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Sheelah Feinberg, *Second Vice Chair*
Bob Gormley, *District Manager*



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COMMUNITY BOARD No. 2, MANHATTAN

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AMENDED FULL BOARD MINUTES (SEE SLA LICENSING #9)

DATE: April 22, 2010
TIME: 6:00 P.M.
PLACE: P.S. 41, 116 W. 11th Street, Auditorium

BOARD MEMBERS PRESENT: Steve Ashkinazy, Keen Berger, Tobi Bergman, Carter Booth, Anita Brandt, Sigrid Burton, Denise Collins, Terri Cude, Maria Passannante Derr, Doris Diether, Ian Dutton, Sheelah Feinberg, Alison Greenberg, Sasha Greene, David Gruber, Jo Hamilton, Chair, Community Board #2, Manhattan (CB#2, Man.), Anne Hearn, Brad Hoylman, Mary Johnson, Renee Kaufman, Susan Kent, Arthur Kriemelman, Evan Lederman, Edward Ma, Ke-Wei Ma, Jason Mansfield, Jane McCarthy, Alexander Meadows, Judy Paul, Lois Rakoff, David Reck, Robert Riccobono, Erin Roeder, Robin Rothstein, Rocio Sanz, Maury Schott, Shirley Secunda, Chenault Spence, Richard Stewart, Antony Wong, Elaine Young

BOARD MEMBERS EXCUSED: Lisa Cannistracci, Elizabeth Gilmore, Edward Gold, Raymond Lee, Florent Morellet, Wendy Schlazer, Arthur Z. Schwartz, James Solomon, Sean Sweeney, Carol Yankay

BOARD MEMBERS ABSENT:

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

GUESTS: Katie Smith, Congressman Jerrold Nadler's office; Crystal Gold-Pond, Senator Tom Duane's office; Alex Delbi, Sen. Daniel Squadron's office; Sandy Myers, Man. Borough President Scott Stringer's office; Lisa Parson, Assembly Member Deborah Glick's office; John Ricker, NYC Comptroller's office; Noah Isaacs, Council Speaker Christine Quinn's office; Lorna Nobile-Chin, Jasmin Torres, Council Member Rosie Mendez's office; Pier Consagra, Regina Cornwell, Ellen Peterson-Lewis, Kevin Andrews, Taiyi Greaves, Cheryl Stewart, Rory Martin, Zella Jones, Debbie Un, P. Gallo, Brad Berson, Lori Kleinman, Gary Parker, Virginia Syron, Joseph Crotty, Elaine Hudson, Dawn Hollowell, William Reddy, Michael Reddy, Dennis F. Natoli, Laura Burdick, Mario Orellana, Makrand Bhoot, Miguel Acevedo, Claudia Seymour, Danya Sherman, Johanna Teran, David Curran, Steve Wygoda, Peter Collins, Ed McQuillan, Carrie Drosnes, Ricardo Gonzalez, Steven Marcus, Kamyar Atarai, Margaret Whelan, Ted Dubois, Jesse Erlbaum, Bridget O'Driscoll, Mary Jo Gracin, Tony Ng, Richard Tschudy, Naomi Doerner, Shelly Friedman, Tamara Rowe, Diane Davling

MEETING SUMMARY

Meeting Date –April 22, 2010
Board Members Present – 40
Board Members Excused–10
Board Members Absent - none

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II. PUBLIC SESSION

Non-Agenda Items

St. Vincent's Hospital Rally

Miguel Acevedo informed everyone that there would be an upcoming rally to help prevent the closure of St. Vincent's.

New York University

Gary Parker updated the community regarding all of NYU's upcoming plans and events.

NYU Expansion

Elaine Hudson spoke against NYU's expansion program.

Vending and Density

Pier Consagra spoke regarding these issues.

Friends of the Highline

Danya Sherman announced that the Highline is now open for the summer.

McBurney YMCA

Johanna Teran announced new programs and activities at the organization.

Salmagundi Club

Claudia Seymour announced upcoming events at the club.

Green Design Building

Makrand Bhoot spoke regarding his organization's worldwide green initiatives.

Community Forum

Robin Rothstein spoke regarding an upcoming community forum regarding the Ohio Theater.

Velo City

Naomi Doerner spoke regarding this topic.

Proposed Liquor License for Barcar New York, LLC, 27 Morton St., NYC

Shelly Friedman spoke regarding this applicant, which was before the SLA Committee in March and was laid over until further notice.

Redevelopment of 15 Washington Place

Laura Burdick spoke regarding this issue.

Tour Bus Legislation

Ellen Peterson-Lewis spoke in favor of the Tour Bus Bill recently passed by the City Council.

Sidewalks, Public Facilities & Access Items

Application for a new sidewalk café by 400 West 14th St., Inc. d/b/a Gaslight, 400 W. 14th St.

David Curran and Dennis Natoli did not speak but were against the proposed new application for a sidewalk café.

Peter Collins, the applicant, and Steve Wygoda, representing the applicant, did not speak but were in favor of the proposed new sidewalk café application.

Michael Reddy and William Reddy did not speak but were in favor of the proposed new sidewalk café application.

Virginia Syron, Ed McQuillan, and Carrie Drosnes, spoke in favor of the new sidewalk café application.

Ricardo Gonzalez and Taiyi Greaves spoke against the sidewalk café application.

SLA Licensing Items

West End Merchants, Inc. d/b/a Miss Kate's Parlor, 130 W. 10th St., NY

Joseph Crotty, Dawn Hollowell, Lori Kleinman, and Kamyar Atarai, spoke against the proposed liquor license application.

Debbie Un and Ted DuBois did not speak but was against the proposed liquor license.

Chris Estey Food, Inc. d/b/a Pieces, 127 W. 10th St., NYC

Steven Marcus spoke against this proposed liquor license, as well as West End Merchants'.

Margaret Whelan did not speak but was against this proposed liquor license, as well as West End Merchants'.

Social Services and Education

Clinton School for Artist and Writers

Diane Davling and Tamara Rowe spoke in favor of the resolution proposing to house this school at 75 Morton St.

Traffic and Transportation Items

Request for a Pilot Program Establishing On-Street Motorcycle and Motor Scooter Parking Zones

Jesse Erlbaum, Bridget O'Driscoll, Brad Berson, Mary Jo Gracin, Cheryl Stewart, Tony Ng, spoke in favor of the proposal.

Request for "No Standing Any Time" regulation at parking space on Kenmare St., so. side, Elizabeth St.

Richard Tschudy spoke against this request by a hotel on Kenmare Stt.

III. ADOPTION OF AGENDA

IV. ELECTED OFFICIALS PRESENT AND REPORTING

Katie Smith, Congressman Jerrold Nadler's office

Crystal Gold-Pond, Senator Tom Duane's office

Alex Delbi, Sen. Elect Daniel Squadron's office;

John Ricker, NYC Comptroller's office;

Sandy Myers, Man. Borough President Scott Stringer's officee

Lisa Parson, Assembly Member Deborah Glick's office

Noah Isaacs, of Council Speaker Christine Quinn's office

Lorna Nobile-Chin, Council Member Margaret Chin's office;

Jasmin Torres, Council Member Rosie Mendez's office,

V. ADOPTION OF MINUTES

Adoption of February minutes and distribution of March minutes.

VI. EXECUTIVE SESSION

1. **Chair's Report** Jo Hamilton reported

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

NOMINATING COMMITTEE

Elections for Nominating Committee

The following people were nominated by various Board members for the Nominating Committee:

- | | |
|---------------------|-------------------|
| 1. Tobi Bergman | 5. Maury Schott |
| 2. Alison Greenberg | 6. Denise Collins |
| 3. Shirley Secunda | 7. Brad Hoylman |
| 4. Doris Diether | |

The above listed Board members were duly elected to the Nominating Committee by written ballot: 36 valid ballots were cast out of 40 issued.

Shirley Secunda was elected Chairperson of the committee.

STANDING COMMITTEE REPORTS

LANDMARKS AND PUBLIC AESTHETICS

1ST LANDMARKS MEETING

Item 1 - 247 West 12th Street (W.4th/Jane)– Greenwich Village Historic District

A garage building built in 1923. Application is to enlarge an existing rooftop addition. Zoned R-6

Whereas, the proposed enlargements will be minimally visible from the street, partly due to the ornamental structures on the corner of the building that will obstruct the view; now

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

Vote: Unanimous, with 40 Board members in favor.

