

Carter Booth, *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:** June 20, 2019  
**TIME:** 6:30 P.M.  
**PLACE:** Scholastic Building, 130 Mercer Street, Auditorium

**BOARD MEMBERS PRESENT:** Susanna Aaron, Keen Berger, Carter Booth, Chair; Katy Bordonaro, Anita Brandt, Amy Brenna, Richard Caccappolo, Lisa Cannistraci, Ritu Chatree, Tom Connor, Valerie De La Rosa, Doris Diether, Robert Ely, Cormac Flynn, Joseph Gallagher, Jonathan Geballe, Wayne Kawadler, Susan Kent, Jeanine Kiely, Ryder Kessler, Matthew Metzger, Daniel Miller, Donna Raftery, Lois Rakoff, Sandy Russo, Rocio Sanz, Shirley Secunda, Kristin Shea, Frederica Sigel, Shirley Smith, Susan Wittenberg, Adam Zeldin

**BOARD MEMBERS ABSENT WITH NOTIFICATION:** Erik Coler, Kathleen Faccini, Janet Liff, Brian Pape, Bo Riccobono, Robin Rothstein, Scott Sartiano, Cathy Sullivan

**BOARD MEMBERS ABSENT:** Maud Maron

**BOARD MEMBERS PRESENT/ARRIVED LATE:** Coral Dawson, Susan Gammie, David Gruber, Patricia Laraia, Georgie Silvera Seamans, Chenault Spence, Antony Wong

**BOARD MEMBERS PRESENT/LEFT EARLY:** Coral Dawson

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

**GUESTS:** Jacob Priley, Senator Brad Hoylman's office; Danielle Segall, Senator Brian Kavanaugh's office; Andrew Chang, Manhattan Borough President Gale Brewer's office; Claudia Zhu, Assembly Member Yuh-Line Niou'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; Rush Perez, Council Member Margaret Chin's office; Richard Iorio, Christopher Marte, Gloria Ramirez, Lynn Pacifico, Ariane Schaffer, William Benesh, Darlene Lutz, M. Lewis, Scott Shnay, Abe Schwartz, Raymond Rivera, Lincoln Anderson, Stuart Cornfeld, Laurent Drogin, Jonathan Hogstad, Eric Daniel, Kwabena Abboa-Offei, Mareu Schugot, Maya Kremer, Julie Rosen, Bonnie Lynn, Zella Jones, Jane Carey, Pete Davies, Livvie Mann, Jazmine Javier-LaRosa, Patricia Hayes, Anne Mitcheltree, Michael Paleudis, Valerie Campbell, Harry Bubbing, Timothy Rosser, Mary Ann Pizza, Cassie Carrillo, Laine Noonz, Mar Fitzgerald

**MEETING SUMMARY**

Meeting Date – June 20, 2019  
Board Members Present – 39  
Board Members Absent With Notification – 8  
Board Members Absent - 1  
Board Members Present/Arrived Late - 7  
Board Members Present/Left Early –

**I. SUMMARY AND INDEX**

|                                 |    |
|---------------------------------|----|
| ATTENDANCE                      | 1  |
| MEETING SUMMARY                 | 2  |
| 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      | 4  |
| LAND USE & BUSINESS DEVELOPMENT | 4  |
| LANDMARKS AND PUBLIC AESTHETICS | 7  |
| PARKS/WATERFRONT                | 12 |
| QUALITY OF LIFE                 | 14 |
| SCHOOLS & EDUCATION             | 19 |
| SLA LICENSING                   | 21 |

**II. PUBLIC SESSION**

**Non-Agenda Items**

Whitney Museum of American Art  
Jane Carey gave an updated regarding museum events and showings.

Proposed New Jails  
Christopher Marte spoke against these new proposals.

Gitano, 76 Varick St.  
Darlene Lutz spoke in opposition to this establishment due to ongoing issues.

Gansevoort Design  
Lynn Pacifico spoke regarding this topic.

Dangerous Tree Guard Problem  
Patricia Hayes spoke regarding a tree guard problem at 21 W. 12<sup>th</sup> St.

## **Land Use & Business Development Items**

363 Lafayette St. DCP application seeking a special permit to modify use regulations to allow Use Group 6 (retail uses) on portions of the ground fl., cellar and sub-cellar of a 10-story building under construction

Valerie Campbell, Laurent Drogin, Scott Shnay, Zella Jones and Kwabena Abboa-Offei, spoke in favor of the proposed special permit application.

Harry Bubbing Jonathan Hogstad and Richard Iorio, spoke against the proposed special permit application.

## **SLA Licensing Items**

Houston Hospitality Group, LLC d/b/a Biamo, 178 W. Houston St.  
Livvie Mann and Mary Ann Pizza spoke against the proposed On Premise liquor license application.

## **ADOPTION OF AGENDA**

### **III. ELECTED OFFICIALS PRESENT AND REPORTING**

Jacob Priley, Senator Brad Hoylman's office

Danielle Segall, Senator Brian Kavanagh's office;

Laurence Hong, Assembly Member Yuh-Line Niou's office

Charles Anderson, Assembly Member Deborah Glick's office

Michael Stinson, NYC Comptroller Scott Stringer's office

Andrew Chang, Manhattan Borough President Gale Brewer's office

Patrice Comerford, Council Speaker Corey Johnson's office

Rush Perez, Council Member Margaret Chin's office

Irak Cehonski, Council Member Carlina Rivera's office

### **IV. ADOPTION OF MINUTES**

Adoption of May minutes

### **V. BUSINESS SESSION**

1.**Chair's Report** Carter Booth reported.

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

## **STANDING COMMITTEE REPORTS**

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

**1. 435 Hudson St. (between Morton and Leroy Sts.) - BSA Cal. No. 2019-62-BZ is an application filed pursuant to Section 73-36 for a special permit for a term of ten years to permit the operation of a physical culture establishment known as S10 Training.**

#### **Whereas:**

1. The site is in a M1-5 (MX-6) zoning district and contains a nine-story plus cellar existing commercial building.
2. The PCE is located in the cellar, with a first-floor lobby entrance (stairs and an elevator) on Leroy St. Total zoning floor area of the PCE will be 350 square feet (7248 gross square feet).
3. The premises will comply with all applicable accessibility law, and required fire safety measures.
4. No noise issues are anticipated with the PCE use, due to the eight-inch concrete ceilings of the cellar. To ensure sound attenuation, rubber gym flooring is proposed in the activity areas speakers are isolation-mounted.
5. The site is well-served by public transportation.
6. Hours of operation are based on client demand, but it is expected that regular operating hours will be from 7:00 am to 10:00 pm daily. It is anticipated that the site will offer 5-7 sessions on weekdays and 7-9 sessions on weekends.
7. Total staff is approximately 10, including trainers and other staff.
8. The PCE will not interfere with any public improvement project or existing street system nor will it have any negative impact on the surrounding streets.
9. The operation of the facility does not impair the essential character or future use of development of the surrounding area and is in keeping with the mixed-use character of the neighborhood.
10. There is no portion of the PCE on the roof.
11. There are no potential hazards that impact the privacy, light and air in the neighborhood.
12. As of Jan 31, 2019, there are no open DOB violations and one ECB violation that does not relate to the PCE.
13. The building has a Certificate of Occupancy.
14. No one from the neighborhood appeared to speak against the application.

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

Vote: Unanimous, with 39 Board members in favor.

**2. 704 Broadway (on the west side of Broadway, north of E. 4 St) - BSA Cal. No. 2019-75-BZ is an application filed pursuant to Sections 73-03 and 73-19 for a special permit for a term of 10 years for a child day care center.**

#### **Whereas:**

1. The site is in a M1-5B zoning district within the NoHo Historic District and the facility would be located on the first floor, mezzanine and cellar of an existing eight-story building that is occupied on the upper floors by Joint Live Work Quarters for Artists (JLWQA).
2. The neighborhood is primarily a mix of JLWQA use, commercial and residential buildings and NYU.
3. The facility's dedicated entrance is on Broadway; the upper floors have a separate entrance on Broadway.

4. The facility will meet NYS licensing and related requirements and will serve 83 children ranging in age from 6 weeks to 5 years. There will be a full-time staff of 23.
5. The facility will occupy 8591 square feet of usable floor area and the proposed hours and days of operation are 7:00 am – 7:00 pm, Monday to Friday.
6. Students will come primarily from the surrounding area and will arrive and depart on foot; there will be no buses or vans.
7. Bright Horizons has several other facilities in NYC. Finding sites is difficult due to the multitude of criteria that must be satisfied. In the last two years, 35 sites have been evaluated.
8. The site is within 400 feet of the boundary of a district where such a use is permitted.
9. The area does not contain manufacturing uses and does not have the potential adverse impacts associated with non-residential districts.
10. These very young children can be controlled so as to avoid the dangers of movement of traffic through the street.
11. The subject use will have no adverse impact on the community. There are no potential hazards that impact on the privacy, light and air, and quiet of the neighborhood.
12. The subject project will not interfere with any public improvement project or with the existing street system.
13. The ceiling will have baffling and there will be no music.
14. There are no open DPB violations against the building and there is a current Certificate of Occupancy.
15. No one from the neighborhood appeared to speak against the application.

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

Vote: Unanimous, with 39 Board members in favor.

**3. 363 Lafayette St. (between Bond and W. 3<sup>rd</sup> Sts.) - DCP C 190317 ZSM is an application seeking a special permit pursuant to Section 74-781 of the New York City Zoning Resolution to modify the use regulations of Section 42-14(D)(2)(b) to allow Use Group 6 (retail uses) on portions of the ground floor, cellar and sub-cellar of a 10-story building now under construction in an M1-5B district.**

**Whereas:**

1. CB2's Land Use committee heard this application at its May and June meetings.
2. The site is in a M1-5B zoning district.
3. The building will contain 4,803 sf on the ground floor, 2,992 sf in the cellar, and 3,271 sf in the sub-cellar (a total of 11,066 sf), and so the applicant is required to actively pursue a good faith effort to advertise the space below the second floor for a period of no less than one year to a conforming use at fair market rentals.
4. The applicant began such efforts on October 8, 2017 by retaining Jones Lang Lasalle who for one year advertised the space in local and citywide press, listed the space with brokers, and informed local and citywide industry groups. The ads were legible and JLL properly logged all communication.
5. The advertised rent for the space was \$80 per square foot, routinely suggested by the Department of City Planning for many properties in SoHo/NoHo that go through the 74-781 process, regardless of location and condition.
6. For example, almost two years ago, on July 12, 2017, CB2's Land Use committee heard a presentation for a 74-781 application for retail at ground and cellar levels at 449 Broadway. At that meeting, that project's land use attorney told the committee that the rent for both ground floor and cellar had been set in concert with DCP at \$80 per square foot.

7. CB2, Man. is concerned as to how often DCP revises the suggested \$80 rate and how attractive and reflective of current market conditions this rate is.
8. Efforts by the City to preserve the Garment District, another struggling manufacturing zone, have resulted in suggested rents of only \$35 per square foot.
9. Since the applicant's original newspaper ads referenced only the floor area of the ground floor, in January 2019, DCP asked JLL to place supplemental advertisements for the cellar and sub-cellar in two newspapers at \$40 per square foot. In the past, there was no charge for manufacturing space below ground floor level as it was largely unimproved and for storage only, so even a charge of \$40 seems excessive.
10. By letter, the applicant at 363 Lafayette notified the NYC Economic Development Corp. and 11 industry organizations, five of which are not even in Manhattan. The letters to these groups did not quote a price per square foot nor make it clear why they were being written: Was it to entice the group itself to move or to solicit the group's help in notifying its constituents of the availability of the space?
11. Members of SEIU 32BJ attended both meetings to protest this application. The CB2, Man. office also received 156 phone calls and five emails, most of which identified themselves as from the union.
12. Representatives of SEIU 32BJ stated that JLL advertised the ground floor as retail space in a marketing brochure starting in October 2017—the same month the applicant started its good faith marketing effort and a year before applying for the special permit. Also, as early as August 2018, the building's architect and engineer both described the property on their websites as having ground floor retail space. SEIU 32BJ also stated that JLL did not currently list 363 Lafayette as a property for lease on its website and they questioned why the house of worship (a conforming ground-floor use in the zoning district) took space on the second and third floors and not on the ground floor.
13. In a letter dated June 5<sup>th</sup>, Greenwich Village Society for Historic Preservation noted that only “wholesale and light manufacturing” were highlighted as conforming uses in the advertisements for the space.
14. CB2, Man. has a track record of approving 74-781 applications in cases where the applicant has attempted to respect the process and follow the guidelines.
15. Following the May meeting, the applicant addressed many of the committee's quality of life concerns in a letter dated May 31, 2019 in which they formally agree to:
16. Limit the use of the sub-cellar to accessory uses.
17. Prohibit illuminated or animated signage on the rear wall of the one-story extension.
18. Impose additional signage guidelines on future retail tenants that would constrain them from requesting more signage from LPC than would be permitted in these signage guidelines.
19. No exterior retail signage on Great Jones St.
20. Exterior signage on Lafayette St. would consist of non-illuminated, pin-mounted, stainless steel lettering mounted in the sign bands above the retail entrances and in up to two bays on the one-story “tail” of the retail space.
21. Insert a provision in the retail lease(s) that restricts retail deliveries to daytime hours and prohibits the retail tenant(s) from blocking the sidewalk with garbage.
22. Work with CB2, Man., NYC DOT, and others to widen the sidewalk at this intersection to alleviate congestion (such as was done in the past at 19 E. Houston St.)

**Therefore, be it resolved** that CB2, Man. recommends that this application be **denied unless** the stipulations in the May 31, 2019 letter become part of the CPC's permit approval; and

**Be it further resolved** that CB2, Man. strongly calls on DCP to provide better guidance to applicants with respect to market conditions, marketing plans, and range of possible uses, including:

- a. Updating the list of recommended places to advertise.

- b. Updating the list of recommended industry groups to contact and specifying the contents and purpose of the letter that applicants must write to them.
- c. Revising the recommended price per square foot to adequately reflect the prevailing market conditions for the site of each application.
- d. Eliminating the square foot charge for cellar and sub-cellar space for conforming uses; and

**Be it finally resolved** that CB2, Man., which represents the community and has intimate knowledge of its neighborhoods and market conditions, be permitted to review such marketing plans and guidelines at the beginning, rather than at the end, of the process.

Vote: Passed with 37 Board members in favor and 2 Board members opposed (S. Russo, S. Wittenberg).

### **LANDMARKS AND PUBLIC AESTHETICS**

1. **43 Perry Street.** - Application is to replace windows at the primary façade.

#### **Whereas:**

A. The facade was extensively altered prior to designation to a Dutch inspired style with a stained glass window on the ground floor and custom casement windows incorporating distinctive round stained glass elements on the upper floors; and

B. The applicant presented evidence that the window with stained glass on the first floor can be restored while the existing casement windows on the upper floors are deteriorated to the extent that they are beyond repair; and

C. The existing windows date from the 1948 pre-designation design, with custom made mullions fitted with round architectural stained glass in each section, and they are clearly integral to the design of building and in this respect are historic to the existing facade; and

D. The proposal is to replace all of the windows with sliding style windows with considerably wider frames and “snap-in” mullions and is in no respect suitable for this building and the historic neighborhood; now

**Therefore be it resolved** that CB2, Man. recommends **denial** of the application and recommends that the stained glass window on the first floor be restored and kept in place and that replacement windows on the upper floors be casements and copy or be in the style of the existing windows and preserve the mullion design and round architectural stained glass elements in their existing positions.

Vote: Unanimous, with 39 Board members in favor.

2. **83 Wooster St.** – Application is to renew a Master Plan regarding painted wall signage.

