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Bob Gormley, District Manager



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Community Board No. 2, Manhattan

3 Washington Square Village
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December 1, 2015

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

Dear Sir/Madam:

At its Full Board meeting on November 19, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

1. Akram Restaurant Management, Inc., d/b/a Da Gennaro, 129 Mulberry St. 10013 (Alteration to transfer Stand up Bar from one storefront to second storefront in separate building, existing OP License, SN1195719 Exp. 10/31/2017).

A. Whereas, the applicant currently operates an Italian Restaurant in a ground level storefront at 129 Mulberry Street and appeared before CB2, Manhattan's SLA Licensing Committee seeking an alteration to its existing On Premise license to move and/or erect and build a stand up bar to a second, non-contiguous ground level storefront premises located in an adjacent building with a separate address at 131 Mulberry Street; and

B. Whereas, the applicant has been operating an eating and drinking establishment out of the second, noncontiguous storefront located at 131 Mulberry Street since 2012 without a prior Certificate of Occupancy permitting such use and occupancy and installed a new awning over the storefront misrepresenting its address as 129 Mulberry Street to extend its sidewalk café across the front residential entrance at 129 Mulberry Street; and

C. Whereas, the existing sidewalk café extends across and immediately adjacent to the front residential entrance of 129 Mulberry Street and when the applicant was questioned about the front entrance to 129 Mulberry Street stated that it was the front entrance to the Restaurant when the front entrance to the Restaurant was elsewhere and located on the corner of Mulberry and Hester Streets; and

D. Whereas, the 450 SF noncontiguous storefront located at 131 Mulberry Street has no kitchen or physical interior connection with the restaurant at 129 Mulberry Street so that the service of food and alcohol originates from the restaurant at 129 Mulberry Street and can only be delivered via the public sidewalk across the front residential entrance to 129 Mulberry Street to patrons located in the second storefront at 131 Mulberry Street; and

E. Whereas, when the applicant last appeared before CB2 Man in July/2011 seeking to add the second storefront at 131 Mulberry Street to its existing license, CB2 Man. previously voted to deny the alteration application at that time and recommended to the SLA to deny any alteration to the license for this purpose citing many of the same concerns and illegalities identified herein; and

F. Whereas, because the second storefront at 131 Mulberry Street is not physically connected and contiguous in any manner with the interior Restaurant premises located in a separate building at 129 Mulberry Street aka 193 Hester Street, the alteration would be improper and should be denied; and

G. Whereas, by seeking in this application to operate a bar in the non-contiguous 450 SF storefront premises at 131 Mulberry Street, the applicant should also be subject to the 500 ft rule to operate, use and occupy these premises in this manner; and

H. Whereas, the applicant appeared with her attorney and appears to be concealing the correct addresses for the two separate premises in their application to the SLA and has installed a business awning over the storefront premises misrepresenting the address for the storefront as 129 Mulberry Street; and

I. Whereas, the over-all impact of adding another bar in a mixed use, historic area would be significant and not representing a public interest, especially in that there are 21 existing on premise liquor licenses within 500 ft. of the premises, 34 existing on premise liquor licenses within 750 ft. of the premises and a public school (PS 130 DeSoto School) within 200 ft. of the applicant's premises within a historic area of CB2 greatly saturated with liquor licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial for **Akram Restaurant Management, Inc., d/b/a Da Gennaro, 129 Mulberry St. 10013** on its application for an alteration to its existing on premise license; and,

THEREFORE BE IT FURTHER RESOLVED that CB2, Man. respectfully requests that Liquor Authority place this matter before the Full Board of the New York State Liquor Authority for consideration at a regularly scheduled meeting should this application be presented to the Liquor Authority so that the Commissioners may review the recommendation of CB#2 Man.

Vote: Unanimous, with 38 Board members in favor.

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Dear Sir/Madam:

At its Full Board meeting on November 19, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

2. Hitchcock Restaurant Group LLC, d/b/a Camaje, 83-85 MacDougal St. 10012 (Alteration seeking to add Stand up Bar to Premises)

Whereas, the applicant appeared before CB2 Manhattan's SLA Licensing Committee to add a stand up bar to its existing On Premise license located in a ground floor storefront in a seven-story mixed use building on MacDougal Street between Bleecker and Houston Streets; and

Whereas, the applicant has been operating the existing storefront premises for years as a full service French-American restaurant, there is an existing stipulation agreement for the premises and the existing license and there will be no other changes to its existing method of operation; and

Whereas, the licensed premises are 1,680 s.f. (first floor 840 s.f. and basement 840 s.f.), there are 13 tables and 30 seats but will be adding one stand up bar with 5 seats for an overall occupancy of 35 patrons seats; and

Whereas, there are existing French doors that open out to the sidewalk but there is no sidewalk café permitted, there are no TVs, music is background only; and

Whereas, the applicant agreed to hours of operation from 5:30 pm to 12 am Monday through Thursday and from 12 pm to 12 am on Saturdays and Sundays; and

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 OP license and the stipulations are as follows:

1. The premises will be operated as a full service French-American restaurant.
2. Will operate with hours of operation from 5:30 pm to 12 am Monday through Thursday and from 12 pm to 12 am on Saturdays and Sundays.
3. There will be no outdoor area or sidewalk café.
4. The existing French doors/ windows on the storefront façade will be closed by 10 PM every evening and/or earlier if noise level rises to be loud enough to be heard in adjacent apartments.
5. Music will be quiet, background level only, there will be private parties but there will not be live music, dj's, promoted events, movable ropes or barriers on the sidewalk, scheduled performances or any events for which a cover fee is charged.
6. There will no TVs.
7. Will surrender license if business closes and there will be no transfer of temporary license.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of an alteration to an existing On-Premise liquor license to **Hitchcock Restaurant Group LLC, d/b/a Camaje, 83-85 MacDougal St. 10012** unless the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on the OP License.

Vote: Passed, with 37 Board members in favor, and 1 recusal (D. Gruber).

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Dear Sir/Madam:

At its Full Board meeting on November 19, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

3. ITA Concepts, LLC d/b/a Aunt Jakes Italian Specialties, 151 Mulberry St. 10013
(Restaurant BW license, previously licensed location).

A. Whereas, the applicant appeared before CB2's SLA Licensing committee to present an application for a new restaurant wine license to operate an upscale fast causal restaurant serving Italian Specialties on Mulberry Street between Grand and Hester Streets in a two story storefront within a commercial use two story building in Little Italy; and

B. Whereas, the location was previously operated as an Italian restaurant (IL Palazzo) and will continue to operate with the same or similar business hours; and

C. Whereas, the premises is approximately 1,300 SF (first floor 750 SF and 550 SF 2nd story), 7 tables with 19 seats, a service station/counter but no stand up bar, one bathrooms, no TVs and music will be background only; and

D. Whereas, the hours of operation for the Restaurant will be from 11 AM to 12 AM seven days a week, the premises will operate as a fast causal restaurant serving Italian Specialties, there will be a sidewalk café, there will be no d.j. or live music, no private parties, there will be no scheduled performances or events with a cover charge; and; and

E. 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 BW license and the stipulations are as follows:

1. The premises will be advertised and operated as a fast casual restaurant serving Italian Specialties.
2. The hours of operation for the restaurant will be from 11 AM to 12 AM seven days a week.
3. The sidewalk café will close by 10 PM.
4. No French or accordion style doors will be installed at the premises and the applicant will close all exterior doors or windows by 10 PM every night.
5. Music will be quiet, background level inside the restaurant and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged
6. There will be no televisions and the premises will not operate as a Bar, Tavern or Sports Bar.
7. There will be no stand up bar.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a transfer of a Beer and Wine license to **ITA Concepts, LLC d/b/a Aunt Jakes Italian Specialties, 151 Mulberry St. 10013** **unless** the statements of the applicant as presented to CB2, Man. are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on the Beer and Wine License.

