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Daniel Miller, *First Vice Chair*  
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Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
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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](http://www.cb2manhattan.org)

P: 212-979-2272 F: 212-254-5102 E: [info@cb2manhattan.org](mailto:info@cb2manhattan.org)  
Greenwich Village ✦ Little Italy ✦ SoHo ✦ NoHo ✦ Hudson Square ✦ Chinatown ✦ Gansevoort Market

February 27, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on February 22, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**1. Laduree Soho, LLC d/b/a Laduree, 396-398 W. Broadway (OP - Renewal)**

**i. Whereas**, at the request of CB2 Man.'s SLA Committee a Manager appeared with the licensee's attorney for the renewal of its existing on premise license (Lic. #1275681, exp. 2/28/2018) because persistent complaints by neighbors arising from the operator's use of a backyard garden have continued at this location for four years commencing immediately after the inception of the license; and

**ii. Whereas**, when the licensee initially appeared before CB2, Man. in June/2013 for its existing on premise license (the application having been subject to the 500-foot rule requiring the applicant to meet the public interest standard), it had already meet with approximately 15 neighborhood residents living adjacent to the rear yard to discuss closing hours and noise mitigation as it relates to the outdoor space, the rear garden space being 2,400 Sq. ft. in size, uncovered and open, where there is a large exterior stand up bar with 15 seats, 50 exterior tables with 100 exterior patron seats, and where there are French doors extending through much of the rear façade of the premises leading to the rear yard; and

**iii. Whereas**, after meeting with its neighbors the licensee thereafter presented a method of operation to use the outdoor yard to operate the ancillary rear yard in conjunction with a restaurant, tea salon and chocolatier business; and after extension discussions and deliberations executed a stipulations agreement with CB2, Man. that was attached and incorporated to their method of operation on their license and the stipulations were as follows:

1. The interior premises will close midnight Sunday through Thursday and 1:00 AM Fridays and Saturdays.
2. Windows and doors will close by 10 PM.
3. Music will be quiet, background level inside restaurant only and there will be no djs, promoted events, scheduled performances or any events where a cover fee in charged.
4. The rear yard will close by 11 PM Sunday through Thursday and by Midnight Fridays and Saturdays.
5. There will be no smoking in the rear yard.
6. There will be no music in the rear yard.
7. The backyard garden will close by 11 PM for any private parties.

**iv.** **Whereas**, after the outdoor garden opened during the warmer seasonal months in the exterior rear yard, the outdoor rear yard remained open past midnight and beyond the licensee's agreed upon hours of operation, with its staff loitering in the exterior areas even later into the early morning hours, drinking, smoking and making noise as late as 3 AM in the exterior rear yard, where music levels in the rear yard were also excessive, invasive, loud and could be heard even after residents had closed their windows, where the doors from the restaurant were also left open past midnight, where djs were used for events and large parties and where a Mariachi band had played, all in derogation of Laduree's prior stipulation agreement with its neighbors, with CB2, Man. and with the NYS SLA; and,

**v.** **Whereas**, because the late-night noise, music and parties in the outdoor rear yard generated numerous complaints by the adjacent neighbors to the licensed business and to CB2 Man., CB2 Man.'s SLA Committee requested the licensee to appear for the renewal of its existing license two years later in February/2016, the licensee appearing before CB2, Man. with his attorney, at which time 14 residents living adjacent to the premises appeared in opposition to the renewal of Laduree's license; and,

**vi.** **Whereas**, when those residents who appeared in opposition to the renewal of the existing license also presented photos and video to CB2, Man. demonstrating music playing and large parties taking place in the rear yard of the licensee's premises on a number different dates throughout the summer time months; and

**vii.** **Whereas**, when the licensee appeared before CB2, Man. in 2016 it conceded and acknowledged that it had installed exterior speakers throughout the exterior garden even though it had previously agreed and stipulated not to have amplified music in the exterior rear yard, that it had been operating in the outdoor rear yard until midnight on Wednesday and Thursdays and until 1 AM on Friday and Saturday, where large parties and promoted events had taken place along with a designated exterior smoking area, all in derogation of its agreed upon method of operation; and,

**viii.** **Whereas**, based on the above-referenced problems and complaints regarding the licensed use and occupancy of the rear yard with large parties and events with excessive levels of noise and music, CB2, Man. proposed to the licensee in 2016 that it remove all its exterior speakers from the rear yard, to refrain from permitting any further special events and private parties in the rear yard at any time, to prohibit smoking and to close the rear yard by 10 PM every night; and

**ix.** **Whereas**, despite such proposals, and a recommendation in February/2016 from CB2, Man. to the NYS SLA requesting that the NYS SLA deny the license renewal application and to investigate the ongoing complaints and the licensee's failure to abide by its agreed upon method of operation, no known investigation was ever performed on behalf of the NYS SLA even though residents from the immediate neighborhood continued to lodge complaints regarding the outdoor rear garden directly to the NYS SLA and Manhattan's NYPD 1<sup>st</sup> Precinct; and,

**x.** **Whereas**, because the license never removed the outdoor speakers from the rear yard and continued to play, loud and invasive amplified music in the exterior rear yard CB2, Man. again requested the licensee to appear upon its second renewal, when a group of neighborhood residents appeared (for a third time) asking for relief from the amplified, pounding music and late-night noise emanating from the outdoor rear yard, an 84 year-old woman also appearing and speaking of an additional incident on September 28, 2017 whereat she was assaulted and hit on her wrist by the licensee after she asked him to turn down the music in the outdoor yard, the licensee admitting to the use of DJs that evening, resulting in the NYPD being called and appearing at the premises; and,

**xi.** **Whereas**, the licensee's use of amplified music and the installation of speakers in the rear yard is in clear derogation of its previously agreed upon method of operation, the same attorney (appearing in 2016 and again in 2018) being fully knowledgeable in liquor licensing, the licensee being told repeatedly over a number of years to cease operating in this manner with DJs, entertainment music levels, promoted events while repeatedly subjecting the surrounding community to loud, prohibited and objectionable late night operations in the rear yard; and

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends that NYSLA investigate the noise complaints and to take all appropriate measures, including enforcement proceedings against **Laduree Soho, LLC d/b/a Laduree, 396-398 W. Broadway**, if necessary, to insure that the Licensee operate within its agreed upon method of operation in the rear outdoor yard to prevent any further late night intrusions, removal of the outdoor speakers and use of DJs and/or music being played at entertainment levels, as more fully described herein; and.

**THEREFORE BE IT FURTHER RESOLVED** that CB2, Man. recommends denial for **Laduree Soho LLC, d/b/a Laduree, 396-398 West Broadway 10012** on its application seeking a renewal of its existing OP license; and

**THEREFORE BE IT FURTHER RESOLVED** that should this application be considered by the NYS SLA, CB2 Man. respectfully requests that this item be Calendared to appear before the Full Board of the SLA so that the Community and CB2, Man. can be fully heard on this issue.

Vote: Unanimous, with 35 Board members in favor.

