

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](http://www.cb2manhattan.org)

P: 212-979-2272 F: 212-254-5102 E: [info@cb2manhattan.org](mailto:info@cb2manhattan.org)

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

### FULL BOARD MINUTES

**DATE:** April 19, 2018  
**TIME:** 6:30 P.M.  
**PLACE:** P.S. 41, 116 W. 11<sup>th</sup> St., Auditorium

**BOARD MEMBERS PRESENT:** Keen Berger, Katy Bordonaro, Anita Brandt, William Bray, Lisa Cannistraci, Ritu Chattree, Erik Coler, Tom Connor, Terri Cude, Chair; Doris Diether, Cristy Dwyer, Robert Ely, Kathleen Faccini, Stella Fitzgerald, Cormac Flynn, Susan Gammie, Nicholas Gottlieb, Susan Kent, Patricia Laraia, Edward Ma, Daniel Miller, Robert Riccobono, Robin Rothstein, Shirley Secunda, Frederica Sigel, Georgia Silvera Seamans, Shirley Smith

**BOARD MEMBERS ABSENT WITH NOTIFICATION:** Susanna Aaron, Tobi Bergman, Richard Caccappolo, Coral Dawson, Joseph Gallagher, Robin Goldberg, Jeannine Kiely, Maud Maron, Lois Rakoff, Sandy Russo, Rocio Sanz, Susan Wittenberg, Elaine Young

**BOARD MEMBERS ABSENT:** None

**BOARD MEMBERS PRESENT/ARRIVED LATE:** Carter Booth, Jonathan Geballe, David Gruber, Kristin Shea, Chenault Spence, 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:** Casey Dean, Senator Brian Kavanagh's office; Andrew Chang, Manhattan Borough President Gale Brewer's office; Charles Anderson, Assembly Member Deborah Glick's office, Patrice Comerford, Council Speaker Corey Johnson's office; Irak Cehonski, Council Member Carlina Rivera's office; Marian Guerra, Council Member Margaret Chin's office, Jason Toledano, Leonard Cecere, Angelina Garavante, Andrew Berman, Patrick O'Brien, Judy Pesin, Ines Yildiz, Larry Goldberg, Martin Fitzpatrick, Pete Davies, Jean Lyman Goetz, Jermaine Ellis, Elaine Gorevan, Sean Cunningham, Patrick Padgen, Sydney Pereira, Lora Tenenbaum, Greg Miller, Raymond Cline, Michael Francoeur, Louis Borriello, Joe Boone, Anna Schwartzstein, Kurtis Pemberton, Valentine Goldstein, Brian Pape, Francine Cecere

### MEETING SUMMARY

Meeting Date – April 19, 2018  
Board Members Present – 32  
Board Members Absent With Notification – 14  
Board Members Absent - 0  
Board Members Present/Arrived Late - 6  
Board Members Present/Left Early – 0

## **I. SUMMARY AND INDEX**

ATTENDANCE	1
MEETING SUMMARY	1
SUMMARY AND INDEX	2
PUBLIC SESSION	2
ADOPTION OF AGENDA	3
ELECTED OFFICIALS' REPORTS	3
ADOPTION OF MINUTES	3
BUSINESS SESSION	3
STANDING COMMITTEE REPORTS	3
ARTS & INSTITUTIONS	3
LAND USE & BUSINESS DEVELOPMENT	5
LANDMARKS AND PUBLIC AESTHETICS	6
QUALITY OF LIFE	8
SLA LICENSING	19
TRAFFIC AND TRANSPORTATION	50

## **II. PUBLIC SESSION**

### **Non-Agenda Items**

#### BAMRA Shredfest

Raymond Cline spoke regarding the upcoming free Shredfest recycling event.

#### Washington Square Music Festival

Jean Lyman Goetz spoke regarding the upcoming music festival.

#### Dance Parade & Festival Information

Greg Miller made an announcement regarding the upcoming dance parade and festival.

#### Future L Train Shutdown

Pete Davies and Judy Pesin

### **Landmarks & Public Aesthetics Items**

#### 75 Bank St. – Application is to legalize the installation of a service ramp without LPC permits.

Martin Fitzpatrick spoke in favor of the legalization of the ramp.

Joe Boone and Sean Cunningham spoke against the legalization of the service ramp.

#### Boy Scouts of America

Jason Toledano spoke regarding the Boy Scouts.

### **SLA Licensing Items**

#### Gran Tivoli, LLC, d/b/a Pending, 199 Lafayette St. a/k/a 406 Broome St. 10012

Lora Tenenbaum spoke regarding the proposed liquor license application.

**Traffic and Transportation Items**

Request to co-name MacDougal St. btw. Houston and King Sts. Lucy and Lenny Cecere Way  
Andrew Berman and Francine Cecere spoke in favor of the street co-naming.

**III. ADOPTION OF AGENDA**

**IV. ELECTED OFFICIALS PRESENT AND REPORTING**

Casey Dean, Senator Brian Kavanaugh’s office

Charles Anderson, Assembly Member Deborah Glick's office

Andrew Chang, Manhattan Borough President Gale Brewer’s office

Patrice Comerford, Council Speaker Corey Johnson’s office

Marian Guerra, Council Member Margaret Chin’s office

Irak Cehonski, Council Member Carlina Rivera’s office

**V. ADOPTION OF MINUTES**

Adoption of March minutes

**VI. BUSINESS SESSION**

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

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

**STANDING COMMITTEE REPORTS**

**ARTS & INSTITUTIONS**

**Resolution in opposition to a project entitled “New York Artist Memorial Garden” scheduled to open on April 30, 2018 on Adopt-a-Bench plaques throughout Father Demo Park.**

**WHEREAS,**

1. NYC Parks offers an Adopt-a-Bench Program in parks throughout the five boroughs, providing individuals the opportunity to honor a loved one or celebrate a special occasion by installing a single plaque with a personal message on a bench; and
2. NYC Parks has partnered with the non-profit organizations Art Production Fund and White Columns to create a project called “The New York Artist Memorial Garden” in Father Demo Park; and

3. NYC Parks describes “The New York Artist Memorial Garden” as “an extension of NYC Adopt-a-Bench program”, “a collaborative public artwork” and “based on a curatorial initiative of White Columns’ director Matthew Higgs”; and
4. The park is already a memorial for the late and beloved Father Demo of the Our Lady of Pompeii Church; and
5. Art Production Fund invited 34 New York-based artists – some with meaningful connections to the Village, but not all – to dedicate a bench in Father Demo Park to a person, or an entity, that is significant to them and, in several cases, insert the artist’s name on the plaques as well; and
6. The project will use all 38 benches in Father Demo Park, applying dedication plaques to 34 benches at \$1,500 per bench, donor name plaques to 2 benches, the project name on 1 bench and Art Production Fund and White Columns on 1 bench; and
7. All 38 plaques will remain in place on all 38 benches for 10 years; and
8. The two exhibiting organizations raised \$57,000 for the plaques, the entire sum of which will be earmarked for Father Demo Park; and
9. It is the local community that worked tirelessly to lobby local elected officials and raise the necessary funds to transform the formerly dilapidated Father Demo Park to its current rehabilitated condition and that continues to raise and spend thousands of dollars each year to maintain the park; and
10. A board member reported at the April 3<sup>rd</sup> meeting that NYC Parks informed him a year ago that the department wanted to sell plaques on benches in Father Demo Park and was told at that time that he had no say in the matter; and
11. After this initial cursory engagement, NYC Parks never followed up with the board or the community on the “The New York Artist Memorial Garden”, Art Production Fund, White Columns or anything else related to this project until only recently when the project was already well underway; and
12. Recalling NYC Parks’ recent lack of community engagement with regard to the Ai Wei-Wei installation “Good Fences Make Good Neighbors” in Washington Square Park, the committee conveyed concern that NYC Parks, White Columns and Art Production Fund also never included the community – or the church – in any meaningful discussions regarding this project and the selection of the artists invited to participate; and
13. This is first time the Adopt-a-Bench program is partnering with other organizations to procure all of the benches in a park and, as such, the committee considers the size and scope of this project unprecedented and unconventional, and, therefore, feels that the program’s standard \$1,500 donation per bench and 10-year term do not apply in this case and should be modified for this project; and
14. It could easily be argued, simply based on language used in NYC Parks’ materials, that this project is, in fact, an art installation and, therefore, is not in the spirit or intent of the Adopt-a-Bench program; and

15. The committee feels that the 10-year time span for the project is far too long a term, that appropriating all 38 benches in the park for this project is unnecessary and that the \$1,500 donation per bench is far too small a sum for such a lengthy period of time; and
16. CB2, Man. regards the proposed project to be a temporary art installation, as NYC Parks own language and handling of the proposal suggests, and the NYC Parks website specifically states that such installations “may last from two weeks to one year, typically remain, no on view for three to six months.”
17. The committee feels a twelve-months term is sufficient for this project, allowing the benches to become freed up for individual members of the community who wish to make dedications, which would also provide additional operating funds for the park.

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly opposes “The New York Artist Memorial Garden” unless the parties involved agree to cap the term of the project to twelve months and work with CB2 and the community on reducing the number of benches allotted.

Vote: Passed, with 30 Board Members in favor, and 2 in opposition. (T. Connor, N. Gottlieb)

**LAND USE AND BUSINESS DEVELOPMENT**

**212 Bowery** (between Spring and Prince Streets) BSA Cal No 2018-6-BZ is an application for a new special permit for a physical culture establishment to legalize the operation of fitness establishment called “modelFIT” in operation since 2014 located on the second floor, pursuant ZR 73-36.

**Whereas:**

1. This application is for a special permit to legalize a physical culture establishment called modelFIT, situated on the second floor of a four-story plus cellar commercial building.
2. The premises are located in a C6-1 zoning district on a 2500sf interior lot in a sub-district of the Little Italy Special District.
3. The PCE space is 1,500 square feet.
4. A term of 10 years is requested.
5. The facility specializes in group fitness training classes and also offer personal training.
6. The PCE is fully compliant with applicable fire and safety regulations. The applicant will install an approved fire alarm system.
7. This use is compatible with the mixed-use nature of the neighborhood, and is located as to not impair the essential character or the future use of development of the surrounding area or interfere with the street system or any public improvement projects.
8. There will be no modification of use, parking or bulk regulations and it is not located on a roof.
9. Hours of operation will be 7am to 8:30pm Monday through Friday, and 9am to 4pm on Saturday, and 9am to 2pm on Sunday.
10. Peak hour clientele is projected to be approximately 18-20 patrons and there will be a staff of 8.
11. There are no known hazards or disadvantages and there will be no adverse effect on the privacy, quiet, light and air to the neighborhood at large.
12. The space is not ADA-accessible.
13. The only sound attenuation measures taken are limited to floor and wall mats, but no one from the building or the neighborhood appeared to speak against this violation.
14. The open DOB violations are not related to the PCE and the two open ECB violations will be cured in conjunction with this application.

**Therefore**, while CB2, Man. objects to the PCE being in continuous operation for four years without a permit, otherwise CB2 has no objection to this application.

Vote: Unanimous, with 32 Board members in favor.

### **LANDMARKS AND PUBLIC AESTHETICS**

1. **\*1 Clarkson St. (Tony Dapolito Recreation Center) – Application is to install a rooftop fence.**

#### **Whereas:**

A. The proposed fence is 10' high and largely masked by the parapet and is not objectionably visible on secondary facades; and;

B. A stainless steel frame fence with open wire mesh in panels installed in a channel system is to be installed in order to utilize the roof for recreational purposes; and

C. Brick and masonry restoration and repairs will be carried out and minor mechanical equipment will be added to the rooftop; now

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

Vote: Unanimous, with 32 Board members in favor.

2. **\*89 Greene St. – Application is to install signage.**

#### **Whereas:**

There is an existing approved blade sign on the Spring Street facade and a similar sign installed in a similar manner is proposed for the Greene Street façade; now

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

Vote: Unanimous, with 32 Board members in favor.

3. **\*120 Prince St. – Application is to install wall bracket with pole and flag.**

#### **Whereas:**

A. The proposed 2' x 2' flag is too large for the scale of this two-story building and is not in keeping with other signs in the street; and

B. A blade sign, similar to those above the other storefronts on this block would be better suited to the building and streetscape; and

C. The aggressive color unduly asserts itself and detracts from the architecture of this historic street; now

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

Vote: Unanimous, with 32 Board members in favor.

**4. \*75 Bank St. – Application is to legalize the installation of a service ramp without LPC permits.**

A. The bright, reflective aluminum ramp is 100' long and located 150' from the Bleecker Street and Bank Street corner. The ramp is in an alley way and is clearly visible from a public thoroughfare, (although not shown in the applicant's materials but instead a photograph submitted by a resident); and

B. The representative of the application stated that its purpose is to facilitate rubbish removal and that it does not have an ADA purpose; and

C. It is of utilitarian design, more suited to a construction site than to a historic district and it detracts from the building, the adjacent building and the neighborhood; and

D. The ramp obscures the view of carefully preserved historic windows in the adjacent building and poses a security risk in that it provides easy entry to windows on the alleyway; and

E. The ramp replaces historic steps that were removed without LPC permits; and

F. Approximately 50 residents of the building and the adjoining building in oral and written testimony oppose this application as inappropriate to both the building and the landmark district and complain that it is noisy and a health hazard on account of rubbish stored beneath it; now

**Therefore be it resolved** that CB2, Man. recommends **denial** of the application and that the original steps be restored.

Vote: Unanimous, with 32 Board members in favor.

**5. \*428 Lafayette St. – Application is to alter 2 windows on the ground level for interior basement area code compliance for egress.**

**Whereas:**

A. The building is one of several making up the historic Colonnade Row- an individual landmark within a landmark district; and

B. The proposal for a stairway to replace the street level basement window to provide egress from the basement level is sensitively designed to minimize the negative impact to the row; and

C. The HVAC louvers replacing one half window panes in the north window are not obtrusive and appear similar to others in the row; and

D. It is evident from the materials presented showing the entire row that alterations have been made over the years at street level and that the row would benefit from a master plan to carefully preserve the remaining historic portion of the building and bring a sympathetic, cohesive design to the extensively altered lower portion; now

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

A. **Approval** of the application; and

B. That a master plan for the row be instituted to enhance and protect this unique landmark building.

Vote: Unanimous, with 32 Board members in favor.