#### **Whereas:**

A. There is a ghost sign which was protected with a sealant prior to the installation of the existing painted sign; and

- B. The applicant represented that the sealant permits removal of the existing sign without disturbing the ghost sign beneath it and proposes painting a new, smaller one in approximately the same position; and
- C. The new sign will conform to the present regulations applicable to this building and new proposed regulations; now

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

**Approval** of this application provided the Commission staff ensures that the plan and subsequent new signs conform to the regulations applicable to this building.

Vote: Unanimous, with 39 Board members in favor.

- 3. 190 Bowery** - Application is to establish a Master Plan for painted murals on the water tank on top of the building.

**Whereas:**

- A. The Beaux Arts building has been authentically restored and is prominent in the neighborhood; and
- B. The building's archetypical water tank is clearly visible from a wide variety of vantage points; and
- C. The neighborhood is well known as the home of a number of early Pop Art artists; and
- D. The proposal is for a master plan for changing paintings without text covering the tank; and
- E. The only precedent for water towers used as public art surfaces within a historic district was a temporary project where the tank was ultimately removed with the art intact.; and
- F. The design calls undue attention to itself and measurably detracts from the beautifully restored Art Deco building; now

**Therefore, be it resolved** that CB2, Man. recommends **denial** of this application as inappropriate to the building and to the neighborhood.

Vote: Passed, with 38 Board members in favor, and 1 in opposition (M. Metzger).

- 4. 265 W. 11th St.** - Application is to modify the street facade, rear facade, and a bulkhead approved at staff level by the LPC. (**laid over**)
- 5. 501 Hudson St. AKA 131 Christopher St.** - Application is to remove storefront infill, awnings, signage, HVAC unit, bracket sign, barber pole, lighting and conduit, installed without LPC permits, and install new awnings, signage, storefront infill, and metal cladding.

**Whereas:**

- A. The present condition is a random assortment of infills and signs, none of which is historic and much of which is in violation; and



- B. The proposal is for unified infill with black frames for the several shops in the style of the one bay with an approved infill; and
- C. The awnings are black, 3' deep and the width of the individual shops and uniform non-illuminated signs 2' high and a width appropriate to the width of the shops are proposed above the shops on the metal cladding in the position of a traditional signband; now

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

Vote: Unanimous, with 39 Board members in favor.

**6. 155 Wooster St.** - Application is to renew a Master Plan regarding painted wall signage

**Whereas:**

- A. A prior permit for five years has expired; and
- B. The master plan presented in the application is represented by the applicant as conforming to both the existing regulations and the proposed new regulations for the neighborhood and building; now

**Therefore be it resolved** that CB2, Man. recommends **approval** of this application provided that the Commission staff ensure that the master plan conforms to applicable regulations.

Vote: Unanimous, with 39 Board members in favor.

**7. 166 Crosby St.** – Application is to renovate the existing lobby, modify the existing storefront infill, and install a new metal awning.

**Whereas:**

- A. The existing condition of both facades is an assortment of infills;
- B. The proposed revisions will maintain the style of the facade and provide entrances in additional bays; and
- C. One bay contains an elevator shaft and it will be treated similarly with appropriate backlighting; and
- D. The materials of the proposed infill are wood, glass, and cast iron with non-historic and inappropriate metal doors; and
- E. An open metal-slat awning, proposed for the Crosby Street side is boldly modern, oddly proportioned and affords no protection for the entrance; now

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

- A. Approval of the application for the alterations to the infill; and
- B. Denial of the metal doors and in their place recommends historic style doors in wood; and
- C. Denial of the awning as not being in the style of the building and its infill.

Vote: Unanimous, with 39 Board members in favor.

**8. 142 Grand St. (DEP shaft site-Grand & Lafayette Sts.) – Application is to replace a fence and paving, and install site furnishings.**

**Whereas:**

The site is a vacant lot above a water tunnel distribution connection and has inherent special considerations in the design of the garden; and

B. The design has perimeter planting areas with evergreen trees on two sides and a small central lawn area in artificial turf with a single tree because a considerable area must remain unplanted to provide access to the water tunnel; and the paving is permeable stone in a Belgian block design in artificial turf in certain areas; and

C. There are bench seating, stone seating, lampposts, trash receptacles, and interpretive signs and water fountains throughout and one street tree; and

D. The representatives of the Parks Department have been responsive to the needs and concerns of the community and the design affords an agreeable oasis in a neighborhood with few open spaces; now

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

Vote: Unanimous, with 39 Board members in favor.

**9. 50 W. 12<sup>th</sup> St. – Petition seeking CB2 support for the installation of a plaque designating this building as an official former residence of author/illustrator Eric Carle. (laid over)**

**10. 13 Bank St. – Application is to alter the rear façade windows on the 4<sup>th</sup> floor.**

**(will be reviewed by LPC at staff level)**

**11. 421 W. 13<sup>th</sup> St. – Application is to legalize the installation of signage without LPC permits.**

**(laid over)**

**12. 100A 7th Ave. So. –Application is to replace the existing front doors and awning at the cellar level.**

A. The existing condition is red wooden doors and a black canopy extending to the curb; and

B. The front doors are to be replaced with wooden doors with windows and wooden panels ; and

C. The black canopy, designed in such a way as not to obstruct the brick arch detailing above the door, is 5’ deep, 6’ wide height, located 8’ 6” above the sidewalk and includes backlighted lettering and downlight; and

D. The stone surround will be cleaned and restored; now

**Therefore be it resolved** that CB2, Man. recommends **approval** of the application with the provision that the existing doors, which preserve the memory of the Actors' Playhouse, an important Off-Broadway theatre which occupied the space for many years, be retained and restored.

Vote: Unanimous, with 39 Board members in favor.

**13. 17 E. 9th St.** - Application is to renovate the existing façade, modify the interior layouts from multi- to a single-family, and rear bulk addition. **(laid over)**

**14. 317 W. 11<sup>th</sup> St. and 319 W. 11<sup>th</sup> St.** – Application is to install a rooftop addition, excavate to enlarge existing cellar, and modify the front façade, areaway, and existing rear yard addition. **(laid over)**

**15. 568 Broadway** – Application is to modify the Prince St. side of the building including removal of window security grills, modifications to entrance doors for accessibility, installation of awnings and relocation of window louvers.

**Whereas:**

A. The security grills, represented by the applicant as not original, are to be removed; and

B. One bay containing an elevated entryway and a window is to be reconfigured with two matching doorways, in a sensitive adaptation of the building's design, in order to provide accessibility; now

**Therefore be it resolved** that CB2, Man. recommends approval of the application with the provision that the grills be retained and reused in a visible location in the building.

Vote: Unanimous, with 39 Board members in favor.

**16. 37-39 Perry St.** - **Application is to modify the front and rear facades and to construct a rooftop addition.**

**Whereas:**

A. The two two-window wide townhouses have been united into one property, preserving the visual separation of the original houses, principally with a drainpipe as the demarcation between the buildings; and

B. The existing condition is with a garage entrance on the east side and an entry, gated stair to the lower level, and a window on the west side; and

C. The proposed facade design seeks to achieve complete unity of the two houses creating a continuous facade four windows wide, which is amplified by the strong horizontal design of the first floor brickwork, and erases any idea of two separate houses; and

D. The east side garage opening is retained with double wooden garage doors and the west side is reconfigured with an entryway and window aligned with the windows above; and

- E. The parlor floor windows are lengthened to the classic, and likely original, height with guard grills, the upper floor windows are two over two double sash, shutters are installed on the three upper floors, and the masonry is to be restored; and
- F. A continuous cornice uniting the 2 front facades is not in keeping with the buildings' origins as 2 distinct row houses and thus atypical of matching row houses in the district; and
- G. The rear facade and extension are retained with larger windows on the first floor, lengthening of the parlor floor windows and two over two windows on the upper floors; and
- H. The applicant represented, without providing evidence, that the bricks above the rear facade extension are deteriorated beyond repair and will be replaced with similar material; and
- I. The roof is to be raised less than one foot and stair landing bulkhead and a taller elevator bulkhead at 13' above the roof were represented by the applicant as not being visible from any public, though the photographs with the mockup in place were totally obscured by trees and no determination could be made from them; now

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

- A. **Approval** of the facade material restoration, windows, shutters, and cornice; and
- B. **Approval** of the rear restoration provided that the Landmarks Commission staff affirm that the original rear wall above the extension cannot be restored; and
- C. **Approval** of the roof work provided that Landmarks Commission staff affirm that there is no visibility of the bulkheads and that the materials are acceptable; and
- D. **Denial** of aspects of the design that erases the demarcation of the two separate original houses, such as relocation of the drainpipe and the proposed continuous cornice rather than two clearly separate cornices that expresses the individual original row houses.

Vote: Unanimous, with 39 Board members in favor.

## **PARKS/ WATERFRONT**

### **1. A Resolution In Support of Revised Designs for DEP Water Tunnel Sites at East 4<sup>th</sup> Street and Grand/Lafayette**

#### **Whereas:**

1. In December, 2015, CB2, Man. passed a resolution urging the Department of Environmental Protection (DEP) to convey the three water tunnel sites in CB2 to the Department of Parks and Recreation (DPR) for conversion into public open space; and
2. In October, 2018, the DPR held scoping sessions for two water tunnel sites; the East 4<sup>th</sup> Street site (31b, NoHo, 9,835 square feet) and the Grand & Lafayette site (30b, SoHo, 12,560 square feet); and
3. In April, 2019, the DPR presented initial design plans for both sites which incorporated the significant constraints required by DEP for continued access to the water tunnels, and solicited community feedback, which was documented in this committee's resolution; and

4. In June, 2019, the DPR presented revised designs for the proposed parks, done in conjunction with DEP representatives, which were well received and appreciated by the community for the responsiveness they showed to community input;
5. The DPR explained that the significantly improved design they presented for the Grand & Lafayette site would require an additional \$656,000 above the current budget; but that they felt comfortable they could garner the extra funding.

**Therefore, Be it Resolved** that CB2, Man.:

1. Appreciates the efforts of the DPR to effectively and creatively incorporate the feedback provided by our community during earlier review sessions; and
2. Thanks the DPR and DEP for returning to our committee to present these revised designs before going to Public Design Commission and the Landmarks Preservation Commission; and
3. Strongly approves these revised designs and hopes they will be approved and built, thereby delivering on the 22-year goal for public open spaces to be built and maintained for public use on these sites; and
4. Urges the City Council to provide the estimated additional \$656,000 required to deliver the significantly improved design as presented by the DPR for the Grand & Lafayette site.

VOTE: Unanimous, with 39 Board Members in favor.

## **2. A Resolution Regarding the New York City Department of Parks and Recreation Re-interment Plan for Washington Square Park**

**Whereas:**

1. At our committee's May 2019 meeting, the DPR alerted our community to development of a re-interment plan for human bone fragments found in Washington Square Park (WSP) during three phases of reconstruction between 2008 and 2017 and offered to present details of the plan to our committee at our next meeting; and
2. At our June 2019 committee meeting the DPR presented its plan and the proposed text to be engraved on a granite paver located adjacent to the re-interment site; and
3. Attendees of our meeting asked several questions and proposed edits to the text to make it clearer and more accurate; and
4. At the end of the presentation the DPR answered questions and documented feedback and requests for clarification to the proposed text and plan; and
5. DPR has revised the proposed text incorporating many though not all our requests;

**Therefore, Be it Resolved** that CB2, Man.:

1. Approves the presented plan for re-interment of human bone fragments found in WSP; and
2. Commends the DPR and LPC for the scholarly attention given to this project; and
3. Appreciates the presentation of the proposed memorial text to be engraved on a granite paver, and the response to our committee's feedback in the modified version sent to the Public Design Commission (PDC) for final review; and
4. Looks forward to the re-interment event and the commemoration of the history of Washington Square Park; and
5. Expresses hope that the monument will receive proper funding and attention; and
6. Looks forward to consideration of additional narrative markers, which might elaborate on the rich history of the park.

VOTE: Unanimous, with 39 Board Members in favor.

### **3. A Resolution Regarding the Design Process for Creating New and/or Renovating Existing Open Spaces**

#### **Whereas:**

1. Community Boards are intended to obtain community input and it is their responsibility to help extract and amplify the voices of the community; and
2. The DPR has, over the last year, undertaken to lead design scoping sessions for open space creation and renovation projects, which can be viewed as appropriating a role that should be filled by the Community Board; and
3. The most recent example is that of DPR and property owner Trinity Church holding a public meeting with residents to discuss design concepts for renovation of Duarte Square rather than requesting that the Community Board do so; and
4. The input provided at this meeting will be used to create a preliminary design which will be presented to CB2, Man. for public review at a later date, and while our Parks and Waterfront committee will take part in this process, it will not lead it,

#### **Therefore, Be it Resolved that CB2, Man.:**

1. Though pleased by the number and quality of open space projects in our district, and consistently impressed by the DPR's skills at running scoping sessions and creating open space designs, is disappointed that a public meeting to provide input to the renovation of Duarte Square was announced just six days beforehand, making it difficult to promote community involvement in this process; and
2. Requests that, along with providing greater lead time before holding meetings, DPR share development schedules and tentative budgets with the community as part of such meetings.

VOTE: Unanimous, with 39 Board Members in favor.

### **QUALITY OF LIFE**

#### **New applications for revocable consent to operate an unenclosed sidewalk café for:**

##### **1. Plant Shed Prince, Inc. d/b/a Plantshed Cafe, 1 Prince St. at the corner of Bowery with 20 tables & 40 chairs (4737-2019-ASWC)**

**Whereas**, this establishment, a unique hybrid of florist and café, offers bakery items and non-alcoholic beverages, and is located in the ground floor of a mixed-use residential/commercial building and is operated by an owner with another florist/cafe location on the UWS; and

**Whereas**, the representative for the owner said the café would be open from Monday-Sunday; 10 AM – 8 PM; and

**Whereas**, the applicant does not now serve alcohol and the representative said he didn't know of any intention to apply for an SLA license in the future; and

**Whereas**, the Community Board district office received an email expressing opposition to this sidewalk café because the operator has had tables and chairs on the sidewalk without a sidewalk permit and because of worries of pedestrian congestion on this corner; and

**Whereas**, the applicant received a violation citation from the Department of Consumer Affairs (DCA) in May 2019 for operating a sidewalk café without a license; and

**Whereas**, the applicant stated that the operator had stopped placing tables and chairs on the sidewalk until the necessary license is obtained; and

**Whereas**, the applicant plans to set up the sidewalk café using some plants from the store and the sidewalk café would be located on the Bowery side but not on the Prince side of the establishment; and

**Whereas**, the applicant presented the establishment's stoop sales permit for sales of plants on the Prince Street side of the establishment; and

**Whereas**, the operator stated that all food and beverage would be ordered inside the store and brought to the tables by the customer and that staff would monitor the café for trash; and

**Whereas**, the applicant stated that all staff would be instructed on the boundaries of the café and the applicant would be vigilant in making sure that the sidewalk café would never exceed the boundaries approved by DCA; and

**Whereas**, the applicant confirmed that all tables and chairs would be stored within the restaurant overnight and that, off-season, the café would be stored off-premises; now

**Therefore Be It Resolved** that CB2, Man. recommends **approval** of the application for revocable consent to operate an unenclosed sidewalk café for **Plant Shed Prince, 1 Prince St. with 20 tables & 40 chairs (4737-2019-ASWC)** provided that the application conforms with all applicable zoning and sidewalk café laws, rules, and regulations and clearance requirements.

Vote: Unanimous, with 39 Board Members in favor.

