

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



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

Community Board No. 2, Manhattan

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

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

December 6, 2018

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

Dear Sir/Madam:

At its Full Board meeting on November 20, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

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

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

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

1. The hours of operation for the service of alcohol will be from 2 PM to 1 AM on Sunday, 5 PM to 1 AM Monday through Wednesday, 5 PM to 2 AM Thursday and Fridays and from 2 PM to 2 AM on Saturdays.
2. The doors on Barrow Street will not be open or used for patrons with the exception of deliveries during daytime hours.
3. Security will be used on the front door Friday and Saturday evenings from 6pm to closing and on holidays and for major events. Security will wear distinguishing clothing clearly identifying them as security. They will also be licensed by the State of New York.
4. The windows will be closed during hours were there is noise and in no event will they be open later than 10 pm.
5. The licensee will provide a contact number to neighbors that can be used at all times.
6. That a principal or designated manager with Authority will be present during all hours of operation.
7. Use a reasonable carting company for the removal of trash from the premise. All trash from the premise will be picked up by the carting company.
8. Will use only heavy-duty contractor bags (3mil to 6 mil) for all trash & garbage. All 3 mil bags will be double bagged.
9. Will have outside the premises swept each morning from building line on Barrow Street to building line on Bleecker Street.
10. Will post signage outside the premise requesting the customers be considerate of the neighbors and to limit all noise outside the premise.
11. Food will be available during all hours of operation.
12. Will take effective steps to minimize or eliminate grease fumes and other odors emanating from its ventilating/exhaust system, such as by rerouting ducts and/or installing filters. The applicant will get an expert in to determine whether the exhaust stack will need to change the direction it opens or whether filters must be installed to reduce emissions. This will be done within thirty days and remedial work will be taken promptly thereafter.
13. Will post this stipulation where it is accessible to all employees.
14. Will have a sound technician evaluate the work required to "Soundproof" the west wall of the second floor of the premise. The evaluation will be done within the next 21 days and the work required by the evaluation will commence within 14 days thereafter.

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

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

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

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

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

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

1. The premises will be advertised and operated as a Tavern.
2. The hours of operation will be from 2 PM to 1 AM on Sunday, 5 PM to 1 AM Monday through Wednesday, 5 PM to 2 AM Thursday and Fridays and from 2 PM to 2 AM on Saturdays.
3. The doors on Barrow Street will not be open or used for patrons at all times.
4. The premises will not operate as a sports bar or allow any portion of the premises to be operated in such a manner.
5. The premises will not permit dancing.
6. There will be outdoor for commercial purposes and no sidewalk cafe.
7. The premises will play quiet ambient, recorded background music only.
8. The premises will not have DJs, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at any time.
10. All windows will be closed at all times.
11. Will not make changes to the existing façade except to change signage or awning.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
13. Will not have unlimited drink or unlimited food & drink specials. Will not have "boozy brunches".
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. The premises will not have dancing, DJs, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades.
16. Doorman/Security will be utilized Thursday to Saturday from 10 pm to close and as necessary at other times.

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

Vote: Unanimous, with 37 Board members in favor.

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December 6, 2018

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

Dear Sir/Madam:

At its Full Board meeting on November 20, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

i. Whereas, the Applicant and his Attorney appeared before Community Board 2, Manhattan's SLA Licensing Committee to present an application to the Liquor Authority for a transfer of an existing Tavern Wine license to continue to operate a Gourmet Delicatessen serving Breakfast, Lunch, and Dinner in a three-story commercial building on Broadway between 10th and 11th Street in Greenwich Village; and

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

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

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

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

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

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the transfer application to **DS1970 Corp, 793 Broadway, New York, NY 10003** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on the Tavern Wine License.

Vote: Unanimous, with 37 Board members in favor.

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NY State Liquor Authority
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New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on November 20, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

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

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

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

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

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

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

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

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

Vote: Unanimous, with 37 Board members in favor.