6. **\*17 Bleecker St. – Application is to legalize the covering of an existing historic pier with stucco and painted to match the storefront at east side of storefront, without LPC permits.**

A. The pier is in brick and runs vertically the height of the building and is presumed to be intact in the portion beneath the stucco; and

B. Revealing the entire height of the pier would restore and preserve a historic element and strengthen the demarcation between this building and the adjacent building; now

C. The entire storefront infill is in no way reflective of anything historic and is a blemish on the streetscape and restoring the pier to its original condition will make a desirable vertical barrier between the infill and the adjacent building.

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

A. The application be **denied**; and

B. That the stucco be stripped from the lower portion of the pier and that the pier be returned to its original condition.

Vote: Unanimous, with 32 Board members in favor.

## **QUALITY OF LIFE**

### **1. Resolution in Support of the NYC Organics Collection Program operated by NYC Department of Sanitation**

**Whereas**, CB2, Man., as part of our fiscal year 2019 expense budget priorities and requests, asked the City and Department of Sanitation (DSNY) to allocate funds to provide and expand NYC organics collection program for more efficient composting by CB2 residents and businesses; and

**Whereas**, DSNY was previously providing curbside organics collection to residential buildings with ten units or more; and

**Whereas**, DSNY responded to CB2, Man.'s request stating that the agency would accommodate the request using existing resources; and

**Whereas**, DSNY recently expanded the curbside organics collection program to include ALL residential buildings in Manhattan, and will continue to expand the program in 2018 until all neighborhoods in all boroughs have access to curbside organics collection; and

**Whereas**, any resident of a building can provide the building's information to DSNY at [on.nyc.gov/request-organics](http://on.nyc.gov/request-organics) and DSNY will contact the manager of the building to coordinate the organics program and provide the building with a brown composting bin, which helps keeps rodents and pests away; and



**Whereas**, residents of CB2, Man. were pioneers in the recycling movement and CB2 wholeheartedly supports DSNY’s rapid expansion of its composting program in our district and in our City; and

**Whereas**, the curbside organics program collects food scraps, spoiled food, food-soiled paper, and yard trimmings and plants, and this waste comprises almost one-third of the waste that DSNY collects, and when composted this waste enriches our environment, as well as saves the City money on landfill costs; and

**Whereas**, composting will help the city achieve its “Zero Waste” goal; and

**Whereas**, reuse and recycle is the best way to keep waste from landfills; and

**Whereas**, the DSNY organics collection program currently serves more than 3.3 million residents across all five boroughs and is expanding to include all neighborhoods in the City by the end of 2018; and

**Whereas**, the curbside organics collection program helps NYC reduce waste sent to costly landfills, deters pests by storing food waste in special rodent-resistant bins, and creates compost (a natural soil enrichment) or renewable energy; now

**Therefore Be It Resolved** that CB2, Man. wholeheartedly supports the expansion of the City’s curbside collection of organic waste program to all residential buildings of any size, in Manhattan and CB2 will continue to actively encourage all residents to participate in the program and urges DSNY to continue to advertise and promote the program as much as possible.

Vote: Unanimous, with 32 Board Members in favor.

**2. New Applications for revocable consent to operate an unenclosed sidewalk café for:**

**1 Perry, LLC, d/b/a Rosemary’s Pizza, 1 Perry St. with 8 tables and 16 chairs (5460-2018-ASWC)**

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

**Whereas**, the applicant currently operates Rosemary’s, a trattoria located nearby this location at Greenwich Avenue and West 10<sup>th</sup> Street and also operates Claudette at 24 5<sup>th</sup> Avenue, which has a large sidewalk café that the applicant stated has never received complaint; and

**Whereas**, the applicant appeared in January 2018 before CB2, Man. regarding a renovation of this location and was approved by CB2 but is still seeking approval before the Landmarks Preservation Commission and the sidewalk café plans are dependent upon the approval of the renovation; and

**Whereas**, this location has been home to Yerba Buena, Matador Bistro, and Ruby Slippers, all of which operated a sidewalk café; and

**Whereas**, the applicant stated that the café would not operate past 11:00 PM, seven days a week and would stipulate as such to the SLA; 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 confirmed that the sidewalk café would be attended by servers and other restaurant staff and that all food and drink would be delivered by restaurant staff; now

**Therefore Be It Resolved** that CB2, Man. recommends approval of a sidewalk café for **1 Perry, LLC, d/b/a Rosemary's Pizza, 1 Perry St. with 8 tables and 16 chairs (5460-2018-ASWC)**, provided that the applicant's renovation is approved by the Landmarks Preservation Commission and the application conforms with all applicable zoning and sidewalk café laws and clearance requirements.

Vote: Unanimous, with 32 Board Members in favor.

**Uncle Biagio, LLC, d/b/a Don Angie, 103 Greenwich Ave. with 7 tables and 14 chairs (4463-2018-ASWC)**

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

**Whereas**, this location was previously home to Monument Lane, which operated a sidewalk café with 9 tables and 18 seats; and

**Whereas**, the applicant currently operates Quality Eats around the corner and stated that they have received no complaints from the community; and

**Whereas**, the applicant presented several letters and a petition in support of their application; and

**Whereas**, the applicant appeared before CB2's SLA committee in June 2017 and stipulated that any future sidewalk café would never operate past 11 PM, seven days a week and the applicant confirmed as such before the Quality of Life committee; and

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

**Whereas**, the applicant confirmed that the sidewalk café would be attended by servers and other restaurant staff and that all drinks would be delivered by restaurant staff; now

**Therefore Be It Resolved** that CB2, Man. recommends approval of a sidewalk café for **Uncle Biagio, LLC, d/b/a Don Angie, 103 Greenwich Ave. with 7 tables and 14 chairs (4463-2018-ASWC)**, provided that the application conforms with all applicable zoning and sidewalk café laws and clearance requirements.

Vote: Unanimous, with 32 Board Members in favor.

**Joe & The Juice New York LLC, d/b/a Joe & The Juice, 549 Hudson St. with 2 tables and 8 chairs (5118-2018-ASWC)**

**Whereas**, the area was posted, community groups notified, and the applicant was not present; and

**Whereas**, a member of the West Village Residents Association (WVRA) was present and stated that this applicant has not been cooperative with the neighbors and has done nothing to ameliorate several quality of life issues including garbage sprawl and excessive noise associated with this establishment and has refused to meet with representatives of WVRA; now

**Therefore Be It Resolved** that CB2, Man. recommends **DENIAL** of a sidewalk café for **Joe & The Juice New York LLC, d/b/a Joe & The Juice, 549 Hudson St. with 2 tables and 8 chairs (5118-2018-ASWC)**; and

**Therefore Be It Further Resolved** CB2, Man. asks that the Department of Consumer Affairs does not consider this application until the applicant has met with members of the WVRA and has appeared before Community Board 2 for comment.

Vote: Unanimous, with 32 Board Members in favor.

**ALTA Cucina, LLC, d/b/a N/A, 260 6th Ave. with 27 tables & 54 chairs (6141-2018-ASWC)**

**Whereas**, the area was posted, community groups notified, and the applicant was present; and

**Whereas**, the applicant appeared before the CB2 SLA committee in September 2017 and the full board of CB2, Man. recommended denial of the application because the applicant refused to negotiate earlier closing hours for both the restaurant and the sidewalk café; the SLA committee asked that the applicant consider closing the sidewalk café before 10 PM Sunday-Wednesday and before 11 PM Thursday-Saturday and the applicant refused and stated that the applicant was entitled to closing hours until 12 AM during the week and 1 AM on the weekends; and

**Whereas**, after a constructive discussion with the Quality of Life committee regarding the negative impact such late sidewalk café closing hours would have on the residents above the establishment, the applicant agreed that it would never operate the sidewalk café past 11 PM and that the applicant would stipulate as such as part of their SLA permit; and

**Whereas**, this location was last home to Da Silvano which operated a large sidewalk café at this location for 41 years before its closing; and

**Whereas**, a resident of the building that houses this establishment appeared and expressed concerns about the footprint of the sidewalk café and, while supportive of a sidewalk café at this location generally, expressed concern that the operator was hesitant to commit to an earlier closing time and also that she hoped the new operator would be more attentive to negative consequences of the sidewalk café such as people's personal belongings, pets, and strollers being stored outside the confines of the sidewalk café which obstruct the entrance to the apartment building and sidewalk; and

**Whereas**, the applicant made all assurances that they would be an attentive operator and would always be available to address any concerns from neighbors and the community; and

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

**Whereas**, the applicant confirmed that the sidewalk café would be attended by servers and other restaurant staff and that all alcoholic drinks would be delivered by restaurant staff; now

**Therefore Be It Resolved** that CB2, Man. recommends **denial** of a sidewalk café for **ALTA Cucina LLC, d/b/a N/A, 260 6th Ave. with 27 tables & 54 chairs (6141-2018-ASWC)**, **unless** the applicant stipulates to the earlier closing hour of the sidewalk café in any application to the SLA and provided that the application conforms with all applicable zoning and sidewalk café laws and clearance requirements.

Vote: Unanimous, with 32 Board Members in favor.

**Tapestry Management, LLC, d/b/a Rahi, 60 Greenwich Ave., with 5 tables and 10 chairs (6432-2018-ASWC)**

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

**Whereas**, the applicant agreed that the sidewalk café would not operate past 11 PM seven days a week and stated that lunch would only be served on Saturdays and Sundays; and

Whereas, the applicant confirmed that all sidewalk café furniture, including the railings, would be stored in the cellar of the establishment when the sidewalk café was closed; and

**Whereas**, the applicant confirmed that the sidewalk café would be attended by servers and other restaurant staff and that all food and drink would be delivered by restaurant staff; now

**Therefore Be It Resolved** that CB2, Man. recommends approval of a sidewalk café for **Tapestry Management, LLC, d/b/a Rahi, 60 Greenwich Ave., with 5 tables and 10 chairs (6432-2018-ASWC)**, provided that the application conforms with all applicable zoning and sidewalk café laws and clearance requirements.

Vote: Unanimous, with 32 Board Members in favor.

**3. FYI/ Sidewalk Café Renewals:**

**390 Broome Restaurant, LLC, d/b/a Seamore's, 390 Broome St. with 18 tables and 36 chairs (4898-2018-ASWC)**

**GAT 35 Corp., d/b/a Da Andrea, 35 W. 13th St. with 8 tables and 16 chairs (1307585-DCA)**

**Sange Restaurant, Inc., d/b/a Tio Pepe, 168 West 4th St. with 8 tables and 16 chairs (11937-2017-ASWC) (ENCLOSED)**

**Bac Bars Group LLC, d/b/a Bayard's Alehouse, 533 Hudson St. aka 116 Charles St. with 14 tables and 32 chairs (1248153-DCA) (ENCLOSED)**

**Lupe's East L.A. Kitchen, Inc., d/b/a N/A, 110 Avenue of the Americas with 4 tables and 16 chairs (1321335-DCA) (SMALL UNENCLOSED)**

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

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

Vote: Unanimous, with 32 Board Members in favor.

#### 4. Street Activity Applications

**Tuesday & Wednesday, April 23-24, 2018— Tribeca Film Festival: Chanel Artists Awards Dinner, 1) Crosby St. between Spring St. and Prince St., 2) Crosby St. between Broome St. and Spring St.**

**Whereas**, the application before the committee was for only a sidewalk and curb lane closure for this location but the applicant informed the committee that they had negotiated an “upgraded” application with the Street Activity Permit Office (SAPO) very recently for a complete street closure of Spring Street from Broadway to Lafayette for the price of \$25,000, during rush hour, from 5:30 PM until 9 PM, in order to allow unimpeded access to the VIP guests and press at Balthazar, but that application was never provided to Community Board 2 for comment; and

**Whereas**, TriBeCa is not part of CB2, Man. nor is SoHo part of TriBeCa, and therefore the committee was confused as to the geographic appropriateness of this event and is certain that there is a plethora of establishments within TriBeCa that would not only be more geographically appropriate for this event but the operators of these establishments would be presumably thrilled to hold an event of this caliber and glitz; and

**Whereas**, just this very month Community Board 2’s Traffic and Transportation Committee heard from representatives of the SoHo Broadway Initiative and the Broadway Residents Coalition, together representing thousands of local residents and businesses, who presented a desperate request for DOT to find a way to alleviate the excessive backup of motor vehicles turning left (east) from Broadway onto Spring St., and described the highly congested traffic conditions in that area, the blocked crosswalks, and the resulting danger to pedestrians and one can only imagine how this situation will be negatively impacted by a complete closure of Spring Street, during rush hour, at this very intersection; and

**Whereas**, a resident of this block appeared to describe the nightmare that occurred surrounding this same event at the same location last year, during which NYPD officers staffed for the event would not allow residents to access either sidewalk of Spring Street on this block; and

**Whereas**, this application demonstrates the problem with SAPO’s procedures for granting these type of requests without any time for community input, such input would have made obvious that this block would never be recommended for a full street closure during rush hour on a weekday evening, especially not for a VIP event that is exclusive, closed to the public, and extremely disruptive and bears no geographic relationship to the neighborhood and community it is being held in; and

**Whereas**, it seems incongruous that this committee expects nonprofit sponsored street activity applications to demonstrate how the activity is a benefit to the community and how the nonprofit intends to use the proceeds from the fair, yet SAPO offers a full street closure permit to for profit entity for the price of \$25,000 yet the community has no practical input, nor knows how the proceeds of that \$25,000 are being used to benefit the community; and

**Whereas**, the frustration of expressing concerns for a full street closure that is to occur in just 4 days from the date of the full Community Board 2 meeting is palpable; now

**Therefore Be It Resolved** that CB2, Man. recommends **DENIAL** of the **Tribeca Film Festival: Chanel Artists Awards Dinner, 1) Crosby St. between Spring St. and Prince St., 2) Crosby St. between Broome St. and Spring St.** on April 23-24, 2018; and

**Therefore Be It Further Resolved** that CB2, Man. requests a representative of SAPO meets with members of CB2 to discuss how this sort of event is not permitted to occur in the future unless there is proper time for the community to provide input.

Vote: Unanimous, with 32 Board members in favor.