**2. Marlinspike Hall, LLC, d/b/a The Jones, 54 Great Jones St. between Bowery and Lafayette St. with 3 tables & 6 chairs (6114-2019-ASWC)**

**Whereas**, this establishment will be a full-service restaurant and bar serving modern American food with a seafood focus, and is located on the ground floor of a mixed use residential/commercial building that was home for many years to Great Jones Cafe; and

**Whereas**, the façade of the building includes a vent from the restaurant's kitchen which is not permitted under current regulations but is grandfathered under old regulations; and

**Whereas**, the applicant, who operates several restaurants in CB2, Man. including, Joseph Leonard, Jeffrey's Grocery, and Bar Sardine, has had extensive discussions with the local community benefit organization, NoHo Bowery Stakeholders, regarding the vent in question as well as this sidewalk café; and

**Whereas**, the applicant has agreed to rehabilitate the vent in question and strive to minimize any impact on the community by tailoring the menu in a way that would not require much use of the vent; and

**Whereas**, a representative from NoHo Bowery Stakeholders appeared and expressed support for this application and spoke highly of the operators willingness to listen to concerns of the neighbors; and

**Whereas**, a resident from the apartment directly above the restaurant appeared and expressed support for the sidewalk café based on the owner’s declarations to minimize use of the vent and to not offer chicken wings on the menu and to not permit smoking anywhere in the sidewalk café; and

**Whereas**, the applicant will offer full-service waitstaff who will deliver all food and drink to patrons at their seats and the applicant appeared at the SB2 SLA committee in March of 2019, at which time he was recommended for approval for an on-premises liquor license which is inclusive of this sidewalk café, and the applicant agreed that the sidewalk café would not operate past 10 PM, seven days a week; and

**Whereas**, the applicant confirmed that all tables and chairs would be stored within the restaurant overnight and that, off-season, the café would be stored off-premises; now

**Therefore Be It Resolved** that CB2, Man. recommends **approval** of the application for revocable consent to operate an unenclosed sidewalk café for **Marlinspike Hall, LLC, d/b/a The Jones, 54 Great Jones St. with 3 tables & 6 chairs (6114-2019-ASWC)**, provided that the application conforms with all applicable zoning and sidewalk café laws, rules, and regulations and clearance requirements.

Vote: Unanimous, with 39 Board Members in favor.

**3. LE2, LLC, 27 ½ Morton St. between 7<sup>th</sup> Ave. South and Bedford St. with 6 tables & 23 chairs (6566-2019-ASWC)**

**Whereas**, this establishment, previously occupied by Doma Na Rohu, is a full service Eastern and Central European restaurant, and is located in a mixed-use residential/commercial building and was granted a restaurant wine and beer license after being recommend for approval by CB2; and

**Whereas**, the applicant stipulated the café will be open for breakfast, lunch, and dinner and will close no later than 11 PM, 7 days a week; and

**Whereas**, the applicant will offer full-service waitstaff who will deliver and clear all food and drink to patrons at their seats and that no amplified sound will be used in the sidewalk cafe; and

**Whereas**, no member of the community spoke regarding this application; and

**Whereas**, the applicant confirmed that all tables and chairs would be stored within the restaurant overnight and that, off-season, the café would be stored off-premises; now

**Therefore Be It Resolved** that CB2, Man. recommends **approval** of the application for revocable consent to operate an unenclosed sidewalk café for **LE2, LLC, 27 ½ Morton St. with 6 tables & 23 chairs (6566-2019-ASWC)**, provided that the application conforms with all applicable zoning and sidewalk café laws, rules, and regulations and clearance requirements.

Vote: Unanimous, with 39 Board Members in favor.



## Street Activities Applications

### **4. Wednesday, June 19, 2019 — WTC Survivor Tree Dedication (NYC Fire Museum): Spring St. between Hudson St. and Varick St. [full sidewalk closure]**

**Whereas**, the applicant failed to appear and the event has already occurred; now

**Therefore Be It Resolved** that CB2, Man. recommends denial of WTC Survivor Tree Dedication (NYC Fire Museum): Spring St. between Hudson St. and Varick St. [full sidewalk closure] on June 19, 2019.

Vote: Unanimous, with 39 Board members in favor.

### **5. Sunday, June 30, 2019 — PrideFest 2019 (Heritage of Pride, Inc.): 1) 4<sup>th</sup> Ave. between East 9<sup>th</sup> St. and East 14<sup>th</sup> St. [full street closure] 2) East 10<sup>th</sup> St. between 4<sup>th</sup> Ave. and Broadway [full street closure] 3) East 12<sup>th</sup> St. between 4<sup>th</sup> Ave. and Broadway [full street closure] 4) East 13<sup>th</sup> St. between 4<sup>th</sup> Ave. and Broadway [full street closure]**

### **6. Sunday, June 30, 2019 – StageFest at PrideFest 2019 (Heritage of Pride, Inc.): 4<sup>th</sup> Avenue between East 9<sup>th</sup> and East 10<sup>th</sup> Sts. [full street closure]**

**Whereas**, CB2, Man. is the proud home of the Stonewall Rebellion of 1969, now recognized as a National Monument and this year marks the 50<sup>th</sup> Anniversary of the Rebellion; and

**Whereas**, PrideFest was held in the Far West Village for years until it was moved to University Place last year; and

**Whereas**, University Place was not an ideal location for the festival due to the narrowness of the avenue; and

**Whereas**, the Citywide Event Coordination and Management team from the Mayor’s office engaged Community Boards 2 and 3 in March regarding a possible location for this year’s Pridefest at which time 4<sup>th</sup> Avenue was considered; and

**Whereas**, CB3, Man. unanimously approved this event in May 2019; and

**Whereas**, a representative from Heritage of Pride appeared before the committee with extensive plans for the event which included comprehensive security and sanitation planning; and

**Whereas**, two residents from 90 East 9<sup>th</sup> Street appeared to express concerns about noise and the loss of access to taxis and for-hire vehicles for elderly residents; and

**Whereas**, the applicant said that organizers would provide a direct line to residents who needed aid in reaching a taxi or for hire vehicle and that emergency vehicles would have access to all streets being used for the event at all times; and

**Whereas**, CB2, Man. strives to honor the legacy of the Stonewall Rebellion of 1969 and the modern LGBTQ+ rights movement by having PrideFest remain in CB2, Man.; now

**Therefore Be It Resolved** that CB2, Man. recommends **approval** of — **PrideFest 2019 (Heritage of Pride, Inc.): 1) 4<sup>th</sup> Ave. between East 9<sup>th</sup> St. and East 14<sup>th</sup> St. [full street closure] 2) East 10<sup>th</sup> St. between 4<sup>th</sup> Ave. and Broadway [full street closure] 3) East 12<sup>th</sup> St. between 4<sup>th</sup> Ave. and Broadway [full street closure] 4) East 13<sup>th</sup> St. between 4<sup>th</sup> Ave. and Broadway [full street closure]** and **StageFest at PrideFest 2019 (Heritage of Pride, Inc.): 4<sup>th</sup> Avenue between East 9<sup>th</sup> and East 10<sup>th</sup> Sts. [full street closure]** on June 30, 2019.

Vote: Unanimous, with 39 Board members in favor.

**7. Sunday, August 11, 2019 — Eid ul Adha— (Islamic Center NYU): Washington Square North between 5<sup>th</sup> Ave. and University Place (full street closure)**

**Whereas**, the applicant did not appear to speak on behalf of this application; now

**Therefore Be It Resolved** that CB2, Man. recommends **denial** of **Eid ul Adha— (Islamic Center NYU): Washington Square North between 5<sup>th</sup> Ave. and University Place (full street closure)** on August 11, 2019.

Vote: Resolution passed with 36 Board members in favor and 3 in opposition (C. Flynn, F. Sigel, R. Chattree).

**8. Monday, September 9, 2019 — Lela Rose Spring 2020 Fashion Event: Gay St. between Christopher St. and Waverly Pl. [full street closure]**

**Whereas**, this applicant, a NYC based fashion house, does not have a brick and mortar store and its corporate offices are located on 224 W. 30<sup>th</sup> Street; and

**Whereas**, the applicant has previously held small scale fashion shows within New York City, including an event in Washington Square Park in the Spring of 2018; and

**Whereas**, the applicant wishes to host a fashion show on this block of Gay Street because it is charming and quintessentially New York; and

**Whereas**, the committee expressed concern about recommending approval for this event because the block is almost exclusively residential and not accustomed to full street closures for commercial events; and

**Whereas**, the committee also expressed that the applicant did not have a geographical proximity to this block or to CB2, Man.; and

**Whereas**, the committee did not see a compelling interest in a full street closure on a weekday for an exclusively commercial event; now

**Therefore Be It Resolved** that CB2, Man. recommends **denial** of **Lela Rose Spring 2020 Fashion Event: Gay St. between Christopher St. and Waverly Pl. [full street closure]** on September 9, 2019.

Vote: Unanimous, with 39 Board members in favor.

**9. Sunday, September 15, 2019 — CMDM Kids Carnival (Congregation Magen David of Manhattan): Sullivan St. between West Houston St. and Bleecker St. [full street closure]**

Whereas, the applicant did not appear to speak on behalf of this application; now

**Therefore Be It Resolved** that CB2, Man. recommends **denial** of the **CMDM Kids Carnival (Congregation Magen David of Manhattan): Sullivan St. between West Houston St. and Bleecker St. [full street closure]** on September 15, 2019.

Vote: Unanimous, with 39 Board members in favor.

**10. Friday, November 15, 2019 — DTX Day (Christie Decker): Grand St. between Thompson St. and West Broadway (full street closure)**

Whereas, the applicant described this anticipated event but did not have comprehensive plans for the street closure and, at the committee's behest, requested to layover this application for later this summer; now

**Therefore Be It Resolved** that CB2, Man. recommends that the Street Activity Permit Office (SAPO) **deny the DTX Day (Christie Decker) Event on Grand St. between Thompson St. and West Broadway (full street closure)** on November 15, 2019, **until** the applicant has presented their application in front of CB2's Quality of Life Committee and CB2 has forwarded a recommendation to SAPO.

Vote: Unanimous, with 39 Board members in favor.

**FYI/Street Activity Renewals:**

- 11. 8/2/19 – South Village Farm Market (David Gruber): 6th Ave. between Carmine St. and West 3rd St.**
- 12. 9/15/19 – Palio on Minetta (Minetta Block Association): Minetta St. between Bleecker St. and Minetta Lane [full street closure]**
- 13. 9/22/19 – Cycle for the Cause (The LGBT Community Center): West 13<sup>th</sup> St. between 7th Ave and Greenwich Ave.**

Whereas, these items were on the public agenda and none were requested to be heard for further discussion by any community member; now

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

Vote: Unanimous, with 39 Board members in favor.

**SCHOOLS AND EDUCATION**

- March 2019, Resolution in Support of Additional Funding For On-Site After School Programs at MS 297 75 Morton -- A New School with a Four-Year Enrollment Phase-In
- May 2018, Resolution in Support of Additional Funding For On-Site After School Programs at MS 297 75 Morton -- A New School with a Four-Year Enrollment Phase-In
- March 2017, Resolution in Support of Funding After School Programming for MS 297

## **Resolution in Support of Funding 125 On-Site After School Seats at 75 Morton - A Critical Equity Issue Within District 2 and Within 75 Morton**

### **Whereas:**

1. Our elected officials, the Department of Education and community-based education advocates have worked hard to ensure that MS 297 75 Morton (75 Morton) opened its doors to serve the needs of a diverse student body and that it lives up to the standards of the best schools in District;
2. CB2, Man. consistently advocated for a 600-seat middle school, not 900, and the Department of Education replied that the educational needs of District 2 required 900 seats, but also that the DOE would provide additional support, not reduced support, to compensate for the overfull school size;
3. Our community thanks the city for funding after school programs at 75 Morton for the past two years, but with enrollment expected to grow by more than 330 students to 900 students, ***75 Morton needs an additional 125 after school seats for the 2019-2020 school year;***
4. Funding additional after school seats at 75 Morton seats is critical for ***Equity in After School*** within District 2 and within 75 Morton, particularly for working families that rely on free after school programs;
  - a. Within District 2, one in eight 6<sup>th</sup> grade student attend 75 Morton;
  - b. District 2 students choose from 22 middle schools, almost all of which will provide a substantially higher ratio of funded after school seats per student, unless more seats are funded at 75 Morton;
    - i. Currently, 75 Morton receives funding for 200 after school seats for 561 students in 6<sup>th</sup> and 7<sup>th</sup> grade, a ratio of one seat for every 2.8 students;
    - ii. Without additional funding, this ratio will drop to one seat for every 4.5 students in Fall 2019 with projected enrollment of 900 and one seat for every 5 students in Fall 2020 with projected enrollment of 1,000, well below the District 2 average of one seat for every 2.6 students<sup>1</sup>;
  - c. Within 75 Morton, without sufficient funding for after school programs, families with greater resources may choose private after school options, creating a two-tiered after school system; and,
5. The middle school years are crucial for the identity of the student, as either someone who will aim for higher education or someone who finds school irrelevant, and after school program provide opportunities for all students to shine regardless of academic ability and can help propel students forward on the path to educational success in high school and college;
6. As a new middle school, 75 Morton has a four-year enrollment phase-in and will require additional DYCD funding for after school seats for the 2020-201 school year if enrollment exceeds more than 900 students; and,

**Whereas,** CB2, Man. consistently advocated for a 600-seat middle school, not 900, and the Department of Education replied that educational needs of District 2 required 900 seats, but also that the DOE would provide addition supports, not reduced supports, to compensate for the overfull school.

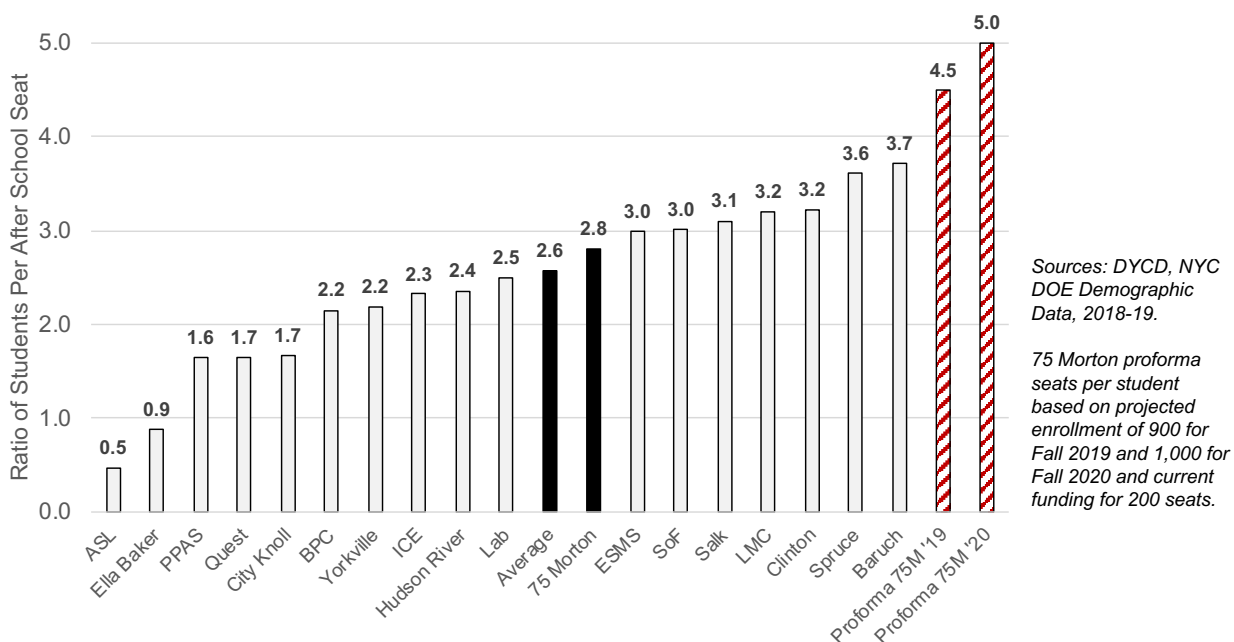
**Therefore be it resolved** that CB2, Man. urges the Mayor, the Chancellor and our City Council to allocate funding in the FY 2020 budget for an additional 125 after school seats at 75 Morton through the Department of Youth and Community Development’s School’s Out New York City program; and

**Be it further resolved** that CB2, Man. urges the Mayor, the Chancellor, our City Council and DYCD to plan for the future funding of additional SONYC seats for 75 Morton in FY 2021, as enrollment expands beyond 900 students; and,

**Be it further resolved** that CB2, Man. urges the Mayor, our City Council and the Department of Education to recognize and fund the needs of new schools during their entire enrollment phase-in.