Vote: Unanimous, with 38 Board members in favor.

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Dear Sir/Madam:

At its Full Board meeting on November 19, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

4. Osteria Piemonte Corporation, d/b/a San Carlo Osteria Piemonte, 90 Thompson St. 10012
(OP license, previously licensed location)

A. Whereas, the applicant appeared before CB2, Manhattan's SLA Licensing Committee for a new on premise liquor license to operate a "quiet", "low-key and romantic" Italian Restaurant serving northern Italian food in a previously licensed location within a six story mixed use building (Circa 1900) in a Historic District directly across from Vesuvio Playground and Park on Thompson Street between Spring and Prince Streets; and

B. Whereas, the premises was previously operated as Le Pescadeux, a full service restaurant and French Bistro until midnight seven days a week and was licensed for the service of alcohol; and

C. Whereas, the premises is located in a 2075 SF ground floor space (1,100 SF first floor and 975 SF basement) with French Doors that open out to the sidewalk, there will be 20 tables and 43 seats, 1 stand up bar with 6 seats for a total seating occupancy of 49, there will be 1 TV behind the stand-up bar, there will be a full service kitchen, one bathroom and one entrance/exit for patrons but there will be no sidewalk café or outdoor space; and

D. Whereas, the hours of operation will be from 7 AM to 12 AM Sunday through Thursday and from 7 AM to 1 AM Fridays and Saturdays, all doors and windows will be closed by 9 PM every night except for patron egress, music will be quiet background consisting of music from ipod/cd's; there will be no d.j.s, no promoted events, no scheduled performances or cover fees, no velvet ropes and no movable barriers; and

E. 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 On Premise restaurant license and those stipulations are as follows:

1. The premises will be advertised as a full service Italian Restaurant and will not operate as a Lounge, Tavern, Bar or Sports Bar.
2. The hours of operation will be from 8 AM to 12 AM Sunday through Thursday and from 8 AM to 1 AM Fridays and Saturdays.
3. There will be no sidewalk café or any outdoor space.
4. There will only be one television.
5. All doors and windows will be closed by 9 pm daily.
6. Will operate under only one d/b/a name.
7. There will be only one stand up bar with six seats.
8. There will be no all you can drink, all you eat specials or boozy brunches.
9. There will be no dancing.
10. There will be no patron use of basement.
11. Music will be quiet, background only and there will be no d.j.s, live music, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes and no movable barriers.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the On Premise license application for **Osteria Piemonte Corporation, d/b/a San Carlo Osteria Piemonte, 90 Thompson St. 10012 unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on its Restaurant Liquor License.

Vote: Unanimous, with 38 Board members in favor.

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Dear Sir/Madam:

At its Full Board meeting on November 19, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

5. International Culinary Center, LLC, d/b/a FCI Catering and Events, 462 Broadway 10013 (change in class of license to catering OP license).

A. Whereas, the applicant appeared before CB2, Manhattan's SLA Licensing Committee for a change in classification of license from Restaurant On Premise to Catering Liquor license; and

B. Whereas, the premises will continue to operate as a Catering Business and Culinary Institute/School on multiple upper floors 2, 3, 4 and 5 covering approximately 50,000 SF in a commercial building on the corner of Broadway and Crosby Streets, between Broome and Grand Streets but will be illuminating and will no longer operate its full service restaurant on the ground floor of the same building; and

C. Whereas, method of operation on the upper floors will not change and those floors will continue to operate as a culinary school and catering event center with classrooms and kitchens for instruction as well as for catering events and as an event space, there will be no permanent stand up bars but temporary food counters and bars will be installed for specific events, with the hours of operation that will to be from 11:30 AM to 11 PM on Sundays, from 12 PM to 12 AM Mondays through Thursdays and from 12 PM to 1 AM Fridays and Saturdays, music will be quiet background and there will be no d.j.s, no TVs, no outdoor spaces or sidewalk cafe; and

D. 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 On Premise restaurant license with the SLA and those stipulations are as follows:

1. The premises will be advertised and operate as a culinary school and catering event center.
2. The hours of operation will be 11:30 AM to 11 PM on Sundays, from 12 PM to 12 AM Mondays through Thursdays and from 12 PM to 1 AM Fridays and Saturdays.
3. There will be no Sidewalk café or outdoor service.
4. There will be no no d.j.s.
5. Events will not exceed 120 patrons and/or occupancy required.
6. There will be no TVs.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a Catering Liquor License for **International Culinary Center, LLC, d/b/a FCI Catering and Events, 462 Broadway 10013** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on its Catering Liquor License.

Vote: Unanimous, with 38 Board members in favor.

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Dear Sir/Madam:

At its Full Board meeting on November 19, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

6. Ambleside Partners, LLC d/b/a Pravda, 281 Lafayette St. 10012 (alteration to existing on-premise license) (laid over and withdrawn)

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

Whereas, this application is for an alteration to an existing on premise liquor license;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any proposed Beer and Wine or On Premise license to **Ambleside Partners, LLC d/b/a Pravda, 281 Lafayette St. 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

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Dear Sir/Madam:

At its Full Board meeting on November 19, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

7. 157 Lafayette Café LLC, d/b/a Salon de Lafayette, 157 Lafayette St. 10013 (on-premise)
(withdrawn)

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

Whereas, this application is for an alteration to an existing license to increase hours of operation;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any proposed Beer and Wine or On Premise license to **157 Lafayette Café LLC, d/b/a Salon de Lafayette, 157 Lafayette St. 10013** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

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Dear Sir/Madam:

At its Full Board meeting on November 19, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

8. Village 122 Café, Inc., d/b/a MacDougal Street Ale House, 122 MacDougal St. 10012 (on-premise) (requested layover at meeting)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on November 10th, 2015, the Applicant's attorney requested **to layover** this application for a corporate change of an existing on premise license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Village 122 Café, Inc., d/b/a MacDougal Street Ale House, 122 MacDougal St. 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

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Dear Sir/Madam:

At its Full Board meeting on November 19, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

9. Rolso, Inc., d/b/a Café Novecento, 343 West Broadway 10013 (corporate change/failed to appear)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on November 10th, 2015 the principal/applicant did not appear before CB2 regarding its application; and,

Whereas, this application is for a corporate change of an existing Beer/Wine license;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any Beer and Wine or On Premise license to **Rolso, Inc., d/b/a Café Novecento, 343 West Broadway 10013** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

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Dear Sir/Madam:

At its Full Board meeting on November 19, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

10. Barrow 15 Café, Ltd. d/b/a Barrow Street Ale House, 15 Barrow St. 10014 (on-premise)(requested layover at meeting)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on November 10th, 2015, the Applicant requested to **lay over** this application for a new on-premise liquor license and so that may resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Barrow 15 Café, Ltd. d/b/a Barrow Street Ale House, 15 Barrow 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 38 Board members in favor.

