

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



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

COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE
NEW YORK, NY 10012-1899

www.cb2manhattan.org

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

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

FULL BOARD MINUTES

DATE: July 19, 2018
TIME: 6:30 P.M.
PLACE: Village Community School P.S. 41, 116 W. 11th St., Auditorium

BOARD MEMBERS PRESENT: Susanna Aaron, Keen Berger, Tobi Bergman, Katy Bordonaro, Anita Brandt, William Bray, Amy Brenna, Richard Caccappolo, Lisa Cannistraci, Erik Coler, Tom Connor, Terri Cude, Chair; Doris Diether, Cristy Dwyer, Robert Ely, Kathleen Faccini, Stella Fitzgerald, Susan Gammie, Jonathan Geballe, Nicholas Gottlieb, Susan Kent, Jeannine Kiely, Patricia Laraia, Janet Liff, Maud Maron, Lois Rakoff, Robin Rothstein, Sandy Russo, Rocio Sanz, Scott Sartiano, Shirley Secunda, Kristin Shea, Shirley Smith, Chenault Spence, Susan Wittenberg, Adam Zeldin

BOARD MEMBERS ABSENT WITH NOTIFICATION: Ritu Chattree, Coral Dawson, Robin Goldberg, David Gruber, Edward Ma, Daniel Miller, Robert Riccobono, Frederica Sigel, Georgia Silvera Seamans

BOARD MEMBERS ABSENT: Jon Buono, Cormac Flynn, Joseph Gallagher

BOARD MEMBERS PRESENT/ARRIVED LATE: Carter Booth, Antony Wong

BOARD MEMBERS PRESENT/LEFT EARLY: None

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

GUESTS: Stephanie Bazell, Senator Brad Hoylman's office; Fiona Jung, Senator Brian Kavanaugh's office; Andrew Chang, Manhattan Borough President Gale Brewer's office; Laurence Hong, Monica Martinez and Yesenia Martinez, Assembly Member Yuh-Line Niou's office; Charles Anderson, Assembly Member Deborah Glick's office, Michael Stinson, NYC Comptroller Scott Stringer's office; Irak Cehonski, Council Member Carlina Rivera's office; Marian Guerra, Council Member Margaret Chin's office; Matt Robinson, Thomas Jones, John Purchase, Bob Klein, Donna Froelich, Therese Granliesol, Darlene Lutz, Cordelia Persen, Pete Davies, Oliva & Don Duerr, Rachel Yarmulinsky, Marguerite Martin, Meredin Krantz, Susan Turok, Amy Grossman, Marilyn Shafer, Bree Yearwood, S. Wurtzel, Drew Roth, Danielle Whistler, David Marcus, Sally Sommer, Paul Mulhauser, Judy Pesin, Allen Reiner, Nancy & Tom Collins, Catherine Schubert, Kevin Dougherty, Rona Affoumado, Carol Greitzer, Bradley Rodenberg, Julianne Bond, Louis Borriello,

MEETING SUMMARY

Meeting Date – July 19, 2018
Board Members Present – 36
Board Members Absent With Notification – 9
Board Members Absent - 3
Board Members Present/Arrived Late - 2
Board Members Present/Left Early – 0

I. SUMMARY AND INDEX

ATTENDANCE	1
MEETING SUMMARY	2
SUMMARY AND INDEX	2
PUBLIC SESSION	2
ADOPTION OF AGENDA	2
ELECTED OFFICIALS' REPORTS	3
ADOPTION OF MINUTES	3
BUSINESS SESSION	3
STANDING COMMITTEE REPORTS	3
LANDMARKS AND PUBLIC AESTHETICS	3
QUALITY OF LIFE	12
SLA LICENSING	17
TRAFFIC AND TRANSPORTATION	50

II. PUBLIC SESSION

Non-Agenda Items

Grupo Gitano, 76 Varick St.

Darlene Lutz spoke against the establishment, citing noise and other issues at the location.

Catherine Schubert spoke regarding this establishment.

Construction Issues

Rona Affoumado spoke against the construction on West 10th St. between 5th and 6th Avenues, citing quality of life issues.

Sally Summers spoke against the construction.

Fierce Drop-In Center

Bree Yearwood spoke regarding the Fierce 24-hour drop in center for LGBTQ youth.

L Train Shutdown Update

Pete Davies, Marguerite Martin, Carol Greitzer, Bob Klein, Thomas Jones, Matthew Robinson, and Judy Pesin, all spoke regarding the shutdown.

III. ADOPTION OF AGENDA

IV. ELECTED OFFICIALS PRESENT AND REPORTING

Elena Sorisi, Senator Brad Hoylman's office

Fiona Jung, Senator Brian Kavanaugh's office;

Laurence Hong, Monica Martinez and Yesenia Martinez, Assembly Member Yuh-Line Niou's office

Charles Anderson, Assembly Member Deborah Glick's office

Michael Stinson, NYC Comptroller Scott Stringer's office

Marian Guerra, Council Member Margaret Chin's office

Irak Cehonski, Council Member Carlina Rivera's office

V. ADOPTION OF MINUTES

Adoption of June minutes

VI. BUSINESS SESSION

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

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

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

STANDING COMMITTEE REPORTS

LANDMARKS AND PUBLIC AESTHETICS

FIRST LANDMARKS MEETING

1. ***105 Greene St. – Application is to install an ADA compliant entrance ramp.**

Whereas:

A. The material for the base and surface is diamond plate and the railing is steel pipe painted black in a rather ordinary design with unusual hooked ends on the top railing; and

B. The ramp covers the existing steps with vault lights which will be preserved, though not visible; and

C. The applicant represented that the construction of the ground floor and mechanical equipment beneath it would make lowering the entrance doors and placing the ramp inside the building difficult; and

D. Though difficult to position the ramp inside, repositioning it would achieve a preservation purpose of keeping the facade and streetscape intact, though losing the original steps; now

Therefore be it resolved that CB2, Man. recommends **denial** of the application.

Vote: Passed, with 35 Board members in favor, and one abstention (A. Zeldin).

2. ***275 Canal St. – Application is to install rooftop mechanical equipment and a rail guard.**

Whereas

A. The mechanical equipment, though clearly visible across a lower building to the west, is only visible from a distance and is not obtrusive nor is it appreciably more visible than many rooftop mechanicals in the area; and

B. The applicant agreed to paint the equipment in a color that blends with the side wall of the taller building to the east; now

Therefore be it resolved that CB2, Man. recommends **approval** of the application provided that the equipment is painted in a color that blends with the side wall of taller building to the east.

Vote: Unanimous, with 36 Board members in favor.

3. ***307-309 6th Ave. – Application is to install storefront infill, replace windows, and paint the facades.**

(Withdrawn-will be reviewed at staff level)

4. ***220 Sullivan St. & *224 Sullivan St. – Application is to excavate the courtyard to construct a recreation room underground, and reconstruct the courtyard after completion and change the lighting in the corridor.**

Whereas

A. The courtyard is minimally visible at a distance of 60' from the street through gates and a covered corridor; and

B. The new design of the garden with bluestone, planters, and a fountain does not appreciably change the general view through the gates; and

C. The courtyard is to be excavated and the applicant represented that all necessary care will be taken to ensure the integrity of the buildings and the rear structures at the back of the property; and

D. Strip lighting of a modern design, unsuitable to the building, is proposed for the covered walkway between the street the garden; now

Therefore be it resolved that CB2, Man. recommends:

A. Approval of the application provided that all necessary care is taken in the excavation and subsequent rebuilding of the garden to ensure the integrity of all the buildings; and

B. Denial of the corridor lighting fixtures and requests that more discreet fixtures suitable to the building and historic district be installed.

Vote: Unanimous, with 36 Board members in favor.

5. ***644 Broadway – Application is to repaint 4 existing arch-head windows on the Bleecker St. façade, repair masonry openings, install 3 new windows along the East façade; remove existing window on the modern set back façade and replace with a larger window assembly, all on the 8th floor.**

Whereas

- A. The principal south facade windows will be restored and repainted; and
- B. On the east wall, two blocked window openings will be restored and the three windows will be replaced with windows to match the floors below; and
- C. On the south facade of the contemporary addition, the existing window is to be replaced matching three large windows three floors below; now

Therefore be it resolved that CB2, Man. recommends **approval** of the application and recommends that the windows in the contemporary addition be adopted as the model for a master plan to create uniformity for window replacement in this portion of the building.

Vote: Unanimous, with 36 Board members in favor.

6. ***159 Charles St. - Application is to replace street and rear facade windows; re-paint street and rear facades; rebuild failing Brownstone areaway, stoop and door surround in kind; replace non-historic metal lintels and sills with Brownstone lintels and sills; build a single story rear addition at the second floor on top of existing single story rear addition; and add skylights and mechanical equipment to the existing roof.**

Whereas,

- A. The building is an individual landmark outside the landmark district; and
- B. The facade, windows, and entry with its surround will be restored in the varied original material and colors and the brick painted light gray, evidence of which is shown as a previous color prior to designation; and
- C. The variety of materials and colors in the entry, windows and base do not blend well with the light gray painted brick presenting an unharmonious facade; and
- D. The assorted skylights in historical style and the mechanical equipment on the roof are minimally visible from public thoroughfares and are not obtrusive; and
- E. The rear extension is in a simple style and is an addition in front of the original rear facade, which, though not visible, will be preserved; and
- F. Two windows positions at original half landings on the top two floors in the rear facade are to be relocated to align with the floors still presenting a typical arrangement for row house windows; now

Therefore be it resolved that CB2 Man. recommends **approval** of the application provided that the front facade brick is restored and left unpainted or repainted the red color at the time of designation in order to provide a harmonious appearance.

Vote: Unanimous, with 36 Board members in favor.

7. ***430 Broome St. - Application to legalize as-built modifications to rooftop addition.**

Whereas

The corridor from the elevator to the rooftop addition was not included in the original approved design and is minimally visible from a public thoroughfare and is not obtrusive; now

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

Vote: Unanimous, with 36 Board members in favor.

8. ***442 6th Ave. - Application is to legalize the installation of a storefront and signage in non-compliance with Certificate of Appropriateness 12-4488.**

Whereas

A. The approved design showed great sensitivity to the historic character of the building and the district with careful detailing, wooden infill and individual, historically referenced individual signs above the windows; and

B. The applicant represented that a corner column and a pilaster at the north end of the building were found to be in poor condition and unsuitable to be exposed as depicted in the approved plans; and

C. The applicant presented the as built design showing columns insensitively encased in aluminum paneling, contrary to the approved design, without seeking approval from the Commission for these important changes; and

D. Inexplicably, and not apparently in response to changes found in the condition of the building, the storefront infill barely resembles the approved design in materials and detailing, and there is an unsuitable, contemporary sign band instead of the approved individual signs, all of which were carefully reviewed and specified in the approved drawings; now

Therefore be it resolved that CB2, Man. recommends:

That the application for legalization of the as built condition be **denied** and that the facade and signage be rebuilt according to the approved design with suitable accommodation for the condition of the two columns/pilasters; and

That the revised design, incorporating the adjustments for the pilasters/columns' condition and any other changes necessitated by building conditions be reviewed by the CB2 Landmarks Committee for a recommendation to the Commission before the Commission entertains this application.

Vote: Unanimous, with 36 Board members in favor.

SECOND LANDMARKS MEETING

9. ***2 Cornelia St. - Application is to replace one window on the 5th floor with a single pane window at the 6th Ave. and W. 4th St. side of the building.**

Whereas:

- A. The building has a random assortment of window replacements on the four facades; and
- B. The one single pane window proposed, while matching other replaced windows on the façade from before designation, is not suitable to the style of the building nor the neighborhood; now

Therefore be it resolved that CB2, Man. recommends:

- A. **Denial** of this application; and
- B. Encourages the building to undertake a master plan for window replacement.

Vote: Unanimous, with 36 Board members in favor.

10. ***275 Bleecker St. – Application is to replace the rear masonry wall and rear side walls.**

Whereas:

- A. The walls are in poor condition and appear from photographs to be beyond repair; and
- B. No important preservation purpose would be accomplished by repair or rebuilding with the original materials; and
- C. The masonry walls are not visible from any public thoroughfare and the interior of the block is crowded with rear additions in adjoining properties, and the rebuilt walls will be covered in stucco so that none of the original material would be visible; now

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

Vote: Unanimous, with 36 Board members in favor.

11. ***60 Greene St. – Application is to move an existing bracket sign and install a second bracket sign at the ground floor storefront.**

Whereas:

- A. The existing 18” x 25” blade sign of simple design identifying the commercial premises is to be moved to the north edge of the facade; and
- B. A new 19” x 24” advertising sign with a realistic depiction of a product for sale in the shop is proposed for the central location of the existing sign; and
- C. The applicant did not show evidence of similar signs in the district; and

D. The existing sign is discreet and in keeping with the building and the neighborhood and the proposed sign is purely for advertising a particular product and ill suited to this location; now

Therefore be it resolved that CB2, Man. recommends **denial** of the application.

Vote: Unanimous, with 36 Board members in favor.

12. ***131 Perry St. - Application is to install two steps and a barrier-free access ramp.**

Whereas:

A. The ramp is 12'-0" X 3'-9", the new landing 15" above grade and the construction is in granite with simple metal railings in a dark brown finish; and

B. The neighboring buildings on either side have steps and areaways that project beyond the façade with similar dimensions, which serve to diminish "tacked on" appearance of the proposed front steps and ramp; and

C. Ample photographic evidence was presented to show that there is not adequate space for a ramp or lift inside the building; now

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

Vote: Unanimous, with 36 Board members in favor.