VOTE: Unanimous, with 39 Board Members in favor.

**75 Morton: Equity in After School**  
*Without Additional Funding Now, 75 Morton Will Have 4.5 After School Seats Per Student Next Fall, Significantly Below the District 2 Average of 2.6*



**SLA LICENSING**

**1. PQ Union Square, Inc., d/b/a Le Pain Quotidien, 801 Broadway 10003 (RW – Restaurant)**

**i. Whereas**, applicant’s corporate representative and attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a corporate change to the existing restaurant wine license (SN 1191253) for their Belgian-style bakery café restaurant located in a C6-1 zoned seven-story, mixed-use 1930 building on Broadway between East 11<sup>th</sup> and East 12<sup>th</sup> Streets (block #563/ lot #37) in the Greenwich Village neighborhood; and,

**ii. Whereas**, the interior 2-story premises is 2,500 sq. ft., with 2,000 sq. ft. on the ground floor and an additional 500 square feet in the basement, with no patron access or use of the basement space, and has a total of 24 tables with 110 seats and no bar; and location also includes a NYC DCA approved sidewalk café of 19 tables and 38 seats; and applicant has both a valid Certificate of Occupancy and a Public Assembly Permit, as required; and,

**iii. Whereas**, the applicant signed and notarized a new stipulations agreement with CB2, Man. incorporating these commitments and previous stipulations, which includes the following:

1. Premises will be advertised and operated as a Belgian-style bakery café restaurant only.
2. The hours of operation will be Sunday 8AM to 7PM; Monday to Friday 7AM to 7PM, and Saturday from 8AM to 7PM. No patrons will remain after stated closing time.
3. Will operate as a full-service restaurant, specifically a “Belgian-style bakery café restaurant” with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions.
6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café)
7. Will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
8. Will close all doors & windows at 7 p.m. every night and anytime there is amplified music, live music or a DJ.
9. Will not install or have French doors, operable windows, or open façades.
10. Will not make changes to the existing façade except to change signage or awning.
11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches.” No pitchers of beer.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/door staff
16. There will be no stand-up bar.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the Restaurant Wine license for **PQ Union Square, Inc., d/b/a Le Pain Quotidien, 801 Broadway 10003**, **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA License.

Vote: Unanimous, with 39 Board members in favor.

**2. PQ SoHo, LLC d/b/a Le Pain Quotidien, 100 Grand St. 10013 (RW – Restaurant)**

**i. Whereas**, applicant’s corporate representative and attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a corporate change to the existing restaurant wine license (SN 1029329) for their Belgian-style bakery café restaurant located in a M1-5B zoned six-story, mixed-use 1910 building on Grand Street between Greene and Mercer Streets (block #474/ lot #22) in the NYC LPC designated SoHo-Cast Iron Historical District; and,

**ii. Whereas,** the interior 2-story premises is 2,233 sq. ft., with 1,875 sq. ft. on the ground floor and an additional 358 square feet in the basement, with no patron access or use of the basement space, and has a total of 19 tables with 96 seats and no bar; there is no sidewalk café; and applicant is currently applying for both an updated Certificate of Occupancy and a new Public Assembly Permit, and no reason to doubt their issuance was raised; and,

**iii. Whereas,** the applicant signed and notarized a new stipulations agreement with CB2, Man. incorporating these commitments and previous stipulations, which includes the following:

1. Premises will be advertised and operated as a Belgian-style bakery café restaurant only.
2. The hours of operation will be Sunday 8AM to 6PM; Monday to Friday 7AM to 7PM, and Saturday from 8AM to 6PM. No patrons will remain after stated closing time.
3. Will operate as a full-service restaurant, specifically a “Belgian-style bakery café restaurant” with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions.
6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café)
7. Will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
8. Will close all doors & windows by 7 p.m. every night and anytime there is amplified music, live music or a DJ.
9. Will not install or have French doors, operable windows, or open façades.
10. Will not make changes to the existing façade except to change signage or awning.
11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches.” No pitchers of beer.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/door staff.
16. There will be no stand-up bar.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the Restaurant Wine license for **PQ SoHo, LLC d/b/a Le Pain Quotidien, 100 Grand St. 10013**, **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA License.

Vote: Unanimous, with 39 board members in favor.

**3. PQ Bleecker, Inc., d/b/a Le Pain Quotidien, 65-69 Bleecker St. 10012 (RW – Restaurant)**

**i. Whereas,** applicant’s corporate representative and attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a corporate change to the existing restaurant wine license (SN 1249571) for their Belgian-style bakery café restaurant located in a M1-5B

zoned 13-story, mixed-use 1897 building on Bleecker Street between Broadway and Lafayette Street (block #529/ lot #72) in the NYC LPC designated NoHo Historic District; and,

**ii. Whereas**, the interior 2-story premises is 2,500 sq. ft., with 2,000 sq. ft. on the ground floor and an additional 500 square feet in the basement, with no patron access or use of the basement space, and has a total of 20 tables with 70 seats and no bar; there is no sidewalk café; and applicant has a Letter of No Objection to the usage from the NYC Dept. of Buildings; and,

**iii. Whereas**, the applicant signed and notarized a new stipulations agreement with CB2, Man. incorporating these commitments and previous stipulations, which includes the following:

1. Premises will be advertised and operated as a Belgian-style bakery café restaurant only.
2. The hours of operation will be Sunday 8AM to 7PM; Monday to Friday 7AM to 7PM, and Saturday from 8AM to 7PM. No patrons will remain after stated closing time.
3. Will operate as a full-service restaurant, specifically a “Belgian-style bakery café restaurant” with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions.
6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café)
7. Will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
8. Will close all doors & windows at 7 p.m. every night and anytime there is amplified music, live music or a DJ.
9. Will not install or have French doors, operable windows, or open façades.
10. Will not make changes to the existing façade except to change signage or awning.
11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches.” No pitchers of beer.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/door staff.
16. There will be no stand-up bar.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the Restaurant Wine license for **PQ Bleecker, Inc., d/b/a Le Pain Quotidien, 65-69 Bleecker 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 License.

Vote: Unanimous, with 39 Board members in favor.

**4. PQ 8<sup>th</sup> Street, Inc., d/b/a Le Pain Quotidien, 10 Fifth Ave. 10011 (RW – Restaurant)**

**i. Whereas**, applicant’s corporate representative and attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a corporate change to the existing



restaurant wine license (SN 1210568) for their Belgian-style bakery café restaurant located in a R-10 zoned four-story, mixed-use 1880 building on Bleecker Street between Broadway and Lafayette Street (block #572/ lot #44) in the NYC LPC designated Greenwich Village Historic District; and,

**ii. Whereas**, the interior 2-story premises is 2,500 sq. ft., with 2,000 sq. ft. on the ground floor and an additional 500 square feet in the basement, with no patron access or use of the basement space, and has a total of 23 tables with 64 seats and no bar; there is no sidewalk café; and applicant has a Letter of No Objection to the usage from the NYC Dept. of Buildings; and,

**iii. Whereas**, the applicant signed and notarized a new stipulations agreement with CB2, Man. incorporating these commitments and previous stipulations, which includes the following:

1. Premises will be advertised and operated as a Belgian-style bakery café restaurant only.
2. The hours of operation will be Sunday 8AM to 7:30PM; Monday to Friday 7AM to 7PM, and Saturday from 8AM to 7:30PM. No patrons will remain after stated closing time.
3. Will operate as a full-service restaurant, specifically a “Belgian-style bakery café restaurant” with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions.
6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café)
7. Will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
8. Will close all doors & windows at 8 p.m. every night and anytime there is amplified music, live music or a DJ.
9. Will not install or have French doors, operable windows, or open façades.
10. Will not make changes to the existing façade except to change signage or awning.
11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches.” No pitchers of beer.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/door staff.
16. There will be no stand-up bar.

**THEREFORE BE IT RESOLVED** that CB#2, Manhattan recommends **denial** of the Restaurant Wine license for **PQ 8<sup>th</sup> Street, Inc., d/b/a Le Pain Quotidien, 10 Fifth 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 License.

Vote: Unanimous, with 39 Board members in favor.

**5. LPQ 205 Bleecker, Inc., d/b/a Le Pain Quotidien, 205 Bleecker St. 10012 (RW – Restaurant)**

**i. Whereas,** applicant’s corporate representative and attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a corporate change to the existing restaurant wine license (SN 1298688) for their Belgian-style bakery café restaurant located in a C1-5 zoned six-story, mixed-use 1928 building on Bleecker Street between Broadway and Lafayette Street (block #542/lot #7501) in the NYC LPC designated South Village Historic District; and,

**ii. Whereas,** the interior two-story premises is 3,400 sq. ft., with 1,700 sq. ft. on the ground floor and an additional 1,700 square feet in the basement, with 13 tables with 50 seats and a dining counter with 8 seats on the ground floor, and nine tables with 18 seats and one bar (12’ in length) with 8 seats in the basement, for a total of 84 seats; there is no sidewalk café; and applicant has a valid Certificate of Occupancy; and,

**iii. Whereas,** the applicant signed and notarized a new stipulations agreement with CB2, Man. incorporating these commitments and previous stipulations, which includes the following:

1. Premises will be advertised and operated as a Belgian-style bakery café restaurant only.
2. The hours of operation will be Sunday-Saturday (Seven days a week) 7:30AM to 8PM. No patrons will remain after stated closing time.
3. Will operate as a full-service restaurant, specifically a “Belgian-style bakery café restaurant” with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions.
6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café)
7. Will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
8. Will close all doors & windows at 8 p.m. every night and anytime there is amplified music, live music or a DJ.
9. Will not install or have French doors, operable windows, or open façades.
10. Will not make changes to the existing façade except to change signage or awning.
11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches.” No pitchers of beer.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/door staff.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of the Restaurant Wine license for **LPQ 205 Bleecker, Inc., d/b/a Le Pain Quotidien, 205 Bleecker 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 License.

Vote: Unanimous, with 39 Board members in favor.

**6. LPQ King & Hudson, Inc., d/b/a Le Pain Quotidien, 375 Hudson St. 10012 (RW – Restaurant)**

**i. Whereas,** applicant’s corporate representative and attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a corporate change to the existing restaurant wine license (SN 1289943) for their Belgian-style bakery café restaurant located in a M1-6 zoned 18-story, 1987 commercial building on Hudson Street between King and West Houston Streets (block #599/lot #64) in the NYC Planning designated Special Hudson Square District; and,

**ii. Whereas,** the interior one-story premises is 2,992 sq. ft., with 37 tables with 108 seats and there is no bar; there is no sidewalk café; and applicant has a valid Certificate of Occupancy and Place of Assembly Permit; and,

**iii. Whereas,** the applicant signed and notarized a new stipulations agreement with CB2, Man. incorporating these commitments and previous stipulations, which includes the following:

1. Premises will be advertised and operated as a Belgian-style bakery café restaurant only.
2. The hours of operation will be Sunday-Saturday (Seven days a week) 7:30AM to 8PM. No patrons will remain after stated closing time.
3. Will operate as a full-service restaurant, specifically a “Belgian-style bakery café restaurant” with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions.
6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café)
7. Will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
8. Will close all doors & windows at 8 p.m. every night and anytime there is amplified music, live music or a DJ.
9. Will not install or have French doors, operable windows, or open façades.
10. Will not make changes to the existing façade except to change signage or awning.
11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches.” No pitchers of beer.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/door staff.
16. There will be no stand-up bar.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the Restaurant Wine license for **LPQ King & Hudson, Inc., d/b/a Le Pain Quotidien, 375 Hudson 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 License.

Vote: Unanimous, with 39 Board members in favor.

**7. SPICE 39, Inc., d/b/a SPICE, 39 E. 13<sup>th</sup> St. 10003 (OP – Bar/Restaurant)**

**i. Whereas,** applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a corporate change to the existing restaurant wine license (SN 1292721) for their “full-service Thai fusion restaurant” located in a C6-1 zoned seven-story, 1900 commercial building on East 13th Street between University Place and Broadway (block #565/lot #2) in the Greenwich Village neighborhood; and,

**ii. Whereas,** the interior three-story premises is 2,330 sq. ft., with 1,080 sq. ft. on the ground floor, 750 sq. ft. on the 2<sup>nd</sup> floor mezzanine, and a 500 sq. ft. cellar; there is an open atrium between the ground and 2<sup>nd</sup> floors, the second floor being a mezzanine, and patron use of the basement is restricted to rest rooms; and there are 13 tables and 78 seats and 1 bar with 7 seats for total of 85 seats; and there is a maximum occupancy of 110 people; there is no sidewalk café; and applicant has a valid Certificate of Occupancy and Place of Assembly Permit; and,

**iii. Whereas,** provided floor plan indicated operable windows, but applicant’s attorney believed that to be an error and stipulated that such windows would not be installed; and,

**iv. Whereas,** four members of the community appeared to speak in opposition to the possibility of reinstatement of the roof terrace used by the restaurant in prior years; and, applicant stated that they had no intention of using said terrace and was happy to stipulate to that fact; and

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

1. Premises will be advertised and operated as a full-service Thai fusion restaurant only.
2. The hours of operation will be Sunday 12:30PM to 10PM; Monday-Thursday 11:30AM to 10:30PM; Friday 11:30AM to 11:30PM; Saturday 12:30PM to 11:30PM. No patrons will remain after stated closing time.
3. Will operate as a full-service restaurant, specifically a “full-service Thai fusion restaurant” with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions.
6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café)
7. Will not have a sidewalk café now or in the future.
8. Will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
9. Will close all doors & windows at 9 p.m. every night and anytime there is amplified music, live music or a DJ.
10. Will not install or have French doors, operable windows, or open façades.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
13. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches.” No pitchers of beer.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.

15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/door staff.
17. This application only includes basement (no patron service), ground floor and 2<sup>nd</sup> floor mezzanine.
18. Applicant will not use or seek to use roof top, terrace or any outdoor spaces as part of the restaurant.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the Restaurant Wine license for **SPICE 39, Inc., d/b/a SPICE, 39 E. 13<sup>th</sup> St. 10003**, **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA License.

Vote: Unanimous, with 39 Board members in favor.

