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Susan Wittenberg, *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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May 6, 2015

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 April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**1. The Broome Street Bar, Inc. d/b/a Broome Street Bar, 361-363 W. Broadway 10013 (Corp. Change, existing On Premise Liquor License, SN1028408).**

**Whereas**, the applicant appeared before CB2, Manhattan's SLA Licensing Committee seeking to change its corporate structure to reflect new ownership between family members and to add an existing Manager as a shareholder to its existing business that has been operating at the same premises since 1972; and

**Whereas**, the applicants plan to continue to operate its neighborhood bar with the same method of operation that has existed for years in a corner storefront located in a 3 story mixed used building (circa 1826) on the corner of West Broadway and Broome Streets; and

**Whereas**, the corner storefront premises is located in is 1800 SF space (Ground Floor 1080 SF and 720 SF Basement) with 24 tables and 48 seats, 1 Bar with 12 seats for a total occupancy of 60, there is no sidewalk café or outdoor space; and

**Whereas**, the premises operates with two entrances, one on the corner of West Broadway and another on Broome Street, two bathrooms and 1 TV, there are also existing French windows on Broome Street that open out to the sidewalk; and

**Whereas**, the hours of operation will continue to be from 11 AM to 4 AM every day, seven days a week, all doors and windows will be closed every night by 10 pm daily, music will be quiet background consisting of music from ipod/cd's; there will be no d.j.s, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes and no movable barriers; and

**Whereas**, the applicant executed a stipulations agreement with CB#2 Man. that they agreed would be attached and incorporated in to their method of operation on their On Premise restaurant license and those stipulations are as follows:

1. The premises will not operate as a Sports Bar and will only have one TV.
2. The hours of operation will be from 11 am to 4 am seven days per week.
3. All doors and windows will be closed by 10 pm daily.
4. There will be no dancing, music will be quiet, background only and there will be no d.j.s, live music, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes and no movable barriers.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the corp. change application of an On Premise Liquor License for **The Broome Street Bar, Inc. d/b/a Broome Street Bar, 361-363 W. Broadway 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 its Restaurant Liquor License.

Vote: Passed, with 40 Board members in favor, and 1 in opposition (D. Diether).

Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, *Treasurer*  
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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 April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**2. Soho Sushi, Inc. d/b/a Soho Sushi, 231 Sullivan St. 10012** (Corp. Change existing Restaurant Wine License, SN1225542)

**Whereas**, the applicant appeared before CB2, Manhattan's SLA Licensing Committee seeking to change its corporate structure to reflect new ownership of its existing business that has been operating at the same premises since 2009; and

**Whereas**, the applicant plans to continue to operate its sushi restaurant with the same method of operation that has existed since 2009 in a five-story mixed use building (circa 1900) on Sullivan Street between Bleecker and West 3rd Streets; and

**Whereas**, the storefront premises is located in is 900 SF space with 9 tables and 24 seats, no Bar, one bathroom and one entrance/exit for patrons for a total seating occupancy of 24, there is no sidewalk café or outdoor space; and

**Whereas**, the hours of operation will continue to be from 11:30 AM to 11 PM Sunday through Thursday and from 11:30 AM to 12 AM on Fridays and Saturdays, all doors and windows will be closed every night by 10 pm daily, music will be quiet background consisting of music from ipod/cd's; there will be no d.j.s, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes and no movable barriers; and

**Whereas**, the applicant executed a stipulations agreement with CB#2 Man. that they agreed would be attached and incorporated in to their method of operation on their On Premise restaurant license and those stipulations are as follows:

1. The premises will operate as a full service restaurant with only one TV.
2. The hours of operation will be 11:30 AM to 11 PM Sunday through Thursday and from 11:30 AM to 12 AM on Fridays and Saturdays.
3. All doors and windows will be closed by 10 PM daily.
4. There will be no dancing, music will be quiet, background only and there will be no d.j.s, live music, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes and no movable barriers.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the corporate change application of a Restaurant Wine License for **Soho Sushi, Inc. d/b/a Soho Sushi, 231 Sullivan 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 its Restaurant Wine License.

Vote: Unanimous, with 41 Board members in favor.

Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, *Treasurer*  
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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 April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**3. Soho Grand Hotel, 310 West Broadway 10013** (existing hotel OP license seeking alteration to alter its layout to add an interior stand up bar on the second floor and to add service to two interior conference rooms on the ground floor)

**Whereas**, the applicant appeared before CB2's SLA committee; and

**Whereas**, the applicant operates a 16 story hotel (circa 1996) on West Broadway between Canal and Grand Streets and also extends across to Thompson Street; and

**Whereas**, the Hotel is seeking to alter its existing OP license (#1023301 exp. June 30, 2015) limited to the interior of the premises and this application does not extend or apply to any exterior/outside or side yard portion of the premises; and

**Whereas**, members of CB2 Man.'s SLA Committee also appeared at and toured the Hotel premises; and

**Whereas**, the Hotel currently operates a Bar called the Cub Room consisting of two connected rooms with one stand up bar located on the southeast corner of the second floor of the Hotel premises and currently operates with hours of operation from 12 PM to 4 AM on Sundays and from 8 AM until 4 AM on every other day of the week; and

**Whereas**, the Hotel now seeks to alter its layout on change/convert an existing service bar into a stand up bar so that there will now be a stand up bar in each of the two connected rooms that make up the Cub Room; and

**Whereas**, the Hotel also seeks to add two additional rooms (2500 SF combined) to the existing license and these rooms are located on the interior ground floor (grade level) connected to a grand hallway; and

**Whereas**, the first room is identified as a meeting room used for conferences and educational purposes in the middle of the Hotel's floor plan and the Hotel seeks to extend its license to provide service to patrons attending such conferences limited to catered-type events and there will be third party promoters and no eating or drinking establishment such as a bar or restaurant located therein; and

**Whereas**, the second room is a storefront location on the street side southern portion of the Hotel's floor plans but the storefront has windows to the sidewalk but no entrance to the public sidewalk and entry is the entire ground floor of the Hotel is only through the grand staircase in the Hotel's floor plans; and

**Whereas**, the Hotel again seeks to extend its license to provide service to patrons attending conferences and meetings limited to catered-type events, there will be no third party promoters and no eating or drinking establishment such as a bar or restaurant located therein; and

**Whereas**, the applicant executed a stipulations agreement with CB#2 Man. that they agreed would be attached and incorporated in to their method of operation on their On Premise Hotel license and those stipulations are as follows:

1. The premises will be advertised and operated as a full service Hotel with multiple venues but will not permit any use or operation in or about any outdoor areas, including the ground floor side yards and the covered second floor landing and staircase on the south side of the Hotel's second floor until the operator returns to CB2 Manhattan for this purpose and is fully heard on any of these outdoor areas.
2. The Hotel currently operates a Bar called the Cub Room consisting of two connected rooms with one stand up bar located on the southeast corner of the second floor of the Hotel premises and currently operates with hours of operation from 12 PM to 4 AM on Sundays and from 8 AM until 4 AM on every other day of the week.
3. The Hotel will alter its layout to change/convert an existing service bar into a stand up bar so that there will now be a stand up bar in each of the two connected rooms that make up the Cub Room.
4. The Hotel will not permit patrons to enter or exit the exterior doors located in the Cub Room leading to a covered second floor landing and staircase located on the south side of the Hotel's second floor except for emergency egress (ie. Fire, Natural Disaster or Criminal Act) and will not permit patrons on the exterior landing itself except in the case of an emergency.
5. The Hotel will add two additional rooms (approximately 2500 SF combined) to the existing license and these rooms are located on the interior ground floor (grade level) connected to a grand hallway, staircase and ground floor entrance, the first room being found in the middle of the Hotel's floor plan and the second room being a storefront location on the southern portion of the Hotel's floor plans albeit without an entrance to the public sidewalk and the Hotel will extend its license to provide service to patrons attending meetings/conferences at catered-type events but those events will not involve third party promoters and there will be no eating or drinking establishment such as a bar or restaurant located therein.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of the interior only alterations application for **Soho Grand Hotel, 310 West Broadway 10013** unless the statements of the applicant as presented to CB2, Man. 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 its Hotel On Premise license.

