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COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE
NEW YORK, NY 10012-1899

www.cb2manhattan.org

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

August 2019

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

Dear Sir/Madam:

At its Executive Committee meeting on August 20, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

1. Bloomingdale's Inc., d/b/a Forty Carrots, 504 Broadway 10012 (OP – Alteration to correct licensed serving area and extend and expand license foot print to full eight floors of retail store)

i. Whereas, the applicant's attorney and other representatives appeared before CB2, Manhattan's SLA licensing committee to present an application to alter the existing on-premise license (SN 1143172) by **(1)** moving the licensed area from where it is currently licensed on the 5th floor which has not existed for over 5 years, to another location within the building on the 2nd floor where it has been operating illegally for over 5 years, **(2)** expanding the licensed premises to include service to the entire 120,000 square foot existing multi-floor retail store with multiple points of sale throughout the premises; and,

ii. Whereas, the premises occupies an entire block through building constructed in 1862 on Broadway, between Spring and Broome Streets, with additional entrances and significant frontage on Crosby Street between Spring and Broome Streets (block #483 lot #7) and is located within a unique zoning district designated M1-5B which has certain restrictions on allowable uses, including oversized retail and the size and location of eating and drinking establishments within buildings, it is unclear if the characterization of the uses presented by the applicant and proposed uses would be allowed with the current permits in place or if changes would be required; and,

iii. Whereas, the current on-premise liquor license the applicant seeks to alter is for a restaurant on the Crosby Street side of the building on the 5th Floor; that restaurant on the 5th floor has apparently not existed for a number of years, the kitchen, seating area and all other equipment having been permanently removed from the 5th floor and the area converted to retail sales; after first denying serving alcohol illegally on the 2nd floor in July/2019, the applicant subsequently admitted in August/2019 to illegally

serving alcohol from a different restaurant constructed on the Second Floor on the Broadway side of the floor; the applicant now proposes to legalize the 2nd Floor of 504 Broadway by relocating the long disused license for the Fifth Floor of the Crosby Street storefront rather than surrendering the no longer used license and applying for a new license at the new geographic location; and,

iv. Whereas, applicant further proposed to use the same alteration application to expand alcohol service throughout the eight floors of the retail store, said by applicant to be approximately 120,000 sq. ft., allowing the order of food and beverage at any check out or service desk in the store for delivery to said location from the restaurant; and,

v. Whereas, applicant was previously informed by the Community Board, at the July 2019 SLA1 committee hearing, that selling and serving of alcohol in an unlicensed area was illegal, but nevertheless chose to continue such sales and proposed to continue such sales until such time as the SLA reviews the instant application; and,

vi. Whereas, the existing, disused, liquor license was issued for a specific restaurant at a specific location in this building, the restaurant and licensed premises no longer exist and has not for many years despite the applicant renewing that license for many years indicating no changes had occurred; liquor licenses are location specific and are not geographically transferable via an alteration application; the Community Board knows of no other case in which a license was allowed to be transferred to a different location to cure a significant violation without first correcting the underlying violation; in this case it would seem that the original license should be surrendered and a new application pursued as it would seem unfeasible to reconstruct the fifth floor restaurant and kitchen facilities; and,

vii. Whereas, landlords and former operators of permanently closed serving locations are not permitted to maintain liquor licenses in perpetuity, this license having never been placed in safe keeping, and the applicant has stated that it has been some years since the Fifth Floor Crosby Street location of the restaurant Forty Carrots has been used; and said license has not been surrendered; and, applicant asserted that they had sought regular license renewal for the no longer existing restaurant location; and,

viii. Whereas, the unlicensed sale and service of alcohol is a serious violation of the New York State liquor licensing laws and applicant admits having done so for years from the Second Floor Broadway location, and has continued to do so despite the violation having been brought to their attention by the community board; and,

ix. Whereas, the committee heard testimony in opposition from 13 nearby residents and received a number of opposition letters as well; with community members criticizing Bloomingdale's as an unresponsive and bad neighbor in many respects and raising concerns about the impact and precedent for their neighborhood of licensing such an extensive space for alcohol service; and, further raised concerns about the conformity of applicant's plans to the special zoning restriction on eating and drinking establishments in the SoHo area; and,

x. Whereas, applicant acknowledged an unfortunate history of non-engagement with immediate neighbors; but cited the corporation's robust charitable giving to the larger NYC community and the benefits to the city of their famous brand, and discussed the challenges faced by retail in the era of online shopping; and the committee was sympathetic to these concerns; and,

xi. Whereas, the committee appreciates the input from both applicant and opponents on this hypothetical, but feels that questions regarding the size of the space to be licensed are premature in the absence of a valid license or an application for a new license for the currently illegally operating space; and, further, that it is a logical and practical impossibility to consider the impact of an alteration to a license when no underlying license exists in the first place; and,

xii. Whereas, in the face of committee censure, the applicant offered to suspend immediately the illegal sale of alcohol, but declined committee entreaties to self-report immediately to the SLA (despite a detailed complaint having already been previously filed with the SLA which may disallow such self reporting), withdraw the instant and improper alteration application, surrender the disused license for the long closed previous location, and file an application for a new license for the current location that includes a full explanation of what spaces were being licensed, full method of operations, etc.; and,

xiii. Whereas, the applicant was unwilling to delay filing this alteration application to seek guidance from the SLA and instead said that the alteration application would be pursued in conjunction with correcting the underlying violation of operating without a valid liquor license on the 2nd floor; acknowledging when queried that the underlying liquor license could be canceled by the Members of the Authority; and,

xiv. Whereas, applicant's behavior and statements suggest they seek to use the substantial prestige of their name and the wealth of their firm to seek special treatment that would not be available to other applicants under normal procedures and application of the laws and regulations; and, the community board considers such irregular special treatment to be definitionally contrary to community interest; and,

THEREFORE, BE IT RESOLVED that CB2, Man. recommends denial of the alteration application for **Bloomington's Inc., d/b/a Forty Carrots, 504 Broadway 10012;** and

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

Vote: Unanimous, with 13 Executive Committee members in favor.

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
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August , 2019

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

Dear Sir/Madam:

At its Executive Committee meeting on August 20, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

2. Citizens of SoHo, LLC, d/b/a Citizens of SoHo, 203 Lafayette St. 10012 (RW – Restaurant)

- i. Whereas**, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application for a *new* Restaurant Wine license to operate an Australian-style brunch cafe on the ground floor and basement of a 7-story mixed-use building on Lafayette Street at Kenmare Street; formerly San Remo operated at this location; and,
- ii. Whereas**, this is a long-standing building (circa 1900), 1,475 square feet on the first floor will be used for eating and drinking, 600 square feet in the basement will be used by staff for preparation and storage;
- iii. Whereas**, the premises licensed will have 17 tables with 57 table seats, and 1 bar with 8 seats, for a total patron seat capacity of 65 patrons, no TVs, background music only, there will be two entrances and 2 exits for patrons, there will be one patron bathroom and a full-service kitchen; the certificate of occupancy is pending for this location; the owners presented petitions of support with 23 signatures, half from nearby neighbors; and,
- iv. Whereas**, the hours of operation will be from 7:30 AM to 7 PM, 7 days a week, all facades will be fixed and there will be no operable doors or windows, no DJs, no promoted events, live music or TVs, no sidewalk café or other outdoor areas for the service of alcohol; and,
- v. Whereas**, the applicant executed a stipulations agreement with CB2, Man. that they agreed would be attached and incorporated in to their method of operation on their Restaurant Wine license and the stipulations are as follows:

1. Will operate full-service restaurant, specifically as an Australian-style brunch café, with full menu items available until closing every night.
2. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
3. The premises will have not any televisions.
4. Will not operate a backyard garden/rooftop/outdoor area for commercial purposes
5. There will be no sidewalk café, now or in the future
6. The premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences anytime.
7. Will close all doors and windows at 9 PM every night.
8. The premises will not have DJs, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The premises will not permit dancing.
10. The operator will not install French doors, operable windows or open facades.
11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. There will be no pitchers of beer and no all you can eat/drink specials or boozy brunches; and
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products
14. Will appear before CB2 Manhattan prior to submitting any changes to any stipulation agreed to herein.

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

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the Restaurant Wine application to Citizens of SoHo, LLC, d/b/a Citizens of SoHo, 203 Lafayette St. 10012 **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on the Restaurant Wine License.

Vote: Unanimous, with 13 Executive Committee members in favor.