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February 27, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on February 22, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**2. 164 Mulberry Street Corp., d/b/a Da Nico, 164 Mulberry St. 10013 (OP – Restaurant)**

**i. Whereas**, the Applicant and his Attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a corporate change of an existing Restaurant on premise license SN# 1025413 (Exp: 5/31/19) to continue to operate a full-service restaurant specializing in Italian fare within a mixed use five-story building on Mulberry Street between Grand & Broome Streets in Little Italy; and,

**ii. Whereas**, the attorney for the applicant appeared, the corporate change being prompted by a death of a family member in what is described as a family-operated business, the President (Nicholas Criscitelli) will continue to own (100%) and operate the Restaurant, the method of operation as a full service Italian Restaurant will remain the same and will not be changing; and,

**iii. Whereas**, the existing/current method of operation is a full-service restaurant operating within a roughly 3,200 sq. ft. premise (ground/first floor 1,200 sq. ft., 2<sup>nd</sup> Floor 2000 sq. ft.); there being 72 table patron seats on the first floor, 72 table patron seats on the second floor, one bar with two seats for a total interior patron occupancy of 146 within the restaurant, no TVs, three bathrooms, as well as 2000 sq. ft. rear yard (which according to a certificate of occupancy limits eating/drinking to dining only in the summer) with 90 additional exterior patron seats, existing French doors on the front façade and sidewalk café; and

**iv. Whereas** the interior hours of operation will continue to be from 12 PM to 11 PM Sunday through Thursday and from 12 PM to 12 AM Fridays and Saturdays, music will be quiet background only with no no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

**v. Whereas**, the exterior rear garden will continue to be for dining purposes only, there will be no music in the rear yard and it will close by 10:30 PM Sunday through Thursday and by 11:00 PM Fridays and Saturdays (no patron or staff will be rear yard after closing and all lighting will be turned off), the sidewalk café will also close by 10:30 PM and all doors and windows will be closed by 10 every night; and.

**vi. 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 On Premise license and the stipulations are as follows:

1. The licensed premises will be advertised and operated as a family operated Italian Restaurant.
2. The hours of operation will be from 12 PM to 11 PM Sunday through Thursday from 12 PM to 12 AM on Fridays and Saturdays.
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 not have televisions.
5. The premises will not permit dancing.
6. The backyard garden will be for dinning purposes only, there will be no music and will operate no later than 10:30 PM Sunday through Thursday and 11:00 PM Fridays and Saturdays (no patron or staff will be rear yard after closing and all lighting will be turned off).
7. The sidewalk café will close by 10:30 every evening.
8. All doors and windows will be closed by 10 PM.
9. The premises will play quiet ambient, recorded background music only.
10. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
11. There will be no unlimited food and drink specials, "boozy brunches, or pitchers of beer.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of an on premise license to **164 Mulberry Street Corp., d/b/a Da Nico, 164 Mulberry St. 10013** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on the Tavern Wine License.

Vote: Unanimous, with 35 Board members in favor.

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Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on February 22, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**3. Suri Restaurant Corp. d/b/a BARI, 417 Lafayette St., 1<sup>st</sup> Floor 10003 (New OP – Restaurant)**

**i. Whereas**, the applicant and his attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a new on-premise liquor license to operate a full-service “Japanese-Korean food-centric restaurant” in a nine-story 1910 mixed-use building on Lafayette Street between East 4th Street and Astor Place in the NoHo neighborhood; and,

**ii. Whereas**, the premises is a 4,000 sq. ft. ground floor storefront that has previously been licensed; there are 30 tables and 130 table seats and one (1) sushi bar counter with nine (9) seats, for a total of 139 seats, there is no outdoor seating; and,

**iii. Whereas**, the premises (Block 544, Lot 12) are zoned M1-5B and are further within the NYC Landmarks Preservation Commission’s designated NoHo Historic District, and proposed use appears to conform to zoning requirements, and a Certificate of Occupancy was presented; and,

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

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

1. Premise will be advertised and operated as a “Japanese-Korean food-centric restaurant.”
2. The hours of operation will be: Sunday 11AM to Midnight, Monday to Thursday 11AM to Midnight, and Friday and Saturday 11AM to 1AM.
3. Will operate full service restaurant, specifically with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions.
6. Will not operate any outdoor area for commercial purposes.
7. Will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
8. Will close all doors & windows at 10 p.m. 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 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 not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/ door staff.

**vi. Whereas**, this application being subject to the 500 foot rule, requiring the applicant to demonstrate whether the public interest of the community would be served by the granting of the license, there being 11 on premise licenses within 500 ft. of the premises, 23 on premise licenses with 750 ft. of the premises, with 7 additional pending liquor license applications for the same geographic area but not including the additional existing beer/wine licenses within this same area; and,

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of a corporate change for the existing restaurant wine license for **Suri Restaurant Corp. d/b/a BARI, 417 Lafayette St., 1<sup>st</sup> Floor 10003 (OP – Restaurant) unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant O.P. License.

Vote: Unanimous, with 35 Board members in favor.

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Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on February 22, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**4. Corp. to be formed by Louis Levy d/b/a Babs, 72 MacDougal St., 1<sup>st</sup> Floor 10012 (New OP – Restaurant)**

**i.** **Whereas**, the applicant and his attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a new on-premise liquor license to operate a full-service “family restaurant serving breakfast, lunch, and dinner” and “emphasizing locally sourced wines” in a one story 1958 commercial building on MacDougal Street at the corner of Houston Street in the Greenwich Village neighborhood; and,

**ii.** **Whereas**, the premises consist of a 1,200 sq. ft. ground floor storefront and a 200 sq. ft. basement for a total of 1,400 sq. ft.; there are 14 tables and 47 table seats and one (1) bar with nine (8) seats, for a total of 55 seats, there is no outdoor seating, applicant will replace existing operable windows with French doors; and,

**iii.** **Whereas**, the premises (Block 526, Lot 84) are zoned R7-2, proposed use appears to conform to zoning requirements, and a Letter of No Objection has been obtained for the Certificate of Occupancy; and,

**iv.** **Whereas**, the hours of operation will be Sunday and Monday 8:30AM to 1AM and Tuesday to Saturday 8:30AM to 2AM (all patrons will be cleared from the premises and no patrons will remain after stated closing time), all doors and windows will be closed by 10PM daily, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,



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

1. Premise will be advertised and operated as a “family restaurant serving breakfast, lunch, and dinner.”
2. The hours of operation will be: Sunday and Monday 8:30AM to 1AM and Tuesday to Saturday 8:30AM 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 with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions.
6. Will not have a sidewalk café now or in the future. Will not operate any outdoor area for commercial purposes.
7. Will play quiet ambient, recorded background music only.
8. Will close all doors & windows at 10 p.m.
9. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
10. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
11. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades.

**vi. Whereas**, this application being subject to the 500-foot rule, requiring the applicant to demonstrate whether the public interest of the community would be served by the granting of the license, there being 24 on premise licenses within 500 ft. of the premises, 69 on premise licenses with 750 ft. of the premises, with 7 additional pending liquor license applications for the same geographic area but not including the many existing beer/wine licenses within this same area; and,

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of a corporate change for the existing restaurant wine license for **Corp. to be formed by Louis Levy d/b/a Babs, 72 MacDougal St., 1<sup>st</sup> Floor 10012 (OP – Restaurant) unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant O.P. License.

Vote: Passed, with 34 Board members in favor, and 1 recusal (D. Gruber).

