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Susan Kent, Second Vice Chair
Bob Gormley, District Manager



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Erik Coler, Assistant Secretary

COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.cb2manhattan.org

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

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

FULL BOARD MINUTES

DATE: November 20, 2018

TIME: 6:30 P.M.

PLACE: St. Anthony of Padua Church, 151-155 Sullivan St., Lower Hall

BOARD MEMBERS PRESENT: Keen Berger, Tobi Bergman, Amy Brenna, Carter Booth, Katy Bordonaro, Anita Brandt, Richard Caccappolo, Lisa Cannistraci, Erik Coler, Tom Connor, Valerie De La Rosa, Doris Diether, Cristy Dwyer, Robert Ely, Kathleen Faccini, Cormac Flynn, Joseph Gallagher, Nicholas Gottlieb, David Gruber, Susan Kent, Jeannine Kiely, Patricia Laraia, Daniel Miller, Brian Pape, Lois Rakoff, Sandy Russo, Rocio Sanz, Shirley Secunda, Kristin Shea, Frederica Sigel, Susan Wittenberg

BOARD MEMBERS ABSENT WITH NOTIFICATION: Terri Cude, Chair; Coral Dawson, Susan Gammie, Janet Liff, Robert Riccobono, Robin Rothstein, Georgia Silvera Seamans, Shirley Smith, Chenault Spence, Cathy Sullivan, Antony Wong, Adam Zeldin

BOARD MEMBERS ABSENT: None

BOARD MEMBERS PRESENT/ARRIVED LATE: Susanna Aaron, William Bray, Ritu Chattree, Edward Ma, Scott Sartiano

BOARD MEMBERS PRESENT/LEFT EARLY: Jonathan Geballe, Maud Maron

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

GUESTS: Elena Sorisi, Senator Brad Hoylman's office; Cleveland Stair, Senator Brian Kavanagh's office; Andrew Chang, Manhattan Borough President Gale Brewer's office; Monica Martinez, Assembly Member Yuh-Line Niou's office; Michael Stinson, NYC Comptroller Scott Stringer's office; Adam Chen, Public Advocate Letitia James' office; Irak Cehonski, Council Member Carlina Rivera's office; Rush Perez, Council Member Margaret Chin's office, Pete Davies, Steve Skulnik, Nichole Huff, Chandler Forsyth, Sarah Sanchala, Thomas Novembre, Laine Nooney, Omar Torovaca, Zella Jones, Connie Sopic, Joseph Sasson, Cat Travers, Wes Roberts, Josh Bernstorm, Michael Francouer, Heather Meyer, Matthew Meltzer, Maureen Remacle, Eve Kleger, Emily Sobel, John Gordon, Aaron Cook, Fayanne Betan, Michael Schenker, Chris Cunningham, Angela LaSpisa, Jane Innocent

MEETING SUMMARY

Meeting Date – November 20, 2018
Board Members Present – 37
Board Members Absent With Notification – 12
Board Members Absent - 0
Board Members Present/Arrived Late - 5
Board Members Present/Left Early – 2

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
ECONOMIC DEVELOPMENT & SMALL BUSINESS	4
LAND USE & BUSINESS DEVELOPMENT	5
LANDMARKS AND PUBLIC AESTHETICS	9
PARKS/WATERFRONT	13
QUALITY OF LIFE	13
SLA LICENSING	17
TRAFFIC AND TRANSPORTATION	37
ELECTION OF OFFICERS	42

II. PUBLIC SESSION

Non-Agenda Items

Homeless Shelter at 112-114 W. 14th St.
Michael Schenker and Joe Sasson spoke regarding the shelter.

Poe Room Event
Nichole Huff, from NYU, invited everyone to the annual event.

6th Precinct Community Council Roast Beef Dinner
Maureen Remacle made an announcement and invited everyone to the annual dinner.

CEC Meeting
Maud Maron reported on this meeting.

Various Topics
Lois Rakoff invited everyone to the annual Le Souk/BAMRA Thanksgiving dinner, the Washington Square Music Festival beginning December 2nd, and the Poe Room Event.

Planned Parenthood

Sarah Sanchala gave a general introduction of the organization and their services.

Le Souk/BAMRA Thanksgiving Dinner

Ray Cline invited everyone to this annual event.

Land Use and Business Development Items

272 W. 10th St. Application to amend previously granted variance to permit a 3-story plus cellar and play-yard enlargement of existing 5-story plus cellar– the Village Community School

Thomas Novembre, Cat Travers, Steve Skulnik, Jonathan Peachey, and Fayanne Betan, all spoke in favor of the proposed amendment to the variance.

Traffic & Transportation Items

Request to reconstruct Clarkson St. from West St. to Greenwich St., including a granite bicycle strip
Ritu Chattree spoke in favor of rebuilding the Belgium blocks on Clarkson St.

III. ADOPTION OF AGENDA

IV. ELECTED OFFICIALS PRESENT AND REPORTING

Elena Sorisi, Senator Brad Hoylman’s office

Cleveland Stair, Senator Brian Kavanagh’s office;

Monica Martinez, Assembly Member Yuh-Line Niou’s office

Michael Stinson, NYC Comptroller Scott Stringer’s office

Adam Chen, Public Advocate Letitia James’ office

Rush Perez, Council Member Margaret Chin’s office

Irak Cehonski, Council Member Carlina Rivera’s office

V. ADOPTION OF MINUTES

Adoption of October minutes

VI. BUSINESS SESSION

1. **First Vice Chair's Report** Daniel Miller reported.

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

STANDING COMMITTEE REPORTS

ECONOMIC DEVELOPMENT & SMALL BUSINESS

Response to combatting retail blight, storefront vacancies, and recent deliberations on the Small Business Jobs Survival Act

Whereas, the loss of small businesses and increase in vacant storefronts in CB2, Man. have reached a crisis in terms of harm to those business owners, loss of services and vibrancy to residents and visitors, loss of neighborhood character and threat to such character due to potential development by major retailers or other national chains, and thus creating areas of personality depletion and uninviting streetscapes; and

Whereas, small businesses face various challenges to success, including massive and often unrealistic rent increases at lease renewal negotiations, and are less attractive to landlords because they are not national or chain “credit” tenants; small business owners are often good, solid tenants historically; and government regulations can appear arbitrary and counter intuitive; and changes in consumer shopping practices, the impact of online shopping and other pressures; and

Whereas, rent escalations and lease renewals are at the forefront of pressures for small businesses throughout CB2, Man.; and

Whereas, the EDSB Committee members have read, or read reactions to the SBJSA, including positive and negative feedback and suggestions for improvement; and

Whereas, even successful small business owners in CB2, Man. face significant challenges in the lease process, such as demands for excessive security deposits or corporate rent guarantees, and other terms that chain stores can more easily meet or are not even asked to provide; and

Whereas, the consensus of the EDSB Committee is that changes should be made to the SBJSA to make it more meaningful to assist owner-operated and other small businesses in the CB2, Man. neighborhoods; and

Whereas, with the goals of maintaining the character of our neighborhoods, also attracting and supporting entrepreneurs, and offering vibrant retail commerce and community in CB2, we want legislation to focus and assist existing small businesses and future small businesses that will seek to lease commercial space in CB2, Man.; and

Whereas, we believe that greater attention should be paid to the definition of “small business” under the SBJSA; and

Whereas, the EDSB Committee supports the creation of a NYC law to assist owner-operated and other small businesses (still to be defined) with respect to commercial lease issues; and

Whereas, the SBJSA as currently written does not allow for reasonable real estate and utility increases to be passed on to tenants; and

Whereas, each neighborhood within CB2, Man. faces different economic challenges, much like different areas in New York City may require different solutions to provide support for small business;

THEREFORE, BE IT RESOLVED that CB2, Man. recommends:

1. Passage of a regulation to assist “small businesses” in CB2, Man. that focuses on:
 - a. Fair and balanced lease renewal reflective of market rates, with baseline increases between 25% and 40%, and any higher percentage increase would trigger arbitration,
 - b. New leases should retain clauses to protect small businesses from price gauging, such as 3% yearly increases,
 - c. Small business right to lease renewal, as long as tenants are in good standing,
 - d. Provide arbitration that is balanced to both benefit the tenant and landlord,
 - e. A goal of offering neighborhood services, benefits, and contribution to the character of our neighborhoods in CB2,
 - f. Allow landlords to pass on real estate tax and utility increases to tenants as long as the increases are not marked up for profit,
 - g. Option of a 10 year lease (or something shorter per tenant request),
 - h. Tenant security deposits should accrue interest.
2. The definition of “small business” should include a business that is owner-operated, that is not a chain store or otherwise a major retailer,
3. The wording of any such legislation should not discourage a small business from growing, or penalize its success. (ie., Magnolia Bakery is one example that is still a small business but has multiple locations),
4. The City should create and maintain a database of commercial lease amounts in order to provide small business owners with the transparency needed to know the true market rates,
5. The legislation should laser focus on protections for small owner operating businesses in all the boroughs and not dilute its importance by allowing major corporations to attach itself to intent of the Small Business Jobs Survival Act.

Vote: This resolution has been tabled to January 2019.

LAND USE AND BUSINESS DEVELOPMENT

272 West 10th St. (Between Washington and Greenwich Streets) - BSA Cal. No. 223-00-BZ is an application for an amendment to a previously granted variance to permit a three-story plus cellar and play-yard enlargement of the existing five-story plus cellar (Use Group 3) school located at the premises.

Whereas:

1. The premises subject to the BSA application is a single zoning lot (Block 630, Lots 9 and 12), comprised of two corner lots and an interior lot, that currently contains the Village Community

School (VCS): a five-story plus cellar (Use Group 3) school with an outdoor playground. The original school building, which is mid-block on West 10th Street, was constructed in about 1886, and has a total floor area of approximately 25,495sf.