Item 2 - 3 Greenwich Avenue (Christopher/Sixth Avenue)– Greenwich Village Historic District

A one-story commercial building built in the 20th century. Application is to install storefront infill, signage and lighting.

Whereas, the 1940 tax photo showed there was a boxcar diner at this location, certainly not a structure that would contribute to the district; and

Whereas, the current taxpayer building was approved by the Commission and this application calls for modification of its windows and doors; and

Whereas, although the modification produces a storefront with a decidedly European flavor that may not represent the typical Village style, located at this location in the hubbub of the Central Village, the proposal will not detract from the district; now

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

Vote: Unanimous, with 40 Board members in favor.

Item 3 - 58 Barrow Street (@ Bedford, within Chumley's courtyard)– Greenwich Village H.D.

A house built in 1827. Application is to reconstruct the building and to raise the height of the front façade and roof.

Whereas, the reconstruction not only duplicates but improves the existing, condemned building by standardizing the windows on the upper floor and by the removal of the fire escape; and

Whereas, raising the height of the structure by 2' 6" will not be very noticeable from the street; now

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

Vote: Unanimous, with 40 Board members in favor.

Item 4 - 11 Fifth Avenue (W. 9th, The Brevoort Apartments)– Greenwich Village Historic District
An apartment building built in 1956. Application is to enclose a portion of a terrace.

Whereas, there was a question raised whether enclosing the terrace would increase the F.A.R. in this overbuilt building. The applicant said DOB was investigating and we urge LPC also to make sure this query is not overlooked; and

Whereas, the changes to the windows are minimal and may actually be an improvement; now

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

Vote: Unanimous, with 40 Board members in favor.

Item 5 - 33 West 8th Street (5th/6th)– Greenwich Village Historic District. A Greek Revival style rowhouse built in 1833 and altered in the early 20th century to accommodate storefronts at the first and second floors. Application is to legalize the installation of display windows without LPC permits.

Whereas, the building has been brutally altered over the years and 8th Street is a hodge-podge of styles and alterations; and

Whereas, this proposal is an improvement; now

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

Vote: Unanimous, with 40 Board members in favor.

2ND LANDMARKS MEETING

Item 1 – 429 Broome St. – SoHo Cast Iron Historic District A store & loft building built in 1859.
Application is to install new storefront infill & modify fire escape.

Whereas the proposal is to extend the current storefront out to just behind the present front columns with store windows between the outer ones and a door between the two center columns, and

Whereas the current sign panels at the front will be reused for new signs, yellow with gold lettering, and

Whereas the vertical sign above the first floor will be replaced with a similar size sign, 12'6" x 2'6" and

Whereas the present drop ladder for the fire escape is too tall for the building code, and it will be replaced by a short fire escape leading to a fire balcony placed between the windows on the building which will lead to a retractable straight drop ladder from there to the ground,

Therefore be it resolved CB#2, Man. has no objection to the proposed new storefront for 429 Broome St. as long as it is behind the columns, although the transom bar above the signs seems thicker than necessary, and has no objection to the new fire escape, but

Be it further resolved CB#2, Man. objects to the vertical sign, which is not appropriate to the building and also seems unnecessary in view of the other signs already proposed.

Vote: Unanimous, with 40 Board members in favor.

Item 2 – 54 Crosby St. – SoHo Cast Iron Historic District. A two-story building altered in 1980. Application is to enlarge the ground floor opening and install new infill.

Whereas the Landmarks Commission’s publication “*The Certificate of Appropriateness Public Hearing: Information for Applicants*” states that “*Applicants are strongly encouraged to contact the Community Board to arrange for review of the proposal before the Public Hearing*” and

Whereas the applicant failed to appear before the Community Board Committee, nor did he contact us for a layover,

Therefore be it resolved CB#2, Man. strongly recommends denial of this Application for 54 Crosby St. in the absence of this important step in the review process.

Vote: Unanimous, with 40 Board members in favor.

Item 3 – 24 Bond St. – NoHo Historic District A Renaissance Revival style store & loft building designed by Buchman & Deisler & built in 1893. Application is to install sculptures on the façade.

Whereas this building was before us previously with some sculptures to be placed on the façade by the resident artist, and

Whereas this proposal is to add more papier mache sculptures on the façade of the building, extending from the current ones, primarily above the first floor, to just below the top floor of the building, and

Whereas this proposal led to a 4-3 vote of the Committee against the extension of the sculptures on the basis that the additional sculptures were just too much,

Therefore be it resolved CB#2, Man. does not recommend approval of the additional sculptures for 24 Bond St.

Vote: Unanimous, with 40 Board members in favor.

Item 4 – 226 West 10 St. – Greenwich Village Historic District.

A Greek Revival style rowhouse built in 1847-48. Application is to paint the primary façade.

Whereas we were assured by the applicant that the current brick-red paint on the building could not safely be removed without causing damage to the façade of the building, and

Whereas the proposed color shown to us was beige/white with black trim on the door and windows, similar to the colors on other such buildings in the area,

Therefore be it resolved CB#2, Man. has no objection to the change of color on 226 West 10 St. provided the Commission concurs that the removal of the present paint on the building would cause damage.

Vote: Unanimous, with 40 Board members in favor.

Item 5 – 29 Bank St. – Greenwich Village Historic District. A Greek Revival style house built in 1840. Application is to alter window openings, install windows and doors, reconstruct the rear façade, and excavate the rear yard.

Whereas the proposal is to extend the first floor front windows down to the floor level, and make them French doors, and

Whereas the applicant wants to add two windows on the side of the building, which is visible from the street since the adjacent building is set back from the front lot line, and

Whereas the proposal includes adding a penthouse to the top of the building, set back 20' from the front wall and 7' from the rear wall of the building, and

Whereas at the rear of the building the two lower floors which extend out in an irregular shape from the building will be replaced with two new lower floors, squared off and in line with the existing building, in brick rather than stucco at the request of the LPC,

Therefore be it resolved CB#2, Man. does not recommend approval of the changes to the first floor front windows or the new windows in the side wall since neither appear to be original to the building at 29 Bank St., and

Be it further resolved CB#2, Man. believes the Commission should ascertain whether any original material exists under the extension of the two lower floors in the rear, but if no original material exists, we would then recommend approval of the new brick floor extensions at the rear of the building and we also have no objection to the materials for the penthouse, and

Be it further resolved CB#2, Man. questions the lowering of the rear yard at 29 Bank St.

Vote: Unanimous, with 40 Board members in favor.

Item 6 – 7 MacDougal Alley – Greenwich Village Historic District. A studio building designed by John Bayley Day, built in 1899, and altered by C.R. Lamb in 1901. Application is to construct a pergola.

Whereas although the proposed pergola on the roof of 7 MacDougal Alley will be visible from MacDougal St., the proposal is to plant fast-growing wisteria against the frame, which is in keeping with other such plantings in the Alley and will hide it from view,

Therefore be it resolved CB#2, Man. recommends approval of the proposed pergola on the roof of 7 MacDougal Alley.

Vote: Unanimous, with 40 Board members in favor.

Item 7 – 689 Washington St. – Greenwich Village Historic District Extension. A neo-Georgian style townhouse designed by Peter Franzese & built in 1980-81. Application is to construct a wall in the front yard.

Whereas the purpose of the wall is to separate the front yard of the house from the vacant lot next door, and

Whereas the brick wall is only 6' high, and the vacant lot will probably be built on some time in the future, making the wall unnecessary,

Therefore be it resolved CB#2, Man. has no objection to approval of the brick fence proposed for 689 Washington St.

Vote: Unanimous, with 40 Board members in favor.

Item 8 – Washington Square Park Comfort Station

Whereas, the existing buildings were constructed in the 1960s and are utilitarian in design; and

Whereas, the proposed comfort station will combine the three existing buildings into a single structure; and

Whereas, although not of a style reflecting the original park design or the current renovation, the proposed structure, unpretentiously, is what it is: namely, an functioning utilitarian *park* building, suitable in its context and blending into the park environment; and

Whereas, the design, materials and form do not detract from this historic park; now

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

Vote: Unanimous, with 40 Board members in favor.

PARKS, RECREATION & OPEN SPACE

1. Washington Square. A resolution in support of plans to replace the comfort station and maintenance buildings in Washington Square with a single new building.