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Director  
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NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on February 22, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**5. A Company to be formed by the Gjelina Group, d/b/a TBD, 45 Bond St. 10012 (New OP – Restaurant)**

- i. Whereas**, the applicant and applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new restaurant on premise liquor license to operate a “modern upscale restaurant serving farm-to-table fare with an emphasis on seasonal, indigenous ingredients and the ‘whole beast’”; and,
- ii. Whereas**, the proposed licensed premises is located on three floors within a mixed use 6 story loft building built in 1899 located midblock on Bond St. between Lafayette St and Bowery for a roughly 4,300 sq. ft. premise (1,700 sq. ft. ground floor, 1,200 Sq. ft. basement and 1,400 sq. ft. second floor) with 45 tables and 109 table seats and 2 standup bars (ground floor with 8 seats and second floor with 4 seats), a kitchen food counter with an additional 6 seats for a total of 127 interior seats, five bathrooms, no TVs; and,
- iii. Whereas**, while these premises were previously licensed as a full service restaurant for eating and drinking in the past, the applicant is planning to gut-reno-vate the entire space while also adding the second floor to the licensed premises, the second floor not being previously operated for eating and drinking in the past adding additional patron capacity that did not previously exist, there being questions about whether there is a proper certificate of occupancy for such use on the second floor, the applicant also planning on having operable windows where none previously existed; and,

**iv. Whereas**, this application does not include a sidewalk café but the applicant agreed with the local neighborhood to hold off on seeking a café permit for one year after opening, there being no other outdoor areas for patrons, there will be no benches on the sidewalk, there are no plans to alter the front storefront façade to add operable windows or doors, there is an Certificate of Occupancy which states the maximum occupancy is 143 permitting eating and drinking on the basement and first floor levels but not on the second floor, the occupancy proposed requiring a Place of Assembly Permit; and,

**v. Whereas**, the proposed hours of operation will be Sunday to Wednesday from 8am to 1am and Thursday to Saturday from 8am to 2am (No patrons shall remain after the closing hour), music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 9 p.m. except for patron ingress and egress, 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 TV's; and,

**vi. Whereas**, the Applicant has previously met with the Noho Bowery Stakeholders, as well as the residents living in the immediate and adjacent residential buildings to the proposed licensed premises, a number of agreements discussed and issues reviewed where there was some agreement, concessions on the part of the applicant, including an installation of new rooftop mechanicals and venting, that issue being a significant problem in the past for residents, but where there continued to be significant disagreement as to the lateness of the hours of operation proposed seeking 1 AM and 2 AM midblock on a block that has transformed with a number of new residential buildings built over the last decade giving the immediate area and block a much larger and concentrated residential presence; and,

**vii. Whereas**, while this same Applicant has appeared before CB2, Man. in the past resulting in a deny/unless resolution in April/2016, with stipulations and with the existing hours of operation, the applicant did not move forward with the prior proposal and now has presented a new applicant with significant changes seeking to add the second floor, the increased patron occupancy and operable windows, as well as the on-going opposition by the local residents living thereat, who have indicated that they would be agreeable to a restaurant at the premises albeit with “restaurant hours” closing no later than midnight, the other restaurants in the immediate area having closing hours at midnight; and,

**viii. Whereas**, this application being subject to the 500 foot rule, requiring the applicant to demonstrate whether the public interest of the community would be served by the granting of the license, there being 23 on premise licenses within 500 ft. of the premises, 47 on premise licenses with 750 ft. of the premises, with 3 additional pending liquor license applications for the same geographic area but not including the many existing beer/wine licenses within this same area; and,

**ix. Whereas**, the Applicant was not willing to compromise on the lateness of his restaurant hours; in light of this, CB2, Man. has presented stipulations for consideration below that might conceivably allow for the creation of public interest by mitigating the impacts the issuance of this new license might have and that represent a balance between residents and the operator; and,

**x. Whereas**, should the Liquor Authority consider granting this license in light of the above outlined issues and over CB2's recommendation of Denial, CB2, Man. respectfully requests that the following stipulations/conditions be imposed on the license if the applicant does not otherwise agree to them:

1. The premises will be advertised and operated as a “modern upscale restaurant serving farm-to-table fare with an emphasis on seasonal, indigenous ingredients and the ‘whole beast’” and will operate at all times as a full service restaurant.

2. The hours of operation will be Sunday to Thursday from 8am to 12am and on weekends (Friday and Saturday) from 8am to 1am. 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; the premises will not have televisions.
4. The premises will not permit dancing.
5. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
6. There is no sidewalk café included with this application. Any future application for a sidewalk café will not be presented one year after opening (albeit there being no guarantees set forth herein as to approval of any sidewalk café application by CB2, Man. or the recommendation of approval of alcohol service within any future sidewalk café).
7. The premises will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences at anytime. Licensee will install sound limiters and conduct with adjoining residential buildings to each side and behind a commissioning sound test in order to ensure that the sound limiters are calibrated properly so that no music is audible in adjoining residential buildings.
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 operable French doors or operable windows on the ground floor, the front door will be closed by 9pm every night and anytime there is music; all windows on the 2<sup>nd</sup> floor will remain closed at all times; and,
10. The establishment’s personnel will manage patron street activity (entering, leaving, congregating or smoking) on the sidewalk immediately in front of and adjacent, and to additionally keep that portion of the sidewalk immediately in front clean during all hours of operation; emphasis will be made to take steps to ensure patrons do not congregate or smoke in front of adjoining residential buildings.
11. Licensee will maintain a reservation system for patrons at all times. Any walk in guests who are unable to be accommodated or guests for whom tables are not yet ready and who are unable to be hosted within the restaurant will not be permitted to queue or loiter in front of the establishment, but will instead be contacted by cell phone or other electronic means by the Licensee when their seating is available. All conversations regarding seating and accommodation of guests with Restaurant staff will occur inside the restaurant. At all times, the licensee will use best practices to mitigate any quality of life issues, excess noise or traffic issues in managing their patrons as they come and go.
12. Licensee will abide by all the regulations of the Department of Buildings and the Landmark Preservation Commission in the operation of their business at this address, including, but not limited to the Certificate of Occupancy, the Public Assembly Permit and exterior signage, modifications and design.
13. Licensee agrees to maintain its mechanical systems to provide industry standard venting and equipment that will minimize and/or prevent kitchen-related venting sound and odors and that will at all times comply with NYC Noise Code and Sound regulations.
14. Will not have unlimited drink or unlimited food & drink specials. Will not advertise or have “boozy brunches”. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
15. There will be no patron use/service in the basement spaces.
16. Licensee will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein. This also includes the addition of any future sidewalk café, which is not included in this application.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of the presented application seeking a new restaurant on-premise liquor license for **A Company to be formed by the Gjelina Group, d/b/a TBD, 45 Bond St. 10012**; and,

**THEREFORE BE IT FURTHER RESOLVED** that should this new restaurant on-premise liquor license application be considered by the Liquor Authority, CB2, Man. respectfully requests that after a 500 ft rule hearing is conducted, that this item be Calendared to appear before the Full Board of the Liquor Authority; and,

**THEREFORE BE IT FURTHER RESOLVED** that if this application is considered by the Liquor Authority, despite CB2, Manhattan's recommendation to deny this application, CB2, Man. respectfully requests that the Liquor Authority make a condition of approval the stipulations and conditions as set forth above.

Vote: Unanimous, with 35 Board members in favor.