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Dear Sir/Madam:

At its Full Board meeting on November 20, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

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

ii. Whereas, the 1,250 sq. ft. premises (650 sq. ft. ground floor and 600 sq. ft. storage cellar) was previously operated as Subway Sandwich shop (2009-2015) but has never previously been licensed or operated for eating and drinking, a certificate of occupancy was presented permitting a commercial store on the first floor but there was no specific designation for eating and drinking on the document; and,

iii. Whereas, the Applicant initially filed but later withdrew an application for an on premise license at the premises, there being opposition to the on premise license from the NoHo Bowery Stakeholders, the Applicant later filing a new 30 day notice for a Restaurant Wine license not subject to the 500 foot rule; and,

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

v. **Whereas**, the applicant's agreed upon hours of operation will be Sunday through Saturday from 5 PM to 1 AM, music will be quiet ambient background music only; and,

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

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

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the new Restaurant Wine license for **Bowery Sushi, LLC d/b/a Yoshino. New York, 342 Bowery** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the "Method of Operation" on the SLA Restaurant Wine License.

Vote: Unanimous, with 37 Board members in favor.

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



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

Dear Sir/Madam:

At its Full Board meeting on November 20, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

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

Whereas, prior to CB2, Manhattan’s SLA Licensing Committee #1 Meeting on November 7, 2018 the Applicant requested **to layover** this application to December/2018 and requested to adjourn and submit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, corporate change, alteration, transfer or other changes to the existing license for **Showfields NY 1, LLC, d/b/a Pending, 11 Bond St. 10012** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 37 Board members in favor.

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317 Lenox Avenue
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on November 20, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

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

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, corporate change, alteration, transfer or other changes to the existing license for **MM130 Bowery Rest. Corp., d/b/a Capitale, 130 Bowery 10013** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 37 Board members in favor.

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Dear Sir/Madam:

At its Full Board meeting on November 20, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

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

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, corporate change, alteration, transfer or other changes to the existing license for **Chipotle Mexican Grill of Colorado, LLC, d/b/a Chipotle, 504 6th Ave. 10011** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 37 Board members in favor.

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Dear Sir/Madam:

At its Full Board meeting on November 20, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

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

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, corporate change, alteration, transfer or other changes to the existing license for **Chipotle Mexican Grill of Colorado, LLC, d/b/a Chipotle, 405 6th Ave. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 37 Board members in favor.

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Dear Sir/Madam:

At its Full Board meeting on November 20, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

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

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, corporate change, alteration, transfer or other changes to the existing license for **Chipotle Mexican Grill of Colorado, LLC, d/b/a Chipotle, 71 Spring St. 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 37 Board members in favor.

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December 6, 2018

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

Dear Sir/Madam:

At its Full Board meeting on November 20, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

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

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

Vote: Unanimous, with 37 Board members in favor.

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



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

Community Board No. 2, Manhattan

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December 6, 2018

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

Dear Sir/Madam:

At its Full Board meeting on November 20, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

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

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

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

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

1. Premise will be advertised and operated as a casual family/café style coffee and sandwich shop.
2. The hours of operation will be Sunday to Thursday from 7AM to 10PM and Friday and Saturday from 7AM to 11PM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes or patron seating (not including a licensed sidewalk café).
7. Will operate sidewalk café no later than 10PM Sunday To Thursday and 11PM Friday to Saturday (all tables & chairs will be removed at this hour)
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. The premises will not have DJs, live music, or promoted events.
10. The Premises will not have French doors, operable windows or open facades and will close all doors and windows closed at all times.
11. The previous stipulations for the prior operator will be continued for this operation and applicant.
12. This application includes an existing sidewalk café with 4 tables and 8 seats.
13. Licensee agrees to never apply for an on-premise liquor license or to upgrade this license to a full liquor license at this location.
14. There will only be 1 standup bar with 5 seats.
15. All doors and windows will be closed at all times.
16. Will keep area in front of the premises clear of delivery bicycles and ebikes.
17. Will have a manager’s contact information for local residents available at all times.

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

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a transfer application for a Restaurant Wine License for **Hudson Café Mir & MG, LLC, d/b/a Hudson Café, 628 Hudson St.** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 37 Board members in favor.

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



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

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December 6, 2018

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

Dear Sir/Madam:

At its Full Board meeting on November 20, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

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

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

iii. Whereas, the hours of operation for the interior of the restaurant will be will be from Tuesday to Friday from 5PM to 11PM and Saturday to Monday from 11AM to 11PM, all doors will be closed at 9pm every night except for patron ingress and egress and anytime there is amplified music, live music, or DJ; there are no operable windows, music will be quiet background only consisting of

music from ipod/CDs (i.e. no active manipulation of music – only passive prearranged music), there will be no DJ, no promoted events, no scheduled performances or cover fees, no velvet ropes, and no movable barriers; and,

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

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

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

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

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

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

1. Premise will be advertised and operated as a full service Chinese fine dining restaurant.
2. The hours of operation will be: Tuesday to Friday from 5PM to 11PM and Saturday to Monday from 11AM to 11PM. Premises will open no later than stated opening time and no patrons will remain after stated closing time.
3. Will operate full service restaurant, specifically a Chinese fine dining restaurant with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions or projectors.