13. ***653 Broadway – Application is to replace existing storefront infill and install new signage.**

Whereas:

A. The four bays have an assortment of awnings, entries, and display windows and the other bays in the building have assorted blade signs, awnings with advertising, signs and infills.

B. The storefront is blackened steel, with polished decorative metal screens placed in front of the glass at the base, the signage is comprised of brass individual brass letters illuminated from behind and two 24" x 18" (estimated) blade signs; and

C. Two bays with large plate glass windows with short entry doors out of scale with the bays contain extremely large air intake louvers that compromise the appearance of the entire building,

D. The decorative grills at the base of the bays, which are presumably meant to be an interpretation of bulkheads, are insubstantial, artificial looking, overly decorative and are out of keeping with the building and the district; and

D. The louvers are particularly unsuited to the building and there are other solutions at the bulkhead or above the transom that would serve the necessary purpose and be far less obtrusive; now

Therefore be it resolved, that CB2, Man. recommends denial of the application, and that a revised application considering the comments above be reviewed by the CB2 Landmarks Committee for a recommendation to the Commission, before the Commission entertains this application.

Vote: Passed, with 35 Board members in favor, and 1 recusal (T. Cude).

14. ***452 W. Broadway – Application is to paint a mural on the building’s stucco side elevation.**

Whereas:

A. The painting, in anamorphic style, is to be on the south side wall and is visible over a one-story building and is in black paint on stucco in; and

B. The depiction is of a man drawing a sketch with a pen and does not contain advertising; and

C. The painting is regarded as a work of art along the lines of murals and other permanent works rather than as an advertising sign; now

Therefore be it resolved that CB2, Man. recommends **approval** of this refreshing work of art as an addition to the SoHo neighborhood.

Vote: Passed, with 35 Board members in favor, and 1 in opposition (R. Sanz).

15. ***343 Canal St. - Application is to demolish a one-story rear yard addition and replacement.**

Whereas:

A. The extension is presumed to be original to the building; and

B. The applicant provided ample photographs and a detailed presentation to illustrate the dangerously deteriorated condition of the dome, steel beams, and masonry walls and that they appear to be beyond repair; and

C. The extension is in brick to match the main building with three windows reflecting placement of those at the rear of the main building and with three skylights; and

D. The applicant represented that it is agreeable to make the entire new pitched roof of the addition - lot line to lot line - as a continuous skylight and

E. The addition will not visible from any public thoroughfare on account of a new structure being built on the adjacent east side of the property; now

Therefore be it resolved that CB2, Man. recommends **approval** of the demolition of the existing rear section of the building and the new construction provided that the skylight encompasses the entire roof of the addition.

Vote: Unanimous, with 36 Board members in favor.

Note: The two applications for 120 and 130 Mercer Streets were originally listed as one application. They are submitted two applications; thus two resolutions below.

16. *120 Mercer St. (a block through building with principal facade at 555 Broadway) - Application is to modify an historic canopy, install storefront infill, install signage and install lighting

Whereas:

- A. The application is being presented together with a separate application for 130 Mercer Street, an adjoining building to the north under the same ownership and operation, and is being evaluated in consideration of the proposed work on this building; and
- B. The block of Mercer street on the east side is characterized by the rear, utility service sides of buildings that have more refined public entrances on Broadway; and
- C. The canopy extends to the curb line, retains its historic framing and metal ties with a relatively recent corrugated metal cover (presumably replacing an original metal covering) and the ties are, in some places, attached at odd angles; and
- D. The south bay retains the historic condition with a cast iron stair to the upper level, while the remaining bays have been altered with removal of a stairs and infilled with wood framed windows and doors; and
- E. The proposal is to reduce the overhang of the canopy, represented by the applicant as a hazard from passing and parked trucks, from 14'-4 1/2" to 10'-7" by removing one complete structural section; and
- F. The proposed canopy is to be covered with a translucent resin light weight material that is visually indistinguishable from glass and can be supported by the existing, historic frame; and
- G. The canopy is to have soft edge lighting from inside the frame; and
- H. There are three 6'-0" X 1'-0" blade signs, one for each shop, hung below the canopy; and
- I. The shortening of the canopy is reasonable in consideration of the truck traffic on the street, however the proposed substitution of glass for metal as the covering is not keeping with the original and existing material. The choice of material contradicts the historic "service" character of the street and instead gives the street a non- historic "boutique" feel; and
- J. The two north bays are to have storefront infill in wood and cast iron with 10" tall bulkheads made from salvaged cast iron elements from the building; and wood, cast iron and glass storefronts with large single pane doors, display windows and double transom windows above; and
- K. Assorted structural elements and the south bay will be restored or replaced in kind; and
- L. While the use of Mercer Street has changed over time, the essence of the block as a service corridor for the buildings whose refined public entrances are on Broadway and the essence of the history and spirit of the original use must be preserved; now

Therefore be it resolved that CB2, Man. recommends:

- A. **Approval** of the infill, restoration of structural elements and southern most bay; and

B. **Approval** of the modification to narrow the overhang of the canopy and repositioning the ties which serves a necessary, practical purpose and does not change the character of the building; and

C. **Approval** of the lighting provided that it is soft and unobtrusive as well as approval of the two hanging retail signs; and

D. **Denial** of the substitute of resin (simulating glass) for the metal covering the canopy in that it unacceptably changes the utilitarian character of the building.

Vote: Unanimous, with 36 Board members in favor.

17. *130 Mercer St. – (A through block building with principal faced at 557 Broadway) – Application is to modify infill, install lighting and signage at 130 Mercer.

A. The application is being presented together with a separate application for 120 Mercer Street, an adjoining building to the south under the same ownership and operation, and is being evaluated in consideration of the proposed work on this building; and

B. The main entrance to offices in the building was moved from Broadway to Mercer Street through a separate approved application; and

C. The façade at street level has a total of three bays – two southern most bays to serve as office entrances with wood and glass doors and existing individual awnings above each bay, and a third north bay with solid, metal egress doors; and

D. The proposal is to change the north bay infill by replicating the southern bay doors except with frosted glass, install individual letter signage with back lit lighting in the each spandrel above each entrance and two new banners 8'-10" X 2'-4"; and

E. Lighting with led strips is proposed to outline the edges of the three approximately 30' high arches bringing an inappropriate commercial three story illuminated element to the architecture and suggesting a carnival or theatrical red carpet event atmosphere to this street; now

Therefore be it resolved that CB2, Man. recommends:

A. Approval of the north bay infill, signage, banner, and awnings; and

B. Denial of the modern, brash lighting of the arches in that it detracts from and obscures the distinctive architecture that it proposes to highlight and serves to diminish the historic character of building and the entire block.

Vote: Unanimous, with 36 Board members in favor.

18. *351 Canal St. – Application is to replace 111 column capitals and the 2nd floor and roof cornice fascia in fiberglass.

Whereas:

A. As part of a façade restoration, extensive cast iron work is being undertaken and in the course of this work 111 cast iron capitals rather than the originally estimated 63, were found to be beyond repair and ample photographic evidence confirmed this; and

B. The lowest capitals are 20' from grade; and

C. Paint removal from the ornamental fascia below the cornice revealed that it is beyond repair and ample photographic evidence confirmed this; and

D. The capitals are to be replaced with molded fiberglass replicas taken from an intact original cast iron example; and

E. The fascia is to be replaced with molded fiberglass replicas of an original intact portion and will be made in approximately six foot sections which must be invisibly joined to reproduce the continuous, seamlessness of the existing condition; and

F. The applicant represented that reproducing the elements in cast iron, though a desirable, is prohibitively expensive; and

G. Though cast iron replacement would be preferable, with careful reproduction, installation and painting, the appearance of the fiberglass replicas from the street will be virtually indistinguishable from the original cast iron; now

Therefore be it resolved that CB2, Man. recommends **approval** of this application provided that care is taken to ensure that the installation and the joining of the segments comprising the fascia strip completely obscures the joints and presents the continuous seamless surface of the current condition.

Vote: Unanimous, with 36 Board members in favor.

QUALITY OF LIFE

1. New Application to Department of Consumer Affairs for Newsstand at:

Northeast Corner of Hudson Street and West 13th Street in front of 345 West 13th Street (10959-2018-ANWS)

Whereas, the area was posted, a neighboring resident appeared in opposition to the location, and 5 letters of opposition were received by the CB2, Man. District Office in opposition to this location and application, including a letter from the owner of 345 West 13th Street; and

Whereas, the location of this newsstand is directly in front of an entirely residential building with no commercial storefronts and the bedroom and living room of one apartment is 15 feet from the location of the proposed newsstand; and

Whereas, the applicant wishes to operate the newsstand starting at 7 AM which would likely create a disturbance for the residents on the first floor of the condominium at 345 West 13th Street; and

Whereas, the owner of 345 West 13th Street stated that the proposed newsstand would be directly above a sidewalk vault which could not support the weight of the newsstand; and

Whereas, neighboring residents expressed that there were many corners in this neighborhood with street level commercial storefronts that would be more appropriate locations and create more foot traffic for a newsstand; now

Therefore Be It Resolved that CB2, Man. recommends **denial** of the application for a newsstand at the **Northeast Corner of Hudson Street and West 13th Street in front of 345 West 13th Street (10959-2018-ANWS)**, and further requests that an inquiry is made as to the existence of a sidewalk vault below the location in question before any application is considered by the Department of Consumer Affairs.

Vote: Passed, with 35 Board Members in favor, and 1 Abstention. (R. Sanz).

2. Assignment Application for revocable consent to operate an unenclosed sidewalk café for:

Low Overrun, LLC d/b/a Morgenstern's Finest Ice Cream, 490-494 LaGuardia Place with 16 tables & 32 chairs (12209-2018-ASWC)

Whereas, this assignment is from a sidewalk café operated since 1996 by Silver Spurs, a casual, reasonably priced diner that closed by 11 PM during the week and by 12 AM on the weekends; and

Whereas, the applicant appeared before the Committee Board 2 SLA committee in April 2018 and sought a recommendation for an on-premises liquor license for this ice-cream parlor/cocktail bar and CB2, Man. recommended denial of the application citing the impact created by the anticipated long lines blocking the public sidewalk which will also be occupied by this proposed sidewalk café; and

Whereas, the applicant is seeking the on-premises liquor license to cover the large sidewalk café with hours from Sunday-Thursday until midnight and until 1 AM on Friday and Saturday evenings; and

Whereas, said hours are the legal permitted operating hours for unenclosed sidewalk cafes; and

Whereas, the applicant operates another location of this establishment, without a sidewalk café, at 2 Rivington Street that is infamous for long lines snaking down the block; and

Whereas, the applicant confirmed that any lines to enter this establishment would be queued outside the sidewalk café which would further encroach on the public sidewalk already being used for the proposed sidewalk café; and

Whereas, the applicant refused to compromise on the hours he was seeking for the sidewalk café, stating that the block is zoned commercial and therefore the hours are legally allowed, but acknowledged that no other establishments in this mixed residential area operate sidewalk cafes with the requested hours; and

Whereas, the establishment at this location is not yet opened nor has it received a health inspection, yet the applicant has been operating an ice cream cart on the sidewalk accompanied by approximately 5 tables and 10 chairs even though a stoop cart license requires that items sold at a stoop cart be paid for inside the establishment; now

Therefore Be It Resolved that CB2, Man. recommends denial of the assignment application for revocable consent to operate an unenclosed sidewalk café for **Low Overrun, LLC d/b/a Morgenstern's Finest Ice Cream, 490-494 LaGuardia Place with 16 tables & 32 chairs (12209-2018-ASWC)**.

Vote: Unanimous, with 36 Board Members in favor.

3. New Application for revocable consent to operate an unenclosed sidewalk café for:

Stem 330, LLC d/b/a Kish Kash NYC, 455 Hudson Street with 6 tables & 12 chairs (12211-2018-ASWC)

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

Whereas, the applicant appeared before CB2, Man. in May 2017 for a restaurant wine license and CB2 recommended approval of that application and the applicant stipulated that any sidewalk café would close at 10PM Sunday to Thursday and at 11PM Friday and Saturday and that no patrons would remain in the sidewalk café after the stated closing hours of 10PM/11PM; and

Whereas, the previous establishment at this location, Alexandra, operated a sidewalk café with 10 tables and 20 chairs and the new operator has scaled down the size of the sidewalk café to 6 tables and 12 chairs; and

Whereas, the applicant paid to have the existing sidewalk repaired and renovated and removed many uneven areas of the old sidewalk in front of the establishment; and

Whereas, the applicant confirmed that all sidewalk café furniture, including the railings, would be stored within the restaurant when the sidewalk café was closed; and

Whereas, the applicant stated that all food and drink would be delivered by servers in the sidewalk café; now

Therefore Be It Resolved that CB2, Man. recommends approval of a sidewalk café for **Stem 330, LLC d/b/a Kish Kash NYC, 455 Hudson Street with 6 tables & 12 chairs (12211-2018-ASWC)** provided that all applications conform with all applicable zoning and sidewalk café laws and clearance requirements.

Vote: Unanimous, with 36 Board Members in favor.

4. FYI/ Sidewalk Café Renewal

Box Hill, LLC, 18 King St. with 10 tables & 24 chairs (2042865-DCA)

Whereas, the area was posted, community groups notified and no member of the public requested the renewal to be heard in a public hearing nor appeared to speak regarding this application; now

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

Vote: Unanimous, with 36 Board Members in favor.