Whereas the Parks Department presented plans for a building to replace the existing comfort station and park administration building at Washington Square Park at a public hearing attended by members of the CB#2, Man. Parks Committee, Landmarks Committee, and the Washington Square Task Force; and

Whereas reconstruction of the decrepit rest rooms at Washington Square Park has long been a priority of CB#2, Man.; and

Whereas the design by BKSK Architects replaces three existing small structures with a single building at a total budget of approximately \$3 million; and

Whereas the design is for a long curved low building of steel, glass, and stone with a pergola motif; and

Whereas the location and design of the building were developed to minimize disturbance to important underground archaeological sites; and

Whereas the design appears to have a park-appropriate design and was well received; and

Whereas the design responds well to many of the requests made by CB-2 at a scoping meeting in 2009, including reducing the size of the rest rooms and providing access from the front of a multi-purpose building, eliminating vehicle parking within the park, creating a visitor-friendly public access to park administration, providing a certain amount roof space for both “green roof” and solar panels, and avoiding the use of fenced off maintenance areas; and

Whereas there will be four stalls in the women’s room and one stall plus three urinals with privacy separators for the urinals; and

Whereas the comfort station will be fully ADA compliant and there will be a separate “family” rest room; and

Whereas Parks was agreeable to including water saving conveniences such as infrared faucets, flushers, and hand dryers; and

Whereas Parks agreed to give consideration to a CB#2, Man. recommendation to keep rest rooms open until park closing;

Therefore it is resolved that CB#2, Man. is satisfied that the proposed structure is well-suited to the park and when completed will provide an important enhancement; and

It is further resolved CB#2, Man. appreciates the extensive efforts made to design an excellent building for the park and urges the Parks Department to move forward expeditiously with construction.

Vote: Passed, with 39 Board members in favor, and 1 abstention (D. Diether).

2. Proposed new rules regarding vending of “expressive materials” in areas of certain parks

Whereas the Parks Department has proposed a rule change to restrict the number of vendors who may sell “expressive materials” in certain parks; and

Whereas the Parks Department explained the proposed rule at a public hearing of the CB#2, Man. Parks Committee held on April 7, 2007; and

Whereas excessive vending in parks may create conditions that are detrimental to the enjoyment of certain parks by the general public; and

Whereas the courts have held that the sale of expressive materials is protected by the First Amendment, but may be regulated by government in response to certain public needs; and

Whereas the many New York artists depend for their livelihood on the ability to directly sell their art in busy public places; and

Whereas many vendors avail themselves of the First Amendment protections to sell materials other than expressive materials; and

Whereas one of the directly affected parks, The High Line, is partly located in CB#2, Man.; and

Whereas other parks and street locations in CB#2, Man. may also be affected indirectly by this rule change; and

Whereas the following concerns were raised regarding the rule change and these concerns were not adequately addressed at the public hearing:

1. The rule applies only to a very limited number of park locations, unlike most park rules that apply generally. This may cause vendors to spread out into other parks, some of which may be parks that currently have a different character that will be harmed by the addition of vending activity. Specific parks where this could cause harm in Community Board 2 are Washington Square, Abingdon Square, and Father Demo Square. Would new park locations for restrictions be added to the regulations on an ongoing basis? It may be better for vending to be concentrated in parks areas that are heavily trafficked by tourists or located adjacent to busy shopping areas than to have vendors in every popular community park.
2. More vendors could also be encouraged to move onto sidewalks where they are already causing congestion such as in SoHo, and Parks has no jurisdiction in these areas.
3. It is not clear what percentage of the vendors are truly vending expressive materials or what efforts have been made by the Parks Department to enforce current regulations against vendors who are selling non-expressive materials.
4. It is unclear why the new regulations will be easier to enforce against false expressive materials vendors who appear to be the real cause of the congestion and who are not protected by the First Amendment.

5. Some false expressive materials vendors may be best equipped to take over allowed locations, and true artists will be unlikely to get to these locations with their art on time to reserve them, resulting in locations where the illegal sales of other goods is tolerated because it is more controlled.
6. The rule will create a hardship on real artists who depend on sales in well-trafficked areas in parks.
7. Artists selling their art can be an inconvenience but are also an attraction for many park visitors, bringing a very “New York” activity to tourists, who seek out and enjoy the opportunity to view and purchase art from artists.
8. Opportunities for artists to support themselves by making and selling art are of great value to a city that has a tradition as a home to artists and it is not clear that they will be able to sell effectively if spread out in areas that are less heavily visited.
9. The rule seems likely to cause disputes among vendors and it is not clear how disputes between vendors over locations will be fairly handled.
10. While vendors do add to congestion in certain busy areas, these are mostly highly trafficked areas independently of the vendors and will not become areas for quiet respite just because fewer vendors are present.
11. The Green Market, a much-loved and important feature of Union Square Park, is a permitted activity that generally attracts greater crowds and causes more congestion than the expressive materials vendors nearby.
12. The Holiday Market at Union Square also creates more congestion there than the expressive materials vendors.
13. In many cases the number of vendors to be allowed in a restricted area appears arbitrary and more restrictive than what could be needed to protect public safety or enjoyment of parks, such as a total of six vendors on an entire long block of Central Park South.
14. The new regulation may not meet the legal requirements of regulation of expressive materials.

Therefore it is resolved that CB#2, Man. supports the efforts of the Parks Department to develop and enforce rules to protect our parks for the safe public benefit and enjoyment; and

It is further resolved that CB#2, Man. does not support the proposed rule change in its current form; and

It is further resolved that CB#2, Man. favors strict enforcement of current rules, especially issuing summonses to vendors who are mixing in with artists but are selling materials not protected by the First Amendment, as a better starting point for controlling problem areas.

Vote: Unanimous, with 40 Board members in favor.

SIDEWALKS, PUBLIC FACILITIES AND ACCESS

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

1. Mouquinho Enterprises, Inc., d/b/a/ P.J. Charlton, 549 Greenwich St. at Charlton St. Manhattan Block: 597, Lot:45, with 15 tables & 33 seats, DCA# 1225847

Whereas, the area was posted, community groups notified and there were no community members present regarding this renewal application, and the applicant was present, and

Whereas, this lot has frontage of 50 feet and depth of 75 feet with a building of six stories, with Zoning: M1-6, and

Whereas, there are no changes from previous applications, and

Whereas, there are no complaints on file and DCA signs are present,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Mouquinho Enterprises, Inc., d/b/a/ d/b/a/ P.J. Charlton**, 549 Greenwich St. at Charlton St. Manhattan, **with 15 tables & 33 seats, DCA# 1225847.**

VOTE: Unanimous, with 40 Board members in favor.

2. Gat 35 Corp., 35 W 13 St between 5th Ave and 6th Ave. Manhattan Block: 577, Lot:19, **with 8 tables & 16 seats, DCA# 1307585**

Whereas, the area was posted, community groups notified and there were no community members present regarding this renewal application, and the applicant was present, and

Whereas, this lot has frontage of 125 feet and depth of 206 feet with a building of five stories, with Zoning: C6-2, MC6-2, and

Whereas, there are no changes from previous applications, and

Whereas, there are no complaints on file and DCA signs are present,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Gat 35 Corp.,** 35 W 13 St between 5th Ave and 6th Ave. Manhattan Block:577, Lot:19, **with 8 tables & 16 seats, DCA# 1307585.**

VOTE: Unanimous, with 40 Board members in favor.

3. Cosi, Inc., 841 Broadway, at 13th St., Manhattan Block:565, Lot:15, **with 14 tables & 36 seats, DCA# 1027305**

Whereas, the area was posted, community groups notified and there were no community members present regarding this renewal application, and the applicant was present, and

Whereas, this lot has frontage of 219 feet and depth of 124 feet with a building of twenty-one stories, with Zoning: C6-1, C6-4, and

Whereas, there are no changes from previous applications, and

Whereas, the applicant has been placing the entire approved number of tables and chairs on the Broadway side of the property rather than as approved including the 13th Street side, and

Whereas, the applicant has committed to returning the sidewalk café to the layout provided with the application, placing tables on both Broadway and 13th Street, and

Whereas, there are no complaints on file and DCA signs are present,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Cosi, Inc.,** 841 Broadway, at 13th St., Manhattan Block:565, Lot:15, **with 14 tables & 36 seats, DCA# 1027305** **CONDITIONAL UPON** the applicant returning the layout of the café to that provided with the application as detailed in the fifth Whereas of this resolution.

VOTE: Unanimous, with 40 Board members in favor.