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



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

## Community Board No. 2, Manhattan

3 Washington Square Village

NEW YORK, NY 10012-1899

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February 27, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on February 22, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**6. MJJMJ, Inc., d/b/a Denino's Pizzeria & Tavern, 93 MacDougal St. 10012 (OP – Corporate Change).**

**i. Whereas,** the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a corporate change for an existing restaurant on premise liquor license to continue to operate a "family restaurant serving Pizza and Italian Food; and,

**ii. Whereas,** the method of operation as a full-service restaurant will remain the same, the restaurant being located in a mixed use 6-story loft building (Circa. 1900) located on the ground floor and basement on MacDougal St. between West 3<sup>rd</sup> and Bleecker Sts. within a roughly 2,500 sq. ft. premise (1,600 sq. ft. ground floor and 900 sq. ft. basement and no patron use of basement) with 19 tables and 52 table seats and 1 standup bar with 10 seats for a total of 62 interior seats, the restaurant operates with an existing sidewalk café on the public sidewalk directly in front of the premises and there being no other outdoor areas for patrons; and

**iii. Whereas,** the interior hours of operation will be Sunday to Thursday from 11AM to 1AM and from 11 AM to 2 AM on Fridays and Saturdays (No patrons shall remain after the closing hour), the sidewalk café will close by 10 PM every night, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 10 p.m. except for patron ingress and egress, 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 2 small TV's; and

**iv. Whereas,** the applicant executed a stipulations agreement with CB2 that they agreed to submit to the SLA and agreed would be attached and incorporated in to the method of operation the stipulations are as follows:

1. The premises will continue to be advertised and operated as a full service restaurant with a full service kitchen serving Italian food.
2. The interior hours of operation for the restaurant will be from 11:00 AM to 1:00 AM Sunday through Thursday and from 1100 AM to 2:00 AM Fridays and Saturdays.
3. There will be no outdoor areas other than the licensed sidewalk café located on the public sidewalk directly in front of the premises.
4. There will only be table service to the sidewalk café and the sidewalk café will close by 10 PM every night.
5. No French or accordion style doors will be installed at the premises and the applicant will close all exterior doors or windows by 10 PM every night.
6. Music will be quiet, background level inside the restaurant and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged
7. There will be two small televisions which will operate without sound and the premises will never operate as a Bar, Tavern or Sports Bar.
8. There will be no dancing.
9. There will be no boozy brunches or unlimited all you can eat/all you can drink specials.
10. Will not have Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades.

**v. Whereas,** this application being subject to the 500-foot rule, requiring the applicant to demonstrate whether the public interest of the community would be served by the granting of the license, there being 39 on premise licenses within 500 ft. of the premises, 78 on premise licenses with 750 ft. of the premises, with 7 additional pending liquor license applications for the same geographic area but not including the many existing beer/wine licenses within this same area;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the corporate change application to **MJJMJ, Inc., d/b/a Denino's Pizzeria & Tavern, 93 MacDougal St. 10012** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on the On Premise License.

Vote: Unanimous, with 35 Board members in favor.

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



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

## Community Board No. 2, Manhattan

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February 27, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on February 22, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

**7. Broome Restaurant LLC, d/b/a TBD, 384 Broome St. 10013** (RW – Fast Casual Vegetarian Restaurant) (withdrawn)

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 13, 2018 the Applicant requested to withdraw its application from further consideration at this time and would refile a new 30-day notice to CB2, Man. should it seek to move forward with this application at any time in the future;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Broome Restaurant LLC, d/b/a TBD, 384 Broome St. 10013** **until** the Applicant has properly 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 35 Board members in favor.



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



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

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February 27, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on February 22, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**8. Moon Wrap, LLC, d/b/a Wolfnights, 235 Bleecker St. 10014 (Beer & Cider – Quick Service Wraps Restaurant)** (Beer and Cider—laid over at request of Applicant).

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 13, 2018, the Applicant requested to lay over this application to March/2018;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Moon Wrap, LLC, d/b/a Wolfnights, 235 Bleecker St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 35 Board members in favor.

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



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

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February 27, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on February 22, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**9. An Entity to be formed by The Groucho Club Limited, d/b/a TBD, 363 Lafayette St. 10012 (OP – Private Member’s Club)(located on 1st and 4th-10th Floor, DJ’s, Live Music, 7th Floor Outdoor Terrace) (laid over at request of Applicant).**

**Whereas**, prior to this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on February 13, 2018, the Applicant requested to lay over this application for a new on premise license to February/2018;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **An Entity to be formed by The Groucho Club Limited, d/b/a TBD, 363 Lafayette St. 10012 (OP – Private Member’s Club)** **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 35 Board members in favor.

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



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

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February 27, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on February 22, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**10. Udacha, LLC, d/b/a Udacha, 357 W. Broadway 10013 (OP – Restaurant/Bar) (laid over)**

**Whereas**, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 13, 2018, the Applicant requested to lay over this application for an on premise license to February/2018;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for Udacha, LLC, d/b/a Udacha, 357 W. Broadway 10013 **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 35 Board members in favor.

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



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
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February 27, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on February 22, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **11. JN Kazoku, Inc., d/b/a Japonica, 90 University Pl. 10003 (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 an existing Japanese Restaurant via a transfer application; the new principle is the current manager of the existing premises and has been employed there for over a decade; and,

**ii. Whereas**, this application is for a new Restaurant On-Premise Liquor License; the premises is in a mixed-use residential/commercial district located on the ground floor on University Place between East 12<sup>th</sup> and East 13<sup>th</sup> St. for a roughly 1,738 sq. ft. premise (967 sq. ft. ground floor and 771 sq. ft. basement – accessory use only in basement) with 18 tables and 40 seats, and one sushi bar with 6 seats and 1 service bar; there are no “stand up bars”; there is no sidewalk café; there are no other outdoor seating areas and there is an existing Certificate of Occupancy; and,

**iii. Whereas**, the hours of operation will be from 12 pm to 10:30 pm Sunday to Thursday and from 12 pm to 11 pm Friday and Saturday, there is no Sidewalk café included in this application, all doors and windows will be closed at all times except for ingress and egress, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be no DJ, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

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

1. This application is for an on-premise liquor license for a restaurant.
2. Premise will be advertised and operated as a Japanese sushi restaurant.
3. The hours of operation will be from 12PM to 12AM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
4. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
5. The premise will not have televisions.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a licensed sidewalk café.
7. A sidewalk café is not included in this application.
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. All doors and windows will be closed at all times
10. Will not install or have French doors, operable windows or open facades.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
13. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. The premises will not have dancing, DJ’s, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.
17. Will adhere to all stipulations agreed to with the University Place Residents Association dated 2/2018.

**v. Whereas**, the applicant presented a petition and the applicant conducted community outreach and a representative of the University Place Residents Association, Inc. appeared and indicated support of the applicant by the residents association and indicated that the applicant also agreed to a number of stipulations that are incorporated into the CB2 Stipulations agreement; and,

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a new restaurant On-Premise Liquor License for **JN Kazoku, Inc., d/b/a Japonica, 90 University Pl. 10003** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 35 Board members in favor.

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



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

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February 27, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on February 22, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **12. Lamano West Village, LLC, d/b/a Lamano, 37-39 Christopher St. 10014 (Tavern Wine)**

**i. Whereas**, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present a new application to the Liquor Authority for a tavern wine license for a small plate tapas & wine bar similar to their current operation Lamano at 256 West 20<sup>th</sup> St.; and,

**ii. Whereas**, this application is for a new tavern wine License for a previously unlicensed location on Christopher St. between 7<sup>th</sup> Ave South and Waverly Place in a mixed-use building on the ground floor only (550 sq. ft.), with 12 tables and 39 seats and 1 stand up bars with 9 seats; the applicant will obtain a new "letter of no objection", the space having previously been occupied by a commercial use group 6 styled business; there will not be a sidewalk café and there are no French doors or operable windows; and

**iii. Whereas**, the hours of operation will be Sunday to Thursday from 5PM to 12AM and 5PM to 2AM Friday and Saturday (no patrons shall remain at closing), music will be ambient quiet background only consisting of recorded music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no dj, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; no live music; and,

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

1. This application is for a tavern wine license.
2. Premise will be advertised and operated as a small plate tapas & wine bar

3. The hours of operation will be Sunday to Thursday from 5PM to 12AM and 5PM to 2AM Friday and Saturday. All patrons will be cleared and no patrons will remain after stated closing times.
4. Will operate with less than a full service kitchen, but will serve food during all hours of operation
5. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
6. The premise will not have televisions.
7. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a licensed sidewalk café.
8. A sidewalk café is not included in this application.
9. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
10. Will close all doors & windows at 10PM every night and anytime there is amplified music, live music or DJ.
11. Will not install or have French doors, operable windows or open facades.
12. Will not make changes to the existing façade except to change signage or awning.
13. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
14. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
15. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
16. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
17. The premises will not have dancing, DJ’s, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.
18. There will be no outdoor benches or tables.
19. Will provide a letter of no objection prior to the issuance of the tavern wine license.