Vote: Unanimous, with 41 Board members in favor.

Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, *Treasurer*  
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May 6, 2015

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 April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**4. 135 Tart LLC d/b/a t/b/a, 135 Sullivan St. 10012** (New Beer & Wine application, previously unlicensed location).

**Whereas**, the applicant presented before CB2 Man. for a Beer Wine license and seeks to operate a bakery café in the South Storefront and a Wine Bar at night in the North Storefront simultaneously in two separate, unconnected and distinct “North” and “South” storefronts on the ground floor of a 6-story residential building (circa 1900) located on Sullivan Street between West Houston and Prince Streets; and

**Whereas**, the two storefronts were previously operated for many years as a small café and catering business known as “Once Upon a Tart” by a different operator serving pastries during daytime hours only and closing by 6 pm daily; and

**Whereas**, this is the third application for a liquor license at these same premises (July & August/2014 and January/2015) and all prior applications have resulted in a deny recommendation by Community Board #2 Man.; and

**Whereas**, neither storefront has ever been licensed for the sale of beer, wine or liquor nor has either operated as an eating and drinking establishment; these two storefronts are located within a Landmarked residentially-zoned block (no commercial overlays) and the commercial use on this ground floor is a grandfathered use and past uses have directly served the immediate needs of the community; and



**Whereas**, the current applicant has no catering background but intends to continue the bakery café with the prior menu, did not provide a dinner menu but indicated he is seeking the beer and wine license to offer boutique wines from around the world with imported, micro-brewed and handcrafted artisanal beer in the North Storefront with new hours of operation for the jointly operated storefronts from 8 AM to 11 PM Monday through Wednesday and from 8 AM to 2 AM Thursday through Saturday; and

**Whereas**, the applicant also plans to continue to use a sidewalk platform in front of each storefront for eating and drinking even though there is currently no permit or sidewalk café license to do so and the residential zoning prohibits sidewalk cafes for both premises and it has not been affirmatively demonstrated that these outdoor areas are within the building lot line; and

**Whereas**, the North storefront is a 360 s.f. space, including 1 stand-up bar with 15 seats, one bathroom but will have no kitchen; and

**Whereas**, the South Storefront is a 1,200 s.f. space, with 18 tables and 41 seats, one service bar, one bathroom and a kitchen; and

**Whereas**, the two storefronts are not connected to each other but each one does have a doorway that leads directly to an interior common hallway used by the 22 residential apartment dwellers in the same building; and

**Whereas**, the premises to be licensed are divided by the residential hallway which the proposed licensee does not have exclusive possession and control over and will never have exclusive possession and control over, this Hallway representing the only means of egress into and out of the building for the residential dwellers living in the building and where their mail is delivered; and

**Whereas**, residents from the building appeared in opposition explaining that the prior operator and current operator/applicant of the two storefront premises previously used the two doorways from each storefront leading into the common residential hallway on a daily basis to operate the combined business in the two storefronts, providing recent photos to demonstrate how the business operates in the residential hallway to gain access to **1**) its cold storage facilities located elsewhere in a basement area, **2**) garbage disposal and **3**) a third exterior egress/ingress that leads to a cemented passageway, without exterior illumination, which leads completely around the building in the rear and down one side of the building adjacent to residential terraces and residential windows of neighbors in two residential buildings and which ultimately leads to a basement gate leading to the sidewalk and Sullivan Street, a gate which residents indicated is often left unlocked, creating significant foreseeable security concerns for the existing residents of the building, not to mention quality of life concerns for the existing tenants; and

**Whereas**, members of CB#2 Man.'s SLA Committee were permitted to inspect the premises to review the concerns of the residents from inside and around the exterior of the building relating to the existing cold storage facilities, the exterior passageway and to determine whether the two storefronts could be operated jointly by one operator without any use of the interior common hallway used by the residential tenants in the building; and

**Whereas**, CB#2 Man. once again has considerable concerns with how the operator will operate both storefronts serving alcohol as an eating and drinking establishment without using the interior common hallway used by the residential dwellers in the same building; and

**Whereas**, when the applicant was again specifically questioned about how he intended to operate the Wine Bar and restaurant/café in the separate storefronts without using the residential hallway to jointly operate both locations, the applicant responded that he could not and that he would continue to use the residential hallway for access between the two operations, the cold storage facilities and the exterior passageway, but that he would be serving alcohol in the north storefront and that the food would be cooked and prepared earlier in the day in the South storefront and that the pastries and meals would be transferred via the residential hallway doorways separating the two storefronts; and

**Whereas**, 25 residents from the immediate area appeared before CB2's SLA Committee in July/2014 in opposition to the proposed licensing of the two storefronts, 12 residents from the immediate area again appeared in August/2014 in opposition to the proposed license and 7 residents again appeared in January/2015, providing the committee with petitions, photographs demonstrating large crowds on the sidewalk in front of another existing restaurant on the same block and outlining their concerns as to the proliferation and over-saturation of liquor licenses on this particular block, that prior to 2009 there was only one licensed premises on this one block but now in 2015 there are six such licensed premises, with additional notices currently received for three additional applications, a significant increase in noise levels from the use of additional storefronts being operated with late night hours that did not previously exist and the poor layout of the premises in multiple but separate storefronts that will require the operator to access each storefront through the common hallway used by residents in the same building; and

**Whereas**, residents again appeared in opposition to the current license, again voicing the same concerns previously articulated and identified in July and August of 2014 to CB#2 Man., as the current application being presented exhibited the same problems and concerns as the prior applications in July/August of 2014 and again in January/2015; and

**Whereas**, residents also appeared in support of the current license, some of whom lived on the block and some of whom did not, promoting the character of the applicant, the character of the business and worried about chain stores that could potentially replace the existing cafe; and

**Whereas**, the applicant **1)** failed to establish how he will be able to coherently operate in both the North and South storefronts simultaneously without using and relying upon the use of the common residential hallway separating the two storefronts to operate as one business, **2)** failed to demonstrate that all necessary licenses and permits have been issued to operate the two separate storefronts as one restaurant in this Landmarked residentially-zoned block with no commercial overlays and **3)** failed to demonstrate how it will be legally permitted to serve alcohol on the public sidewalk in front of either storefront; and

**Whereas**, there are also concerns of an unreasonable encroachment on the residential dwellers living in the building with late-night hours that previously did not exist, an increase in the noise levels generated by the use of the two storefronts, the North Storefront having no kitchen but instead has a large stand up bar, neither storefront has ever been previously licensed and the storefronts are located within a Landmarked residentially zoned block this proposed use of the two combined storefronts will result in a significant expansion of what this space has been used for and creates a direct impact on this residential block which was not intended to house these types of uses;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends **denial** to **135 Tart LLC d/b/a t/b/a, 135 Sullivan St. 10012** on its application seeking an BW license; and

**THEREFORE BE IT FURTHER RESOLVED** that should this application be considered by the SLA, CB#2, Man, respectfully requests that this item be Calendared to appear before the Full Board of the SLA.

Vote: Unanimous, with 41 Board members in favor.

Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, Treasurer  
Keen Berger, Secretary  
Susan Wittenberg, Assistant Secretary

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May 6, 2015

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 April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**5. Legend West Village, LLC d/b/a t/b/d, 82 West 3<sup>rd</sup> St. 10012** (New OP, previously licensed location).