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



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August 2019

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

Dear Sir/Madam:

At its Executive Committee meeting on August 20, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

3. TXOKAO, d/b/a Haizea, 142 Sullivan Street 10012 (RW – Bar/Tavern with live music, DJs)

- i. Whereas**, the applicant’s attorney, but not the applicant, appeared before Community Board 2, Manhattan’s SLA licensing committee to present an application for a new Tavern Wine license to operate a “high-end Spanish fusion restaurant/tavern” in a *previously unlicensed* storefront in a grandfathered commercial space in an area zoned for residential only in a 7-story mixed-use 1910 building on Sullivan, between E. Houston Street and Prince Street (block #518 lot #37) in the NYC LPC designated Sullivan-Thompson Historic District; and,
- ii. Whereas**, the applicant variously described the premises as being 3,125 sq. ft. or else 750 sq. ft. or else 600 sq. ft., the later figures more likely based on the provided floorplans; and the attorney could not provide a clear distribution square footage between the public areas of the restaurant and non-contiguous spaces marked changing room and grease trap room on the floor plans; and, the applicant’s representative stated that neither a valid Certificate of Occupancy or a Letter of No Objection currently existed for this use of the space; and,
- iii. Whereas**, the application questionnaire and provided floorplans not being consistent in the number of seats, but the floor plan showing 2 bars, one in the front with 10 seats and one in the back room with 6 seats and a window eating counter with 2 seats for a total of 18 seats; and, previous usage of the space was for a 10 seat lunch restaurant; and applicant nevertheless proposes an occupancy of 74 despite the small square footage and small number of seats; and,

iv. Whereas, applicant's attorney described the location as an exclusive destination restaurant mecca for a world-famous chef's following and proposed a method of operation that included closing hours as late as 2 AM on school nights and 4 AM on Fridays & Saturdays; DJ managed music and occasional live acoustical trios; and a large screen television stretching across the space behind the bar; and,

v. Whereas, the description of the establishment by the applicant's attorney was inconsistent at the hearing, being presented at one point as a casual neighborhood bistro, "the Spanish version of Starbucks" and, as noted above, a signature destination location; and, further, at various times in the hearing committee was assured that there would be no private parties and at other times told that applicant anticipated a substantial number of corporate event buy-outs for Fortune 500 companies; and, further, the committee heard testimony that the establishment had been represented to commercial and residential neighbors as a "specialty Spanish/Portuguese market;" and,

vi. Whereas, in the instance of the final description of the establishment as a high-profile destination location for a world-renowned chef, or in the case of corporate event use, it is reasonable to expect a substantial traffic impact resulting from private car services, Uber and similar services, and trolling taxis; and, applicant's attorney nevertheless indicated that no plan to manage or ameliorate traffic impact was or would be prepared; and,

vii. Whereas, the applicant's attorney was unable to explain where the non-contiguous rooms appearing on the provided floor plans were within the mixed-use building or how they were accessed by bar staff, and if said access necessitated staff moving through residential parts of the building, raising security issues; and,

viii. Whereas, residents report that noise from the previous tenant was audible in apartments above even without the entertainment program applicant proposes, but applicant's attorney asserted that applicant nevertheless refused to consider soundproofing the location as part of their renovation build-out; and, further, the applicant's attorney indicated that live-music was to be placed at the front of the restaurant near the door, increasing the impact on neighbors, and that inclusion of a live music entertainment program was essential to the business concept; and,

ix. Whereas, Sullivan Street between E. Houston and Prince Streets is substantially residential in character with ground floor residential in buildings interspersed with grandfathered commercial uses and already deals with substantial evening noise generated from 6 licensed establishments, including an existing bar in the same building as the applicant's proposed establishment; and the previous establishment at this location a lunch restaurant without liquor license which closed at 5 PM daily; and, in any case the committee heard testimony that all current establishments on the block close by Midnight school nights and 1 AM weekend and have a significant negative impact on the quality of residential life even on those terms;; and,

x. Whereas, applicant provided the committee with a petition in support of the application with 40 unverified signatures; and, said petition did not in any way describe the method of operation or hours of what, precisely signatories were endorsing; and, further, the committee heard opposition from nine residents of the block, including residents living directly above the proposed premises and in adjacent buildings, as well as from the owner and operator of an adjacent licensed bar; and,

xi. Whereas, applicant himself has apparently not personally met with, or had representatives engage in robust outreach to, any neighbors, residents, businesses, and other members of the community in seeking to license this controversial location; nor did applicant appear before the committee; raising genuine concerns about the good faith and commitment of this applicant; and,

xii. Whereas, applicant's attorney proposed amending application to seek closing hours of 12 PM Sunday through Thursday and 1 AM Friday and Saturday, consistent with the latest hours of current establishments on the block; and to remove the DJ from the method of operation, and limit the television to a 6 ft. screen, and stipulate to an occupancy of 30; but refused to consider soundproofing or to consider a layover in order to furnish the committee with basic information about the size, floor plan, method of operation, or character of the proposed establishment; applicant's attorney refused to consider the specific issues relevant to this specific location and the significant and valid concerns raised by members of the community and residents in the building and, instead stated that CB support was irrelevant and that the SLA would grant applicant a license regardless; and,

xiii. Whereas, in light of the inconsistencies and gaps in the information and materials provided, and the substantial doubt such inconsistencies and omissions create as to what is being proposed, whether it is allowable by regulation, and what impacts it might have, the community board does not believe this application meets the criteria for issuance of a license as presented;

THEREFORE, BE IT RESOLVED that CB2, Man. recommends denial for **TXOKAO, d/b/a Haizea, 142 Sullivan Street 10012**, on its application seeking a Tavern Wine license; and

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

Vote: Unanimous, with 13 Executive Committee members in favor.

Carter Booth, *Chair*
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July 23, 2019

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 July 18, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

4. Bondi—75 Kenmare Street, LLC d/b/a Pending, 75 Kenmare St. 10012 (RW – Restaurant)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application for a new Restaurant Wine license to operate a new operation in their Sushi Restaurant chain in a brand new, mixed use, multi-story building (circa 1900) on Kenmare Street between Mulberry and Mott Streets; and,

ii. Whereas, the 9,700 sq. ft. premises on one floor has never previously been licensed or operated for eating and drinking, a certificate of occupancy is pending for this building; there will be 2 entrances/exits, and 1 bathroom; there will be a maximum occupancy of 73; and,

iii. Whereas, the Applicant presented petitions signed by 66 individuals, many of whom live or work in close proximity to the proposed restaurant; and,

iv. Whereas, premises will operate as a “sushi restaurant”, with one 23 seat sushi counter, there will be no patron tables, bar or patron seats other than the sushi counter, no TVs, all windows will be fixed and there will be no French doors installed, no outdoor areas for the service of alcohol and no sidewalk café; and,

v. Whereas, the applicant’s agreed upon hours of operation will be Sunday through Saturday from 11 AM to 11 PM, music will be quiet ambient background music only; and,

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

1. The premises will be advertised and operated as a Sushi Restaurant.
2. The hours of operation will be Sunday through Saturday from 11 AM to 11 PM.
3. The premises will operate a full-service sushi kitchen, with kitchen open and full menu items available until closing every night.
4. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
5. There will be no TVs.
6. The premises will not operate a backyard garden, or any outdoor area for commercial purposes, including a sidewalk cafe.
7. The premises will play quiet ambient recorded background music only.
8. Will not install French doors, operable windows, or open façades.
9. The premises will not have DJs, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
11. There will be no “bottle service” on the sale of bottles of alcohol except for the sale of bottles of wine products.
12. The premises will not permit dancing.
13. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the new Restaurant Wine license for Bondi -75 Kenmare Street, LLC d/b/a Pending, 75 Kenmare St. **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 13 Executive Committee members in favor.

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



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August 2019

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

Dear Sir/Madam:

At its Executive Committee meeting on August 20, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

5. 558 Broadway, LLC d/b/a Museum of Ice Cream, 558 Broadway 10012 (OP – Ice Cream Café)

i. Whereas, the applicant’s principals and applicant’s attorney appeared before Community Board 2, Manhattan’s SLA licensing committee to present an application for a new on-premise license to operate a café featuring alcohol-infused ice cream drinks; the licensed premises will be located on the ground floor only but will be located within a 3-story for profit commercial enterprise called the Museum of Ice Cream operating as an experiential art exhibition museum with a very small tertiary retail component occupying the whole 2-story building including basement at 558 Broadway between Prince and Spring Streets which is a block through building with additional frontage and access from Crosby Street, the premises is previously unlicensed, the building constructed in 1920 and located in the SoHo-Cast Iron Historic District;

ii. Whereas, the premises is located within a unique zoning district designated M1-5B which has certain restrictions on allowable uses including eating and drinking, interactive entertainment, museums and non-profit art galleries and amusements among other restrictions, certain additional special permits being required for some restricted uses; it being not clear or presented what use the Museum of Ice Cream would operate under; the applicant’s definition of museum differing from the conventional definition of museum commonly found; the applicant was provided an opportunity to present their own definition understanding this being a new concept, but was unable to succinctly explain their own definition of “museum”; and,

iii. Whereas, the interior proposed licensed area of the 2-story premises is 3,715 sq. ft., all on the ground floor, consisting of a lobby café and gift shop accessible to the public with 1 bar and 4 seat, and an additional bar with zero (0) seats in the exhibition tour waiting area in the back of the building, as well as the hallway connecting the two; and, said tour waiting area where the 2nd bar is located is accessible only to patrons with tickets for the size limited, timed tours of the exhibit departing every 15 minutes; and, no food or drink would be permitted in the adjacent exhibition; and, applicant presented a Certificate of Occupancy indicating that the allowable use throughout the building is limited to use group 10 retail; the applicant indicated their intent to seek NYC Dept. of Buildings approval to change serving areas on the ground floor to use group 6 eating and drinking conceding that said uses were not allowed under use group 10, but could not explain what changes would be made to other areas in the building, the use as presented as a museum not allowed under use group 10; this being an important factor in considering public interest as the café would not be able to exist without the Museum of Ice Cream, but the Museum of Ice Cream could exist independent of the Café and permits are not in place for the operation of a museum; and,