**v. Whereas**, the principal owns several other licensed establishments, including one in CB2, Offrenda located at 113 7<sup>th</sup> Ave South; and,

**vi. Whereas**, the applicant provided a petition in support; and,

**vii. Whereas**, there are currently approximately 34 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses; and,

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a new tavern wine license for **Lamano West Village, LLC, d/b/a Lamano, 37-39 Christopher St. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Tavern Wine License.

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



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

## Community Board No. 2, Manhattan

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February 27, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on February 22, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **13. Grupo Gitano LLC, d/b/a Gitano, 76 Varick St. 10013 (OP – Fully Outdoor Tropical Garden Restaurant located on large open vacant lot with music)**

**i. Whereas**, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing Committee on February 15<sup>th</sup>, 2018 to present an application to the Liquor Authority for an on-premise liquor license for a premises known as 76 Varick St. which is an empty gravel covered lot bounded by Grand St. to the North, Varick St. to the West, Canal St. to the South and Duarte Square Park to the East, to operate a tropical garden/jungle style restaurant similar to the Principals current operation in Tulum, Mexico; this will include a Mexican restaurant and bar with one main operator Grupo Gitano, LLC with a partner retail store and a partner coffee/café; there will also be a meditation circle/reflecting pool area on the southerly portion of the lot for restaurant & coffee patrons and a separately accessed community garden styled area growing herbs and vegetables with an educational component for schools and non-profit groups in the Southeast Corner; alcohol service and consumption will be limited to the Restaurant and Bar area only; there will be no alcohol consumption in the meditation circle/reflecting pool areas or the community garden styled area; the restaurant and bar area will be primarily seasonally operated May to November in 2018 and 2019 only; and,

**ii. Whereas**, the open gravel lot is roughly 23,465 sq. ft., surrounded by a fence and will be improved with temporary structures, plumbing, running water and electricity among other improvements; the interior of the lot will include many large lush tropical styled plants transforming the feel of the lot into a tropical Jungle which will be brought in for each season and removed in the off season to warmer climates; the North central portion of the lot along Grand St. will house a the partner coffee area with 11 tables and 30 seats; the Northeast corner will be the "back of house" servicing area with fully plumbed toilets, refrigerated storage areas, a finishing kitchen; dry goods storage and garbage area; the



bulk of the premises is the restaurant and central bar area which is rectangular in shape spreading East to West located in the center Northern portion of the lot which is accessed through the primary entrance which is set back from Grand St; in the restaurant bar area there are 5 separate seating areas, some fully covered and some located on wood platforms and some on crushed granite; there will be 400 table seats including banquet seating and 100 tables, there are 30 bar stools at the bar; the Southern portion of the premises will have a meditation circle in the Southwest corner, a reflecting pool in the center and a community garden styled area in the Southeast area; and,

**iii. Whereas,** the proposed hours of operation for the restaurant & bar area are Sunday to Thursday from 10AM to 11PM and Friday and Saturday from 10AM to 12AM, additionally on any 3 day weekends when national holidays occur, the premises may be open until 12AM on holidays, no patrons will remain after the closing hours and staff will have complete all closing activities ½ hour after closing; the partner coffee area will be operated from 8AM to 6PM 7 days a week; The meditation circle and reflecting pool area and community styled garden area will be operated from 8AM to Sunset 7 days a week; music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music) as described in the stipulations and for the limited live music of three stringed instruments only as described in the stipulations, a sound study was provided and the applicant stated that they would adhere to the sound study with one exception as noted in the stipulations; there will be no other music or amplified sounds, DJs, no outside promoted events, no special events except as described, no scheduled performances, no cover fees; and,

**iv. Whereas,** from the presentations and discussions with the Applicant in February 2018, CB2, Man. formulated a list of stipulations for consideration and the Applicant is willing to execute the stipulations agreement as indicated below with CB2 should CB2 support these stipulations and they agree that they will submit to the SLA an executed copy and agreed they will be attached and incorporated in to the method of operation on the new restaurant on-premise liquor license stating that:

1. The premises will be advertised and operated as a Mexican restaurant and bar with one main operator Grupo Gitano, LLC with a partner retail store and a partner coffee/café. There will also be a meditation circle/reflecting pool area to the South for restaurant patrons and a separately accessed community garden styled area growing herbs and vegetables with an educational component for schools and non-profit groups in the Southeast Corner. Alcohol Service and Consumption will be limited to the Restaurant and bar area only. There will be no alcohol consumption in the meditation circle/reflecting pool areas or the community garden styled area. The restaurant and bar area will be primarily seasonally operated May to November in 2018 and 2019 only.
2. The license sought is for a two-year period only as the proposed use for the restaurant/bar is a temporary use only and any structures built on the site will be temporary in nature only. Should the use for any reason be extended beyond two years, the applicant will notify CB2 3 months in advance of filing for a renewal application and will present before CB2, Man. their plans to continue the operation with ample opportunity by CB2 and the public for comment.
3. Hours of Operation:
  - The restaurant area and the center bar (the rectangular area as presented in the primary diagram with tables, chairs and banquette seating and the central bar area which is the only area where alcohol will be served and consumed):
  - Hours of operation (open to public, no patrons in premises outside of these hours):
  - Sunday to Wednesday: 10AM to 11PM.
  - Thursday to Saturday: 10AM to 12AM (Also until 12AM Sunday on National Holiday 3 day weekends)

Kitchen will close no earlier than Sunday to Wednesday 10PM, Thursday to Saturday 11PM or when the entire restaurant closes. All cleaning and closing activities of the restaurant and bar staff will be completed by 11:30PM Sunday to Thursday and 12:30AM Friday & Saturday.

-Partner Coffee/Cafe (Northern portion as presented in the primary diagram located along Grand St. adjacent to the main entrance):

Hours of operation (open to public, no use of seating outside of these hours)

8AM to 6PM 7 days a week.

-Meditation Circle/Reflecting Pool Area & Other Areas:

Hours of operation (open to restaurant/coffee guests, no use of area outside of these hours): 8AM to Sunset 7 days a week. (between 8AM-10AM access through path to the West of Restaurant Area)

-Load in/load out service times for Food Court Dining Area will occur from primarily from 9AM to 11AM – no earlier than 8AM, and from 9PM to no later than 10PM during weekdays and no later than 10:30PM on weekends.