**Saturday & Sunday, May 5-6, 2018— Gucci Store Opening, Wooster St. between Broome St. and Spring St., West Broadway between Broome St. and Spring St. (sidewalk and curb lane closure).**

**Whereas**, the applicant is opening a new retail store at this location with a 2-year lease and will hold this opening event inside the store; and

**Whereas**, this application is for a sidewalk and curb lane closure only, the curb and sidewalk on Wooster Street will be used for guest arrival and exit, and the curb and sidewalk on West Broadway will hold 2 catering tents, a parked trailer, and a movie-set grade quiet generator to support the event inside; and

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

**Therefore Be It Resolved** that CB2, Man. recommends approval of the **Gucci Store Opening, Wooster St. between Broome St. and Spring St., West Broadway between Broome St. and Spring St.** (sidewalk and curb lane closure) on May 5-6, 2018.

Vote: Unanimous, with 32 Board members in favor.

**Saturday, June 9, 2018— Leslie-Lohman Museum Second Annual Block Party: Celebrating Queer Power and LGBTQ Art in NYC, Wooster St. between Canal St. and Grand St.**

**Whereas**, this event was successfully held last year at this location without complaint or issue and much celebration; and

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

**Whereas**, the applicant intends to use the block starting at noon and ending at 7:00 PM, with the event occurring between 2 PM and 6 PM; and

**Whereas**, the event is free and open to the public and will celebrate the new art installation called QueerPower which features artists working at the intersection of arts and social justice and will feature free community art activities and this will be an annual event which will kick off the summer season at the museum and is free, inclusive, and open to all; now

**Therefore Be It Resolved** that CB2, Man. recommends approval of the Leslie-Lohman Museum Second Annual Block Party: Celebrating Queer Power and LGBTQ Art in NYC, Wooster St. between Canal St. and Grand St on June 9, 2018.

Vote: Unanimous, with 32 Board members in favor

**Saturday, July 7, 2018— NYC Department of Health and Mental Hygiene: Youth Pridefest, Christopher St. between Greenwich St. and Washington St.**

**Whereas**, the New York City Department of Health and Mental Hygiene is partnering with the Kiki Coalition to present Youth Pridefest; an event highlighting social services for LGBTQ youth and young adults from 2 PM until 6:30 PM on Christopher Street between Greenwich and Washington Streets with set-up beginning at noon and break-down complete before 7:30 PM; and

Whereas, the Kiki Coalition is composed of over 20 community organizations, each sponsoring an informational table at the event, including

- **Administration Of Children Services**
- **Ali Forney Center**—a nonprofit whose mission is to provide LGBTQ young people housing and a continuum of supportive services to help them thrive and prepare them for independent living, located at 224 West 35<sup>th</sup> Street.
- **Brightpoint Health**—a nonprofit provider of integrated health care and social support services to New Yorkers, especially those challenged by poverty, discrimination, and lack of access to health care, with locations throughout the five boroughs.
- **Brooklyn Community Pride Center**—a nonprofit that provides services and support to Brooklyn’s LGBTQ community through original programming and partnerships including a program that connects queer young adults, age 18-24, with LGBTQ friendly businesses and nonprofits through paid job training and internships, located at 1360 Fulton Street in Brooklyn.
- **The Cathedral Church of Saint John the Divine**—the Church’s Cathedral Community Cares program aims to combat and alleviate poverty through preventative poverty services including the Sunday Soup Kitchen, New Hope Transitional Men’s Shelter and a Crisis Intervention & Counseling Center, located at 1047 Amsterdam Avenue.
- **The Center**—The Lesbian, Gay, Bisexual & Transgender Community Center, **located within Community Board 2 at 208 W. 13<sup>th</sup> Street**, fosters a welcoming environment where everyone is celebrated for who they are and offers the LGBT communities of New York City health and wellness programs; arts, entertainment, and cultural events; recovery, wellness, parenthood, and family support services.
- **Destination Tomorrow**—is a grassroots agency in the South Bronx that provides services to and for the LGBTQ community, located at 2825 Third Avenue in the Bronx.
- **The DOOR**—a nonprofit whose mission is to empower young people to reach their potential by providing comprehensive youth development services in a diverse and caring environment, **located within Community Board 2 at 555 Broome Street**, The Door provides a range of programs geared towards LGBTQ youth and also provides services for young people experiencing homelessness.
- **FIERCE**—a nonprofit, member-based organization that aims to build the leadership and power of LGBTQ youth of color in New York City, located at 147 West 24<sup>th</sup> Street in Manhattan.
- **Gay Men’s Health Crisis**—a nonprofit organization formed when a group of gay men met in LGBT activist and playwright **Larry Kramer’s Greenwich Village apartment** in the early days of the AIDS epidemic. The organization, now located at 446 West 33<sup>rd</sup> Street in Manhattan, is one of the world’s leading providers of HIV/AIDS prevention, care, and advocacy.
- **Harlem United**—a nonprofit community health center that was founded in the basement of a church in Harlem at the height of the AIDS crisis. The organization aims to change lives by helping marginalized communities improve their health and wellbeing, located at 306 Lennox Avenue.

- **Iris House**—a nonprofit community health center named for early HIV activist Iris De La Cruz, offers comprehensive support, prevention, and education services for women, families, and underserved populations affected by HIV/AIDS and other health disparities, located at 2348 Adam Clayton Powell Jr. Boulevard.
- **Health & Education Alternatives for Teens**—a nonprofit health center established in 1991 that provides age and developmentally appropriate care for heterosexual, lesbian, gay, bisexual, and transgender youth who are living with or at very high risk for HIV/AIDS, located at 760 Parkside Avenue in Brooklyn.
- **Hetrick-Martin Institute**—a nonprofit organization, **located in Community Board 2 at 2 Astor Place**, provides a safe and supportive environment to LGBTQ youth through a comprehensive package of direct services and referrals. The organization started in 1979 when life partners and LGBTQ educators, Dr. Emery Hetrick, a psychiatrist, and Dr. Damien Martin, an NYU professor, gathered a group of concerned community members to assist young LGBT people who were experiencing homelessness and despair.
- **Housing Works**—a nonprofit organization that advocates for funding and legislation to ensure that all people living with HIV/AIDS have access to quality housing, healthcare, HIV prevention, and treatment. The organization operates several thrift shops in New York City, one of which is **located in Community Board 2 at 130 Crosby Street**. Housing Works was founded in 1990 by four members of the AIDS activist group **ACT UP**; Keith Cylar, Charles King, Eric Sawyer, and Virginia Shubert.
- **Lambda Legal**—a nonprofit civil rights organization that focuses on LGBTQ communities as well as those living with HIV/AIDS. The organization was founded by William J. Thom, Esq., out of his **Greenwich Village apartment**, in the early 1970's. The organization is now located at 120 Wall Street on the 19<sup>th</sup> Floor.
- **NYC Department Of Health**
- **NYU Center For Health, Identity, Behavior & Prevention Studies**—a nationally recognized center for the study of LGBTQ health with a focus on the disparities of HIV, substance use, and mental health burdens. The Center is **located within Community Board 2 at 665 Broadway, Suite 800**.
- **Project Speak Out Loud**—a program at Grand Street Settlement that seeks to provide a safe space to educate, empower, and advocate for LGBT youth on the Lower East Side. Grand Street Settlement is located at 80 Pitt Street.
- **Streetwise And Safe**—a nonprofit organization which focuses on LGBTQ youth of color's experiences of profiling, policing, and criminalization, located at 147 West 24<sup>th</sup> Street.
- **True Colors Fund**—a nonprofit organization that is working to end homelessness among LGBTQ youth by creating systemic change through a broad continuum of advocacy, training, and education, located at 311 West 43<sup>rd</sup> Street; and

**Whereas**, this is the 20<sup>th</sup> Anniversary of Youth Pride Fest, held at several different locations over the years, this will be the first time the event will be held on this block of Christopher Street between Washington and Greenwich Streets; and

**Whereas**, CB2, Man. and more specifically, Greenwich Village, and even more specifically, Christopher Street, is the proud home of the Stonewall Rebellion of 1969, now recognized as a National Monument; and

**Whereas**, CB2, Man. strives to honor the legacy of the Stonewall Rebellion and the modern LGBTQ-rights movement by encouraging outreach to the most vulnerable members of the LGBTQ community; and



**Whereas**, Marsha B. Johnson, an activist present at the Stonewall Rebellion, and longtime fixture of Greenwich Village, commented when George Segal’s Stonewall memorial was being moved to Christopher Street, “How many people have died for these two little statues to be placed in the park to recognize gay people? How many years does it take for people to see that we’re all brothers and sisters and human beings in the human race? I mean how many years does it take for people to see that we’re all in this rat race together?”; and

**Whereas**, Sylvia Ray Rivera, who with Marsha Norman founded Street Transvestite Activist Revolutionaries (STAR), an activist group that for a short time operated STAR House, a halfway house for queer youth experiencing homelessness, once commented, “I am tired of seeing homeless transgender children; young, gay, youth, children. I am tired of seeing the lack of interest that this rich community has. This is a very affluent community. How can we afford to re- renovate a building for millions and millions of dollars and buy another building across the street and still not worry about your homeless children from your community?”; and;

**Whereas**, this event is an opportunity to, in a small way, honor the legacy of LGBTQ activism that percolated around Christopher Street and allow the young participants in this event to walk on the same street that their LGBTQ forebearers walked; and

**Whereas**, CB2, Man., as part of fiscal year 2019 expense budget requests, asked that the City restore and increase funds for outreach to LGBTQ youth by increasing program funding for The Door, one of the participants in this event; and

**Whereas**, event organizers stated that their staff will work in conjunction with the NYPD to provide security at this event and that the NYPD LGBTQ liaison will be present at the event in order to nurture constructive relationships with LGBTQ youth; and

**Whereas**, all of the participating organizations are volunteering their time and resources for this event and no vendor will pay any fees to participate and the event will be free and open to the public; and

**Whereas**, certain vendors will be offering free HIV and STD testing in mobile clinics; and

**Whereas**, two members of the Christopher Street Block Association appeared in opposition to this street activity permit, and all street activity permits on Christopher Street, due to the fact that there was a period of time when there appeared to be gang-related activity on Christopher Street but that any activity has since stopped due to the advocacy of the neighbors on this block; and

**Whereas**, the applicant stated that this event is presented in order to provide access to services and activities for young LGBTQ people that will support them in making positive life choices while providing an abundance of resources to aid them; and

**Whereas**, the applicant anticipates approximately 300-500 participants at the event but that would be throughout the 4.5 hours with people coming and going; now

**Therefore Be It Resolved** that CB2, Man. recommends **approval** of the **Youth Pridefest**, on July 7, 2018 on Christopher St. between Greenwich Street and Washington Street.

Vote: Unanimous, with 32 Board members in favor

**Friday, August 31, 2018— NYU College of Arts and Sciences Block Party, Washington Place between Greene St. and Washington Square East.**

**Whereas**, this used to be an annual event and was last held in 2014 but construction on the block prevented the event from being produced since; and

**Whereas**, the block is now free from construction and two undergraduate members of the NYU CAS Student Council appeared to request recommendation of approval to produce the event this year to welcome new and returning NYU CAS students to campus and to celebrate the new school year; and

Whereas, the application is for a full street closure and the applicant plans to have university and community groups present to provide informational and support services to the NYU students as well as a DJ, bouncy house, and games; and

**Whereas**, the event is held from 10 AM-6 PM and the applicant expects around 500 people to pass through the event throughout the day; and

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

**Whereas**, the applicant stated that NYU security will be on site for the duration of the event and that all efforts would be made to minimize any extraneous noise; now

**Therefore Be It Resolved** that CB2, Man. recommends approval of the NYU College of Arts and Sciences Block Party, Washington Place between Greene St. and Washington Square East on August 31, 2018.

Vote: Unanimous, with 32 Board members in favor.

**Saturday, November 17, 2018— STONEWALL Veterans' Association: Village Fair and Expo, University Place between Waverly Place and East 14th St.**

**Whereas**, the applicant appeared with two other members of the organization's executive committee; and

**Whereas**, CB2, Man. recommended denial of this event last year; notwithstanding the denial the event was permitted and on the same span of University Place last year; and

**Whereas**, last month, CB2, Man. recommended approval for the relocation of Pride Fest to this same span of University Place despite reservations that this span of University Place has become the default location for most all multi-block festivals within CB2, Man.; and

**Whereas**, a representative from Village Alliance appeared last month to express the frustration he has heard from residents and especially businesses on this span of University Place as to the amount of multi-block festivals they are forced to endure every year; and

**Whereas**, the representative from Village Alliance stated that businesses suffer an incredible loss of revenue during these multi-block fairs; and

**Whereas**, this application is for a traditional Mardi Gras-produced street fair with typical vendors selling sausages, socks, t-shirts, and the like; and

**Whereas**, the applicant stated that some of the proceeds from this fair are used to present an annual conference where elected officials and others are invited to speak and that event costs approximately \$2,500 to produce; and

**Whereas**, the applicant did not indicate that any other LGBTQ organizations would be invited to participate at this event nor did the applicant indicate how any of the surplus proceeds would be used to benefit the community; now

**Therefore Be It Resolved** that CB2, Man. recommends **denial** of the **STONEWALL Veterans' Association: Village Fair and Expo, University Place between Waverly Place and East 14th St** on November 17, 2018

Vote: Unanimous, with 32 Board members in favor.

## **5. FYI/Renewal Street Activities**

**8/1/18 – Summers at LREI: End of Summer Celebration, Charlton St. between 6th Ave. and Varick St.**

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

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

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

VOTE: Passed unanimously with 32 Board members in favor.

