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COMMUNITY BOARD NO. 2, MANHATTAN

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NEW YORK, NY 10012-1899

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December 28, 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 December 17, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

1. Village 122 Café, Inc., d/b/a MacDougal Street Ale House, 122 MacDougal St., 10012 (OP/Corporate Change)

A. Whereas, the Licensee appeared before Community Board 2, Manhattan's SLA Licensing Committee to present an application to the Liquor Authority for a corporate change of an existing on-premise liquor license for a neighborhood tavern operating since 1997 (by this company since 2005) serving light meals and cocktails in a warm and inviting atmosphere in a mixed use building located on MacDougal Street between West 3rd St. and Bleecker St.; and,

B. Whereas, one of the existing business owners/shareholders is purchasing all the shares in the company from an another existing shareholder/owner so that the Licensee will now own 100% of the Company known as Village 122 Café, Inc., there will be no change in the current method of operation in an approx. 1,200 sq. ft. premise ground floor premises with 8 tables and 34 seats and 1 stand up bar with 12 seats for a grand total of 46 interior seats, there is an existing Certificate of Occupancy; and,

C. Whereas, the hours of operation for the premises will continue be from 12PM to 4AM seven days a week, music will be quiet background only consisting of music from a jukebox and XM radio, all doors and windows will be closed at all times except for patron egress through the front door, there will be no d.js., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be 6 TV's, there will be security every night; and,

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

1. The premises will be advertised and operated as a neighborhood tavern.
2. The hours of operation will be from 12PM to 4AM seven days a week.
3. There will be no backyard, rooftop or other outdoor space for the service of alcohol.
4. There will continue to be six televisions.
5. All doors and windows will be closed at all times except for patron egress via the front door.
6. Will operate under only one d/b/a name.
7. There will be no dancing.
8. There will be no patron use of basement.
9. Music will be quiet, background only and there will be no d.j.s, live music, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes and no movable barriers.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a corporate change of an On Premise Liquor License for **Village 122 Café, Inc. d/b/a MacDougal Street Ale House, 122 MacDougal St., 10012** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 40 Board members in favor.

Tobi Bergman, *Chair*
Teri Cude, *First Vice Chair*
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Director
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NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on December 17, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

2. Barrow 15 Café, Ltd. d/b/a Barrow Street Ale House, 15 Barrow St. 10014 (OP/Corporate Change)

A. Whereas, the Licensee appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application for a corporate change of a Tavern/On-premise liquor license in a neighborhood tavern and sports bar operating since 1998 serving light meals and cocktails in a mixed use building located on Barrow St. between West 4th St. and 7th Avenue South; and,

B. Whereas, one of the existing business owners/shareholders is purchasing all the shares in the company from an another existing shareholder/owner so that the Licensee will now own 100% of the Company known as Barrow 15 Café, Ltd, there will be no change in the current method of operation in an approx. 2,800 sq. ft. (1,800 sq. ft. ground floor, 1,000 sq. ft. basement) with ground floor of 15 tables and 50 seats, 1 stand up bar with 16 seats for a total of 66 seats on the first floor, and 14 counter seats in the basement, a grand total of 80 seats, there is a Certificate of Occupancy; and,

C. Whereas, the hours of operation will be 12PM to 4AM on Sunday, 11AM to 4AM Monday to Saturday (No patrons shall remain after the closing hour), music will be quiet background only consisting of music from a jukebox and XM radio (no active manipulation of music-only passive prearranged music), all doors and windows will be closed at all times except for patron egress through the front door, there will be no d.j.s, no promoted events, occasional private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be 10 TV's, there will be security personnel every night; and,

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

1. The premises will be advertised and operated as a neighborhood tavern and sports bar.
2. The hours of operation will be from 12PM to 4AM on Sunday, 11AM to 4AM Monday to Saturday.
3. There will be no backyard, rooftop or other outdoor space for the service of alcohol.
4. There will continue to be 10 televisions.
5. All doors and windows will be closed at all times except for patron egress via the front door.
6. Will operate under only one d/b/a name.
7. There will be no dancing.
8. There will be no patron use of basement.
9. Music will be quiet, background only and there will be no d.j.s, live music, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes and no movable barriers.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Tavern On Premise Liquor License via a “corporate change” application for **Barrow 15 Café, Ltd. d/b/a Barrow Street Ale House, 15 Barrow St. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Tavern/On premise License.