**Whereas**, the applicant appeared before CB2, Manhattan's SLA Licensing Committee for a new on premise restaurant liquor license to operate a full service Chinese Restaurant with a focus on Sichuan cuisine located in the parlor floor of a four-story mixed-use building on West 3rd Street between Thompson Street and LaGuardia Place; and

**Whereas**, the premises is located in a 1,900 SF space with 14 tables and 43 seats, 1 Bar with 8 seats for a total seating occupancy of 24, a full service kitchen, two bathrooms and one entrance/exit for patrons, no sidewalk café or outdoor space; and

**Whereas**, the hours of operation will be from 12 PM to 11 PM on Sundays and from 11 AM to 1 AM Monday through Saturday, all doors and windows will be closed at all times except for patron egress, music will be quiet background consisting of music from ipod/cd's; there will be no d.j.s, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes and no movable barriers; and

**Whereas**, the landlord of the building, who lives in an apartment above the premises to be licensed, appeared in support of the application indicating that he was careful in leasing the premises to an operator with prior experience operating restaurants and not bars or other late night establishments; and

**Whereas**, the applicant already operates other Legend Restaurants specializing in Chinese fare in Chelsea and the Upper West Side and plans to open up a third such restaurant with a same method of operation at these premises; and

**Whereas**, the applicant met with the Bleecker Area Merchants' & Residents' Association (BAMRA) with respect to its application and BAMRA voted to approve the license subject to certain stipulated terms which are, to the most extent, incorporated herein; and

**Whereas**, the applicant executed a stipulations agreement with CB#2 Man. that they agreed would be attached and incorporated in to their method of operation on their On Premise restaurant license and those stipulations are as follows:

1. The premises will operate as a full service Chinese restaurant.
2. There will be only one TV and it will not operate as a sports bar or tavern.
3. The hours of operation will be 11 AM to 11 PM Sundays and from 11 AM to
4. 1 AM Monday through Saturday through Thursday and from 11:30 AM to 12 AM on Fridays and Saturdays.
5. All doors and windows will be closed at all times.
6. There will be no dancing, music will be quiet, background only and there will be no d.j.s, live music, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes and no movable barriers.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of a Restaurant On Premise Liquor License for **Legend West Village, LLC, 82 West 3<sup>rd</sup> 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 its Restaurant On Premise Liquor License.

Vote: Unanimous, with 41 Board members in favor.

Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, Treasurer  
Keen Berger, Secretary  
Susan Wittenberg, Assistant Secretary

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May 6, 2015

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 April 23, 2015, 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:**

6. **13 Sullivan Gents LLC, d/b/a 142 Sullivan, 142 Sullivan St.** (BW, laid over at request of licensee)

**Whereas**, after this month's CB2 SLA Licensing Committee meeting on April 7, 2015, the principal/applicant requested to layover this application from consideration and agreed to reappear before CB2 regarding its application; and,

**Whereas**, this application is for a Beer Wine license;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any proposed alteration to the Beer and Wine or On Premise license to **13 Sullivan Gents LLC, d/b/a 142 Sullivan, 142 Sullivan St.** until the applicant has returned and fully 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 41 Board members in favor.

Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
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Antony Wong, *Treasurer*  
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317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**7. Liberty Theater, Inc., d/b/a Minetta Lane Theater, 18 Minetta Lane 10012** (RW laid over at request of licensee)

**Whereas**, prior to this month's CB2 SLA Licensing Committee meeting on April 7, 2015, the principal/applicant requested to layover this application from consideration and did not appear before CB2 regarding its application; and,

**Whereas**, this application is for an alteration of an existing Beer Wine license;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any proposed alteration to the Beer and Wine or On Premise license to **Liberty Theater, Inc., d/b/a Minetta Lane Theater, 18 Minetta Lane 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, *Treasurer*  
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Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**8. COS206 LLC, d/b/a Costata, 206 Spring St. 10012** (on-premise, laid over at request of attorney)

**Whereas**, prior to this month's CB2 SLA Licensing Committee meeting on March 10<sup>th</sup>, 2015, the principal/applicant requested to layover this application from consideration and did not appear before CB2 regarding its application; and,

**Whereas**, this application is for an alteration of an existing On Premise license;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any proposed alteration to the Beer and Wine or On Premise license to **COS206 LLC, d/b/a Costata, 206 Spring St. 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.



Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Susan Wittenberg, *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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Greenwich Village ✦ Little Italy ✦ SoHo ✦ NoHo ✦ Hudson Square ✦ Chinatown ✦ Gansevoort Market

May 6, 2015

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 April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**9. Sweetgreen New York LLC, d/b/a Sweetgreen Nolita, 100 Kenmare St. 10012** (beer wine license, laid over at request of applicant)

**Whereas**, prior to this month's CB2 SLA Licensing Committee meeting on March 10<sup>th</sup>, 2015, the principal/applicant requested to layover this application from consideration and did not appear before CB2 regarding its application; and,

**Whereas**, this application is for a Beer Wine license;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any proposed alteration to the Beer and Wine or On Premise license to **Sweetgreen New York LLC, d/b/a Sweetgreen Nolita, 100 Kenmare St. 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
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May 6, 2015

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 April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**10. Bar Glacosa Corp., d/b/a IL Pittino, 268-270 6<sup>th</sup> Ave. 10014** (withdrawn by applicant)

**Whereas**, prior to this month's CB2 SLA Licensing Committee meeting on March 10<sup>th</sup>, 2015 the principal/applicant requested to layover this application from consideration and did not appear before CB2 regarding its application; and,

**Whereas**, this application is for a Beer/Wine license;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any proposed Beer and Wine or On Premise license to **Bar Glacosa Corp., d/b/a IL Pittino, 268-270 6<sup>th</sup> Ave. 10014** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, Treasurer  
Keen Berger, Secretary  
Susan Wittenberg, Assistant Secretary

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May 6, 2015

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 April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**11. An Entity to be Formed by Daniel La Vain, 144 Sullivan St. 10012** (laid over at request of attorney)

**Whereas**, prior to this month's CB2 SLA Licensing Committee meeting on March 10<sup>th</sup>, 2015 the principal/applicant requested to layover this application from consideration and did not appear before CB2 regarding its application; and,

**Whereas**, this application is for a Beer/Wine license;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any Beer and Wine or On Premise license to **An Entity to be Formed by Daniel La Vain, 144 Sullivan St. 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, Treasurer  
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May 6, 2015

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 April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**12. Doshermanos, LLC, 95 MacDougal St. Store B 10012** (withdrawn by applicant)

**Whereas**, prior to this month's CB2 SLA Licensing Committee meeting on March 10<sup>th</sup>, 2015 the principal/applicant requested to withdraw this application from consideration and did not appear before CB2 regarding its application; and,

**Whereas**, this application is for an On Premise license;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any Beer and Wine or On Premise license to **Doshermanos, LLC, 95 MacDougal St. Store B 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, Treasurer  
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Susan Wittenberg, Assistant Secretary

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May 6, 2015

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 April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**13. Indorama Inc., d/b/a Mirch Masala, 95 MacDougal St. 10012 (withdrawn by applicant)**

**Whereas**, prior to this month's CB2 SLA Licensing Committee meeting on March 10<sup>th</sup>, 2015 the principal/applicant requested to withdraw this application from consideration and did not appear before CB2 regarding its application; and,

**Whereas**, this application is for an On Premise license;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends that the SLA deny any Beer and Wine or On Premise license to **Indorama Inc., d/b/a Mirch Masala, 95 MacDougal St. 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
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May 6, 2015

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 April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**14. Song & Napule Inc., 146 W. Houston St. 10012** (withdrawn by applicant)

**Whereas**, prior to this month's CB2 SLA Licensing Committee meeting on March 10<sup>th</sup>, 2015 the principal/applicant requested to withdraw this application from consideration and did not appear before CB2 regarding its application; and,