2. On February 6, 2001, the BSA granted VCS a variance to permit a five-story plus cellar enlargement of the original school building on the western corner of the premises, contrary to lot coverage (ZR 24-11) and front street wall height (ZR 24-552) requirements. This enlargement was completed in 2003 with a total floor area of approximately 23,642sf and a non-complying lot coverage of 89.5%. The remaining eastern corner of the premises (West 10th and Greenwich Streets) is currently used as an outdoor playground, and includes a separate, one-story building (777sf) used as a woodshop that has a complying lot coverage of about 17.5%
3. The current application is for an amendment to the 2001 variance to permit a three-story plus cellar and play-yard enlargement of approximately 17,364sf—contrary to the maximum permitted lot coverage within the applicable R6 zoning district.
4. The entire school premises became part of the Greenwich Village Historic District Extension when it was designated in 2006.
5. According to the current application, the proposed enlargement would eliminate the Greenwich St. outdoor playground and workshop and would provide a double-height gym in the cellar; a play-yard on the roof of the third floor; space for STEAM curriculum and project work; an expanded library and media center; additional dedicated world language and math classrooms; and expanded science labs.
6. ZR 24-11 permits a maximum corner lot coverage of 70% and a maximum interior lot coverage of 65%. The proposed enlargement requires one waiver to permit corner lot coverage of 92% and another waiver to permit interior lot coverage of 88%. In total, the school, after both enlargements, would have a total complying floor area of 66,501sf and complying FAR of 3.67.
7. The current application to amend the 2001 variance notes that 1886 building was constructed with lot coverage of 85.8%, which became legal, non-complying lot coverage in 1961 when the zoning resolution limited mid-block coverage to 65%. The 2001 variance allowed coverage of 89.5% for the enlargement, exceeding the 70% coverage for corner lots allowed under ZR24-11.
8. VCS could build as-of-right an approximately 14,476sf, 2.5 story plus cellar enlargement, but has asserted that, among other things, as-of-right does not allow for an efficient use of floorplates, especially at the roof play-yard level, or for a seamless, floor-to-ceiling height with the original building at the second floor.
9. CB2, Man., at its full board meeting held on November 16, 2000, recommended approval of the two variances with conditions, including an accommodation for the 35 lot line windows of the adjacent tenement, certain façade design modifications, and limitation of occupancy of the enlarged building to no more than 400, including students and staff. The resolution that came out of that meeting specifically noted that “VCS has indicated that it has no intention of increasing its enrollment as a result of the increased space and, in fact, aims to reduce its enrollment to 300 students, which number will then be its maximum.” The resolution went on to resolve that “Occupancy of the two buildings not exceed 400 (including staff and visitors).”
10. A letter providing “additional response by applicant” was submitted to BSA by the applicant on December 28, 2000, reaffirming that the enlargement “will not result in any increase in student enrollment or staff” and the 2001 variance itself states that VCS agreed to that condition.
11. The application for the 2001 variance stated: “There will be no increase in enrollment as a result of the enlargement; it is, rather, needed to accommodate the current school population. Therefore, the hardship is not self-created.” The fact that VCS has not the maximum student and faculty conditions of the 2001 variance appears to contradict a key finding that the hardship was not self-created.

12. At the presentation to the CB2 Land Use committee public meeting held October 10, 2018, the applicant stated that VCS opened in 1970 with 170 children; that enrollment increased to 265 in 1996 and then 315 in 1998; that the enlargement allowed by the 2001 variance was completed “to accommodate growth.” The applicant stated that the current student population numbers 345-355 and faculty/staff 95-105—that is, 12.5% above the promised limit.
13. No city agency has enforced the 2001 variance’s cap on students and staff.
14. Including the Greenwich St. playground that was acquired in 1896, and another enclosed yard on the west side of the original building as shown in the 1940 tax photos, the actual combined lot coverage of the entire zoning lot in 1961 and at the time of the 2001 variance was much lower than the legal, non-complying lot coverage of just the original school building—probably less than 50%.
15. The application for the 2001 variance noted that the requested lot coverage after the proposed enlargement would be similar to the existing legal, non-complying lot coverage of the original school building. It further noted that with the proposed enlargement, the combined average lot coverage of the entire zoning lot, including the Greenwich St. playground, would increase from 58.3% to 64.5%, “consistent with what is contemplated by zoning.
16. If the requested amendment to the 2001 variance is approved, with the loss of the playground, the average lot coverage of the entire zoning lot for the original school building and both enlargements will be approximately 90%—clearly inconsistent with what is contemplated by the applicable R-6 zoning.
17. The application for the 2001 variance included the openness of the Greenwich St. playground as an important component of the Uniqueness finding, stating that “without increasing the height of the existing building *or building in the playground*, the only area that is available for new construction is the westerly portion of the site”—in effect, asking for a variance to allow the substantial over-coverage of the Washington Street corner based on the need to preserve the unbuilt playground on the Greenwich Street corner.
18. According to the Board of Education report for 1896, “Lots Nos. 268 and 276 West Tenth Street and No. 694 Greenwich street, adjoining P.S. No. 7” were among sites acquired in 1896 for “Sanitary Improvements, Light, Ventilation and Playgrounds.” The openness provided by the playground on the Greenwich Street corner has been an important feature in a densely built neighborhood for over 120 years and is unique in the area west of Hudson Street between Canal Street and 14th Street, which is otherwise largely devoid of open areas and areas used for recreation. Much open space in the neighborhood has also been lost to new residential buildings such as the condominium on St. Luke’s property at 100 Barrow St.
19. The proposed enlargement will have a highly detrimental impact on the 35 lot line windows at the adjacent residential building at 692 Greenwich St.
20. Many neighborhood residents spoke at the CB2, Man. Land Use committee meeting on October 10. Parents at the school focused on concerns about the safety of children playing in the street level playground and traveling to and from Pier 40 for sports; competition with other schools and teams for the use of Pier 40; overcrowding in the school, and the lack of dedicated classrooms for specialized instruction; neighbors not associated with the school expressed concern about the importance of the open space provided by the playground and the loss of all the lot line windows at 692 Greenwich St.
21. The design of the proposed enlargement on the Greenwich Street and West 10th Street corner overwhelms the modest, humble and historic buildings directly across from VCS on West 10 Street and the three story 25’ wide entirely glass “connector” between the original school building and this enlargement is not in keeping with the neighborhood context.

22. The applicant has not presented building alternatives that might substantially achieve programmatic needs with less intrusion. For example, there is an opportunity for a more efficient addition by following the geometry of West 10th Street and not Greenwich, which would create rooms with square corners and a smaller footprint.
23. The applicant has not responded to specific requests from the CB2, Man. Land Use committee:
 - a. To explain why the school enrollment expanded in light of the representations by VCS made in connection with, and the conditions set forth in, the 2001 variance, the stated purpose of which were not to allow increased enrollment or staff.
 - b. To explain why, if VCS once again has insufficient space to meet programmatic needs and increased enrollment, the expansion is not a self-created hardship.
 - c. To explain why, once a new gym is built, the current gym cannot be re-purposed to meet other needs.
 - d. To explain the programmatic need for much of the additional space, including a separate auditorium lobby and substantial additional circulation space.
 - e. To provide plan alternatives that reduces the impact of an enlargement on neighborhood character of the 100% loss of both the playground and the lot line windows at 692 Washington St.
 - f. To explain why children cannot be safeguarded in the current, street level playground and why safe means of travel to Pier 40 cannot be provided.
 - g. To show how the current proposal represents a minimum variance.
24. The evidence submitted by VCS does not support three findings required to be made by ZR 72-21, including the findings that the hardship claimed by VCS was not self-created; that the granting of the amendment to the 2001 variance will not alter the essential character of the surrounding neighborhood; and that the proposed enlargement is the minimum necessary to afford VCS relief.
25. At the November 14, 2018 CB2 Land Use meeting, neighbors, parents and the applicant showed a willingness to work together to resolve mutual issues, which CB2 encourages them to continue.

Therefore, be it resolved that CB2, Man. recommends **denial** of the application for amendment of the 2001 variance unless the extent of the proposed lot coverage is reduced such that:

1. The Greenwich St. playground is substantially retained to keep the overall site coverage consistent with the applicable R-6 zoning, which supports the site uniqueness finding and preserves an open space that is a long-standing and important feature of the neighborhood.
2. Alternative project plans for the enlargement are submitted by the applicant with greatly reduced lot coverage and more sensitivity to neighborhood context.
3. The lot line windows at 692 Greenwich St. are retained.
4. There is a deeded commitment that no additional stories or additional floor area will be added to VCS at any time in the future; and

Be it further resolved, that CB2, Man. recommends **denial unless** as one of the conditions of receiving a variance, the number of students and faculty/staff is capped at the current number (345-355 students and 95-105 faculty and staff).

Vote: Passed, with 30 Board members in favor, 6 in opposition (S. Aaron, R. Caccappolo, R. Chatree, D. Gruber, R. Sanz, S. Sartiano), and 1 abstention (K. Bordonaro).

LANDMARKS AND PUBLIC AESTHETICS

1. **137 7TH Ave. So.** – Application is to legalize the installation of signage, painting of the façade, installation and alteration to new awning, mechanical equipment on the roof and an art wall.

(Laid over)

2. **36 & 38 W 10th Street** – Application is to remove stucco across facades and install cast stone to match finish and detail of original, install window boxes on street façade, reconfigure contemporary skylights at 36 W. 10th, install minimally visible units and screen on roof, and reconfigure opening on lower floors of rear elevation.

Whereas,

1. The two townhouses are part of a phenomenal row in the heart of the historic district;
2. The proposal to remove later-applied stucco is a commendable and welcome step to return the façade to its original brownstone configuration
3. The use of cast stone, properly sized to match the original brownstone, is an appropriate replacement for the original brownstone, delaminated and deteriorated over decades;
4. The raised mechanicals are minimally visible and therefore acceptable;
5. The window boxes are proper decorative additions;
6. Restoring the rear facade to flatness is an improvement, but the extent of glass on the first two floors is excessive.

THEREFORE, BE IT RESOVED that CB2, Man., recommends **approval** of the application, except that the cast stone should incorporate more mica in the formula to closely resemble the existing brownstone, and

The rear façade include more brick and less glass to provide a more historical reference of solid and proportion.

Vote: Unanimous, with 37 Board members in favor.

3. **355 W. Broadway** – Application is to legalize rear façade work not in compliance with C of A 18-4002; specifically, removal of historic masonry wall, new masonry work and changed window fenestration.

Whereas,

1. The building is a c. 1825 house where the rear had been altered over time, and the LPC had approved a modest alteration to the rear;
2. Rather than build the approved alteration, an alteration was constructed with an awkward and disjointed asymmetrical framing.
3. There was no reference to anything historic or related to the district;
4. Had this application been presented before it was built to the committee it would have been denied.

THEREFORE, BE IT RESOLVED, that CB2, Man. recommends **denial** of the application.

Vote: Unanimous, with 37 Board members in favor.

4. 267 W 11th St. – Application is to add a 1-story rear addition plus cellar, excavation at cellar, add glass doors to existing 1st floor rear glass wall, remove c1930 rear house and redesign rear yard.

Whereas,

1. The applicant is requesting the demolition of a rear house, which although not built until approximately 1930, is one of the few rear houses remaining in Greenwich Village, and a precious, and still useable building addition from about 90 years ago; and
2. The proposed one-story rear addition includes a proposed glass deck wall that is of an improper modern suburban style design; and
3. There was testimony from the public objecting to the proposal as creating an intrusive addition to adjacent rear facades in that it extends several feet past the former inside wall line, thereby enclosing the adjacent rear

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of this application.

Vote: Unanimous, with 37 Board members in favor.

5. 446 W. 14th St. – Application is to construct a trellis at the rooftop.

Whereas,

1. The proposed “trellis” is a heavy steel-frame structure with a peak roof covering a previously approved roof deck;
2. The structure will be highly visible from the street and from the Highline Park;
3. The applicant admitted that several other, smaller, set back and less visible iterations had been drawn up and considered by the applicant, but no reason was provided for the decision to go with this –the largest version;
4. There is no historic reference or precedent for this kind of structure in the district, and none was shown by the applicant;
5. The proposed “trellis” will be highly visible, not in keeping with applicable regulations or the spirit of the Landmarks Law.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of this application, which has no historic reference and has high visibility, which is an intrusion on the integrity of this historic building.