Whereas, applicant stipulated that all liquor will be sold and served only as ingredients in mixed ice cream drinks and never separately, although beer and wine might be available separately; and there would be no takeaway service of food or drink; and further stipulated that entry to the establishment would stop by 10 PM daily, with all patrons and staff exiting the premises by 12 AM daily; and also that there would be no queuing outside on the street for entry at any time; and that Crosby Street doors would be used as staff entrances only, and all doors and windows will remain closed at all times; and that no new operable windows or opening façades would be installed; and that there would be no televisions in the licensed areas; and,

Whereas, the committee heard from 18 neighborhood residents at the hearing in opposition to the granting of the license and 1 resident in support; a petition in support was presented and 4 letters in opposition were received; specific concerns expressed in opposition focused on the initial request for a 2 AM closing time (revised by the time of the hearing), concern about the potential for long waiting lines based on the experience of other cities where “Museum of Ice Cream” exhibits have opened, the licensing of such a large, previously unlicensed space at a time when location with a history of licenses are vacant and available in the vicinity; a general concern about the transformative power of licensing such an establishment on the character of the neighborhood; and,

Whereas, a further concern was heard from the community that the mixing of Ice Cream and alcohol at what is presented as a family-friendly attraction was not in the interests of public health and conduct in light of the obesity epidemic, the minimum drinking age, and prevalence of binge-drinking among young people, and

Whereas, there are additional concerns that this use is beyond the typical restaurant or tavern uses and that the complex zoning regulations in this area warrant specific confirmation by the SLA with the New York City Department of Buildings Manhattan Borough Office prior to any approvals by the SLA that the primary museum use of this premises is permitted in light of the fact that the café could not operate independent of the museum use; this being significant in that in order to challenging non-conforming use with the New York Department of Buildings, said use needs to be established first; and,

Whereas, the “Museum of Ice Cream” has been successful at another location in CB2, Man. without a liquor license, as well as in multiple other locations throughout the United States without alcohol, and the exhibition can clearly exist without spiked ice cream drinks at the snack bar, but the opposite isn’t true: A proposal for a café specializing in ice cream infused cocktails, with a limited food menu, in a previously unlicensed location would not be viable nor would it be in the community interest; and,

Whereas, the crowds attracted by other locations of the “Museum of Ice Cream” across the U.S. create serious doubts about the ability of the applicant to implement their good faith promise to prevent street queuing on this increasingly crowded stretch of Broadway;

THEREFORE, BE IT RESOLVED that CB2, Man. recommends denial of the new on-premises liquor license application for **558 Broadway, LLC d/b/a Museum of Ice Cream, 558 Broadway 10012**; and

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

Vote: Unanimous, with 13 Executive Committee members in favor.

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
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August 2019

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

Dear Sir/Madam:

At its Executive Committee meeting on August 20, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

6. Compass Group USA, Inc. d/b/a N/A, 110 West 3rd Street 10013 (OP – Catering Facility for Private Events Only)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Committee #2 to present an application to the NYS Liquor Authority for the transfer to it of an existing On-Premise License currently held by New York University Law School (SN: 1022647) to enable the Applicant to provide alcoholic beverages as part of the catering services it has contracted to provide to New York University Law School (NYU Law);

ii. Whereas, the catering facility will be operated under new management but will continue to function as an in-house provider of food and drink services for private, invitation-only events hosted by NYU Law on university premises; and,

iii. Whereas, the Applicant will provide catering services at the instruction of NYU Law for on-site university-sponsored events scheduled between the hours of 7:00 AM to 12:00 AM seven (7) days a week; and,

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

1. The Applicant will operate a full-service catering facility on the NYU Law premises.
2. The Applicant's hours of operation will be 7:00 PM to 12:00 AM seven (7) days a week.

3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of the premises to be operated in that manner.
4. Will not operate a backyard garden or any outdoor area for commercial purposes.
5. Will play quiet ambient recorded background music only; no music will be audible in any adjacent residences at any time.
6. Will not install or utilize French doors, operable windows or open facades.
7. Will comply with the NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
8. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine and beer products.
9. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
10. Will not have any of the following: dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, or velvet ropes or metal barricades.
11. Catering services will be for private, invitation-only events at NYU Law School.
12. All events will end by 10 PM.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the transfer of the op-premises license to Compass Group USA, Inc., 110 West 3rd Street, 10012 **unless** the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA On-Premise License.

Vote: Unanimous, with 13 Executive Committee members in favor.

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



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

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August 2019

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

Dear Sir/Madam:

At its Executive Committee meeting on August 20, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

7. Compass Group USA, Inc., 40 Washington Square South, 10012 (OP – Catering Facility for Private Events Only)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Committee #2 to present an application to the NYS Liquor Authority for the transfer to it of an existing On-Premise License currently held by New York University (SN: 1022657) to enable the Applicant to provide alcoholic beverages as part of the catering services it has contracted to provide to New York University (NYU Law);

ii. Whereas, the catering facility will be operated under new management but will continue to function as an in-house provider of food and drink services for private, invitation-only events hosted by NYU Law on university premises; and,

iii. Whereas, the Applicant will provide catering services at the instruction of NYU Law for on-site university-sponsored events scheduled between the hours of 7:00 AM to 12:00 AM seven (7) days a week; and,

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

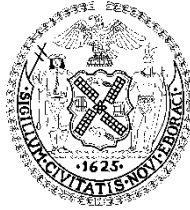
1. The Applicant will operate a full-service catering facility on the NYU Law premises.
2. The Applicant’s hours of operation will be 7:00 PM to 12:00 AM seven (7) days a week.

3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of the premises to be operated in that manner.
4. Will not operate a backyard garden or any outdoor area for commercial purposes.
5. Will play quiet ambient recorded background music only; no music will be audible in any adjacent residences at any time.
6. Will not install or utilize French doors, operable windows or open facades.
7. Will comply with the NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
8. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine and beer products.
9. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
10. Will not have any of the following: dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, or velvet ropes or metal barricades.
11. Catering services will be for private, invitation-only events at NYU Law School.
12. All events will end by 10 PM.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the transfer of the op-premises license to Compass Group USA, Inc., 40 Washington Square South, 10012 **unless** the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA On-Premise License.

Vote: Unanimous, with 13 Executive Committee members in favor.

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



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

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August 2019

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

Dear Sir/Madam:

At its Executive Committee meeting on August 20, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

8. **Restaurant Associates d/b/a N/A, 100 Avenue of the Americas, Floors 2-16, 10013 (OP – Catering Facility for Private Events Only)**

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Committee #1 to present an application to the NYS Liquor Authority for a new On-Premise License to enable the Applicant to provide alcoholic beverages as part of the catering services it has contracted to provide to Two Sigma Investments, LP (Two Sigma); and,

ii. Whereas, the catering facility will be operated under new management but will continue to function as an in-house provider of food and drink services for private, invitation-only events hosted by Two Sigma on company premises; and,

iii. Whereas, the Applicant will provide catering services at the instruction of Two Sigma for on-site company-sponsored events scheduled between the hours of 7:00 AM to 12:00 AM seven (7) days a week; and,

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

1. The Applicant will operate a full-service catering facility on the Two Sigma premises.
2. The Applicant's hours of operation will be 7:00 PM to 12:00 AM seven (7) days a week.

3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of the premises to be operated in that manner.
4. Will not operate a backyard garden or any outdoor area for commercial purposes.
5. Will play quiet ambient recorded background music only; no music will be audible in any adjacent residences at any time.
6. Will not install or utilize French doors, operable windows or open facades.
7. Will comply with the NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
8. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine and beer products.
9. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
10. Will not have any of the following: dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, or velvet ropes or metal barricades.
11. Catering will be for private, invitation-only events at Two Sigma Investments, LP.
12. All events will end by 10 PM.
13. There will be no service on any terraces, patios, rooftops, or other exterior spaces.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the transfer of the op-premises license to Restaurant Associates d/b/a N/A, 100 Avenue of the Americas, Floors 2-16, 10013 **unless** the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA On-Premise License.

Vote: Unanimous, with 13 Executive Committee members in favor.