5. **Street Activity Applications:**

Wednesday, August 29 - Thursday, September 13, 2018 — IMG Worldwide, Inc.d/b/a IMG Fashion: New York Fashion Week-The Show: on 1) Varick Street between Broome Street and Watts Street, 2) Greenwich Street between King and West Houston Streets, 3) Varick Street between Watts and Grand Streets, 4) Varick Street between Grand and Canal Streets (curb lane closures)

Saturday, September 1-Monday, September 10, 2018 — IMG Worldwide, Inc.d/b/a IMG Fashion: New York Fashion Week: on 1) Washington Street between Jane and West 12th Streets, 2) West 12th Street between Washington and Greenwich Streets (curb lane closures).

Whereas, these events are part of New York Fashion Week and the applications are for curb lane closures for each listed block for the loading and unloading of delivery trucks, 40 Lexus automobiles, and pick up and drop off for participants, crew, and observers; and

Whereas, although the applicants stated that the curb lane closures will be used intermittently during the 2 weeks there will be no guidance to neighboring residents and businesses when these parking spots will be used and therefore the residents and businesses will not be able to rely on using any of the aforementioned blocks during these two weeks; and

Whereas, the curb lane closures on Washington and West 12th Streets are to service fashion week events taking place at Industria; and

Whereas, Industria is a large event space that describes itself as a “versatile facility specifically designed to host events across industries” and “offers a beautiful industrial character and an incredible location” with several event spaces totaling 13,400 square feet offering “street access and is car accessible”; and

Whereas, because Industria rents out space to external event planners, like the present applicant, each individual event planner, and not Industria, attains all permits for use during individual events, which causes these blocks in the West Village to become a continuous loading and unloading zone for huge events which cuts off all access to the curb lane and sidewalk for neighboring residents, many who have lived in the neighborhood for decades; and

Whereas, because Industria does not hold itself out as the permit holder for these events, there is no point person to contact to resolve any of the residents quality of life concerns, which include garbage being placed amongst neighbors garbage, resulting in fines, excessive noise from events happening around the clock, and from the lack of reliable resident parking available; and

Whereas, the operator of Industria finally met with concerned residents in the spring, after many, many months of repeated requests and stated to the residents that he would appoint a liaison from his establishment in order to address concerns but that promise of a liaison has yet to materialize; and

Whereas, neighboring residents from both locations appeared at the Quality of Life meeting to express what an incredible inconvenience it is for them to have entire blocks around their homes be reserved for weeks at a time and to feel like any concerns they raise in person are dismissed in a condescending way; and

Whereas, these 2 week curb lane closures will be happening during both Labor Day and Rosh Hashanah, both times when residents rely on having access to curb lanes around their residences and access to garages; now

Therefore Be It Resolved that CB2, Man. recommends **denial** of the **IMG Fashion: New York Fashion Week curb lane closures for 1) Varick Street between Broome Street and Watts Street, 2) Greenwich Street between King and West Houston Streets, 3) Varick Street between Watts and Grand Streets, 4) Varick Street between Grand and Canal Streets and 1) Washington Street between Jane and West 12th Streets, 2) West 12th Street between Washington and Greenwich Streets** from August 29- September 13, 2018.

VOTE: Unanimous, with 36 Board members in favor.

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

Whereas, the applicant appeared before the Quality of Life Committee in June 2018 and the committee unanimously recommended approval for this event but the application was sent back to the committee after concerns were raised about the event; and

Whereas, the applicant again appeared before the Quality of Life committee as did several neighboring residents and members of the Central Village Block Association (CVBA) which represents the interests of Cornelia Street and several other neighboring blocks; and

Whereas, the applicant stated that a Cornelia Street block party has been held for 10+ years around the beginning of September but the applicant learned from the organizer of the annual event that he would not be organizing the event in 2018; and

Whereas, the applicant decided to apply on his own to organize a Cornelia Street Block Party this year since the other block party would not be occurring but that this block party would be scaled down from the one that occurred in previous years and participants will be primarily residents and business owners from this block who hope to gather, talk, enjoy pot-luck style food and non-alcoholic drink, discuss block concerns about safety and sanitation, play non-amplified instruments, and watch a family-friendly movie using a projector and sheet; 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; and

Whereas, members of the CVBA appeared to express that they hoped people would not think that this was the same Cornelia Street Block Party that had occurred for many years prior and the applicant stated that he did not want to give that impression but he didn't want the block to lose the tradition of having a block party around this time and that he was not trying to form a block association to compete with CVBA; and

Whereas, two residents of Cornelia Street appeared to voice support for this block party and said they looked forward to the opportunity to mix and mingle with their neighbors and the applicant presented a petition in support of the event signed by 50 people, many of whom self-described as neighbors; and

Whereas, the applicant stated that while the street would be closed to vehicular traffic all pedestrians would have access to both sidewalks and would be invited to mix and mingle with the neighbors and that no commercial vendors would be used for the block party; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of the **Cornelia Street Block Party** on September 9, 2018.

VOTE: Unanimous, with 36 Board members in favor.

6. FYI/Renewal Street Activities

9/16/18 – Minetta Block Association: Palio on Minetta: Minetta Street between Bleecker Street and Minetta Lane

9/23/18 – The LGBT Center: Cycle for the Cause – Northeast AIDS Ride, West 13th Street between 7th Avenue and Greenwich Avenue

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 36 Board members in favor.

10/10/18 – Slice Out Hunger, Sullivan Street between West Houston Street and Prince Street

Whereas, this item was on the public agenda but was not requested to be heard for further discussion by any community member, however, the organizer of this 10th annual event, Scott Weiner, appeared and took the opportunity to tell the committee that having the block closed for the last 2 years has increased the amount of charity money raised substantially and he wanted to thank the community for being so supportive of the event, all proceeds of which are donated to local charities to end hunger; and

Whereas, the event will operate as it has for the last two years after which no complaints from the community have been received and the event raises the profile of many local pizzerias that opt to participate; now

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

VOTE: Unanimous, with 36 Board members in favor.

SLA LICENSING

1. Genuine Grand St NYC, LLC d/b/a Genuine Superette, 191 Grand St. 10013 (Existing OP – Partial Change in Ownership)

i. Whereas, the applicant and attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a partial change of ownership for an existing on-premise liquor license (#1284554) where an existing shareholder (Brad Farmerie) will purchase 100% of the existing corporation holding the license from two existing shareholders (Adam Farmerie and Kristina O’Neal) and will be the sole principal, owner and licensee going forward; and,

ii. Whereas, the establishment is a full-service Italian-American Fare Restaurant on the ground floor and operates under a second d/b/a as a cocktail bar in the basement under a separate d/b/a known and advertised as “Genuine Liqueur” with a corner storefront in an C6-2 zoned six-story, mixed-use 1900 building on Grand Street between Mott and Mulberry Streets (block #237/ lot #12) in Little Italy, the building falls within the designated Special Little Italy District; and,

iii. Whereas, there will be one entrance for all patrons, two bathrooms, there will continue to be no sidewalk café or other outdoor areas for service to patrons, there are no operable windows or doors to the front façade, the two-story premises is approximately 2,428 sq. ft., with 1,080 sq. ft. in the ground floor store level and an additional 1,348 sq. ft. in the basement; the premises having 19 tables with an aggregate of 59 seats and two (2) bars with a combined fifteen (15) seats, for a total of 74 seats and a maximum occupancy of 74; and

iv. Whereas, the applicant’s current method of operation will remain unchanged, including the current hours of operation being Sunday through Tuesday 9:00 a.m. to 12:00 a.m., Wednesday 9:00 a.m. to 1:00 a.m., and Thursday through Saturday 9:00 a.m. to 2:00 am; and will remain unchanged; and,

v. Whereas, the establishment will continue to operate the ground floor and the basement spaces, which share a kitchen and entrance/egress, under separate dba’s, the basement being known as ‘Genuine Liqueur’ (previously unannounced from prior applications and omitted from applicant’s current application and materials submitted to Community Board 2); and further the second dba not being registered with the SLA; and

vi. Whereas, the applicant stipulated that both dba’s will share a full-service kitchen and provide a menu and service during all opening hours; and that the applicant will take the necessary measures to register and have the second dba for the basement recognized with the NYS SLA; and,

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

1. Premise will be advertised and operated as a full-service Italian American Fare restaurant.
2. The hours of operation will be: 9AM to 12AM Sunday to Tuesday; 9AM to 1AM Wednesday; 9AM to 2AM Thursday to Sunday. Premises will open no later than stated opening time and no patrons will remain after stated closing time.
3. Will operate full service restaurant with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions.
6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café)
7. Will not have a sidewalk café now or in the future.
8. Will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
9. Will close all doors & windows at all times.
10. There will be one door to patron entry/exit.
11. Will not install or have French doors, operable windows or open facades.
12. Will not make changes to the existing façade except to change signage or awning.
13. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.

14. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
15. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
16. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
17. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the new On Premise license for **Genuine Grand St NYC, LLC d/b/a Genuine Superette, 191 Grand 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: Unanimous, with 36 Board members in favor.

2. Jemikos GFF, Inc., d/b/a Senza Gluten Café Bakery, 171 Sullivan St. 10012 (New Tavern Wine – Previously unlicensed location)

i. Whereas, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a new Tavern Wine license to operate a café & bakery in a R7-2 zoned five story, mixed use 1900 building on Sullivan Street between West Houston and Bleecker Streets (block #525/ lot #1) in Greenwich Village, the building falls within the designated South Village Historic District; and,

ii. Whereas, the storefront premise is approximately 900 sq. ft., with 500 sq. ft. in the parlor floor store level and an additional 400 sq. ft. basement and has applied for a Letter of No Objection to this usage, the storefront premises having previously operated as “Rockin Raw”, a vegan café/restaurant and before that as a computer repair shop, the location have never been licensed in the past for the service of alcohol; and,

iii. Whereas, the premises will have 4 tables with an aggregate of 8 seats and one (1) food counter with seven (7) seats, for a total of 15 seats, and all seating and service will be on the ground floor, with the basement being used for storage and ancillary purposes only and off limits to patrons; and the applicant stipulated that they would not seek a sidewalk café license now or in the future; and,

iv. Whereas, the applicant’s stated hours of operation will be from Sunday through Thursday 8:00 a.m. to 11:00 p.m. and Friday and Saturday 8:00 a.m. to 12:00 a.m.; and the committee heard testimony in support of the application by a local resident; and,

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

1. Premise will be advertised and operated as a Café and Bakery.
2. The hours of operation will be: 8AM to 11PM Sunday through Thursday, 8AM to 12AM Friday and Saturday. Premises will open no later than stated opening time and no patrons will remain after stated closing time.
3. Will operate full service Café and Bakery with the kitchen open and full menu items available until closing every night.

4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions.
6. Will not operate a backyard garden or any outdoor area for commercial purposes.
7. Will not have a sidewalk café now or in the future.
8. Will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
9. Will close all doors & windows at all times.
10. Will not install or have French doors, operable windows or open facades.
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. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/door staff.
17. Will obtain a Letter of No Objection from NYC Department of Buildings prior to the issuance of Tavern Wine license.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the new On Premise license for **Jemikos GFF, Inc., d/b/a Senza Gluten Café Bakery, 171 Sullivan 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 Tavern Wine Liquor License.

Vote: Unanimous, with 36 Board members in favor.

3. Dig Inn 69 1 Broadway, LLC d/b/a Dig Inn, 691 Broadway 10021 (New Tavern Wine – Previously unlicensed location)

i. Whereas, the applicant and attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a new Restaurant Wine license to operate a fast casual “farm to counter” chain restaurant in a R6-2 zoned 12-story, mixed-use 1885-88 building on Broadway between West 3rd Street and West 4th Street (block #535 lot #7501) in Greenwich Village, the building falls within NYC LPC’s designated NoHo Historic District; and,

ii. Whereas, the two-story premises is approximately 3,829 sq. ft., with 1708 sq. ft. on the ground floor store level and an addition 2,121 sq. ft. in the basement, has a maximum occupancy of 117, and a Certificate of Occupancy was presented consistent with the proposed usage, the premises have previously operated as a stationary store and never previously for eating and drinking and never previously licensed for the service of alcohol; and

iii. Whereas, the premises will have 11 tables with an aggregate of 30 seats and an additional four (4) seats at a food counter, for a total of 34 seats, and all seating and service will be on the ground floor, with the basement being used for storage and ancillary purposes only and off limits to patrons; no sidewalk café was included in this application, there will be outdoor areas for the service of alcohol and no operable windows or doors that open out to the sidewalk; and,

iv. Whereas, the applicant's proposed hours of operation will be from Sunday through Saturday 11:00 a.m. to 10:00 p.m.; and the applicant signed and notarized a stipulations agreement with CB2, Man. which includes the following:

1. Premise will be advertised and operated as a fast casual "farm to table" restaurant.
2. The hours of operation will be: 11AM to 10PM Sunday to Saturday (every day of the week). Premises will open no later than stated opening time and no patrons will remain after stated closing time.
3. Will operate full service restaurant, specifically a fast-casual American fare restaurant with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions.
6. Will not operate a backyard garden or any outdoor area for commercial purposes.
7. Will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
8. Will close all doors & windows at all times.
9. Will not install or have French doors, operable windows or open facades.
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. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the new On Premise license for **Dig Inn 691 Broadway, LLC d/b/a Dig Inn, 691 Broadway 10021**, 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 36 Board members in favor.