6. Will operate my backyard garden area for dining purposes only, no music and no earlier than 11AM and no later than 10PM (all patrons and staff will be cleared at this hour and area closed).
7. Will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
8. Will close all doors & windows at 9:00 PM every night and anytime there is amplified music, live music, or DJ.
9. Will not install or have French doors, operable windows or open facades.
10. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
11. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
13. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
14. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel or doorman.
15. There will be no stand up bar.
16. There will be no exterior heaters in the rear yard.
17. Will obtain a permit, Certificate of Occupancy or Letter of No Objection that *specifically includes rear yard use in residential only R6 zoning*. [The premises is located in a R6 Residentially zoned area which does not allow any extension of grandfathered uses into outdoor areas.]

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

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new restaurant wine license for **20 Cornelia, LLC, d/b/a Silver Apricot, 20 Cornelia St. 10014** **unless** the statements the Applicant has presented are accurate and complete, that the Applicant can demonstrate legal use of the rear yard and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On-Premise Liquor License.

Vote: Unanimous, with 37 Board members in favor.

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



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

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December 6, 2018

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

Dear Sir/Madam:

At its Full Board meeting on November 20, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

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

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

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

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

1. Premise will be advertised and operated as a coffee shop/wine bar/cafe.

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

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

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

Vote: Unanimous, with 37 Board members in favor.

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



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

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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 20, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

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

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

iii. Whereas, the hours of operation will be from Sunday from 10:30AM to 12AM, Monday to Thursday from 4PM to 12AM, Friday from 4PM to 1AM and Saturday from 10:30 AM to 1AM, no patrons will remain after stated closing times and the last patron seating will be 90 minutes prior to closing times; there is no sidewalk cafe, all doors and windows will be closed at 9PM Sunday to

Thursday and 10PM Friday to Saturday, there are no operable windows except for possibly transom windows installed at the top of the window facades which will be closed at those times as indicated, music will be quiet background only consisting of music from ipod/CDs (i.e. no active manipulation of music – only passive prearranged music), there will be no DJ, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will only 1 T.V. as indicated in the stipulations; and,

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

1. Premise will be advertised and operated as a neighborhood restaurant serving Latin inspired food and drink as described.
2. The hours of operation will be: Sunday from 10:30AM to 12AM, Monday to Thursday from 4PM to 12AM, Friday from 4PM to 1AM and Saturday from 10:30 AM to 1AM. Premises will open no later than stated opening time and no patrons will remain after stated closing time.
3. Will operate full service restaurant, specifically a neighborhood restaurant serving Latin inspired food and drink with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will have no more than 1 television, no larger than 46” (there will be no projectors).
6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café).
7. Sidewalk Café is not included in this application.
8. Will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
9. Will close all doors & windows at 9PM Sunday to Thursday and 10PM Friday to Saturday and anytime there is amplified music, live music or DJ.
10. Will not install or have French doors, operable windows or open facades. May install transom windows at top of façade.
11. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades or security Personnel/Doorman.
16. No patron use of basement.
17. There will be no “A-frames”, sandwich boards, or other sidewalk obstructions.
18. Will post a “please be considerate of neighbors style” sign.
19. Will obtain a Place of Assembly Permit.
20. The last patron seating will be 90 minutes before indicated closing times above.

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

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

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new restaurant on-premise liquor license for **The Banty Rooster, Inc., d/b/a The Banty Rooster, 24 Greenwich Ave** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On-Premise Liquor License.