Vote: Unanimous, with 40 Board members in favor.

Tobi Bergman, *Chair*
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Dear Sir/Madam:

At its Full Board meeting on December 17, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

3. Da Massimo, LLC d/b/a Da Marcella, 142 West Houston St., 10012 (Transfer of BW, previously licensed Cucina Buona Group, Inc. d/b/a Marcella, lic.# 1262563 exp. 4/30/2017)

A. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application for a transfer of an existing Restaurant Wine license in a location operating as a casual Italian family restaurant in a three story mixed-use building located on West Houston Street between Sullivan and MacDougal Streets; and,

B. Whereas, there will be new ownership but the method of operation, hours of operation and name will remain the same, the premises will continue to operate as a full service Italian Restaurant in an approx. 1,400 sq. ft. premises (700 sq. ft. ground floor and 700 sq. ft. basement with no patron use) with 28 tables and 62 seats and 1 food counter with 5 seats and 1 stand-up bar with no seats for a grand total of 67 seats, exterior within the property line there are two tables with 4 seats, there is no plan for a sidewalk café at this time; and,

C. Whereas, the hours of operation for the interior of the premises will be 11AM to 11:30PM seven days of week, music will be background only consisting of music from ipod (no active manipulation of music – only passive prearranged music), outdoor service will end every night by 11PM, all doors and windows will be closed at 10PM every night, there will be no d.j.s, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no TV's, there will be no patron eating and drinking in the basement; and,

D. Whereas, the Applicant presented a petition with resident signatures, a representative of BAMRA appeared and a resident member stating that the Applicant failed to meet with the association; and,

E. Whereas, the applicants executed a stipulations agreement with CB2 Man. that they agreed would be attached and incorporated in to their method of operation on their RW license and the stipulations are as follows:

1. The premises will be advertised and operated as a Italian Restaurant.
2. The hours of operation will be from 11AM to 11:30PM seven days of week.
3. There will be two exterior tables with 4 seats located within the property boundary at the front of the premises, which will close by 11 PM every night.
4. There will continue to be no televisions.
5. All doors and windows will be closed by 10 PM.
6. There will be no dancing.
7. 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.
8. There will be no sidewalk café at this time.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a transfer of a Restaurant Wine License via a “transfer” application for **Da Massimo, LLC d/b/a Da Marcella, 142 West Houston St. 10012** unless the statements the Applicant has presented are accurate and complete, and that those conditions agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 40 Board members in favor.

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NY State Liquor Authority
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Dear Sir/Madam:

At its Full Board meeting on December 17, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

4. 185 Grand Street Operating Group, LLC d/b/a d/b/a Francy's, 185 Grand Street 10013
(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 an "upscale" full service Italian Restaurant paying homage to the great Italian restaurants of the mid-20th century in an elegant and unpretentious environment with white table cloths; and

B. Whereas, the storefront space at 185 Grand Street is located within a three-story 19th Century mixed-use townhouse building (Circa 1900) with a rear yard in the Little Italy Historic District directly on Grand Street between Mulberry and Baxter Streets; and

C. Whereas, this premises was previously added as an extension of the restaurant Il Palazzo (SN1025412) in 2003 (prior to 2003 Il Palazzo was located only in 151 Mulberry St.); it has subsequently been brought to CB2's attention that the extension of Il Palazzo Restaurant into the space being sought to be licensed was done without any NYC DOB permits through illegal construction and included a connection through what appears to be an illegally permanently enclosed rear yard at the rear of this premises at 185 Grand St.; the License for Il Palazzo was issued by the Liquor Authority without the previous Licensee having appropriate NYC DOB permits in place; and