**Whereas**, this application is for an On Premise license;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends that the SLA deny any Beer and Wine or On Premise license to **Song & Napule Inc., 146 W. Houston St. 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
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Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**15. Dragonfly Soul, Inc., 140 W. 4<sup>th</sup> St. 10012** (withdrawn by applicant)

**Whereas**, prior to this month's CB2 SLA Licensing Committee meeting on March 10<sup>th</sup>, 2015 the principal/applicant requested to withdraw this application from consideration and did not appear before CB2 regarding its application; and,

**Whereas**, this application is for an On Premise license;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any Beer and Wine or On Premise license to **Dragonfly Soul, Inc., 140 W. 4<sup>th</sup> St. 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, *Treasurer*  
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May 6, 2015

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 April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**16. Herm LLC, 160 Prince St. 10012 (withdrawn)**

**Whereas**, prior to this month's CB2 SLA Licensing Committee meeting on March 10<sup>th</sup>, 2015 the principal/applicant requested to layover this application from consideration and did not appear before CB2 regarding its application; and,

**Whereas**, this application is for an On Premise license;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any Beer and Wine or On Premise license to **Herm LLC, 160 Prince St. 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.



Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Susan Wittenberg, *Assistant Secretary*

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May 6, 2015

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 April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **17. Hornblower NY, LLC d/b/a Espirit, 353 West St. – Pier 40 10014**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for a new Vessel Liquor license for a 96 foot long vessel named Espirit for chartered Hudson River cruises docked at Pier 40 in Hudson River Park on the West side of Manhattan at roughly West Houston Street and West St. with 20 tables, 150 table seats, two decks and 1 bars with no bar seats and 28 additional outdoor seats, the vessel currently holds all USCG permits; and

**Whereas**, the applicant stated the hours of operation are Monday through Sunday from 12pm to 1am; there will open air decks; music will be Live DJ, Live Music and music from Ipod/CD's at entertainment levels and background levels and the applicant agreed to specific stipulations regarding music as indicated below; and,

**Whereas**, the applicant has been approved and authorized by the Hudson River Park Trust and currently operates an additional 4 other licensed vessels which are indicated on their licensing information as docked at pier 40 as well as other vessels in other areas; and,

**Whereas**, complaints have been received and observations were shared at the meeting by members of the community and members of CB2, Man. in regards to the music volume levels played on the 4 currently licensed vessels owned and operated exclusively by Hornblower NY, LLC when they are docked at Pier 40 and as they leave Pier 40 and return to Pier 40 and the harmful quality of life impact that they have to the surrounding residential buildings and to other users of the park and the disruption to small music performances on Pier 46 and other users such as participatory dance groups; and,

**Whereas**, Hornblower N.Y. LLC has managed other issues that have previously been a concern to CB2 Man., specifically the high volume of patrons who arrive by vehicles in a very small window of time (less than one hour) between the hours of 5 pm and 6pm for a number of the applicants dinner ships and for this sightseeing ship, which is a peak hour for usage of the park, which impacts pedestrians, bicyclists and runners in the heavily trafficked Hudson River Park which vehicles have to cross over in order to reach the designated parking area and CB2 has always had concerns that this might impact the safety of users of Hudson River Park and continues to feel that should this become an issue, CB2 would like to revisit this; and,

**Whereas**, the applicant has agreed to the following stipulations:

1. The licensed vessel will be operated and advertised as a Sightseeing and Dinner Cruise Vessel.
2. The hours of operation will be from 12 PM to 1 AM 7 days a week. All patrons will be cleared and no patrons will remain on the ship after stated closing times.
3. The premises will play quiet ambient recorded background music only while at Port (docked at Pier 40).
4. There will be designated parking in Pier 40 for each event/cruise.
5. At Port (while docked at Pier 40), when vessels are arriving or leaving Pier 40, music will be at background music levels only – the Licensee has also agreed that this will extend to all Hornblower N.Y. LLC owned vessels that are docked or licensed at Pier 40 (Hornblower N.Y. LLC Vessels currently docked and licensed at Pier 40 as of April 2015 include Infinity SN#1263750, Hornblower Hybrid SN#1264202, Serenity SN#2192934, John James Audubon SN#1278241, and Vista Jubilee SN#1279343)
6. Hornblower N.Y. LLC will develop policies and procedures that will be shared with CB2, Manhattan to address noise and quality of life issues.
7. Hornblower N.Y. LLC will indicate on their website a contact number for local residents for noise complaints. All complaints will be shared with senior management.

**THEREFORE BE IT RESOLVED** that CB2, Manhattan recommends **DENIAL** of a Vessel Liquor License for **Hornblower NY, LLC d/b/a Espirit, 353 West St. – Pier 40 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 Vessel Liquor License.

Vote: Passed, with 30 Board members in favor, 10 in opposition (T. Bergman, K. Bordonaro, A. Brandt, W. Bray, R. Chatree, M.P.Derr, R. Goldberg, S. Greene, S. Russo, E. Young) and 1 abstention (S. Secunda).

Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Susan Wittenberg, *Assistant Secretary*

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May 6, 2015

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 April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **18. 24 5<sup>th</sup> Ave., LLC d/b/a Claudette, 24 5<sup>th</sup> Ave. 10011 (Alt add SWC SN#1276301)**

**Whereas**, the Licensee's Manager and the Licensee's Attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an alteration application to the Liquor Authority to include a newly licensed sidewalk café for 10 tables and 20 seats into the existing premises for a full service neighborhood French/Mediterranean Restaurant open for lunch and dinner; and,

**Whereas**, the location has a current Restaurant On Premise Liquor License and is located in a mixed-use building in a residentially-zoned neighborhood located on the ground floor and basement (no patron use of basement) on Fifth Avenue between 9<sup>th</sup> and 10<sup>th</sup> Streets with 35 tables and 108 seats and 1 standup bar with 13 seats for a total of 121 interior seats, the maximum occupancy is 125 persons, this application is to include a sidewalk café with 10 tables and 20 seats, there are no other outdoor areas for patrons, no benches on the sidewalk, there is an existing Temporary Certificate of Occupancy; and,

**Whereas**, the hours of operation are Sunday from 11am to 12am, Monday to Wednesday from 11am to 1am and Thursday to Saturday from 11am to 2am (all patrons will be cleared and no patrons will remain after stated closing times, music is 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, there will be no TV's; and,

**Whereas,** the Licensee has been in discussion with the Condominium and Cooperative Boards of 25 5<sup>th</sup> Avenue and 33 5<sup>th</sup> Avenue and the Licensee's Attorney stated that they had executed a Memorandum of Understanding with both buildings, a copy of which was provided to CB2, which had not yet been executed by the buildings, which outlined various aspects of 24 5<sup>th</sup> Ave. LLC's operation of their newly licensed sidewalk café including that the sidewalk café would never be expanded beyond 10 tables and 20 seats, that the sidewalk café would close at 10pm Sunday to Wednesday and 11pm Thursday to Saturday, that a retractable awning would be installed and extended by no later than 8pm each day and remain extended until closing, that all doors and windows would be closed by 10pm; and,

**Whereas,** the Licensee executed a stipulations agreement with CB2 that they agreed to submit to the SLA and agreed would be attached and incorporated in to the existing method of operation on the existing Restaurant On Premise Liquor License SN#1256775 stating that:

1. The premises will be advertised and operated as a full service French Mediterranean Restaurant.
2. The hours of operation are Sunday from 11am to 12am, Monday to Wednesday form 11am to 1am and Thursday to Saturday from 11am to 2am. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a "lounge", tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will operate their sidewalk café no later than Sunday to Wednesday at 10pm and Thursday to Saturday at 11pm. At stated sidewalk café closing time, no patrons shall remain in the sidewalk café.
8. The sidewalk café will have no more than 10 tables and 20 seats and the licensee will not seek to expand the number of tables and chairs in the future.
9. When the sidewalk café awning is installed, awning will be extended at 8pm every night until the sidewalk café closes. The awning is anticipated to be installed shortly after the time these stipulations were entered into.
10. The premises will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences at anytime.
11. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
12. The premises will close all doors and windows at 10pm every night and anytime there is amplified music.
13. The alteration to incorporate a new sidewalk café will include no more than 10 tables and 20 seats in the sidewalk cafe.
14. All previous stipulations remain in effect except as modified to add the sidewalk café portion to the premises.
15. The Licensee will make available to immediate residents a designated manager's phone number to address issues as they arise.