4. Samurice NY, Inc., d/b/a Izakaya/Samurice, 261-267 Canal St.—Stall #10 10013 (RW with common elements located in Canal Street Market)

i. Whereas, the Applicant and Attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee along with a representative to present an application to the Liquor Authority for a new restaurant wine license for a food stall located within an indoor market and food hall with common elements shared with other licensed food stall operators and the market place operator; each of the food stall operators who are licensed would share a portion of the responsibility of each individual food stall restaurant wine license with the indoor market and food hall operator who would be responsible for and manage the common areas and seating within the licensed area; and,

ii. Whereas, Canal Street Market is an 12,000 sq. ft. indoor market and food hall located on the ground floor of a 6 story commercial building with 37 Stalls/Vendors and a common seating area located in the rear of the Easterly portion of the premises with 5 tables and 50 seats located at 261-267 Canal Street a/k/a 21 to 23 Howard St. that has been open for 1-2 years; the building circa 1900 with a total ground floor lot coverage of 17,229 sq. ft. is located with an M1-5B zoning area and also has joint live work quarters located on the 2nd and 3rd floors which were legalized pursuant to a special permit by the City Planning Commission on July 6, 1988 (C 850115 ZSM); the area subject to be licensed in this application includes the individual food stall indicated above which will sell food and beer/wine/cider to patrons and a common area occupying one half of the Canal Street Market as indicated on provided diagrams which occupies roughly half the ground floor space on the Eastern portion of the Canal Street market premises; and

iii. Whereas, there is no existing certificate of occupancy for the ground floor; the applicant provided a Letter on No Objection issued by the New York City Department of Buildings indicating that the DOB records indicate that a store, use group 6 is the use on the first floor; the DOB has no objection to a Store/Eating & Drinking Establishment on the First Floor for less than 75 persons; and,

iv. Whereas, the food stall portion covered by this application will be operated by Samurice NY, Inc., d/b/a Izakaya/Samurice and will focus on takeaway Japanese lunch boxes; preparing and sell food in addition to beer, wine and cider offerings; the common elements of this application which will be shared with other food stall operators seeking a restaurant wine license include common operating hour, a common supervision plan and a common seating area which has 5 tables and 50 seats; and,

v. Whereas, the hours of operation will be from 11AM to 11PM every day of the week; music will be ambient quiet background only consisting of recorded music from ipod/CDs (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; no live music; and,

vi. Whereas, the food stall operator appearing agreed to adopt completely and be bound by the stipulations agreement that the Canal Street Market operator, Goods & Carriage, LLC and other food stall operators have previously jointly executed with CB2, Man. and agreed and that said stipulations would be attached and incorporated into their method of operation, specifically, stipulations stating that:

1. Hours of operation for the Canal Street Market and each Food Stall will not be early than or later than 11AM to 11PM Sunday to Thursday. Entire Premises will close no later than stated closing time & no patrons will remain in the market at closing time.
2. Will operate a food stall operating and focusing on Lebanese inspired takeaway food with the kitchen open and full menu items available until closing every night. There will be no service of beer/cider/food without food being available.

3. The Canal Street Market will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. The Market will not have televisions for any type of tv programming in the dining/eating/drinking area. There may be screens used for menus only or screens used for occasional event programming for limited time durations of not more than 3 hours.
5. There are no outdoor areas.
6. The licensed area is the Eastern portion of the Canal Street Market on the Ground Floor Only as indicate in diagrams. The common seating area in the rear of the premises as shown on provided diagrams will not exceed 5 tables and 50 seats. Signs will be posted indicating that beer/wine/cider may not be removed from the licensed portion of the Canal Street Market.
7. Canal Street Market may play quiet ambient, recorded background music only throughout the premises. No music will be audible outside the Market. DJs will not be used. There will be no live music. There will be no dancing.
8. All doors and windows will be closed at 9PM every night and will not be propped open past 9PM and anytime there is amplified music or live music audible outside the premises. Doors/Windows will not be propped open prior to 11AM.
9. Will not make changes to the existing façade except to change signage or awning.
10. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
11. No Food Stall will have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer will be available for sale.
12. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
13. Canal Street market will provide 3-4 Security Personnel to monitor all patrons.
14. Any events managed by the Canal Street Market will end no later than 10PM. There will never be DJ run music at events. There will be no cover charges, but there may be fees to participate in events. There will be no scheduled performances.
15. All beer/cider/wine sold by Food Hall Vendors will be served in cups only displaying each operators name.
16. There will be no lines or queuing of any patrons for any portion of the Canal Street Market permitted outside the establishment. Any waiting patrons will be accommodated within the Canal Street Market.

vii. Whereas, CB2, Man. has no opposition to the issuance of a restaurant wine license with common elements to Samurice NY, Inc., d/b/a Izakaya/Samurice, with the common elements managed by Goods & Carriage, LLC, provided that the applicant and Goods & Carriage, LLC are able to affirmatively provide building permits and affirmative documentation which reflects the actual operation of the Canal Street Market covering 12,000 sq. ft, with 38 vendor stalls of which it appears 10 are within the licensed portion of the Canal Street Market along with 5 tables and 50 seats; the Applicant’s attorney stated the Letter of No Objection was for only the seating area in the rear, but was unable to identify the walls and/or boundaries of the area covered under the Letter of No Objection; it is common understanding that a letter of no objection which indicates 1 store located on the ground floor covers the entire lot coverage area or at least a store with four fixed walls; the Canal Street Market is fully accessible throughout once entering the front door and is located within an individual building; each individual food stall applicant is using the same Letter of No Objection for their application so it only seems logical the Letter of No Objection covers the entire premises but the Applicant was not able to answer this question; and,

viii. Whereas there is also concern with respect to public safety because no coherent explanation was provided for why or how the provided Letter of No Objection could apply to this application which as a common attribute shares the Canal Street Market which has 38 Stalls and covers 12,000 sq. ft.; without

some sort of affirmative finding; there is also a concern for safety risks in that no Place of Assembly has been sought or provided and no explanation as to why one will not be sought was provided; The total occupancy of the premises, even ½ the premises covering the licensed area handles occupancy in excess 74 people; NYC City Regulations pertaining to Place of Assembly Certificate of Operation plainly state that a “Place of Assembly (PA) Certificate of Operation is required for premises where 75 or more members of the public gather indoors or 200 or more gather outdoors, for religious, recreational, educational, political, or social purposes, or to consume food or drink.”; and,

ix. Whereas, concerns were raised by a member of the public as to the accuracy of the Letter of No Objection, the aforementioned Special Permit issued by the City Planning Commission dated July 6, 1988 (C 850115 ZSM) indicates the use on ground floor is for a wholesale company, which to our understanding is not a use group 6 store; since the issuance of the CPC Special Permit, it appears no Alt 1 filings have been made to alter the ground floor use and there is no existing Certificate of Occupancy; additionally M1-5B zoning regulations prohibit as of right eating and drinking establishment below the story of the 2nd floor, and further, the zoning prohibits eating and drinking establishments in excess of 5,000 sq. ft.;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a restaurant wine license with common elements for **Samurice NY, Inc., d/b/a Izakaya/Samurice, 261-267 Canal St.—Stall #10 10013** and **Goods & Carriage LLC** overseeing the common elements; and,

THEREFORE BE IT FURTHER RESOLVED that if the Applicant and Goods & Carriage, LLC are able to affirmatively show that the Canal Street Market is operating in compliance with all building and zoning regulations and that all permits are in place, and that there are no open DOB or ECB violations or complaints with respect to any improper use or construction or other violations and a letter from a registered architect stating all of the above and appear before the Full Board of the Liquor Authority, then CB2, Man. would amend its recommendation to approval of a restaurant wine license with common elements conditioned upon including the above stipulations on the restaurant wine license agreed to by the applicants; and,

THEREFORE BE IT FURTHER RESOLVED that CB2, Man. respectfully requests that unless otherwise informed by CB2, Manhattan, CB2, Man. requests that this matter be placed before the Members of the Authority for Determination.

Vote: Unanimous, with 36 Board members in favor.

5. New LLC to be formed by La Molina Holdings, LLC d/b/a Llama-San, 359 6th Ave. 10014
(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-Premises liquor license a full-service Peruvian-Japanese Fusion restaurant in a R7-2 zoned 3 story, mixed use 1910 building on 6th Avenue (Avenue of the Americas) between Washington Place and West 4th Street (block #592 lot #19) in Greenwich Village, the building falls within NYC LPC’s designated Greenwich Village Historic District; and,

ii. Whereas, the two-story premises is approximately 2,400 sq. ft., with 1,400 sq. ft. on the ground floor store level and an addition 1,000 sq. ft. in the basement, has a maximum occupancy of 74 and previously operated as Tertulia, a restaurant with a similar method of operation, the Applicant agreeing that it will be obtaining a valid Letter of No Objection from the NYC DOB concerning this usage prior to the issuance of its license; and

iii. Whereas, the premises will have 18 tables with an aggregate of 56 seats and one (1) bar with an additional 8 seats for a total of 64 interior seats, and all seating and service will be on the ground floor, with the basement being used for storage and ancillary purposes only and off limits to patrons; there is also an existing 124 sq. ft. licensed sidewalk café, with 10 additional seats; and,

iv. Whereas, the applicant's proposed hours of operation will be 11 AM to 1 AM Sunday, 11:30 AM to 1 AM Monday, Tuesday, and Wednesday, 11:30 AM to 2 AM Thursday, Friday and Saturday; the sidewalk café will close by 11 PM every night, and all doors and windows will be closed by 10:00 pm every night; and,

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

1. Premise will be advertised and operated as a full-service Peruvian-Japanese Fusion restaurant and Izakaya.
2. The hours of operation will be: 11 AM to 1 AM Sunday, 11:30 AM to 1 AM Monday, Tuesday, and Wednesday, 11:30 AM to 2 AM Thursday, Friday and Saturday. Premises will open no later than stated opening time and no patrons will remain after stated closing time.
3. Will operate full service restaurant, specifically a Peruvian-Japanese Fusion restaurant with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will have no more than one (1) television, no larger than 46" (there will be no projectors).
6. Will operate a sidewalk café no later than 11 PM (all tables and chairs will be removed at this hour.)
7. Will close all doors & windows at 10 PM every night and anytime there is amplified music, live music, or DJ.
8. Will not make changes to the existing façade except to change signage or awning.
9. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have "boozy brunches". No pitchers of beer.
11. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.
12. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
13. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades.
14. Will obtain a Letter of No Objection from the NYC Department of Buildings *prior to* issuance of Liquor License for premises.

vi. 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 already greatly saturated with licensed establishments, there being 22 existing On Premises licenses within 500 feet of the

storefront premises, 54 On Premise licenses within 750 feet of the storefront premises, with 3 additional pending licenses and without even including the vast numbers of eating and drinking establishments in the area holding beer and wine licenses;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the new On Premise license for **New LLC to be formed by La Molina Holdings, LLC d/b/a Llama-San, 359 6th Ave. 10014 (OP – Restaurant)**, 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 License.

Vote: Unanimous, with 36 Board members in favor.

6. Hexillion Lounge, LLC d/b/a Wind Rose, 39 Downing St. 10014 (New OP – Restaurant)

i. Whereas, the applicant and attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present a new On-Premises liquor license to open a full-service Korean fusion restaurant in a R6 zoned 6 story, mixed use 1900 building on Downing Street between Bedford Street and Varick Street (block #528 lot #77), in a building also known as 31 Bedford Street in Greenwich Village, the building falls within NYC LPC’s designated Greenwich Village Historic District; and,

ii. Whereas, the two-story premises is approximately 2,000 sq. ft., with 1,400 sq. ft. on the ground floor store level and an addition 600 sq. ft. in the basement, has a maximum occupancy of 73, and a Certificate of Occupancy consistent with the proposed usage, the premises to be licensed having previously been operated as a Restaurant known as Mas Farmhouse with a similar method of operation as currently being proposed in the instant application; and,

iii. Whereas, the premises will have 19 tables with an aggregate of 50 seats and one (1) bar with an additional 6 seats for a total of 56 interior seats, and all seating and service will be on the ground floor, with the basement being used for storage and ancillary purposes only and off limits to patrons; there being one door for patron egress to and from the restaurant, there are no outdoor areas for the service of alcohol and there will not be a sidewalk café now or in the future; and,

iv. Whereas, the Applicant did have discussions with the Bedford-Downing Block Association, there being objections raised from the local Block Association as to the late night hours of operation proposed by the Applicant until 2AM, the area being zoned for residential uses only, this storefront receiving a “grandfathered” status for commercial uses, there being a number of existing restaurants in the immediate area having hours no later than 12 AM during the week and 1 AM on the weekends, the adjacent roadways being narrow with late night noise from patrons on the streets being a significant problem in the area; and,

v. Whereas, the Applicant would not agree to the hours proposed by the local Block Association, but instead a compromise was reached with CB2, Man. on operating hours, the Applicant agreeing to hours of operation from 11 AM to 12 AM Sunday through Wednesday, 11 AM to 1 AM on Thursdays only and 11 AM to 2 AM on Fridays and Saturdays; and all doors and windows will be fixed, kept closed and inoperable at all times except for egress to/from the restaurant through a single front door; and,

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

1. Premise will be advertised and operated as a Korean Fusion Restaurant.

2. The hours of operation will be: 11 AM to 12 AM Sunday through Wednesday, 11 AM to 1 AM Thursday, 11 AM to 2 AM Friday and Saturday. Premises will open no later than stated opening time and no patrons will remain after stated closing time.
3. Will operate a full-service restaurant, specifically a Korean Fusion restaurant, with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions
6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café)
7. Will not have a sidewalk café now or in the future.
8. Will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
9. Will close all doors & windows at all times.
10. Will not install or have French doors, operable windows or open facades.
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. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades.
17. All doors and/or windows will be fixed and inoperable except for egress to/from restaurant.

vii. 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 already greatly saturated with licensed establishments, there being 27 existing On Premises licenses within 500 feet of the storefront premises, 36 On Premise licenses within 750 feet of the storefront premises, with 6 additional pending licenses and without even including the vast numbers of eating and drinking establishments in the area holding beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the new On Premise license for **Hexillion Lounge, LLC d/b/a Wind Rose, 39 Downing St. 10014 (OP – Restaurant)**, **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 License.