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Dear Sir/Madam:

At its Full Board meeting on November 19, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

11. Bamboo Village Restaurant, Inc., 96 Bowery #A1 10013 (beer wine)(layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on November 10th, 2015, the Applicant requested to **layover** this application for a new beer wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Bamboo Village Restaurant, Inc., 96 Bowery #A1 10013** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

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New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on November 19, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

11. Da Massimo, LLC, 142 W. Houston St. 10012 (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on November 10th, 2015, the Applicant requested to **layover** this application for a new beer wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Da Massimo, LLC, 142 W. Houston St. 10012 (laid over)** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

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



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

Community Board No. 2, Manhattan

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December 1, 2015

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

Dear Sir/Madam:

At its Full Board meeting on November 19, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

13. San Remos Group One, LLC, d/b/a Corp to be formed by Benjamin Kotler, 201 Lafayette St. 10012 (withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on November 10th, 2015, the Applicant's attorney requested **to withdraw** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

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

Vote: Unanimous, with 38 Board members in favor.

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



Antony Wong, Treasurer
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Susan Wittenberg, Assistant Secretary

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December 1, 2015

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

Dear Sir/Madam:

At its Full Board meeting on November 19, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

14. 185 Grand Street Operating Group, LLC, 185 Grand St. 10013 (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on November 10th, 2015, the Applicant's attorney requested **to layover** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **185 Grand Street Operating Group, LLC, 185 Grand St. 10013** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

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



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

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

Dear Sir/Madam:

At its Full Board meeting on November 19, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

15. Oaxaca Greenwich, LLC, d/b/a Oaxaca Taqueria, 48 Greenwich Ave. 10011 (New TW)

Whereas, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new tavern wine license for a previously unlicensed location for a Mexican taqueria restaurant with no cooking on premises; and,

Whereas, this application is for a new tavern wine license located in a mixed-use building located on the ground floor on Greenwich Ave between Charles Street and Perry St for a roughly 270 sq. ft. premise with 1 table and 3 seats and 1 bar with 7 seats, for a total of 10 seats, there is no sidewalk café and there are no other outdoor areas for patrons, a Letter of No Objection has been obtained from the NYC Department of Buildings because there is no Certificate of Occupancy; and,

Whereas, the hours of operation will be Sunday from 12pm to 11pm, Monday to Thursday from 11am to 12am, Friday to Saturday from 12pm to 1am (No patrons shall remain after the closing hour), music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 9pm except for ingress and egress, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no TV's, there will be no use by patrons of the basement; and,

Whereas, the applicant executed a stipulations agreement with CB2 that they agreed would be attached and incorporated into the method of operation on the new tavern wine SLA license stating that:

1. Premises will be advertised and operated as a Mexican taqueria.
2. A full food menu will be available at all times and menu items available until closing every night.
3. The hours of operation are Sunday from 12pm to 11pm, Monday to Thursday from 11am to 12am (midnight), Friday to Saturday from 12pm to 1am. No patrons will remain after closing time.
4. Premises will not operate as a nightclub, disco or lounge and will not seek a Department of Consumer Affairs Cabaret License. It may operate as a Tavern wine establishment.
5. There is no backyard garden.
6. There is no sidewalk café.
7. Sufficient soundproofing is already installed.
8. All doors and windows will be closed at 9pm every night except for ingress and egress.
9. There will be no French doors or windows. There are no operable windows.
10. There will be no DJs, live music, promoted events, any events at which a cover is charged or scheduled performances.
11. There will be no televisions.
12. Music will be quiet ambient background music only not audible from outside the premises.
13. All cooking will take place at the establishments properly licensed Commissary Kitchen located in Brooklyn.
14. There will be reheating of food only at this premises.

Whereas, the applicant previously presented a limited petition with local signatures in support of the application;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Tavern Wine License for **Oaxaca Greenwich LLC, d/b/a Oaxaca Taqueria, 48 Greenwich Ave. 10011** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 38 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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December 1, 2015

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

Dear Sir/Madam:

At its Full Board meeting on November 19, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

16. Burger & Lobster Midtown, LLC, d/b/a Burger & Lobster, 1-3 Little W. 12th St. 10014 (New OP)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new restaurant on-premise liquor license in a location which has never been issued a liquor license before for a "an upscale-casual full service restaurant concept primarily three entrees: "a 10 oz. hamburger, a 1.5 lb. lobster, and a lobster roll (each served with a side salad and thin-cut French fries) complimented by a full beverage menu including craft cocktails, beers and wine"; and,

ii. Whereas, this application is for a new Restaurant On-Premise Liquor; the premises is in a commercial district with residential loft units across the street located on the ground floor and cellar of a 5-story commercial building on Little West 12th St. between Hudson St. and 9th Avenue for a roughly 5,250 sq. ft. premise (2,750 sq. ft. ground floor and 2,500 sq. ft. basement), with 49 tables and 154 seats (of those – 18 tables and 50 seats are in the basement – the rest on the ground floor), and 2 standup bars with 1 on the ground floor with 5 seats and 1 in the basement with 4 seats, for a total of 163 interior seats, the maximum occupancy for the premises is stated to be 234; there is no rear yard, rooftop or patio seating not including areas which may be licensed for a future DCA sidewalk café of which it is anticipated there will be no more than 8 tables and 16 seats, there are existing building permits and certificates of occupancy, but they **do not support the current application as presented** (it appears that Certificate of Occupancy #100169 issued 3/2/1992 has been superseded by a new c of o which does not include this space), – the applicant will need to update certificates of occupancy and any permits and place of assembly permits to reflect the current proposal and as such, **all permits**

presented to the Liquor Authority should be dated 2015 or later with each use within the building specifically designated (there are other licensed premises on the same block & lot number in different buildings which may appear on the same C of O) in order for the license to be issued unless a detailed explanation is presented and reviewed by the Authority; and,

iii. Whereas, the hours of operation of the interior of the premises will be Sunday to Wednesday from 11AM to 12AM and Thursday to Saturday from 11AM to 1AM (All patrons will be cleared from the premises and no patrons will remain after stated closing time), the hours of operation of the sidewalk café will be Sunday to Wednesday from 11AM to 10PM and Thursday to Saturday from 11AM to 11PM (No patrons shall remain in the sidewalk café after the stated sidewalk café closing hours), music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 10PM except for patron ingress and egress, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. Whereas, the applicant operates a number of other Burger & Lobster Restaurants including 1 other in New York City and 13 European locations; and,

v. Whereas, the Applicant reached out to and met with number of local residents and stakeholders in order to discuss their concerns and the Applicant and stakeholders were able to agree on a number of stipulations which are incorporated into a stipulations agreement with CB2, Manhattan as noted below; and,

vi. Whereas, there is a pending application before the Liquor Authority for this same location for Macelleria Rest., Inc., 13 Little West 12th Street New York NY 10014 SN1289649 which it has been expressed to CB2, Man. will be withdrawn prior to the submission of this new restaurant on-premise liquor license; and,

vii. Whereas, even though this applicant reached out to and met with local residents, there were concerns regarding the addition of this premises as yet another full license in a already over saturated area in the Meat Packing District, that the high turnover model would draw additional traffic congestion and parking issues, additional pedestrians, impact the existing noise level and exacerbate ongoing quality of life issues in the area, there was significant concern regarding noise in warmer weather months, that residents felt betrayed by Macelleria, a neighborhood restaurant which had been recommended for approval based on their representations to local residents and CB2 at this location but which was in negotiations with this applicant to take over the lease; and,

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

1. The establishment will be operated as an upscale-casual full service restaurant concept serving primarily three entrees: “a 10 oz hamburger, a 1.5 lb. lobster, and a lobster roll (each served with a side salad and thin-cut French fries) complimented by a full beverage menu including craft cocktails, beers and wine.”
2. The hours of public operation of the interior of the premises will be Sunday to Wednesday from 11AM to 12AM and Thursday to Saturday from 11AM to 1AM. All patrons will be cleared from the premises and no patrons will remain after stated closing time.
3. The hours of public operation of the sidewalk café will be Sunday to Wednesday from 11AM to 10PM and Thursday to Saturday from 11AM to 11PM. All patrons will be cleared from the sidewalk café and no patrons will remain in the sidewalk after stated closing time.

4. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
5. The premises will have not have televisions. There will be no projectors.
6. The premises will not permit dancing.
7. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
8. The premises will play ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. The Licensee will obtain all required certificates, permits and related documents including a revised Certificate of Occupancy and Place of Assembly permit prior to opening and will keep current all certificates, permits and related documents.
11. There will be no French doors or operable windows.
12. There will be no patron use of the door adjacent to the “bar” area. The door will be for staff use or emergency egress use only and will not remain propped open at anytime.
13. All doors will remain closed after 10 pm except for patron ingress and egress.
14. The kitchen will remain open until closing time.
15. The premises and all mechanicals will comply with all NYC Noise Codes.
16. Approximately 550 square feet of space will be used as a interior patron waiting area as shown on diagrams and a remote/text message system will be utilized to let patrons know when tables are ready in order to discourage patrons from waiting in the immediate vicinity and in front of the premises.
17. There will be no “bottle service” other than typical restaurant beer/wine by the bottle.
18. There will be no velvet ropes or barricades used to control patrons.
19. If there is an ownership change or change in position of control of greater than 49% in the Licensee entity then the Licensee agrees to submit notice to CB2 Manhattan in the usual manner of any substantial change in ownership even if not required by the Liquor Authority regarding the change in ownership and will present the Corporate Change Application to the Liquor Authority in front of CB2’s SLA Licensing Committee prior to submitting the Corporate Change Application to the Liquor Authority.

ix. Whereas, this location has been the subject of a number of applications to the Liquor Authority, but no entity has carried through with their application and actually opened a restaurant and had a license issued after receiving all proper permits, certificates of occupancy and place of assembly permits; and,

x. Whereas, there are currently approximately 28 On Premise Liquor Licenses within 500 ft. of the premises, many large scale multi floor venues, and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a new Restaurant On Premise Liquor License for **Burger & Lobster Midtown, LLC, d/b/a Burger & Lobster, 1-3 Little W. 12th St. 10014** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License and that the pending restaurant on premise liquor license application by Macelleria Rest., Inc. SN1289649 be withdrawn.

Vote: Unanimous, with 38 Board members in favor.

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



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

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December 1, 2015

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

Dear Sir/Madam:

At its Full Board meeting on November 19, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

17. Garrity Walsh Corp. d/b/a Pour George (Whiskey Social), 35 West 8th St. 10011 (SN#1230107 OP Renewal)

i. Whereas, a representative of the Licensee appeared before CB2's SLA Licensing committee to present a renewal application for Garrity Walsh Corp. d/b/a Pour George at 35 West 8th St. 10011 which is now operating as Whiskey Social SN#1230107 at the request of CB2, Manhattan based on complaints over time regarding the Licensees operation and at the request of the West 8th St. Block Association; and

ii. Whereas, correspondence was received and a representative of the West 8th St. Block Association addressed concerns regarding a troubled history with the licensed operation even though recent operations are improved and the Licensee has been diligent about observing stipulations and requested that the Licensee consider reducing their hours of operation on Thursday nights and keeping all windows closed at all times to be in line with the many other licensed premises on the Block and in keeping in the spirit of the mixed use residential component of the block during all weekdays and it was further noted that this stretch of West 8th St. has had a tremendous growth in a very short number of years of licensed premises and that focusing on quality of life and the residential component of this mixed use character was essential during the week in order to maintain a healthy balance in the immediate community; and

iii. Whereas, in consideration of the West 8th St. Block Associations concerns, the Licensee executed a new stipulations agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated in to the existing method of operation for the restaurant on-premise liquor license SN#1230107 stating that:

1. The premise will be advertised and operated as an “American Restaurant” with the kitchen open and full menu item available until closing every night.
2. The hours of operation will be Sunday to Wednesday from 11 a.m. to 12 a.m., Thursday from 11 a.m. to 2 a.m. and Friday to Saturday from 11 a.m. to 3 a.m. All patrons will be cleared from the premises and no patrons will remain after stated closing time.
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 establishment will not permit dancing.
5. The premises will not operate a backyard garden or any outdoor area for commercial purposes. No sidewalk cafes are permitted at this location.
6. All doors and windows will be closed by 9 p.m. and anytime there is amplified music including the rear kitchen door, which has been a source of ongoing complaints.
7. The “front” exterior door in the “new” expansion area which is the subject of this alteration agreement will be utilized for emergency egress only; and,
8. There will be no DJ’s, live music, promoted events, any events where a cover fee is charged or scheduled performances.
9. All past stipulations agreed to on 2/15/2013 are incorporated into this stipulations agreement and will be incorporated into the existing “method of operation”.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the renewal application for a Restaurant On Premise Liquor License for **Garrity Walsh Corp. d/b/a Pour George (Whiskey Social), 35 West 8th St. 10011** **unless** the statements the Licensee has presented are accurate and complete, and that those conditions and stipulations agreed to by the Licensee above are incorporated into the existing “Method of Operation” on the SLA Restaurant On Premise Liquor License SN#1230107.

Vote: Unanimous, with 38 Board members in favor.

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



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

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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 November 19, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

18. George Marcel LLC, d/b/a Perla, 234 W. 4th St. 10014 (SN1260538 OP Removal from 24 Minetta Lane)

- i. Whereas**, the Licensee appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a removal application of a current restaurant on-premise liquor license (SN1260538) for George Marcel, LLC d/b/a Perla from 23 Minetta Lane to 234 W. 4th St. for a full service neighborhood Italian restaurant focusing on "regional Italian cuisine specializing in homemade pastas, breads and off cuts."; and,
- ii. Whereas**, this application is for the removal of an existing restaurant on-premise liquor license to a new premises which is located in a grandfathered mixed-use building located in an R6 zoning district on the Southwest corner of West 4th St and West 10th St. for a roughly 1,000 sq. ft. premise with accessory basement (no patron use of basement) with 13 tables and 36 seats, 1 stand up bar with 15 seats, and 7 counter seats for a grand total of 58 interior seats, there is an existing letter of no objection from the NYC Department of Buildings; and,
- iii. Whereas**, the hours of operation for the new premises will be from 11AM to 12AM 7 days a week (No patrons shall remain after the closing hour), music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors & windows will be closed at 9PM, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

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

1. The establishment will be advertised and operated as a full service neighborhood Italian restaurant focusing on “regional Italian cuisine specializing in homemade pastas, breads and off cuts.”
2. The hours of operation of the premises will be from 11AM to 12AM 7 days a week. All patrons will be cleared from the premises and no patrons will remain after stated closing time
3. The kitchen will remain open and the full food menu will be available until closing time.
4. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
5. The premises will not have televisions. There will be no projectors.
6. The premises will not permit dancing.
7. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a DCA Licensed sidewalk café.
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. The licensee will obtain all required certificates, permits and related documents and will keep current all certificates, permits and related documents.
11. All doors and windows will be closed at 9PM every night and anytime there is amplified music. All doors will remain closed after 9 pm except for patron ingress and egress.
12. The premises and all mechanicals will comply with all NYC Noise Codes at all times.
13. The licensee will install Landmark’s approved awnings subject to approval from the landlord and relevant City Agencies.
14. The licensee will post a “Please be considerate of our neighbors” style sign that is visible to patrons both entering and exiting the premises.
15. There will be no discounting from full price of any alcohol for “happy hour”.
16. The licensee will install an upgraded air-conditioning system in consultation with an HVAC specialist that is capable of adequately cooling the premises without the need to open any windows for ventilation. Any new air conditioning or mechanicals will comply with all NYC Noise codes.
17. There will be no A-frames, sandwich boards or other sidewalk obstructions utilized by the premises.
18. No Staff members will serve patrons on the sidewalk, from the sidewalk or through any windows at anytime.
19. A portion of the Maitre D’s job responsibilities will include managing patrons in the immediate exterior sidewalk area outside the premises.
20. There will be no velvet ropes, barricades, planters or other sidewalk obstructions used to control patrons.