D. Whereas, during his presentation, the applicant was candid and volunteered/explained that the prior licensee/operator of Il Palazzo had physically connected the two separate historic townhouses at 185 Grand and 151 Mulberry by building and extending the rear facades of both buildings into their adjacent rear yards to join and create one single eating and drinking business subsequently licensed for the service of alcohol; and

E. Whereas, the applicant explained that the prior build-out and connection between the two buildings was completed without any approvals from the NYC Dept. of Buildings but that he was already in the process of disconnecting and separating the two buildings at the rear and rectifying the impermissible use and occupancy and by obtaining the proper permits with the Dept. of Buildings, providing photographs showing new walls erected thereat for this purpose and stated his plan to operate both storefronts separately and autonomously with no physical connection between the two buildings and with separate operations, separate entrances and separate kitchens; the separate operation at 151 Mulberry St. is the subject of a pending application before the Liquor Authority ITA Concepts LLC SN 1291003; and

F. Whereas, there were indications that the front façade had also been previously altered without permits to a faux stone and ivy that detracted from the integrity of the building and was inconsistent with the materials more appropriate to the historic period when the townhouse was originally built; and

G. Whereas, there have been five separate complaints to the NYC DOB from June/2015 to November/2015 regarding construction work to a restaurant at 151 Mulberry Street without any permits resulting in what appears to have been an administrative closure, however there were no permits for 185 Grand St., the subject of this application, even though the applicant provided pictures showing work being performed in the space and explained that a new and separate kitchen was in the process of being built for this proposed premises; and

H. Whereas, there are no permits currently filed with the NYC DOB for construction work to renovate the interior premises at 185 Grand Street or 151 Mulberry Street, no certificate of occupancy on file or Letter of No Objection permitting the use and occupancy as an eating and drinking establishment; and

I. Whereas, the applicant previously appeared before CB2 Man. in October/2015 and presented a separate application for the storefront premises at 151 Mulberry St. and will operate the separate premises/storefront as ITA Concepts, LLC d/b/a Aunt Jakes Italian Specialties, operating those premises with a separate and distinct beer and wine license; and

J. Whereas, the applicant further explained that the owner and lessor, the Italian American Museum, owns both buildings located at 151 Mulberry and 185 Grand Streets and will only lease the two storefront spaces simultaneously requiring applicant to make the necessary changes and to open two separate eating and drinking establishments in each of the two separate buildings; and

K. Whereas, the same applicant also operates The Little Italy Speak Easy d/b/a The Mulberry Project next door in the basement of 149 Mulberry Street, a bar advertised as a subterranean speakeasy paying homage to street culture, albeit without any identifiable entrance or signage to identify such business to the public from the public sidewalk, with DJs rotating nightly, which has been subject to prior SLA enforcement and further advertises and operates a large backyard garden identified on its website as the La Isla Escondida pop up; and

L. Whereas, the plan for storefront premises to be licensed at 185 Grand Street includes an enclosed atrium with fixed skylight that will be inoperable, the applicant could not state the full square footage of the proposed premises because it had still not been built out but provided a diagram of the proposed premises with 14 tables and 56 seats, a stand up bar with six seats, a full service kitchen in the basement, four bathrooms and one entrance/exit for patrons, there will be no outdoor areas, backyard garden or rooftop for the service of alcohol; and

M. Whereas, the hours of operation will be from 11 AM to 12 AM Sunday through Thursday and from 11 AM to 1 AM Fridays and Saturdays, all doors and windows will be closed by 9 PM every night except for patron egress, no TVs and 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

O. Whereas, the applicant executed a stipulations agreement with CB#2 Man. that they agreed would be attached and incorporated in to their method of operation on their On Premise restaurant license should a license be issued 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 11 AM to 12 AM Sunday through Thursday and from 11 AM to 1 AM Fridays and Saturdays.
3. There will be no backyard, rooftop or other outdoor space for the service of alcohol, beer or wine.
4. There will be no televisions.
5. All doors, skylights and windows that may be installed will be fixed and will not be operable or open out to rear yard or otherwise except for front entrance patron egress on Grand Street.
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 dancing.
9. There will be no patron use of basement.
10. 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.