**THEREFORE BE IT RESOLVED** that CB2, Manhattan recommends denial of the alteration application to include a sidewalk café with 10 tables and 20 seats for the existing Restaurant On Premise Liquor License SN#1276301 for **24 5<sup>th</sup> Ave., LLC d/b/a Claudette, 24 5<sup>th</sup> Ave. 10011** unless the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the existing “Method of Operation” on the current SLA Restaurant On-Premise Liquor License.

Vote: Unanimous, with 41 Board members in favor.

Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Susan Wittenberg, *Assistant Secretary*

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May 6, 2015

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 April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **19. 61 Gans Restaurant LLC, d/b/a BFB, Opus, The Raven, 53-59 Gansevoort St. (SN#1268022 - OP Renewal – recommend denial)**

**Whereas**, at the request of members of the community, CB2, Man. placed on the April 9<sup>th</sup>, 2015 CB2 SLA Licensing Committee Meeting agenda for discussion and recommendation to the Liquor Authority the renewal application for the liquor license SN#1268022 for 61 Gans Restaurant, LLC d/b/a BFB, Opus, The Raven, 53-59 Gansevoort St.; and,

**Whereas**, neither of the two principals on the liquor license appeared, but two individuals (James Chung and Victor Jung) representing one of the principals, Michael Shah, appeared; CB2 has been led to believe that the other principal, Matthew Levine, is no longer involved in the day to day operation of the premises and is apparently involved in ongoing litigation with Mr. Shah; and,

**Whereas**, a number of residents in the local community appeared and spoke in opposition to the renewal of the Liquor License for 61 Gans Restaurant, LLC and CB2 Man. received a number of email correspondence in opposition to the renewal of the liquor license for 61 Gans Restaurant LLC; and,

**Whereas**, for detailed information on the original presentation of this Liquor License and the proposed method of operation and stipulations agreed to, please refer to CB2, Manhattan's September 2012 Resolution sent to the Liquor Authority for "Corp. to be formed by Michael Shah (61 Gans Restaurant, LLC) dba TBD, 53-59 Gansevoort St. 10014" a copy of which will be provided under separate cover; and

**Whereas**, at the time the premises was originally presented to CB2 Man. it was described as a “full service restaurant paying homage to the meat packing district and old New York, with a Mexican inspired menu focused on local ingredients”; and,

**Whereas**, the basis for opposition to the renewal of the on-premise liquor license are as follows: **(1)** The Licensee is not regularly and in a bona fide manner operating a restaurant used and kept open for the serving of regular meals to guests **(2)** The Licensee stated that they are renting their kitchen space to another local restaurant in the area for use as a commissary kitchen and/or accessory kitchen and it is used for the location next door **(3)** The Licensee has stated to the Liquor Authority that their “Chef will be on site during all hours premises is open to the public” – but no restaurant is regularly open to serve the public **(4)** As part of the original application, the Licensee submitted as a part of their 500 ft. statement that the principals “are experienced in the restaurant business, and have other licenses that are in good standing”, that the application was “approved when they appeared before their community board” – CB2 Man. recommended “denial unless” certain stipulations were followed and specifically, this recommendation was based on the premise that “all statements the applicant has presented are accurate and that those conditions and stipulations agreed to by the applicant relating to the 4th and 7th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license” - the Licensee was represented by an Attorney and as experienced restaurateurs there should be no confusion as to what the definition of a “restaurant” operation is and the meaning and implications of agreeing to stipulations **(5)** The Licensee presented the method of operation as outlined in CB2’s September 2012 resolution as the premises being operated as the principal business a restaurant located on the ground floor and 2<sup>nd</sup> floor and an accessory bar in the basement, the primary business is now a lounge/nightclub/bar operating under ever changing names, many of which do not seem to have been properly reported to the SLA **(6)** The Licensee clearly indicated to the Liquor Authority that the Principals would manage the premises – this does not appear to be the case and it appears that James Chung and Victor Jung are managing the premises and **(7)** the Licensee is clearly violating on a regular basis almost all of the stipulations which were agreed to as a condition of their Liquor License, which undermines the reasoning for the issuance of the original license in the first place as the stipulations were the basis of the findings of the Liquor Authority that the issuance of the license would be in the public interest; and

**Whereas**, testimony was provided that the Licensee is regularly and in an ongoing manner violating stipulations that they agreed to as a condition of their license, specifically that **(1)** Licensee is regularly operating on the ground floor and 1<sup>st</sup> floor past hours to which they stipulated and patrons are remaining well past closing hours **(2)** there is no full service restaurant at the location **(3)** there is regularly patron dancing which is allowed by staff but the premises does not have a New York City Cabaret License **(4)** That in addition to the use of DJ’s in the basement, there are DJ’s on the Ground floor and 2<sup>nd</sup> Floor **(5)** music volume is often beyond any subjective qualification of “background music” on the ground and 2<sup>nd</sup> floor **(6)** Licensee has allowed live music performances **(7)** The Licensee regularly allows outside promoted events within the establishment which are evidence of which is easily found online when using the d/b/a name of the moment **(8)** The Licensee often charges cover charges for events and has bottle service with minimum purchase requirements for seating at tables **(9)** The Licensee regularly utilizes velvet ropes and barriers outside the establishment to queue patrons, in particular, they often manage 2 and sometimes 3 separate queues with “velvet ropes” **(10)** there are no identifying names or signage for the various d/b/a’s the premises is operating and/or advertising under **(11)** there are multiple entrances into the establishment and each floor is treated as a separate venue **(12)** That on certain nights when the spaces appeared to be booked or promoted or hosting popular events, the crowding outside and the contributing noise of rowdy patrons waiting to get in and drunk patrons leaving overwhelms the local community with quality of life issues

(13) that the 6<sup>th</sup> Precinct regularly responds to the premises and is under the impression that this is a club and not a restaurant and as such tolerates certain behaviors that are unacceptable for a restaurant with accessory lounge; and,

**Whereas**, CB2 Man. requested that local residents who appeared and submitted correspondence to CB2 with evidence and testimony also send the same information directly to the Liquor Authority and consider making themselves available for any enforcement proceedings and/or cooperate directly with the Liquor Authority in providing relevant information or testimony ; and,

**Whereas**, CB2 Man. cannot support the renewal of this Liquor License for the many reasons which are summarized above, but the central reason is that the premises is not operating primarily and regularly as a bona fide restaurant open for regular service hours and is not closely following all of the stipulations which they agreed to as a condition of their Liquor License; and,

**THEREFORE BE IT RESOLVED** that CB2 Man. recommends **denial** of the renewal application for the liquor license SN#1268022 for **61 Gans Restaurant LLC, d/b/a BFB, Opus, The Raven, 53-59 Gansevoort St.**; and,

**THEREFORE BE IT FURTHER RESOLVED** that CB2 Man. respectfully requests that the Liquor Authority not issues any Renewal License or recall any Renewal License already issued, but not yet effective, until it has investigated the information presented by local residents directly to the Liquor Authority and summarized above; and,

**THEREFORE BE IT FURTHER RESOLVED** that CB2 Man. respectfully requests that the Liquor Authority conduct appropriate enforcement as it deems necessary; and,

**THEREFORE BE IT FURTHER RESOLVED** that should the Liquor Authority decide to issue a renewal license despite the reasons listed above, that it consider requesting that the Licensee place the license into safekeeping until such time a restaurant is opened on the Ground Floor and 2<sup>nd</sup> Floor as is indicated in the “method of operation”, in stipulations that are a condition of the license and in materials originally presented to CB2, Man. and to the Liquor Authority and that when it is removed from safekeeping that all agreed upon stipulations be fully adhered to for the rest of duration of the License and any subsequent renewals.