## **SLA LICENSING**

**1. Bold Food Lafayette Street, LLC, d/b/a Gato, 324 Lafayette St. 10012** (OP – Restaurant alteration to *add sidewalk cafe*)

**i. Whereas**, the Licensee appeared before CB2, Manhattan's SLA Licensing Committee add an unenclosed sidewalk café with 13 tables and 26 seats to an existing on-premise liquor license SN# 1276542 on Lafayette Street between E. Houston and Bleecker Streets in the NoHo area of Manhattan; the original CB2, Man. resolution was voted on at the March 21<sup>st</sup>, 2013 CB2 Full Board meeting and contains the pertinent details concerning the interior of the licensed premises; and,

**ii. Whereas**, the applicant previous met with CB2's Quality of Life Committee for the sidewalk café license and agreed to a number of additional terms and conditions with respect to operation of the sidewalk café; those conditions and stipulations have been incorporated into the updated stipulations agreement as indicated below; the Licensee since 2013 demonstrating that it has been a conscientious operator; and,

**iii. Whereas**, the applicant executed an updated stipulations agreement with CB2, Man. that they agreed would be attached and incorporated into their method of operation on their OP license with respect to the alteration application to add a sidewalk café to the licensed premises while continuing to operate its business as a full-service restaurant, and those stipulations are as follows:

1. The existing business will continue to operate and be advertised as a full service restaurant.
2. The interior hours of operation will be from 12PM to 1AM Sunday to Wednesday, and 12PM to 2AM Thursday to Saturday. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a lounge, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a licensed sidewalk café.
6. Will operate a licensed sidewalk café no later than 10PM 7 days a week. All tables and chairs will be removed at 10pm and there will be no patrons in the sidewalk café after 10PM.
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
8. All doors and windows will be closed by 10 PM every night.
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. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
13. The premises will not have dancing, DJs, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal.
14. All sidewalk café tables will be reserved for dining patrons only. Licensee will make every effort to ensure the noise and disruption, if any, from the sidewalk café is minimal as possible for neighbors and residents and will take active steps to ensure compliance.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of an alteration to an existing full On Premise license to add a sidewalk café for **Bold Food Lafayette Street, LLC, d/b/a Gato, 324 Lafayette St. 10012** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the existing “Method of Operation” on the existing On Premise Liquor License.

Vote: Passed, with 30 Board members in favor, and 1 abstention (T. Connor).

**2. Astor Center, Inc. d/b/a N/A, 24 E. 4th St. 10003** (Catering OP – alteration to *reduce licensed premises*)

**i. Whereas**, the Licensee appeared before CB2, Manhattan’s SLA Licensing Committee to alter, reduce and eliminate certain portions of their existing licensed premises but will continue to operate its business with the same method of operation as a catering facility (License # 1174602) with classrooms for culinary, spirits and wine tasting for educational purposes, being located in a 8 story commercial building on East 4<sup>th</sup> St. between the Bowery and Lafayette St.; and,

**ii. Whereas**, the applicant seeks to eliminate the dining room space within the existing facility and proposes to continue to operate its educational facility with only one large classroom space, the applicant further agreeing to an updated stipulations agreement with CB2, Man. that they agreed would be attached and incorporated in to their method of operation on their Catering OP license with respect to the instant alteration application, and those stipulations are as follows:

1. The existing business will continue to operate and be advertised as a Catering and Educational Facility with classrooms.
2. The hours of operation will be from 12PM to 10PM every day seven days a week.
3. The premises, or any portion of the premises will not operate as a lounge, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not operate a backyard garden or any outdoor area for commercial purposes.
6. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
7. All doors and windows will be closed at all times.
8. The premises will not have dancing, DJs, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of an alteration to an existing catering on premise liquor license for **Astor Center, Inc. d/b/a N/A, 24 E. 4th St. 10003** unless the statements of the applicant as presented to CB2 are accurate and complete, and that those changes to the conditions and stipulations agreed to by the applicant above are incorporated into the existing “Method of Operation” on the existing Catering On Premise Liquor License.

Vote: Passed, with 30 Board members in favor, and 1 abstention (T. Connor).

**3. Mipa, LLC, d/b/a Yasou Little Greek Bistro, 142 W. Houston St. 10012** (New Restaurant Wine)

**i. Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present a new application to the Liquor Authority for a restaurant wine license to operate a full service bistro restaurant serving inexpensive Greek food in a ground floor storefront on West Houston between Sullivan and MacDougal Streets in a historic district of Greenwich Village; and,

**ii. Whereas**, the storefront premises was previously operated for years as Da Marcello (lic.# 1292366), an Italian restaurant with a restaurant wine license, the current Applicant seeking to purchase the assets of the prior operator and planning to operate the premises with the same method of operation as Da Marcello, albeit with new cuisine offerings; and

**iii. Whereas**, the storefront premises is approx. 1,400 sq. ft. premises (700 sq. ft. ground floor and 700 sq. ft. basement with no patron use) with 28 tables and 56 interior seats, with 2 exterior tables with 4 seats at the front inside the property line, there is no standup bar, for a total seating capacity of 60 seats, with two bathrooms, no TVs and no sidewalk café; and,

**iv. Whereas**, the hours of operation will from 11AM to 12AM Sunday to Thursday and from 11AM to 1AM Fridays and Saturdays; no patrons shall remain at closing, and the exterior seating in front with two tables and four seats will close every night at 11 PM, no patrons remaining and all tables/chairs removed, 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,

**v. Whereas**, the applicant executed a stipulations agreement with CB2, Man. that they agreed would be attached and incorporated in to the method of operation on the new restaurant wine license stating that:

1. The premises will operate and be advertised as a full service Greek restaurant.

2. The hours of operation will from 11AM to 12AM Sunday to Thursday and from 11AM to 1AM Fridays and Saturdays. All patrons will be cleared and no patrons will remain after stated closing times for each area.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premises will have not have televisions.
5. The premises will not operate a backyard garden or any outdoor area for commercial purposes other than two tables with 4 seats located directly in front of the premises within the property line of the building, the outdoor service will cease every night by 11 PM.
6. No Sidewalk Café is included with this application.
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
8. All doors and windows will be closed by 10 every night.
9. Will not install or have French doors, operable windows or open facades.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
11. The premises will not have dancing, DJs, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of an restaurant wine license for **Mipa, LLC, d/b/a Yasou Little Greek Bistro, 142 W. Houston St. 1** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those changes to the conditions and stipulations agreed to by the applicant above are incorporated into the “Method of Operation” on the restaurant wine License.

Vote: Passed, with 30 Board members in favor, and 1 abstention (T. Connor).

**4. HCM Group, Inc., d/b/a Pho Bar, 82 W. 3rd St. 10012 (New Restaurant Wine)**

**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 to operate as a full service restaurant serving Vietnamese cuisine in a mixed used 3-story residential/commercial building located on the parlor floor on West 3<sup>rd</sup> Street between Thompson and Sullivan Streets in a historic district of Greenwich Village; and,

**ii. Whereas**, the licensed premise is roughly 1,800 sq. ft. with 5 tables and 40 seats, 1 stand up bar with 9 seats for a total seating capacity of 49; there are two bathrooms, one television, no operable windows or doors, no sidewalk café or other exterior areas for outdoor service; and,

**iii. Whereas**, the hours of operation will be no later than 11AM to 1AM every day/night 7 days a week, all doors and windows will be closed 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 private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers;; and,

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

1. The premises will be advertised and operated as a full service Vietnamese restaurant.

2. The hours of operation will be no later than 11AM to 1AM every day/night 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a licensed sidewalk café.
6. A sidewalk café is not included in this application.
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
8. All doors and windows will be closed at 10PM and anytime there is music.
9. Will not install or have French doors or open facades.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
11. The premises will not have dancing, DJs, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a new restaurant wine license for **HCM Group, Inc., d/b/a Pho Bar, 82 W. 3rd St. 10012** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Passed, with 30 Board members in favor, and 1 abstention (T. Connor).

**5. Gran Tivoli, LLC, d/b/a Gran Tivoli and Peppi’s Cellar, 199 Lafayette St. a/k/a 406 Broome St. 10012** (New OP – Restaurant)

**i. Whereas**, the applicants (Robert Marchetti and Jason Scott) appeared with their attorney before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new Restaurant On-Premise Liquor License to operate a full service Italian restaurant with connected wine cellar and separate patron egress on Cleveland Place, within a 7-story residential/commercial building (circa 1900) which takes up an entire block surrounded by Lafayette, Kenmare and Broome Streets as well as Cleveland Place in the Nolita area of Manhattan; and,

**ii. Whereas**, this application is for a Restaurant On-Premise Liquor License, there being two distinct spaces albeit physically connected inside, the first ground floor space (Gran Tivoli) being roughly 3,000 sq. ft. with a full service kitchen, three bathrooms, 21 tables and 78 seats, and one stand up bar with 19 seats for a total patron capacity of 97 patrons, the second cellar space being roughly 4,000 sq. ft. (Peppi’s Wine Cellar), no kitchen, three bathrooms, with 17 tables and 42 seats, one stand up bar with 15 seats and 4 booths with 32 additional seats for a total patron capacity in the cellar of 89 patron seats; there is no sidewalk café; there will be no TVs, there are 4 existing windows that open out to the sidewalk on Broome Street but they will not be opened and will remained closed at all times; there are no other outdoor seating areas and there is an existing Certificate of Occupancy permitting eating and drinking at the ground floor and cellar levels; and,

**iii. Whereas**, the hours of operation will be from 7AM to 1AM Sunday through Wednesday and from 7AM to 2AM Thursday to Saturday; 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; but there will be live music in the cellar space albeit no more than one day/night per week, acoustical in nature meaning trios with vocals but no brass instruments or drums, the live music occurring generally between the hours of 7 PM to 10:30 PM and no later than 11 PM; and,

**iv. Whereas**, in the past there have been significant problems at this combined licensed premises, the cellar space having been previously operated as a night club until 4AM with a new entrance at 2 Cleveland Place, creating long, late-night exterior lines and dancing all in derogation of the prior operator's previously agreed upon method of operation with CB2, Man. as a full service Italian restaurant, creating havoc to local neighbors, those significant problems being well documented in prior CB2 resolutions from 2012 and 2014, reflecting poorly on the landlord and building owner who permitted this to occur, and leading to disciplinary proceedings, charges and fines being levied against the prior operators and licensees Tom and Anthony Martignetti, who in 2017 closed their business; and,

**v. Whereas**, in light of the prior problems at the previously licensed premises, representatives living in the neighborhood met with the current applicants to address those concerns, the applicants having executed a stipulations agreement with CB2, Man. addressing those concerns advanced by the neighborhood representatives, which among other concerns were addressed by closing the entrance on Cleveland Place to the cellar space by 10 PM every night (and requiring patrons to exit on Broome Street after 10 PM), the limitations as to live music being limited to acoustical and complimentary to allow conversation among guests, and the applicant's history as restaurateurs, and to the extent the applicants abided by their agreement and proposed method of operation as stated herein, there was support for the application; the applicants agreeing to the following stipulations that will be attached and incorporated in to the method of operation on the new restaurant on premise liquor license as follows:

1. The premise will be advertised and operated as an Italian restaurant and complimentary wine cellar.
2. The hours of operation will be from 7AM to 1AM Sunday through Wednesday and from 7AM to 2AM Thursday to Saturday. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not operate a backyard garden or any outdoor area, including a sidewalk cafe for commercial purposes.
6. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
7. There may be live music on one day/evening per week generally between the hours between 7 PM and 1030 PM but no later than 11 PM in the basement wine cellar only-live music will be acoustical only with trios/piano/guitar/vocal but no drums or brass/horn instruments.
8. The premises will not have dancing, DJs, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.
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. All advertising will only identify address or main entrance on Broome Street and not entrance on Cleveland Place.
12. All Patron egress/ingress will cease by 10 PM every night at Cleveland place entrance and all patrons will use main entrance on Broome Street for egress after 10 PM.
13. No chairs or tables will be removed in basement wine cellar space.
14. All deliveries and trash deposal will occur on Broome Street and not on Cleveland Place.
15. Awning on Cleveland Place will be removed and not replaced.
16. Will install acoustical sound proofing to ceiling to accommodate residents living above location.



17. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
18. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
19. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

**vi. Whereas,** the applicants also presented a petition in support which purportedly included the signature of the resident living immediately above the premises, and one member of the community remained adamantly opposed to this application, there being concerns voiced about the saturation and proliferation of licensed premises in the immediate neighborhood, including the four such licensed premises in the same building the instant application, there being a licensed establishment in every storefront in the building and area, that the 500 ft. rule was not being followed, that the former Chairman of the NYSLA Dennis Rosen previously declared that this area, around or near Petrosino Square, was “ground zero of oversaturation” that there would be “lots of traffic problems” due to the “L train shutdown” requiring a significant number of buses to travel down Cleveland Place on a daily basis; and,

**vii. Whereas,** there are currently approximately 19 On Premise Liquor Licenses and 13 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 **Gran Tivoli, LLC, d/b/a Gran Tivoli and Peppi’s Cellar, 199 Lafayette St. a/k/a 406 Broome St. 10012** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Passed, with 29 Board members in favor, 1 in opposition (D. Diether) and 1 abstention (T. Connor).

**6. Rogue Lobo, LLC, d/b/a TBD, 354 Bowery 10012 (New OP – Restaurant)**

**i. Whereas,** the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new Restaurant On-Premise Liquor License to operate a full service restaurant serving American seasonal fare at a Michelin Star Level within a ground floor storefront in a mixed-used residential/commercial five-story building (circa 1912) on Bowery between East 3<sup>rd</sup> and East 4<sup>th</sup> Streets; and,

**ii. Whereas,** the ground floor premise is roughly 1,900 sq. ft., with 18 tables and 23 seats, one stand up bar with 9 seats, an additional open kitchen food counter in the rear with 9 seats for a total patron seating capacity of 68, no TVs, two bathrooms, there is no sidewalk café and no other outdoor seating areas, and no operable doors or windows that open out to the public sidewalk; and,

**iii. Whereas,** the hours of operation will be from 10AM to 1AM on Sundays, 5PM to 1AM Monday to Thursday, 5PM to 2AM on Fridays and from 10AM to 2AM on Saturdays; 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,

**iv. Whereas,** the applicant presented a petition in support that contained the signatures of two residents purportedly living above the premises; and,

**v. Whereas**, the applicant agreed to and executed a stipulations agreement with CB2, Man. that would be attached and incorporated into the method of operation on the new restaurant on premise liquor license stating that:

1. The premise will be advertised and operated as a full service restaurant.
2. The hours of operation will be from 10AM to 1AM Sundays, 5PM to 1AM Monday to Wednesday, 5PM to 2AM Thursdays and Fridays, and from 10AM to 2AM on Saturdays. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a lounge, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not operate a backyard garden or any outdoor area for commercial purposes including a licensed sidewalk café.
6. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
7. All doors and windows will be closed at 10PM and every night and anytime there is music.
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. The premises will not have dancing, DJs, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.

**vi. Whereas**, this application being subject to the 500 ft. rule, there are currently approximately 20 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 **Rogue Lobo, LLC, d/b/a TBD, 354 Bowery 10012** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Passed, with 31 Board members in favor, and 1 abstention (T. Connor).