Vote: Unanimous, with 37 Board members in favor.

6. 38 Greene St. – Application is to amend Certificate of Appropriateness 18-5959 to construct a 2-story addition and new elevator landing at the 6th floor and raise the bulkhead.

Whereas,

1. This applicant previously presented the two-story addition portion of the application to this large commercial building, which was designed with a setback sloping roofline in a commendable manner to carefully avoid visibility, and the applicant did not reveal that a raised bulkhead would later be requested.
2. The applicant was now returning with a second part of the application for the extension of a rooftop elevator shaft which will be highly visible and will interrupt the pristine cornice line which the applicant had previously indicated would be left without any visible interruption;

3. The applicant admitted that the rooftop addition was purposely split into two applications so that the initial two-story addition would not face questions about its visibility, a key determination in the approval process;
4. The proposed bulkhead is highly visible and will interrupt the historic cornice line which is an integral part of the building's design, and the uninterrupted row of cornices of several in this row of cast-iron buildings; now

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of this application which would not have been recommended for approved had it been submitted with the original application.

Vote: Unanimous, with 37 Board members in favor.

7. 155 Mercer St. – Application is to install neon boarder lights in the display windows.

Whereas,

1. This building was previously renovated pursuant to a 74-711 application;
2. The applicant seeks to add a display of purple neon light to its window purely for retail exhibition; and
3. There is no historic reference for this type of lighting in the district; and
4. The applicant did not produce any reference in the district, either historic or otherwise; and
5. A member of the community who resides on the block cited the particular Landmarks regulation that this proposed display would violate; now

THEREFORE, BE IT RESOLVED that CB2, Man. recommends denial of this application.

Vote: Unanimous, with 37 Board members in favor.

8. 357 W. Broadway – Application is to construct a 2nd floor rear yard addition and new, full height rear stair bulkhead.

Whereas,

1. The 1825 Federal style row house façade- complete with sloped roof and two dormers is not impacted by this application;
2. The work is an enlargement of the second floor and a new stair bulkhead with a sloped roof at the third floor; and
3. No new work is visible from the street or other public thoroughfare; now

THEREFORE, BE IT RESOLVED that CB2, Man., recommends approval of this application.

Vote: Unanimous, with 37 Board members in favor.

9. 116 Waverly Pl. – Application is to replace existing rear brick wall with new one to accommodate a revised window pattern.

Whereas,

1. The application to rework an already altered rear façade with more glass; and

2. The windows are oversized with minimal or frameless surround especially at the first floor and fifth floors, and second, third and fourth floors are picture windows with narrow operable side windows that are without historic reference; now

THEREFORE, BE IT RESOLVED that CB2, Man., recommends **denial** of this Application.

Vote: Unanimous, with 37 Board members in favor.

10. 550 Broadway – Application is to renovate storefront, replace door and install new glass and steel canopy to match awnings of adjacent storefronts.

Whereas,

1. The application is to renovate the street entry to the floors above including remove the double doors, dropped soffit and restoring the transom; and
2. Replacing the doors with a new wood door and side panel to match the adjacent renovated storefront; and
3. Adding a steel and glass canopy to match the two canopies over the display windows; and
4. There is no canopy over the entrance to the stores; now

THEREFORE, BE IT RESOLVED that CB2, Man., recommends approval of the application, however, the addition of another steel and glass canopy should be omitted.

Vote: Unanimous, with 37 Board members in favor.

11. 424 Broadway – Application is to replace/renovate ground floor storefront, not including main building entrance (south bay) nor separate elevator entrance (North Bay).

Whereas,

1. The project is located in the SoHo Cast Iron District Extension and is on a very busy street next to Canal Street and a subway entrance;
2. The applicant presented extensive research since the storefront has been drastically renovated over the years including removal of the original columns, steps and loading area; and
3. The proposal is limited to the four center bays, with a proposed master plan for the north and south bay; and
4. The application presented the historic elevation including fluted columns with capitals and pedestals; and
5. The proposal is a contemporary interpretation that brings back some of the proportion and rhythm of the historic storefront; and
6. The middle bays with double doors are recessed while the display windows are pulled forward to the front plane of the new columns; and
7. The proposed store front is an interpretation using modern materials; and
8. The sign band is proposed above the new storefront and appears low; now,

THEREFORE, BE IT RESOLVED that CB2, Man., recommends **approval** of this application provided the sign is raised up closer to the original cornice between the first and second floors.

Vote: Unanimous, with 37 Board members in favor.

12. 14-16 Fifth Avenue-Consideration of a resolution to approve sending a letter of to the Landmarks Commission expressing opposition to the demolition of 14-16 Fifth Ave.

THEREFORE, BE IT RESOLVED that CB2, Man., recommends approval of writing a letter to the Landmarks Commission opposing the demolition of 14-16 Fifth Avenue.

Vote: Passed, with 36 Board members in favor, and 1 in opposition (R. Sanz).

PARKS/ WATERFRONT

Meatpacking BID’s Plan To Install Planters And Tree Pits On Sidewalks Of West 14th Street Between 9th And 10th Avenues

Whereas:

- 1) The Meatpacking BID desires to add planters and trees to the sidewalks of 14th St. between 9th and 10th Avenues in order to make the street more attractive and increase foot traffic by creating visual linkage from the “Chelsea Triangle” and Gansevoort Plaza to the High Line; and
- 2) The design of the planters will reflect and extend the design esthetic of the High Line; and
- 3) Most of the 12 planned planters will be above ground and movable, if necessary. They will contain up to 17 inches of soil and will be filled with herbaceous plants; and
- 4) Some of the planters will house medium size trees, in which cases the sidewalk below the planters will be opened up and some excavation below the pavement will be done to give the tree roots room to expand; and
- 5) The BID insists the installation of the planters and trees will be completed ahead of the impending L train shutdown (scheduled for next April 27th); and
- 6) The BID is confident the sidewalks are wide enough to handle both the new planters and any increased levels of foot traffic due to the shutdown of the L train, though it does not expect the shutdown to drive pedestrians west of the 8th Avenue subway station.

THEREFORE, BE IT RESOLVED that CB2, Man. supports this project but urges that the design fit the neighborhood and that the project be completed before the L train shutdown commences.

VOTE: Unanimous, with 37 Board Members in favor.

QUALITY OF LIFE

1. New application for revocable consent to operate an unenclosed sidewalk café for:

Charley St., Inc., d/b/a Charley St., 41 Kenmare Street between Mott and Elizabeth Sts. with 4 tables and 8 chairs (15024-2018-ASWC)

Whereas, this establishment, a fast casual café offering coffee, toasts, and healthy bowls, has been open for one month and offers breakfast and lunch from 8:00 AM until 6 PM; and

Whereas, the establishment does not now and does not intend in the future to offer beer, wine or liquor; and

Whereas, the applicant stated that customers would bring their own food and beverage from the counter to the sidewalk café and service staff would monitor the café to clear anything left in the cafe; and

Whereas, the sidewalk café would be open seasonally from 8:00 AM until 6 PM; and

Whereas, the applicant confirmed that all tables and chairs would be stored within the restaurant overnight; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of the application for revocable consent to operate an unenclosed sidewalk café for **Charley St., 41 Kenmare Street between Mott and Elizabeth Sts. with 4 tables and 8 chairs (15024-2018-ASWC)**, provided that the application conforms with all applicable zoning and sidewalk café laws, rules, and regulations and clearance requirements.

Vote: Unanimous, with 37 Board Members in favor.

2. FYI Sidewalk Café Renewals

- **Caffe Silvestri, Inc. d/b/a Caffe Napoli, 191 Hester St. with 21 tables and 42 chairs (0956923-DCA)**
- **NJMJ, Inc. d/b/a Denino's Pizzeria and Tavern, 93 Macdougall St., with 5 tables and 10 chairs (2038956-DCA)**

Whereas, these items were on the public agenda and neither 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 sidewalk café laws, rules, and regulations and clearance requirements.

Vote: Unanimous, with 37 Board Members in favor.

3. Street Activities Applications

Saturday, December 8, 2018 — Charlotte Tilbury Glass Truck—2 (The American Projects, LLC): Prince Street between Broadway and Crosby St. (partial sidewalk and curb lane closure)

Whereas, the applicant, a beauty and skincare brand, intends to park a mobile glass truck at this location and offer guests make-up tutorials and holiday purchasing; and

Whereas, the applicant would queue prospective guests to the mobile truck on the sidewalk using stanchions; and

Whereas, this is one of four locations the applicant intends to use over the holiday season throughout the city; and

Whereas, the applicant originally applied for a curb lane closure on Broadway and Prince but that section of Broadway is under a SAPO-imposed holiday moratorium due to the excessive amount of vehicular, bicycle, and pedestrian traffic along Broadway; and

Whereas, this location is similarly overly congested as it is less than a block away from Broadway and the R and W subway exit/entrance and a unprotected bike lane runs on the north side of Prince Street at this location and the applicant wishes to hold this event from 10:00 AM until 7:00 PM; and

Whereas, a SoHo resident appeared and expressed frustration at the quantity of queue lines that occur at SoHo businesses and was opposed to closing the curb lane on this heavily trafficked block in order to create a queue lane on the sidewalk that will further impede pedestrian traffic; now

Therefore Be It Resolved that CB2, Man. recommends **denial** of the **Charlotte Tilbury Glass Truck—2 (The American Projects, LLC)**: Prince Street between Broadway and Crosby St. (partial sidewalk and curb lane closure) on December 8, 2018.

Vote: Unanimous, with 37 Board members in favor.

November 21-December 3, 2018 — Invisible NYC (Production Event): Howard Street between Broadway and Mercer St. (partial curb lane closure)

Whereas, the applicant is hosting a production event within 443 Broadway and requests a curb lane closure for 2 parking spaces to intermittently load/unload supplies for the production event; and

Whereas, the applicant originally applied for the curb lane closure in front of 44b Broadway but was redirected to this location due to the moratorium on applications on Broadway during the holiday season but the community wasn't notified about this change in location until the date of the committee hearing which does not give adequate notice to those businesses and residents on Howard Street and more notice is requested in the future; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of the — **Invisible NYC (Production Event): Howard Street between Broadway and Mercer St. (partial curb lane closure)** from November 21-December 3, 2018.

Vote: Unanimous, with 37 Board members in favor.

November 21-December 3, 2018 — Invisible NYC (Production Event): Howard Street between Broadway and Mercer St. (partial curb lane closure)

Whereas, the applicant is hosting a production event within 443 Broadway and requests a curb lane closure for 2 parking spaces to intermittently load/unload supplies for the production event; and

Whereas, the applicant originally applied for the curb lane closure in front of 44b Broadway but was redirected to this location due to the moratorium on applications on Broadway during the holiday season but the community wasn't notified about this change in location until the date of the committee hearing which does not give adequate notice to those businesses and residents on Howard Street and more notice is requested in the future; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of the **Invisible NYC (Production Event): Howard Street between Broadway and Mercer St. (partial curb lane closure)** from November 21-December 3, 2018.