4. Dynamic Music Corp., d/b/a Olive Tree Café, 117 MacDougal St., between W 3rd and Minetta Lane, Manhattan Block:543, Lot:22, **with 3 tables & 6 seats, DCA# 0807555**

Whereas, the area was posted, community groups notified and there were no community members present regarding this renewal application, and the applicant was present, and

Whereas, this lot has frontage of 25 feet and depth of 74 feet with a building of four stories, with Zoning: R7-2, and

Whereas, there are no changes from previous applications, and

Whereas, there are no complaints on file and DCA signs are present,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a RENEWAL **App. for revocable consent to operate an Unenclosed sidewalk café for Dynamic Music Corp.,** d/b/a Olive Tree Café, 117 MacDougal St., between W 3rd and Minetta Lane, Manhattan Block:543, Lot:22, **with 3 tables & 6 seats, DCA# 0807555.**

VOTE: Unanimous, with 40 Board members in favor.

5. Bar Giacosa Corp., d/b/a Bar Pitti, 268 Sixth Avenue, between Bleecker and W. Houston Sts, Manhattan Block:526, Lot:16, **with 21 tables & 49 seats, DCA# 1097155**

Whereas, the area was posted, community groups notified and there were no community members present regarding this renewal application, and the applicant was present, and

Whereas, this lot has frontage of 40 feet and depth of 100 feet with a building of six stories, with Zoning: R7-2, and

Whereas, there are no changes from previous applications, and

Whereas, there have been complaints of the sidewalk in front of the café being blocked by crowds of customers waiting for tables, and

Whereas, there have been reports of waiters serving customers outside the approved seating area, and

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a RENEWAL **App. for revocable consent to operate an Unenclosed sidewalk café for Bar Giacosa Corp.,** d/b/a Bar Pitti, 268 Sixth Avenue., between Bleecker and W. Houston Sts, Manhattan Block:526, Lot:16, **with 21 tables & 49 seats, DCA# 1097155 CONDITIONAL UPON** the applicant continuing to make further efforts to control the two situations detailed in the fourth and fifth Whereas clauses of this resolution.

VOTE: Unanimous, with 40 Board members in favor.

Renewal App. for revocable consent to operate an Enclosed sidewalk cafe for:

6. Japonica USA Ince., d/b/a Japonica, 100 University Pl., at E 12th St, Manhattan Block:570, Lot:32, with 7 tables & 20 seats, DCA# 0885853

Whereas, the area was posted, community groups notified and there were no community members present regarding this renewal application, and the applicant's representative, Michael Kelly, was present, and

Whereas, this lot has frontage of 176.25 feet and depth of 107.67 feet with a building of four stories, with Zoning: C1-7, C6-1, and

Whereas, there are no changes from previous applications, and

Whereas, there are no complaints and DCA signs are present,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a RENEWAL **App. for revocable consent to operate an Unenclosed sidewalk café for Japonica USA Inc., d/b/a Japonica, 100 University Pl., at E 12th St, Manhattan Block:570, Lot:32, with 7 tables & 20 seats, DCA# 0885853.**

VOTE: Unanimous, with 40 Board members in favor.

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

7. Mccbren Corp., 237 Sullivan St., at West 3rd St, Manhattan Block: 539, Lot:14, with 6 tables & 12 seats, DCA# 1346244

Whereas, the area was posted, community groups notified and there were community members present regarding this new application, and the applicant and his representative, Michael Kelly, were present, and

Whereas, this lot has frontage of 50 feet and depth of 55.92 feet with a building of four and a half stories, with Zoning: R7-2, and

Whereas, this was previously The Pinch Grill which had the same sidewalk café layout, and

Whereas, a member of the community was present to complain about noise from the former establishment, also a sports bar as the applicant will be, and

Whereas, to address the concerns about the noise the applicant has committed to closing the café by 10pm Sun-Thurs and 11pm Fri-Sat, and

Whereas, the applicant has further agreed to close the windows and doors facing the street at the same hours; 10pm Sun-Thurs and 11pm Fri-Sat, and

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a NEW **App. for revocable consent to operate an Unenclosed sidewalk café for Mccbren Corp., 237 Sullivan St., at West 3rd St, Manhattan Block:539, Lot:14, with 6 tables & 12 seats, DCA# 1346244** CONDITIONAL UPON the following stipulations included in a duly authorized and signed Change Agreement attachable to this application:

The sidewalk café will cease operation at 10pm Sun-Thurs. and 11pm Fri-Sat. All windows and doors will be closed at the same hours as those stated above.

VOTE: Unanimous, with 40 Board members in favor.

8. 400 West 14th St Inc., 400 W. 14th St., at 9th Ave, Manhattan Block: 646, Lot:43, with 27 tables & 55 seats, DCA# 1346493

Whereas, the area was posted, community groups notified and there were community members present regarding this new application, and the applicant and his representative, Steve Wygoda, were present, and

Whereas, this lot has frontage of 50 feet and depth of 103.25 feet with a building of five stories, with Zoning: M1-5, in the Gansevoort Market Historic District , and

Whereas, this establishment has been in business for 15 years, and to the committee's knowledge there are no recent complaints of noise from it, and

Whereas, a member of the community was present to complain about the constant noise problems in this area of the Gansevoort Market, and

Whereas, a member of the community was present to attest to the owner's presence and involvement in the community and responsiveness to issues with neighbors, and

Whereas, the applicant has operated the establishment for many years with a series of several French doors open along the 9th Ave side, which will abut the sidewalk café, and

Whereas, the applicant has agreed to remove the 2 tables and 4 chairs at the south end of the café area to allow for proper clearance from a bike rack WITH bikes and the 1 table and 3 chairs at the north end of the café to allow further clearance from the corner of 14th St., reducing the café size to 24 tables and 48 chairs, and

Whereas, the committee was split on whether a sidewalk café of this size would serve to control noise rather than increase it in an area that is already extremely congested and noisy, particularly on weekends, and

Whereas, the applicant was not inclined to further reductions in the number of tables and chairs in the café at this time, and

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a NEW App. for revocable consent to operate an Unenclosed sidewalk café for 400 West 14th St Inc., 400 W. 14th St., at 9th Ave, Manhattan Block: 646, Lot:43, with 24 tables & 48 seats, DCA# 1346493.

VOTE: Passed with 28 Board members in favor, 5 Abstentions-(Reck, Booth, Secunda, Bergman, Brandt), 1 Recusal- (Collins), 6 in opposition-(Diether, Wong, Rackoff, K-W. Ma, Greenberg, Rothstein)

8. Slice West Village Ltd., d/b/a Slice The Perfect Food, 535 Hudson St., between Charles and Perry Sts., Manhattan Block:632, Lot:55, with 11 tables & 23 seats, DCA# 1346838

Whereas, the area was posted, community groups notified and there were no community members present regarding this new application, and the applicant was present, and

Whereas, this lot has frontage of 100 feet and depth of 38 feet with a building of five stories, with Zoning: C1-6, in the Greenwich Village Historic District, and

Whereas, this space previously was part of Monster Sushi which had a sidewalk café for many years, and

Whereas, the applicant's establishment – and the sidewalk café – reside in less than 25 feet of the entire building's Hudson St. frontage, and

Whereas, the committee felt the applicant's layout was too dense for the allotted area ensuring a 36" wide serving aisle could not be maintained, and

Whereas, the applicant has agreed to reduce the seating of the café to 10 tables and 20 chairs by altering the seating against the building so the tables are parallel to the building line, and

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a **NEW App. for revocable consent to operate an Unenclosed sidewalk café for Slice West Village Ltd., d/b/a Slice The Perfect Food, 535 Hudson St.,** between Charles and Perry Sts, Manhattan Block:632, Lot:55, **with 10 tables & 20 seats, DCA# 1346838** CONDITIONAL UPON the applicant complying with the conditions set forth in Whereas 6 of this resolution by reducing the café to 10 tables and 20 seats.

VOTE: Unanimous, with 40 Board members in favor.