Vote: Unanimous, with 36 Board members in favor.

7. Emmanuel NY Corp. d/b/a Hometown Hotpot & BBQ, 194 Grand St. 10013 (New On Premise license—upgrade from Restaurant Wine).

i. Whereas, the Applicant and their Attorney appeared before CB2, Manhattan’s SLA Licensing Committee for an application to upgrade it’s existing restaurant wine license (Ser.# 1289128) to an On Premise liquor license while maintaining its current method of operation operating a Malaysian & Southeast Asian Restaurant on the ground floor storefront of a newly built (circa 2015) seven-story commercial use building in the Little Italy Town District on Grand Street between Mulberry Street and Mott Street; and

ii. Whereas, the applicants have been operating their restaurant for less than three years, there having been no prior license to sell alcohol at these premises prior to November/2015, the premises having never previously operated with an on premises liquor license; and,

iii. Whereas, the Applicant presented a certificate of occupancy purporting to permit eating and drinking at this location, the applicant having previously obtained a public assembly permit and there are no plans to change the front façade of the premises; and

iv. Whereas, the premises is located in a 5,099 SF space (1,560 SF Ground Floor and 3,539 SF Cellar) with 30 tables and 162 seats, no stand up Bars for a total seating occupancy of 162, a full service kitchen, seven bathrooms and two entrances/exits for patrons (one which will be connected to a Hotel located at 196 Grand Street); there is no sidewalk café or outdoor space for the service of alcohol and all doors and windows will be fixed, kept closed and inoperable at all times except for egress to/from the restaurant through the front door; and,

v. Whereas, the hours of operation will continue to be from 12:00 p.m. to 12:00 a.m. Sunday through Thursday and from 12:00 p.m. to 1:00 a.m. on Fridays and Saturdays, music will be background only; and

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

1. Premise will be advertised and operated as a Malaysian & Southeast Asian Restaurant.
2. The hours of operation will be: 12 PM to 12 AM Sunday through Thursday, 12 PM to 1 AM Fridays and Saturdays. Premises will open no later than stated opening time and no patrons will remain after stated closing time.
3. Will operate a full-service restaurant, specifically a Malaysian and Asian Hotpot BBQ restaurant, with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions.
6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café).
7. Will not have a sidewalk café or in the future.
8. Will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
9. Will close all doors & windows at all times.
10. Will not install or have French doors, operable windows or open facades.

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. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades.
17. All doors and/or windows will be fixed and inoperable except for egress to/from restaurant.

vii. 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 already greatly saturated with licensed establishments, there being 40 existing On Premises licenses within 500 feet of the storefront premises, 59 On Premise licenses within 750 feet of the storefront premises, with 5 additional pending licenses and without even including the vast numbers of eating and drinking establishments in the area holding beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the new On Premise license for **Emmanuel NY Corp. d/b/a Hometown Hotpot & BBQ, 194 Grand 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 License.

Vote: Unanimous, with 36 Board members in favor.

8. Root Nolita, LLC d/b/a Root Nolita, 371 Broome St. a/k/a 173 Mott Street 10013 (New OP – Restaurant)

i. Whereas, the Applicants and their Attorney appeared before CB2, Manhattan’s SLA Licensing Committee for new On Premise license to operate a full service restaurant featuring Israel cuisine in a corner storefront at the south west corner of Broome and Mott Streets in a mixed use, five-story building (circa 1900) in Nolita; and

ii. Whereas, the storefront premises have never previously operated with an on premise license, the premises having previously operated since 2015 as an Italian restaurant known as Oficina with a Restaurant Wine license only, and before that, the storefront was operated as a retail store selling Aquariums and tropical fish, there being a gut renovation of the storefront premises occurring in 2015, the Applicant presenting a letter of no objection from the NYC DOB for eating and drinking at these premises; and

iii. Whereas, when the owners of Oficina gut renovated the premises in 2015, they installed floor to ceiling accordion like doors that opened the entire facades of the storefront facing both streets creating operable doors running along both the Mott and Grand Street sidewalks, such installations being

performed over the objections of CB2, Man. at that time but because the application in 2015 was for Restaurant Wine and not subject to the 500 ft. rule, these renovations nonetheless occurred in violation of an executed stipulation agreement; and,

iv. Whereas, the licensed premise is approximately 1,200 sq. ft., there will be 16 tables in 40 seats, 1 bar with 8 seats, two bathrooms, the hours of operation will be from 8 AM to 12 AM Sunday through Thursday and from 8 AM to 1 AM on Fridays and Saturdays, there are no TVs, music will be background only and the applicant agreed to close all doors and windows on Broome Street by 9 PM and on Mott Street by 10 PM; and

v. Whereas, the applicant also plans to operate a sidewalk café running along Mott Street with 11 tables and 22 seats, and will close the sidewalk café by 10 PM Sunday through Thursday and by 11 PM on Fridays and Saturdays; and

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

1. Premise will be advertised and operated as a full service restaurant featuring Israel cuisine.
2. The hours of operation will be 8 AM to 12 AM Sunday through Thursday and from 8 AM to 1 AM on Fridays and Saturdays. Premises will open no later than stated opening time and no patrons will remain after stated closing time.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not have televisions.
5. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café).
6. The sidewalk café will close by 10 PM Sunday through Thursday and by 11 PM on Fridays and Saturdays.
7. Will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
8. Will close all doors & windows every night by 9 PM on Grand Street Side and by 10 PM on Mott Street side.
9. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches.” No pitchers of beer.
11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
12. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
13. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades.

vii. 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 already greatly saturated with licensed establishments, there being 23 existing On Premises licenses within 500 feet of the

storefront premises, 50 On Premise licenses within 750 feet of the storefront premises, with 10 additional pending licenses and without even including the vast numbers of eating and drinking establishments in the area holding beer and wine licenses; and,

viii. Whereas, according to the NYS LAMP system the Most Holy Crucifix Church is only 130 feet from the storefront premises where the instant application is sought and is thus located within 200 feet of the premises, which may violate the 200 ft. rule;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends that the NYS SLA perform a review and measurement to ascertain if the 200 foot rule applies to the instant application; and

THEREFORE BE IT FURTHER RESOLVED THAT if there is no violation of the 200 ft. rule CB2, Man. recommends **denial** of the new On Premise license for **Root Nolita, LLC d/b/a Root Nolita, 371 Broome St. a/k/a 173 Mott Street 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 License.

Vote: Unanimous, with 36 Board members in favor.

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

9. Sunrise Corp. d/b/a N/A, 391 6th Ave. 10014 (Transfer of OP – Layover Request by Applicant)

i. Whereas, the Applicant appeared in front of CB2, Manhattan’s SLA Licensing Committee #1 Meeting on July 10th, 2018, to present an application for a transfer of an existing on premise license (ADSAD, LLC d/b/a Onegin; SN #1254846) for the purpose of continuing to operate a restaurant within a 3,356 sq. ft. storefront with a 140 occupancy on 6th Avenue between Waverly Place and Christopher Street in Greenwich Village; and

ii. Whereas, when the current licensee originally appeared before CB2, Man. for its application for an On Premise license to operate its restaurant at a capacity of 140 patrons should the license be approved, the licensee stated its intent to obtain all the proper permits and agreed to obtain those permits prior to operating in this storefront at such capacity; and,

iii. Whereas, the when the Applicant and current Licensee both appeared for the instant transfer application it became clear that such permits to operate at a 140 person occupancy had never been obtained, the Applicant and current Licensee providing only a letter of no objection that limited the number of patrons at the premises to 74 patrons but did not present the proper permits, including a certificate of occupancy, letter of no objection or public assembly permit permitting a 140 occupancy,

at which time the Applicant requested to **lay over** this application until August/2018 for the purpose of presenting the proper permits and for further consideration as to its instant application to transfer the existing license;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed transfer application for **Sunrise Corp. d/b/a N/A, 391 6th Ave. 10014** **until** the Applicant has fully presented all the proper permits to operate with a patron capacity in excess of 74 and until the Applicant has completed their application in front of CB2’s SLA Licensing Committee with sufficient

time to permit CB2 to forward a recommendation to the SLA, and further 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 36 Board members in favor.

10. Helen's, LLC d/b/a TBD, 19 Kenmare St. 10012 (OP – withdrawn)

Whereas, prior to CB2, Manhattan's SLA Licensing Committee #1 Meeting on July 10th, 2018, the Applicant requested **to withdraw** this application from further consideration and did not appear, present or 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 **Helen's, LLC d/b/a TBD, 19 Kenmare St. 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

11. Anyway Soho Ltd., d/b/a Anyway Café, 519 Broome St. (OP – Withdrawn from consideration)

Whereas, prior to CB2, Manhattan's SLA Licensing Committee #1 Meeting on July 10th, 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 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: Unanimous, with 36 Board members in favor.

12. Shigemitsu New York, Inc., d/b/a Harbs, 465 W. Broadway 10012 (RW – Laid Over)

Whereas, prior to CB2, Manhattan's SLA Licensing Committee #1 Meeting on July 10th, 2018 the Applicant requested **to lay over** this application for a restaurant wine license to August/2018 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 **Shigemitsu New York, Inc., d/b/a Harbs, 465 W. Broadway 10012** **until** the Applicant has

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

Vote: Unanimous, with 36 Board members in favor.

13. Black Rose Hospitality, LLC, d/b/a N/A, 74 5th Ave. 10011 (RW – Laid Over)

Whereas, prior to CB2, Manhattan's SLA Licensing Committee #1 Meeting on July 10th, 2018 the Applicant requested **to lay over** this application for a restaurant wine license to August/2018 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, corporate change, alteration, transfer or other changes to the existing license for **Black Rose Hospitality, LLC, d/b/a N/A, 74 5th Ave. 10011** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

14. 316 Bowery, LLC d/b/a Saxon and Parole, 316 Bowery 10012 (OP – Withdrawn by Applicant)

Whereas, prior to CB2, Manhattan's SLA Licensing Committee #1 Meeting on July 10th, 2018, the Applicant requested **to withdraw** this application from further consideration and did not appear, present or discuss this application for on premise license;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **316 Bowery, LLC d/b/a Saxon and Parole, 316 Bowery 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

15. Be Westbourne Something Special, LLC (to be created), d/b/a TBD, 137 Sullivan St. South Retail Unit 10012 (OP — Laid Over)

Whereas, prior to CB2, Manhattan's SLA Licensing Committee #1 Meeting on July 10th, 2018 the Applicant requested **to lay over** this application for a restaurant wine license to August/2018 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, corporate change, alteration, transfer or other changes to the existing license for **Be Westbourne Something Special, LLC (to be created), d/b/a TBD, 137 Sullivan St. South Retail Unit 10012** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

16. 62 Carmine Corp., d/b/a Codino, 62 Carmine St. 10014 (Class Change to OP – Restaurant)

i. Whereas, the Applicant and attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a class change from a Tavern Wine License to a Restaurant On-Premise Liquor License, the premises now having a kitchen under the supervision of a chef for a full service Italian restaurant; and,

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

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

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

1. This application is for a class change application for an existing tavern wine license to a restaurant on premise liquor license for a full service Italian restaurant.
2. The hours of operation are from 11AM to 12AM Sunday to Thursday and from 11AM to 1AM from Friday to Saturday. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will operate as a full service 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 not have televisions.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a licensed sidewalk café.
7. A sidewalk café is not included in this application.
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. 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, DJs, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.
16. Will have no more than 12 tables and 52 table seats and 1 standup bar with 16 seats.
17. There will be no outdoor benches.
18. There will be no patron use of basement.
19. There will be an awning over entryway.
20. Music levels will be maintained so as not to be audible outside the premises when windows are open.

vi. Whereas, the principal’s operate a number of other restaurants in New York City and several within CB2, Man., CB2 Man. has an adverse history of complaints with one of their operations and has objected to another new application which was subsequently denied by the SLA; and,

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

viii. Whereas, there are currently approximately 29 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a class change application to a new restaurant on-premise liquor license for **62 Carmine Corp., d/b/a Codino, 62 Carmine St. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant on-premise liquor license.

Vote: Passed, with 35 Board members in favor, and 1 in opposition (D. Diether).

17. Kubbeh, LLC d/b/a Kubeh, 464 Ave. of the Americas 10012 (OP – Restaurant)(Alteration to include sidewalk café SN# 1297959)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee in July 2017 to present an alteration application for an existing restaurant on-premise liquor license SN# 1297959 for a “casual full-service and take out restaurant serving variations of ‘kubeh’ a traditional Middle Eastern soup dumpling combo commonly known in Middle Eastern cuisines, paired with cocktails to accompany dishes. Kubeh and other dishes served are comfort dishes made traditionally by the women of the house”; and,

ii. Whereas, this application is for an alteration to an existing restaurant on-premise liquor license, the premises is located in a 3 story mixed-use building with 1 story rear extension, the location is in a corner building but because it has an “L” shaped configuration it is not located in the corner space but still has facades and doors located on both Avenue of the Americas (6th Avenue) and West 11th St.; the premises will occupy 1,600 sq. ft. on the ground floor for patrons and 600 sq. ft. in the basement – no patron use;

plans were presented with 11 tables and 56 table seats, 1 standup bar with 14 seats and 1 service bar for a total of 70 interior seats; this alteration application is to include a NYC Department of Consumer Affairs Licensed Sidewalk Café with 8 tables and 16 seats; the applicant provided a copy of a Certificate of Occupancy and indicated total interior occupancy would be less than 74; and,

iii. Whereas, the hours of operation of the interior will continue to be 8AM to 12AM Sunday to Thursday and 8AM to 1AM Friday and Saturday (No patrons shall remain after the closing hour), the hours of operation for the side walk café will be until 11pm 7 days a week, music will be quiet background only consisting of music from ipod/CDs (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 9:00PM every night and anytime there is amplified music, there will be no DJ, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no TV's; and,

iv. Whereas, the Applicant entered into a new stipulations agreement with CB2, Man. in line with the materials presented to CB2 and the new sidewalk café and their statements during the presentation to CB2 which they said they agreed they would submit to the SLA and agreed would be attached and incorporated in to the method of operation on the alteration to the existing restaurant on-premise liquor license, an executed copy which was provided to CB2, Man., stating that:

1. The premises will be advertised and operated as a casual full service and take out restaurant serving variations of kubeh, a traditional Middle Eastern soup dumpling.
2. The interior hours of operation will be 8AM to 12AM Sunday to Thursday and 8AM to 1AM Friday and Saturday. (No patrons shall remain after the closing hour). All patrons will be cleared and no patrons will remain after stated closing times.
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. There will be no projector TV's.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The new sidewalk café will operate no later than 11PM 7 days a week (all tables & chairs will be removed at this hour).
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime and will at all times be in compliance with all NYC Noise codes.
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 Premises will close all doors and windows at 10PM every night and anytime there is amplified music.
11. Will not install or have French doors, operable windows or open facades.
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 guards.