**8. BEC SoHo, LLC d/b/a BEC, 178 Prince St. 10012 (RW – Café)** (Previously unlicensed location)

**i. Whereas**, applicant and attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a new restaurant wine license for their “Bacon, Egg, and Cheese Sandwich Shop” located in a previously unlicensed R7-2 zoned seven-story, 1920 mixed-use building on Prince Street between Sullivan and Thompson Streets (block #503/lot #20) in the NYC LPC designated Sullivan-Thompson Historic District; and,

**ii. Whereas**, the interior two-story premises is 2,800 sq. ft., with 2,100 sq. ft. on the ground floor, and 700 sq. ft. in the basement, and patrons do not have access to or use of the basement; and there are 15 tables and 30 seats and 1 bar with 0 (zero) seats for total of 30 seats; applicant asserts that the NYC Dept. of Buildings has approved an increase in the legal occupancy from 10 to 50 and is awaiting an imminent TCO to reflect that, and no suggestion was made that said TCO would not be forthcoming; and,

**iii. Whereas**, the licensing of this previously unlicensed location will mark yet another retail premises in a residentially zoned being converted into eating and drinking usage, a substantial trend in our community that is having negative impacts on the quality of life and the economic character of our neighborhoods; and this despite the fact that already licensed premises in the neighborhood remain vacant; and the conversion of previously unlicensed premises unavoidably means the installation of venting stacks and the intrusion of mechanical noise even when the operators are conscientious; and,

**iv. Whereas**, applicant stipulated that they would install a new drop ceiling and take other necessary soundproofing measures; and that they would not seek to create a sidewalk café now or in the future; and that they would not seek late night hours beyond 11PM; and said promises were a key element in the finding of a community interest; and, without such elements there clearly not being such an interest; and,

**v. Whereas**, a member of the public appeared to share her concerns about the licensing of yet another previously unlicensed retail space and the large number of such incidences in the last few years; and the community board, as stated above, shares her concerns regarding this trend; and,

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

1. Premises will be advertised and operated as a Sandwich Shop only.

2. The hours of operation will be Sunday 8AM to 11PM; Monday-Friday 7AM to 11PM; Saturday 8AM to 11PM. No patrons will remain after stated closing time.
3. Will operate as a full-service restaurant, specifically a “Bacon, Egg, and Cheese Sandwich Shop” with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions.
6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café)
7. Will not have a sidewalk café now or in the future.
8. Will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
9. Will keep all doors & windows closed at all times.
10. Will not install or have French doors, operable windows, or open façades.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
13. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches.” No pitchers of beer.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/door staff.
17. Will obtain a valid TCO before operations begin or license is issued.

**THEREFORE BE IT RESOLVED** that CB2, Man, recommends **denial** of the Restaurant Wine license for **BEC SoHo, LLC d/b/a BEC, 178 Prince 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 License.

Vote: Passed, with 38 Board members in favor, and 1 recusal (A. Brandt).

**9. An entity to be formed by Grant Reynolds, d/b/a Bumble Brew, 47 Prince St. 10012 (TW-Meet-up Space; Bar/Tavern)**

**i. Whereas**, applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a new tavern wine license for their “all day café and meet-up space” located in a M1-5B zoned three-story, 2013 commercial building on Prince Street at the corner of Mulberry Street and between Mulberry and Lafayette Streets (block #510/lot #25) in the Nolita neighborhood; and,

**ii. Whereas**, the interior three-story premises is 3,650 sq. ft., with 1,580 sq. ft. on the ground floor, a 490 sq. ft. mezzanine, and a 1,580 sq. ft. cellar, and patron use of the cellar is restricted to rest room access, the balance of the space being staff only with no food or drink service; and there are 10 tables with 34 seats and 1 bar with 0 (zero) seats on the ground floor, and 5 tables with 20 seats, a service bar with 0 (zero) seats, and a lounge area with an additional 10 seats on the mezzanine level, for total of 64 seats plus a standing counter for three on the ground floor; and,

**iii. Whereas**, applicant stipulates a maximum occupancy of 74, obviating the need for a place of assembly permit even though the maximum legal occupancy is 131; and,

**iv. Whereas**, the premises in question have been problematic since their controversial construction and CB2, Man. is on record as opposing the use of the space, which sits directly opposite one of the most important houses of worship in the city, Old St. Patrick's Cathedral, for eating and drinking of any kind; and, notwithstanding strong community board opposition, the SLA saw fit to grant a new license to the previous operator of this previously unlicensed space; and,

**v. Whereas**, the three elements of the method of operation for an eating and drinking establishment in this location with the greatest potential for a negative impact on the community are the sliding windows of the Mulberry Street façade, the possibility of late hours, and a liquor-focused concept; and,

**vi. Whereas**, the premises are to function as an extension to the Bumble internet application, providing users a real-life place for app users to meet and gather, and a representative of Bumble shared their concept with the committee which included never opening or using the sliding/operable windows, closing by midnight at the latest every night, and creating a low-noise, conversational atmosphere; and,

**vii. Whereas**, applicants further stated they were unaware the windows were operable, that use of them was at no time part of their concept for the space, and stipulated that they would remain closed at all times; and that their concept did not include being open to midnight on a regular basis despite seeking license to stay open that late if needed, and further stipulated that all promoted events will end by 9PM; and that their concept as a low-key meet-up place made a loud music or party based atmosphere or event program anathema to them; and,

**viii. Whereas**, these commitments, stipulations, and assurances regarding the windows, the hours, and the character of the restaurant were essential to finding a positive community interest in the issuance of the license, particularly in light of Community Board 2 Manhattan's previous strong opposition to the licensing of any eating or drinking establishment in this location; and, indeed, if these elements were to be withdrawn or reneged on, the Community Board could not continue to support a license at this location; and

**ix. Whereas**, the applicants who will operate the premises for Bumble are the proprietors of other licensed premises in the community board, including, notably, Pasquale Jones at 187 Mulberry St. (aka 86 Kenmare), where they have been the target of frequent community complaints for their failure to uphold stipulations made to the community board including operating hours, window closing hours, and keeping music inaudible in the surrounding residential apartments; and,

**x. Whereas**, the application includes a number of elements that are examples of trends the community board finds concerning, such as the impact on commercial rents when retail spaces are leased at a loss by major corporations as auxiliary to their wider enterprises; and the stipulation of a smaller occupancy than is allowed by the NYC Dept. of Buildings Certificate of Occupancy for the purposes of avoiding the requirement for a Place of Assembly Permit; and most of all, the inappropriate development of commercial space in landmark areas at the expense of existing neighborhood retail, services, and residences; and,

**xi. Whereas**, four local residents voiced their concerns about the operable windows, the record of the applicants at nearby 187 Mulberry Street, and the sharp recent increase in licenses in their neighborhood; and,

**xii. Whereas**, despite misgivings about a license in the location, the community board believes the concept presented, with the stipulations made, would be unique and a benefit to the community, and has cautious optimism that the collaboration between the applicants and their partners in Bumble will adhere to the concept, method of operations, and stipulations presented; and,

**xiii. Whereas**, the applicant signed and notarized a new stipulations agreement with CB2, Man. incorporating these commitments and previous stipulations, which includes the following:

1. Premises will be advertised and operated as an “all-day café and meet-up space” only.
2. The hours of operation will be Sunday-Saturday (7 days a week) 7:30AM to 12AM. No patrons will remain after stated closing time.
3. Will operate as a full-service restaurant, specifically a “all-day café and meet-up space” with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions.
6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café)
7. Will not have a sidewalk café now or in the future.
8. Will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
9. Will keep all doors & windows closed at all times.
10. Will not install or have French doors, operable windows, or open façades.
11. Will not make changes to the existing façade except to change signage or awning—and to remove the existing apple sculpture.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
13. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches.” No pitchers of beer.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will not have: Dancing, DJs, live music, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/door staff.
17. Will not, at any time or for any reason, use existing operable windows or install new operable windows.
18. All promoted events will end by 9PM.
19. Occupancy will be limited to 74 at all times.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the Restaurant Wine license for **An entity to be formed by Grant Reynolds, d/b/a Bumble Brew, 47 Prince 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 License.

Vote: Unanimous, with 39 Board members in favor.



**10. LPB4, LLC, d/b/a N/A, 265 Lafayette St. aka 54 Prince St. 10012 (OP – Restaurant with Sidewalk Café)**

**i. Whereas,** applicant and attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a new on-premise liquor license for their proposed “casual all-day Italian café and restaurant” located in a C6-2 zoned six-story, 1926 mixed-use (walk-up apartments with stores below) building on Lafayette Street at the corner of Prince Street and between Prince and Spring Streets (block #495/lot #11) in the NYC Planning Commission designated Special Little Italy District; and,

**ii. Whereas,** the interior two-story premises is 5,165 sq. ft., with 2,165 sq. ft. on the ground floor, and 3,000 sq. ft. in the cellar; and there are 36 tables and 81 seats on the ground floor and 22 tables with 52 seats in the cellar for a total of 143 interior seats; and there is also an existing NYC DCA approved sidewalk café with an additional 20 tables and 30 seats; and premises do not currently have a certificate of occupancy or public assembly permits, but both are to be reinstated shortly; and,

**iii. Whereas,** two local residents appeared to voice their concern about the possibility of the cellar space morphing into a nightlife venue and the late hours initially sought for the sidewalk café and opening façade; and,

**iv. Whereas,** the applicant is known to the community board as a conscientious and successful restaurateur and presented a fine dining concept that would be an asset to the community; and,

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

1. Premises will be advertised and operated as a casual all-day Italian café and restaurant only.
2. The hours of operation will be Sunday 9AM to 1AM; Monday-Saturday 8AM to 1AM. No patrons will remain after stated closing time.
3. Will operate as a full-service restaurant, specifically a “casual all-day Italian café and restaurant” with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions.
6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café)
7. Will operate sidewalk café no later than 10PM Sunday-Thursday; 11PM Friday and Saturday (all tables and chairs will be removed at this hour).
8. Will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
9. Will close all doors & windows at 10 PM every night and anytime there is amplified music, live music, or a DJ.
10. Will not make structural changes to the existing façade.
11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches.” No pitchers of beer.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.

14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/door staff.
16. Will obtain a valid TCO before license is issued, and ensure it is maintained there after.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the Restaurant Wine license for **LPB4, LLC, d/b/a N/A, 265 Lafayette St. aka 54 Prince 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 License.

Vote: Unanimous, with 39 Board members in favor.

**11. Entity to be formed by Alain Allegretti, d/b/a Frenchies Fish Bar, 98 Kenmare St. 10012 (OP – Restaurant with Sidewalk Cafe) (Transfer)**

**i. Whereas**, applicant and attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a new on-premise liquor license for their proposed “Charleston South Carolina inspired neighborhood seafood restaurant and oyster bar, with a French flair” located in a C6-1 zoned six-story, 1900 mixed-use (walk-up apartments with stores below) building on Kenmare Street at the corner of Mulberry Street and between Cleveland Place and Mulberry Street (block #481/lot #32) in the NYC Planning Commission designated Special Little Italy District; and,

**ii. Whereas**, the interior two-story premises is 5,000 sq. ft., with 2,600 sq. ft. on the ground floor, and 2,400 sq. ft. in the cellar; and there are 24 tables and 70 seats and one bar with 14 seats and an additional food counter (Oyster Bar) with 8 seats on the ground floor and 18 tables with 60 seats and one service bar with 0 (zero) seats in the cellar for a total of 152 interior seats; and there is also an existing NYC DCA approved sidewalk café with an additional 11 tables and 22 seats; application has been made for a TCO, and there was nothing to suggest it would not be issued; and,

**iii. Whereas**, three local residents appeared in support of the application, albeit with concerns and suggestions, which were address by applicant; and one local resident appeared in opposition to the application, expressing deep concern about the noise impact of the applicant’s plan to install opening windows in a location with televisions and a “South Carolina” atmosphere and the hours proposed, particularly of midnight on school nights; and,

**iv. Whereas**, the applicant signed and notarized a new stipulations agreement with CB2, Man. incorporating these commitments and previous stipulations, which includes the following:

1. Premises will be advertised and operated as a South Carolina seafood restaurant only.
2. The hours of operation will be Sunday-Saturday (7 days a week) 10AM to 12AM. No patrons will remain after stated closing time.
3. Will operate as a full-service restaurant, specifically a “South Carolina seafood restaurant” with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will have no more than 2 televisions no larger than 60” (there will be no projectors).
6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café)
7. Will operate sidewalk café no later than 10PM (all tables and chairs will be removed at this hour).

8. Will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences anytime.
9. Will close all doors & windows at 9PM every night and anytime there is amplified music, live music, or a DJ.
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. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/door staff.
15. Will take necessary steps to soundproof space and verify that no sound leaks into apartments above.
16. Will ensure security on any access points to residential and shared spaces from the restaurant via alarms, cameras, or other appropriate measures.
17. Will ensure that awning covers sidewalk café and dampens sound.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the Restaurant Wine license for **Entity to be formed by Alain Allegretti, d/b/a Frenchies Fish Bar, 98 Kenmare 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 License.

Vote: Unanimous, with 39 Board members in favor.

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

**12. PQ 550 Hudson, Inc., d/b/a Le Pain Quotidien, 550 Hudson St. 10014 (RW – Restaurant)**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee #1 Meeting on June 4th, 2019, the Applicant requested to **withdraw** this application for a 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, alteration, transfer or other changes to the existing license for **PQ 550 Hudson, Inc., d/b/a Le Pain Quotidien, 550 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 39 Board members in favor.

**13. 151 Bleecker, LLC d/b/a Red Lion, 151 Bleecker St. 10012** (OP – Bar/Tavern with live music and sidewalk café)

**Whereas**, prior to the CB2, Manhattan’s SLA Licensing Committee #1 Meeting on June 4th, 2019 the Applicant requested **to layover** this application to July/2019 and requested to adjourn and submit 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 **151 Bleecker, LLC d/b/a Red Lion, 151 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 39 Board members in favor.

**14. Marie Adrienne, LLC d/b/a The Ship, 158 Lafayette St. 10013** (OP – Bar/Tavern with DJ) (Method of Operation Change)

**Whereas**, prior to the CB2, Manhattan’s SLA Licensing Committee #1 Meeting on June 4th, 2019 the Applicant requested **to layover** this application to July/2019 and requested to adjourn and submit 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 **Marie Adrienne, LLC d/b/a The Ship, 158 Lafayette St. 10013** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board members in favor.

**15. Easy Victor, LLC d/b/a TBD, 185 Mulberry St. 10012** (RW – Café)

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee #1 Meeting on June 4th, 2019, the Applicant requested to **withdraw** this application for a 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, alteration, transfer or other changes to the existing license for **Easy Victor, LLC d/b/a TBD, 185 Mulberry 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 39 Board members in favor.

**16. Village Sushi Corp., d/b/a Sushi Sushi, 126 MacDougal St. 10012 (RW – Restaurant)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #1 Meeting on June 4th, 2019, the Applicant requested to **withdraw** this application for a 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, alteration, transfer or other changes to the existing license for **Village Sushi Corp., d/b/a Sushi Sushi, 126 MacDougal 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 39 Board members in favor.

**17. Brkn Ccnt, LLC d/b/a Broken Coconut, 15 E. 4<sup>th</sup> St. 10003 (RW – Restaurant with Sidewalk Cafe)**

**Whereas**, prior to the CB2, Manhattan's SLA Licensing Committee #1 Meeting on June 4th, 2019 the Applicant requested **to layover** this application to July/2019 and requested to adjourn and submit 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 **Brkn Ccnt, LLC d/b/a Broken Coconut, 15 E. 4<sup>th</sup> St. 10003** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board members in favor.

**18. Le An Hospitality, Inc. d/b/a Sage Collective, 398 Broome St. 10013 (TW – Bar/Tavern - Cafe)**

**Whereas**, prior to the CB2, Manhattan's SLA Licensing Committee #1 Meeting on June 4th, 2019 the Applicant requested **to layover** this application to July/2019 and requested to adjourn and submit 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 **Le An Hospitality, Inc. d/b/a Sage Collective, 398 Broome St. 10013** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board members in favor.

**19. Adore New York, Inc., d/b/a N/A, 53 Bond St. 10012 (New OP – Restaurant)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #1 Meeting on June 4th, 2019, the Applicant requested to withdraw this application for a 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, alteration, transfer or other changes to the existing license for **Adore New York, Inc., d/b/a N/A, 53 Bond 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 39 Board members in favor.

**20. Caffe Valdino, Inc., d/b/a V Bar, 225 Sullivan St. 10012 (OP – Bar) (laid over)**

**Whereas**, prior to the CB2, Manhattan's SLA Licensing Committee #1 Meeting on June 4th, 2019 the Applicant requested to layover this application to July/2019 and requested to adjourn and submit 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 **Caffe Valdino, Inc., d/b/a V Bar, 225 Sullivan 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 39 Board members in favor.