Vote: Unanimous, with 41 Board members in favor.



Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Susan Wittenberg, *Assistant Secretary*

## Community Board No. 2, Manhattan

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May 6, 2015

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 April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **20. 31 Great Jones Restaurant Corp. d/b/a Vic's, 31 Great Jones St. 10012 (Corp Change SN#1025221)**

**Whereas**, the applicant's representative appeared before Community Board 2, Manhattan's SLA Licensing committee to present a corporate change application to the Liquor Authority to add Chris Paraskevides as a principal to the existing Restaurant On Premise Liquor License SN#1025221 for a family owned restaurant; and,

**Whereas**, the location has a current Restaurant On Premise Liquor License and is located in a mixed use located on the ground floor on Great Jones St. between Lafayette St. and Bowery with 30 tables and 90 seats and 1 standup bar with 12 seats for a total of 102 interior seats, the maximum occupancy is 158 persons, there is an existing licensed sidewalk café with 11 tables and 22 seats, but there are no other outdoor areas for patrons, and no benches on the sidewalk, there is an existing Certificate of Occupancy; and,

**Whereas**, the hours of operation are from 10:30am to 11pm 7 days a week (No patrons shall remain after the closing hour), music is 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 are closed at 10 p.m. except for patron ingress and egress, there will be no d.j., 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,

**Whereas**, in the past there have been issues raised by local residents as they relate to venting issues including mechanical noise for which ECB violations were issued and odors in addition to issues relating to the operation of the sidewalk café and configuration, but those issues seem to have been addressed; and,

**Whereas**, the Licensee executed a stipulations agreement with CB2 that they agreed to submit to the SLA and agreed would be attached and incorporated in to the existing method of operation on the existing Restaurant On Premise Liquor License SN1025221 stating that:

1. The premises will be advertised and operated as a family owned full service restaurant.
2. The hours of operation will be 10:30am to 11pm 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The premises will close all doors and windows at 10pm every night and anytime there is amplified music.
10. The Licensee will correct any outstanding issues related to noise, odors.
11. The Licensee will operate their licensed sidewalk café in compliance with Sidewalk Café Regulations.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the Corporate Change application to add Chris Paraskevaides as a principal to the existing to the existing Restaurant On Premise Liquor License SN#1025221 for **31 Great Jones Restaurant Corp. d/b/a Vic’s, 31 Great Jones St. 10012 unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the existing “Method of Operation” on the current SLA Restaurant On-Premise Liquor License.

Vote: Unanimous, with 41 Board members in favor.

Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Susan Wittenberg, *Assistant Secretary*

## Community Board No. 2, Manhattan

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May 6, 2015

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 April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **21. Cork Buzz LLC d/b/a Corkbuzz Wine Studio, 13 E. 13<sup>th</sup> St. 10013 (OP Alteration SN#1256775)**

**Whereas**, the Licensee appeared before Community Board 2, Manhattan's SLA Licensing committee to present an alteration application to the Liquor Authority to extend the hours of operation on Thursday to Saturday nights until 2am from the previously stipulated hours of operation for those nights which ended at 1am for an existing Restaurant On Premise Liquor License SN#1256775 for a full service restaurant open for dinner all nights and weekend brunch which also offers a wine education component; and,

**Whereas**, the location has a current Restaurant On Premise Liquor License and is located in a mixed use building located on the ground floor on East 13<sup>th</sup> Street between 5<sup>th</sup> Avenue and University Place with 27 tables and 73 seats and 1 standup bar with 15 seats for a total of 88 interior seats, the maximum occupancy is 120 persons, there is no sidewalk café and no other outdoor areas for patrons, no benches on the sidewalk, there is an existing Certificate of Occupancy; and,

**Whereas**, the hours of operation are Sunday to Wednesday from 12pm to 12am and will now be Thursday to Saturday from 12pm to 2am (No patrons shall remain after the closing hour), music is quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be live jazz music during weekend brunch service from 12pm to 5pm, all doors and windows are closed at all times except for patron ingress and egress, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no TV's; and,

**Whereas,** Corkbuzz has been well received since its opening 4 years ago and has a strong reputation in both the Wine Community and Dining Community; and,

**Whereas,** the local block association provided a letter supporting this alteration; and,

**Whereas,** at the time of the original application for this License in April/2011, the location had not previously been licensed for liquor service and was fairly controversial among local community members; CB2 requested at that time and continues to request, that given the strong concerns that this neighborhood has concerning the over saturation of liquor licenses and that this location has not previously maintained a liquor license of any sort, that should this location change hands or transfer ownership in the future or adopt a different method of operation in the future, that the SLA not give weight in this specific circumstance to the fact that this location was licensed by the above referenced entity given that this establishment is unique in this neighborhood and is the primary reason this board recommended approval (please refer to CB2 resolution to the Liquor Authority in April/2011 for further details); and

**Whereas,** the Licensee executed a stipulations agreement with CB2 that they agreed to submit to the SLA and agreed would be attached and incorporated in to the existing method of operation on the existing Restaurant On Premise Liquor License SN#1256775 stating that:

1. The premises will be advertised and operated as a full service restaurant.
2. The hours of operation will be Sunday to Wednesday from 12pm to 12am and Thursday to Saturday from 12pm to 2am. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. There is no sidewalk café.
8. The premises will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences at anytime.
9. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances, however there may be live Jazz music during weekend brunch service from 12pm to 5pm.
10. The premises will close all doors and windows at all times except for patron ingress and egress.
11. Any previous stipulations will remain in effect except for hours of operation as noted above and live music for weekend brunch as noted.
12. All garbage will continue to be stored inside until 1 hour before pickup.
13. There will continue to be no neon signage.
14. The exhaust and mechanical system will continue not to disrupt quality of life for surrounding residents.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the alteration application to extend the hours of operation and to add weekend live jazz for brunch as described for the existing Restaurant On Premise Liquor License SN#1256775 for **Corkbuzz Wine Studio LLC d/b/a**

**Corkbuzz, 13 E. 13<sup>th</sup> St. 10013** unless the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the existing “Method of Operation” on the current SLA Restaurant On-Premise Liquor License.

Vote: Unanimous, with 41 Board members in favor.

Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Susan Wittenberg, *Assistant Secretary*

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May 6, 2015

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 April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **22. Feung Fu, Inc. d/b/a Lan Larb Soho, 227 Centre St. 10013 (New RW)**

**Whereas**, the applicant and applicant's representative appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new restaurant wine license for a previously licensed location for a "small Thai restaurant with a seating capacity of 30" which will be operated by two principals who each individually have separately licensed restaurants which each have current beer and wine licenses; and,

**Whereas**, this application is for a new restaurant wine license located in a 2-story commercial building located on the ground floor on Centre St. between Grand St and Broome St. for a roughly 1,800 sq. ft. premise (1,000 sq. ft. ground floor for patron use and 832 sq. ft. basement for storage only) with 15 tables and 30 seats and no standup bars (1 service bar only) for a total of 30 interior seats, there will not be a sidewalk café pursuant to zoning regulations, there are no other outdoor areas for patrons, and no benches on the sidewalk, there is an existing Certificate of Occupancy; and,

**Whereas**, the hours of operation will be from 11:30am to 11pm 7 days a week (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 all times except for patron ingress and egress, there will be no d.j., 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,

**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 on the restaurant wine license stating that:

1. The premises will be advertised and operated as a Thai Restaurant.
2. The hours of operation will be 11:30am to 11pm 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. All doors and windows will be closed at all times except for patron ingress and egress.
10. The Premises will not have unlimited drink specials.
11. The Premises will not sell pitchers of beer or have “Sake Bomb” styles of drinks.