**7. Low Overrun, LLC, d/b/a Morgenstern’s Finest Ice Cream, 490-494 LaGuardia Pl. 10012**  
(New OP – Ice Cream Parlor)

**i. Whereas**, the Applicant and applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for an on premise liquor license to operate an ice-cream parlor by combining multiple storefronts along LaGuardia Place within a four-story building (circa 1900) at the corner with W. Houston Street in a historic district of Greenwich Village; and,

**ii. Whereas,** the Applicant is combining two storefronts, the first (“South storefront”) previously operated since 1996 as “Silver Spurs”, a local neighborhood diner serving breakfast, lunch and dinner at reasonable pricing that closed by 11PM during the week and by 12 AM on the weekends, the second storefront (“North storefront”) to be combined currently being operated as the Molcajete Taqueria, a small takeout restaurant with a limited number of interior and exterior tables, which is not licensed for the sale of alcohol, which closes by 11PM every night and which storefront location has not previously been licensed for the service of alcohol, the two storefronts being located on either side to the main residential entrance and hallway to the building; and,

**iii. Whereas,** a gut renovation of the multiple storefronts is planned, removing the kitchens from both storefronts and connecting the two storefronts at an interior connection or hallway, the plans as submitted providing no access for patrons to go between the two storefronts to be combined, the residential building entrance and interior hallway also being located in-between and thereat; and,

**iv. Whereas,** the storefronts when combined will be roughly 2,000 sq. ft., with 22 sets of French doors running along both Houston Street and LaGuardia Place, the South store having a long service counter where the ice cream will be scooped and provided to customers, there also being a second food counter with 9 stools, as well as 3 tables with 6 seats for total patron interior seating capacity of 15 seats, one bathroom, while the North storefront, having a separate entrance, contains a single 17-foot customer bar running across the entire storefront with no seating for patrons and no bathroom, the North storefront being described as the retail portion of the business where retail ice cream products will be sold but where spirits and cocktails will also be served; and,

**v. Whereas,** proposed licensed premises will also include a sidewalk café in front of the South storefront running along LaGuardia Place where there will be 16 exterior tables and 32 exterior patron seats, greatly outnumbering the interior seating, the Applicant seeking to operate the sidewalk café until midnight Sunday through Thursday and until 1AM on Fridays and Saturdays; and,

**vi. Whereas,** the proposed hours of operation will be Sunday to Saturday from 8AM to 2AM, music will be background only, all doors and windows will be closed by 10 p.m., there will be TV screen or projector used for special events; and,

**vii. Whereas,** the Applicant also operates an Ice Cream Parlor on Rivington Street on the Lower East Side of Manhattan, in a smaller storefront which is not licensed for the service of alcohol and which closes by 11 PM during the week and 12 AM on the weekends, the location being well-known for its long lines leading from within the premises out onto the public sidewalk, the Applicant indicating he anticipates that there may also be long lines at the proposed location running along LaGuardia Place that will be addressed with ropes, stanchions and other crowd control like devices placed on the public sidewalk; and,

**viii. Whereas,** the Applicant provided preprinted letters in support of ice cream parlor purportedly signed by residents living in the same building and one person appeared in support but no outreach to the large residential building located across the street was identified; and,

**ix. Whereas,** this application being subject to the 500-foot rule, requiring the applicant to demonstrate whether the public interest of the community would be served by the granting of the license, the existing surrounding area being one of the most saturated areas with liquor licenses in CB2 Man., there being 28 on premise licenses within 500 ft. of the premises, 52 on premise licenses with 750 ft. of the premises, with 4 additional pending liquor license applications for the same geographic area but not including the many existing beer/wine licenses within this same area; and,

**x. Whereas**, the applicant failed to establish that the public interest of the community would be served by the service of cocktails and spirits at an ice cream parlor, the proposed method of operation of serving hard alcohol, cocktails and spirits being inconsistent and entirely unnecessary with the service of ice cream cones and other ice cream products, the service of alcohol not being needed or necessary for the successful operation of an ice cream parlor, the Applicant's other ice cream parlor being successful but without being licensed, the proposed operations being almost entirely outside, the numerous French doors lining the exterior will be open, the patron seating being double on the outside as within the inside, the service of alcoholic spirits establishing a significant, albeit unnecessary impact, exacerbating the impacts created by the anticipated long lines blocking the public sidewalk where there will also exist an extensive sidewalk café that will be open unreasonably late unlike others in this particular area, there being no full-service kitchen, the menu provided was for ice cream and ice cream products, the area around this location already being completely over-saturated with the late night drinking of alcohol, the proposed ice cream parlor being a destination location bringing hordes of people to the storefront when the prior diner benefited the local neighborhood, the Northern storefront having never been licensed for the service of alcoholic spirits, the changes and impacts that will occur due the proposed change being unreasonable and unmitigable; and.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the presented application seeking a new on-premise liquor license for **Low Overrun, LLC, d/b/a Morgenstern's Finest Ice Cream, 490-494 LaGuardia Pl. 10012**; and,

**THEREFORE BE IT FURTHER RESOLVED** that should this new on-premise liquor license application be considered by the Liquor Authority, CB2, Man. respectfully requests that a 500-ft. rule hearing is conducted; and,

**THEREFORE BE IT FURTHER RESOLVED** that should this application be considered by the SLA, CB2 respectfully requests that this item be Calendared to appear before the Full Board of the SLA with at least 2 week advance notice to CB2, Man.

Vote: Passed, with 31 Board members in favor, and 1 abstention (T. Connor).

**8. Broome Street Food and Drink, LLC d/b/a Black Tap, 529 Broome St., Lower Level (New OP – Upgrade)**

**i. Whereas**, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new Restaurant On-Premise Liquor License to operate a neighborhood restaurant offering burgers, milkshakes, craft beers & comfort food within a cellar level storefront within a six-story mixed use residential/commercial building (circa 1900) on Broome Street between Sullivan Street and Thompson Street; and,

**ii. Whereas**, since July/2014 the Applicant has been operating in this lower, below grade level space as a restaurant with a restaurant wine license specializing in hamburgers known as "Black Tap Down", the commercially used space previous to 2014 having been operated as a dog grooming business, the Applicant also operating a second business called "Black Tap Craft Burgers & Beer" with the same method of operation in a separate, above ground, parlor floor storefront in the same building with a Tavern Wine license; and,

**iii. Whereas**, the cellar premise is roughly 1,200 sq. ft., with 12 tables and 46 seats, one stand up bar with 6 seats, with 4 additional “waiting area” counter seats on a wall for a total patron capacity of 50 seats, a kitchen, two bathrooms, two TVs, two bathrooms, there is no sidewalk café and no other outdoor seating areas, and no operable doors or windows that open out to the public sidewalk, the applicant providing a letter of no objection permitting eating and drinking at the cellar premises; and,

**iii. Whereas**, the hours of operation will be from 11AM to 12 AM Sunday through Thursday from 11 AM to 1 AM on Fridays and Saturdays, 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 live music, no dancing, no scheduled performances or cover fees, no velvet ropes and no movable barriers; and,

**iv. Whereas**, the applicant presented a petition in support that contained the signatures of residents purportedly living above the premises, the petition stating that the business would close by 12 AM every night; no one appeared in support or against the application; and,

**v. Whereas**, the applicant agreed to execute a stipulations agreement with CB2 that would be attached and incorporated into the method of operation on the new restaurant on premise liquor license stating that:

1. The licensed premises will be advertised and operated as a full service restaurant specializing in burgers, craft beers and specialty shakes.
2. The hours of operation will be from 11AM to 12 AM Sunday through Thursday from 11 AM to 1 AM on Fridays and Saturdays. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a lounge, tavern or sports bar.
4. The premise will not have two televisions.
5. The premises will not operate a backyard garden or any outdoor area for commercial purposes including a licensed sidewalk café.
6. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
7. All doors and windows will be closed at 10PM.
8. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
9. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
10. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
11. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
12. The premises will not have dancing, DJs, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.

**vi. Whereas**, this application being subject to the 500 ft. rule, there are currently approximately 15 On Premise Liquor Licenses and 7 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 **Broome Street Food and Drink, LLC d/b/a Black Tap, 529 Broome St., Lower 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 On Premise Liquor License.

Vote: Passed, with 31 Board members in favor, and 1 abstention (T. Connor).

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

**9. 219 Mulberry LLC, d/b/a Ruby's, 219B Mulberry St. 10012 (RW) [LAYOVER requested until May/2018]**

**Whereas**, this Licensee previously appeared before CB2, Manhattan's SLA Licensing Committee #1 Meeting on March 13th, 2018 to address longstanding complaints and operation contrary to approved stipulations and method of operation; the Principal was not present and a manager and senior manager appeared to answer questions; it become apparent that no adequate responses would be arrived at without the Principal present and as a result the Manager agreed to **layover** until April 10<sup>th</sup>, 2018 at which time the Principal agreed to **layover** this application one more time May/2018 to demonstrate a good faith basis to remedy the longstanding complaints, and will be available to respond to questioning;

**THEREFORE BE IT RESOLVED** that CB2, Man. has no position on the ongoing complaints and violations pursuant to the existing method of operation, but looks forward to hearing from the Principal to address this matter.

Vote: Passed, with 31 Board members in favor, and 1 abstention (T. Connor).

**10. 219B LLC, d/b/a Ruby's, 219C Mulberry St. 10012 (RW) [LAYOVER requested to May/2018]**

**Whereas**, this Licensee previously appeared before CB2, Manhattan's SLA Licensing Committee #1 Meeting on March 13th, 2018 to address longstanding complaints and operation contrary to approved stipulations and method of operation; the Principal was not present and a manager and senior manager appeared to answer questions; it become apparent that no adequate responses would be arrived at without the Principal present and as a result the Manager agreed to **layover** until April 10<sup>th</sup>, 2018 at which time the Principal agreed to **layover** this application one more time May/2018 to demonstrate a good faith basis to remedy the longstanding complaints, and will be available to respond to questioning; and

**THEREFORE BE IT RESOLVED** that CB2, Man. has no position on the ongoing complaints and violations pursuant to the existing method of operation, but looks forward to hearing from the Principal to address this matter.

Vote: Passed, with 31 Board members in favor, and 1 abstention (T. Connor).

**11. Little Italy Speak Easy, Inc., d/b/a Aunt Jake's (Current d/b/a My Little Secret Restaurant), 149 Mulberry St. 10013 (OP SN# 1221377 – Bar with rear yard – expand to 2<sup>nd</sup> floor, alter method of operation, change name to Aunt Jakes – **No Show/Did not Appear**)**

**Whereas**, at CB2, Manhattan's SLA Licensing Committee #1 Meeting on March 13th, 2018, a new manager who proposed to operate the 2<sup>nd</sup> floor which will be added to the existing license appeared with his Attorney, but the Principal was not in attendance, to present an alteration; at the meeting, the Attorney requested to layover this application for an alteration to an on-premise liquor license, SN# **1221377** to expand to the 2<sup>nd</sup> floor, alter the method of operation and change the d/b/a name for an existing restaurant with outdoor bar in rear yard in order to be able to explain why the rear yard was not operating in accordance with stipulations and in order to fully clarify the existing method of operation for the basement, rear yard and new ground floor area being added; it was unclear what the intentions were for

the operation of the basement in conjunction with the ground floor and the relationship with the separate operation in the rear yard; the licensee will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**Whereas**, despite efforts to contact the Applicant thereafter neither the Applicant nor his Attorney responded to CB2, Man. prior to CB2, Manhattan’s SLA Licensing Committee #1 Meeting on April 10th, 2018, at which time this application was recalled multiple times over the course of an evening with **no appearance by the Applicant or his Counsel**;

**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 **Little Italy Speak Easy, Inc., d/b/a Aunt Jake’s (Current d/b/a My Little Secret Restaurant), 149 Mulberry St. 10013 SN# 1221377** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Passed, with 31 Board members in favor, and 1 abstention (T. Connor).

**12. Spice 39, Inc. d/b/a Spice, 39 E. 13th St. 10003 (OP – Restaurant) (laid over)**

**Whereas**, prior to CB2, Manhattan’s SLA Licensing Committee #1 Meeting on April 10th, 2018 the Licensee requested to layover this application to May 2018 to CB2, Man. as it relates to a corporate change application to an existing 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 **Spice 39, Inc. d/b/a Spice, 39 E. 13th St. 10003** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Passed, with 31 Board members in favor, and 1 abstention (T. Connor).

**13. Val City Lounge, LLC, d/b/a N/A, 201 Lafayette St. 10012 (OP – Eating/Drinking Establishment) (laid over to May)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee #1 Meeting on April 10th, 2018, the Applicant requested **to layover** this application for a corporate change to an existing restaurant on premise license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Val City Lounge, LLC, d/b/a N/A, 201 Lafayette St. 10012** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a

recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Passed, with 31 Board members in favor, and 1 abstention (T. Connor).

**14. Play Earth, Inc. d/b/a Bohemian NY, 57 Great Jones St. 10012** (OP – Restaurant) (expansion of space) (laid over)

**Whereas**, prior to this months CB2, Manhattan’s SLA Licensing Committee #1 Meeting on April 10th, 2018, the Applicant requested to layover this application for an alteration to an existing On Premise liquor 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 **Play Earth, Inc. d/b/a Bohemian NY, 57 Great Jones St. 10012** until the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Passed, with 31 Board members in favor, and 1 abstention (T. Connor).

**15. 320 West Broadway Diner Corp., d/b/a TBD, 320 W. Broadway 10013** (OP – Diner/Restaurant) (Operation as 24 hour diner at base of Soho Grand with alcohol service until 2AM Sun-Wed and 4AM Thur-Sat, includes 1,600 sq. ft. outdoor dining area open until 11PM Sun-Wed/12AM Thur-Sat.) (laid over to May)

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee #1 Meeting on April 10th, 2018, the Applicant requested to layover this application for an alteration to an existing On Premise liquor 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 **320 West Broadway Diner Corp., d/b/a TBD, 320 W. Broadway 10013** until the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Passed, with 31 Board members in favor, and 1 abstention (T. Connor).