17. This alteration is to add a sidewalk café with 8 tables and 16 chairs.
18. All and staff entry and exit into sidewalk café will be from the interior of the premises which is accessed from 464 6th Avenue in order to maintain compliance with the 200 ft. rule to adjacent school.
19. All Service to sidewalk café will be by wait staff.
20. 11th St. Door is for access to sidewalk café only and emergency exit.
21. Will use best efforts to address any ongoing mechanical noise issues.

vii. Whereas, CB2, Man. does not have an objection to adding the sidewalk café to the licensed premises provided it complies with all regulations, but does not believe this application is in conformance with the “200 ft. rule”; and,

Whereas CB2, Man. has concerns with respect to the applicability of the 200 ft. rule as it did at the inception of this license; at the initial presentation to CB2, Man. in September 2016 when asked about PS 41, Greenwich Village School located at 116 West 11th St. which is located within 200 ft. of the proposed premises, the Attorney for the applicant stated that he did not believe that School was located on 6th Avenue (a/k/a Avenue of the Americas) and that because the Applicant’s premises did not use the door located on the West 11th St. façade, the location was not subject to the “200 Foot Rule” because it was located on 6th Avenue; the applicant reiterated in July 2018 that because there was no outdoor hardware on the West 11th Door, it was no subject to the 200 ft. rule; a number of CB2 Board members again raised questions regarding this and had the following concerns, (1) the Eastern most door for PS 41 is located just off the corner of 6th Avenue and appears to be regularly used for ingress and egress in addition to the main front door of the School located further down the block on West 11th St., it appears both the Easternmost door and the School front door are within 200 ft. of the Applicant’s Avenue of the Americas entrance (2) PS 41 has a small frontage on 6th Ave which is clearly noted in the NYC Buildings Property Profile which indicates addresses for the one building at that location as 463 Avenue of the Americas and 100-124 West 11th St. therefore it would seem to indicate that the School is on the corner and therefore located on both streets([http://a810-bisweb.nyc.gov/bisweb/PropertyProfileOverviewServlet?boro=1&house=116&street=west+11th+st&go2="+GO+"&requestid=0](http://a810-bisweb.nyc.gov/bisweb/PropertyProfileOverviewServlet?boro=1&house=116&street=west+11th+st&go2=)) (3) the building in which the Applicant is located is a corner building, albeit the applicant is not in the corner spot but the Applicant has an “L” shaped premises with facades on both West 11th St. and Avenue of the Americas adjacent to both sides of the corner unit, this would seem to indicate it is on both streets despite which doors are used for regular ingress or egress, it does not make much sense to say that the premises is not located on both streets just because a door is not used, it would seem the only factor is which door the measurement is taken from, not which door decides which street the premises is located on; and

viii. Whereas, with the addition of this sidewalk café, which is located on the same street as Public School 41 on West 11th St., the result is the use of the 11th St. door which is the only access to the sidewalk café (main restaurant entrance is on 6th Ave), which removes any exception for a door with no exterior hardware used for emergency egress only, the door now being used for ingress and egress, the applicant conceded that because this door was previously an emergency exit, they would need to have an opening within the sidewalk café to allow emergency egress, that opening would have no physical barriers preventing ingress and would instead be a “virtual door” which in practice does not exist; this clearly goes against the carefully crafted exception created for the 200 ft. rule with respect to a door not regularly used for ingress or egress due to specific physical characteristics such as type of hardware used which clearly preclude their use for regular use; generally the specific findings of the authority with respect to the 200 ft. rule involve doors which clearly have no practical use due to configuration, in this case the applicant is not able to erect a physical barrier precluding normal entry because that would create a public safety hazard for emergency egress from the interior of the building; and,

ix. Whereas, the applicant stated that they had conversations with the Liquor Authority with respect to this and were told that this would be acceptable, but were unable to provide any official documentation or determinations from the SLA; and,

xi. Whereas, there are currently 10 On Premise Liquor Licenses within 500 ft. of the premises, an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** to **Kubbeh LLC, d/b/a Kubeh, 464 Avenue of the Americas a/k/a 77 West 11th Street 10011**, on its application seeking an alteration to the existing restaurant on-premise liquor license SN# 1297959 to add a sidewalk cafe; and,

THEREFORE BE IT FURTHER RESOLVED that CB2, Man. respectfully requests that the Liquor Authority re-review the application of the 200 ft. rule for this location and address the concerns noted above and place this matter before the members of the Authority for determination.

Vote: Unanimous, with 36 Board members in favor.

18. The Noble Bean, LLC d/b/a The Noble Bean, 7 Greenwich Ave. 10014 (RW – Bar/Tavern)

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 tavern wine license for a family friendly indoor café with affordable pricing on all items”; and,

ii. Whereas, this application is for a new tavern 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 Greenwich Avenue between Christopher and West 10th Street for a roughly 1,400 sq. ft. premise (910 sq. ft. 1st fl., 490 sq. ft. basement, no patron use of basement), with 12 tables and 45 seats and 1 counter which will also function as a stand up bar, there are no outdoor seating areas and a Certificate of Occupancy was provided; and,

iii. Whereas, the hours of operation will be from 6AM to 11PM 7 days a week, 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/CDs (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; the applicant’s lease states that “no cooking whatsoever, either by microwave or by oven, will be permitted at any time during the term of this lease. No food of any kind will can be cooked or prepared in this store. All prepared food that is sold in this store must be contained in it’s own packaging and can not be kept in the premises unpackaged”; 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 tavern wine license for a family friendly indoor café with affordable prices on all items.
2. The hours of operation are from 6AM to 11PM 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 cafe with the 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 no more than 1 television, no larger than 46” in size.
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. Will have no more than 12 tables and 45 table seats and 1 standup bar with no seats.
18. If there is any outdoor furniture it will be removed by 9PM.
19. Any “A Frame” signage will at all times comply with NYC regulations.

v. Whereas, a letter in opposition was received from a local community group which stated that they had tried to contact the applicant, but received no response, the applicant conceded that they had not responded to the community group but stated that they would do so in the intervening time period between CB2’s Committee meeting and CB2’s Full Board Meeting, concerns were also raised that this is yet another retail location formerly operated as a high end perfumery 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 22 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 tavern wine license for **The Noble Bean, LLC d/b/a The Noble Bean, 7 Greenwich Ave. 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 36 Board members in favor.

19. Zhang Ba Gou, Inc., d/b/a Xi’an Famous Foods, 313 6th Ave. 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 chain restaurant serving Chinese food; 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 Sixth Avenue between Carmine St. and West 3rd Street for a roughly 1,700 sq. ft. premise, with 14 tables and 52 seats and 1 food counter with 14 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 11AM to 12AM 7 days a week. The restaurant will typically close at 10PM, 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/CDs (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 chain restaurant serving Chinese food.
2. The hours of operation are from 11AM to 12AM 7 days a week. The restaurant will typically close at 10PM. 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 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 no more than 1 television, no larger than 46” in size.
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. Will have no more than 14 tables and 52 table seats and 14 seats at a food counter.
18. There is no standup bar.
19. There will be no use of the rear yard by patrons and all staff will stop using the rear yard by 10PM (no activity in rear yard after 10PM).

v. Whereas, there are currently approximately 24 On Premise Liquor Licenses and an unknown number of Beer and Wine Licenses within 500 ft. of the premises; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new restaurant wine license for **Zhang Ba Gou, Inc., d/b/a Xi'an Famous Foods, 313 6th Ave. 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 36 Board members in favor.

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

i. Whereas, the applicant re-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 a classic New York 24-hour diner serving comfort food to the neighborhood with reduced hours of alcohol service and an adjacent outdoor dining area; and,

ii. Whereas, the applicant had originally appeared in June/2018 at which time there was community opposition and CB2's SLA Licensing Committee #2 voted unanimously to recommend denial as presented in June/2018; the applicant subsequently requested to further meet with residents and make significant changes to the application and return to CB2, Man. for reconsideration in July 2018; and,

iii. Whereas, the application presented in July 2018 is for a new on-premise liquor license in a previously unlicensed location which is located on the ground floor in the northern portion of the sixteen story SoHo Grand Hotel and also extends to an ancillary outdoor area to the north, the outdoor area was previously a dog run; the SoHo Grand Hotel is located on West Broadway between Canal Street and Grand Street; and,

iv. Whereas, the northern storefront and ancillary outdoor premises of the SoHo Grand Hotel is 4,194 sq. ft. (2,575 sq. ft. interior and 1,619 sq. ft. exterior) with 50 tables and 124 seats (78 interior table seats and 46 exterior table seats) there is 1 stand up bar on the interior with 4 seats and 13 "other seats" with 7 seats at an interior food counter and 6 seats at exterior benches in the waiting area for the outdoor seating area; there are a grand total of 141 seats; there is no sidewalk cafe and a Certificate of Occupancy was provided; and

v. Whereas, the premises will operate as a 24-hour diner 7 days a week serving a full diner menu at all times; there is an ancillary adjacent outdoor seating area that will operate at reduced hours; the hours of alcohol service on the interior will be limited and will cease by 12AM Sunday to Wednesday and by 2AM Thursday to Saturday; and,

vi. Whereas, the hours of operation and alcohol service for the adjacent and ancillary outdoor area will be from 11AM to 10PM Sunday to Thursday and 11AM to 11PM Friday and Saturday; all employee activity in the outdoor area will stop no later than ½ hour after outdoor closing, all exterior lighting will be turned off at closing making the exterior space dark, the outdoor area will be seasonal only and there will be no exterior heaters or heating systems installed or used in the outdoor area, and there will also be no speakers installed or music played outside; there is no sidewalk café included with this application; all doors will be closed at 10PM, there are no operable windows, interior music will be permitted but it will be quiet background only consisting of music from ipod/CDs (i.e. no active manipulation of music – only passive prearranged music) and jukebox, there will be no DJ, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

vii. 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 SLA restaurant on premise liquor license stating that:

1. This application is for an on premise liquor license for a classic New York 24-hour diner serving comfort food to the neighborhood.
2. The premises will operate as a 24-hour diner 7 days a week serving a full diner menu at all times. There is an ancillary adjacent outdoor seating area that will operate at reduced hours. The hours of alcohol service on the interior will be from 8AM to 12AM Sunday to Wednesday and from 8AM to 2AM Thursday to Saturday. The hours of operation and alcohol service for the adjacent outdoor area will be from 11AM to 10PM Sunday to Thursday and 11AM to 11PM Friday and Saturday. All patrons will be cleared and no patrons will remain after stated closing times for the outdoor area and all employee activity in the outdoor area will stop no later than ½ hour after outdoor closing.
3. The premises will operate as a full service restaurant, specifically a 24-hour classic New York Diner with the kitchen open and full menu items available during all hours of operation.
4. The premises, or any portion of the premises will not operate as a tavern, lounge or sports bar.
5. The entire premises will be operated under one trade name (D/B/A) only.
6. All entry and exit into the restaurant and outdoor area will occur only from the main entrance to the restaurant as indicated on provided plans. There will be no patron access to the outdoor area from the sidewalk.
7. The premise will not have televisions or projectors.
8. There is no Sidewalk Café included with this application.
9. The premises will play quiet ambient-recorded background music only or music at same levels from Jukebox. No music will be audible in any adjacent residences at anytime. There will be absolutely no music or speakers in the outdoor portion of the premises.
10. Will not install or have French doors, operable windows or open facades.
11. Will not make changes to the existing street facing façade except to change signage or awning or affix a menu to the building for customer viewing, or add other elements of décor, which do not change the character of the building (if permitted by law).
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”.
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. The premises will not have dancing, DJs, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades.
16. Doorman/Security will be utilized as needed. The area in front of the premises will be actively monitored 24 hours a day and if necessary, a staff member or security will be dedicated to manage patrons outside the premises between 9PM and 7AM.
17. There will be no heaters utilized in the outdoor area.
18. There will also be no speakers installed or music played outside
19. The applicant with their attorney present specifically agreed in order to gain support from local residents and CB2, Manhattan in order to create public interest that they would **not** return to extend the hours of alcohol service in the future for the licensed interior or ancillary exterior premises.
20. The adjacent dog park area is complete separate from the out door seating area
21. There will be no standup outdoor bar. There will be an outdoor service bar only. In the outside seating area, there will be absolutely no alcohol service to any standing or waiting patrons. There may be a small area for a few patrons to wait outside to be seated in the outdoor area as presented to CB2 and as presented in the amended seating plan, but that area is for waiting only and not for the service of alcohol.