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



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

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August 2019

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

Dear Sir/Madam:

At its Executive Committee meeting on August 20, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

9. Restaurant Associates d/b/a N/A, 101 Avenue of the Americas, Floors 15-23, 10013 (OP – Catering Facility for Private Events Only)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Committee #1 to present an application to the NYS Liquor Authority for a new On-Premise License to enable the Applicant to provide alcoholic beverages as part of the catering services it has contracted to provide to Two Sigma Investments, LP (Two Sigma); and,

ii. Whereas, the catering facility will be operated under new management but will continue to function as an in-house provider of food and drink services for private, invitation-only events hosted by Two Sigma on company premises; and,

iii. Whereas, the Applicant will provide catering services at the instruction of Two Sigma for on-site company-sponsored events scheduled between the hours of 7:00 AM to 12:00 AM seven (7) days a week; and

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

1. The Applicant will operate a full-service catering facility on the Two Sigma premises.
2. The Applicant's hours of operation will be 7:00 PM to 12:00 AM seven (7) days a week.

3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of the premises to be operated in that manner.
4. Will not operate a backyard garden or any outdoor area for commercial purposes.
5. Will play quiet ambient recorded background music only; no music will be audible in any adjacent residences at any time.
6. Will not install or utilize French doors, operable windows or open facades.
7. Will comply with the NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
8. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine and beer products.
9. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
10. Will not have any of the following: dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, or velvet ropes or metal barricades.
11. Catering will be for private, invitation-only events at Two Sigma Investments, LP.
12. All events will end by 10 PM.
13. There will be no service on any terraces, patios, rooftops, or other exterior spaces.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the transfer of the op-premises license to Restaurant Associates d/b/a N/A, 101 Avenue of the Americas, Floors 15-23, 10013 **unless** the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA On-Premise License.

Vote: Unanimous, with 13 Executive Committee members in favor.

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



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

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August 2019

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

Dear Sir/Madam:

At its Executive Committee meeting on August 20, 2019, 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:

10. CGM LLNR, LLC d/b/a Asia De Cuba, 415 Lafayette St. 10003 (OP – Restaurant/Lounge) (relocate bar and change layout) (method of operation change with downstairs lounge, live music, DJs, Comedy/spoken word performance and new food concept)

Whereas, prior to the CB2, Manhattan's SLA Licensing Committee #1 Meeting on August 6th, 2019 the Applicant requested **to layover** this application to September/2019 and requested to adjourn and submit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **CGM LLNR, LLC d/b/a Asia De Cuba, 415 Lafayette 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 13 Executive Committee members in favor.

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



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

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August 2019

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

Dear Sir/Madam:

At its Executive Committee meeting on August 20, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

11. 20X Hospitality, LLC d/b/a Spicy Moon Vegan Szechuan, 68 W. 3rd St. 10012 (OP – Restaurant)

Whereas, prior to the CB2, Manhattan's SLA Licensing Committee #1 Meeting on August 6th, 2019 the Applicant requested **to layover** this application to September/2019 and requested to adjourn and submit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **20X Hospitality, LLC d/b/a Spicy Moon Vegan Szechuan, 68 W. 3rd 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 13 Executive Committee members in favor.

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



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

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August 2019

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

Dear Sir/Madam:

At its Executive Committee meeting on August 20, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

12. TMSI, Inc. and USE LX LLC, 412 W. 14th St. 10014 (Alteration to Existing OP—Lexus Gallery and Restaurant)

i. Whereas, the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for an alteration to an existing on-premise liquor license for a "boutique gallery" that is a "space where people can experience the Lexus brand without getting behind the steering wheel of a Lexus vehicle"; the space consists of a vehicle display area, modest exhibition and event space complimented by a contemporary restaurant, sitting area and café; and,

ii. Whereas, the licensee has been operating at this location since 2016, the alteration requested is to convert a food counter located on the 1st floor into a stand-up bar and to permit the service of beer and wine on the first floor; and,

iii. Whereas, the licensed premises is located in a commercial area located on 14th Street between Ninth Avenue and Washington St. in roughly 16,500 sq. ft. across three floors; and after the alterations take place there will be a total of 36 tables and 74 seats, 2 bars with 14, with 13 counter seats for a total of 101 seats, there will continue to be no licensed exterior/outdoor space; and,

iv. Whereas, the hours of operation will continue to be from 7 am to 12 am seven days a week, for day to day operation of the public space, music will be quiet background only, for events there may be a DJ with music volumes at entertainment levels and live music, there will be private events and there may be scheduled performances, there will be no "promoted" events; and,

v. Whereas, the first floor contains a café, garage gallery and retail space which is 1,707 sq ft and will have one food counter/bar with 15 stools, 5 counter seats and 5 tables and 20 seats for the service of beer and wine only, the hours of operation will be from 7 am to 10 pm Sunday through Thursday, 7 am to 12 am Fridays and Saturdays except for private events, as all events will end by 11 pm; the second floor will consist of a restaurant, 2,086 sq ft and will have 54 seats and 17 tables, 1 standup bar with 14 bar stools and 8 additional counter seats, the hours of operation of the second floor will continue to be from 11 am to 12 am; the third floor will consist an event space, flexible community space and office space, the event space is roughly 1,236 sq ft with all events ending by 11 pm; and,

vi. Whereas, the applicant performed community outreach and met with local residents as to their alteration application, one member of the community appearing with the agreed upon modifications to the existing stipulations for the licensed premises; and,

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

1. The areas where food and beverages will be served are divided into 3 distinct spaces. No alcohol will be served before 10 am in any area. Food and beverage service will be provided according to the following:
 - a. 1st floor Café and Garage Gallery: 7 am to 10 pm Sunday through Thursday, 7 am to 12 am Fridays and Saturdays except for private/invitation events. All private/invitation events will end by 11 pm. Service will be limited to beer and wine unless there is a private/invitation event. Alcohol may be served at private/invitation only events.
 - b. 2nd Floor Restaurant & Bar: 11am-12am.
 - c. 3rd Floor Event Space will 11pm every night.
 - d. When used for/in conjunction with events, the 1st floor and/or 2nd floors will close at 11pm rather than 12am.
2. There will be no guest entry after 11pm.
3. All guests will leave all areas by 12am.
4. There will be no more than 350 guests at any one time between all 3 floors.
5. All food and beverage service/catering will be provided by Union Square Events.
6. All 3rd Floor events will be programmed/booked by Lexus/Toyota directly– when not programmed the 3rd floor Event Space will be closed
7. 3rd Floor office space will be used by the applicant and Lexus/Toyota-based associates. The flexible community space will be made available to community based organizations.
8. There will be no 3rd party promoters
9. There will be no bottle service
10. There will be no unlimited drink and unlimited food and drink specials.
11. Music will be quiet background from Ipod or similar device on all floors except during private/invitation-only events.
12. There will no DJs or live music on all floors except during private/invitation-only events.
13. All doors and windows will remained closed at all times.
14. There will be no queuing on the sidewalk
15. There will be no use of ropes or barricades
16. There will be no application for a cabaret license
17. There will be no application for a sidewalk café
18. There will be no application for alcohol service on the roof

19. There will be no transfer of the license; the on-premise license will be surrendered upon leaving the space.
20. Signs will be posted adjacent to the main entrance advising patrons to "Please respect our neighbors by lowering your voice", or similar language.
21. There will be a refrigerated garbage room and all waste will be stored in an interior space before it is brought out for removal (exact time of removal will be coordinated with existing carting companies in conjunction with existing pick up routes).

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of an alteration to an existing on-premise liquor license for **TMSI, Inc. and USE LX LLC, 412 W. 14th St. 10014** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the "Method of Operation" on the SLA On Premise Liquor License.

Vote: Unanimous, with 13 Executive Committee members in favor.

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



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

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August 2019

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

Dear Sir/Madam:

At its Executive Committee meeting on August 20, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

13. Moonblu, Inc. d/b/a Seabird, 361 6th Ave. 10014 (RW – Alteration to add service to Sidewalk Cafe)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Committee to present an application to the NYS Liquor Authority for an alteration of its existing Restaurant Wine license to alter its existing method of operation as a full-service Restaurant to add beer and wine service to its exterior sidewalk café located directly in front of the licensed premises; and,

ii. Whereas, other than the above-referenced requested change, the storefront premises will continue to operate as a full-service restaurant specializing in seafood, sandwiches and hamburgers within a corner storefront (approximately 1,350 sq. ft. with 14 tables and 28 seats on the interior, 1 stand up bar with no seats and 1 food counter with 3 seats, for a total of 31 seats on the interior, the storefront being located within a mixed use 4 story brick townhouse building on Sixth Avenue at the corner of Washington Place, the building (circa 1910) falling within NYC LPC's designated Greenwich Village Historic District; and,

iii. Whereas, the licensed premise has operated with this owner-operator (Elizabeth Green) since 2013, the hours of operation for the interior premises will continue to be Sundays 11AM to 10PM, Monday through Thursday from 11AM to 11PM, Fridays and Saturdays from 11AM to 12AM, there are existing operable doors along the front facade, along with a sidewalk cafe but no other outdoor areas for the service of alcohol; there is also an existing certificate of occupancy; and,

iv. Whereas, there will be occasional live music performance in the interior premises, the live music will be limited to acoustical jazz/classical/folk without horns or drums, all music will be performed within the interior of the premises and all doors and windows will be closed at all times during any and all live music performance, the hours for such music will be between 7PM and 10PM during the evenings or between 1PM and 3PM on the weekends, there will be no DJs, no promoted events, no private parties, no cover fees, no velvet ropes, no moveable barriers or TVs, and music (other than during live performance will be background only consisting of iPod/CDs and only passively arranged music; and,

v. Whereas, two neighbors appeared to voice their concerns about loud, live jazz band music emanating from the storefront premises in the recent past with the doors of the premises wide open, the music being unreasonably loud and heard from a block away from the storefront premises; and,

vi. Whereas, the Applicant conceded that she has had live jazz performances at the premises, with small bands to compliment the dining atmosphere but agreed in the future to be more considerate subject to her agreed upon stipulations as it relates to live performances within the interior of the premises; and,

vii. Whereas, the Applicant executed a new stipulations agreement with CB2, Man., stipulations which he agreed would continue to be attached and incorporated into the method of operation on the existing Restaurant Wine license in the future, and those stipulations are as follows:

1. The premises will be advertised and operated as a full-service restaurant specializing in seafood, burgers and sandwiches.
2. The hours of operation will be Sundays from 11 AM to 10 PM, Monday through Thursday from 11AM to 11PM, Fridays and Saturdays from 11AM to 12PM.
3. The premises will operate with two televisions but 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 permit dancing.
5. The premises will play quiet ambient recorded background music only, except when occasional live acoustical music played within the interior premises.
6. Live music will be acoustical only, without horns or drums between the hours 7PM and 10PM or between the hours of 1PM and 3PM on the weekends and all doors and windows will be closed during all live music performances.
7. When live music is not being performed, music will be background only and doors/windows will be closed by 10 PM during the week and by 11 PM on Fridays and Saturdays.
8. The premises will not have DJs, promoted events, any event where a cover fee is charged or any scheduled performances.
9. There will be no pitchers of beer and no all you can eat/drink specials or boozy brunches.
10. There will be no bottle service or the sale of bottles of alcohol except for the sale of beer products.
11. The licensed sidewalk café will close by 11 PM on Sundays, by 11 PM Monday through Thursday and by 12 AM on Fridays and Saturdays.
12. There will be no velvet ropes or metal barricades, security personnel or a doorman on the sidewalk.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the alteration application for an existing Restaurant Wine license to **Moonblu, Inc. d/b/a Seabird, 361 6th Ave. 10014** unless the statements of the Applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on the Restaurant Wine License.

Vote: Unanimous in favor (5-0)

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



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

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August 2019

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

Dear Sir/Madam:

At its Executive Committee meeting on August 20, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

14. Sushi Nakazawa, LLC, d/b/a Sushi Nakazawa, 23 Commerce St. 10014 (RW—Alteration to add additional storefront

i. Whereas, the Applicant appeared with his Attorney before Community Board 2, Manhattan’s SLA Licensing Committee to present an application for an alteration to add a second, adjoining storefront to an existing Restaurant Wine license; the restaurant will continue to operate as a high-end sushi restaurant previously described as a “family restaurant which will serve Japanese food”; and,

ii. Whereas, this storefront location has an extensive licensing history, which first appeared before CB2, Man. in July 2013, prior to 2013 the original premises was previously unlicensed and occupied as a hair dresser which closed at 7PM; in June 2016 the Applicant appeared before CB2, Man. to present an identical alteration application to add to the existing premises the adjacent storefront, up until 2015 the space to be added through that alteration which was acquired in 2016 was operated as a clothing store with early closing hours, at which time CB2, Man. recommended denial of the alteration application and notified the Liquor Authority of its recommendation; prior to this restaurant opening, there has never been any other licensed eating and drinking establishments on Commerce Street between 7th Avenue and Bedford Street and the street maintains a residential character and feel and is completely residential with the exception of the two storefronts sought to be combined and a small adjacent storefront in the same building; and,

iii. Whereas, the original premises is within a mixed-use building located on Commerce Street between 7th Ave and Bedford St for a roughly 1,200 sq. ft. premise on two floors (600 sq. ft. ground floor, 600 sq. ft. basement) with accessory use in the basement which has 10 tables with 2 seats each (20 seats), and a sushi bar with 10 seats, the space that is the subject of the alteration applications (now and in June 2016) is

a separate storefront with 368 sq. ft. with one standup bar with 6 seats and one interior banquet/bench with 6 seats; the total seats including the alteration application portion is 42 seats, there will continue to be one service bar in the original premises, there is no sidewalk café and no outdoor areas for patrons because the use is not permitted, there is no full service kitchen or stove, there is no Certificate of Occupancy, but the applicant previously stated the maximum allowable occupancy for the original space is 30 and a letter of no objection exists for the establishment presented in 2019 permitting eating and drinking without open-flame cooking at 23 Commerce, but the letter of no objection did not represent the storefront to be combined at 19 Commerce and there are numerous building department filings, as well as unresolved building code violations and fines issued to the storefront premises as it relates to an illegally performed combination of the two storefronts from 2019, as well as still other alterations and changes before and after 2016, which took place without building or landmarking permits being requested, as it all relates to the combination of the two landmarked storefronts by breaking through a party wall between the two storefronts with separate addresses; and,

iv. Whereas, the hours of operation will continue to be 5 p.m. to 12 a.m. (midnight) 7 days a week (all patrons will be cleared and no patrons will remain after stated closing times), music will be quiet background only consisting of music from ipod/CDs (i.e. no active manipulation of music – only passive prearranged music), there are no operable French doors or windows, there will be no DJ, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no T.V.'s; and,

v. Whereas, Commerce Street between 7th Avenue and Bedford Street is very narrow street with parking on one side only and one travel lane, located in a purely residential block in the heart of a Historic District in the West Village; and

vi. Whereas, the Applicant was willing to execute a stipulations agreement substantively the same as what currently exists for their existing license with CB2, Man. albeit with the additional storefront, and those stipulation are as follows:

1. Premises will continue to be advertised and operated as a high-end sushi restaurant.
2. The hours of operation will be from 5 PM to 12 AM 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 or patron seating, 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 any time.
8. The premises will not have DJs, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The Premises will not have French doors, operable windows or open facades and will maintain all existing doors/windows in a fixed, closed position at all times.
10. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
11. There will be no “bottle service” on the sale of bottles of alcohol except for the sale of bottles of wine products.
12. The premises will not permit dancing

13. Will appear before Community Board #2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
14. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
15. Garbage will be placed on the street just prior to pick-up given the nature of the organic fish waste and will take all steps to make sure garbage is properly sealed.
16. Licensee will continue to use existing food preparation layout and will not build or operate a full-service kitchen.
17. Applicant will not alter or build a new HVAC system for the premises and continue to use the system, which currently exists.

vii. Whereas, the prior identical alteration application from 2016 was never approved at the NYSLA and in March 2017, the NYSLA recommended a denial of a previous application to upgrade to OP made at the premises until all violations were remedied. (NEW YORK RW 1272297 - Alteration Agenda# 2017-00578), those violations relating to the combination and exterior renovations performed without permits in combining the two storefronts, which remain unresolved at this time with no certificate of occupancy having been filed; there are also new violations for additional work to the premises without work permits, yet again, none of which the Applicant was willing to explain, requiring denial of this particular Application; and

viii. Whereas, the Applicant's previous explanations for the illegal alterations and combination of the two storefronts in the landmarked buildings in 2016 were not credible, the explanation being that when he entered into a new lease for the newly acquired storefront in Jan/2016 he had not planned to change the additional storefront, but that when he went to perform cosmetic work on the storefront of the newly acquired space, it collapsed because of the awful condition of which he was unaware creating dangerous conditions that could have endangered the lives of passersby and children, this required his decision to immediately demolish and replace the existing storefront without informing the New York City Department of Buildings or filing for any Landmark permits; the applicant had no photographs of this dangerous condition; he further stated that he could do nothing about vehicular traffic related to his patrons or address parking issues from his patrons, that he was in the process of correcting the Landmarks violations for the new storefront; thereafter he did not address the Landmark violations which were received for work performed during the initial construction of the existing storefront without permits; he stated he had not served beer and wine or alcohol in the newly acquired space or allowed patrons to consume alcohol in the newly acquired space despite observations to the contrary and he was unable to properly address that the New York City Landmark Preservation Commission had rejected their application to legalize the illegally performed work done without permits or filings; and,

ix. Whereas, the numbers of unresolved and/or unexplained complaints, violations and objections from 2016 include **(1)** the newly acquired space was added to the existing premises including partition work to combine two storefronts altering the ground floor of the premises illegally without obtaining any NYC Department of Building Permits of any kind, **(2)** multiple Landmarks violations issued to the applicant including altering the storefront and adding improper awnings without permits and replacing the storefront and adding additional improper awnings without permits, **(3)** applications to legalize the improper landmarks violations had been rejected, and **(4)** the licensee has been improperly serving beer and wine in the newly acquired space prior to being incorporated into the licensed premises; and,

x. Whereas, the more recent building code violations and unresolved and/or unexplained complaints and objections include **(1)** "work that does not conform to approved construction documents" from January/2017 (035138177P), this new violation relating to the Applicant's illegal work in 2016, still unresolved, due to "the removal of fire rated barrier wall to combine 2 commercial spaces", resulting in

finer but again without any recorded compliance relating to the illegal conversion from 2016, (2) a “failure to maintain building in code-compliant manner” (035356253N) from January/2019 due to improperly installed storm enclosure at the front of the licensed premises resulting in fines but without any recorded compliance, (3) “working without a permit” (0390033771P) from June 3, 2019 resulting in fines but without any recorded compliance, (4) “unlawfully continued work while on notice of a stop work order” from June 11, 2019 (35382126J) resulting in fines, albeit fines at a much greater amount but again without any recorded compliance, (5) “unlawfully continued work while on notice of a stop work order” from June 13, 2019 (035432702L) again resulting in fines but without any recorded compliance and (6) “tampered with, removed or defaced written posted stop work order” from June 21, 2019 (035382134J) once again resulting in fine without any recorded compliance, the Applicant acknowledging paying \$18,000 in fines, the stop work order and multiple failures to comply with the stop work order based on observation made June/2019 by the NYC Fire Department and NYC Building Department, renovations being observed with “many holes in the ceiling and remove the fire protection board and few electric work and new plumbing pipe observed” all without permits; and,