Vote: Unanimous, with 37 Board members in favor.

Saturday and Sunday, November 24 & 25, December 1 & 2, 2018 — Terez Pop-Up Performer: 158 Mercer Street [sidewalk and curb lane closure]

Whereas, the area was posted and the applicant **was NOT** present; and

Whereas, the applicant is operating a pop-up store at this location through December 2 and requests a permit for a performer to play amplified music outside the location on Saturday and Sunday; and

Whereas, because the applicant was not present it was not clear what kind of music would be performed, for how long, and to what degree of amplification; and

Whereas, the application indicates the music would be played from 11:00 AM- 7:00 PM on each Saturday and Sunday; and

Whereas, a neighboring resident appeared to express concern about the level of noise and congestion this activity would create; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of **Terez Pop-Up Performer: 158 Mercer Street [sidewalk and curb lane closure]** on November 24 & 25; December 1 & 2, 2018.

Vote: Unanimous, with 37 Board members in favor.

Wednesday, November 28, 2018-Monday, December 10, 2018 — Maisel Deli (Production Event) at 201 Lafayette Street between Kenmare and Broome Sts. [partial sidewalk closure]

Whereas, the applicant is re-creating the deli from the Amazon TV show The Marvelous Mrs. Maisel and will be serving two sandwiches for donation only and all donations will be contributed to the Lower East Side Girls Club; and

Whereas, the applicant intends to use stanchions to queue customers who will reserve an entrance time using an online reservation system and there will be no first-come, first serve service throughout the length of the permit and any line will be strictly monitored by a private security company; and

Whereas, the applicant has spoken to neighboring businesses who are supportive of the event and look forward to the foot traffic the event will create; now

Therefore Be It Resolved that CB2, Man. recommends **approval** of **Maisel Deli (Production Event) at 201 Lafayette Street between Kenmare and Broome Sts. [partial sidewalk closure]** from November 28-December 10, 2018.

Vote: Unanimous, with 37 Board members in favor.

SLA LICENSING

1. 296 Sandwich, LLC, d/b/a The Garret West, 296 Bleecker St. 10014 (Change of Ownership – Tavern/Bar)

i. Whereas, the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority for a partial sale of ownership for an existing on premise liquor license to continue to operate a tavern/bar located on the second floor a corner two-story building (circa 1900) at Bleecker and Barrow Streets, this building falling within NYC LPC’s designated Greenwich Village Historic District; and,

ii Whereas, the licensed premises has an extensive history, the bar/tavern having first obtained its on premise license from the NYS SLA over the objections of the CB2, Man. in October 2010 upon its inception, the initial application being for a bar/tavern on the second floor of a two-story premises where the first floor would be operated as a fast casual Five-Guys hamburger chain-style restaurant, there being significant opposition from the local community at that time in that there was never a bar/tavern located at the premises, the premises prior to 2010 having operated as a full service Indian restaurant, there being no precedent or permits in place to operate two separate businesses with two different, inconsistent and distinct methods of operation within the same licensed premises in the manner proposed in 2010, there being other, additional concerns at that time regarding a means of egress for the bar being located on Barrow Street where there is a significant residential presence; and,

iii. Whereas, despite such objections voiced to the NYS SLA in 2010 the license was approved albeit with extensive stipulations, by its principals as a condition to approval of its On Premise Liquor License at the NYS SLA, and those stipulations were as follows:

1. The hours of operation for the service of alcohol will be from 2 PM to 1 AM on Sunday, 5 PM to 1 AM Monday through Wednesday, 5 PM to 2 AM Thursday and Fridays and from 2 PM to 2 AM on Saturdays.
2. The doors on Barrow Street will not be open or used for patrons with the exception of deliveries during daytime hours.
3. Security will be used on the front door Friday and Saturday evenings from 6pm to closing and on holidays and for major events. Security will wear distinguishing clothing clearly identifying them as security. They will also be licensed by the State of New York.
4. The windows will be closed during hours were there is noise and in no event will they be open later than 10 pm.
5. The licensee will provide a contact number to neighbors that can be used at all times.
6. That a principal or designated manager with Authority will be present during all hours of operation.
7. Use a reasonable carting company for the removal of trash from the premise. All trash from the premise will be picked up by the carting company.
8. Will use only heavy-duty contractor bags (3mil to 6 mil) for all trash & garbage. All 3 mil bags will be double bagged.
9. Will have outside the premises swept each morning from building line on Barrow Street to building line on Bleecker Street.
10. Will post signage outside the premise requesting the customers be considerate of the neighbors and to limit all noise outside the premise.

11. Food will be available during all hours of operation.
12. Will take effective steps to minimize or eliminate grease fumes and other odors emanating from its ventilating/exhaust system, such as by rerouting ducts and/or installing filters. The applicant will get an expert in to determine whether the exhaust stack will need to change the direction it opens or whether filters must be installed to reduce emissions. This will be done within thirty days and remedial work will be taken promptly thereafter.
13. Will post this stipulation where it is accessible to all employees.
14. Will have a sound technician evaluate the work required to “Soundproof” the west wall of the second floor of the premise. The evaluation will be done within the next 21 days and the work required by the evaluation will commence within 14 days thereafter.

iv. Whereas, after continuous complaints were voiced by the local community that the operator was not abiding by its previously agreed-upon stipulations and method of operation, the Licensee and the Licensee’s attorney appeared upon renewal of its license in April 2014 to address certain problems and complaints being advanced at that time, including that **1)** the door on Barrow Street was being used by patrons for egress to/from the bar/tavern, **2)** no security was being provided for the bar/tavern, **3)** grease fumes and other noxious odors were emanating from the rooftop ventilation system because the appropriate systems had never been properly installed upon inception of the license, and **4)** there were two separate business entities being operated improperly under one license; and,

v. Whereas, upon renewal of its license in 2014 the currently Licensee agreed to a stipulation agreement with CB2, Man, affirming to its previously agreed upon stipulations with the NYS SLA and further stipulating to not operate with DJs, live music, promoted events or scheduled performances; and,

vi. Whereas, in December 2017 the NYS SLA commenced disciplinary proceeding against the current Licensee because the Licensee was operating in derogation of its agreed upon method of operation by using the side door on Barrow Street for patron egress, the Licensee not contesting the disciplinary action and paying a fine; and,

vii. Whereas, the Applicant’s attorney stressed upon the instant application that all existing stipulations would be adhered to, that all prior deviations relating to the licensed premises would be corrected, that the previous problems with the ventilation system had been corrected, that security would be positioned at the foot of the stairs to the second floor, and that two partners to the business were leaving but that the existing shareholders including Adam Fulton and Gavin Mosley remained; and,

viii. Whereas, a member and neighbor appeared because she has heard loud music periodically emanating from the bar/tavern late at night although the source of the music was not fully ascertained there being additional assertions that employees from the Five Guys establishment were playing music when cleaning up the downstairs, the Licensee and Applicant further agreeing to stipulations which included the closing of windows at all times and operating only with background music, further reiterating that they would only use the front door on Bleecker Street for patron egress; and

ix. Whereas, the existing Licensee and Applicant again executed a stipulations agreement with CB2, Man. that they agreed would be attached and incorporated in to their method of operation on their On Premise liquor license and the stipulations are as follows:

1. The premises will be advertised and operated as a Tavern.
2. The hours of operation will be from 2 PM to 1 AM on Sunday, 5 PM to 1 AM Monday through Wednesday, 5 PM to 2 AM Thursday and Fridays and from 2 PM to 2 AM on Saturdays.

3. The doors on Barrow Street will not be open or used for patrons at all times.
4. The premises 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 permit dancing.
6. There will be outdoor for commercial purposes and no sidewalk cafe.
7. The premises will play quiet ambient, recorded background music only.
8. The premises will not have DJs, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at any time.
10. All windows will be closed at all times.
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”.
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. The premises will not have dancing, DJs, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades.
16. Doorman/Security will be utilized Thursday to Saturday from 10 pm to close and as necessary at other times.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the Change of Ownership Application for an On Premise license to **296 Sandwich, LLC, d/b/a The Garret West, 296 Bleecker St. 10014** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on the On Premise License.

Vote: Unanimous, with 37 Board members in favor.

2. DS1970 Corp, 793 Broadway, New York, NY 10003 (Transfer TW – Gourmet Delicatessen)

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 transfer of an existing Tavern Wine license to continue to operate a Gourmet Delicatessen serving Breakfast, Lunch, and Dinner in a three-story commercial building on Broadway between 10th and 11th Street in Greenwich Village; and

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

iii. Whereas, the existing Gourmet Delicatessen is on the ground floor and has a mezzanine level where there will be 8 total tables with 16 patron seats, there is one bathroom for patrons, no TVs, no operable windows and no existing French doors or windows, there being no changes proposed or planned to renovate the front exterior façade, no sidewalk café or other outdoor areas for the service of alcohol; and,

iv. Whereas, the hours of operation will continue to be from 5:30 AM to 12 AM 7 days a week, music will be background only; and,

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

1. The premises will be advertised and operated as a Gourmet Delicatessen.
2. The hours of operation will be from 5:30AM to 12AM, 7 days a week.
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will have no televisions.
5. The premises will not permit dancing.
6. Will operate with less than a full-service kitchen, but will serve food during all hours of operations
7. The premises will play quiet ambient, recorded background music only.
8. The premises will not have DJs, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The operator will not install French doors, operable windows or open facades and will close at existing doors and windows.
10. There will be no pitchers of beer and no all you can eat/drink specials or boozy brunches; and
11. Will close all doors & windows at 9pm every night.
12. There is no sidewalk café, backyard garden or any outdoor area for commercial purposes.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the transfer application to **DS1970 Corp, 793 Broadway, New York, NY 10003** **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 Tavern Wine License.

Vote: Unanimous, with 37 Board members in favor.

3. DL&Y LLC d/b/a. Da Long Yi Hot Pot, 159 Canal Street, Suite 200 (Restaurant RW – Hot Pot Style Chinese Food Restaurant)

i. Whereas, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a new Restaurant Wine license to operate a Hot Pot Style Chinese Food Restaurant on the second floor of a 5-story commercial building between Bowery St and Elizabeth St on Canal St in Chinatown; and,

ii. Whereas, this is a newly built building (circa 2017), the second floor premises being approximately 3,500 sq. ft. having never operated previously for eating or drinking purposes, there being no current certificate of occupancy and public assembly permit in place to operate in the manner requested, the Applicant further acknowledging and agreeing to obtain all the necessary permits prior to the issuance of its license for this purpose; and

iii. Whereas, the premises licensed will have 21 tables with 87 table seats, no bars, with an ordering counter without seats for a total patron seat capacity of 87 patrons, 3 TVs (up to 50 inches each), background music only, three will be one entrance/exit for patrons on Canal Street, all other egress will be for emergency egress only, there will be two patron bathrooms and a full service kitchen; and,

iv. Whereas, the hours of operation will be from 12 PM to 12 AM 7 days a week, music will be background only, all facades will be fixed and there will be no operable doors or windows, no DJs, no promoted events, live music or TV's, no sidewalk café or other outdoor areas for the service of alcohol; and,

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

1. Will operate full service restaurant, specifically as a Hot Pot Style Chinese Food Restaurant.
2. 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.
3. The premises will have no more than 3 Televisions no larger than 50 inches (There will be no projectors).
4. Entrance/egress for all patrons will be on Canal Street only.
5. Will not operate a backyard garden/rooftop/outdoor area for commercial purposes
6. There will be no sidewalk cafe.
7. The premises will play quiet ambient, recorded background music only.
8. The premises will not have DJs, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The premises will not permit dancing.
10. The operator will not install French doors, operable windows or open facades.
11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. There will be no pitchers of beer and no all you can eat/drink specials or boozy brunches; and
13. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products

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

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the Restaurant Wine application to **DL&Y LLC d/b/a. Da Long Yi Hot Pot, 159 Canal Street, Suite 200** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on the Restaurant Wine License.