9. 333 Lafayette, LLC, 333 Lafayette St. between Bleecker and E Houston Sts, Manhattan Block:522 Lot:36 with 19 tables & 38 seats, DCA# 1347971

Whereas, the area was posted, community groups notified and there were several community members present regarding this new application, and the applicant and his representative, Michael Kelly, were present, and

Whereas, this lot has frontage of 94.17 feet and depth of 17.83 feet with a building of two stories having facades on both Lafayette St and Mulberry St, with Zoning: M1-5B, and

Whereas, the plan provided with the application was substantially different from the application, showing far more tables and chairs, some of them laid out on both Lafayette and Mulberry, and

Whereas, several members of the community were present to complain about noise from the establishment including the use of outdoor speakers and bands performing inside and outside, and

Whereas, the applicant and his representative committed to immediate removal of the outdoor speakers from both sides of the restaurant and bands will not be allowed outdoors, and

Whereas, the applicant immediately clarified the layout would be changed to remove any seating on Mulberry, and

Whereas, the seating on the Lafayette side – shown at 18 tables and 40 seats – will be reduced to 16 tables and 36 seats by removing 2 tables and 4 seats at the south end of the café to maintain more space between the café and the residential entrance next door, and

Whereas, the applicant has committed to closing the sidewalk café by 11pm Sun-Thur and 1 am Sat-Sun., and,

Whereas, the applicant assured an illegal ATM which is currently in the sidewalk café area will be removed, and

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a **NEW App. for revocable consent to operate an Unenclosed sidewalk café for 333 Lafayette, LLC, 333 Lafayette St. between Bleecker and E Houston Sts, Manhattan Block:522 Lot:36 with 19 tables & 38 seats, DCA# 1347971** CONDITIONAL UPON the following stipulations included in a duly authorized and signed Change Agreement attachable to this application:

**Audio speakers will be removed immediately from all outdoor locations.
Bands or other musical groups will not perform outside the establishment.
No sidewalk café will be operated on the Mulberry St side of the establishment.
The sidewalk café will cease operation at 11pm Sun-Thurs and 1am Fri-Sat.**

VOTE: Unanimous, with 40 Board members in favor.

9. Moz Restaurant Inc., d/b/a MeMe, 581 Hudson Street, at Bank St, Manhattan, Block 634 Lot 60, with 8 tables & 16 seats, DCA#1347167

Whereas, the area was posted, community groups notified and there were no community members present regarding this new application, and the applicant was present, and

Whereas, this lot has frontage of 50 feet and depth of 71 feet with a building of five stories, with Zoning: C1-6, in the Greenwich Village Historic District, and

Whereas, this space previously was Valdino West which had a sidewalk café for many years, and

Whereas, the sidewalk café is entirely on the Hudson St side, on a sidewalk of 19' 10" wide and the café will use only 7 feet of the width and 22' 9" of the property's width, and

Whereas, there is 9 feet clearance between the café perimeter and the only sidewalk obstruction, a street light, and

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a **NEW App. for revocable consent to operate an Unenclosed sidewalk café for Moz Restaurant Inc., d/b/a MeMe, 581 Hudson Street, at Bank St, Manhattan, Block 634 Lot 60, with 8 tables & 16 seats, DCA#1347167.**

VOTE: Unanimous, with 40 Board members in favor.

10. L Plus L Productions LLC, 113 7th Ave. So., between Christopher and W 10th Sts, Manhattan, Block 610 Lot 1, with 12 tables & 24 seats, DCA# 1347094

Whereas, the area was posted, community groups notified and there were no community members present regarding this new application, and the applicant and his representative Michael Kelly, were present, and

Whereas, this lot has frontage of 90.58 feet and depth of 149 feet with a building of one story, with Zoning: C4-5 R6, in the Greenwich Village Historic District, and

Whereas, the sidewalk café is on a sidewalk of 20-foot width and the café will be 9 feet deep and 23 feet wide, and

Whereas, there is 9 feet clearance between the café perimeter and the only sidewalk obstruction, a tree, and more than 5 feet clearance to two subway ventilation grates, and

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a **NEW App. for revocable consent to operate an Unenclosed sidewalk café for L Plus L Productions LLC, 113 7th Ave. So. between Christopher and W 10th Sts, Manhattan, Block 610 Lot 1, with 12 tables & 24 seats, DCA# 1347094.**

VOTE: Unanimous, with 40 Board members in favor.

11. 308-310 Bleecker Restaurant LLC, 308-310 Bleecker St, between Grove and Barrow Sts, Manhattan, Block 588, Lots 22 & 23, **with 8 tables & 16 seats, DCA # 1348231**

Whereas, the area was posted, community groups notified and there was one community member present regarding this new application, and the applicant was present, and

Whereas, a representative of the PS41 PTA appeared before the committee to support the application as the owners, who also own Dell'anima on 8th Ave, have supported many non-profit groups in the community, and

Whereas, two emails were received from the community opposing the café on the basis of the sidewalk being just 12' 6" wide and heavily-traveled, and

Whereas, these lots each have frontage of 20 feet and depth of 83 feet with a building of four stories, with Zoning: C1-6 C2-6 (308) and C1-6 (310), in the Greenwich Village Historic District, and

Whereas, the café is on a sidewalk of 12' 6" width with no other obstructions and the café will be 4 feet deep and in two sections of 12' 6" wide with 6' 7" clearance between for the residential entrance, and

Whereas, the only available service area is from the two doors at 308 and 310, the applicant has committed that all service will be handled from the two doors and no waiter traffic will be on the sidewalk outside the allowed café area, and

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a **NEW App. for revocable consent to operate an Unenclosed sidewalk café for 308-310 Bleecker Restaurant LLC**, 308-310 Bleecker St. between Grove and Barrow Sts, Manhattan, Block 588, Lots 22 & 23, **with 8 tables & 16 seats, DCA # 1348231.**

VOTE: Unanimous, with 40 Board members in favor

12. 151 Bleecker LLC, d/b/a Red Lion, 151 Bleecker St, at Thompson St, Manhattan, Block 537 Lot 37, **with 9 tables & 21 seats, DCA# 1348223**

Whereas, the area was posted, community groups notified and there were no community members present regarding this new application, and the applicant was present, and

Whereas, this lot has frontage of 57 feet and depth of 100 feet with a building of six stories, with Zoning: R7-2, and

Whereas, the café is a slight modification of an existing sidewalk plan with 2 tables and 5 seats next to the rear of the establishment on Thompson St and the remainder on Bleecker St, and

Whereas, the seating on the Bleecker St. side does not extend any further into the sidewalk than an enclosed café directly adjacent, and

Whereas, service for the tables on each street is handled from adjacent doors, and

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a **NEW App. for revocable consent to operate an Unenclosed sidewalk café for 151 Bleecker LLC**, d/b/a Red Lion, 151 Bleecker St, at Thompson St, Manhattan, Block 537 Lot 37, **with 9 tables & 21 seats, DCA# 1348223.**

VOTE: Unanimous , with 40 Board members in favor.

13. BMT Partners, LLC d/b/a Betel, 49 Grove St., between 7th Ave So. and Bleecker St, Manhattan, Block 591 Lot 40 with 3 tables & 6 seats, DCA # 1347560

Whereas, the area was posted, community groups notified and there were no community members present regarding this new application, and the applicant was present, and

Whereas, this lot has frontage of 73 feet and depth of 117 feet with a building of six stories, with Zoning: C1-6, C4-5, and

Whereas, the café is a minimal intrusion in a 12' 6" sidewalk consisting of 3 18" tables and 6 chairs against the facade and a 3' service aisle beside them, and

Whereas, further expansion of the café is restricted by the need to maintain clearance from an existing Muni-Meter and lamp post, and

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this application for a **NEW App. for revocable consent to operate an Unenclosed sidewalk café for BMT Partners, LLC d/b/a Betel, 49 Grove St., between 7th Ave So. and Bleecker St, Manhattan, Block 591 Lot 40 with 3 tables & 6 seats, DCA # 1347560.**

VOTE: Unanimous, with 40 Board members in favor

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

14. 60 Greenwich LLC, d/b/a Gusto, 60 Greenwich Ave., at Perry St, Manhattan, Block 606 Lot 25, with 13 tables & 26 seats, DCA# 1191326

Whereas, the area was posted, community groups notified and there were no community members present regarding this **Re-application**, and the applicant was present, and

Whereas, this lot has frontage of 25 feet and depth of 67 feet with a building of three stories, with Zoning: C1-6, and

Whereas, the café extends 6' out from the establishment on a sidewalk that is 17'4" wide from part of the building and 16'2" from bay windows beside the main entrance, and

Whereas, there is not 36" of service aisle along the whole café, but the applicant has committed to maintaining service from both doors, and

Whereas, one table and 2 chairs were sited virtually in front of the main entrance, and two other tables were immediately adjacent to the neighboring residential entrance, the applicant has agreed to reducing the application by 1 table and 2 chairs, allowing the other 2 tables to be moved ½ of the distance toward the establishment entrance, providing more clearance for both entrances, and

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this Re-application for a **NEW App. for revocable consent to operate an Unenclosed sidewalk café for 60 Greenwich LLC, d/b/a Gusto, 60 Greenwich Ave., at Perry St, Manhattan, Block 606 Lot 25, with 12 tables & 24 seats, DCA# 1191326 CONDITIONAL UPON** the applicant reducing the application by one table and 2 chairs as noted in Whereas 5.