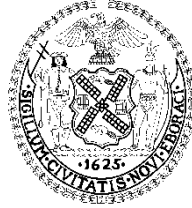
xi. Whereas, the Licensee and Applicant was not willing to confront and explain of the recent construction work performed on the premises without permits and indicated by paying the fines he had essentially complied with the violations even though no compliance from the original building violations in 2016 have ever been corrected, the Applicant instead trying to resolve those prior violations by working without any building permits, the failure to obtain building permits being the focus of his violations in 2016 as well, the Applicant demonstrating a gross indifference to the law by repeatedly ignoring and violating building and landmarking laws for personal and financial gain; and,

THEREFORE, BE IT RESOLVED that CB2, Man. recommends denial of the alteration application to an existing restaurant wine for **Sushi Nakazawa, LLC, d/b/a Sushi Nakazawa, 23 Commerce St. 10014**; and,

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

Vote: Unanimous, with 13 Executive Committee members in favor.

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



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

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August 2019

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

Dear Sir/Madam:

At its Executive Committee meeting on August 20, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

15. Entity to be formed by Roberto Passon, d/b/a Ariccia, 14 Bedford St. 10014 (Tavern Wine – Café)

i. Whereas, the Applicant and the Applicant's Representative appeared before Community Board 2, Manhattan's SLA Licensing Committee to present an application to the Liquor Authority for a new tavern wine application within a ground floor storefront location where no eating and drinking use has previously existed, the prior business operating thereat being a bakery, in a residential zoned neighborhood with no commercial overlay for a new tavern wine license for a "small Italian restaurant/cafe serving small plates (tapas), salads, panini sandwiches, Italian coffee, wine and other beverages" in a building with a grandfathered commercial use constructed in 1903; and

ii. Whereas, this storefront to be licensed is located midblock on Bedford Street between 6th Avenue and Downing Street, the building falling within the designated NYC LPC's Greenwich Village Historic District, in a roughly 250 sq. ft premise with 7 tables and 14 table seats, and 1 standup bar with 5 seats; a letter of no objection was presented to CB2 dated April 14, 2009 addressed to the New York State Liquor Authority, however, that letter was written in regards to another commercial space in the same building and not this space, which has never been previously licensed; and,

iii. Whereas, the hours of operation will be Sunday to Saturday from 8AM to 10PM (no patrons will remain after closing time) every day/night; music will be quiet background only consisting of music from iPod/CDs (i.e. no active manipulation of music – only passive prearranged music), all doors will remain closed at all times and there will be no operable windows, there will be no DJ, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. Whereas, the Applicant signed and notarized a stipulations agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated into the method of operation on the new tavern wine license which includes the following:

14. The premises will be advertised and operated as a tapas café with less than a full-service kitchen but will serve food during all hours of operation.
15. The hours of operation will be Sunday through Saturday from 8 AM to 10 PM every day/night.
16. 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.
17. Will not seek to upgrade to On Premise license at location at any time in future.
18. There will be no TVs.
19. The premises will not operate a sidewalk café now or in the future (not permitted).
20. The premises will play quiet ambient recorded background music only.
21. All windows and doors will remain fixed and closed at all times.
22. Will not operate a backyard garden or any outdoor area for commercial purposes.
23. Will not install or have French doors, operable windows or open facades.
24. Will not make changes to the existing façade except to change signage or awning.
25. The premises will not have DJs, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
26. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
27. There will be no “bottle service” on the sale of bottles of alcohol except for the sale of bottles of wine products.
28. The premises will not permit dancing
29. Will operate as stand-alone business and will not operate in conjunction with any other establishment operated by licensee or principals of licensee.
30. Will make all reasonable efforts to prevent patrons from congregation outside in front of premises and to work with surrounding community to keep all noise impacts from patrons inside of premises.
31. Will appear before Community Board #2 prior to submitting any changes to any stipulation agreed to herein.
32. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.

v. Whereas, the principals of the Applicant, Roberto Passon and Tanya Passon, also own and operate a number of restaurants including several located within CB2, Man. including Cordino at 62 Carmine Street, Cotenna located at 21 Bedford St. directly across the street from this premises and Aria located at 117 Perry Street, the Applicants presenting a petition in support, one local neighbor living from down the block and two business owners, including a current member of CB2, Man., appeared in support, vouching for the integrity and sincerity of the Applicants based on previous business relationships with the Applicants; and,

vi. Whereas, by way of explaining the history of this location in terms of liquor licensing, an application by this same Applicant was originally presented to CB2, Man. in March/2017 as a Restaurant On-Premise Liquor License, the CB2’s SLA Licensing Committee recommended unanimously not to approve the license as it did not establish a “public interest” subject to the 500 foot rule; the Applicant withdrew that application and resubmitted a Restaurant Wine application in April 2017 at which time CB2, Man. unanimously voted on the RW application to recommend not to approve the RW license, and thereafter the Applicant submitted a new 30 day notice for an OP Liquor License but subsequently withdrew that application again and proceeded to the NYSLA with its RW application that when later evaluated and

reviewed by the full Board of the NYSLA, agreed with the position taken by CB2, Man. and denied the RW application due to the significant opposition in the neighborhood and many concerns advanced as it relates to the licensing of this location, the Applicant at that time advancing that the plan for the premises to be licensed was to help relieve the overcrowding of the other restaurant they own and operate across the street called Cotenna which operates until 12AM; they stated that by opening this new location (14 Bedford) across the street, it would take people from waiting there off the street; and,

vii. Whereas, the Bedford-Downing Block Association and a number of local residents (5), who live in the immediately adjacent buildings on the block to the storefront, appeared, and many others wrote letters in strong opposition and stated that nothing has changed from 2017 when this same Applicant made an identical application for this same location which was denied at the NYSLA for reasons that still exist, this is a small neighborhood block in the West Village which has radically transformed in the last 20 years from having one eating & drinking establishment to having almost all the grandfathered commercial storefronts become eating and drinking establishments; that this location has never been previously licensed or used as an eating and drinking establishment and that once licensed would preclude the more appropriate uses for the neighborhood including use as a gallery, bakery, hair salon, florist, or shoe repair; that the amount of property taxes generated from these small residential buildings on the block which are significant, should more than offset the need to license every single commercial storefront for the sale of alcohol of some sort with hours of operation that are beyond 11PM even on the weekends on this residential block; that this use is more suited in one of the many vacant premises on 6th, 7th Avenues and Carmine Street, all within the immediate area which are already built out and/or appropriately matched to this use including associated noise impacts; that the nature of the narrow streets and sidewalk simply cannot absorb another evening operation with the accessory impacts on quality of life; the Applicant already infringes on quality of life on the block through their operation located directly across the street which is a licensed on-premise restaurant; that this new use at 14 Bedford would simply be an overflow spot for Cotenna which would result in people going back and forth across the street between both premises creating an undue burden of noise by running both locations in concert; that this location would serve as a private dining and event space to the premises across the street creating a noise hardship when large groups enter and leave the space, those in opposition providing a picture demonstrating recent crowds of patrons standing on the sidewalk in front of Cotenna; and,

viii. Whereas, those in opposition also asserted that this Application clearly does not satisfy the “public interest” standard required by the 500 foot rule and that they were concerned that if a tavern wine license application is ultimately approved for this location it will be forever licensed and that such licensing will serve as a pretext for allowing the NYSLA (as it has repeatedly occurred in this area in the past escalating the number of licensed premises and causing the concerns voiced by the residentially zoned neighborhood being overwhelmed by new licenses in locations previously unlicensed) to state in the future that the beer and wine licensing forms some sort of legitimate basis for serving the “public interest” when there is no real standard to be met for beer and wine licensing; and,

ix. Whereas, in light of these concerns and attempting to rectify the situation knowing that it has already leased the storefront premises, the Applicant voluntarily put forth and affirmed to CB2 not to seek an upgrade of this license to an on premise license at any time in the future, further affirming that the premises would be operated as a stand-alone business and not in conjunction with Cotenna or any other establishment operated by licensee or principals of licensee and to take all reasonable efforts to prevent patrons from congregating outside in front of premises and to work with surrounding community to keep all noise impacts from patrons inside of premises;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the new Tavern Wine license for **Entity to be formed by Roberto Passon, d/b/a Ariccia, 14 Bedford St. 10014** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Tavern Wine License.