Vote: Unanimous, with 37 Board members in favor.

4. Bowery Sushi, LLC d/b/a Yoshino. New York, 342 Bowery (New Restaurant Wine)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application for a new Restaurant Wine license to operate a traditional Japanese inspired Sushi Restaurant in a mixed-use, four-story building (circa 1900) on the Bowery between Bond and East third Streets in NoHo; and,

ii. Whereas, the 1,250 sq. ft. premises (650 sq. ft. ground floor and 600 sq. ft. storage cellar) was previously operated as Subway Sandwich shop (2009-2015) but has never previously been licensed or operated for eating and drinking, 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 initially filed but later withdrew an application for an on premise license at the premises, there being opposition to the on premise license from the NoHo Bowery Stakeholders, the Applicant later filing a new 30 day notice for a Restaurant Wine license not subject to the 500 foot rule; and,

iv. Whereas, premises will operate as a “high-end sushi restaurant by Japanese master sushi chef Tadashi Yoshida”, without a full service kitchen, with one 11 seat sushi counter made from imported Japanese wood, using the freshest ingredients and seafood imported from Japan, there will no patron tables, bar or patron seats other than the sushi counter, no TVs, all windows will be fixed and there will be no French doors installed, no outdoor areas for the service of alcohol and no sidewalk café; and,

v. Whereas, the applicant’s agreed upon hours of operation will be Sunday through Saturday from 5 PM to 1 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 tradition-style Sushi Restaurant.
2. The hours of operation will be Sunday through Saturday from 5 PM to 1 AM.
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. There will be no TVs.
5. The premises will not operate a backyard garden, or any outdoor area for commercial purposes, including a sidewalk cafe.
6. The premises will play quiet ambient, recorded background music only.
7. Will not install French doors, operable windows, or open façades.
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 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 **Bowery Sushi, LLC d/b/a Yoshino. New York, 342 Bowery** 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 37 Board members in favor.

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

5. Showfields NY 1, LLC, d/b/a Pending, 11 Bond St. 10012 (TW – layover)

Whereas, prior to CB2, Manhattan’s SLA Licensing Committee #1 Meeting on November 7, 2018 the Applicant requested **to layover** this application to December/2018 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 **Showfields NY 1, LLC, d/b/a Pending, 11 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 37 Board members in favor.

6. MM130 Bowery Rest. Corp., d/b/a Capitale, 130 Bowery 10013 (Catering OP – layover)

Whereas, prior to CB2, Manhattan’s SLA Licensing Committee #1 Meeting on November 7th, 2018 the Applicant requested **to lay over** this application for an alteration to an existing catering facility to December/2018 and indicated that they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

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 **MM130 Bowery Rest. Corp., d/b/a Capitale, 130 Bowery 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 37 Board members in favor.

7. Chipotle Mexican Grill of Colorado, LLC, d/b/a Chipotle, 504 6th Ave. 10011 (OP – withdrawn)

Whereas, prior to CB2, Manhattan’s SLA Licensing Committee #1 Meeting on November 7th, 2018 the Applicant requested **to withdraw** this application for an alteration to an existing on premise license and did not appear before CB2 SLA Licensing Committee;

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 **Chipotle Mexican Grill of Colorado, LLC, d/b/a Chipotle, 504 6th Ave. 10011** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2

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

Vote: Unanimous, with 37 Board members in favor.

8. Chipotle Mexican Grill of Colorado, LLC, d/b/a Chipotle, 405 6th Ave. 10014 (OP – withdrawn)

Whereas, prior to CB2, Manhattan’s SLA Licensing Committee #1 Meeting on November 7th, 2018 the Applicant requested **to withdraw** this application for an alteration of an existing on premise license and did not appear before CB2 SLA Licensing Committee;

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 **Chipotle Mexican Grill of Colorado, LLC, d/b/a Chipotle, 405 6th 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 37 Board members in favor.

9. Chipotle Mexican Grill of Colorado, LLC, d/b/a Chipotle, 71 Spring St. 10012 (OP – withdrawn)

Whereas, prior to CB2, Manhattan’s SLA Licensing Committee #1 Meeting on November 7th, 2018 the Applicant requested **to withdraw** this application for an alteration to an existing on premise license and did not appear;

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 **Chipotle Mexican Grill of Colorado, LLC, d/b/a Chipotle, 71 Spring 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 37 Board members in favor.

10. Tiny Shanghai, Inc., d/b/a Tiny Shanghai, 122 Mulberry St. (RW – layover)

Whereas, prior to CB2, Manhattan’s SLA Licensing Committee #1 Meeting on November 7th, 2018 the Applicant requested **to lay over** this application for a new restaurant wine license to December/2018 and indicated that they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

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 **Tiny Shanghai, Inc., d/b/a Tiny Shanghai, 122 Mulberry St.** **until** the Applicant

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

Vote: Unanimous, with 37 Board members in favor.

11. Hudson Café Mir & MG, LLC, d/b/a Hudson Café, 628 Hudson St. (RW – Restaurant)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing Committee to present an application to the Liquor Authority for a transfer of an existing restaurant wine license, SN# 1297793, for a casual family/full service café style coffee and sandwich shop; and,

ii. Whereas, this application is for a new restaurant wine license at a previously licensed restaurant wine location in a mixed use building located on Hudson Street between Horatio Street and Jane Street for a roughly 1,359 sq. ft. premise on two floors with 459 sq. ft. on the ground floor and 900 sq. ft. in the basement with accessory use in the basement including customer bathrooms and convection ovens and there are 11 tables and 22 seats and 1 standup bar with 5 seats on the ground floor, for a grand total of 27 interior seats, there is a DCA Sidewalk Café which will be assigned in front of the premises with 4 tables and 8 seats, there is a "letter of no objection" for eating and drinking use on the ground floor; and,

iii. Whereas, the hours of operation are Sunday to Thursday from 7 a.m. to 10 p.m. and Friday to Saturday from 7 am to 11 pm (all patrons will be cleared and no patrons will remain after stated closing times), music is quiet background only consisting of music from ipod/CDs (i.e. no active manipulation of music – only passive prearranged music), there are no operable French doors, there will be no dj, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no T.V.'s; 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 in to the method of operation on the restaurant wine license stating that:

1. Premise will be advertised and operated as a casual family/café style coffee and sandwich shop.
2. The hours of operation will be Sunday to Thursday from 7AM to 10PM and Friday and Saturday from 7AM to 11PM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a "lounge", tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes or patron seating (not including a licensed sidewalk café).
7. Will operate sidewalk café no later than 10PM Sunday To Thursday and 11PM Friday to Saturday (all tables & chairs will be removed at this hour)
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. The premises will not have DJs, live music, or promoted events.
10. The Premises will not have French doors, operable windows or open facades and will close all doors and windows closed at all times.
11. The previous stipulations for the prior operator will be continued for this operation and applicant.

12. This application includes an existing sidewalk café with 4 tables and 8 seats.
13. Licensee agrees to never apply for an on-premise liquor license or to upgrade this license to a full liquor license at this location.
14. There will only be 1 standup bar with 5 seats.
15. All doors and windows will be closed at all times.
16. Will keep area in front of the premises clear of delivery bicycles and ebikes.
17. Will have a manager's contact information for local residents available at all times.

v. Whereas, the applicant's manager met with the local block association, The Jane Street Block Association, and the Applicant's representative and the manager promised that when the principals, who do not live in the United States, next come to New York City that they will meet with the local Block Association; according to the Applicant's representative the same group of Principals seeks to open 9 other establishments, several of which will be located within CB2, Man.; it was assured that at all times a manager would be available empowered to make decisions with respect to all operations issues;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a transfer application for a Restaurant Wine License for **Hudson Café Mir & MG, LLC, d/b/a Hudson Café, 628 Hudson St.** 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 37 Board members in favor.

12. 20 Cornelia, LLC, d/b/a Silver Apricot, 20 Cornelia St. 10014 (RW)

i. Whereas, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a restaurant wine license for a full service Chinese fine dining restaurant with a rear yard garden; and,

ii. Whereas, this application is for a new restaurant wine license located in a residential building located in a residentially only zoned R6 district; the premises is located on Cornelia Street between West 4th and Bleecker St.; the proposed restaurant is for a roughly 1,500 sq. ft. premise total with a proposed ground floor of 750 sq. ft., a basement accessory use and storage area with 450 sq. ft. (no patrons) and a rear yard with 350 sq. ft., the proposed premise includes 11 interior tables and 25 interior seats, no stand up bar and no bar seats and 7 exterior tables and 18 exterior seats in the rear yard; a Letter of No Objection (LNO) was not provided by the Applicant to CB2, Man.; however it was noted on the NYC DOB website that a Letter of No Objection was issued for the Interior Only on October 3, 2018 at this address; the applicant indicated incorrectly on CB2's Questionnaire that premises is located within a R6 district with a commercial overlay; no commercial overlay exists at this location and the interior is a grandfathered commercial use in a residentially only zoned area; and,

iii. Whereas, the hours of operation for the interior of the restaurant will be will be from Tuesday to Friday from 5PM to 11PM and Saturday to Monday from 11AM to 11PM, all doors will be closed at 9pm every night except for patron ingress and egress and anytime there is amplified music, live music, or DJ; there are no operable windows, music will be quiet background only consisting of music from ipod/CDs (i.e. no active manipulation of music – only passive prearranged music), there will be no DJ, no promoted events, no scheduled performances or cover fees, no velvet ropes, and no movable barriers; and,

iv. Whereas, the Applicant stated the previous operator had used the rear yard at this location but was unable to provide any documentation or permits indicating that use of the rear yard was an allowable use, the Applicant had not been in direct communication with Residents immediately impacted by use of the rear yard, and the Applicant indicated that they would not use the rear yard if were not an allowable use; and,

v. Whereas, this location is located within a residentially R6 zoned only district; No Certificate of Occupancy was issued for this premise after 1938; the allowable use for the premises is indicated on the pre 1938 Department of Buildings “I-Card” which are readily available for review for residential buildings on the NYC Housing and Preservation & Development Website; the “I-Card” for this building does not indicate any commercial outdoor use or the rear yard and indicates only interior uses; NYC Department of Buildings regulations regarding grandfathered uses in residential zoned areas do not allow for expansion of any grandfathered commercial uses including into rear yard gardens after the grandfathered use was established; and,

vi. Whereas, there is a fire escape for the rear apartments in the building which drops down directly into the rear yard dining area and the floor plans presented obstruct the emergency egress of the fire escape; the applicant states the emergency egress from the fire escape is through the building hallway which is also the shared access for the restaurant to the rear yard; the Applicant states that the provided seating layout is representative only and not the actual seating layout; and,

vii. Whereas, the plans provided by the applicant indicate a non-exclusive use over the access corridor to the rear yard from the restaurant on the ground floor, the plans show a side door in the restaurant which accesses the residential hallway which leads to the rear yard; the access corridor through the residential hallway to the rear yard is also used as an emergency egress for the building’s rear fire escape; the access to the prep area in the basement and storage also indicate access through areas not exclusive to the applicant; and;

viii. Whereas, the Applicant stated that they plan to enclose the rear yard garden with temporary enclosures but did not provide plans for any such structures or permits and were not able to clearly indicate how such a structure would not interfere with the existing fire escape except to say there would be an opening in the enclosure for the fire escape drop down ladder; and,