**Whereas**, there are currently approximately 21 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 Restaurant Wine License for **Feung Fu, Inc. d/b/a Lan Larb Soho, 227 Centre St. 10013** unless the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 41 Board members in favor.

Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Susan Wittenberg, *Assistant Secretary*

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May 6, 2015

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 April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **23. Yerina Restaurant Corp., d/b/a Arte Restaurant, 21 E. 9<sup>th</sup> St. 10013 (Alteration Restaurant OP – Add SWC - SN#1024413)**

**Whereas**, the applicant and applicant's representative appeared before Community Board 2, Manhattan's SLA Licensing committee to present an alteration application to the Liquor Authority for an existing Restaurant On Premise Liquor License SN#1024413 for an Italian Restaurant that has been operating for 20 years to add a sidewalk café with 3 tables and 8 seats; and,

**Whereas**, the location has a current Restaurant On Premise Liquor License SN#1024413 and is located in a mixed-use 5-story building located on the ground floor on East 9<sup>th</sup> St between University Place and 5<sup>th</sup> Avenue for a roughly 3,200 sq. ft. premise (2,400 sq. ft. on ground floor for patron use and 800 sq. ft. basement for storage only) with 20 tables and 80 seats and 1 standup bar with 11 seats for a total of 91 interior seats, this alteration application is to add a licensed sidewalk café with 3 tables and 8 seats to the existing premises and there are no other outdoor areas for patrons, and no benches on the sidewalk, there is an existing Certificate of Occupancy; and,

**Whereas**, the hours of operation of the interior of the premises are from 12pm to 12am 7 days a week (No patrons shall remain after the closing hour), music is 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 are closed at 10 p.m. except for patron ingress and egress, there will be no d.j., 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,



**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 existing method of operation on the existing Restaurant On Premise Liquor License SN1024413 stating that:

1. The premises will be advertised and operated as an Italian Restaurant.
2. The hours of operation will be 12pm to 12am 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will operate their sidewalk café no later than Sunday to Thursday at 11pm and Friday and Saturday at 12am. At sidewalk café closing time, no patrons shall remain in the sidewalk café.
8. The premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at anytime.
9. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. The premises will close all doors and windows at 10pm every night and anytime there is amplified music.
11. The alteration to incorporate a new sidewalk café will include no more than 3 tables and 8 seats in the sidewalk cafe.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of the alteration to the existing Restaurant On Premise Liquor License SN#1024413 for **Yerina Restaurant Corp., d/b/a Arte Restaurant, 21 E. 9<sup>th</sup> St. 10013** to add a sidewalk café 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 existing “Method of Operation” on the current SLA Restaurant Wine License.

Vote: Passed, with 40 Board members in favor, and 1 in opposition (M. Schott).

Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Susan Wittenberg, *Assistant Secretary*

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May 6, 2015

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 April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **24. Margherita Corp, 197 Grand St. 10013 (New RW)**

**Whereas**, the applicant and applicant's representative appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new restaurant wine license for a previously unlicensed location for a "specialty pizza and pasta restaurant where tourists, residents and workers in the area can have a taste of Italy for an affordable price ; and,

**Whereas**, this application is for a new restaurant wine license located in a mixed-use 7-story building located on the ground floor on Grand St. between Mott St and Mulberry St. for a roughly 600 sq. ft. premise with 10 tables and 20 seats and no standup bars (1 service bar only) for a total of 20 interior seats, there will be a sidewalk café application in the future and there are no other outdoor areas for patrons, and no benches on the sidewalk, there is an existing Certificate of Occupancy; and,

**Whereas**, the hours of operation will be from 11am to 1am 7 days a week (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 10 p.m. except for patron ingress and egress, there will be no d.j., 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,

**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 on the restaurant wine license stating that:

1. The premises will be advertised and operated as a Specialty Pizza and Pasta Restaurant.

2. The hours of operation will be 11am to 1am 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will apply for a sidewalk café in the future. The future sidewalk café will operate no later than Sunday to Thursday at 11pm and Friday and Saturday at 12am. At sidewalk café closing time, no patrons shall remain in the sidewalk café.
8. The premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at anytime.
9. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. The premises will close all doors and windows at 10pm every night and anytime there is amplified music.
11. The Premises will not have unlimited drink specials.
12. The Premises will not sell pitchers of beer.
13. The operable façade openings will be closed entirely each evening by 10 pm.

**Whereas**, there are currently approximately 23 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 Restaurant Wine License for **Margherita Corp, 197 Grand St. 10013** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Passed, with 40 Board members in favor, and 1 in opposition (M. Schott).

Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, Treasurer  
Keen Berger, Secretary  
Susan Wittenberg, Assistant Secretary

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May 6, 2015

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 April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **25. An entity to be formed by The Sheetz Group and Ken Friedman, 45 Bond St. 10012 (New OP – Prev Licensed)**

**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 for a previously unlicensed location for a "modern upscale restaurant serving farm-to-table fare with an emphasis on seasonal, indigenous ingredients and the 'whole beast'" ; and,

**Whereas**, this application is for a new restaurant on premise liquor license located in a mixed use 6 story loft building built in 1899 located on the ground floor and basement on Bond St. between Lafayette St and Bowery for a roughly 2,900 sq. ft premise (1,700 sq ft ground floor and 1,200 Sq basement, both with patron use) with 21 tables and 89 table seats and 1 standup bar on the ground floor with 11 seats and 1 stand up bar in the basement with 4 seats and 4 seats at a kitchen counter for a total of 108 interior seats, this application does not include a sidewalk café and there are no other outdoor areas for patrons, and no benches on the sidewalk, there is an Certificate of Occupancy which states the maximum occupancy is 143 and the applicant will obtain an updated Place of Assembly Permit; and,

**Whereas**, the 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 d.j., 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,

**Whereas**, the applicant met with one of the local stakeholder organizations, the Noho Bowery Stakeholders, and a number of agreements were discussed and issues reviewed and as a result the applicant presented a list of proposed stipulations to CB2 Manhattan which they were willing to incorporate into a stipulations agreement with CB2, Manhattan; and,

**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 on the restaurant wine license stating that:

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 Wednesday from 8am to 1am and Thursday to Saturday from 8am to 2am. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. There is no sidewalk café included with this application. Any future application for a sidewalk café will not be presented prior to the 2016 sidewalk café season and no guarantees are set forth as to approval of any sidewalk café application by CB2, Manhattan or the recommendation of approval of alcohol service within any future sidewalk café.
8. The premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at anytime.
9. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. The premises will close all doors and windows at 9pm every night and anytime there is amplified music.
11. Alcohol service will not begin before noon Sunday to Friday. Alcohol service will no begin before 10am on Saturdays.
12. There will never be more than 105 patrons (staff additional) in the premises at any time. This number of patrons, “guests”, is not to be substituted by DOB capacity, which may be greater than the above stated and agreed configuration capacity of the restaurant.
13. The establishment’s personnel will manage patron street activity (entering, leaving, congregating or smoking) on the sidewalk immediately in front, and to additionally keep that portion of the sidewalk clean during all hours of operation.
14. The establishment will actively engage in all efforts to keep the sidewalk immediately in front of the premises and gutters free of debris and waste at all times, including the provision of containers in which to store garbage until third-party pick up and that all effort will be made to avoid garbage pick-ups between the hours of 2 AM and 7 AM, seven days a week.
15. 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.
16. Licensee will assign at least one person (“Community Liaison”) who will be available to speak with local residents during normal weekday business hours concerning any matter related to compliance with the terms of these stipulations. In addition, during non-business hours, the

Manager on Duty will serve in this capacity with full authority to enforce the terms of these stipulations in the event emergency contact is required.