Vote: Unanimous, with 13 Executive Committee members in favor.

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



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

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August 2019

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

Dear Sir/Madam:

At its Executive Committee meeting on August 20, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

16. Omakase Room By Maaser, 321 Bleecker ST. 10014 (RW- Restaurant)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Committee #2 to present an application to the NYS Liquor Authority for a new SLA Restaurant Wine Liquor License to operate a "Japanese Restaurant, primary sushi place" at 321 Bleecker Street, between Grove and Christopher Streets, (Block 591/Lot 40) in Greenwich Village, at a previously unlicensed location in a C1-6/C4-5 zoned mixed-use district, within the designated NYC Landmarked Greenwich Village Historic District; and

ii. Whereas, the premises is approximately 420 sq. ft. on the ground-floor of the building; there will be a total of 21 seats (one table with 6 seats, plus one sushi bar with 15 seats); there is no sidewalk cafe, rear yard, rooftop, or other outside space that is used for commercial purposes related to the premises, and there will not be a sidewalk cafe in the future; the premises has one patron bathroom and one door used for patron ingress and egress; and

iii. Whereas, the Applicant's hours of operation are 11:00 AM to 12:00 AM seven days a week (no patrons will remain after the closing time); music will be quiet background only, not audible in surrounding residences, there will be no dancing, no DJs, no promoted events, no live music, no private parties, no scheduled performances or cover fees, and there will be no televisions; and

iv. Whereas, the Applicant will obtain either a Certificate of Occupancy or a Letter of No Objection from the NYC Department of Buildings indicating that the restaurant is a permitted use for the premises prior to issuance of the SLA Restaurant Wine Liquor License; and

v. Whereas, no one from the public appeared to testify in favor of, or in opposition to, the application, but SLA Committee #2 received email correspondence from a neighborhood resident who objected to the issuance of a SLA Restaurant Wine Liquor License because the premises is a previously unlicensed location on the immediate residential block that does not have any other SLA Liquor Licenses; and

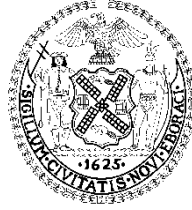
vi. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with CB, Man. which will be incorporated into the Method of Operation of the SLA Restaurant Wine Liquor License, with those stipulations with respect to the premises, as follows:

1. Premises will be advertised and operated as a Japanese Sushi Restaurant.
2. The hours of operation will be from 11:00 AM to 12:00 AM seven days a week.
3. Will operate with the kitchen open and the full menu available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions.
6. Will not operate a backyard garden or any outdoor area for commercial purposes.
7. Will not have a sidewalk cafe now or in the future.
8. Will not install operable French doors or windows that open out to the sidewalk.
9. Music will be quiet, ambient recorded background music only.
10. Will keep all doors & windows closed at all times except for patron entering and exiting.
11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. Will obtain either a Certificate of Occupancy or a Letter of No Objection from the NYC Department of Buildings prior to issuance of the SLA Restaurant Wine Liquor License
13. Will not make any changes to the existing facade, except to change signage or awning.
14. Will not offer unlimited drink, or unlimited food & drink specials (including no “boozy brunches”), nor will it sell pitchers of beer.
15. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine and beer products.
16. Will not have dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel or a doorman.
17. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of the new SLA Restaurant Wine Liquor License for **Omakase Room By Maaser, 321 Bleecker ST. 10014** **unless** the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA Restaurant Wine Liquor License.

Vote: Unanimous, with 13 Executive Committee members in favor.

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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August 2019

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

Dear Sir/Madam:

At its Executive Committee meeting on August 20, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

17. Entity to be formed by Elena Liao, d/b/a N/A, 32 Jones Street. 10014 (New OP – Restaurant)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Committee #2 to present an application to the NYS Liquor Authority for a new SLA Restaurant On Premise Liquor License to operate a “tea house themed restaurant serving Mediterranean/global Cuisine. In addition to a wide list of specialty tea available to guests by the pot” at 32 Jones Street, between Bleecker and West 4th Streets, (Block 590/Lot 20) in Greenwich Village; and

ii. Whereas, the premises is located in an R7-2/C1-5 zoned mixed-use district, within the designated NYC LPC’s Greenwich Village Historic District and at the former location of the previously licensed Cafe Vivaldi; and

iii. Whereas, the entire premises is approximately 1,225 sq. ft.; the ground-floor is approximately 775 sq. ft. and the basement (to which there will be no patron access) is approximately 450 sq. ft.; there will be a total of 35 interior seats (12 tables with 28 seats, plus one stand-up bar with 7 seats); in addition, the Applicant will file with NYC DCA for a license for an outdoor cafe of approximately 100 sq. ft. with not more than 6 tables and 12 seats; the premises has one patron bathroom and one door used for patron ingress and egress; and

iv. Whereas, the Applicant's hours of operation are Sunday through Wednesday 8:00 AM to 12:00 AM, and Thursday through Saturday 8:00 AM to 1:00 AM, provided that the sidewalk cafe will close by 10 PM Sunday through Thursday and 11 PM Friday and Saturday (no patrons will remain after the closing time, and all tables and chairs will be removed from the sidewalk cafe at closing time); music will be quiet background only, not audible in surrounding residences, there will be no DJ s, no promoted events, no live music, no private parties, no scheduled performances or cover fees, and there will be no televisions; and

v. Whereas, the Applicant has promised that the existing operable door to the premises will be the only door used for patron ingress and egress to the premises, and that it will make no changes to the exterior of the building except for new signage, and, if and when approved by the NYC LPC, making operable the side door closest to Bleecker Street to be used only as a service door for the proposed sidewalk cafe; and

vi. Whereas, the Applicant's Principals have operated a tearoom in the West Village since 2015, and this restaurant will serve a more extensive food menu than the tearoom and will be the first SLA licensed premises of the Applicant and its Principals; the Applicant has done considerable community outreach and has presented a petition with numerous signatures from members of the surrounding community, including a number of residents of Jones Street, and letters of support, and has obtained the support of the Central Village Block Association (CVBA); and

vii. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation of the SLA Restaurant On Premise Liquor License, with those stipulations with respect to the premises, as follows:

1. Premises will be advertised and operated as a full-service tea house themed restaurant.
2. The hours of operation will be from 8:00 AM to 12:00 AM. Sunday through Wednesday, and 8:00 AM to 1:00 AM Thursday through Saturday.
3. A sidewalk cafe will require NYC DCA approval and will be no more than 6 tables and 12 seats;
4. Any future sidewalk café, if DCA approved, will close by 10 PM Sunday through Thursday and by 11 PM Friday and Saturday (all tables & chairs will be removed at this hour).
5. Will operate with the kitchen open and the full menu available until closing every night.
6. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
7. Will not have televisions.
8. Will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk cafe).
9. Will not install operable French doors or windows that open out to the sidewalk.
10. Music will be quiet, ambient recorded background music only.
11. Will keep all doors & windows closed at all times except for patron entering and exiting.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
13. Will not make any changes to the existing facade, except to change signage or awning or operation of side door.

14. Will not offer unlimited drink, or unlimited food & drink specials (including no “boozy brunches”), nor will it sell pitchers of beer.
15. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine and beer products.
16. Will not have dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel or a doorman.
17. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

viii. Whereas, this application being subject to the 500 foot rule requiring the Applicant to establish a public interest, there being approximately 58 On Premise Liquor Licenses within 750 ft. of the premises, at least one additional pending license and an unknown number of beer and wine licenses, the stipulations agreed upon with CB2, Man. being the premise upon and pretext for which the Applicant is able to satisfy that statutory obligation;

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of the new SLA Restaurant On Premise Liquor License for an **Entity to be formed by Elena Liao, d/b/a N/A, 32 Jones Street. 10014** **unless** the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 13 Executive Committee members in favor.