**21. SNS Bar, LLC, d/b/a Stockholm, 63 Gansevoort St., East Basement (aka 22 Little West 12<sup>th</sup> St.) 10014 (OP—extending hours of operation)**

**i. Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for change in method of operation for an existing on-premise liquor license to extend hours of operation for a cocktail bar located underneath a sneaker store in a commercial building on Gansevoort St. between 9th Avenue and Washington St. in the MeatPacking area; and,

**ii. Whereas**, the applicant has only been open for three weeks, having previously applied for its existing license with CB2, Man. in May/2017, the licensed premise being located in a basement location which is accessed from the ground level on Gansevoort St., there is also an entry from the storefront at 22 Little West 12<sup>th</sup> St. which is operated by the same owners via the elevator which will continue to not be used for patron access, the premises is approximately 1,800 sq. ft., there will be 21 tables and 65 seats, and 1 bar with 10 seats for a total of 75 seats, there is no sidewalk café, there is an existing Certificate of Occupancy which indicates a maximum occupancy of 98; the ground floor sneaker store is not included in this application; and,

**iii. Whereas**, the previously agreed upon hours of operation were Sunday through Tuesday from 9PM to 12AM and Wednesday to Saturday from 9PM to 2AM; and,

**iv. Whereas**, the applicant now seeks to enlarge those hours of operation and met with members of the Community living in the immediate area, the immediate area having been greatly impacted over the last 15 years from a significant fluctuation of late night drinking establishments, this particular establishment including entertainment music levels and having been open for just a few weeks of time; the community and the applicant coming to a compromise whereat the hours of operation will be enlarged during the daytime only; and,

**v. Whereas**, the new hours of operation will be Sunday through Tuesday from 4PM to 12AM and Wednesday to Saturday from 4PM to 2AM, there will continue be live music and music by DJ at entertainment levels permitted but only after 7PM every evening and not during daytime hours, all doors and windows will be closed at all times except for patron ingress and egress, there will be no promoted events, no scheduled performances and cover fees, there will be no velvet ropes, no movable barriers; no patrons will enter the establishment via the sneaker store storefront located on the ground floor; all patron entry will be from Gansevoort St. only and all patrons will be directed to the Gansevoort St. entrance; the Applicant again confirming that there would be no patrons lined up or congregating at the entrance to the establishment at any time except to check IDs prior to entry, and further reiterated that there will be no ropes or barriers will be used and patron holding will occur inside the establishment if necessary; and,

**vi. Whereas**, the Applicant again executed a stipulations agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated into the method of operation on their on-premise liquor license stating that:

1. Premise will be advertised and operated as a cocktail bar located underneath a sneaker store.
2. The hours of operation will be Sunday through Tuesday from 4PM to 12AM and Wednesday to Saturday from 4PM to 2AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not have televisions and the premises will not operate as a sports bar.
4. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.

5. The premises will not operate a backyard garden or any outdoor area for commercial purposes. No sidewalk café is included in this application.
6. The premises will employ a doorman/security personnel at all hours and days of operation at the door.
7. Music levels will be background only before 7PM and may be entertainment levels albeit only after 7PM, but all music levels and volumes will at all times comply with all New York City Laws and Regulations.
8. Entertainment level music, including DJs and/or live music is prohibited during the day or before 7PM.
9. The premises will not have promoted events.
10. The premises will keep closed at all times all doors and windows. There will be no French doors, operable windows or open facades.
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. There will be 21 tables, 65 table seats, and 1 bar with 10 seats. Maximum permissible occupancy is 98 persons total.
14. Will post a please respect the neighbors type sign.
15. There will be no ropes or barriers.
16. There will be no outside promoters.
17. All Patron access will be from the Gansevoort St. entrance only.
18. There will be no patron lines outside the establishment except to check IDs and provide entry. Any patron holding areas will occur inside the premises.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a change in method of operation for an existing On Premise Liquor License for SNS Bar, LLC, d/b/a Stockholm, 63 Gansevoort St., East Basement (aka 22 Little West 12<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 Licensee’s “Method of Operation” for its existing SLA On Premise Liquor License.

Vote: Unanimous, with 39 Board members in favor.

**22. Solaro, Inc. d/b/a TBD, 13 Carmine Street 10012 (New Restaurant Wine)**

**i. Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Committee #2 to present an application to the NYS Liquor Authority for a new beer and wine license to operate an Italian bistro in an R7/C1-5 zoned, five-story mixed-use building constructed c.1890 on the west side of Carmine St. between Bleecker St. and Sixth Ave. (Block #589/Lot #47) in Greenwich Village, which building falls within the designated NYC LPC’s Greenwich Village Historic District Extension II; and

**ii. Whereas**, the ground-floor premises is approximately 1,010 sq. ft. and the basement (to which will be no patron access) is approximately 1,356 sq. ft.; there will be 22 tables with 48 seats, and one (1) stand-up bar with 16 seats, which will serve as a food counter, for a total of 64 interior seats; there will be a sidewalk café of approximately 125 sq. ft. with nine (9) tables and 18 seats; the premises has one (1) restroom and one (1) entrance; this location was previously licensed as an eating and drinking establishment and the Applicant has presented a Letter of No Objection for the operation of such an establishment with fewer than 75 persons on the first floor of the premises; and



**iii. Whereas,** the Applicant’s hours of operation are Sunday to Thursday 8:00 AM to 12:00 AM, with the sidewalk café closing at 10:00 PM, and Friday and Saturday 8:00 AM to 1:00 AM, with the sidewalk café closing at 11:00 PM; music will be quiet background only, not audible in surrounding residences, there will be no DJs, no promoted events, no live music, no private parties, no scheduled performances or cover fees, and there will be no more than two (2) televisions of a maximum 46” in size; and

**iv. Whereas,** the Applicant has stated that any changes made to the premises will be cosmetic in nature only and that the new signage it will install will have dimensions comparable to those of the signage currently in place; and

**v. Whereas,** the Applicant has presented letters of support (though none were from immediate neighbors to the premises), and while it has neglected to reach out to the Carmine St. block association, it has promised to do so, and

**vi. Whereas,** the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation of the Beer and Wine License, with those stipulations as follows:

1. The Premise will be advertised and operated as an Italian bistro-style restaurant.
2. The hours of operation will be from 8:00 a.m. to 12:00 a.m. Sundays to Thursdays (with the sidewalk café closing at 10:00 p.m.), and 8:00 a.m. to 1:00 a.m. Fridays and Saturdays (with the sidewalk café closing at 11:00 p.m.).
3. Will operate with the kitchen open and the full menu available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have no more than 2 televisions of not more than 46” in size.
6. Will not permit dancing.
7. Will not operate a backyard garden or any outdoor area for commercial purposes, except for a sidewalk café with no more than 9 tables and 18 chairs.
8. Will not install operable French doors or windows that open out to the sidewalk.
9. Music will be quiet, ambient, recorded background music only.
10. Will close all doors & windows every night at 9:00 p.m. except for patron entering and exiting.
11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. Will not make any changes to the existing facade, except to change signage or awning.
13. Will not offer unlimited drink, or unlimited food & drink specials (including no “boozy brunches”), nor will it sell 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 and beer products.
15. Will not have dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel or a doorman.
16. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

**THEREFORE, BE IT RESOLVED** that CB2, Man. recommends denial of the new restaurant wine license for **Solaro Inc., d/b/a TBD, 13 Carmine Street 10012** unless the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 39 Board members in favor.

**23. & 24. A Not for Profit Entity to be formed by SoHo Works, d/b/a SoHo Works, 875 Washington St. 3<sup>rd</sup> Floor 10014** (RW – Co-working offices)

**A Not for Profit Entity to be formed by SoHo Works, d/b/a SoHo Works, 875 Washington St. and 5<sup>th</sup> Floor 10014** (RW – Co-working offices)

i. **Whereas**, a Representative of the Applicant and their Attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present two separate applications to the Liquor Authority for two members club beer, wine and cider licenses to operate two 9000 sq. ft. co-working office spaces, the first on the third floor and the second on the fifth floors of a five-story commercial building on Washington St. between West 13<sup>th</sup> and West 14<sup>th</sup> Streets in the Meat Packing area; the two applications were heard together, and

ii. **Whereas**, for the fifth floor premises the applicant presented a certificate of occupancy that permitted office use and occupancy only but did not specifically permit eating and drinking or a private members club, the premises having never been licensed previously or operated in the manner being proposed, there will be an open lounge with a proposed occupancy for eating and drinking of 160, with 47 tables and 154 patron seats and 1 stand up bar with 5 seats for a total patron occupancy of 160 seats, six bathrooms, 2 TVs, there will be background music; there will be a menu with sandwiches, bakery items, soups and salads but there is no full-service kitchen and no exterior areas for the service of alcohol; and,

iii. **Whereas**, for the third floor premises the applicant presented the same certificate of occupancy that permitted office use and occupancy but again did not specifically permit eating and drinking or a private members club on the third floor of the building, the premises having never been licensed previously or operated in the manner being proposed, there will be an open lounge with a proposed occupancy for eating and drinking of 171, with 48 tables and 166 patron seats and 1 stand up bar with 5 seats for a total patron occupancy of 171 seats, six bathroom, 3 TVs, there will be background music; there will be a menu with sandwiches, bakery items, soups and salads but there is no full-service kitchen and no exterior areas for the service of alcohol; and,

iv. **Whereas**, the proposed hours of operation for both spaces were Sunday through Saturday from 7 AM to 12AM, the initial application included the use of DJs and Live Music but those proposals were subsequently withdrawn there now being background music only, there will be private events and a flexible event space was included as an alternate layout for the 5<sup>th</sup> floor, the Applicant indicating there will be no promoted events, no scheduled performances and cover fees; and,

v. **Whereas**, a “club” for purposes of a “club license” is defined by the NYS ABC laws as follows: “a Club shall mean an organization of persons incorporated pursuant to the provisions of the not-for-profit corporation law or the benevolent orders law, which is the owner, lessee or occupant of a building used exclusively for club purposes, and which does not traffic in alcoholic beverages for profit and is operated solely for a recreational, social, patriotic, political, benevolent or athletic purpose but not for pecuniary gain; except that where such club is located in an office or business building, or state armory, it may be licensed as such provided it otherwise qualifies as a ‘club’ within the meaning of this subdivision”; and,

**vi. Whereas**, the proposed premises seeks to operate as a for profit co-working space and not as a true “not-for-profit club” within the provisions of existing law, and it cannot be said with clarity or with veracity that the premises to be licensed here “[will] not traffic in alcoholic beverages for profit”; and,

**vii. Whereas**, even though the Applicant indicated that it will seek a change in occupancy for both the third and fifth floor premises proposed to be licensed, there remain unresolved questions as to whether eating and drinking is permissible in the manner being proposed, the service of alcohol being inconsistent with traditional office space use and occupancy, the proposal that eating and drinking use/occupancy is accessory when there is such a large lounge space with such a significant presence, where existing NYC Zoning regulation principals which state that the accessory use being “customarily found” in connection with the principal use, the principal use/occupancy currently permitted being for traditional office space, an accessory use for eating and drinking not customary found or consistent with the principle occupancy and use of office space; and,

**viii. Whereas**, the immediate area having been greatly impacted over the last 15 years from a significant fluctuation of liquor licensing into the area, the licensing establishing unanticipated impacts from a failure to properly vet and limit such operations in the past, this particular application seeking to add liquor licensing in a yet another new format in another new location in this area, being 18,000 sq. ft. in size, for office use only, the method of operation being proposed not previously being recognized by laws in the City or State of New York, there being no legislation for licensing such large footprints on multiple upper floors of an office building as proposed and no real guidance from the New York State Liquor Licensing Authority permitting such a license, the proposed reasoning from the Applicant being self-motivated and not well-researched, as well as being inconsistent with existing law; and,

**ix. Whereas**, CB2, Man. remains open to the advent of co-working spaces, especially in light of the changing times where co-working office space provides a new market for the self-employed and work-at-home professionals or those who have traditionally worked in isolation, and further understands the need and purpose for licensing for profit businesses, but for the Applicant in this case—sharpened by the numerous additional, analogous license applications that will appear in the future—to state and propose business operations inconsistent with its true intentions is objectionable, and requires new laws/regulations with specific guidance in place to address the advent of co-working spaces in combination with for profit eating and drinking and the service of alcohol:

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** for **A Not for Profit Entity to be formed by SoHo Works, d/b/a SoHo Works, 875 Washington St. 3<sup>rd</sup> Floor and 5<sup>th</sup> Floor 10014** on its two applications seeking new club beer, wine and cider licenses; and

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

Vote: Unanimous, with 39 Board members in favor.

**25. Dig Inn 232 Blecker St, LLC d/b/a Dig Inn, 232 Blecker St. 10014 (Restaurant w/ Sidewalk Cafe)**

**i. Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a new Restaurant Wine license to operate a full service American Food Restaurant in a mixed-use, six-story building (circa 1900) in a R7-2 zone with a c 1-5 Overlay for local retail at 232 Blecker Street which is at the corner of Blecker and Carmine Streets; and,

**ii. Whereas**, the 2,821 sq. ft. premises (1,307 sq. ft. ground floor and 1,514 sq. ft. storage cellar) was previously operated as Bleecker Spaghetti, LLC d/b/a Trattoria Spaghetti (2011-2019) with a restaurant wine license, a certificate of occupancy was presented permitting a commercial store on the first floor but there was no specific designation for eating and drinking on the document; and,

**iii. Whereas**, the Applicant has filed for a Letter of No Objection from the Department of Buildings, and the premises will have 47 seats, there will be 16 tables with 32 seats and 1 bar with 10 seats, and 5 seats at a chef Counter, there will be 2 entrances (there will be one patron entrance on the corner, the other entrance is for emergency only) and 4 exits, 3 bathrooms (2 for customers and 1 for employees)

**iv. Whereas**, premises will operate as a “full service restaurant” serving locally sourced American food, with a full service kitchen, no TVs, all windows and doors will be closed at 9 PM., there will be 10 tables and 20 seats in a sidewalk café which will close at 10 PM Sunday through Thursday and 11 PM on Friday and Saturday; there will be no take out window; and,

**v. Whereas**, the applicant’s agreed upon hours of operation will be Sunday through Saturday from 8 AM to 12 AM., music will be quiet ambient background music only; and,

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

1. The premises will be advertised and operated as a full-service American Restaurant.
2. The hours of operation will be Sunday through Saturday from 8 AM to 12 AM.
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. There will be no TVs.
5. The premises will operate a sidewalk cafe.
6. The premises will play quiet ambient, recorded background music only.
7. All windows and doors will be closed at 9 PM
8. The premises will not have DJs, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
10. There will be no “bottle service” on the sale of bottles of alcohol except for the sale of bottles of wine products.
11. The premises will not permit dancing.
12. Will appear before Community Board #2 prior to submitting any changes to any stipulation agreed to herein.
13. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the new Restaurant Wine license for **Dig Inn 232 Bleecker St, LLC d/b/a Dig Inn, 232 Bleecker St. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 39 Board members in favor.