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

1. Premise will be advertised and operated as a full service Chinese fine dining restaurant.
2. The hours of operation will be: Tuesday to Friday from 5PM to 11PM and Saturday to Monday from 11AM to 11PM. Premises will open no later than stated opening time and no patrons will remain after stated closing time.
3. Will operate full service restaurant, specifically a Chinese fine dining 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 or projectors.
6. Will operate my backyard garden area for dining purposes only, no music and no earlier than 11AM and no later than 10PM (all patrons and staff will be cleared at this hour and area closed).
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 9:00 PM every night and anytime there is amplified music, live music, or DJ.
9. Will not install or have French doors, operable windows or open facades.
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 or doorman.
15. There will be no stand up bar.
16. There will be no exterior heaters in the rear yard.
17. Will obtain a permit, Certificate of Occupancy or Letter of No Objection that *specifically includes rear yard use in residential only R6 zoning*. [The premises is located in a R6 Residentially zoned area which does not allow any extension of grandfathered uses into outdoor areas.]

v. Whereas, the applicant was in communication with the local residents association, the Central Village Block Association who stated that they were not in opposition provided the applicant adhered to the agreed upon stipulations and are in compliance with any use of the rear yard garden;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new restaurant wine license for **20 Cornelia, LLC, d/b/a Silver Apricot, 20 Cornelia St. 10014** **unless** the statements the Applicant has presented are accurate and complete, that the Applicant can demonstrate legal use of the rear yard 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 37 Board members in favor.

13. Gizona Corporation, d/b/a Lena, 1 W. 8th St. (TW – Café)

i. Whereas, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new tavern wine license for a coffee shop/wine bar/cafe which has been in operation a number years as a coffee shop and cafe; and,

ii. Whereas, this application is for a new tavern wine license in a previously unlicensed location; the premises is located in a in a mixed used residential/commercial building located on the ground floor (on the Certificate of Occupancy the Ground Floor is identified as the Basement level) on West 8th St. near the corner of Fifth Avenue for a roughly 300 sq. ft. premise with 4 tables and 8 seats and 1 serving counter with 6 seats, there are no outdoor seating areas and a Certificate of Occupancy was provided; and,

iii. Whereas, the hours of operation will be from Sunday to Thursday from 7AM to 11PM and Friday to Saturday from 7AM to 12AM, there is no sidewalk café included with this application, all doors and windows will be closed at 9PM, music will be quiet background only consisting of music from ipod/CDs (i.e. no active manipulation of music – only passive prearranged music), there will be no DJ, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; the store was recently renovated to include a patron restroom; 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 restaurant wine SLA license stating that:

1. Premise will be advertised and operated as a coffee shop/wine bar/cafe.
2. The hours of operation will be: Sunday to Thursday from 7AM to 11PM and Friday to Saturday from 7AM to 12AM. Premises will open no later than stated opening time and no patrons will remain after stated closing time.
3. Will operate full service coffee shop/wine bar/Café with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions or projectors.
6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café)
7. Sidewalk Café is not included in this application.
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 9:00 PM every night and anytime there is amplified music, live music, or DJ.
10. Will not install or have French doors, operable windows or open facades.
11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. 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.
16. There will be 4 tables and 8 seats and 1 serving counter with 6 seats.

v. Whereas, the applicant was in communication with the West 8th Street Block Association and provided the stipulations above are adhered to, the West 8th St. Block Association is in support; the applicant also represented to the West 8th St. Block Association that they would not seek a full liquor license in the future; a community resident who had been patronizing the coffee shop/café since they opened a number of years ago also spoke in support; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a new tavern wine license for **Gizona Corporation, d/b/a Lena, 1 W. 8th St.** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Tavern Wine License.

Vote: Unanimous, with 37 Board members in favor.

14. The Banty Rooster, Inc., d/b/a The Banty Rooster, 24 Greenwich Ave. (OP - Restaurant)

i. Whereas, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new restaurant on premise liquor license for a “neighborhood restaurant that will serve Latin-inspired food and drinks in a bright and cozy atmosphere [...] driven by our guiding values, which are hospitality, humanity, and sustainability-striving to leave everyone and everything we come into contact with better than they were before;” and,

ii. Whereas, this application is for a new on-premise liquor license; the premises was previously licensed for only a restaurant wine license; this new OP application being subject to the 500 ft rule; the premise is located within a mixed use building located on Greenwich Avenue between West 10th St. and Charles Street for a 1,200 sq. ft. premise on the ground floor and basement - no patron use of basement, with no square footage information provided for the basement (the previous RW licensee at this location described the premises as 2,271 sq. ft. with 1,646 sq. ft. on the ground floor and 635 sq ft in the basement), approximately 70 tables seats at a number of table to be determined, and one stand-up bar with 15 seats for a grand total of 85 seats; a Certificate of Occupancy was provided indicating an allowable occupancy of 107 persons, but no Place of assembly permit was provided indicating an allowable use for over 75 or more patrons; applicant stated a Place of Assembly permit would be acquired prior to the issuance of any license; and,

iii. Whereas, the hours of operation will be from Sunday from 10:30AM to 12AM, Monday to Thursday from 4PM to 12AM, Friday from 4PM to 1AM and Saturday from 10:30 AM to 1AM, no patrons will remain after stated closing times and the last patron seating will be 90 minutes prior to closing times; there is no sidewalk cafe, all doors and windows will be closed at 9PM Sunday to Thursday and 10PM Friday to Saturday, there are no operable windows except for possibly transom windows installed at the top of the window facades which will be closed at those times as indicated, music will be quiet background only consisting of music from ipod/CDs (i.e. no active manipulation of music – only passive prearranged music), there will be no DJ, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will only 1 T.V. as indicated in the stipulations; and,

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

1. Premise will be advertised and operated as a neighborhood restaurant serving Latin inspired food and drink as described.
2. The hours of operation will be: Sunday from 10:30AM to 12AM, Monday to Thursday from 4PM to 12AM, Friday from 4PM to 1AM and Saturday from 10:30 AM to 1AM. Premises will open no later than stated opening time and no patrons will remain after stated closing time.
3. Will operate full service restaurant, specifically a neighborhood restaurant serving Latin inspired food and drink 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 1 television, no larger than 46” (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. Sidewalk Café is not included in this application.
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 Sunday to Thursday and 10PM Friday to Saturday and anytime there is amplified music, live music or DJ.
10. Will not install or have French doors, operable windows or open facades. May install transom windows at top of 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 or security Personnel/Doorman.
16. No patron use of basement.
17. There will be no “A-frames”, sandwich boards, or other sidewalk obstructions.
18. Will post a “please be considerate of neighbors style” sign.
19. Will obtain a Place of Assembly Permit.
20. The last patron seating will be 90 minutes before indicated closing times above.

v. Whereas, the Applicant was in contact with members of the Residents Coalition of 33 Greenwich Avenue and Jefferson Court Condominium and conducted extensive dialogue and negotiation, and as a direct result of the specific conditions that the Applicant agreed to as describe in the stipulations above, the Residents Coalition of 33 Greenwich Avenue and Jefferson Court Condominium agreed to not oppose the new on-premise liquor license application where no on-premise license previously existed; and,

vi. Whereas, there are currently approximately 21 On Premise Liquor Licenses and an unknown number of Beer and Wine Licenses within 500 ft. of the premises;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a new restaurant on-premise liquor license for **The Banty Rooster, Inc., d/b/a The Banty Rooster, 24 Greenwich Ave** 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 37 Board members in favor.

15. Helen’s, LLC, d/b/a Helen’s, Vault at 675 Hudson St. 10014 (Restaurant-OP)

i. Whereas, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new restaurant on premise liquor license for an upscale contemporary Asian lounge with a Chinese culinary focus in a tucked away Thai oasis; and,

ii. Whereas, this application is for a new on-premise liquor license; the premises is located in a previously licensed location in a sub street level location located in a vault below Ninth Avenue between 13th and 14th St. which was re-discovered in 2005 after having abandoned since the 1920’s, the vault was deemed at that time as belonging to 675 Hudson St., the premises is located in the subterranean vault space of a five story mixed use commercial loft building with legal loft law apartments on the 2nd and 4th floor, with 4 other licensed premises located on the ground floor; the premises is accessed through two separate entrances located on the sidewalk on ninth avenue and 13th St. similar to small scale subway style

entrances with steps leading down to the subterranean level; the vault premises is roughly 4,250 sq. ft. premise with 21 tables and 76 seats, and one stand-up bar with 15 seats for a total of 91 seats; there is no current valid certificate of occupancy; however, a series of Temporary Certificate of Occupancy's was provided, the most recent TCO# 110169950T020 expired on March 27, 2018; the applicant stated that if this TCO was renewed, it would be kept current at all times that the license was in effect and would never be allowed to expire while the premises was operating; and,

iii. Whereas, the hours of operation will be from Sunday from 6PM to 1AM, Monday to Wednesday from 4PM to 1AM, Thursday to Friday from 4PM to 2AM, and Saturday from 6PM to 2AM, there are no doors and windows to any exterior areas; 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 during regular operations, there will be no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; there may be DJs only at private events and all special events will end by 12AM and be limited to 36 private events per year; management will keep a log of all private events available for review ; and,

iv. Whereas, when specifically questioned, the applicant's stated that they and their investors operate a large number of establishments within China, but clearly articulated that this is a new location in a new country and that they would be changing aspects for their operation as presented and agreed to, and that the presentation and stipulations agreed to herein would govern this operation at this location and that all stipulations would be adhered to; this is the first "Helen's" to open in the United States and the Applicants stated it would be very different in the nature of its operation's and again stated would adhere to all stipulations; and,

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

1. Premise will be advertised and operated as an upscale contemporary Asian lounge with a Chinese culinary focus in a tucked away Thai oasis.
2. The hours of operation will be: Sunday from 6PM to 1AM, Monday to Wednesday from 4PM to 1AM, Thursday to Friday from 4PM to 2AM, and Saturday from 6PM to 2AM. Premises will open no later than stated opening time and no patrons will remain after stated closing time.
3. Will operate full service restaurant, specifically an Asian restaurant/lounge with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions or projectors.
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 not install or have French doors, operable windows or open facades.
9. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have "boozy brunches". No pitchers of beer.
11. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.

12. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
13. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades.
14. There will be one entry on 9th Avenue for patrons and one exit only on 13th St. Both may be used for emergency egress.
15. Will use electronic messaging system to prevent patron lines.
16. There may be DJs only during private events. All private events will end by 12AM.
17. The maximum operating occupancy (both staff and patrons) will not exceed 150 persons.
18. When DJ is used for private events, the volume levels will still be at background levels.
19. There will be no more than 36 private events per year.

vi. Whereas, the applicant met with members of the local residents and there was opposition to the proposed application; the opposition was mitigated to some extent with the stipulations agreed to with significant concerns by community residents with some still in objection to the closing hours with requests that closing hours be curtailed to 11PM during the week and 1AM on the weekends; there were concerns expressed with respect to patrons lining up to enter and crowds leaving the establishment, as well as concerns with respect to impacts on the existing noise level from patrons, the increase in traffic conditions from for hire vehicles and increase on parking concerns given the destination focus of the premises, the entrance to the location being located in the heart of an area already oversaturated with licensed premises area, many of those locations being multi floor venues which have a high impact on quality of life concerns; and,

vii. Whereas, the agreement by the Applicant that there would be strict adherence to all stipulations entered into is the primary reason CB2, Man. is not in opposition to this license; and,

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

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a new restaurant on-premise liquor license for **Helen’s, LLC, d/b/a Helen’s, Vault at 675 Hudson 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 37 Board members in favor.

16. Margherita Corporation, d/b/a Margherita, 197 Grand St. (Pizzeria Restaurant) (Class Change to OP from RW)

i. Whereas, the applicant and applicant’s representative appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new on premise license to continue to operate a small restaurant specializing in classic Neapolitan pizza in a ground floor storefront within a mixed use 7 story building (circa 1900) located on Grand St. between Mott St and Mulberry St. in Little Italy; and,

ii. Whereas, in addition to seeking a new on premise license, the operator is also seeking to increase its late night hours of operation until 1 AM during the week and 2 AM on the weekends (Fridays and Saturdays); and,

iii. Whereas, the Applicant has been operating at these premises with a restaurant wine license for two years, the premises previous to 2015 being unlicensed for the service of alcohol having operated as a “Little Italy News & Gift Shop”; and,

iv. Whereas, the storefront premise was renovated in 2015 with the installation of operable doors running along the front façade of the storefront, there also being a second licensed establishment located in the same building in a second storefront (Nyonya) next door; and,

v. Whereas, the storefront premises is only 600 sq. ft. premise with 10 tables and 20 seats for a total of 20 interior seats, there is also a licensed sidewalk café with 4 tables and 8 seats; and,

vi. Whereas, the current hours of operation are from 12 PM to 11 PM Sunday through Saturday, and despite the increase in hours requested, the Applicant asserted the existing method of operation would remain the same; and,

vii. Whereas, this application being subject to the 500 foot rule requiring the Applicant to demonstrate a recognizable public interest for adding yet another on premise liquor license in an area already greatly saturated with licensed establishments, there being 28 existing On Premises licenses within 500 feet of the storefront premises, 47 On Premise licenses within 750 feet of the storefront premises, with 5 additional pending on premise licenses and without even including the vast numbers of eating and drinking establishments in the area holding beer and wine licenses, this particular restaurant specializing in pizza and pastas not being unique in lower Manhattan or serving a public interest for the surrounding community considering the existing saturation of liquor licenses in the immediate surrounding area contributing to daytime and late night noise, traffic, trash, delivery trucks and revelers, the storefront premises having never previously been licensed for the service of alcohol prior to 2015; and

viii. Whereas, the Applicant also failed to provide coherent reasons or a public interest statement for operating with the service of hard alcohol and spirits for a restaurant specializing in pizzas with the current service of beer and wine being more appropriate and entirely consistent with the current method of operation; there being additional concerns that after the on premise license is issued the business will transgress to one driven more from spirits and late night drinking with the proposed extended hours of operation; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial for **Margherita Corp, 197 Grand St. 10013** on its application seeking a new OP license; and

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

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

Vote: Unanimous, with 37 Board members in favor.

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

17. AV NY 1, LLC, d/b/a TBD, 15 8th Ave. (OP – Restaurant) [Layover]

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee #2 Meeting on November 8th, 2018, the Applicant requested to **layover** this application for a restaurant on-premise liquor license application and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, transfer, alterations, upgrade or changes to any existing license for **AV NY 1, LLC, d/b/a Pending, 15 8th Ave. 10014 (OP – Restaurant) 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 37 Board members in favor.

18. Embe Restaurant Corp., d/b/a Osteria 57, 57 W. 10th St. (Restaurant) (Class Change to OP from RW) [Layover]

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee #2 Meeting on November 8th, 2018, the Applicant requested to **layover** this application for an upgrade application for an existing restaurant wine license to an on-premise liquor license application and they will resubmit a complete 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, class change, transfer, alterations, upgrade or changes to any existing license for **Embe Restaurant Corp., d/b/a Osteria 57, 57 W. 10th St. until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 37 Board members in favor.

19. L&B 89 7th Ave. S. Corp., d/b/a Cuba Libre, 89 7th Ave. South (OP – Restaurant) (laid over)

Whereas, prior to this month’s CB2, Manhattan’s SLA Licensing Committee #2 Meeting on November 8th, 2018, the Applicant requested to **layover** this application for an on-premise liquor license application and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

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

license for **L&B 89 7th Ave. S. Corp., d/b/a Cuba Libre, 89 7th Ave. South** 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 37 Board members in favor.

20. G Chew, LLC, d/b/a Ciccio diVino, 192 6th Ave. (TW – Tavern Wine) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on November 8th, 2018, the Applicant requested to **layover** this application for an Tavern Wine license application and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, transfer, alterations, upgrade or changes to any existing license for **G Chew, LLC, d/b/a Ciccio diVino, 192 6th Ave.** 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 37 Board members in favor.

22. BL 98 Kenmare NY LLC d/b/a Bluestone Lane, 19 Kenmare St. (OP – Café/Restaurant) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on November 8th, 2018, the Applicant requested to **layover** this application for an on-premise liquor license application and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, transfer, alterations, upgrade or changes to any existing license for **BL 98 Kenmare NY LLC d/b/a Bluestone Lane, 19 Kenmare St.** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 37 Board members in favor.

TRAFFIC AND TRANSPORTATION

1. Resolution supporting air quality monitoring of bus emissions for the duration of the L-train/Canarsie Tunnel Reconstruction Project

Whereas 80+ additional buses in the peak hour in the peak direction will be crossing the Williamsburg Bridge into our downtown Manhattan neighborhoods, and at least 53 will be traversing the streets of CB2, Man. during the L-train/Canarsie Tunnel Reconstruction Project, to provide an alternative mass transit option to those who use the L-train to travel into Manhattan from Brooklyn (a route that won't operate with the Tunnel closed for repairs) and to avoid heavy traffic congestion from single occupancy vehicle use during the project; and

Whereas almost all of these buses will be diesel fuel operated (only a few will be electric (5) or hybrid diesel (10)), adding polluting exhaust to CB2's streets that produces significant health hazards: The Union of Concerned Scientists states that "*Diesel-powered vehicles and equipment account for nearly half of all nitrogen oxides (NOx) and more than two-thirds of all particulate matter (PM) emissions*" and that "*Particulate matter irritates the eyes, nose, throat, and lungs, contributing to respiratory and cardiovascular illnesses and even premature death*" (Source: Union of Concerned Scientists website), a matter of great concern to the community; and

Whereas in response to and representing the concerns of all the communities that will be impacted by this diesel emissions influx, 21 NY City, State and Federal elected officials wrote MTA-NYC Transit (MTA-NYCT) calling for air quality monitoring along the bus routes during the full shutdown period, for incorporating advance time to establish baseline readings, and for providing monitor readings data to the public in a timely manner; and

Whereas MTA-NYCT has responded with assurances that they are "committing to monitor the air for particulates typically caused by diesel emissions, known as PM2.5 and making results publicly available"; and

Whereas diesel exhaust includes harmful emissions other than PM2.5, such as nitrogen oxides, carbon dioxide, hydrocarbons and ozone pollution; and

Whereas pollution levels vary from location to location, from season to season and by time of day, as well as with frequency of buses in use; and

Whereas clearly laid-out procedures and rules are needed as a guide in monitoring emissions as well as for mitigation approaches should monitoring show that adjustments need to be made; and

Whereas 15 articulated electric buses are planned for the M14 SBS route in the 4th quarter of 2019, but no plan has been put forth to replace the high number of added diesel buses that will be used during the reconstruction project with any electric buses; and

Whereas MTA-NYCT has indicated that an environmental quality plan is in the works, emergency scenarios are being prepared, and that more information will be available in a subsequent update to the community within the next two months;

Therefore be it resolved that CB2, Man. gratefully thanks our elected officials for their support in helping protect the health, safety and welfare of our community by calling for air quality monitoring

along the L-train/Canarsie Tunnel project's added bus routes during the full shutdown period and for asking for advance baseline readings, as well as for calling for timely issuance to the public of monitor readings data; and

Be it further resolved that CB2, Man. thanks MTA-NYCT for "committing to do PM2.5 air quality monitoring and making results publicly available"; and

Be it further resolved CB2, Man. asks that MTA-NYCT also include in their monitoring other harmful emissions such as nitrogen oxide and hydrocarbons throughout the project; and

Be it further resolved that CB2, Man. recommends that baseline readings be done in varying impact locations, times and, if possible, seasonal manifestations, to closely approximate current conditions, and urges that the readings be started right now; and

Be it further resolved that CB2, Man. urges that air quality monitoring be done frequently and comprehensively in several locations along the added buses routes throughout the community with particular attention to monitoring at rush hours and other times of the heaviest bus activity; and

Be it further resolved that CB2, Man. suggests that serious consideration be given to employing mobile air quality monitoring such as the van mounted AQM 65 from Aeroqual, used and tested by the New York City Department of Environmental Protection (DEP), which DEP's case study in 2016 showed to be a quicker, more efficient, yet less expensive way to provide flexibility and needed coverage "to conduct neighborhood-specific air quality monitoring"; and

Be it further resolved that CB2 is of the strong opinion that a clear, concise plan is needed that lays out the procedure for air quality monitoring before and during the L-train/Canarsie Tunnel project, including what equipment will be used and where it will be placed with a map of the locations, how often readings will be made and reported to the community, as well as mitigation approaches in the event of a contingency, and requests that this be done as soon as possible and shared with the community; and

Be it further resolved that CB2, Man. encourages MTA-NYCT to do everything possible wherever possible to substitute electric buses for the additional diesel buses assigned for the duration of the Canarsie Tunnel closure and arrange for the storage facilities that these non-diesel buses require; and

Be it finally resolved that CB2, Man. once again thanks MTA-NYCT for acknowledgement of community concerns and for their assurance that they will be back to CB2 within the next two months with more information and with a more fleshed out plan for addressing air pollution concerns, which CB2 looks forward to receiving.