VOTE: Unanimous, with 40 Board members in favor.

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

15. Village Cantina Corp., 170 Bleecker St., at Sullivan St, Manhattan, Block 526 Lot 64, with 12 tables & 24 seats, DCA# 1313487

Whereas, the area was posted, community groups notified and there were no community members present regarding this **Modification** application, and the applicant's representative, Michael Kelly, was present, and

Whereas, this lot has frontage of 46.75 feet and depth of 98 feet with two buildings of six stories, with Zoning: R7-2, and

Whereas, the application is to modify an existing sidewalk café with two tables and four chairs on the Bleecker St side and, on the Sullivan St side, four 24"x24" tables and eight chairs with six 24"x12" tables and twelve chairs abutting the building with a 36" service aisle outside them, and

Whereas, the Resident Chairperson of BAMRA expressed concern about the café's impact on the residential nature of Sullivan St, and

Whereas, to address the concerns about noise the applicant has committed to end operation of the sidewalk café at 11pm Sun-Thurs and 12am Fri-Sat, and

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of this Re-application for a **NEW App. for revocable consent to operate an Unenclosed sidewalk café for Village Cantina Corp., 170 Bleecker St., at Sullivan St, Manhattan, Block 526 Lot 64, with 12 tables & 24 seats, DCA# 1313487** **CONDITIONAL UPON** the following stipulations included in a duly authorized and signed Change Agreement attachable to this application:

The sidewalk café will cease operation at 11pm Sun-Thurs and 12am Fri-Sat.

VOTE: Unanimous, with 40 Board members in favor

SLA LICENSING

1. Saigon Market LLC, 91-93 University Pl., NYC 10003

Whereas, this application is for a transfer of an existing On Premise liquor license; and,

Whereas, the applicant failed to appear before the committee or request a layover of consideration of the application to the next hearing; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. strongly recommends denial of the proposed transfer of an On Premise liquor license to **Saigon Market LLC, 91-93 University Pl., NYC 10003** **and requests that the SLA send this applicant back to CB2 should this application proceed in order that this important step not be avoided and that the concerns of the Community be fully heard.**

Vote: Unanimous, with 40 Board members in favor.

2. Amici Da Boom, Inc., NYC 10012

Whereas, this application is for a transfer of an existing On Premise liquor license; and,

Whereas, the applicant failed to appear before the committee or request a layover of consideration of the application to the next hearing; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. strongly recommends denial of the proposed transfer of an On Premise liquor license to **Saigon Market LLC, 91-93 University Pl., NYC 10003** **and requests that the SLA send this applicant back to CB2 should this application proceed in order that this important step not be avoided and that the concerns of the Community be fully heard.**

Vote: Unanimous, with 40 Board members in favor.

3. Corp to be formed d/b/a The Haven, 108 W. Houston St., NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the transfer of an On Premise license in a mixed use building on the corner of Houston and Thompson Street for a 2,000 s.f. restaurant with 15 tables and 55 seats, 1 bar with 14 seats, and a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation are Sunday thru Wednesday 8:00 a.m. – 2:00 a.m. and Thursday to Saturday 8:00 a.m. – 4:00 a.m.; there is no sidewalk café and no backyard garden; and,

Whereas, this applicant has agreed to not return to this community board for at least 6 months from their opening for any alterations to their method of operation including any increase in operating hours; and,

Whereas, the applicant has agreed to operate as a full service restaurant only; and

Whereas, the applicant must reach out to local residents and organizations including but not limited to Bleecker Area Merchants & Residents Association (BAMRA); and,

Whereas, no one appeared in opposition from the community and there were 3 letters in support of this applicant; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial of the transfer of an On Premise license for **Corp to be formed d/b/a The Haven, 108 W. Houston St., NYC** unless all conditions agreed to by applicant are incorporated into the “Method of Operation” on the SLA On Premise license; and

BE IT FURTHER RESOLVED that CB#2, Man. recommends that the SLA verify that this establishment does not violate the 200 ft. rule (the prohibition of issuing an On Premise License to an establishment located within 200 feet of a school or place of worship in relation to The Shrine Church of St. Anthony of Padua located at 154 Sullivan St. across the street) and calls on the SLA to conduct a 500 ft. rule hearing.

Vote: Unanimous, with 40 Board members in favor.

4. TBD, 134 W. 3rd St., NYC 10012

Whereas, the applicant appeared before the committee; and

Whereas, this application is for the transfer of an On Premise license in a commercial building between 6th Avenue and MacDougal Street for a 4,000 s.f. tavern with 27 tables and 82 seats, 2 bars with 48 seats, and a maximum legal capacity of 148 persons; and,

Whereas, the applicant stated the hours of operation are from 11:30 a.m. – 4:00 a.m. 7 days a week; there is no sidewalk café and no backyard garden; and,

Whereas, the applicant has agreed to have a menu and food items available at all times up until one hour before closing; and,

Whereas, the applicant will not allow any dancing at this establishment; and,

Whereas, the applicant will close all doors and windows by 10:00 p.m. every night; and,

Whereas, the applicant will provide security at the door at all times; and,

Whereas, the applicant had done insufficient community outreach and must reach out to local residents and organizations including but not limited to Bleecker Area Merchants & Residents Association (BAMRA); and,

Whereas, no one appeared in opposition from the community; and

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial of the transfer of an On Premise license for **TBD, 134 W. 3rd St., NYC 10012b** unless all conditions agreed to by applicant are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 40 Board members in favor.

5. Corp to be formed d/b/a TBD, 41 Greenwich Ave., NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the transfer of an existing On Premise license in a mixed use building for a restaurant located in 1,500 s.f. premise on the corner of Charles St. and Greenwich Ave. with 16 tables and 40 seats, 1 bar and 4 seats and a maximum legal capacity of 45 persons; and,

Whereas, the applicant stated the hours of operation will be Sunday to Wednesday from 8 a.m. to 12 a.m. and Thursday to Saturday from 8 a.m. to 3 a.m.; there will be no sidewalk café application but will have a backyard garden; music will be background only; and,

Whereas, the applicant agreed to close all windows at 10 p.m.; and,

Whereas, the applicant agreed to not have any music in the backyard garden; and,

Whereas, the applicant will hang music speakers to control bass sounds from disturbing the neighbors and will not have any speaker facing to the outside; and,

Whereas, the applicant will close the backyard garden at 10 p.m. 7 days a week; and,

Whereas, no one appeared in opposition from the community; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial to the proposed transfer of an On Premise license for **Corp to be formed d/b/a TBD, 41 Greenwich Ave., NYC** unless those conditions agreed to by the applicant relating to the third through the seventh “whereas” clauses are incorporated into the “Method of Operation” on the SLA’s On Premise license.

Vote: Unanimous, with 41 Board members in favor.

6. West End Merchants, Inc. d/b/a Miss Kate's Parlor, 130 W. 10th St., NYC 10014

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license in a mixed use building on W. 10th for a tavern and bar located in 600 s.f. premise between Waverly Street and Greenwich Ave. with 8 tables and 30 seats, 1 bar and 9 seats and a maximum legal capacity of 50 persons; and,

Whereas, the applicant stated the hours of operation will be Sunday to Thursday from 12 p.m. to 12 a.m. and Friday and Saturday from 12 p.m. to 2 a.m.; there will be no sidewalk café application and no backyard garden; music will be background only; and,

Whereas, the applicant agrees not to expand his operation beyond the ground floor; and,

Whereas, this location has never been previously licensed before for any type of liquor license; and,

Whereas, there have been 5 new On Premise licenses granted on this block within the last 2 years; and

Whereas, the community states that the area is already oversaturated with bars and restaurants, is concerned that the location will impact vehicular traffic and parking in the immediate area, including affecting the NYFD Firehouse located adjacent to the property; and,

Whereas, over 10 people appeared in opposition from the community and 5 letters in opposition were submitted; and

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial to the proposed On Premise license for **West End Merchants, Inc. d/b/a Miss Kate's Parlor, 130 W. 10th St., NYC**; and,

BE IT FURTHER RESOLVED that CB#2, Man. recommends that the SLA verify that this establishment does not violate the 200 ft. rule (the prohibition of issuing an On Premise License to an establishment located within 200 feet of a school or place of worship, specifically in relation to P.S. 41 Greenwich Village School at 161 West 11th St.) and calls on the SLA to conduct a 500 ft. ruling.