**16. Elmer Kennedy, LLC, d/b/a Pasquale Jones, 86 Kenmare St. 10012** (OP – Restaurant)(Class Change) (laid over to May)

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee #1 Meeting on April 10th, 2018, the Applicant requested to layover this application to upgrade it restaurant wine license to a full on-premise liquor 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 **Elmer Kennedy, LLC, d/b/a Pasquale Jones, 86 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: Passed, with 31 Board members in favor, and 1 abstention (T. Connor).

**17. Tippy Shanghai Restaurant Management, Inc., d/b/a Tippy Shanghai Restaurant, 228 Thompson St. 10012 (OP – No Show/Did not Appear)**

**Whereas**, at CB2, Manhattan's SLA Licensing Committee #1 Meeting on April 10th, 2018, no one appeared on behalf of the Applicant to review and discuss this application for on premise license to operate a restaurant, at which time this application was recalled multiple times over the course of an evening with no appearance;

**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 **Tippy Shanghai Restaurant Management, Inc., d/b/a Tippy Shanghai Restaurant, 228 Thompson St. 10012** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Passed, with 31 Board members in favor, and 1 abstention (T. Connor).

**18. The Oak Tuscan Truffle Lounge, LLC, d/b/a The Oak Tuscan Truffle Lounge, 28 Greenwich Ave. 10011 (TW - Tavern)**

**i. Whereas**, the principal and his representative appeared before Community Board 2, Manhattan's SLA Licensing committee to present a new application to the Liquor Authority for a tavern wine license for a truffle based small plate and pasta restaurant; and,

**ii. Whereas**, this application is for a new tavern wine license for a previously licensed location on Greenwich Ave between West 10<sup>th</sup> St. and 7<sup>th</sup> Avenue South in a mixed-use building built in 1920; the premises is located on the ground in a 420 sq. ft. premises, the premises will have 7 tables and 14 seats and will have a service bar only; the applicant provided a certificate of occupancy; and,

**iii. Whereas**, the hours of operation will from 8AM to 12AM Sunday to Thursday and from 8AM to 1AM Friday to Saturday, no patrons shall remain at closing, music will be ambient quiet background only consisting of recorded music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no dj, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; no live music; and,

**iv. Whereas,** the applicant met with the local block association, the Residents Coalition of 33 Greenwich Avenue and Jefferson Court Condominium, prior to the committee meeting and had agreed on an extensive list of stipulations which was presented in an executed document, the stipulations mirror CB2, Man. Stipulations below; and,

**v. 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 license stating that:

1. This application is for a new tavern wine license for a truffle based small plate and pasta restaurant.
2. The hours of operation will from 8AM to 12AM Sunday to Thursday and from 8AM to 1AM Friday to Saturday. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will operate a full service restaurant; specifically a truffle based small plate and pasta restaurant with the kitchen open and full menu items available until closing every night.
4. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
5. The premise will have not have televisions or projectors.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a licensed sidewalk café.
7. No Sidewalk Café is included with this application. There will not be an application for a sidewalk café in the future.
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 9PM every night and anytime there is music.
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, DJ’s, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.
17. The backdoor to the common backyard will not be propped open at anytime.
18. Will manage patron street activity – entering, leaving, congregating and smoking in front of and adjacent to premise. Will make sure that there are no patrons congregating in front of adjacent residential buildings.
19. Will maintain a reservation system (electronic). There will be no lines in front of the premises.
20. Will maintain all mechanical systems, venting and exhaust to minimize sound and odors.
21. All stipulations agreed to with the Residents Coalition of 33 Greenwich Avenue and Jefferson Court Condominium on 4/11/2018 are included in this agreement and are attached.

**vi. Whereas,** there are currently approximately 22 On Premise Liquor Licenses within 500 ft of the premises and an unknown number of beer and wine licenses;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a new tavern wine license for **The Oak Tuscan Truffle Lounge, LLC, d/b/a The Oak Tuscan Truffle Lounge, 28 Greenwich Ave. 10011** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Tavern Wine License.

Vote: Unanimous, with 32 Board members in favor.

**19. Nonna Beppa Soho, LLC, d/b/a TBD, 290 Hudson St. 10013 (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 new restaurant wine license for a family owned restaurant specializing in food from the Italian region of Emilia Romagna; and,

**ii. Whereas**, this application is for a new restaurant wine license; the premises is located in a mixed- use residential/commercial building located on the ground floor on the corner of Kenmare and Mott St. for a roughly 1,800 sq. ft. premise on the ground floor and basement – accessory use only in basement, with 20 tables and 60 seats, 1 stand up bar with 6 seats for a total of 66 interior seats; there are no other outdoor seating areas and a Certificate of Occupancy was provided; and,

**iii. Whereas**, the hours of operation will be 11AM to 12AM Sunday to Thursday and from 11AM to 1AM Friday to Saturday, there may be a future sidewalk café that will close no later than 11pm, all doors and windows will be closed 10PM, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be no DJ, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

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

1. This application is for a new restaurant wine license for a family owned restaurant specializing in food from the Italian region of Emilia Romagna.
2. The hours of operation will from 11AM to 12AM Sunday to Thursday and from 11AM to 1AM Friday to Saturday. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will operate a full service restaurant; specifically a restaurant specializing in food from the Italian region of Emilia Romagna with the kitchen open and full menu items available until closing every night.
4. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
5. The premise will have not have televisions or projectors.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a licensed sidewalk café.
7. Any future licensed sidewalk café will operate no later than 11PM 7 days a week. All tables and chairs will be removed at 11pm and there will be no patrons in the sidewalk café after 11PM.
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. There are existing sliding doors.

11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. The premises will not have dancing, DJ’s, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.
16. There will be 20 interior tables and 60 table seats and 1 stand up bar with 6 seats.

v. **Whereas**, the applicant presented a petition in support and no one appeared in opposition; and,

vi. **Whereas**, there are currently approximately 10 On Premise Liquor Licenses and an unknown number of Beer and Wine Licenses within 500 ft of the premises;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a new restaurant wine license for **Nonna Beppa Soho, LLC, d/b/a TBD, 290 Hudson 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 Wine License.

Vote: Unanimous, with 32 Board members in favor.

**20. City Winery New York LLC, d/b/a City Winery, 143 Varick St. 10013 (OP Alteration SN#1210976 to add 2<sup>nd</sup> flr and rooftop)**

i. **Whereas**, a representative of the Licensee and his attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee for a 2<sup>nd</sup> time to present an application for an alteration to an existing on-premise liquor license (#1210976) for an establishment described as an “ongoing winery and restaurant” which also operates as a live performance venue in a two story commercial building, circa 1910, located on Varick St. on the Southwest Corner of Varick St. and Vandam St. in the Hudson Square area; and,

ii. **Whereas**, the premises currently occupies the ground floor and basement; on the ground floor there is a full service restaurant and a live music venue with 2 standup bars and 35 bar seats, 91 tables and 360 table seats, for a total of 395 patron seats on the ground floor; in the basement there are currently bathrooms and a private dining room with 1 table and 20 table seats; there is an existing Certificate of Occupancy indicating an eating and drinking establishment with entertainment on the ground floor for 495 persons, but does not indicate a private dining room in the basement; the private dining room was not presented to CB2 as part of the original premises at the inception of the license; and,

iii. **Whereas**, the existing hours of operation for the ground floor interior are 11AM to 2AM, 7 days a week, music in the restaurant is background recorded music at all times, music in the live music venue is both recorded background music and live amplified music at entertainment levels during musical performances, there are no DJ’s, there are promoted events, but no outside promoters, there are scheduled performances, events were cover fees are charged and private parties; there is an ongoing security and

traffic plan managed by an 3<sup>rd</sup> party security company which adapts as needed to daily operations; there are no patron lines which occur on the exterior, there are no televisions in the premises, but on occasion there may be screens used to augment events; and,

**iv. Whereas,** this alteration application is to **(1)** add the entire second floor including a dining room, a separate private dining room and an event space totaling an additional 7,712 sq. ft. which includes 3,155 sq. ft. for patron use and additional non patron uses including a kitchen, offices etc.; this will include adding 2 additional service bars on the 2<sup>nd</sup> floor and an additional 63 tables and 252 table seats across the 2<sup>nd</sup> floor, and **(2)** incorporating the existing sidewalk café with 11 tables and 22 seats into the existing liquor license; and,

**v. Whereas,** the Licensee is in the process of altering the existing Certificate of Occupancy to reflect “Eating and drinking establishment with kitchen and dining rooms” and a new occupancy load of 350 people on the 2<sup>nd</sup> Floor; an updated Place of Assembly Permit reflecting the new occupancy will be obtained; and,

**vi. Whereas,** the hours of operation for the second floor will be from 11AM to 2AM 7 days a week, there will be background recorded music in the dining areas and both background recorded music and live amplified music at entertainment levels in the event space; the hours of operation for the sidewalk café will be from 11AM to 12AM Sunday to Thursday and from 11AM to 1AM Friday to Saturday;

**vii. Whereas,** after CB2’s SLA Licensing Committee meeting in April/2018, but before CB2’s April Full Board meeting, the Licensee **removed** an additional component to this alteration application which was for an outdoor rooftop garden with outdoor bar which included 1 standup bar with 8 seats and 88 additional seats with a total occupancy of 150; there was significant community concern and opposition regarding this portion of the original alteration application and the Licensee intends to reapply for that space shortly after further consultation with members of the community and clearly identifying to both CB2, Man. and members of the community steps for sound mitigation, reducing any additional quality of life impacts and addressing any other issues; and,

**viii. Whereas,** 7 local residents appeared and spoke in opposition to the rooftop which is no longer included, but there was no opposition to the expansion to the 2<sup>nd</sup> floor or including the sidewalk café; the speakers included 2 Co-Op Board Presidents and the head of a local Block Association and an Attorney representing a client; additional correspondence in opposition to the rooftop was also received; all speakers testified to the current positive operation of the existing business on the ground floor and credited the Licensee as a positive contributor to the community; and,

**ix. Whereas,** the Licensee presented a petition in support and several letters in support; and,

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

1. Premise will be advertised and operated as a Winery, Restaurant and Event Space with Live Music.
2. The hours of operation for the ground floor interior, basement and 2<sup>nd</sup> floor will be: from 11AM to 2AM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The hours of operation for the existing sidewalk café with 11 tables and 22 seats will be from 11AM to 12AM, Sunday to Thursday and 11AM to 1AM Friday to Saturday. All patrons will be cleared and no patrons will remain after stated closing times in the sidewalk café.

4. The premises includes (1) on the ground floor a full service restaurant and a live music venue with 2 standup bars and 35 bar seats, 91 tables and 360 table seats, for a total of 395 patron seats on the ground floor; (2) in the basement, bathrooms and a private dining room with 1 table and 20 table seats; (3) on second floor a dining room, a separate private dining room and an event space including a kitchen, offices etc. with 2 additional service bars and an additional 63 tables and 252 table seats (4) a sidewalk café with 11 tables and 22 seats; In total on the interior there are 2 Standup Bars with 35 seats, 2 Service bars, 155 tables and 632 table seats. The grand total seat count including seats at bars and sidewalk café seats is 689 seats.
5. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
6. The premise will have not have televisions. Projectors and Screens may be used to augment events and performances.
7. The premises will play recorded background music only in the restaurant-only portions of the premises and both background recorded music and live amplified music at entertainment levels in the two event spaces.
8. All doors and windows will be closed by 10PM and anytime there is music or live music performances of any kind.
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. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”.
12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
13. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
14. The premises will not have dancing, DJ’s, outside promoted events, velvet ropes or metal barricades.
15. Security will actively manage the area in front of the premises to ensure that patrons remain orderly and that traffic impacts be kept to a minimum from taxis and for hire vehicles.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the alteration application the existing on-premise liquor license SN#1210976 to add the 2<sup>nd</sup> Floor and Sidewalk Café to the premises as described for **City Winery New York LLC, d/b/a City Winery, 143 Varick 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 existing On Premise Liquor License.

Vote: Passed, with 31 Board members in favor, and 1 in opposition (D. Diether).

**21. Three Owls, LLC, d/b/a Three Owls Market, 800 Washington St. 10014 (TW)**

**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 hybrid market and neighborhood all day café serving high end prepared foods; they will also sell specialty grocery items, grocery staples and craft beer and will have a coffee service; and,

**ii. Whereas**, this application is for a tavern wine license; the premises is in a mixed-used residential/commercial building located on the ground floor on Washington St. in the corner location on the Northwest corner of Washington St. and Horatio St. for a roughly 1,650 sq. ft. premise with 6 tables and 14 seats, and one stand up bar with 9 seats; there is no sidewalk café; there are no other outdoor seating areas and a certificate of occupancy was presented; and,

**iii. Whereas,** the hours of operation will be 7AM to 11PM 7 days a week; music will be ambient quiet background only consisting of recorded music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no DJ, no promoted events, no scheduled performances, no velvet ropes, no movable barriers; no live music; 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 license stating that:

1. This application is for a new restaurant wine license for a hybrid market and neighborhood all day café serving high-end prepared foods. They will also sell specialty grocery items, grocery staples and craft beer and will have a coffee service.
2. The hours of operation will 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 all day neighborhood café with prepared with full food menu available until closing.
4. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
5. The premise will have not have televisions or projectors.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a licensed sidewalk café.
7. No Sidewalk Café is included with 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.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
13. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. The premises will not have dancing, DJ's, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.
17. There will be a maximum of 28 seats (16 table seats and 12 bar seats).
18. Patrons will not congregate on sidewalk outside of front door.
19. If necessary, will implement an electronic messaging system to alert patrons that tables or take out food orders are ready.
20. There will be no more than three beers on tap and an unlimited selection of wine.
21. Any private events on Thursday, Friday or Saturday evenings may operate until 12AM. No patrons to remain after 12AM.

**v. Whereas,** the Principal met with members of the local community and agreed to a number of stipulations which are included in the above stipulations; and,

**vi. Whereas,** there are currently approximately 11 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 tavern wine license for **Three Owls, LLC, d/b/a Three Owls Market, 800 Washington 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 Tavern Wine License.

Vote: Unanimous, with 32 Board members in favor.