v. Whereas, this location has a long adverse history and while currently unlicensed was most recently licensed as Dorsia 8:30 LLC d/b/a Windsor SN1210408 which was for years the subject of extensive complaints from local residents, of enforcement and disciplinary actions by the Liquor Authority and was the source of significant quality of life erosion in the immediate area; CB2, Man. submitted resolutions against the renewal of a liquor license for Dorsia 8:30, LLC in both November 2012 and November 2014; CB2’s October 2012 and November 2014 resolutions for Dorsia 8:30, LLC provide a more detailed overview on the adverse history of this premises; Dorsia 8:30, LLC surrendered their license in the face of ongoing disciplinary action by the Liquor Authority; and,

vi. Whereas, the primary principal lives in the immediate area with his family and also has a number of other licensed establishments in the immediate area including one directly across the street and another on the same block and several more in the immediate neighborhood; and,

vii. Whereas, one of the principals other premises located across the street, St. Helene, LLC d/b/a Bar Sardine has received complaints from local residents and in October 2014 CB2, Man. recommended to the Liquor Authority that they deny the renewal of their on-premise liquor license for reasons outlined in CB2's resolution dated October 2014; and,

viii. Whereas, one of the primary reasons that CB2, Man. recommended not renewing the liquor license for St. Helene, LLC d/b/a Chez Sardine and now Bar Sardine was that the Licensee approached CB2 to alter the existing license in June 2014 to change some of the seating in the restaurant and extend the hours of operation for which CB2 recommended approval, but then after CB2's recommendation the operator instead began operating as primarily a bar operation with food advertising themselves as a bar, they also changed their name to Bar Sardine and their website claimed they were "a West Village corner bar" that is "serious about food and crazy about drinks", their website also stated "Open from noon on each day, Bar Sardine has the drop-in-anytime accessibility and friendly hospitality of a classic neighborhood bar while its thoughtful approach to food and drink give it the trappings of a modern cocktail destination"; the premises also started showing sporting events on a television and advertising those events and offering discounted drinks during events; since then the licensee has removed all references to operating as a bar except in the name of the premises or advertising sports events, however the change in seating from mostly low traditional booth and table seating in the establishment to predominantly high chair seating and building eating and drinking counters directly into operable open windows with patrons seated facing out onto the sidewalk has created a loud and noisy establishment, which is a signature of the licensee and for which his premises are known; this has in turn fostered a serious distrust from local residents and members of the local community regarding any of his future intentions even if he does serve food and calls his premises a restaurant, especially as they relate to any premises that have open facades and windows and it is further exacerbated as local residents feel and have shown time stamped photographs as evidence of those windows remaining open after stipulated closing hours and of employees serving patrons inside the premises from the sidewalk outside through the operable windows and of patrons consuming alcohol on the sidewalk by reaching for drinks through the windows – the sidewalk is not licensed for the consumption of alcohol; and,

ix. Whereas, a number of emails in support were submitted to CB2 and a number of local residents including those who are immediate neighbors spoke in support of the Licensee, a number of people where also investors, employees or friends, and testified as to (1) the good character of the Licensee, (2) the high quality of his existing restaurants, (3) that this would be another good addition to the neighborhood, (4) that they had positive experiences at his existing restaurants, (5) that this would be a vast improvement over the prior operators at this location, (6) that the Licensee treats his customers well; and,

x. Whereas, a number of emails and letters in opposition were submitted to CB2, Man. and a number of residents spoke in opposition including some who live immediately across the street and in adjacent buildings, (1) the main issues revolve around the design of the premises which includes a total of 34 linear feet of operable windows in a grandfathered commercial space in a residentially zoned area; (2) that of the 34 linear feet of operable windows, 16 ft. are located on West 4th Street and have window ledges built in with customer seating facing out into the street, directly behind those seats is a large 15 person bar, this configuration is comparable to the previous operation at this location which generated significant noise from patrons that directly impact neighbors living across the street and substantially reduce their quality of life – that previous operator surrendered their Liquor License in the face of

disciplinary actions which the Liquor Authority was pursuing; (3) that despite any assertions that this is a food driven business, the style of this premises will be to create an open air environment that is noisy and sceney and a destination location which brings with it large crowds, congested sidewalks and disruption which directly impact local residents; (4) that the mere fact that the licensee would not agree to close his windows before 9pm or take other sound mitigation steps was a significant concern even though it was pointed out that the previous operator was a significant problem and that the previous operator had agreed to window closings at 8pm; (5) that the licensee's own establishment across the street, Bar Sardine, was also a big ongoing problem because it also was located on a corner with large operable windows with a similar style of eating at window ledges facing out into the street and it also creates a noisy establishment when the windows are open; (6) that despite what the licensee may state, his business across the street at Bar Sardine morphed from a restaurant with one type of normal restaurant seating layout to a new restaurant/bar with a layout as currently exists with mostly counter seating with elevated window seating facing out to the street and that it was not what was originally presented and the change in seating created a loud establishment by design among other things and was all that the neighborhood could expect from this new location; (7) that while the operator is popular with a certain trendy set and that his restaurants are popular destinations, this does not make him popular with his immediate neighbors who's quality of life is infringed upon by his locations more so than other locations because of the style of his operations and the noise that pours out of the open facades – several other establishments in the area have open facades and they have also been the subject of complaints by residents and CB2, Man. alike; (8) that there are already 9 liquor licenses on this immediate intersection and that no further noise from inside any establishments should be tolerated; and (9) that there was no outreach by the Principal to neighbors who had previously complained to him regarding his other premises across the street for this new premises until after the November 2015 CB2 SLA Licensing Committee meeting at which time the licensee was prompted to meet with local residents; the licensee did subsequently meet with local residents in opposition and there were follow up communications but no resolution could be reached in regards to the operable façade and other noise mitigation steps among other issues that would be amenable to residents and it appears that those neighbors in opposition still continue to distrust the licensee and do not feel the stipulations warrant this premises of reaching the standard of the public interest or that this licensee should be issued a license at this location; and,

xi. Whereas, there are currently approximately 26 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of a removal application for a restaurant on-premise liquor license application for **George Marcel, LLC, d/b/a Perla, 234 W. 4th St. 10014** **unless** the statements the Licensee has presented are accurate and complete, and that those conditions and stipulations agreed to by the Licensee above are incorporated into the “Method of Operation” on the existing SLA Restaurant On Premise Liquor License **SN#1260538**; and,

Vote: Passed, with 25 Board members in favor, 12 in opposition (C. Booth, T. Bergman, K. Bordonaro, T. Cude, R. Ely, D. Gruber, S. Kent, L. Rakoff, R. Riccobono, S. Sweeney, S. Wittenberg, A. Wong), and 1 recusal (S. Aaron).