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



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

COMMUNITY BOARD NO. 2, MANHATTAN

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August 2019

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

Dear Sir/Madam:

At its Executive Committee meeting on August 20, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

18. Banter West Village, LLC, d/b/a Banter, 643 Hudson Street (New OP Restaurant /Cafe)

I Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Committee to present an application to the NYS Liquor Authority for a new On Premise liquor license to operate a full service Australian restaurant/café serving health-conscious fare in an M1-5 zoned, four-story mixed-use building built in 1950 constructed on the west side of Hudson St. between Gansevoort St. and Horatio St. (Block #627/Lot #12) in Gansevoort historic district; and

ii. Whereas, the total premises to be licensed is approximately 1,300 sq. ft. The basement (to which will be no patron access) is approximately 650 sq. ft. and the ground floor is approximately 650 sq. ft.; there will be 12-15 tables with 30 seats; there will be a sidewalk café with no more than six (6) tables and 12 seats; the premises has one (1) restroom and one (1) entrance; this location was previously licensed for eating and drinking and the Applicant presented a Letter of No Objection for the operation of such an establishment with fewer than 74 persons on the ground floor of the premises; and

iii. Whereas, the Applicant's hours of operation are Sunday to Wednesday 8:00 AM to 11:00 PM, with the sidewalk café closing at 10:00 PM, and Thursday to Saturday 8:00 AM to 12:00 AM, with the sidewalk café closing at 11:00 PM, and all doors and windows closing by 9:00 PM; music will be quiet background only, not audible in surrounding residences, there will be no DJs, no promoted events, no live music, no

private parties, no scheduled performances or cover fees, no boozy brunch or unlimited food and drink specials, and no televisions; will use a notification system, such as text or Yelp Waitlist, to prevent patrons from gathering outside while waiting to be seated; and

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

v. Whereas, the Applicant has met with a number of people from the community, including multiple block associations and members of nearby 61 Jane Street and 643 Hudson Street, who presented letters of support; and

vi. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation of the new on premise liquor license, with those stipulations as follows:

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

vii. Whereas, this application being subject to the 500 foot rule requiring the Applicant to establish a public interest, there being approximately 35 On Premise Liquor Licenses within 750 ft of the premises, at least one additional pending license and an unknown number of beer and wine licenses, the stipulations agreed upon with CB2, Man. being the premise upon and pretext for which the Applicant is able to satisfy that statutory obligation;

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of a new OP Restaurant /Tavern license for **Banter West Village, LLC, d/b/a Banter, 643 Hudson Street** **unless** the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 13 Executive Committee members in favor.

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



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

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August 2019

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

Dear Sir/Madam:

At its Executive Committee meeting on August 20, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

19. An Entity Controlled by Eric Einstein, 117 7th Avenue South 10014 (New OP—Bar and Entertainment Venue)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing Committee to present an application to the Liquor Authority for on premise liquor license application within a large ground floor storefront location where no eating and drinking use has previously existed, the prior business operating for years at this location being a full service grocery store serving the community, to operate a bar with drag performance until 4 AM every night in a six-story mixed-use building on Seventh Avenue between Christopher and 10th Street, the building falling within the designated NYC LPC's Greenwich Village Historic District; and

ii. Whereas, this Application will require a gut renovation of the entire storefront, the licensed premise being roughly 2,700 sq. ft, the proposed interior occupancy being 150 patrons with 21 tables and 51 table seats, 1 standup bar with 18 seats and 8 additional drink rail seats, there will be a kitchen, a stage, multiple entry points, two bathrooms and a new staircase to an additional basement space, the Applicant not be sure whether the basement space would be occupied by patrons, there are tall ceilings existing and the plan is to open up the entire front façade of the building to expose the interior bar and entertainment space with the front sidewalk, there is also a sidewalk café extending from the open facades onto the sidewalk for an additional 9 tables with 18 patron seats on the exterior; and,

iii. Whereas, a certificate of occupancy was presented from 1971 which is no longer representative of this building as there have been significant renovations, including the addition of multiple residential upper floors and mechanical systems over the last 10 years, the most recent certificate of occupancy being a

temporary certificate from 2005 permitting a “physical culture establishment” but not eating and drinking, there being a health club located in the same building but no longer on the ground floor, with no architectural or renovation plans, including the installation of mechanical systems presented; and,

iv. Whereas, the hours of operation will be Sunday to Saturday from 11AM to 4AM every day/night; music will be entertainment level with live DJs and amplified music system with powered speakers, the Applicant stating that he will close the accordion/garage style doors by 10 PM, provide no plans to manage or address crowd control or traffic and there were no stated or presented plans for ropes, movable equipment or other outside equipment for patrons entering the bar and event space; and,

v. Whereas, the Applicant operates another late night bar with similar method of operation in the area and is already licensed to operate (but still under renovation) a second basement venue across and just down the street on 7th Avenue, a number of patrons from his other establishment appearing in support of this application, a petition with 16 signatures in favor being presented, CB2, Man. recognizing that the Applicant is a respected business operator within the Community, a Community whose existing character and history already benefits from the large number of eating and drinking establishments in the area serving the LGBTQ community from around the entire City and beyond; and,

vi. Whereas, despite being sympathetic to the Applicant and his plans to add another drag-event and late-night establishment to the area, there is already a significant number of such establishments in the immediate area where the new establishment is planned, the footprint of this location is large, the footprint can easily be expanded in the future by alteration and the addition of additional storefronts, there being other large locations in the immediate area and on the same Avenue previously licensed for the service of alcohol but are currently vacant, the immediate and more extended areas around this proposed establishment are already greatly saturated with late night drinking establishments until 4AM, there being 77 on premise licenses within 750 feet of the proposed premise, nine additional pending applications within the same area, not even counting the extensive number of beer and wine licenses and other vacant previously licensed storefronts in the area; and,

vii. Whereas, there was significant opposition to this application from the local block associations in the area, correspondence in opposition was received, neighbors appeared and spoke against the Application, including those representing a large 15-story building on Christopher Street, whose representative presented a petition signed by approximately 10 neighbors, and each dweller residing in the building, with concerns of late-night noise, the proposed late-night hours, the open facades and exterior sidewalk café being entirely inconsistent with a late-night bar and night entertainment location, the addition of late night traffic and revelers in an area already saturated with such concerns and impacts, there being additional concerns of an even larger venue by potential addition of an adjacent storefront, the loss of a full-service grocery store because the landlord failed to work things out with the prior tenant to continue the prior tenancy, the Applicant not establishing a public interest for adding yet another late night establishment at this location and to the neighborhood;

THEREFORE, BE IT RESOLVED that CB2, Man. recommends denial for **An Entity Controlled by Eric Einstein, 117 7th Avenue South 10014** on its application seeking a new OP license; and

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

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

Vote: Unanimous, with 13 Executive Committee members in favor.

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



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

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August 2019

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

Dear Sir/Madam:

At its Executive Committee meeting on August 20, 2019, 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:

20. 230 Varick Taco Bell, LLC, d/b/a Taco Bell Cantina, 230 Varick St. 10014 (New OP – Taco Bell Boozy Cantina concept - withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 8, 2019 the Applicant requested **to withdraw** this application for a new on premise liquor license from further consideration with the NYSLA and served a new 30 day notice for a restaurant wine license, agreeing to appear before CB2 Manhattan for such restaurant wine application in September/2019;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed liquor license, corporate change, alteration, transfer or other application for **230 Varick Taco Bell, LLC, d/b/a Taco Bell Cantina, 230 Varick 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 13 Executive Committee members in favor.

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



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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 Executive Committee meeting on August 20, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

21 New Istanbul Grill Corp. d/b/a N/A, 310 West 14th St. 10014 (RW – laid over)

Whereas, before this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 8, 2019 the Applicant requested to layover this application to September/2019 and requested to adjourn and submit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any type of proposed on premise liquor license, corporate change, alteration, transfer or other changes to the existing license for **New Istanbul Grill Corp. d/b/a N/A, 310 West 14th 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 13 Executive Committee members in favor.

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



Antony Wong, *Treasurer*
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August 2019

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

Dear Sir/Madam:

At its Executive Committee meeting on August 20, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

22. VV&V Brothers 95 7th Ave. South Corp. d/b/a N/A, 95 7th Ave. South 10014 (Transfer of OP-laid over)

Whereas, before this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 8, 2019 the Applicant requested **to layover** this application to September/2019 and requested to adjourn and submit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, corporate change, alteration, transfer or other changes to the existing license for **VV&V Brothers 95 7th Ave. South Corp. d/b/a N/A, 95 7th Ave. South 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 13 Executive Committee members in favor.

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
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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 Executive Committee meeting on August 20, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

23. Professional On-Site Management, Inc. d/b/a Sixth Avenue Tavern, 102 Washington Pl. 10014 (OP – Bar/Tavern with live music/Comedy performance and sidewalk cafe) (laid over to Oct.)

Whereas, before this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 8, 2019 the Applicant requested **to layover** this application to October/2019 and requested to adjourn and submit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, corporate change, alteration, transfer or other changes to the existing license for **Professional On-Site Management, Inc. d/b/a Sixth Avenue Tavern, 102 Washington Pl. 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 13 Executive Committee members in favor.

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
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August 2019

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

Dear Sir/Madam:

At its Executive Committee meeting on August 20, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

24. 161 W4 Hospitality, LLC d/b/a TBD, 161 W. 4th St. 10014 (New OP – Café and Cocktail Bar) (laid over)

Whereas, before this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 8, 2019 the Applicant requested **to layover** this application to October/2019 and requested to adjourn and submit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, corporate change, alteration, transfer or other changes to the existing license for **161 W4 Hospitality, LLC d/b/a TBD, 161 W. 4th St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 13 Executive Committee members in favor.

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

Sincerely,



Cormack Flynn, Chair
SLA Licensing 1 Committee
Community Board #2, Manhattan



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



Carter Booth, Chair
Community Board #2, Manhattan

CB/fa

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