4. The restaurant area will have no more than 100 tables and 400 table & banquet seats, there will be one stand up bar in the center of the restaurant area with 30 seats. The restaurant and bar area will be for seated patrons only. Total Occupancy of the restaurant and bar area will not exceed 450 people. Grupo Gitano will ensure that occupancy limitation is not exceeded at anytime. If there are ongoing issues and impacts, this matter may be revisited by CB2. There will be no more than 30 seats in the café/lounge partner coffee operation along Grand St. Occupancy in the Meditation Circle/Reflecting Pool and other areas of the premises including waiting patrons will not exceed 75 persons
5. There will be only one bar where all alcoholic beverages are sold. There will also be 1 service bar where drinks are made for seated patrons. The area to be licensed for the sale and consumption of alcohol will be limited to the rectangular area presented as the restaurant and bar area in the primary diagram only.
6. There will be no happy hour drink pricing, no “boozy brunches” or other style boozy event promotions. There will not be unlimited drink or unlimited food & drink specials. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
7. A catering company will be contracted to produce 70% of the food offsite. Any cooking done on site will primarily utilize electric vapor cooking to minimize smells and odors. There may be one charcoal/wood grill no larger than 3 feet x 5 feet. There will be no use of any smokers or significant charcoal such that excessive odors or smoke are created.
8. There will be one main entrance to the restaurant only as indicated in the primary diagram, which will be set back from Grand Street along the Northerly border of the lot (there may be additional emergency exits, but not utilized for patron ingress). There will be a licensed security guard stationed at the entrance to the restaurant after 5pm and until 15 minutes after closing. Additional security guards will be utilized as needed particularly in the evenings and weekends. The Community Garden Style Area will not be accessible to patrons of the restaurant from the restaurant, meditation circle or reflecting pool area of the lot. The Community Garden Style Area will be accessed from one primary entrance to be located in the Southeast Corner of the lot, either along the Southerly portion of the de-mapped Sullivan St. in Duarte Square Park, if deemed unobtrusive by CB2’s Parks & Waterfront Committee, or along Canal St.
9. Music on site: Music will be limited to background music only not exceeding 82 decibels and only in covered areas of the restaurant. Covered areas meaning covered by a solid canopy acting as a roof. Background music will occur only between 11AM and 10PM Sunday to Thursday and 11AM and 11PM Friday and Saturday. All recommendations presented in the “Noise Investigation – Outdoor Plaza 74 Varick St.” by Acoustilog Inc.

dated 2/12/2018 will be incorporated. The only exception to the recommendations is that there may be acoustic music from stringed instruments only limited to a trio without any amplification including no voice amplification. Live music will begin no earlier than 12PM and end by 9:30PM and be limited to a 3-hour time period on 2 separate days a week only. There will be no live music for any events. There will be no additional speakers utilized at any time above the permanently installed sound system. No music, including live music, will be audible from the surrounding sidewalk or in any adjacent residential or commercial units. Levels of music will be maintained at all times so that at no time will be music be audible outside the premises fencing area and music will not be audible in any residential apartments at anytime or in Duarte Square Park. Should any issues arise regarding this matter, the applicant may seek guidance from CB2 on how to resolve those issues. In addition, the premises will at all times be in compliance with all provisions of NYC Noise codes. At no time will there be any music outside of the designated covered restaurant area. This includes no music in the coffee area, retail area or meditation/reflecting pool areas or community garden styled area. There will be no live music, DJs or amplified sounds or any actively manipulated music or music associated with any events other than as described above in any areas of the premises.

10. Any private or semi-private events will always and only be Grupo Gitano, LLC operated and will be for normal seated dining events only. There will be no events or special events other than the normal seated dining operations. There may be on occasion a full buyout of the restaurant for dining purposes only, but any full buyout or over 50% buyout would end at 10PM with all event guests having departed at that time. During all semi-private events or private events where the restaurant and bar would be closed to the public, the premises will operate as it does on other days with the exception of limited entry to private guests. All stipulations during any events would remain in effect including provisions for background music, no live music, no dancing and seated patrons only.
11. There will be adequate restroom facilities for the number of patrons on the premises at all times. All bathrooms and sinks and washing areas will be fully plumbed directly into the NYC sewer system without any separate holding facilities that require ongoing service.
12. Lighting will be predominantly down lighting and string lighting throughout the site. There will be no generators used on the site to service day-to-day operations. No outdoor mechanicals will violate the NYC Noise Code. There will be one refrigerated container only adjacent to the bar area on the eastside the site which will employ sound shielding of the mechanicals if necessary to shield adjoining buildings from noise. Any other mechanicals will utilize sound shield materials if necessary to shield adjoining buildings from noise.
13. All loading and unloading and servicing of the premises will occur from the Grand Street service entrance only. There will be no more than two food drop offs per day and all other drop offs and servicing will occur in the earlier portion of the day and one pick up in the evening during hours described above. There will be Grupo Gitano, LLC Staff on hand at all times of loading and unloading and servicing to handle traffic and safety issues so as to minimize all disruptions. Vehicles will not be left unattended unless legally parked during loading and unloading and will be expedient in their activities so as to cause minimal disruption. Steps will be taken by staff to ensure minimal disruption of the existing bike path that runs along the Southern portion of Grand St. adjacent to the site and biker safety will be taken into account at all times. This issue may be revisited with the Applicant or CB2, Man. at anytime.

14. Should for any reason there occur any type of issues of patron overcrowding of the site, immediate surrounding sidewalks or ongoing pedestrian issues in accessing the site from any of the four corners of the site or in relation to crosswalks etc. Grupo Gitano, LLC will dedicate staff to ensuring pedestrian safety and work with the NYPD or DOT proactively as necessary to ensure pedestrian safety.
15. The Applicant will work to ensure that there is no undue impact on Duarte Square Park with the use, operation and occupancy of their premises. Duarte Square Park will not be used by the applicant for any purpose. There will be no gates, access points or service points used at anytime which lead onto the de-mapped portion of Sullivan Street which is now passive recreation area for Duarte Square Park. The fence along the Duarte Square Park border will have screening to block views into the service area, food court area and market area. The Applicant will not place branding or advertising along the fence area bordering Duarte Square Park. There may be an entrance to the Community Garden Style Area in the Southwest portion of the lot along the Southerly portion of the fence of the de-mapped Sullivan Street if after meeting and presenting to CB2's Parks & Waterfront Committee an affirmative recommendation is provided.
16. The applicant will assist and work with the NYC Parks Department to manage garbage cans in Duarte Square Park so as to minimize any garbage issues or garbage collection issues and overall litter issues.
17. There will be no screens, projectors or TV's.
18. There will be no heaters for patrons or staff utilized at any time.
19. There will be no dancing.
20. All Garbage pickups will be coordinated to occur at hours so as not to create undue impacts on residential tenants. Applicant will work to try to make sure that no pickups occur between 12AM and 7AM.
21. Prior to operation, the Applicant will obtain all proper permits including those from the NYC Department of Buildings and keep current at all times any temporary permits while operating. The Applicant will at all times conform to all NYC Zoning ordinances.
22. There will be a designated manager on site at all times and a designated point person for community relations and complaints, who is accessible during all hours of operation to manage complaints. All complaints will be logged and shared with the Principles. All complaints will be responded to in a timely matter.
23. All information and details as presented to CB2, Man. in February of 2018 except as modified in this agreement are presented in good faith and are accurate and complete. Should there be any changes, Grupo Gitano, LLC will return to CB2 as soon as practical to present those changes for review.