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



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

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December 1, 2015

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

Dear Sir/Madam:

At its Full Board meeting on November 19, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

19. Waxstone NYC, LLC, d/b/a TBD, 113 Horatio St. 10014 (New OP)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a restaurant on-premise liquor license for a full service restaurant serving breakfast, lunch and dinner after having first appeared in October 2015 and subsequently requesting to layover the application until November 2015 in part to reach out to local community residents; and,

ii. Whereas, this application is for a new restaurant on-premise liquor license for a location in a mixed-use building located on Horatio St between Washington St. and West St. for a roughly 6,000 sq. ft. premise located on the ground floor, basement and old outdoor loading dock connected to the first floor (3,000 sq. ft. per floor, patron use of both floors) with 36 tables and 102 table seats on the ground floor, 1 standup bar on the ground floor with 18 bar seats, 10 seats in the exterior loading dock area connected to the first floor and 50 seats in the basement private dining room and 1 service bar in the basement private dining room; a new (revised) Certificate of Occupancy and Place of Assembly permit will be provided prior to opening the establishment; and,

iii. Whereas, the hours of operation of the ground floor interior of the premises will be Sunday to Wednesday from 8AM to 1AM and Thursday to Saturday from 8AM to 2AM (all patrons will be cleared from the ground floor of the premises and no patrons will remain after stated closing time), the basement floor level will operate as a Private Dining Room only and the hours of operation of the basement will be from 8AM to 11PM (all patrons will be cleared from the basement and no patrons will remain after stated basement closing time), the hours of operation of the exterior seating on the loading dock will be Sunday to Thursday from 8AM to 12AM and Friday to Saturday from 8AM to

1AM (all patrons will be cleared from the exterior seating on the loading dock and no patrons will remain after stated closing time), there will be no sidewalk café, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at all times except for patron ingress and egress, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

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

1. The establishment will be advertised and operated as a full service restaurant serving breakfast, lunch and dinner.
2. There will be a maximum of 120 seats on the ground floor level exclusive of the 10 seats on the exterior loading dock and patrons waiting to be seated. The hours of operation of the ground floor interior of the premises will be Sunday to Wednesday from 8AM to 1AM and Thursday to Saturday from 8AM to 2AM. All patrons will be cleared from the premises and no patrons will remain after stated closing time.
3. The basement floor level will operate as a Private Dining Room only. There will be no more than 50 seats in the basement and patron occupancy standing or seated will not exceed 50 at anytime. The hours of operation of the basement of the premises will be 8AM to 11PM. All patrons will be cleared from the basement and no patrons will remain after stated basement closing time.
4. There is an exterior area for patron seating located on an old loading dock. There will be a maximum of 10 seats on the loading dock. The hours of operation of the exterior seating on the loading dock will be Sunday to Thursday from 8AM to 12AM and Friday to Saturday from 8AM to 1AM (same exterior hours as previous operator). All patrons will be cleared from the loading dock area and no patrons will remain after stated closing time.
5. There is no sidewalk café. The premises will not operate a backyard garden or any outdoor area except for the seating on the loading dock for commercial purposes.
6. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
7. The premises will not permit dancing in any portion of the premises.
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. The Licensee will obtain all required certificates, permits and related documents including a revised Certificate of Occupancy and Place of Assembly permit prior to opening and will keep current all certificates, permits and related documents.
11. Licensee will move the main entrance to the space from Horatio Street to West Street/10th Ave. Licensee will publicize the West St/10th Avenue address as the official address of the restaurant and will make best efforts to insure that this address is the only address that appears on Google maps and other mapping or eating and dining applications. The Horatio entrance will be used only for deliveries, ADA and other special needs patrons, and emergency egress use.
12. There will be no French doors or operable windows.
13. All doors will remain closed after 10 pm except for patron ingress and egress.
14. The kitchen will remain open and the full food menu available until 30 minutes before closing time.
15. The premises and all mechanicals will comply with all NYC Noise Codes.

16. There will be no “bottle service” other than typical restaurant beer/wine by the bottle.
17. There will be no velvet ropes or barricades used to control patrons. There will be space on the interior of the premises for patrons to wait inside. A remote/text message system may be utilized to let patrons know when tables are ready in order to discourage patrons from waiting in the immediate vicinity outside and/or in front of the premises.
18. If there is an ownership change or change in position of control of greater than 49%, the Licensee agrees to submit notice to CB2 Manhattan in the usual manner of any substantial change in ownership even if not required by the Liquor Authority regarding the change in ownership and will present the Corporate Change Application to the Liquor Authority in front of CB2’s SLA Licensing Committee prior to submitting the Corporate Change Application to the Liquor Authority.

v. Whereas, after appearing before CB2, Man. in October 2015 and subsequently requesting to layover the application until November 2015, the Applicant was able to meet with a number of local residents and stakeholders in order to discuss their concerns and the applicant substantively modified their application and agreed to a number of stipulations that were incorporated into a stipulations agreement with CB2, Man. as noted above; and,

vi. Whereas, several local residents appeared in support of the applicant and reviewed their concerns which they felt were addressed through stipulations that the applicant agreed to; some of the primary concerns of local residents and stakeholders include the large increase in occupancy at the previously licensed premises, the additional traffic impact to Horatio St. and surrounding area which already has several destination style licensed premises, the lack of public transportation in the immediate area, the lack of available parking and the increase of noise in the area and local community that would be generated by the new large premises and their patrons; and,

vii. Whereas, the primary Principal is also a principal of several other licensed establishments including Barbuto located several blocks away within CB2, Man.; and,

viii. Whereas, there are currently approximately 10 On Premise Liquor Licenses within 500 ft of the premises and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant On Premise Liquor License for **Waxstone NYC, LLC, d/b/a TBD, 113 Horatio St. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Passed, with 37 Board members in favor, and 1 in opposition (D. Diether).

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



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

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December 1, 2015

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

Dear Sir/Madam:

At its Full Board meeting on November 19, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

20. Tejo Rest., Inc., d/b/a Garota De Ipanema, 252 W. 14th St. 10011 (OP Corp Change)

i. Whereas, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a "corporate change" for an existing On-Premise Liquor License (SN#1024966) for a neighborhood bar for a change in ownership from Jose DeCouto (100%) to Patricia DeCouto (50%), Alexandria DeCouto (25%) and Tesia DeCouto (25%); and,

ii. Whereas, this application is for a "corporate change" as described above for an existing neighborhood bar in a mixed-use building located on 14th St. between 7th Avenue and 8th Avenue for a currently licensed location on the ground floor with 2 tables with 8 table seats and 1 standup bar with 17 seats (the previously expired 2nd stand up bar is no longer active or in use ever and is not included in this application), for a grand total of 25 seats, there is a pool table, the maximum occupancy is 70 people and there is a Certificate of Occupancy, there is no sidewalk café and no backyard or outdoor areas in use or part of this application; and,

iii. Whereas, the hours of operation will be from 11AM to 4AM 7 days a week (no patrons will remain in the premises after closing), music will continue to be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there is existing soundproofing, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. Whereas, the new principals will execute a stipulations agreement with CB2, Man. that they agree will be attached and incorporated in to the “existing” method of operation for the current On-Premise Liquor License SN1024966, stating that:

1. Premises will be advertised and operated as neighborhood bar.
2. Hours of operation will be from 11AM to 4AM 7 days a week. No patrons will remain in the premises after closing.
3. Premises will not operate as a nightclub or disco.
4. Premises will not seek a New York City Department of Consumer Affairs Cabaret License
5. There will be no sidewalk café or outdoor areas.
6. All windows and doors will remain closed at all times except for patron ingress and egress.
7. There will be no DJs, no live music, no promoted events, no scheduled performances and no event at which a cover fee is charged.
8. Music will be quiet ambient background music only.
9. There will be no more than 5 televisions, no larger than 42 inches. There will be no projectors.
10. Premises will employ a doorman/security personnel 7 days a week.
11. This application is for a change in ownership from Jose DeCouto (100%) to Patricia DeCouto (50%), Alexandria DeCouto (25%) and Tesia DeCouto (25%).
12. There will be one stand-up bar only along the East wall of the premises with 17 seats.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a “corporate change” application for the existing On Premise Liquor License (SN#1024966) as described above for **Tejo Rest., Inc., d/b/a Garota De Ipanema, 252 W. 14th St. 10011** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA On-Premise Liquor License.