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

**i. Whereas**, at the October 12<sup>th</sup>, 2017 CB2, Manhattan SLA Licensing Committee #2 meeting the Applicant agreed to return to CB2 in December 2017 to further address issues and complaints raised by local residents; On December 13, 2017, the manager, representative and contractor appeared but not the owner; the manager had only been working at the establishment for a number of weeks; CB2, Man. requested that the owner return in January 2018; On January 11, 2018, another manager and contractor appeared but not the owner to update the committee, but acknowledge that work was done the morning of the meeting and just a few days prior and they had not met with residents as they had said they would to calibrate and review the issues on site; the applicant agreed to return again in February 2018; On February 15<sup>th</sup>, 2018, the contractor and a manager appeared again as well as impacted residents who agreed that they would again return in March as there was still additional steps to take to continue to ameliorate the situation; on March 15, 2018, the applicant did not appear but agreed to appear again in April/2018; On April 12<sup>th</sup>, 2018, the contractor appeared and stated that he had installed sound baffling around the entire ventilation unit and showed pictures to the committee indicating as such but stated that he had not been in contact with the residents who had been raising these issues and therefore it was unclear if they had ameliorated the situation – he stated that he would be in contact with residents and would advise CB2, Man. as to the status; these ongoing complaints that are now seemingly being addressed are the same that have been raised year over year and were last memorialized by CB2 in 2013 in a resolution to the Liquor Authority; residents and the applicant agreed to try to once again resolve these issues which center around issues with operation of the sidewalk café and not adhering to Department of Consumer Affairs regulations and ongoing Quality of Life Issues centering around an inability to resolve issues with noisy ventilation fans which the applicant has promised to fix for YEARS but still continues to cause problems; in December 2017, the contractor who appeared acknowledged that the timer on the ventilation fan that shuts it off overnight may be defective and stated they would mount the ventilation equipment on the roof on rubber mounts; as a continuing good faith gesture, CB2, Man. extended the courtesy to the Applicant of a 2-month layover which was extended to 3 months and now 4 months, and now 5 months during which time they can meet with local residents and hopefully resolve the matter once and for all;

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

Vote: Unanimous, with 32 Board members in favor.

**23. Train Design, LLC, d/b/a Pastis, 52-56 Gansevoort St. 10014 (OP – Restaurant)**

**i. Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present a new application to the Liquor Authority for a full service French restaurant and bar; and,



**ii. Whereas,** this application is for a new restaurant on-premises liquor license on the ground floor and basement for a previously licensed location in two separate 2 story buildings (52-54 Gansevoort St. and 56-58 Gansevoort St.), circa 1905, located within the Gansevoort Market Historic District in an M1-5 zoning district, on Gansevoort Street between Greenwich St. and Washington St.; the premises is located on the ground floor and basement in a 8, 316 sq. ft. premises (ground floor is 5,078 sq. ft. and basement for accessory use, no patrons, is 3,238 sq. ft.); there will be 53 tables and 184 table seats and 1 stand up bar with 17 seats; there will be a future application for a new sidewalk café with 40 seats; there is an existing Certificate of Occupancy which does not allow for this use and there is an application currently pending before the NYC Department of Buildings to alter the ground floor occupancy to an Eating and Drinking Establishment with Kitchen with 200 person occupancy, which the applicant says will be **further amended to 274 person occupancy; and,**

**iii. Whereas,** the hours of operation will be from 7AM to 1:30AM Sunday to Wednesday and 7AM to 2:30AM Thursday to Saturday; music will be ambient quiet background only consisting of recorded music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no dj, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; no live music; there will be a future sidewalk café which will close no later than 11PM Sunday to Thursday and 12AM Friday to Saturday; and,

**iv. Whereas,** the Principals of the proposed new establishment include two prominent well established restaurateurs, Keith McNally and Stephen Starr who are partnering together to return a long standing iconic restaurant, Pastis which was previously operated by Keith McNally and which closed several years ago; Pastis was a pioneering restaurant in what has become the Gansevoort Market Historic District and enjoyed widespread community support and which helped support the efforts to landmark the area; and,

**v. Whereas,** the Principals Keith McNally and Stephen Starr separately operate a number of highly regarded restaurants within CB2, Man. and operate many successful and well regarded restaurants in New York City and Philadelphia; and,

**vi. Whereas,** Keith McNally and his Attorney met with local residents and worked through a number of community concerns which predominantly revolved around noise issues including patron noise, noise issues related to the installation of the many mechanical systems on the roof including HVAC systems and the hours of operation of any future sidewalk café; those concerns were addressed with the Principals agreeing to install an acoustical barrier screen, detailed in drawings submitted to Community Board 2, across the rear of the building shielding the historic town houses which abut the rear of the property on Horatio St. from mechanical noises and agreeing to limit the hours of operation for the sidewalk café and other items agreed to as indicating in the agreed upon stipulations; and,

**vii. Whereas,** members of the community appeared and spoke and indicated they were happy that Pastis was returning to the area but also raised issues with respect to the increased traffic in the immediate area and noise, both of which create ongoing Quality of Life issues which directly impact local residents; they were satisfied that the agreed upon stipulations addressed the majority of their concerns and indicated that their experiences with both Mr. McNally and Mr. Starr gave them confidence in supporting this application given their long and unique experiences operating iconic well run establishments; and,

**viii. Whereas,** Stephen Starr and Keith McNally's son Harry McNally appeared before the committee and addressed community concerns and questions from the committee and their representatives explained in detail that the proposed acoustical barrier to be installed on the roof would shield the majority of

mechanical noises from local residents and that closing the French doors along the façade at 10PM would shield patron noise and closing the future sidewalk as indicated would further address patron noise from impacting residents; and,

**ix. 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 on-premise liquor license stating that:

1. This application is for a new restaurant on-premise liquor license for a full service French restaurant and bar.
2. The hours of operation will be from 7AM to 1:30AM Sunday to Wednesday and 7AM to 2:30AM Thursday to Saturday. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will operate a full service restaurant, specifically a full service French restaurant and bar with the kitchen open and full menu items available until closing every night.
4. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
5. The premise will have not have televisions or projectors.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a licensed sidewalk café.
7. Any licensed sidewalk café will operate no later than 11PM Sunday to Thursday and 12AM Friday to Saturday. **All tables and chairs will be stacked against the wall at this time and there will be no patrons in the sidewalk café after stated sidewalk café closing time.**
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. All doors and windows will be closed at 10PM every night and anytime there is music.
10. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
11. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
13. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
14. The premises will not have dancing, DJ’s, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.
15. A remote messaging system will be used if necessary to alert patrons to available tables so that there are no lines in front of the establishment.
16. Posted and advertised hours of operation/closing times will be until 12AM Sunday to Wednesday and 1AM Thursday to Saturday. These hours will also be posted on any websites.

**x. Whereas,** this application being subject to the 500 foot rule requiring the applicant to establish the public interest standard, there being approximately 28 On Premise Liquor Licenses within 500 ft. of the premises and approximately 43 On Premise Liquor Licenses within 750 ft. of the premises, as well as 9 additional pending licenses and not including the significant number of eating/drinking establishments in the area holding beer and wine licenses;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a new restaurant on-premise liquor license for **Train Design, LLC, d/b/a Pastis, 52-56 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 Restaurant Wine

License.

Vote: Unanimous, with 32 Board members in favor.

**24. RBSB, LLC, d/b/a Rock Bar, 185 Christopher St. 10014 (OP – Tavern, DJ, Live Music, Karaoke)**

**i. Whereas**, the applicants appeared before Community Board 2, Manhattan’s SLA Licensing committee to present a new on premise license application to the Liquor Authority to operate a Bar and Tavern within a 3,000 sq. ft. premises (ground floor 1800 for patrons, 1,200 sq. ft. accessory no patrons) in a mixed use three story building located on Christopher St. on the corner of Weehawken St.; and,

**ii. Whereas**, the application is a “transfer application”; the current Licensee appeared along with the applicants for the new license explaining that the current managers of the location and an investor were purchasing the assets of a long operating gay bar and that they would continue to operate under the same method of operation and name, Rock Bar, there being one entrance/exit on Christopher St.; there will be 3 tables with no seats and 1 full service bar with 8 seats; there is no sidewalk café and no backyard use, all doors and windows being closed at 10PM; and,

**iii. Whereas**, the hours of operation will continue to be from 4PM to 4AM Monday to Friday and from 2PM to 4AM Friday to Saturday, there will be 3 TVs, DJs, occasional live music, there will be no dancing, there will be no scheduled performances, outside promoters, promoted events or cover charges to enter the premises, no velvet ropes, no movable barriers and there will be security personnel as necessary; and,

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

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

1. This application is for a new tavern on-premise liquor license for a bar.
2. The hours of operation will be from 4PM to 4AM Monday to Friday and from 2PM to 4AM Friday to Saturday. All patrons will be cleared and no patrons will remain after stated closing times.
3. 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 premises will have no more than 3 televisions. There will be no projectors.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a licensed sidewalk café.
7. No Sidewalk Café is included with this application.
8. There may be a DJ. The premises will play background music only. No music will be audible in any adjacent residences at anytime. There may be live music as indicated below.
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, velvet ropes or metal barricades or security personnel.
16. Live performances will end at 10:30 PM Sunday to Thursday and 12:30AM Friday and Saturday.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of an OP license to **RBSB, LLC, d/b/a Rock Bar, 185 Christopher St. 10014** unless the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” for the OP License.

Vote: Unanimous, with 32 Board members in favor.

**25. LXC, Inc. d/b/a Poke Rice, 162 W. 4<sup>th</sup> St. 10014 (RW – Restaurant)**

**i. Whereas**, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new Restaurant Wine License for a restaurant focusing on Poke Rice; and,

**ii. Whereas**, this application is for a Restaurant Wine License; the premises is previously unlicensed, previously having two separate retail storefronts; the premises is in a mixed-used residential/commercial building located on the ground floor on West 4<sup>th</sup> St. between Cornelia St and Jones St. for a roughly 1,500 sq. ft. premise with 2 tables and 20 seats, and one food counter with 3 seats and a service bar; there is no sidewalk café; there are no other outdoor seating areas and there is an existing Certificate of Occupancy; and,

**iii. Whereas**, the hours of operation will be from 11AM to 11PM 7 days a week; music will be ambient quiet background only consisting of recorded music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be no dj, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; no live music; and,

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

1. This application is for a new restaurant wine license for a restaurant focusing on Poke Rice.
2. The hours of operation will be from 11AM 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 restaurant, specifically a Poke Rice restaurant with the kitchen open and full menu items available until closing every night.
4. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
5. The premise will have not have televisions or projectors.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a licensed sidewalk café.
7. No Sidewalk Café is included with 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.

11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. The premises will not have dancing, DJ’s, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.
16. Will utilize “A frame” signage in a legally compliant manner leaning against the building.
17. Will comply with all NYC Landmark regulations.

**v. Whereas,** the applicant did reach out to the local community block association but apparently did not meet with them, the applicant did not present a petition in support; the local block association submitted a letter in opposition, in particular raising objections due to landmark violations, raising concerns with respect to combining two small retail storefronts to create this space and use of illegal a-frame signage; the applicant indicated that they had resolved the outstanding landmark violation by removing the lit signage, replacing it with painted signage and agreed to legally use “a frame” signage by leaning them against the building; 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 Restaurant Wine License for **LXC, Inc. d/b/a Poke Rice, 162 W. 4<sup>th</sup> 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: Unanimous, with 32 Board members in favor.

**26. Junzi NYC, LLC, d/b/a Junzi Kitchen, 170 Bleecker St. 10012 (OP – Restaurant)**

**i. Whereas,** the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new Restaurant On-Premise Liquor License for a new generation Chinese fast casual restaurant; and,

**ii. Whereas,** this application is for a Restaurant On-Premise Liquor License; the premises is previously licensed and located in a mixed used residential/commercial building located on the ground floor on the Southwest Corner of Bleecker St. and Sullivan St. for a roughly 1,710 sq. ft. premise with 11 tables and 52 seats (includes 17 counter seats), and one stand up bar with no seats; there will be a sidewalk café assignment for 4 tables and 8 seats; there are no other outdoor seating areas and there is an existing Certificate of Occupancy; and,

**iii. Whereas,** the hours of operation will be from 11AM to 12AM Sunday to Thursday and 11AM to 1AM Friday and Saturday; music will be ambient quiet background only consisting of recorded music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be no

dj, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; no live music; 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 on premise liquor license stating that:

1. This application is for a new restaurant on-premise liquor license for a new generation Chinese fast casual restaurant.
2. The hours of operation will be from 11AM to 12AM Sunday to Thursday and 11AM to 1AM Friday and Saturday. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will operate a full service restaurant, specifically a new generation Chinese fast casual restaurant with the kitchen open and full menu items available until closing every night.
4. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
5. The premise will have not have televisions or projectors.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a licensed sidewalk café.
7. Any licensed sidewalk café will operate no later than 10PM Sunday to Wednesday and 11PM Thursday to Saturday. All tables and chairs will be removed at stated sidewalk café closing time and there will be no patrons in the sidewalk café after stated sidewalk café closing time.
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.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
13. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. The premises will not have dancing, DJ’s, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.
17. There will be 11 Tables and 35 table seats, 17 counter seats and 1 standup bar with no seats.
18. The sidewalk café will have no more than 4 tables and 8 seats.
19. Sidewalk café hours – will close at 10PM Sunday to Wednesday and 11PM Thursday to Saturday.

**v. Whereas,** there are currently approximately 47 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 On-Premise Liquor License for **Junzi NYC, LLC, d/b/a Junzi Kitchen, 170 Blecker St. 10012** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 32 Board members in favor.

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

**27. LUV TEA HQ, LLC, d/b/a N/A, 37A Bedford St. 10014 (TW – Tavern Wine/Bar)**

**Whereas**, after this month’s CB2, Manhattan’s SLA Licensing Committee #2 Meeting on April 12th, 2018, the Applicant requested to **layover** this application for a new tavern 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; there is community opposition;

**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 **LUV TEA HQ, LLC, d/b/a N/A, 37A Bedford 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 32 Board members in favor.

**28. Pasta & Potatoes, Inc., d/b/a Village Lantern, 167 Bleecker St. 10012 (OP – Bar/Restaurant) (laid over)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee #2 Meeting on April 12th, 2018, the Applicant requested to **layover** this application for a corporate change alteration to an existing 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 corporate change, alteration application or proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, class change, transfer, upgrade or changes to any existing license for **Pasta & Potatoes, Inc., d/b/a Village Lantern, 167 Bleecker St. 10012 until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 32 Board members in favor.