**v. Whereas**, the applicant stated that they believed that a portion of what created public interest were the community friendly aspects of the application including **(1)** the beautification of the empty lot and the creation of a meditation circle and public reflecting pool accessible to patrons of the coffee area and restaurant and bar; **(2)** the morning coffee café operation and restaurant and bar operation which would add to the food and beverage options for people going to work and act as an amenity for local workers, tourists and residents especially with the restaurant being operated by an award winning Chef and **(3)** the large community garden styled area for herbs and vegetables which would be operated with schools and partner non-profits and the benefits of the educational components of the garden; and,

**vi. Whereas**, in February 2018 a petition in support of the application was presented with signatures from residents in the residential immediately to the North and several other residential buildings and a few local residents and others appeared to speak in support of the application, in support of the

principal and the hope that the application would provided a positive impact for the immediate community and an added amenity; a few residents testified that they did not believe the proposed operation would have an undue impact on quality of life and was in fact welcomed; and

**vii. Whereas,** in February 2018 a number of local residents who live in the area appeared to speak in opposition or submitted letters in opposition to the application and voiced their concerns; specifically they stated that the last operation here by experienced outdoor operators barely opened for a few months and operated in violation of their stipulations agreement was a strong indicator that this lot was simply not appropriate for food and beverage operations; that this location is inappropriate for a constant 7 day a week restaurant with the various ancillary restaurant activities especially to hours of 11PM and 12AM which are far beyond any appropriate outdoor operating hours for an entirely outdoor operation; that 430 occupancy of the eating and dining area and bar area outdoors created an undue impact on the existing noise level in the area; that any outdoor music in a space this large despite any sound study would create an undue impact due to the increase in patrons speaking volumes and the huge numbers of people in the space would create a large sound bubble that would have an immediate impact on the residential tenants to the North; that music being permitted outside was outlandish to even consider, especially since immediately adjacent licensed outdoor areas are prohibited from having any music; that mechanical noise was a serious consideration given the need for refrigerated trailers to be operating 24 hours on an empty lot in direct sunlight, that this area is already one of only three exits to the West from New York City to New Jersey and is located in the nexus of arterial traffic to and from the Holland Tunnel which is located just a block away and the large number of patrons would impact the flow of traffic as primary dining hours concur with rush hour; that support traffic entering and leaving Grand St. creates an undue burden to the extent residents wouldn't even be able to circle the block on Grand St. with double-parked vehicles earlier in the day; that there is limited parking in the area already, especially during the early evening and on weekends and those who drive to the location as many do in the evenings and on weekends would virtually eliminate that parking for patrons of other businesses or for residents; that this immediate area on the Canal Street Corridor is one of the most heavily polluted areas with some of the highest levels in New York City and any outdoor cooking was simply inappropriate and difficult to construe; that having a temporary food use to supplement a need for food for weekday workers in local buildings and for tourists undercuts the growth of traditional brick and mortar businesses; that this use was never an anticipated use at this location which was rezoned a number of years ago and the landlord of the property, as part of the rezoning, agreed they would be building a large residential tower with a core and shell for a 444-seat public school, which is desperately needed in the area and an outdoor play area as apart of the school which would be open to the public in addition to the adjoining Duarte Square Park; that the large number of pedestrians coming to and leaving the site would create a safety issue due to the incredibly busy intersections which immediately abut this location and which have very long crosswalks and are heavily congested; there are no NYPD Traffic agents on the weekends when pedestrian traffic at this site will be highest; several residents in the immediate area submitted testimony to the unbearable nature of living next to licensed premises with outdoor music despite any type of stipulations and the direct impact it has on their quality of life; previous temporary uses at this location including the quickly failed Smorgasburg, pop-up events and events creating a temporary food court with outdoor food trucks created significant quality of life impacts; and,

**viii. Whereas,** in addition to the obvious impacts and the impacts outlined by those in opposition, CB2, Man. has a number of concerns regarding this location **(1)** the proposed location is supposed to be developed by the landlord as a residential building with the landlord funding the core and shell of a new 444-seat public school (Duarte Square School) with additional indoor gym space and a school playground with public access during non-school hours; this provision was provided as a result of a rezoning of the local area which included significant benefits to the landlord who owns a significant amount of property in the area and this site was proposed to be developed as one of the first projects

and interim use such as presented here was never contemplated or anticipated and as such was never addressed during the rezoning process; The Duarte Square School remains funded in the New York City School Construction Authority's 2015-2019 capital plan; **(2)** There are concerns that the use, operation and occupancy of the applicants premises may have an undue impact on the immediately adjacent Duarte Square Park and the passive recreational space on what is now a de-mapped portion of the Sullivan Street for any number of reasons including through use of the park to access the applicant's site for patrons/pedestrians, through use of an existing gate in the chain link fence or by having trucks or vehicles access the Applicant's premises through the park; the de-mapped portion of Sullivan St. is part of an open space easement that was created in exchange for the landlord of the Applicant's space to use the FAR of that space to build a taller building than is otherwise allowed during the rezoning process; **(3)** no traffic analysis was conducted by the applicant; there may also be pedestrian safety issues and other issues accessing the site given the unique circumstances of the area and immediate proximity to the Holland Tunnel; **(4)** that the proposed use is inconsistent with uses allowed under the zoning regulations; **(5)** CB2, Man. believes that the best use of this space in the short and long term is the proposed planned development which the landlord has previously committed to which includes a core and shell for a 444-seat public school, which will serve the needs of the residential community and lower Manhattan's need for additional school seats; the proposed temporary plan targets local employees and visitors to the neighborhood while providing low cost competition to ground floor retail; and,

**ix. Whereas,** over the course of listening to and meeting with CB2, Man. and local residents, the Applicant significantly adapted their plans; and,

**x. Whereas,** there are currently at least 11 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of a new on premise liquor license for a restaurant for **Grupo Gitano LLC, d/b/a Gitano, 76 Varick St. 10013** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations outlined above are agreed to by the Applicant and are incorporated into the "Method of Operation" on the SLA Restaurant On Premise Liquor License.

Vote: Passed, with 34 Board members in favor, and 1 in opposition (Dr. S. Smith).

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



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

## Community Board No. 2, Manhattan

3 Washington Square Village

NEW YORK, NY 10012-1899

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

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February 27, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on February 22, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

**14. Soho Village Hotel, LLC & San Marino at Soho Inc., d/b/a Four Points by Sheraton & San Marino Ristorante, 66 Charlton St. 10014 (OP – Hotel Restaurant – alteration to add exterior outdoor space and extend hours of operation)**

**i. Whereas**, the Licensee appeared before CB2's SLA Licensing committee in February 2018 to present an alteration application to add an exterior standup bar to an existing exterior patio space and to extend the hours of operation for the exterior patio space covered under the existing hotel liquor license #1203960; and,

**ii. Whereas**, after presenting before CB2, Man. and after CB2's SLA Licensing Committee had unanimously recommended to Deny the proposed application as presented on February 15th, 2018, but prior to its presentation to the full board of CB2 in February 2018, the Licensee requested to return to CB2, Man. in March 2018 to further discuss the application to address concerns of the committee that may be worthy of reconsideration and use the interim time period to conduct community outreach to adjoining residential buildings, which they did not do prior to the February meeting which is of particular importance to this application given that this is an outdoor area with residential windows immediately adjacent which overlook the space; the applicant will not submit the application to the SLA in the interim until after they appear before CB2, Man.;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any type of alteration or any other changes to the existing hotel liquor license SN#1203960 for **Soho Village Hotel, LLC & San Marino at Soho Inc., d/b/a Four Points by Sheraton & San Marino Ristorante, 66 Charlton St. 10014** until the Applicant has returned to re-present the application before CB2 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 without reappearing before CB2, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 34 Board members in favor.



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



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

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February 27, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on February 22, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **15. Beau Maison Corp. d/b/a El Cantinero, 86 University Pl. 10003 (OP – Bar/Tavern - Alteration)**

**Whereas**, after this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on February 15<sup>th</sup>, 2018, the Applicant requested to again layover this application for an alteration/change in method of operation to add security guards only in response to disciplinary proceedings for to an existing on premise liquor license SN# 1024183 because they were not prepared to execute stipulations which they had agreed to at the committee meeting on February 15<sup>th</sup>; the committee had unanimously recommended that the application be supported if the applicant agreed to and executed the stipulations; they requested to return in March 2018 to add to the alteration application dancing on the 2<sup>nd</sup> floor of the premises; members of the community appeared in opposition to the application in February 2018 citing quality of life issues which they presented in detail; the Licensee will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any type of alteration to the existing on premise liquor license SN# 1024183 or any other changes for **Beau Maison Corp. d/b/a El Cantinero, 86 University Pl. 10003** until the Applicant has re-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 34 Board members in favor.