22. There will be no more than 46 seats in the outdoor dining area. There will be no more than 78 Table seats in the interior dining area and one interior standup bar with 4 seats.

viii. Whereas, after appearing in June/2018, the applicant asked for reconsideration and the opportunity to re-appear in July/2018; during the intervening time the applicant met with a number of local residents who had been in opposition in June/2018, the applicant agreed to make changes to the existing application which are reflected in the stipulations above in order to gain community support including agreeing with their attorney present at the committee meeting that in order to create public interest that they would **not** return to extend the hours of alcohol service in the future; the main concerns for local residents were the hours of alcohol service and specifically the operation of the outdoor area and associated impacts on quality of life from the outdoor area and the operation of a 24 hour diner; and,

ix. 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 on-premise liquor license for **320 West Broadway Diner Corp., d/b/a TBD, 320 W. Broadway 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: Unanimous, with 36 Board members in favor.

21. 20 7th Ave., LLC d/b/a LB, 20 7th Ave. South 10014 (OP – Bar/Lounge)

i. Whereas, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a “transfer” application for a tavern on-premise liquor license for a quiet tavern/cocktail lounge which has been operating since 2004 with no changes in the method of operation; one of the previous three principals will be a principal of the new entity; and,

ii. Whereas, this application is for a transfer application; the premises is located in a 2-story commercial building owned by one of the principals; the premises will be located in the basement with the ground floor for storage only; the premises is located on the corner of 7th Avenue South and Leroy St., the entrance is on the corner and if there are any patron lines, they are lined up on the Avenue; the premises is roughly 767 sq. ft. in the basement for patron use, there are 10 tables and 44 seats, and one stand-up bar with no seats; there are no outdoor seating areas and a Certificate of Occupancy was provided; and,

iii. Whereas, the hours of operation will continue to be 7PM to 2AM Sunday to Wednesday and 7PM to 3AM Thursday to Saturday, there is no sidewalk café included with this application, all doors will be closed at all times, there are no operable windows, music will be quiet background only consisting of music from ipod/CDs (i.e. no active manipulation of music – only passive prearranged music) with live jazz music as described below, 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 SLA tavern on-premise liquor license stating that:

1. This application is for a transfer of an on-premise liquor license for a quiet tavern/cocktail lounge with no changes in the method of operation.

2. The hours of operation are from 7PM to 2AM Sunday to Wednesday and 7PM to 3AM Thursday to Saturday. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will operate with less than a full service kitchen, but will serve food during all hours of operation.
4. The premises, or any portion of the premises will not operate as a sports bar.
5. The premise will not have televisions.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a licensed sidewalk café.
7. A sidewalk café is not included in this application.
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. All doors and windows will be closed at all times.
10. Will not install or have French doors, operable windows or open facades. All windows will remain fixed windows.
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, DJs, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades
16. Will have no more than 14 tables and 52 table seats and 14 seats at a food counter.
17. There is no standup bar.
18. There will be patron use of the basement. Ground floor is storage only.
19. There are 10 tables and 44 seats, 1 stand up bar with no seats.
20. There is live music, acoustic jazz music only.

v. **Whereas**, a petition in support was presented; and,

vi. **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 **20 7th Ave., LLC d/b/a LB, 20 7th Ave. South 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On-Premise Liquor License.

Vote: Unanimous, with 36 Board members in favor.

22. Ad Hoc Collective, LLC d/b/a Ad Hoc Collective, 13 Christopher St. Lower Basement Level (TW – Café)

i. **Whereas**, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority; at the meeting the applicant converted the application from an on-premise liquor license to a tavern wine license and provided a new 30-day notice to CB2,

Man.; the premises will be a neighborhood café providing space for community events and activities which also sells vintage antiques and décor; and,

ii. Whereas, this application is for a new tavern wine license in a previously unlicensed location; the premises is located in the basement of a mixed used residential/commercial building in a grandfathered commercial space located in an exclusively residentially zoned district having never operated past 9PM on Christopher St. between Gay Street and Waverly Place for a roughly 400 sq. ft. premise, with 1 table and 4 table seats and 13 other seats at a kitchen counter, sofa and arm chairs; there is no stand-up bar; there are no outdoor seating areas and a Certificate of Occupancy was provided; and,

iii. Whereas, the hours of operation are from 7AM to 11PM 7 days a week, there is no sidewalk café included with this application, all doors and windows will be closed at all times, music will be quiet background only consisting of music from ipod/CDs (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 tavern wine SLA license stating that:

1. This application is for a new tavern wine license for a neighborhood café providing space for community events and activities, which also sells vintage antiques and décor.
2. The hours of operation are from 7AM to 11PM 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 cafe with the kitchen open and full menu items available until closing every night.
4. The premises will operate with less than a full service kitchen, but will serve food during all hours of operation.
5. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
6. The premise will not have televisions.
7. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a licensed sidewalk café.
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 all times.
10. Will not install or have French doors, operable windows or open facades.
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, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades.
17. There may be non-scheduled live music, one instrument only; acoustic only, no amplified voice. Music will end by 9PM, no more than once per week.
18. Will post signage asking patrons to please respect neighbors.
19. This application is for a tavern wine license.

v. Whereas, there were concerns raised that this is yet another retail location that is converting to eating and drinking use and thereby reducing the diversity of retail businesses in the surrounding area; and,

vi. Whereas, the applicant presented a petition in support and several local residents appeared and spoke in support; and,

vii. Whereas, there were some concerns from members of the committee and an immediately impacted resident appeared and stated his concerns with licensing this location in a residential zoned area, there having been many problems with a previous similar type of operation across the street for a coffee shop operated as Whynot Coffee which initially was a community space, had live music and which caused significant issues for the local community; the applicant stated that they were not that operation and would absolutely adhere to all stipulations; and,

viii. Whereas, there are currently approximately 26 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 tavern wine license for **Ad Hoc Collective, LLC, 13 Christopher St. Lower Basement Level** 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 36 Board members in favor.

23. Promethean Fire, Limited Liability Company, d/b/a TBD, 94 Gansevoort St. 10014 (OP – Live Theatre)

i. Whereas, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for an on premise liquor license for a live theatre, a dinner theatre, presenting Shakespeare’s play, “Love’s Labour’s Lost”; and,

ii. Whereas, this application is for an on premise liquor license for a live theatre; the premises was previously unlicensed and has been vacant for a number of years, the premises is located in a in a mixed-used residential/commercial building located on the ground floor on Gansevoort St. between Washington St. and 10th Avenue for a roughly 3,250 sq. ft., with 25 tables and 50 seats, there is one service bar and no stand-up bar; there are no outdoor seating areas and a Certificate of Occupancy was provided; and,

iii. Whereas, from Monday to Friday there will be one show each day and the hours of operation will be from 7PM to 12AM, inclusive of alcohol service one hour before and one hour after each performance; on Saturday and Sunday there will be two shows per day and the hours of operation will be from 10AM to 2PM and 4PM to 10PM inclusive of alcohol service one hour before each performance and one hour after, there is no sidewalk café included with this application, all doors and windows will be closed at all times, there will be no DJ, 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 an on premise liquor license for a live theatre, a dinner theatre, presenting Shakespeare's play, "Love's Labour's Lost". In the future, another Shakespeare play may be performed.
2. From Monday to Friday there will be one show each day and the hours of operation will be from 7PM to 12AM, inclusive of alcohol service one hour before and one hour after each performance. On Saturday and Sunday there will be two shows per day and the hours of operation will be from 10AM to 2PM and 4PM to 10PM, inclusive of alcohol service one hour before each performance and one hour after. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will operate as a full service live theatre operating as a dinner theatre. There will be a multi course dinner served as part of the performance and there will be a full service kitchen under the direction of a chef. Most of the food will be cooked off site and then finished and plated on site as part of the performance.
4. Tickets will be presold for all performances and will include the performance, multi course meal and accompanying drinks served in conjunction with the food courses as well as a pre-dinner drink. Any drinks served after the performance will be purchased separately.
5. The premises will not operate as anything but a live performance theatre serving a multi course meal in conjunction with the performance with tickets sold in advance. No patrons may walk in off the street and order drinks. The premises will not operate as a restaurant, lounge, tavern or sports bar.
6. The premise will have not have televisions or projectors.
7. The premises will not operate a backyard garden or any outdoor area for commercial purposes.
8. No Sidewalk Café is included with this application.
9. The performance will have live music, background music, and entertainment level music. No music will be audible in any adjacent residences at anytime or outside the premises.
10. All doors and windows will be closed at all times except for patron ingress and egress.
11. Will not install or have French doors, operable windows or open facades.
12. Will not make changes to the existing façade except to change signage or awning.
13. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
14. Will not have unlimited drink or unlimited food & drink specials. Will not have "boozy brunches".
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, velvet ropes or metal barricades.
17. There will be only be 25 tables and 50 seats, 1 service bar and no stand up bar.
18. Should any traffic issues arise in front of the premises before or after performances, the applicant will take steps to mitigate those impacts including working with CB2's Traffic and Transportation Committee to change the signage from no parking anytime to no standing anytime and working with the NYPD and implementing any other best practices available to reduce those traffic impacts.

v. Whereas, the applicant met with local residents who sent letters in support provided the stipulations were agreed to and a petition in support was presented from residents in the building, and,

vi. Whereas, CB2, Man. supports innovative performance theatre within our community and believes that with the agreed upon stipulations that this is a positive addition to our community; and,

vii. Whereas, there are currently approximately 19 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 on premise liquor license for live theatre for **Promethean Fire, Limited Liability Company, d/b/a TBD, 94 Gansevoort 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 36 Board members in favor.

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

24. JaJaJa West Village, LLC d/b/a JaJaJa, 63 Carmine St. 10014 (OP – Restaurant) [layover]

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee #2 Meeting on July 12th, 2018, the Applicant requested to layover 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; there are significant questions with respect to public safety and operation of the premises in the proposed premises as presented as well as an apparent absence of permits and other documentation that should have previously been in place with the prior operator, but which the new applicant was unable to produce, nor was there ready available evidence of the existence of those permits and approvals to operate the space as presented by the applicant on the NYC Department of Buildings Building’s Information System or readily apparent on available “I-Cards” which were utilized prior to Certificate’s of Occupancy; the applicant will reappear next month or as appropriate after further research;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any type of on-premise liquor license for **JaJaJa West Village, LLC d/b/a JaJaJa, 63 Carmine St. 10014** 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 36 Board members in favor.

25. 228 Bleecker, LLC d/b/a Aria, 117 Perry St. Store #2 (OP – Restaurant) (laid over)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee #2 Meeting on July 12th, 2018, the Applicant requested to layover this application for an alteration to an existing 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; there is community opposition;

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 **228 Bleecker LLC, d/b/a Aria, 117 Perry St. Store #2, 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 36 Board members in favor.

26. Empanada Fresca, LLC d/b/a Pending, 95 Greenwich Ave. 10014 (RW – Restaurant) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on July 12th, 2018, the Applicant requested to layover this application for an 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 **Empanada Fresca, LLC d/b/a Pending, 95 Greenwich Ave. 10014** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

27. Perry & Hudson, LLC, d/b/a TBD, 551 Hudson St. 10014 (OP – Restaurant)(laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on July 12th, 2018, the Applicant requested to layover 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 36 Board members in favor.

28. Hudson Café, Inc., d/b/a Hudson Café, 628 Hudson St. 10014 (OP – Restaurant)(Class Change) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on July 12th, 2018, the Applicant requested to layover this application for a class change application 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 36 Board members in favor.

TRAFFIC AND TRANSPORTATION

1. Resolution in support of proposed DOT plans for traffic calming and bike lanes on W. 3rd St. and W. 4th St., 6th Ave. to the Bowery, with additional recommendations.