Vote: Unanimous, with 40 Board members in favor.

7. Half Pint on Thompson, LLC, 234 Thompson St., NYC 10012

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the alteration of an existing On Premise license in a mixed use building for a restaurant located in 1,200 s.f. premise on the corner of Thompson St. and West 3rd St. with a new total of 20 tables and 84 seats, 2 bars and 16 seats and a maximum legal capacity of 117 persons obtained by removal of a wall and expansion into an adjoining space located in the same building; and,

Whereas, the applicant stated the hours of operation will be Sunday to Saturday from 12 p.m. to 2 a.m.; there is currently a sidewalk café which is not being expanded with this application, no backyard garden; music will be background only; and,

Whereas, the applicant agreed to close all windows and doors at 10 p.m.; and,

Whereas, the applicant agrees to continue to use the same existing entrance but will be installing an additional door to be ADA compliant and will only use the new door for ADA customers; and,

Whereas, CB#2, Man. requests that documents presented to the SLA include a new Public Assembly Permit as well as a new Certificate of Occupancy because it appears that a Letter of No Objection from the NY Department of Buildings is not sufficient because occupancy is over 74; and,

Whereas, the applicant met only with BAMRA (a neighborhood association) and must still reach out to neighbors in the building and other neighborhood associations; and

Whereas, no one appeared in opposition from the community and BAMRA was in support of these changes; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial to the proposed alteration of an On Premise license for **Half Pint on Thompson, LLC, 234 Thompson St., NYC 10012** unless those conditions agreed to by the applicant relating to the third through the seventh “whereas” clauses are incorporated into the “Method of Operation” on the SLA’s On Premise license.

Vote: Unanimous, with 40 Board members in favor.

8. Pasta Bistro Grill, 93 Macdougall St., NYC 10012

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the alteration to the hours of operation of an existing On Premise license in a mixed use building for a restaurant located in 3,400 s.f. premise on Macdougall St. between Bleecker St. and West 3rd St. with 19 tables and 64 seats, 1 bar and 8 seats and a maximum legal capacity of 72 persons; and,

Whereas, the applicant has agreed that the new hours of operation will be Sunday to Saturday from 10 a.m. to 2 a.m.; there is currently a sidewalk café but no backyard garden; music will be background only; and,

Whereas, the applicant agreed to close all windows and doors at 11 p.m.; and,

Whereas, no one appeared in opposition from the community; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial to the proposed alteration of an On Premise license for **Pasta Bistro Grill, 93 Macdougall St., NYC 10012** unless those conditions agreed to by the applicant relating to the new hours of operation are incorporated into the “Method of Operation” on the SLA’s On Premise license.

Vote: Unanimous, with 40 Board members in favor.

9. ABG Standard Operator, LLC, d/b/a The Standard, 848 Washington St., NYC 10014

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new Cabaret license in a commercial hotel building for a restaurant/disco/bar with 5,513 s.f. located on the 18th floor of the hotel on Washington St. between Little West 12th St. and West 13th St. with 39 tables and 137seating , 2 stand up bars with a capacity of 28 and a maximum legal capacity of 267 persons; and

Whereas, the applicant has stated that the hours of operation will be Sunday to Saturday from 12:00 p.m. to 4 a.m.; and that this Cabaret license WILL INCLUDE THE 18TH FLOOR ONLY AND will not include the ROOFTOP, THIRD FLOOR EXTERIOR SPACE, sidewalk café or backyard garden; and

Whereas, no one appeared in opposition from the community; and,

Whereas, the applicant stated that they have been meeting with community members on an ongoing basis, who gave them the “go ahead”;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the proposed Cabaret license for **ABG Standard Operator, LLC, d/b/a The Standard, 848 Washington St., NYC 10014** unless all conditions agreed to by applicant are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 40 Board members in favor.

SOCIAL SERVICES AND EDUCATION

Clinton School for Artist and Writers

Whereas the Clinton School for Artists and Writers is a public middle school which now educates 272 children, many of them from CB#2, Man., and

Whereas Clinton has shared space with PS 11 for 30 years, and

Whereas Speaker Quinn, Council members Chin and Mendez, Senator Duane, and Assembly member Glick have convinced the Department of Education to move Clinton to relieve overcrowding at PS 11

Whereas the Department of Education is preparing a new school to house Clinton by 2015; and

Whereas the Department of Education recently issued a third proposal to relocate Clinton, this time to the American Sign Language School on East 23rd Street, and

Whereas the ASL school does not have room for Clinton, and does not want Clinton there, and

Whereas Clinton does not want to impair the education of other children, and

Whereas a short term lease of one floor of 75 Morton Street would allow Clinton to continue while their new school is being prepared, and

Whereas leasing 75 Morton for Clinton would benefit hundreds of families while displacing no one,

Therefore be it resolved that CB#2, Man. strongly endorses the proposal that the DOE lease 75 Morton for the temporarily home for the Clinton School for Artists and Writers, and

Be it future resolved that Speaker Quinn, Council members Chin and Mendez, Senator Duane, and Assembly member Glick work to achieve this solution which would benefit all our children.

Vote: Unanimous, with 40 Board members in favor.

STREET ACTIVITY & FILM PERMITS

1. Support of Various Street Fair Permit Applications (Renewals)

WHEREAS, each of the street fair permit applications listed below were approved by CB#2, Man. last year and are up for renewal this year, or are single-block events not affected by the current moratorium on new multi-block events; and

WHEREAS, each of the renewal street fair permit applications listed below appear to not have changed in any material manner from last year; and

WHEREAS, each of the street fair permit applications listed below include a setup and breakdown time between 8:00 a.m. and 8:00 p.m.; and

WHEREAS, the sponsors of the street fair permit applications listed below appeared before the Committee to answer questions, and the Committee has determined in the exercise of its sound judgment that the sponsors meet the requirements of Chapter 11, Section 1-03(b), of the Rules of the Street Activity Permit Office Relating to Applications, Fees and Charges, in that each such sponsor is a “community based, not-for-profit organization, association or the like, which has an indigenous relationship to the specific street or the community or both, for which the event is proposed and which demonstrates that it has the support of the community and is willing to take full responsibility for the conduct of the event”; and

WHEREAS, there is no community opposition to such applications from the public; now

THEREFORE BE IT RESOLVED that CB#2, Man. supports the street fair permit applications on the dates and at the locations listed below:

1. **5/1/10-BDBA Sidewalk Sale Block Party**, Downing St. bet. 6th Ave & Bedford St.

Vote: Passed, with 39 Board members in favor, and 1 abstention (T. Bergman).

2. **5/25/10-Village Alliance BID**, West 8th St. bet. 5th & 6th Avenues.

Vote: Passed, with 39 Board members in favor, and 1 abstention (T. Bergman).

3. **6/12/10-ISKCON-Hare Krishna**, Washington Sq. South bet. LaGuardia Pl. & Washington Sq. East

Vote: Passed, with 39 Board members in favor, and 1 abstention (T. Bergman).

4. **6/5/10-Morton Street Block Party**, Morton St. bet. Hudson St. & Bedford St.

Vote: Passed, with 39 Board members in favor, and 1 abstention (T. Bergman).

5. **6/21/10-Make Music New York at Astor Place**, Astor Pl. bet. 4th Ave. & Lafayette St.

Vote: Passed, with 39 Board members in favor, and 1 abstention (T. Bergman).

6. **6/21/10-Make Music New York Block Party**, 29 Cornelia St. bet. Bleecker St. & West 4th St.

Vote: Passed, with 39 Board members in favor, and 1 abstention (T. Bergman).

7. **6/26/10-105th Anniversary Sons of Italy in America**, 203 Grand St. bet. Mulberry St. & Mott St.

Vote: Passed, with 39 Board members in favor, and 1 abstention (T. Bergman).

8. **6/26/10**-11TH Street Block Party, W. 11th St. bet. Hudson St. & Greenwich St.