Vote: Unanimous, with 37 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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December 6, 2018

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

Dear Sir/Madam:

At its Full Board meeting on November 20, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

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

ii. Whereas, this application is for a new on-premise liquor license; the premises is located in a previously licensed location in a sub street level location located in a vault below Ninth Avenue between 13th and 14th St. which was re-discovered in 2005 after having abandoned since the 1920's, the vault was deemed at that time as belonging to 675 Hudson St., the premises is located in the subterranean vault space of a five story mixed use commercial loft building with legal loft law apartments on the 2nd and 4th floor, with 4 other licensed premises located on the ground floor; the premises is accessed through two separate entrances located on the sidewalk on ninth avenue and 13th St. similar to small scale subway style entrances with steps leading down to the subterranean level; the vault premises is roughly 4,250 sq. ft. premise with 21 tables and 76 seats, and one stand-up bar with 15 seats for a total of 91 seats; there is no current valid certificate of occupancy; however, a series of Temporary Certificate of Occupancy's was provided, the most recent TCO# 110169950T020 expired on March 27, 2018; the applicant stated that if this TCO was renewed, it would be kept current at all times that the license was in effect and would never be allowed to expire while the premises was operating; and,

iii. Whereas, the hours of operation will be from Sunday from 6PM to 1AM, Monday to Wednesday from 4PM to 1AM, Thursday to Friday from 4PM to 2AM, and Saturday from 6PM to 2AM, there are no doors and windows to any exterior areas; music will be quiet background only consisting of

music from ipod/CDs (i.e. no active manipulation of music – only passive prearranged music), there will be no DJ during regular operations, there will be no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; there may be DJs only at private events and all special events will end by 12AM and be limited to 36 private events per year; management will keep a log of all private events available for review ; and,

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

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

1. Premise will be advertised and operated as an upscale contemporary Asian lounge with a Chinese culinary focus in a tucked away Thai oasis.
2. The hours of operation will be: Sunday from 6PM to 1AM, Monday to Wednesday from 4PM to 1AM, Thursday to Friday from 4PM to 2AM, and Saturday from 6PM to 2AM. Premises will open no later than stated opening time and no patrons will remain after stated closing time.
3. Will operate full service restaurant, specifically an Asian restaurant/lounge with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions or projectors.
6. Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café).
7. Will play quiet, ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
8. Will not install or have French doors, operable windows or open facades.
9. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have "boozy brunches". No pitchers of beer.
11. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.
12. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
13. Will not have: Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades.
14. There will be one entry on 9th Avenue for patrons and one exit only on 13th St. Both may be used for emergency egress.
15. Will use electronic messaging system to prevent patron lines.
16. There may be DJs only during private events. All private events will end by 12AM.
17. The maximum operating occupancy (both staff and patrons) will not exceed 150 persons.
18. When DJ is used for private events, the volume levels will still be at background levels.
19. There will be no more than 36 private events per year.

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

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

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

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new restaurant on-premise liquor license for **Helen's, LLC, d/b/a Helen's, Vault at 675 Hudson St. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the "Method of Operation" on the SLA Restaurant On-Premise Liquor License.

Vote: Unanimous, with 37 Board members in favor.

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



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

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December 6, 2018

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

Dear Sir/Madam:

At its Full Board meeting on November 20, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

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

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

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

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

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

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

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

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

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

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

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

Vote: Unanimous, with 37 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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December 6, 2018

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

Dear Sir/Madam:

At its Full Board meeting on November 20, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

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

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

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, transfer, alterations, upgrade or changes to any existing license for **AV NY 1, LLC, d/b/a Pending, 15 8th Ave. 10014 (OP – Restaurant)** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 37 Board members in favor.

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



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December 6, 2018

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

Dear Sir/Madam:

At its Full Board meeting on November 20, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

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

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, class change, transfer, alterations, upgrade or changes to any existing license for **Embe Restaurant Corp., d/b/a Osteria 57, 57 W. 10th St. until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 37 Board members in favor.

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



Antony Wong, *Treasurer*
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December 6, 2018

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

Dear Sir/Madam:

At its Full Board meeting on November 20, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

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

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, transfer, alterations, upgrade or changes to any existing license for **L&B 89 7th Ave. S. Corp., d/b/a Cuba Libre, 89 7th Ave. South** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 37 Board members in favor.

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



Antony Wong, *Treasurer*
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December 6, 2018

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

Dear Sir/Madam:

At its Full Board meeting on November 20, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

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

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, transfer, alterations, upgrade or changes to any existing license for **G Chew, LLC, d/b/a Ciccio diVino, 192 6th Ave.** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 37 Board members in favor.

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



Antony Wong, *Treasurer*
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December 6, 2018

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

Dear Sir/Madam:

At its Full Board meeting on November 20, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

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

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

Vote: Unanimous, with 37 Board members in favor.

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

Sincerely,



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



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



Terri Cude, Chair
Community Board #2, Manhattan

TC/fa

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