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



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

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February 27, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on February 22, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**16. Juicerie 3, LLC, d/b/a The Butcher's Daughter, 581 Hudson St., South Store 10014 (OP – Restaurant alteration to add sidewalk café - layover)**

**Whereas**, at this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on February 15th, 2018, the Applicant appeared with their attorney and requested to **layover** this application for an alteration to an on-premise liquor license, SN# 1291280, to incorporate an already licensed sidewalk café which is not yet part of the licensed alcohol premises in order to address complaints regarding the operational aspects and layout of the sidewalk café including photographs showing operations under a sidewalk scaffolding without proper clearances and improper service from the sidewalk instead of from service isles as indicated in the licensed sidewalk café diagram, the Licensee indicated that they were in fact operating the sidewalk café in a different configuration than that licensed by the Department of Consumer Affairs; the applicant agreed to return with an interim operational plan until the existing sidewalk shed is removed so that the sidewalk café can operate in a legal layout with all required clearances and distances in place and with an approved sidewalk table layout; the licensee will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Juicerie 3, LLC, d/b/a The Butcher's Daughter, 581 Hudson St., South Store**

**10014 SN# 1291280** 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 35 Board members in favor.

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



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
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February 27, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on February 22, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **17. LXC, Inc. d/b/a PokeRice, 162 W. 4th St. 10014 (RW – Restaurant - Layover)**

**Whereas**, at to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on February 15th, 2018, the Applicant requested to **layover** this application for a new beer/wine/cider license in order to meet with the local block association who they had not met with after being requested to do so and to clarify landmarks violations incurred in the changes to the façade of the premises; they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for an **LXC, Inc. d/b/a PokeRice, 162 W. 4th St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 35 Board members in favor.

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



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
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February 27, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on February 22, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

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

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

Vote: Unanimous, with 35 Board members in favor.

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



Antony Wong, *Treasurer*  
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February 27, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on February 22, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**19. Little West 12th Street LLC, d/b/a STK, 28 Little W. 12th St. 10014 (OP – Restaurant and Basement Lounge Space alteration - moving interior bar and interior reconfiguration – laid over)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on February 15th, 2018, the Applicant requested to **layover** this application for an alteration to an existing on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Little West 12th Street LLC, d/b/a STK, 28 Little W. 12th St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 35 Board members in favor.

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



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

## Community Board No. 2, Manhattan

3 Washington Square Village  
NEW YORK, NY 10012-1899  
www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org  
Greenwich Village ✦ Little Italy ✦ SoHo ✦ NoHo ✦ Hudson Square ✦ Chinatown ✦ Gansevoort Market

February 27, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on February 22, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**20. 289 Bleecker Restaurant, LLC, d/b/a The Loyal (Previously Pagani), 289 Bleecker St. 10014 (OP – Restaurant)(*extend hours of operation*)(*withdrawn*)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on February 15th, 2018, the Applicant requested to **withdraw** this application for an alteration to an on-premise liquor license, SN#1267960 and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **289 Bleecker Restaurant LLC, d/b/a The Loyal (Previously Pagani), 289 Bleecker St. 10014 SN# 1267960** **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 35 Board members in favor.



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



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

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February 27, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on February 22, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**21. West 4th & Barrow LLC, d/b/a The Spaniard, 190-192 W. 4th St. 10014 (OP – Restaurant) (alteration application to add sidewalk café - laid over)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on February 15th, 2018, the Applicant requested to **layover** this application for an alteration to an on-premise liquor license, SN#1293296 to add a sidewalk café and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **West 4th & Barrow LLC, d/b/a The Spaniard, 190-192 W. 4th St. 10014 SN# 1293296** **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 35 Board members in favor.

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



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

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February 27, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on February 22, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**22. Off Cuts, LLC, d/b/a Quality Eats, 19 Greenwich Ave. 10002 (OP – Restaurant alteration to make windows operable and make changes to their seating configuration - laid over)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on February 15th, 2018, the Applicant requested to layover this application for an alteration to an on-premise liquor license, SN#1288502 to make windows operable and make changes to their seating configuration and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Off Cuts LLC, d/b/a Quality Eats, 19 Greenwich Ave. 10002 SN# 1288502** **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, 35 Board members in favor.

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



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
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February 27, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on February 22, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **23. Upright Holdings 547, LLC, d/b/a Upright Brew House, 547 Hudson St. 10014 (Class Change from TW to OP) (withdrawn)**

**i. Whereas**, the Licensee appeared before CB2's SLA Licensing committee in December 2017 and laid over the application in December/2017 and then in January/2018 and then subsequently **withdrew this application prior to CB2's SLA Licensing Committee 2 meeting in February/2018**; the application was to upgrade an existing tavern wine license SN#1261312 to a full on-premise liquor license and to extend by one hour the stipulated operating times for the Department of Consumer Affairs Licensed Sidewalk Cafe; there was community opposition form immediately impacted residents who spoke in opposition; and

**ii. Whereas**, after presenting before CB2, Man. and after CB2's SLA Licensing Committee had unanimously recommended to Deny the proposed application as presented on December 13<sup>th</sup>, 2017, but prior to it's presentation to the full board of CB2 in December 2017, the Licensee requested to return to CB2 in January 2018 to further discuss the application and use the interim time period explore additional changes that may be worthy of reconsideration by the Committee and local residents; the applicant again laid over the application in January/2018 and was continuing the conversation and then requested to withdraw the application prior to CB2's SLA2 Licensing Committee in February/2018;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of alteration or class change application or any other changes to the existing tavern wine license SN#1261312 for **Upright Holdings 547, LLC, d/b/a Upright Brew House, 547 Hudson St. 10014** **until** the Applicant has returned to re-present the application before CB2 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 without reappearing before CB2, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 35 Board members in favor.

Please advise us of any decision or action taken in response to this resolution.

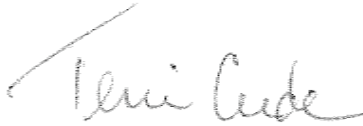
Sincerely,



Robert Ely, Chair  
SLA Licensing 1 Committee  
Community Board #2, Manhattan



Carter Booth, Chair  
SLA Licensing 2 Committee  
Community Board #2, Manhattan



Terri Cude, Chair  
Community Board #2, Manhattan

TC/fa

cc: Hon. Jerrold L. Nadler, Congressman  
Hon. Nydia M. Velázquez, Congresswoman  
Hon Carolyn Maloney, Congresswoman  
Hon. Brad Hoylman, NY State Senator  
Hon. Brian Kavanagh, NY State Senator  
Hon. Deborah J. Glick, NY State Assembly Member  
Hon. Yuh-Line Niou, NY State Assembly Member  
Hon. Gale Brewer, Man. Borough President  
Hon. Corey Johnson, NYC Council Speaker  
Hon. Margaret Chin, NYC Council Member  
Hon. Carlina Rivera, NYC Council Member  
Jacqueline Held, Deputy Commissioner of Licensing, NY State Liquor Authority  
Michael Jones, Chief Deputy Chief Executive Officer, NY State Liquor Authority  
Jonathan Rodriguez, Hearing Bureau, NY State Liquor Authority  
SLA Examiners