Vote: Unanimous, with 35 Board members in favor.

2. Resolution in Response to L-Train/Canarsie Tunnel Reconstruction Update 11/01/2018

Whereas MTA-NYC Transit (NYCT) and the NYC Dept. of Transportation (DOT) presented the latest details on the L-Train/Canarsie Tunnel Reconstruction project (full closure slated to begin April 27, 2019), including information on implementation activities already underway, scheduling for upcoming activities, plans for construction coordination, enforcement staging and strategy in the works, expected service changes, with assurances of additional updates to come, as more develops; and

Whereas implementation of the 12th St. and 13th St. bicycle lanes is underway for a curbside bike lane on the south side of 13th St. and north side of 12th St., with one 8 ft. parking lane, one 11 ft. travel lane, a 4-9 ft. buffer, and a 6 ft. bike lane, and the streets' current layout would constrain moving auto traffic when double parking occurs; and

Whereas DOT is continuing to propose making Kenmare St. one-way westbound btw. Cleveland Pl. and Lafayette St. by adding pedestrian space next to Petrosino Sq. to stop vehicles driving in the wrong eastbound Kenmare lane to make a left turn to Lafayette, however the local community has great concerns about the proposed closure interfering with accessibility for fire trucks from Ladder 20 to eastbound Kenmare; and

Whereas Captain Andrew Serra of Ladder 20 expressed his concern in a letter to John Sudnik, the FDNY Chief of Operations, that making Kenmare St. one-way btw. Cleveland Pl. and Lafayette "with traffic allowed only in the westbound direction" would interfere with "Ladder 20's ability to respond anywhere south and east of the firehouse, forcing Ladder 20 to go all the way to Grand St." and "would create serious increases to response times...." He also indicated that Ladder 20 "was not included in any discussion of planning"; and

Whereas CB2, Man. is pleased to learn that an Environmental Quality Plan is in the works for both buses and construction sites mitigation, but notes that no information has yet been forthcoming on either the routes of the buses being used to their depots (and where their depots are) or on their makes and models; and

Whereas CB2, Man. welcomes the news that DOT is working collaboratively with the NYC Dept. of Buildings (DOB) "to identify and minimize disruption from projects along L train corridors that already have been granted permits" and that "DOB has committed to implementing a system for review of future projects along L train corridors," but CB2 still has concerns about the impact of numerous construction projects as well as film shoots occurring throughout the community both which often block and/or slow down traffic, adding other congestion-causing conditions; and

Whereas CB2, Man. welcomes MTA-NYCT's and DOT's plans to return to CB2 within the next two months with a further updated plan and their willingness to fine-tune changes to respond to community concerns as best they can;

Therefore be it resolved that CB2, Man. thanks MTA-NYCT and DOT for their continued attention to community concerns and for keeping the community up to date on the L-Train/Canarsie Tunnel Reconstruction project as it progresses; and

Be it further resolved that CB2, Man. recommends that in order to avoid double parking on 12th and 13th Sts. that "No Standing" rules on the open curbs be put into effect from 9:00 am to 6:00 pm with overnight parking only, or at least that provision be made for setting aside parking space for deliveries, drop-offs and pickups; and

Be it further resolved that CB2, Man. urges DOT to work together with the Ladder 20 local fire department on access needs, including how to accommodate movement eastbound on Kenmare St. btw. Cleveland Pl. and Lafayette St.; and

Be it further resolved that CB2, Man. asks for information on the routes of the buses in use to their depots and on the depot locations, as well as on the makes and models of these buses, including the number of buses per type and their respective EPA emission standards; and

Be it further resolved that CB2, Man. reiterates its previous request to suspend construction permits and consider a moratorium on film shoots in advance of the project, while disallowing new construction and curtailing any construction activities wherever possible for the project's duration; and

Be it finally resolved that CB2, Man. looks forward to the next update on the L-Train/Canarsie Tunnel Reconstruction project and to the further refinements of the plan that DOT and NYCT are contemplating.

Vote: Unanimous, with 35 Board Members in favor.

3. Resolution requesting reconstruction of Clarkson St. from West St. to Greenwich St., including repair and replacement of Belgian blocks, along with installation of a granite bicycle strip

Whereas Clarkson St. is a main eastbound thoroughfare from the Hudson River Park at West St. leading to 7th Ave. S./Varick St. where it connects with Carmine St. heading further east and then further east on Bleecker St.; and

Whereas Clarkson St. is the only thoroughfare for 1,500 feet to the north after Canal St. with an exit from the Hudson River Park (HRP) esplanade and bicycle path to the street in CB2, Man.; and

Whereas because Clarkson St. serves as a link between the HRP bicycle paths and the residential area to the east, it is used extensively as a bicycle way, although there is no bike lane on Clarkson btw. West St. and Greenwich St. (with a Belgian block street bed), but there is a bike lane on the asphalt portion of Clarkson btw. Greenwich and Varick Sts., which continues onto Carmine and then Bleecker St.; and

Whereas the Belgian block street bed on Clarkson St. btw. West St. and Greenwich St. is in extremely bad condition with loose, broken, scattered and missing blocks, large uncovered spaces, exposed manholes, deep ridges, made even worse by recent construction, and sorely in need of repair; and

Whereas the 160 Leroy Street condominium structure was recently completed and maintained and repaired the area immediately adjacent to the building, roughly one quarter of Clarkson St. btw. West St. and Washington St., still the remaining three quarters of the block is in disrepair; and

Whereas the broken up, uneven, scattered surface of the Belgian blocks on Clarkson St. btw. West St. and Greenwich St. is not only a major hazard for pedestrians, people in wheelchairs, those with strollers and other wheeled conveyances and even a hindrance to motor vehicles, it is also particularly bumpy and grating for bicyclists, who opt to use the sidewalk instead; and

Whereas there are constant reports of plentiful and continuous bicycle riding on Clarkson St.'s sidewalks btw. West and Greenwich Sts., putting pedestrians in grave danger of colliding with the cyclists, with some already being injured. A glaring example occurred there just a few months back in May 2018, when a bicyclist riding on the south side Clarkson sidewalk crashed into a young girl 12 years of age named Luca Katzen, who was returning from softball practice at Pier 40. Luca Katzen was walking on the sidewalk, and the cyclist knocked her down, which resulted in the girl suffering a broken leg. Luca missed the remainder of the school season and her summer plans to play competitive softball were disrupted; and

Whereas bicyclists coming from the HRP bikeway onto Clarkson St. go right to the sidewalk and ride on it until they get past Greenwich St. where they go directly onto the bike lane in the asphalt paved street (which is where the bike lane starts), showing that were a suitable bike lane installed in the West to

Greenwich St. Belgian block street bed, it would be used instead of the sidewalk, with cyclists transitioning from there to the striped painted lane in the asphalt pavement; and

Whereas a continuous, connected bike lane on Clarkson St. would provide direct and safe bicycling access east that is very much needed in that area; and

Whereas the NYC Dept. of Transportation (DOT) has developed a new bikeway design to use in Belgian block streets and blend with their historical character that consists of a 2 1/2 -ft.-wide, 6-in.-deep granite strip inlaid into the existing paving blocks. This type of bikeway has been installed successfully on Varick St. btw. Canal and Laight Sts.; and

Whereas a similar granite strip treatment has been installed on Gansevoort St. as part of the Meatpacking District Reconstruction project; and

Whereas Clarkson btw. West St. and Greenwich St. is not in a designated historic district, but its Belgian block street bed is a historic feature. CB2's Landmarks Committee previously was asked for input on the use of the Varick St. granite strip type of bike lane and agreed unanimously that it would provide needed pedestrian safety and had no objection to its installation if efforts were made to blend the granite strip with the Belgian blocks so as to maintain historical character as much as possible, including elimination of inappropriate painted signage; and

Whereas this type of granite strip bike lane has already undergone extensive review and been approved by the Landmarks Preservation Commission for use in historic districts such as DUMBO and Vinegar Hill in Brooklyn; and

Whereas historic photographs show long granite slabs being used with Belgian blocks in NYC streets in similar configurations to the proposed granite strip bike lane (source: *Toward Accessible Historic Streetscapes: A Study of New York City's Belgian Block Heritage*, Prepared for the Historic Districts Council, April 2017, Cover, pp. 13, 14 &15); and

Whereas the methodology for removing and replacing Belgian blocks individually in streets is flawed and results in irregularly laid configurations that are not only unattractive and historically incorrect, but also exceptionally dangerous for pedestrians and bicyclists; and

Whereas as more and more bicycle lanes are created, with many extending into streets with Belgian blocks (both in and out of historic districts), and ADA requirements for adapting Belgian block streets to accommodate disabled access and pedestrian safety will call for historically appropriate adaptations; a granite strip bicycle lane on Clarkson btw. West and Greenwich Sts. can serve as a pilot to evaluate for future designs;

Therefore be it resolved that CB2, Man. urges that Clarkson St. from West St. to Greenwich St. be reconstructed, including with complete repair and/or replacement (where necessary) of Belgian blocks; and

Be it further resolved that CB2, Man. requests that a granite strip bicycle lane, the same as (or similar to) the one already installed on Varick St. btw. Canal and Laight Sts. be installed on Clarkson St. btw. West St. and Greenwich St.; and

Be it further resolved that CB2, Man. strongly advises that the original Belgian blocks on this stretch of Clarkson be reused as much as possible in reconstruction and that when replacements are needed that they are of a high quality, close color and historic match; and

Be it further resolved that CB2, Man. urges that Belgian blocks be removed and replaced in an array that maintains alignment and consistency and includes the use of a specific process and infrastructure; and

Be it further resolved that CB2, Man. cautions that strong safety features need to be included in the Belgian blocks installation and asks for surfaces with safe textures and thermal finishes to provide slip resistance, as well as avoidance of large, steep gaps between paving stones; and

Be it further resolved that CB2, Man. would appreciate that utmost care be given to the placement and use of the granite strip bicycle lane, so that it blends with the Belgian blocks to preserve as much historic integrity and character as possible; and

Be it finally resolved that CB2, Man. asks that signage be installed which is designed to prohibit bikes on public sidewalks but that any signage to the roadway respect the historical veracity at the Belgian blocks roadway.

Vote: Unanimous, with 35 Board Members in favor.

ELECTIONS COORDINATE COMMITTEE/ELECTION OF OFFICERS

After an introduction by Lois Rakoff, a member of the committee, the following members were elected to serve as officers of Community Board 2:

- Carter Booth– Chair
- Dan Miller – 1st Vice Chair
- Susan Kent – 2nd Vice Chair
- Antony Wong – Treasurer
- Keen Berger – Secretary
- Erick Coler – Assistant Secretary

The only contested position was for the office of 2nd Vice Chair. Susan Kent received 25 votes, Tom Connor received 7 votes. Two ballots were disqualified because the voting member voted for both candidates.