**29. Chick & Co, LLC, d/b/a Cocu, 26A Carmine St. 10016 (RW – Restaurant - Alteration) (to include sidewalk café) (will not be heard – appeared 10/2017)**

**Whereas**, Chick & Co, LLC submitted a 30-Day Notice in March/2018 to CB2, Man. indicating their intention to file an alteration application to the New York State Liquor Authority to include a new Department of Consumer Affairs licensed sidewalk café; CB2’s October 2017 resolution for the initial Restaurant Wine application includes in the agreed upon stipulations that “Any future sidewalk cafe will close at 10PM. All tables and chairs will be removed at that time.”; and,

**Whereas**, CB2, Man. agreed to waive the appearance of the Licensee in April/2018 provided the applicant continue to adhere to those stipulations entered into in October/2017.

**THEREFORE BE IT RESOLVED** that CB2, Man. has no objection to the alteration application to include a sidewalk café as part of the licensed premises provided that the Licensee **Chick & Co, LLC, d/b/a Cocu, 26A Carmine St. 10016** continues to abide to the stipulations agreed to with CB2, Man. in October 2017.

Vote: Unanimous, with 32 Board members in favor.

**30. 228 Bleecker LLC, d/b/a Aria, 117 Perry St. Store #2, 10014 (OP – Restaurant) (Extend hours of operation by 1 hour nightly) (laid over)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee #2 Meeting on April 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 32 Board members in favor.

**31. Moon Wrap, LLC, d/b/a Wolfnights, 235 Bleecker St. 10014 (Beer & Cider – Quick Service Wraps Restaurant – Proposed 4AM closing) (laid over)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee #2 Meeting on April 12th, 2018, the Applicant requested to **layover** this application for a new restaurant wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed; there is community opposition;

**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 **Moon Wrap, LLC, d/b/a Wolfnights, 235 Bleecker St. 10014** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 32 Board members in favor.



**32. Stereo MC, LLC, d/b/a Provocateur, 18 Ninth Ave. No.2 10014 (OP – Bar/Lounge/Tavern with DJ & Patron Dancing) (layover/withdrawal?)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee #2 Meeting on April 12th, 2018, the Applicant requested to either layover or withdraw this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed; there is community opposition to this application;

**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 **Stereo MC, LLC, d/b/a Provocateur, 18 Ninth Ave. No.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 32 Board members in favor.

**33. Perry & Hudson, LLC, d/b/a TBD, 551 Hudson St. 10014 (OP – Restaurant with Sidewalk Café) (withdrawn-will resubmit)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee #2 Meeting on April 12th, 2018, the Applicant requested to withdraw this application for a new restaurant on-premise liquor license with a sidewalk café and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **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 32 Board members in favor.

**34. Entity to be formed by John Fraser and Massimo Lusardi, d/b/a TBD, 225 W. 4th St. 10014 (OP- Restaurant/Bar, DJ, Live Music, Sidewalk Cafe) (laid over)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee #2 Meeting on April 12th, 2018, the Applicant requested to layover this application for a new restaurant on-premise liquor license with a sidewalk café 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 to the application;

**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 **Entity to be formed by John Fraser and Massimo Lusardi, d/b/a TBD, 225 W. 4th St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 32 Board members in favor.

**35. Siren Retail Corporation, d/b/a Princi, 31 W. 4th St. 10012 (OP – Bar/Tavern) (withdrawn-will resubmit later in the year)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on April 12th, 2018, the Applicant requested to **withdraw** this application for a new restaurant on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of 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 **Siren Retail Corporation, d/b/a Princi, 31 W. 4th St. 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 32 Board members in favor.

**TRAFFIC AND TRANSPORTATION**

**1. Resolution in support of co-naming the southwest corner of MacDougal and Houston Sts. Lucy and Lenny Cecere Way**

**Whereas** the Greenwich Village Society for Historic Preservation (GVSHIP) has proposed that the southwest corner of MacDougal and Houston Sts. be co-named in honor of Lucy and Lenny Cecere, who lived and worked there for many years and were (as GVSHIP so fittingly describes) "cornerstones of their community and contributed immeasurably to the life of their neighborhood" through "their tenacious advocacy, their service, their warmth and humor," and were dedicated and worked throughout their lives to improve the community's welfare; and

**Whereas** Lucy Cecere, from her earliest years, was devoted to serving the community, a passionate commitment she credited her mother with instilling, which grew into a life of service and achievement that continues to benefit the CB2, Man. community, and included the following:

- Lucy Cecere helped save the Village Nursing Home (now Village Care) when it was threatened with closing in 1975 and served on their Board for her entire life. The community-based Village Care remains an important primary-care institution for the elderly and frail and for people with H.I.V./A.I.D.S. in Downtown and Lower Manhattan.

- She founded the original Golden Age Club to support low-income seniors with healthy meals.
- She was the co-founder of the Caring Community (and long-time Board member), which today serves more than 2,000 senior citizens at four different locations in and around Greenwich Village, attending to their health, their nurture, their appetites, their interests, their need for community and their all-round well-being.
- She was an active member (one of the first) of GVSHP's South Village Advisory Board, working to achieve landmark designation for the South Village neighborhood and also campaigning to save individual historic buildings throughout the community.
- After 9/11, she coordinated with NYPD to provide meals to first responders; and

**Whereas** Lenny Cecere was equally community-minded as his wife, Lucy, running the Something Special store in their building for 36 years, selling notions like costume jewelry, porcelain figures and greeting cards as well as donuts, candy, soda and serving hot chocolate to children from St. Anthony's school across the street, while renting out mailboxes, but with his warm and welcoming personality, transformed Something Special into a center of the community, a place where neighbors came to hang out, chat, exchange information, comfort and be comforted, share memories and ideas and altogether experience a sense of belonging and being part of the life of the community, whether they were celebrities like Patti Smith, Matthew Broderick and Sarah Jessica Parker or all sorts of local residents, workers, artists and politicians, all who gathered there and intermingled. His community involvement also included being an active member of the Father's Club at Our Lady of Pompeii School and of the Knights of Columbus and American Legion Posts in Greenwich Village; and

**Whereas** numerous friends and neighbors came to support the co-name proposal and share their fond memories and experiences of Lucy and Lenny Cecere, among them former NY State Senator Thomas Duane, who described them as "a bridge from one generation to another" and praised their work to make a better Village; local businessman, Peter DeLuca, who said they made sure that he got involved in community life, service and activism; and Richard Blodgett for the Charlton St. Block Assn.; written support was also received from many, such as Assembly Member Deborah Glick and the Bleecker Area Residents & Merchants Assn. (BAMRA); and

**Whereas** a petition was received in support of the co-naming with over 400 signatures, 95% of them from residents of the community, and the remaining 5% or so largely from former residents or people who were in some way connected to the Cecere's work in the local community; and

**Whereas** Lucy and Lenny Cecere were the children of Italian immigrants and part of the once-thriving Greenwich Village Italian-American community, providing an important connection to Greenwich Village's history and identity; and

**Whereas** Lucy and Lenny Cecere's activities more than adequately meet CB2's Street Co-Naming Guidelines, and, again in the words of GVSHP, they " were inextricably interwoven and enormously engaged with the fabric of their neighborhood they embodied so much of what we treasure about this community and gave so much to it";

**Therefore be it resolved** that CB2, Man. wholeheartedly endorses co-naming the southwest corner of MacDougal and Houston Sts. Lucy and Lenny Cecere Way.

Vote: Unanimous, with 31 Board Members in favor.

**2. Resolution requesting that DOT explore a potential left-turn lane and other solutions in a holistic study including several adjoining blocks, to relieve congestion and backups at the intersection of Broadway and Spring Sts. and improve pedestrian safety.**

**Whereas** representatives of the SoHo Broadway Initiative and the Broadway Residents Coalition, together representing thousands of local residents and businesses, presented a request for DOT to do a holistic study to determine solutions, such as a potential left-turn lane, to alleviate the excessive backup of motor vehicles turning left (east) from Broadway onto Spring St., the highly congested traffic conditions in that area, the blocked crosswalks, and the resulting danger to pedestrians; and

**Whereas** Broadway in the SoHo area is a four-lane street with two parking lanes (mostly for commercial parking 8 am to 6 pm six days a week and general parking otherwise), a bus-only lane Mon-Fri 7 am to 7 pm, and one moving lane for vehicular travel; and

**Whereas** southbound traffic turning left from Broadway onto Spring St., blocking the one traffic lane on Broadway as vehicles turn and slow down and/or pause for the high volume of pedestrians crossing Spring, as well as Broadway, has been a problem for many years, which was noted in the NYC Dept. of Transportation's (DOT's) Bowery-Houston-Bleecker Study five years ago, a condition that has only worsened since then; and

**Whereas** the bus lane is frequently blocked by tour buses holding over (often for up to an hour) at the sightseeing bus stop just south of Spring St. (in front of 515 to 525 Broadway), which contributes to the congestion; and

**Whereas** many illegal food trucks come to the area, vending near the corners, switching from one side of Broadway to the other, so that the 1<sup>st</sup> and the 5<sup>th</sup> police precincts (which each are assigned one side of the street, the 5<sup>th</sup> on the east, the 1<sup>st</sup> on the west) have difficulty enforcing if not on their separate sides, adding to further congestion difficulties; and

**Whereas** the crosswalks are frequently blocked by the vehicular congestion, and the considerable number of pedestrians on the narrow sidewalks seeking to cross the street are constrained in getting across, adding to their lack of safety; and

**Whereas** the Bowery-Houston-Bleecker Study suggested installing a left-turn lane on Broadway approaching Spring St., but conditions since the time of the study have changed, for example, five years ago, there was commercial parking on the north side of Spring St. east of Broadway, and now there's a bicycle lane at that location with a parking lane on the south side. Commercial parking which accommodates deliveries (loading zone) is currently located on the east side of Broadway north of Spring adjacent only to commercial buildings (as well as on the west side of Broadway), but were a left-turn lane installed, this parking and loading activity would have to be cleared and possibly moved further north adjacent to mixed use residential buildings on that Broadway east side, depending on how much room is needed for a left-turn lane, a scenario that could cause noise disturbances for residents because of night deliveries under their windows;

**Therefore be it resolved** that CB2, Man. urges DOT to conduct a holistic study encompassing Broadway to Lafayette St./Prince to Grand Sts. to assess conditions in the Broadway-Spring St. section and the impacts and interactions in the surrounding area that affect it and to devise solutions to relieve congestion and promote pedestrian safety there; and

**Be it further resolved** that CB2, Man. suggests that DOT investigate a variety of potential solutions and institute the most feasible for that problematic Broadway-Spring St. intersection, including:

- LPIs (Leading Pedestrian Intervals) in traffic signalization.
- A left-turn only lane on Broadway leading east on Spring St., taking into consideration the necessary length for the left-turn lane (no more than 100 ft. preferred, preferably less) and whether it would result in noisy deliveries encroaching on residential living.
- Removal and relocation of the tour bus stop away from Broadway below Spring (in front of 515 to 525 Broadway).
- Widened crosswalks.
- A Barnes Dance crossing.

**Be it further resolved** that CB2, Man. encourages DOT to work with NYPD in establishing a consistent and continuous enforcement program that includes a traffic agent at the Broadway-Spring St. intersection at all times, with in-depth monitoring Mon-Sat from 4-9 pm; and

**Be it further resolved** that CB2, Man. encourages the 1<sup>st</sup> and 5<sup>th</sup> precincts to work together cooperatively in enforcement activities to keep out illegal food trucks in the Broadway-Spring St. area, perhaps considering towing as part of their strategy; and

**Be it finally resolved** that CB2, Man. asks DOT to come to CB2 at the study's completion to present their findings and recommendations.

Vote: Unanimous, with 31 Board Members in favor.

### **3. Resolution in response to Resolution passed by Community Board 1 Manhattan regarding Student MetroCard Reform.**

**Whereas** one of the missions of CB2, Man. is to advocate for funding, programs, and policies that support youth to secure a college education, careers of their own choosing, and economic stability for them and their families; and

**Whereas** the New York Department of Education provides elementary and secondary school students with full fare and half fare MTA student MetroCards whose usages only work when school is in session; and

**Whereas** a full fare student MetroCard is restricted to three trips per school day on both subway and surface bus lines between the hours of 5:30am and 8:30pm; and

**Whereas** a half fare student MetroCard is restricted to three trips per school day on surface transportation only; and

**Whereas** additionally, a special four trip Metro Card is available upon the principal's request; and

**Whereas** the eligibility of students to obtain and use full fare and half fare student MetroCards is determined by the School's Chancellor's Regulation A-801, which takes into account the student's grade level and the distance between the student's residence and school; and

**Whereas** student MetroCards were originally implemented for the purpose of providing students with transportation to school and school-related activities; and

**Whereas** participation in school-related and after-school activities provides an enriching experience for students and contributes to academic success; and

**Whereas** students should be encouraged to participate in school-related and after-school activities, where accommodations should be made to ensure that students have access to appropriate transportation to attend such activities; and

**Whereas** a simple plan could be devised whereby a student could acquire a supplemental student MetroCard upon providing proof of a school-related or after-school activity-related need; and

**Whereas** the Care2 Petition “Demand Unlimited MetroCards for Teens” expresses the grievances of 11,544 supporters in the current framework of the student MetroCards”;

**Therefore be it resolved** that CB2, Man. encourages the MTA to increase the number of allocated rides of all student MetroCards from 3 rides per day to a total ride limit of 4 rides per day to provide a sufficient amount of rides for students to pursue educational school-related and after-school activities; and

**Be it further resolved** that CB2, Man. supports student MetroCard usages to be accessible for students on weekends (Saturday and Sunday) with a reduced total ride limit of 2 rides per day to allow students to pursue school-related activities that occur on weekends; and

**Be it further resolved** that CB2, Man. supports the elimination of half fare student MetroCards in place of full fare student MetroCards in the belief that the former presents itself and accumulates into a financial burden on the students’ families, which prohibits students from participating in these activities; and

**Be it finally resolved** that CB2, Man. supports an amendment to the Student Bill of Rights pursuant of the New York City Department of Education Discipline Code to give every student a student MetroCard in order to carry out the responsibilities as outlined for students.

Vote: Unanimous, with 31 Board Members in favor.

Respectfully submitted,

Keen Berger  
Secretary  
Community Board #2, Manhattan