Whereas, CB2, Man. thanks the NYC Dept. of Transportation (DOT) for responding, at least partially, to CB2's February 2017 resolution requesting a study to implement pedestrian safety measures, including traffic calming and traffic controls, on W. 3rd and Bleecker Sts. btw. LaGuardia Pl. and Mercer St., with presentation of a proposed plan for 3rd St. from 6th Ave. to the Bowery, assurances that a plan for Bleecker St. is forthcoming, and an additional proposal for 4th St. from 6th Ave. to the Bowery (both proposals also extend east beyond CB2's Bowery border); and

Whereas, the proposed plan for W. 3rd St. btw. LaGuardia Pl. and Mercer St. includes:

- Widening the south sidewalk (to 12') with epoxy cement-gravel treatment.
- Metered commercial parking as well as some alt. side parking on the north side (11').
- Curbside protected bike lane (6') on the south side with 3' buffer.
- Floating alt. side parking next to (and protecting) the bike lane (8').
- A 10' travel lane on the north of the floating parking.
- A speed hump on the east side of the street near Mercer St.
- High visibility crosswalks at LaGuardia Pl., Mercer St. and Wooster St.
- Neckdowns at the southern corners of LaGuardia Pl. and Mercer St. and a mid-block sidewalk extension (bulbout) at Wooster St.'s north side.
- Maintaining overnight parking.; and

Whereas, proposed plans for the other segments of 3rd St. include:

- Broadway to Mercer St. and LaGuardia Pl. to MacDougal St.: Shared lane markings (sharrows) on a 12' travel lane and two 8' curbside parking lanes.
- Bowery to Broadway: Standard 5' bike lane next to an 8' parking lane on the south curbside with a 17' combined travel lane on the north.
- MacDougal St. to 6th Ave.: Curbside bike lane (6') on the south side with 3' buffer, curbside parking lane (9') on the north side, and 10' travel lane between them.; and

Whereas proposed plans for W. 4th St. include a standard 5' bike lane from 6th Ave. to MacDougal St. and from University Pl. to Bowery, continuing on either side of the existing bike lane that goes from MacDougal St. to University Pl., with an 8' parking lane on the street's south side and a 17' combined travel lane on the north side; and

Whereas the proposed plan for W. 3rd St. from LaGuardia Pl. to Mercer St. responds to community requests (including a petition with some 600 signatures, at least 95% of them local) for a safer, shortened, less hazardous pedestrian crossing using traffic calming measures, such as sidewalk widening, neckdowns, and a protected bike lane, and addressing delivery, loading and garbage disposal needs with curb regulations allowing for dedicated commercial loading/unloading spaces, metered to improve curb access by encouraging turnover; and

Whereas plans for the other 3rd St. segments and for 4th St. calm traffic by visually narrowing the roadway, organize the roadway, improve alignment and visibility, and provide for a more consistent and rational street organization and progression; and

Whereas W. 3rd St. from LaGuardia Pl. to Mercer St. is a superblock incorporating both Greene and Wooster Sts., i.e., it is the exceptionally long equivalent of three blocks (Mercer to Greene, Greene to Wooster, Wooster to LaGuardia), which calls for safe pedestrian crossings at both the Greene and Wooster Sts. locations, where in the past there have been crosswalks (now very faded or gone) and where pedestrians have always crossed, not only following their desire lines but also crossing very rationally as they would at any crossing defined by a street. Yet the plan provides a high visibility crosswalk and bulbout at Wooster St. only, also needed at Greene St.; and

Whereas clear, visible signage is needed to alert approaching vehicles to the midblock pedestrian crossings. On-site observations indicate inconsistent placement of the current pedestrian crossing signage as well as its ineffectiveness in slowing down drivers, e.g., signage approaching Greene St. and at Wooster St. is on the north but not the south side (whereas it's on both sides of the street prior to Wooster), and the signage itself (a bright yellow diamond with a black pedestrian silhouette, with or without an arrow or with the word "ahead" below) is ignored by drivers and dangerous for pedestrians who interpret it as a safe signal to cross. The failure of this signage (now used in enhanced crossings) to protect pedestrians has been witnessed and reported by community members on 8th St., Washington St. and other locations; and

Whereas signage is needed to prevent parking in the path of pedestrians crossing midblock, and it needs to be consistently placed (e.g., on-site observations showed a No Standing Anytime sign on the north side of the Wooster St. crosswalk, yet none on the south side where a car was parked directly in the crosswalk, dangerously blocking access to the sidewalk); and

Whereas fire trucks from the Engine 33/Ladder 9 station at 42 Great Jones St. often come down W. 3rd St., which continues from Great Jones, needing access, and DOT has assured that the commercial parking space can enhance accommodation on the travel lane that already provides sufficient width, however, a speed hump would interfere with a fire truck's progress as well as that of other emergency vehicles and endanger bicycles; and

Whereas W. 3rd St. btw. LaGuardia and Mercer is bare and uninviting, but the proposed epoxy/gravel sidewalk widening on the south side offers an opportunity for planters - DOT can provide them, but requires a maintenance partner to keep them up; and

Whereas DOT indicates that they will be studying Bleecker St. in the fall and are aiming toward presenting a proposed plan by November;

Therefore be it resolved that CB2, Man. supports DOT's proposed plans for traffic calming and bike lanes on W. 3rd St. and W. 4th St., 6th Ave. to the Bowery, but asks for some additions and modifications (following); and

Be it further resolved that CB2, Man. urges DOT to install a high visibility crosswalk at Greene St. on W. 3rd St. along with a sidewalk extension (bulbout) on Greene St.'s north side; and

Be it further resolved that CB2, Man. strongly favors and requests the installation of clear and highly visible signage alerting approaching vehicles to the midblock pedestrian crossings at both Wooster and Greene Sts. on both the north and south sides of W. 3rd St, but opposes the current ineffective pedestrian crossing signs. Stop signs are preferred, but if DOT is still adamant about meeting Standards (although Standards are flexible), then CB2, Man. encourages installation of Yield to Pedestrian signs; and

Be it further resolved that CB2, Man. asks that No Standing Anytime signs be installed on both the north and south sides of W. 3rd St. at the Greene and Wooster St. crossings; and

Be it further resolved that CB2, Man. opposes the installation of a speed hump on the east side of W. 3rd St. near Mercer St.; and

Be it further resolved that CB2, Man. advocates the installation of planters on the proposed epoxy/gravel sidewalk widening and amd on the neckdowns on the south side of W. 3rd St. btw. LaGuardia and Mercer, and urges DOT to approach and work with NYU to set up NYU as a maintenance partner; and

Be it finally resolved that CB2, Man. welcomes DOT's intention to study and devise a plan for Bleecker St. btw. LaGuardia Pl. and Mercer St. starting in September, and looks forward to a presentation of the plan no later than November.

Vote: Unanimous, with 36 Board Members in favor.

2. Resolution in response to L-train update presented by MTA NYC Transit and NYC DOT

Whereas CB2, Man. thanks MTA NYC Transit (NYCT) and the NYC Dept. of Transportation (DOT) for presenting an update on the L-train-Canarsie Tunnel project; and

Whereas plans in the 14th St. area now include commercial loading/unloading, garage parking and local access on every residential block and emergency vehicle access; busway operation 5 am to 10 pm every day; left turns prohibited at most intersections; extending the busway to 10th Ave., planning and designing during the project for ADA accessibility at the 6th Ave. subway station; change from a 2-way bike lane on 13th St. to 2 separate one-way bike lanes, west on 13th St./east on 12th St.; a shared street on University Pl. btw. 13th and 14th Sts. instead of a closing; new M14 SBS buses (hopefully electric), and an added L4 shuttle bus route; and

Whereas the 14th St. Coalition gave a short summary of their alternative plan for the greater 14th St. area, which has been presented to the NYC Council and the Manhattan Borough President's L-Train Task Force; and

Whereas in response to concerns about the impact of the Cleveland>Lafayette>East Houston shuttle bus loops (L2 and L3) on already over-trafficked and highly stressed streets such as Kenmare and tiny Cleveland Pl., MTA/DOT have proposed two alternatives for bus priority on Kenmare St.:

- Option A - 12' eastbound travel lane at south curb, 8' loading/parking lane north curb next to 11' bus lane next to 11' travel lane, westbound; right-turns onto and off Kenmare constrained.
- Option B - One-way westbound, Bowery to Lafayette St. - 10' travel/parking lane at south curb; 10' loading/parking lane north curb next to 11' bus lane next to 11' travel lane. (Eastbound traffic

diverted to another street). *The local community opposes this, because though there's more westbound traffic, the eastbound lane is heavily used all day, and the surrounding streets are already too heavily congested for more eastbound traffic.*

- Other recommendations: With either Option A or B, make Kenmare St. one-way westbound btw. Cleveland Pl. and Lafayette St. by adding pedestrian space next to Petrosino Sq. to stop vehicles driving in the wrong eastbound Kenmare lane to make a left turn to Lafayette and ban left turn from Lafayette to Kenmare. *The local community feels TEA enforcement there would be easier and more effective, but agrees that the left turn from Lafayette is feasible.*

Whereas Option A also is of concern to the local community, which requests consideration of other options, such as one they have submitted that proposes a shuttle bus route from Delancey St. right onto Allen St., left on Houston, right on Lafayette, right on 8th St., right on 2nd Ave., left on Houston, right on Allen and left on Delancey back to the Williamsburg Bridge, entailing travel on wider and less congested streets than Kenmare which are also less residential, avoid fire stations, many are bus routes already, and are close to the subway stop destinations, as well as to the Astor Pl. #6 stop; and

Whereas capacity is being increased to run more trains as well as to give more platform space, stairways will be opened and widened at certain subway stations and turnstiles added; and

Whereas concerns have been voiced about accessibility for fire trucks from Ladder 22/Engine 13 (Lafayette St.) and #55 station on Broome St. btw. Elizabeth and Mott Sts. (both with proximity to Kenmare St.), and although DOT customarily confers with the central FDNY authorities concerning impacts, it is also important to consult the local firehouses; and

Whereas HOV3 will be required from 5 am to 10 pm seven days a week on the Williamsburg Bridge to reduce traffic volumes entering Manhattan, yet nothing has been done to implement HOV on any of the other East River Bridges, which surely will result in single-occupancy and other private vehicles opting to take these non-regulated bridges and then driving over to destinations on our local streets, increasing already heavy congestion, air pollution, noise and safety risks; and

Whereas the expectation has been that HOV3 compliance would be monitored and enforced largely by automated means (automated camera enforcement) that can handle large numbers of offenses at once, however, use of this methodology wasn't approved by the NYS legislature, and now only NYPD enforcement (which was expected to be used in conjunction with automated enforcement) will be used to enforce HOV3; and

Whereas plans are to employ 200 new diesel buses, each of which emits 3,000 grams of greenhouse gas pollutants (including carbon monoxide toxic fumes poisoning the air we breathe) as opposed to electric buses (650 grams) and even compressed natural gas buses (2,800 grams), presenting a significant threat to community health, especially in view of the frequency buses are expected to run (80 per hour at peak). Although, as we're told, the Michael J. Quill Depot, which was to be used for electric buses, can't accommodate them, the urgency to avoid severe environmental impacts calls for approaches to avert diesel use; and

Whereas attention must be given to accommodating the disabled using buses and the busway, e.g. with level boarding and on-board seating and accessibility, and

Whereas numerous construction projects as well as film shoots occur throughout the community that often block and/or slow down traffic, adding other congestion-causing conditions; and

Whereas the one-way toll on the Verrazano-Narrows Bridge, legislated by the Federal government, has been a key motivation for drivers to use the Williamsburg Bridge to enter Manhattan (which they otherwise wouldn't do), avoiding the toll and getting a free ride through the Holland Tunnel while significantly congesting our local streets, in fact, a just-released Sam Schwartz Engineering study sponsored by the Hudson Sq. BID shows that with two-way tolls on the Verrazano Bridge, as many as 132 vehicles per peak hour would be taken off just three Manhattan through streets. NYCT/DOT's own Kenmare St. study shows some 35% of vehicles on Kenmare St. are traveling to/from the Holland Tunnel; and

Whereas a dedicated bus lane is needed on the Williamsburg Bridge to accommodate the up to 80 buses an hour coming over the bridge and ensure that they won't be hindered by the other vehicular traffic, leading to backups and congestion, yet NYCT/DOT has not provided for such a bus lane;

Therefore be it resolved that CB2, Man. appreciates NYCT's and DOT's efforts to address community concerns with their recent modifications and additions to the project, such as extending busway operation hours, having a bus stop at 10th Ave., and planning for ADA accessibility at the 6th Ave. subway station, and encourages them to continue these efforts in further pursuit of workable solutions both in the 14th St. area and in the impacted area around the Kenmare-Cleveland-Lafayette-E. Houston loop, that respond to community needs and ensure for the most effective, least impacting project operation; and

Be it further resolved that CB2, Man. advises NYCT/DOT to thoroughly study the plan produced by the 14th St. Coalition and to consider its merits; and

Be it further resolved that CB2, Man. asks that NYCT/DOT explore other options for routing the L2 and L3 shuttle buses, including the one proposed by the local community, to avoid as much as possible the negative impacts that are expected under the current proposals on the local community's health, safety, commerce and general quality of life; and

Be it further resolved that CB2, Man. is in favor of plans for extending subway capacity and emphasizes the great need for more platform space and expanded access, particularly in view of the increased number of users expected at stations such as Broadway-Lafayette, Prince, and Spring, which are expected to receive far more riders in conjunction with shuttle bus dropoffs; and

Be it further resolved that CB2, Man. asks that DOT/NYCT contact the local fire departments (i.e. Ladder 22/Engine 13 (Lafayette St.) and #55 station on Broome St. btw. Elizabeth and Mott Sts. and any others within the project vicinity) to get input and work together on access needs; and

Be it further resolved that CB2, Man. urges that HOV3 be instituted on the other East River bridges from the project's beginning to avoid the negative impacts that SOV and other traffic diversions to these bridges (to avoid the HOV3 on the Williamsburg Bridge) will bring; and

Be it further resolved that CB2, Man. appeals to our NY State elected officials to press for the State legislature's return to Albany in order to vote on and approve vastly needed automated enforcement (of HOV3 as well as other necessary automated enforcement) and encourages NYCT and DOT to work with them to achieve this; and

Be it further resolved that CB2, Man. implores NYCT to explore every avenue possible to use electric buses in this project and hybrids where gaps exist; and

Be it further resolved that CB2, Man. advocates developing and defining a protocol for accommodating disabled bus users during the project; and

Be it further resolved that CB2, Man. recommends suspending construction permits and considering a moratorium on film shoots in advance of the project and curtailing construction activities as much as possible for the project's duration; and

Be it further resolved that CB2, Man. advises NYCT/DOT to pursue restoration of the 2-way toll on the Verrazano Bridge (or even free tolls), at least temporarily, to provide necessary traffic mitigation during the project, by working with our federal lawmakers, both those representing District 2 Manhattan and those representing Staten Island; and

Be it further resolved that CB2, Man. strongly supports the installation of a dedicated bus lane on the Williamsburg Bridge as well as sufficient bus lanes on the approaches to the bridge; and

Be it finally resolved that CB2, Man. encourages NYCT/DOT to coordinate closely with NYPD in mobilizing police enforcement of vehicular activity throughout the project area.

Vote: Passed, with 35 Board Members in favor, and 1 Board Member in opposition. (S. Russo).

Respectfully submitted,

Keen Berger
Secretary
Community Board #2, Manhattan