**26. Fifty Merchants LLC d/b/a TBD, 50 Commerce Street 10014 (New OP -- Restaurant)**

**i. Whereas,** the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Committee #2 to present an application to the NYS Liquor Authority for a new on-premise license to operate a family-friendly restaurant serving a menu based on recipes from vintage American cookbooks in an R6 zoned, six-story mixed-use building constructed in 1926 (and altered in 1955) on the west side of Commerce St. between Bedford St. and Barrow St. (Block #584/Lot #20) in Greenwich Village, which building falls within the designated NYC LPC's Greenwich Village Historic District; and

**ii. Whereas,** the ground-floor premises is approximately 1,200 sq. ft. and the basement (to which there will be no patron access) is approximately 650 sq. ft.; there will be 27 tables with 78 seats, and one (1) stand-up bar with 13 seats, for a total of 91 seats; there will be no sidewalk café; the premises has three (3) bathrooms and two (2) entrances; this location was previously licensed as an eating and drinking establishment and the Applicant has presented a Certificate of Occupancy that shows the first floor having a permitted use as a restaurant with a maximum occupancy of 120 persons and it will apply for a Public Assembly Permit;

**iii. Whereas,** the Applicant's hours of operation are Sunday to Thursday 8:00 AM to 12:00 AM, and Friday and Saturday 8:00 AM to 1:00 AM; music will be quiet background only, not audible in surrounding residences, there will be no DJs, no promoted events, no live music, no private parties, no scheduled performances or cover fees, and there will be no televisions; and

**iv. Whereas,** the Applicant has promised that it will use only one of the two entrances to the premises at any given time, and that it will make no changes to the exterior of the building except for new signage; and

**v. Whereas,** the Applicant has other credited businesses located in the immediate area and strong support from the owner of the building and those residing in the immediate vicinity of the premises to be licensed; it has done considerable community outreach and has presented a petition and numerous letters of support, and has obtained the support of local block associations; and

**vi. Whereas,** the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation of the On-Premise License, with those stipulations as follows:

1. The Premises will be advertised and operated as a family restaurant serving American-style food based on vintage recipes.
2. The hours of operation will be from 8:00 a.m. to 12:00 a.m. Sundays to Thursdays, and 8:00 a.m. to 1:00 a.m. Fridays and Saturdays.
3. Will operate with the kitchen open and the full menu available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions.

6. Will not permit dancing.
7. Will not operate a backyard garden or any outdoor area for commercial purposes.
8. Will not install operable French doors or windows that open out to the sidewalk.
9. Music will be quiet, ambient, recorded background music only.
10. Will keep all doors & windows closed at all times except for patron entering and exiting.
11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. Will not make any changes to the existing facade, except to change signage or awning.
13. Will not offer unlimited drink, or unlimited food & drink specials (including no “boozy brunches”), nor will it sell 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 and beer products.
15. Will not have dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel or a doorman.
16. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

**vii. Whereas**, this application being subject to the 500-foot rule requiring the Applicant to establish a public interest, there being approximately 41 On Premise Liquor Licenses within 750 ft. of the premises, 11 additional pending licenses and an unknown number of beer and wine licenses, the stipulations agreed upon with Community Board 2 being the premise upon and pretext for which the Applicant is able to satisfy that statutory obligation;

**THEREFORE, BE IT RESOLVED** that CB2, Man. recommends **denial** of the new restaurant on-premise license for **50 Commerce LLC, d/b/a TBD, 50 Commerce Street 10014** **unless** the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA Restaurant On-Premise License.

Vote: Unanimous, with 39 Board members in favor.

**27. 340 Bleecker, LLC d/b/a AMOS, 340 Bleecker St. 10014 (New OP – Restaurant)**

**i. Whereas**, the Applicant and his Attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new on-premise liquor license to operate a full-service “neighborhood restaurant serving breakfast, lunch and dinner”; and,

**ii. Whereas**, the proposed premises to be licensed is a combination of multiple storefronts, located adjacent to each other, the first storefront having previously operated as a diner restaurant called Manatus which closed in 2015, the second storefront being a clothing store and never previously licensed or operated for eating and drinking, the combined premises being gut-renovated and kitchen being relocated into the basement, the combined interior premise being 3,500 sq. ft., (2,500 sq. ft. ground floor and 1,000 sq. ft. basement) within a mixed-use six-story building (circa 1930) located on Bleecker St. between West 10<sup>th</sup> St. and Christopher St. in Greenwich Village, the building falling within NYC LPC’s designated Greenwich Village Historic District; and,

**iii. Whereas**, the premise will have three sets of operable doors running along Bleecker Street but there will be only one patron entrance/egress, that entrance being located at the most northerly side of the combined storefronts, there will also be a licensed sidewalk café in front with no more than 6 tables and 12 seats; and,

**iv. Whereas**, the interior premises will have 28 tables and 94 table seats, 1 standup bar with 14 bar seats for a maximum interior patron occupancy of 108, there will be no patron use of the basement, two patron bathrooms and no operable windows, an awning will be installed over the sidewalk café to limit privacy intrusions for those living above; and,

**v. Whereas**, the interior hours of operation will be Sunday to Thursday from 8AM to 12AM and Fridays/Saturdays from 8AM to 1AM (all patrons will be cleared from the ground floor of the premises and no patrons will remain after stated closing time), the exterior sidewalk café will close by 10 PM Sunday through Thursday and close by 11PM Fridays and Saturdays (all patrons will be cleared and no patrons will remain after stated closing time), music will be on the interior only and will be quiet background only consisting of music from ipod/CDs (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at all times; there will be no DJ, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

**vi. Whereas**, there may be live music at the interior premises, albeit limited to two times per week, acoustical instruments only, without amplification, no drums and no horns; and.

**vii. Whereas**, the Applicant executed a stipulations agreement with CB2, Man. that he agreed to submit to the SLA and agreed would be attached and incorporated into the method of operation on the restaurant on-premise liquor license stating that:

1. The establishment will be advertised and operated as a full-service restaurant serving breakfast, lunch and dinner.
2. The interior hours of operation will be Sunday to Thursday from 8AM to 12AM and Fridays/Saturdays from 8AM to 1AM (all patrons will be cleared from the ground floor of the premises and no patrons will remain after stated closing time).
3. The premises will not operate a backyard garden or any outdoor area for commercial purposes other than a DCA approved sidewalk café.
4. The exterior sidewalk café will close by 10 PM Sunday through Thursday and close by 11 PM Friday to Saturday. All patrons will be cleared from the sidewalk café and no patrons will remain after stated closing time.
5. Will not have TVs.
6. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
7. The premises will not permit dancing in any portion of the premises.
8. Live music may occur at the interior premises, albeit limited to two times per week, acoustical instruments only, without amplification, no drums and no horns; otherwise the premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. Will install foam soundproofing with additional sound barriers for sound attenuation throughout entire ceiling, utilize sound limiters and will work with the residential tenants living directly above premises to attenuate/contain all sound impacts.
10. Will install awning over sidewalk café.
11. The premises will not have DJs, live music, promoted events, any event where a cover fee is charged or any scheduled performances.

12. Signage will be installed to remain patrons outside to be respectful of residents living immediately above establishment.
13. The Licensee will obtain all required certificates, permits and related documents including a Certificate of Occupancy prior to opening and will keep current all certificates, permits and related documents.
14. There will be no operable windows and all operable doors on Bleecker Street will be closed at all times except for patron egress.
15. There will be a single patron entrance located at the northerly portion of the storefront premises.
16. There will be no “bottle service” other than typical restaurant beer/wine by the bottle.
17. There will be no velvet ropes or barricades used to control patrons.

**vii. Whereas**, several local residents appeared in opposition, including those directly impacted and living on Bleecker Street immediately above the premises to be licensed and the proposed sidewalk café, the proposed licensed premise and exterior café being surrounding by a significant residential presence, advancing concerns relating to noise impacts from the exterior café but also due to the interior restaurant, the size of the combination of two storefronts, one of which has never been licensed previously or used for eating and drinking, the prior use of the additional storefront having been as a retail store not having the same sound intrusions and impacts as a full service restaurant with a large bar being installed where none had previously existed, the patron occupancy of 108 being much greater than the prior occupancy of the diner, the building being old without soundproofing and all residential above, the tenants impacted having lived in the building for decades with concerns that they are being targeted by the landlord due to their rent-controlled status; there also being concerns voiced that the Applicant was not being candid about his plans to prevent noise intrusions for the larger foot print and there being doors left unlocked and access to common tenant areas in the basement by employees of the proposed restaurant, the Applicant in response repeatedly stating he would resolve all potential problems and work with the tenants immediately impacted now and into the future to ameliorate the likely and potential impacts that will occur; and,

**viii. Whereas**, this application being subject to the 500 foot rule requiring the Applicant to establish a public interest, there being approximately 52 On Premise Liquor Licenses within 750 ft. of the premises, with 9 additional pending licenses in the same area and an unknown number of beer and wine licenses, the Applicant having modified his application, understanding the concerns of the tenants and residents living directly above the premises to be licensed and agreeing in good faith to install an awning over the licensed sidewalk café, to install sound limiters and to install soundproofing in the entire ceiling of the licensed premises, to have only one patron entrance at the northerly side on Bleecker Street, and to continue to work with those tenants living above to prevent interior and exterior noise intrusions, and further agreeing to the above-referenced stipulations with CB2, Man., all of which in combination form the premise upon and pretext for satisfying the Applicant’s statutory obligation to serve the public interest;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a new Restaurant On Premise Liquor License for **340 Bleecker, LLC d/b/a AMOS, 340 Bleecker 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 39 Board members in favor.



**28. Ars Nova Theater I, Inc., 27 Barrow St. 10014 (OP-Theater, live music in conjunction with musical theatre performance)**

**i. Whereas,** the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a new on-premise liquor license for a non-profit theatre company for alcohol service prior to performances and during intermission; and,

**ii. Whereas,** this application is for a new on-premise liquor license for an existing theatre which had previously been licensed by a prior operator for beer and wine service only; the premises is located on the ground floor and mezzanine of a 7-story commercial building located in a mixed-used residential/commercial area on Barrow Street between 7<sup>th</sup> Avenue South and West 4<sup>th</sup> Street for a roughly 3,344 sq. ft. premise (2,666 sq. ft. ground floor and 678 sq. ft. mezzanine) with 199 seats located in the theatre and one stand-up bar adjacent to the lobby area; a Certificate of Occupancy was provided; and,

**iii. Whereas,** when there is public programming in the theatre, the hours of operation for alcohol service will be from 6PM to 10PM Monday to Friday and from 1PM to 4:30PM and 6PM to 10PM Saturday and Sunday; there are no outdoor areas and no operable facades or windows, music will be that as normally found in theatres spaces, there will be no DJs or patron dancing, no velvet ropes, no movable barriers; there will be live music in conjunction with theatre performances; and,

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

1. This application is for an on-premise liquor license for a non-profit theatre company for alcohol service prior to performances and during intermission only.
2. The licensed premises will consist of the main theatre with 199 seats, the front lobby area, box office area, bar & coat check.
3. When there is public programming in the theatre, the hours of operation for alcohol service will be from 6PM to 10PM Monday to Friday and from 1PM to 4:30PM and 6PM to 10PM Saturday and Sunday. Beer, Wine and Alcohol sales will only occur 30 minutes prior to any performance and during any intermission up to 30 minutes in length. When there is no public programming, there will be no alcohol service.
4. All beer, wine and alcohol service will be limited to ticketed patrons only.
5. Alcohol service will be limited to basic well drinks.
6. Patrons will only be able to purchase beer, wine and alcohol at the standup bar in the coat check counter in the lobby area. Patrons may bring beer, wine alcohol to seats in the theatre.
7. All public programming in the theatre will end by 11pm.
8. At no time will any music or noise from inside the theatre be audible in any contiguous residential apartments.
9. At no time will the theatre utilize DJs, allow patron dancing, utilize velvet ropes or other barricades to queue patrons or otherwise block areas of the sidewalk on the exterior of the building.
10. The theatre will abide by all the regulations of the Department of Buildings and the Landmark Preservation Commission in the operation of their business at this address, including, but not limited to the Certificate of Occupancy, Place of Assembly Permits and exterior signage.
11. The theatre, at the request of CB2, Manhattan, will revisit any of the above stipulations as they relate to quality of life issues and will work with CB2, Manhattan to create additional best practices to mitigate any ongoing issues should they arise.

12. There will be a designated contact person whose phone number is made available to local residents who will respond to any complaints promptly.
13. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

v. **Whereas**, a number of letters in support were previously received including letters from local residents and other groups; and,

vi. **Whereas**, this application being subject to the 500 foot rule requiring the Applicant to establish a public interest, there being approximately 36 On Premise Liquor Licenses within 500 ft. of the premises, and an unknown number of beer and wine licenses, the stipulations agreed upon with CB2, Man. being agreed upon and premised upon and the pretext for satisfying that statutory obligation;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a new theatre on-premise liquor license for **Ars Nova Theater I, Inc., 27 Barrow 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 Theatre On-Premise Liquor License.

Vote: Unanimous, with 39 Board members in favor.

**29. Houston Hospitality Group, LLC d/b/a Biamo, 178 W. Houston St. 10014 (New OP – Restaurant)**

i. **Whereas**, the applicant appeared with his counsel before CB2’s SLA committee for the purpose of seeking a new OP license for a storefront premises located within a six-story mixed use building on a roadway extension and address on West Houston Street but which is also known as Bedford Street between Sixth Avenue and Downing Street, the building falling within the designated NYC LPC’s Greenwich Village Historic District; and

ii. **Whereas**, the interior storefront premises are approximately 1,600 sq. ft., were previously occupied and operated for years as a Laundromat and dry cleaning business and has neither previously been used nor occupied, with unenclosed rear yard of approximately 500 sq. ft. extending out from the rear of the premises, for eating or drinking, nor previously licensed for the service of alcohol, there currently being no permit, letter of no objection from the NYC Dept. of Buildings or a current Certificate of Occupancy provided or presented which permits such use and occupancy for eating and drinking for either the interior premises or outdoor rear yard extension; and

iii. **Whereas**, the applicants believed that the premises was previously used and occupied for eating and drinking many years ago but such assertion was incorrect and in error and that the premises in question was never in fact occupied by or operated for eating and drinking, there being remnants of a ventilation system belonging to another, separate and distinct storefront albeit in the same building but with no rear yard extension; and

iv. **Whereas**, the applicants seek to open an Italian restaurant and bar serving pastas, pizza, salads and Italian dishes with hours of operation from 11 AM to 11 PM every day/night, with 18 interior tables and 36 interior seats, 1 interior stand up bar with 8 seats for a total interior patron capacity of 44 patron seats in the rear yard, requiring a complete gut renovation of the premises, the installation of a new kitchen and the installation of new mechanical systems where none had existed previously; and

**v. Whereas**, the applicant's current application did not include the exterior rear yard but the Applicant's counsel made it clear that the Applicant intends to extend their business operations into the rear yard, the premises also having existing operable windows at the rear which will remain open during operating hours; and

**vi. Whereas**, the Applicant submitted preprinted letters drafted by the Applicant and purportedly signed by residents living in and outside the immediate area but the preprinted letters did not acknowledge their existing plans to operate the rear yard in the future, calling into question the support letters in that local residents and neighbors could not and were not made aware of the applicant's desire and future plans to use the rear yard space, creating additional concerns the Applicant was not being sincere as to its ultimate plans for the premises to be licensed and was seeking to avoid having the back yard extension being subject to the 500-foot rule and its statutory obligation to establish a public interest; and

**vii. Whereas**, no one appeared in support of the Application; and,

**viii. Whereas**, the residents living in the same building, residents living in the immediate neighborhood, as well as Bedford Downing Street Block Association and its representatives appeared in opposition to the application, while still others sent in letters and email correspondence in opposition, all of whom were adamantly opposed to this application, citing concerns for adding yet another licensed establishment on a narrow, residential street that is already overly-saturated with liquor licenses and where there are already 8 licensed establishments running along a two block span of Bedford Street between Carmine Street, Downing Street and Sixth Avenue, there being no public interest in adding yet another licensed location on this primarily residential block and very narrow roadway, in an area where there are so many other establishments already existing and where there are other vacant and unoccupied alternative storefronts on Carmine Street nearby and throughout CB2, Man. that are specifically available for eating and drinking uses, there being no public interest for opening new licensed locations in spaces previously unlicensed and never occupied for eating and drinking because the applicant seeks a lower rent, especially on narrow streets zoned for residential use when so many alternative locations properly zoned in the immediate area are vacant and needing businesses like proposed here to occupy them; and

**ix. Whereas**, the premises includes a rear courtyard outdoor space that faces the rear windows of a large adjacent residential community composed of multiple residential buildings creating future concerns of noise coming from the proposed premises where there has only been and forever quiet enjoyment and privacy normally associated with a rear yard surrounded by residential apartments; and

**x. Whereas**, there are already 55 liquor licenses within a 750 foot radius of these premises, many of which have only recently been added to the Area, including 11 pending license applications in this same area, there are many bars and restaurants which provide the same or similar services to the area as proposed in this Application, the application not being unique in any manner, the premises having never been licensed previously, the future extension into the rear yard being planned, there being no coherent reason for adding yet another licensed establishment where there is vacancy elsewhere for such purpose, there being no permits proffered demonstrating permission to use or occupy as proposed, there being significant opposition presented from the local neighborhood with valid concerns, the immediate area being primarily residential on a narrow roadway already overwhelmed by liquor licenses, the application not satisfying the public interest standard; and

**xi. Whereas**, the specific storefront premises proposed to be licensed was previously reviewed with an analogous application known as AROSE HOSPITALITY, LLC d/b/a ZEROBEDFORD SN 1293115 in 2016, with CB2, Man. unanimously voting to recommend denial of that license in January/2016 for analogous reasons, and where a 500-foot hearing was held in March 31, 2016 with the Administrative Law Judge concluding after such hearing that the application at the same premises did not meet the statutory burden of demonstrating that the public interest will be served by the granting of said license; and

**xii. Whereas**, the NYSLA Board thereafter agreed with CB2, Man. and the Administrative Law Judge that the analogous application for these same premises did not meet the statutory burden of demonstrating that the public interest will be served by the granting of said license, thereby voting to deny the previous license application in 2016;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial for **Houston Hospitality Group, LLC d/b/a Biamo, 178 W. Houston St. 10014** on its application seeking a new OP license; and

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

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

Vote: Unanimous, with 39 Board members in favor.