THE ABOVE EVENT WAS WITHDRAWN BY THE APPLICANT.

9. **6/27/10**-Heritage of Pride-Pride Fest Street Festival, (multi-block), Hudson St. bet. Bethune St. & W. 14th St.

Vote: Passed, with 39 Board members in favor, and 1 abstention (T. Bergman).

10. **7/10/10**-8th Annual Arab American Street Festival, Great Jones St. bet. Broadway & Lafayette St.

Vote: Passed, with 39 Board members in favor, and 1 abstention (T. Bergman).

11. **7/17/10**-East Village Visiting Neighbors East Village Festival, 4th Ave. bet. E. 8th St. & E. 14th St.

Vote: Passed, with 39 Board members in favor, and 1 abstention (T. Bergman).

12. **9/2/10**-14th Annual New School Block Party, W. 12th St. bet. 5th Ave. & 6th Ave.

Vote: Passed, with 39 Board members in favor, and 1 abstention (T. Bergman).

13. **9/30/10**-NYU Student Health Center, Washington Pl. bet. Washington Square East & Greene St.

Vote: Passed, with 39 Board members in favor, and 1 abstention (T. Bergman).

2. **Conditional Approval**

10/16/10-TR Republican Club Washington Square Festival, Waverly Pl. bet. Broadway & MacDougal St.

WHEREAS, the TR Republican Club is a political organization in the midst of rebuilding its membership base and redefining its organizational purpose; and

WHEREAS, the new President of the TR Republican Club (the “TRRC President”) made a compelling case to the Committee concerning his commitment to reconstitute the club, to hold voter registration drives and other community based events in the upcoming year, and to hold regularly scheduled meetings in our community and surrounding areas; and

WHEREAS, upon questioning from the Committee concerning the historical location of the TR Republican Club, the TRRC President admitted the club has historically been located closer to the birthplace of its namesake, President Theodore Roosevelt, in Grammercy, and plans to center its operations going forward in that area; and

WHEREAS, the TRRC President agreed that going forward he would hold his club’s street fair outside of CB#2, Man. and therefore agreed that this would be the last year the club would apply for a street fair in our community; now

THEREFORE BE IT RESOLVED that CB#2, Man. supports the street fair permit application of the TR Republican Club on the express condition that the TR Republican Club has agreed to move its street fair out of CB#2, Man. beginning next year and that this will be the last year the club holds its street fair in CB#2, Man.

Vote: Passed, with 39 Board members in favor, and 1 abstention (T. Bergman).

3. Holdovers to Next Committee Meeting

WHEREAS, the following applicants were scheduled and failed to appear before the Committee; now

THEREFORE BE IT RESOLVED, that CB 2, Man. holds over to next month the applications for the following:

6/13/10-SoHo Stroll, Broadway bet. Broome St. and W. Houston St.

Vote: Unanimous, with 40 Board members in favor. PLEASE NOTE THAT THIS APPLICATION WAS ENTERED BY SAPO IN ERROR AND THE EVENT WILL NOT BE TAKING PLACE.

4. Provisional Denials

WHEREAS, the following applicants were scheduled and failed to appear before the Committee for two consecutive months; now

THEREFORE BE IT RESOLVED, that CB 2, Man. denies the street fair permit applications on the dates and at the locations listed below unless the applicants appear before the Committee:

1. **5/16/10 – San Lorenzo/Filipino Apostolate**, Broome St. bet. Mott and Mulberry Sts.
2. **7/4/10 – San Lorenzo Ruiz/Filipino Apostolate**, Broome St. bet. Mott & Mulberry Sts.

Vote: Unanimous, with 40 Board members in favor. PLEASE NOTE THAT THESE EVENTS WERE SUBSEQUENTLY WITHDRAWN BY THE APPLICANT.

TRAFFIC AND TRANSPORTATION

1. Resolution in support of NYC Council Intro. 47, Office of Road Safety Bill

Whereas, more than 250 New Yorkers were killed on New York City's roads in 2009, and every year over 10,000 pedestrians are struck and injured; and

Whereas, the disparate parts of City government charged with road safety often work in total isolation from one another with crucial considerations slipping through the cracks, losing opportunities to bring down injuries every day and avert the loss of lives; and

Whereas, NYC Council Intro 47 calls for creating an Office of Road Safety that would increase collaboration between these agencies, especially between the NYC Police Department (NYPD) and Department of Transportation (DOT); ensure their coordinated development of street designs, enforcement programs, driver education and research efforts for maximum impact; and provide a point of government responsible for reducing traffic violations, crashes, injuries and fatalities, thereby strengthening the potential for greater street safety; and

Whereas, the Office of Road Safety would function within the DOT, coordinating meetings at least once a month with the NYPD, the vehicular crimes unit of each District Attorney's office, the Department of Health and Mental Hygiene, at least one family member of a fatal crash victim, and other parties deemed necessary (e.g. the Department of Sanitation re project street change proposals);

Therefore Be It Resolved that CB#2, Man. supports the passage of NYC Council Intro 47 to create an Office of Road Safety and urges the Council to hold a hearing on it as soon as possible, giving it full consideration.

Vote: Unanimous with 40 Board members in favor.

2. Resolution in support of setting up a “No Standing Any Time” regulation at one parking space on Kenmare St., southern side, near Elizabeth St.

Whereas Kenmare St. is a major traffic corridor between the Williamsburg Bridge and the Holland Tunnel, heavily traversed by motor vehicles at all times of day; and

Whereas with no place for automobiles and taxis to pull up on Kenmare St. near Elizabeth St., it’s necessary to double park for drop offs or pick ups there, blocking traffic and exacerbating congestion; and

Whereas a “No Standing Any Time” regulation for one space on the west side of the street would allow for pulling in just for the time it takes to drop off or pick up, thereby freeing up traffic lane passage while also providing visibility for safer pedestrian crossings and corner turns;

Therefore be it resolved that CB#2, Man. supports setting up a “No Standing Any Time” regulation at one parking space on the western side of Kenmare St. near Elizabeth St.

Vote: Passed, with 35 Board members in favor, 4 in opposition-(Bergman, Rakoff, Diether, Johnson), and 1 abstention-(Berger)

3. Resolution requesting a pilot program establishing on-street motorcycle and motor scooter parking zones

Whereas members of the New York Motorcycle and Scooter Task Force (NYMSTF) gave a presentation to the Traffic and Transportation Committee of Community Board 2, Manhattan (CB2), proposing the creation of designated on-street parking zones for two-wheeled motor vehicles, specifically motorcycles and motor scooters; and

Whereas the presentation referenced CB#2, Man.’s December 2008 resolution, which contemplated establishing designated on-street parking areas as a means to reduce the instances of two-wheeled motor vehicles being parked on sidewalks; and

Whereas in a poll taken by NYMSTF, 53% of respondents reported having their street-parked motorbike or scooter knocked over by other vehicles in 2009, 34% of those had multiple knockovers, and the average damage from each incident was \$620, inducing riders to park their vehicles on sidewalks; and

Whereas the presentation also highlighted the benefits to “daylighting” of designated parking areas for two-wheeled motor vehicles, which would prevent the common practice of large sight-obstructing vehicles parking in no-parking zones specifically established to aid pedestrian visibility at intersections; and

Whereas a greater number of speakers commented in favor of the proposal than against; those against uniformly cited the noise impact of illegally-modified motorcycles; those in favor expressed that such zones will accommodate vehicles which are already in the neighborhood in a safer, more secure manner; and

Whereas among the locations proposed, the committee rejected some believing they could have an unacceptable noise impact for adjacent residents, but invited NYMSTF to propose additional locations in the near future based on the committee’s feedback;

Therefore Be It Resolved that CB#2, Man. requests that the New York City Department of Transportation (DOT) establish and designate a pilot program for the parking of two-wheeled motor vehicles: (1) in the last parking spot on the southwest side of Grand St. at the intersection of Crosby St. and (2) in the last parking spot on the northeast side of Waverly Pl. at the intersection of Grove St., with the expectation that a limited number of further proposed locations will be forthcoming; and

Be it further resolved that should DOT identify other potential locations for this pilot program, CB#2, Man. asks that such locations be brought to CB#2, Man. for consideration.

Vote: Unanimous with 40 Board members in favor.

NEW BUSINESS

Respectfully submitted,

Susan Kent
Secretary
Community Board #2, Manhattan