Vote: Passed, with 37 Board members in favor, and 1 in opposition (D. Diether).

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



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

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December 1, 2015

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

Dear Sir/Madam:

At its Full Board meeting on November 19, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

21. Wild Kitchen Corp, d/b/a Bowlin, 1 University Pl. 10003 (New RW)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a restaurant wine license for a "Korean fusion restaurant that will serve bowls & sandwiches with meat marinated in Korean BBQ sauces with rice and vegetable"; and,

ii. Whereas, this application is for a restaurant wine license for a 540 sq. ft. premises located on the ground floor in a mixed use building with 4 tables and 10 seats and 1 standup bar with 3 seats for a total of 13 seats, there is a Certificate of Occupancy; and,

iii. Whereas, the hours of operation will be 11AM to 11PM 7 days a week (No patrons shall remain after the closing hour), music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 9PM every night and anytime there is amplified music, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no TV's; and

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

1. The premises will be advertised and operated as a Korean fusion restaurant as described.
2. The hours of operation will be from 11AM to 11PM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.

3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will not have a sidewalk café.
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. The Premises will close all doors and windows at 9PM every night and anytime there is amplified music.

v. Whereas, there are currently approximately 6 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of a new restaurant wine license for **Wild Kitchen Corp, d/b/a Bowllin, 1 University Pl. 10003** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Tavern Wine License.

Vote: Passed, with 37 Board members in favor, and 1 in opposition (T. Connor).

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



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

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December 1, 2015

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

Dear Sir/Madam:

At its Full Board meeting on November 19, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

22. Quinto Quarto, Inc., d/b/a Abbotega (aka Da Tommy Osteria), 14-16 Bedford St. 10014 (OP Corp Change)

i. Whereas, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for another "corporate change" for an existing Restaurant On-Premise Liquor License (SN#1214646); a separate corporate change was previously presented to CB2, Man. in 10/2014, one of the existing principals will now own 95% plus of the shares as a result of the issuance of new shares as a result of a capital infusion; the premises will continue to be a restaurant that focuses on high end Italian cuisine with a slight reduction in hours of operation; and,

ii. Whereas, this application is for a "corporate change" as described above for an existing high-end Italian restaurant in a mixed-use building located on Bedford St. between 6th Avenue and Downing Street for a currently licensed location on the ground floor with 15 tables with 40 table seats and 1 standup bar with 2 seats, for a grand total of 42 seats; the maximum occupancy as stated by the applicant is 74 people, there is a "letter of no objection" from the NYC Department of Buildings, the premises is located within a residentially zoned (R6) block and lot with no commercial overlay, the applicant states this is a "grandfathered" location for use as a commercial space, use group 6 on the ground floor, there is no sidewalk café and no backyard or outdoor areas in use or part of this application; and

iii. Whereas, the hours of operation will be Sunday to Thursday from 12 PM to 10:30 PM, and Friday and Saturday from 12 PM to 12 AM, no patrons will remain in the premises after closing, music will continue to be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there is existing soundproofing, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. Whereas, the controlling new principal will execute a stipulations agreement with CB2, Man. that they agree will be attached and incorporated in to the “existing” method of operation for the current Restaurant On-Premise Liquor License for Quintoquarto, Inc. d/b/a Abbottega, SN1214646, stating that:

1. Premises will be advertised and operated as a full service high-end Italian restaurant.
2. Hours of operation will be Sunday to Thursday from 12 PM to 10:30 PM and Friday & Saturday from 12 PM to 12 AM. No patrons will remain in the premises after closing.
3. Premises will not operate as a nightclub or disco.
4. Premises will not seek a New York City Department of Consumer Affairs Cabaret License
5. There will be no sidewalk café or outdoor areas.
6. All windows and French doors will remain closed at all times except for ingress and egress.
7. There will be no DJs, no live music, no promoted events, no scheduled performances and no event at which a cover fee is charged.
8. Music will be quiet ambient background music only.
9. There will be no televisions.
10. Patrons will not use the rear yard garden ever.
11. Patrons will be discouraged from smoking in front of residential windows and the sidewalk will be actively managed so that patrons do not block sidewalk or street.
12. Any sidewalk furniture including benches if allowed will be removed at 6 PM every day with no exceptions.
13. All previously existing stipulations will also remain in effect with the corporate change.

v. Whereas, a petition with small number of signatures from both business operators on Bedford St. and residents was presented; and,

vi. Whereas, the new principal agreed to the above noted stipulations; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a “corporate change” application for the existing Restaurant On Premise Liquor License (SN#1214646) as described above for **Quintoquarto, Inc. d/b/a Abbottega, 14-16 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 relating to the 4th “whereas” clauses above are incorporated into the “Method of Operation” on the SLA Restaurant On-Premise Liquor License.

Vote: Unanimous, with 38 Board members in favor.

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



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

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December 1, 2015

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

Dear Sir/Madam:

At its Full Board meeting on November 19, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

23. West 4th & Barrow, LLC, 192 W. 4th St. 10014 (New OP)

- i. Whereas**, the applicant appeared before CB2 Manhattan's SLA Licensing Committee "to re-instate their application (over 1 year has passed since the initial new restaurant on-premise liquor license "OP license" was presented in October 2014) to operate a neighborhood restaurant serving American fare on the ground floor of a nine story mixed use building in a Historic District on West 4th street at the corner with Barrow Street; and
- ii. Whereas**, the total licensed premises is 4,000 sq. ft. (2,000 sq. ft. ground floor and 2,000 sq. ft. basement), the basement will be used for mechanical and storage facilities ancillary to the restaurant but not for patrons, and there is a Certificate of Occupancy for the premises permitted eating and drinking on the ground floor only; and
- iii. Whereas**, there will a total of 22 tables and 102 seats and one bar with 24 seats for an occupancy of 126 patrons, one TV only, music will be background music only and there will be no sidewalk café or backyard garden; and
- iv. Whereas**, the hours of operation will be from 12 pm to 4 am from Monday to Friday and from 11 am to 4 am on Saturday and Sunday, there will be occasional private parties and there will be dedicated security outside the premises Thursday through Saturday; and
- v. Whereas**, the applicant agreed not to install new French doors or windows that open up to the sidewalk on Barrow and West 4th Streets and further agreed to close all doors and windows at all times, and the kitchen will remain open during all hours; and

vi. Whereas, there will be only one TV, music will be background only, and the applicant specifically agreed never to operate the premises as a “Sports Bar”; and

vii. Whereas, the applicant met with the Central Village Block Association (“CVBA”) and agreed to and executed stipulations with CVBA which are incorporated into the instant resolution, including but not limited to an obligation to post exterior signage at the front door directing patrons to be courteous and quiet when exiting the establishment and to conduct community meetings to review the on-going method of operation for the premises; and

viii. Whereas, previously, the President and a number of members of the Residential Cooperative directly above the premises appeared and met with the applicant and despite initial concerns, appeared content with the proposed method of operation and with the stipulations in place for the premises; and

ix. 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 OP license and the stipulations are as follows:

1. Premises will be advertised as a neighbor restaurant welcoming families and couples.
2. Will not operate a sidewalk café.
3. There will be 1 TV only.
4. Will not install new windows or door that open out to the sidewalks.
5. The hours of operation will be from 12 pm to 4am from Sunday to Friday and from 11 am to 4 am on Saturdays and Sundays and all patrons will be gone by closing.
6. The front façade doors and windows will be close at all times except for egress and ingress every night.
7. Music will be quiet, background level only and there will be no live music, dj’s, promoted events, scheduled performances or any events for which a cover fee is charged.
8. There will be dedicated security outside the premises Thursday through Saturday.
9. All stipulations agreed to with the Central Village Block Associate on 11/6/2015 / at the time of this application / will be incorporated into this agreement with CB2.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a full On Premises license to **West 4th & Barrow, LLC, 192 W. 4th St., 10014** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on the OP License.

Vote: Passed, with 37 Board members in favor, and 1 in opposition (M. Schott).

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



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

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December 1, 2015

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

Dear Sir/Madam:

At its Full Board meeting on November 19, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

24. M. Merrill on behalf of entity TBD d/b/a Beatrice Inn, 285 W. 12th St. 10014 (New OP via transfer)

- i. Whereas**, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new on-premise liquor license via a transfer application for a "restaurant serving New American cuisine; there will be no major change to the current approved method of operation"; and,
- ii. Whereas**, this application is for a restaurant on premise liquor license for a 2,000 sq. ft. restaurant located in the basement in a mixed use building on West 12th between West 4th Street and 8th Avenue with 35 tables, 82 table seats, 1 standup bar with 11 bar seats for a total of 93 interior seats and a maximum legal capacity of 125 persons, there is an existing place of assembly permit and Certificate of Occupancy; and,
- iii. Whereas**, the hours of operation will be Sunday from 11AM to 12AM, Monday to Thursday from 5PM to 12AM, Friday from 5pm to 1AM and Saturday from 11AM to 1AM (No patrons shall remain after the closing hour), music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at all times except for patron ingress and egress, there will not be a sidewalk café application and no backyard garden, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no TV's; and,

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

1. The premises will be advertised and operated as a restaurant serving new American cuisine as described.
2. The hours of operation will be Sunday from 11AM to 12AM, Monday to Thursday from 5PM to 12AM, Friday from 5pm to 1AM and Saturday from 11AM to 1AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will not have a sidewalk café.
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. The Premises will not have French doors, operable windows or open facades and will close all doors at all times except for patron ingress and egress.
11. The Licensee has agreed to obtain all required certificates, permits and related documents.
12. The Premises will adhere to and not violate all NYC noise codes.
13. The Licensee will use best efforts to soundproof the establishment
14. The Licensee will have a double door vestibule that prevents noise from escaping onto the sidewalk.
15. The Licensee has agreed to not store garbage or garbage dumpsters outside of the establishment.
16. The Licensee will not place refuse at the curb and arrange trash pick up between the hours of 8am and 6pm.
17. The Licensee has agreed to not use any new or additional neon signage/lighting or LED’s on the establishment except for the historic “Beatrice Inn” sign.

v. Whereas, the Applicant met with the Middle West 12th St. Block Association and reaffirmed that they would continue to abide by the stipulations executed by West 12th St. Partners LLC who currently operate the premises and stated that they would expand service times to include brunch on weekends; and

vi. Whereas, there are currently approximately 17 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a new restaurant on-premise liquor license via a “transfer” application **for M. Merrill on behalf of entity TBD d/b/a Beatrice Inn, 285 W. 12th St. 10014** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA restaurant on-premise liquor license.

Vote: Unanimous, with 38 Board members in favor.

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



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

Community Board No. 2, Manhattan

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December 1, 2015

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

Dear Sir/Madam:

At its Full Board meeting on November 19, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

25. Whynot My Way, LLC d/b/a Whynot Bistro (Dominic Bistro), 14 Christopher St. 10011 (Layover - Alteration to existing TW)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on November 12th, 2015, the Applicant's attorney requested to layover this application for an alteration application for the method of operation and physical layout for an existing tavern wine license in conjunction with an upgrade to an on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed alteration to any existing tavern wine license, on premise liquor license, corporate change, class change/upgrade application, transfer, or changes to any existing license for **Whynot My Way, LLC d/b/a Whynot Bistro (Dominic Bistro), 14 Christopher St. 10011** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

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



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

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December 1, 2015

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

Dear Sir/Madam:

At its Full Board meeting on November 19, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

26. Whynot My Way, LLC d/b/a Whynot Bistro (Dominic Bistro), 14 Christopher St. 10011 (RW) (Layover - upgrade from Tavern Wine to On Premise Liquor)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on November 12th, 2015, the Applicant's attorney requested to **layover** this application for an upgrade application/change in class application from a tavern wine license to a on-premise liquor license in conjunction with an alteration application to the existing method of operation and physical layout and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed class change/upgrade application to an on-premise liquor license, alteration to any existing tavern wine license, on premise liquor license, corporate change, transfer, or changes to any existing license for **Whynot My Way, LLC d/b/a Whynot Bistro (Dominic Bistro), 14 Christopher St. 10011** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

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



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

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December 1, 2015

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

Dear Sir/Madam:

At its Full Board meeting on November 19, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

27. Ramen by Mew, LLC, 7 Cornelia St. Northwest Store 10014 (Layover – New RW)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on November 12th, 2015, the Applicant's attorney requested to **layover** this application for a new restaurant wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed restaurant wine, tavern wine license, eating place beer, on premise liquor license, corporate change, class change/upgrade, transfer, or changes to any existing license for **Ramen by Mew, LLC, 7 Cornelia St. Northwest Store 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

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



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

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December 1, 2015

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

Dear Sir/Madam:

At its Full Board meeting on November 19, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

28. FJF Hospitality Group, Inc., d/b/a Tavo, 615 Hudson St. 10014 (Layover – New OP)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on November 12th, 2015, the Applicant's attorney requested to **layover** this application for a new restaurant on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed 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 **FJF Hospitality Group, Inc., d/b/a Tavo, 615 Hudson St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

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



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

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December 1, 2015

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

Dear Sir/Madam:

At its Full Board meeting on November 19, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

29. Phil Alotta or an entity to be formed, 310 Spring St. 10013 (Layover – New OP)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on November 12th, 2015, the Applicant's attorney requested to **layover** this application for a new restaurant on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed; and

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, 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 **Phil Alotta or an entity to be formed, 310 Spring St. 10013** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

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

Sincerely,



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



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



Tobi Bergman, Chair
Community Board #2, Manhattan

TB/fa

cc: Hon. Jerrold L. Nadler, Congressman
Hon. Nydia Velasquez, Congresswoman
Hon. Deborah J. Glick, NY State Assembly Member
Hon. Brad Hoylman, NY State Senator
Hon. Daniel L. Squadron, NY State Senator
Hon. Gale Brewer, Man. Borough President
Hon. Corey Johnson, Council Member
Hon. Margaret Chin, Council Member
Hon. Rosie Mendez, Council Member
Kerri O'Brien, 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