**30. Red Cat Bar, LLC d/b/a Red Cat Bar, 286 Spring St. aka 290 Hudson St. 10013 (OP – Bar/Tavern)**

**i. Whereas**, the Applicant and his Attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a new On Premise license to operate a “bar with jukebox serving flatbreads” in the ground floor of mixed use, seven-story building on Spring Street at the corner of Hudson Street in Hudson Square; and,

**ii. Whereas**, the storefront premise is approximately 1,548 sq. ft. (1,148 sq. ft. ground floor and 400 sq. ft. basement, the basement not being for patron use) and was previously operated as the Parlor Social Club but closed in early 2018, the Applicant having been the Developer of the entire “L” shaped building, having transformed the upper floors into condominiums while retaining the two commercial storefronts with multiple addresses/entrances on Spring and Hudson Streets, the Hudson Street storefront being operated as a restaurant and wine bar with an on premise license as of 2018 with operable facades and sidewalk café, there being one certificate of occupancy for the combined storefronts but not for the individual storefronts as presented, the proposed license being presented for the Spring Street storefront where there are fix facades and no operable doors/windows facing Spring Street, the Applicant agreeing that he will obtain the proper and correct certificates of occupancy for each individual storefront operating separately and with different liquor licenses prior to opening; and,

**iii. Whereas**, there will be no exterior areas for commercial use or the service of alcohol, no sidewalk café and all doors and windows will remain fixed Applicant further agreeing to not install operable facades in the future at the front facade of the storefront premise and further agreed that all doors and windows will be remain closed at all times in the future other than patron egress through the single Spring Street entrance; and,

**iv. Whereas**, the interior premises will not operate with a full-service kitchen, there will be 1 bar with 9 seats, 12 tables with 44 seats for a total interior occupancy of 53 patrons, one (1) bathroom for patrons, two (2) TVs, music will be quiet-background only consisting of music from ipod/CDs (i.e. no active manipulation of music – only passive prearranged music), there will be no DJ, no promoted events, no scheduled performances or cover fees, no security, no velvet ropes, no movable barriers on the sidewalk; and,

**v. Whereas**, multiple residents with young children living directly above the storefront premises that will be directly impacted by the proposed license, appeared in opposition to the application, there being concerns voiced regarding noise impacts from the interior operations and patrons exiting the premises and smoking outside in front of the premises after drinking alcohol, there being issues in the past with the prior Parlor Club having operated with a speakeasy type method of operation, without signage, causing patrons to enter the front residential door and hallway, the residents in opposition concerned about security to their home with the doorway to the Bar being located within a few feet of the their front entrance, there also being concerns voices about soundproofing and the on-going impacts of noise from the already existing restaurant and wine bar located in the Hudson Street storefront; and

**vi. Whereas**, in light of the concerns expressed by those immediately impacted neighbors and CB2, Man. the Applicant in good faith agreed to hours of operation which will be Sunday through Thursday from 8 AM to 12 AM, Fridays and Saturdays from 8 AM to 2 AM, all facades will be fixed, there will be no operable doors or windows, all existing doors will be closed at all times except for patron egress through a single main entrance on the Spring Street, the Applicant further stating he will install sound-proofing through the ceiling of the entire interior premises, providing plans for installation of a Kinetics Noise Control product with deck suspended ceiling spring hangers, and further agreed to work with his neighbors living directly above the premises to be licensed to prevent future noise impacts from the bar; and,

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

1. The premises will be advertised and operated as a café during the day and bar at night.
2. The hours of operation will be Sunday through Thursday from 8 AM to 12 AM, Fridays and Saturdays from 8 AM to 2 AM. No patrons will remain after closing hours.
3. The service of alcohol will not commence until after 12 PM every day.
4. The premises will have two TVs only but will not operate as a sports bar or allow any portion of the premises to be operated in such a manner.
5. The premises will not operate a backyard garden, or any outdoor area for commercial purposes, including a licensed sidewalk cafe.
6. The premises will play quiet background music only. No music will be audible in any adjacent residence anytime.
7. Will not install French doors, operable windows, or open façades.
8. All windows and doors will be closed at all times.

9. Will assign door personnel at front door on Friday and Saturday evenings to prevent unnecessary noise intrusions and loitering on the public sidewalk in front of the licensed premises and adjacent to the residential entrance.
10. Will install floating ceiling with quiet rock with deck-suspended ceiling hangers for sound attenuation, utilize sound limiters and will work with the residential tenants living directly above premises to attenuate/contain sound impacts.
11. Will not make changes to the existing façade except to change signage or awning.
12. The premises will not have DJs, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
13. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
14. There will be no “bottle service” on the sale of bottles of alcohol except for the sale of bottles of wine products.
15. The premises will not permit dancing.
16. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.

**viii. Whereas**, this application being subject to the 500-foot rule requiring the Applicant to establish a public interest, there being approximately 20 On Premise Liquor Licenses within 750 ft. of the premises, with 3 additional pending licenses in the same area, there already being 4 existing bars (Ear Inn, Lazy Point, Kana Tapas Bar, Paul’s Casablanca) with late night hours located on Spring Street in Hudson Square, as well Local and Vine located in the same building at the connected Hudson Street storefront, and an unknown number of beer and wine licenses, the Applicant having modified his application, understanding the concerns of the tenants and residents living directly above the premises to be licensed and agreeing in good faith to install sound limiters and to install soundproofing in the entire ceiling of the licensed premises to prevent and ameliorate interior noise intrusions, by employing personnel at the front door to monitor patrons entering and exiting after 12 AM on the weekends to assist in potential exterior noise intrusions, there being no exterior areas for the service of alcohol and no operable facades to the storefront, the stipulations agreed upon with Community Board 2 in good faith being the premise upon and pretext for satisfying the Applicant’s statutory obligation to serve the public interest; and,

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the On Premise license application to **Red Cat Bar, LLC d/b/a Red Cat Bar, 286 Spring St. aka 290 Hudson St. 10013** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on the On Premise License.

Vote: Unanimous, with 39 Board members in favor.

**31. LFNy, LLC d/b/a Pending, 24 Minetta Lane, 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 fine-dining modern Italian restaurant serving lunch and dinner that will focus on “serving the finest food, wine and spirits that represent the regional cuisine of Italy”; and,

**ii. Whereas**, this application is for a new Restaurant On-Premise Liquor License in a previously licensed location; the premises is in a mixed use district located on the ground floor with accessory use in the basement on Minetta Lane between Sixth Avenue and MacDougal Street for a roughly 4,300 sq. ft. premise of which 2,500 sq. ft. is on the first floor and 1,800 sq. ft. is in the basement (basement use not

for patrons) with 12 tables and 40 seats, 1 standup bar with 8 seats, 14 food rear and front counter/dining rail seats for a total of 62 seats; no TVs, two patron bathrooms, the front façade is fixed without operable doors/windows, the maximum legal capacity is less than 74 persons; there is no sidewalk café; there are no other outdoor seating areas or backyard garden; and,

**iii. Whereas**, the hours of operation will be Sundays from 10AM to 2AM Sunday through Saturday seven days/nights per week, the Applicant stating and agreeing that he would advertise closing hours of 11 PM every night, music will be quiet background only consisting of music from ipod/CDs (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at all times except for patron ingress and egress, there will be no DJ, no promoted events, no scheduled performances or cover fees, no security, no velvet ropes, no movable barriers; and,

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

1. The premises will be advertised and operated as a full-service Italian restaurant; and,
2. The hours of operation will be 10AM to 2AM Sunday through Saturday seven days/nights per week. No patrons will remain after closing hours.
3. Advertised closing hours will be 11 PM every night.
4. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
5. The premises will have no televisions.
6. The premises will not permit dancing.
7. The premises will not operate a backyard garden or any outdoor area for commercial purposes including a licensed sidewalk café.
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. The premises will not have DJs, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. The Premises will close all doors and windows at all times.
11. Will not install or have French doors, operable windows or open facades.
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 not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel or doorman.

**v. Whereas**, this application being subject to the 500 foot rule requiring the Applicant to establish a public interest, there being approximately 63 On Premise Liquor Licenses within 750 ft. of the premises, six pending licenses and an unknown number of beer and wine licenses, the stipulations agreed upon with CB2, Man. being premised upon and the pretext for satisfying that statutory obligation; and,

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of a new Restaurant On Premise Liquor License for **LFNY, LLC d/b/a Pending, 24 Minetta Lane, 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 37 Board members in favor and 1 abstention (D. Diether).

**32. Top Thai Group Inc., d/b/a TBD, 55 Carmine St. 10014 (OP – New Restaurant)**

**i. Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Committee #2 to present an application to the NYS Liquor Authority for an on-premise license for its new restaurant which will offer Thai cuisine in a storefront location in a R-6 zoned one story, (1900) mixed-use building on Carmine Street between Bedford Street and Varick Street (Block #582/Lot #P/O) in Greenwich Village; and

**ii. Whereas**, the premise was previously operated as a restaurant Do Hwa) until 2018 with an On Premises license; the operator will provide a letter from a registered architect that indicates that Use Group 6 is an allowable use at this location in light of the fact that the Certificate of Occupancy states that the space is a magician’s theater; and,

**iii. Whereas**, the ground-floor premises to be licensed is approximately 2,100 sq. ft. and the basement (which will be used for storage only) is approximately 1,200 sq. ft.; there will be 28 tables with 70 seats, and one (1) bar with 10 seats, for a total of 80 interior seats; and there will be no sidewalk café; There will be one entrance and one exit and 2 bathrooms; there are existing operable windows on the front façade that will be closed every night by 9 PM and

**iv. Whereas**, the Applicant’s hours of operation are Sunday to Saturday 11 AM to 12 AM, music will be quiet background only, not audible in surrounding residences, there will be no DJs, no promoted events, no live music, no private parties, no scheduled performances or cover fees, and no TV’s; and

**v. Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation of the On-premise License, with those stipulations as follows:

1. Premise will be advertised and operated as a Thai cuisine restaurant.
2. The hours of operation will be Sunday to Saturday 11 AM to 12 AM. No patrons will remain after closing hours.
3. Will operate with the kitchen open and the full menu available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions.
6. Will not permit dancing.
7. Will not operate a backyard garden or any outdoor area for commercial purposes (including a licensed sidewalk café).
8. Will close all doors and windows at 9 PM every night.
9. Music will be quiet, ambient, recorded background music only.
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 and beer products.



13. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
14. Will not have: dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel or a doorman.

vi. **Whereas**, this application being subject to the 500 foot rule requiring the Applicant to establish a public interest, there being approximately 30 On Premise Liquor Licenses within 500 ft. of the premises, six pending licenses and an unknown number of beer and wine licenses, the stipulations agreed upon with CB2, Man. being premised upon and the pretext for satisfying that statutory obligation;

**THEREFORE, BE IT RESOLVED** that CB2, Man. recommends **denial** of the new restaurant on-premise license for **Top Thai Group Inc., d/b/a TBD, 55 Carmine St. 10014 10011** **unless** the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA Restaurant On-Premise License.

Vote: Unanimous, with 38 Board members in favor.

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

**33. 324 Spring Hospitality, LLC d/b/a Empire Lodge, 324 Spring St. 10013** (New OP - withdrawn)

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on June 6<sup>th</sup>, 2019 the Applicant requested **to withdraw** this application for a new on premise liquor license from further consideration with the NYSLA and failed to appear;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed liquor license, corporate change, alteration, transfer or other application for **324 Spring Hospitality, LLC d/b/a Empire Lodge, 324 Spring St. 10013** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

**34. Off Cuts, LLC d/b/a Quality Eats, 19 Greenwich Ave. 10012** (OP – Restaurant) (Method of Operation Change – Extend the hours for the outside area) (withdrawn)

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on June 6<sup>th</sup>, 2019 the Applicant requested **to withdraw** this application for an alteration of an existing on premise liquor license from further consideration with the NYSLA and failed to appear;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed liquor license, corporate change, alteration, transfer or other application for **Off Cuts, LLC d/b/a Quality Eats, 19 Greenwich Ave. 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 38 Board members in favor.

**35. Entity to be formed by William Bishop, d/b/a N/A, 333 Sixth Ave. 10014 (RW – laid over)**

**Whereas**, after this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 6, 2019 the Applicant requested **to layover** this application to July/2019 and requested to adjourn and submit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed; and,

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, corporate change, alteration, transfer or other changes to the existing license for **Entity to be formed by William Bishop, d/b/a N/A, 333 Sixth Ave. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

**36. Restaurant Associates, LLC d/b/a N/A, 100 Ave. of the Americas, Floors 2-16 10013 (OP – Catering Facility: Private Events Only) (New OP – laid over)**

**Whereas**, after this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 6, 2019 the Applicant requested **to layover** this application to July/2019 and requested to adjourn and submit 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, corporate change, alteration, transfer or other changes to the existing license for **Restaurant Associates, LLC d/b/a N/A, 100 Ave. of the Americas, Floors 2-16 10013 (OP – Catering Facility: Private Events Only)** **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 38 Board members in favor.

**37. Restaurant Associates, LLC d/b/a N/A, 100 Ave. of the Americas, Floors 15-23 10013 (OP – Catering Facility: Private Events Only) (New OP – laid over)**

**Whereas**, after this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 6, 2019 the Applicant requested **to layover** this application to July/2019 and requested to adjourn and submit 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, corporate change, alteration, transfer or other changes to the existing license for **Restaurant Associates, LLC d/b/a N/A, 100 Ave. of the Americas, Floors 15-23 10013 (OP – Catering Facility: Private Events Only) 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 38 Board members in favor.

**38. Corp. to be formed by Tsion Bensusan, d/b/a TBA, 396 Ave. of the Americas 10011** (New OP - Live Music Venue, patron dancing, 4AM closing with rooftop) (withdrawn)

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on June 6<sup>th</sup>, 2019 the Applicant requested to withdraw this application for a new on premise liquor license from further consideration with the NYSLA and failed to appear;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any type of proposed liquor license, corporate change, alteration, transfer or other application for **Corp. to be formed by Tsion Bensusan, d/b/a TBA, 396 Ave. of the Americas 10011 until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

Respectfully submitted,

Keen Berger  
Secretary  
Community Board #2, Manhattan

---