</sup> Aves. (in preference to one speed hump); and

**Be it further resolved** that CB2, Man. asks that these speed humps be carefully placed at intervals to keep traffic flowing at a consistent slow pace.

Vote: Unanimous, with 41 Board Members in favor.

**2. Resolution in support of two speed humps on W. 10th St. btw. 6th and 5th Aves.**

**Whereas** residents of W. 10<sup>th</sup> St. btw. 6<sup>th</sup> and 5<sup>th</sup> Aves. have requested, both through letters and in person, that a speed hump be installed on that block to slow down vehicular traffic; and

**Whereas** the people living on the block in question, as well as others who pass through frequently, report that cars, trucks and motorcycles speed through too quickly, endangering the many pedestrians who cross the street, including seniors, parents and children, and children on their way to school; and

**Whereas** the NYC Dept. of Transportation (DOT) has indicated that conditions on W. 10<sup>th</sup> btw. 6<sup>th</sup> and 5<sup>th</sup> Aves. meet the criteria for a speed hump; and

**Whereas** examples in other cities as well as on certain streets in CB2, Man. have shown that installing two speed humps on a block helps sustain a steady slow speed in motor vehicles that otherwise go full speed ahead once going over a single speed hump;

**Therefore be it resolved** that CB2, Man. fully supports speed hump installation on W. 10<sup>th</sup> St. btw. 6<sup>th</sup> and 5<sup>th</sup> Aves. and requests that DOT install two speed humps on W. 10<sup>th</sup> St. btw. 6<sup>th</sup> and 5<sup>th</sup> Aves. (in preference to one speed hump); and

**Be it further resolved** that CB2, Man. asks that these speed humps be carefully placed at intervals to keep traffic flowing at a consistent slow pace.

Vote: Unanimous, with 41 Board Members in favor.

**3. Resolution requesting a traffic study to investigate Hudson River Park Bikeway congestion and the need for safety measures.**

**Whereas** Hudson River Greenway is the busiest pedestrian and bicycle path in North America, used by hundreds of thousands of New Yorkers and visitors every year; and

**Whereas** new and planned commercial and residential development has increased significantly along park borders which is drawing and will continue to draw considerably more users of the bikeway and park; and

**Whereas** there has been an increase of 49% school seats within a 3 block distance of Hudson River Park (HRP) since the origin of the bikeway that will provide a 98% increase once all seats are filled at 75 Morton Street, adding even more users to the already crowded bikeway; and

**Whereas** cyclists, runners, walkers, and roller bladers often walk or ride side by side reducing the width of safe navigation for oncoming traffic and increasing the potential for collisions; and

**Whereas** fast moving electric bikes, scooters, and skateboards with maximum speeds of 30 mph add to the perilous congested conditions posing an imminent danger to pedestrians at bikeway crossings where they walk across the bikeway with dogs and children to access HRP; and

**Whereas** no records of collisions are kept to record accidents and injuries sustained on the bikeway, however, many accounts of crashes and injuries have been reported by users in the community; and

**Whereas** there are no signs in place directing traffic to move in a safe and orderly manner; and

**Whereas** areas of the bikeway are poorly lit because of dysfunctional lighting, adding to the peril in dark areas; and

**Whereas** the comfort and safety of all Greenway users need to be considered, with close attention to women, children and seniors; and

**Whereas** the current, temporary, crude, concrete barriers set at 60” apart at all crossings to protect park users from a repeat terrorist attack are creating dangerous conditions for cyclists by introducing a series of choke points that demand that cyclists navigate going from a two-lane bike lane to one lane, resulting in bicyclists crashing into one another and being injured; and

**Whereas** there are no reflective accents on the current barriers, limiting their visibility; and

**Whereas** the American Association of State Highway and Transportation Officials (AASHTO) Greenbook cites five feet as a desirable clear width between bollards on shared-use paths (which the current short-term, concrete barrier placement appears to follow); and

**Whereas** plans to install permanent bollards at a new width of 48” are intended to add protection against any repeat terrorist attack, because the smallest passenger car is slightly over 48” (it is manufactured in Italy); and

**Whereas** the 60” barriers are already limiting access for the Hudson River Park Trust (HRPT), and the plan to install 48” wide bollards at all park access points will further limit accessibility for HRPT maintenance operations, making it more expensive to service the park because the resulting localized service will replace a more efficient centralized maintenance headquartered at Pier 40 today; and

**Whereas** tenants of the piers will not be able to service their organizations because of the vehicle ban on the piers aiming to ward off terrorist attacks (even HRPT's electric vehicles can't get through); and

**Whereas** the proposed bollard spacing will prevent emergency vehicles from accessing the bikeway or the piers, adding precious time to reach distressed park users;

**Therefore be it resolved** that CB2, Man. requests that an infrastructure and traffic behavior study be conducted by the New York State Department of Transportation addressing pedestrian, bicycle, and illegal motorized vehicle congestion on the Hudson River Park Bikeway, a lack of appropriate infrastructure measures to handle the increased traffic flow, and a lack of enforcement to mitigate dangerous rider behavior, and that this study includes consideration of maintaining the 60” spacing between bollards, widening the bikeway to accommodate more users, mitigating speeding riders, possibly with rumble strips or other speed reducers, setting a speed limit, installing appropriate and highly visible permanent signage to direct traffic movement in a safe and orderly manner, and assessing other ways to enforce safe speeds and courteous behavior on the greenway; and

**Be it further resolved** that the study also should pay special attention to the pedestrian and vehicle crossings and include raised crosswalks or some other infrastructure to reduce speeding conflicts at these locations; and

**Be it finally resolved that** CB2, Man. also requests that no permanent bollards be installed at 48” widths until the traffic study has been completed and is available for public review.

Vote: Unanimous, with 41 Board Members in favor.

Respectfully submitted,

Keen Berger  
Secretary  
Community Board #2, Manhattan