17. Licensee agrees to design and operate the venue so as to comply with all NYC Noise Code standards. Should reasonable complaints be made to the Licensee and should any measures taken by Licensee to answer such complaints not be sufficient to abate such sound, the Licensee agrees to, at their own expense, conduct sound testing to assure that any amplified, non-amplified sound or HVAC system sound is not present or audible outside or inside the contiguous residences beyond NYC noise control code levels.
18. 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.
19. Licensee agrees that any change in the method of operation, contrary to the terms and restrictions in these stipulations and in the materials submitted to CB2, Manhattan at the time of the initial application, will be submitted and reviewed for recommendation and approval through CB#2 Manhattan. This also includes the addition of any future sidewalk café, which is not included in this application.
20. 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. At times, patrons may be encouraged to visit other establishments in the neighborhood until such time their table is ready. 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.

**Whereas**, there are currently approximately 24 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 Restaurant On Premises Liquor License for **An entity to be formed by The Sheetz Group and Ken Friedman, 45 Bond St. 10012** unless the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 41 Board members in favor.

Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, Treasurer  
Keen Berger, Secretary  
Susan Wittenberg, Assistant Secretary

## Community Board No. 2, Manhattan

3 Washington Square Village  
New York, NY 10012-1899  
www.cb2manhattan.org

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May 6, 2015

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 April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**THE FOLLOWING ARE RESOLUTIONS FOR APPLICANTS THAT WERE LAID OVER, WITHDRAWN, PREVIOUSLY HEARD OR WHO DID NOT APPEAR BEFORE CB2, MANHATTAN AS REQUESTED:**

### **26. Ogawa Sushi Inc., d/b/a Ogawa Café, 36 E. 4<sup>th</sup> St. 10003 (Did Not Appear)**

**Whereas**, the applicant failed to appear before CB2, Manhattan's SLA Licensing Committee Meeting on April 9<sup>th</sup>, 2015 after having submitted a "30 Day Notice" to CB2 for a new beer and wine license and having been placed on CB2's SLA Licensing Committee's Agenda;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed eating place beer, beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Ogawa Sushi Inc., d/b/a Ogawa Café, 36 E. 4<sup>th</sup> St. 10003** **until** the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, Treasurer  
Keen Berger, Secretary  
Susan Wittenberg, Assistant Secretary

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May 6, 2015

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 April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **27. Emmanuel NY Corp., 194 Grand St. 10013 (Did Not Appear)**

**Whereas**, the applicant failed to appear before CB2, Manhattan's SLA Licensing Committee Meeting on April 9<sup>th</sup>, 2015 after having submitted a "30 Day Notice" to CB2 for a new beer and wine license and having been placed on CB2's SLA Licensing Committee's Agenda; and

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed eating place beer, beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Emmanuel NY Corp., 194 Grand St. 10013** **until** the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.



Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, Treasurer  
Keen Berger, Secretary  
Susan Wittenberg, Assistant Secretary

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May 6, 2015

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 April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **27. San Remo Group One LLC, d/b/a San Remo, 201 Lafayette St. 10012 (Did Not Appear)**

**Whereas**, the applicant failed to appear before CB2, Manhattan's SLA Licensing Committee Meeting on April 9<sup>th</sup>, 2015 after having submitted a "30 Day Notice" to CB2 for a new on premise liquor license and having been placed on CB2's SLA Licensing Committee's Agenda; and

**THEREFORE BE IT RESOLVED** that CB 2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, eating place beer, beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **San Remo Group One LLC, d/b/a San Remo, 201 Lafayette St. 10012** **until** the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, Treasurer  
Keen Berger, Secretary  
Susan Wittenberg, Assistant Secretary

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May 6, 2015

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 April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **28. Dumpling 516 Hudson NY, Inc., 516 Hudson St. 10014 (request to layover)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 9<sup>th</sup>, 2015, the applicant's attorney requested to **layover** this application for a new beer and wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan strongly recommends that the SLA **deny** any type of proposed eating place beer, beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Dumpling 516 Hudson NY Inc., 516 Hudson St. 10014 until** the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, Treasurer  
Keen Berger, Secretary  
Susan Wittenberg, Assistant Secretary

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May 6, 2015

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 April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **29. NYPiada, Inc., 15 8th Ave. 10014 (request to layover)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 9<sup>th</sup>, 2015, the applicant's attorney requested to **layover** this application for a new beer and wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

**THEREFORE BE IT RESOLVED** that CB 2, Man. strongly recommends that the SLA **deny** any type of proposed eating place beer, beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **NYPiada, Inc., 15 8th Ave. 10014 until** the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, Treasurer  
Keen Berger, Secretary  
Susan Wittenberg, Assistant Secretary

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May 6, 2015

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 April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **30. Beer Factory, LLC, d/b/a Lionsbeerstore, 15 E. 12th St. 10003 (withdrawn)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 9<sup>th</sup>, 2015, the applicant's attorney requested to **withdraw** this application for a new beer and wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed eating place beer, beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Beer Factory, LLC, d/b/a Lionsbeerstore, 15 E. 12th St. 10003 until** the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Susan Wittenberg, *Assistant Secretary*

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May 6, 2015

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 April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **31. La Gringa Christopher Street Corp., 82 Christopher St. 10014 (request to layover)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 9<sup>th</sup>, 2015, the applicant's attorney requested to **layover** this application for a new beer and wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed eating place beer, beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **La Gringa Christopher Street Corp., 82 Christopher 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 41 Board members in favor.

Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, Treasurer  
Keen Berger, Secretary  
Susan Wittenberg, Assistant Secretary

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May 6, 2015

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 April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **32. Early Mist LLC, d/b/a Pastis, 54-56 Gansevoort St. 10014 (withdrawn)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 9<sup>th</sup>, 2015, the applicant's attorney requested to **withdraw** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed; and

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, eating place beer, beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Early Mist LLC, d/b/a Pastis, 54-56 Gansevoort 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 41 Board members in favor.

Tobi Bergman, Chair  
Terri Cude, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, Treasurer  
Keen Berger, Secretary  
Susan Wittenberg, Assistant Secretary

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May 6, 2015

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 April 23, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **33. Hudson Gastropub LLC, d/b/a The Hudson Division, 131 Christopher St. 10014 (request to layover)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 9<sup>th</sup>, 2015, the applicant's attorney requested to **layover** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed; and

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, eating place beer, beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Hudson Gastropub LLC, d/b/a The Hudson Division, 131 Christopher 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 41 Board members in favor.

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

Sincerely,



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



Tobi Bergman, Chair  
Community Board #2, Manhattan



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

TB/fa

cc: Hon. Jerrold L. Nadler, Congressman  
Hon. Nydia Velasquez, Congresswoman  
Hon. Sheldon Silver, NY State Assembly Member  
Hon. Deborah J. Glick, NY State Assembly Member  
Hon. Brad Hoylman, NY State Senator  
Hon. Daniel L. Squadron, NY State Senator  
Hon. Gale Brewer, Man. Borough President  
Hon. Corey Johnson, Council Member  
Hon. Margaret Chin, Council Member  
Hon. Rosie Mendez, Council Member  
Pauline Yu, CAU  
Kerri O'Brien, Deputy Commissioner of Licensing NY State Liquor Authority  
Michael Jones, Deputy Chief Executive Officer, NY State Liquor Authority  
SLA Examiners