N. Whereas, there are already 32 existing On Premise liquor licenses within 500 feet of the existing premises (not including beer and wine licenses) with 4 additional pending licenses and there are already 41 On Premise liquor licenses within 750 feet of the existing premises; and

M. Whereas, CB2, Man. requests from all applicants either copies of existing letters of no objection and/or a certificate of occupancy for their premises; in cases where this is not possible, applicants are requested to provide a detailed explanation of how they intend to accomplish either obtaining a letter of no objection or a certificate of occupancy for their premises; and,

O. Whereas, the applicant was unable to explain how they intended to obtain either a letter of no objection or a certificate of occupancy; it was noted that the rear yard of the building which is now permanently enclosed with a glass/clear roof appeared to be constructed well after 1938 (letters of no objection pertain only to conditions that existed prior to 1938) and for it to be properly utilized for a restaurant, it would probably require a new certificate of occupancy; and,

P. **Whereas**, the applicant was also unable to explain the rear yard of the premises which makes up a significant portion of the premises and seating; the applicant claimed it was a part of the interior of the premises but it seems quite clear that this is in fact part of the rear yard which was illegally enclosed and no evidence of use for assembly or restaurant patron use was provided; this is of significant concern and determining the rear yard use prior to any recommendation is required as the impact on the existing noise level of any new exterior dining area is specifically relevant to determining public interest and it is unclear if the applicant would be required by the NYC DOB to remove the rear yard enclosure or change it significantly to result in an open air dining environment and,

Q. **Whereas**, this proposed liquor license is in an area which already has an larger number of liquor licenses, many of which are for full service Italian restaurants and already properly service the area's needs, the applicant was unable to properly explain their plans for the rear yard space as explained above, the premises to be licensed by the applicants' own admission was improperly licensed in the past, in addition to local residents, this type of operation caters to visitors who travel to the area by car and this would further burden the existing parking situation and would further add additional vehicular traffic into an area which is often overburden with vehicular traffic;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the On Premise license application for **185 Grand Street Operating Group, LLC d/b/a d/b/a Francy's, 185 Grand Street 10013.**

Vote: Unanimous, with 40 Board members in favor.

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



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

Dear Sir/Madam:

At its Full Board meeting on December 17, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

5. LLC to be formed/Paul Italia, d/b/a TBD, 2 Spring St. aka 188 Bowery 10012 (New OP – previously unlicensed basement premises)

A. Whereas, the applicant appeared before CB2's SLA committee for the purpose of seeking a new OP license for the basement premises of a six-story mixed-use loft building at the south east corner of Spring and Bowery; and

B. Whereas, the premises was previously used as storage for a restaurant supply store and the current Certificate of Occupancy permits a use for meters, mechanical and accessory storage space with a maximum occupancy of 5; and

C. Whereas, the applicants seek to open a Comedy Club with late night service until 3 am in a 4,200 sq. ft. basement involving a complete gut renovation of the premises, the installation of a new full service kitchen and the installation of new mechanical systems where none had existed previously; and

D. Whereas, the premises does not have a valid Certificate of Occupancy or Public Assembly Permit allowing the premises to be operated as a eating or drinking establishment with a liquor license; and

E. Whereas, the renovation of the basement premises will create a new entrance to the premises on Spring Street and not on the Bowery and the applicant stated there would be security located at the entrance to the Comedy Club; and

F. Whereas, the proposed Comedy Club will have 22 tables with 85 seats, one bar with 14 seats for a total seating capacity of 99, but the applicant stated he will be seeking a total occupancy of 190 patrons in the space for an open mic at 6 pm and three shows starting at 8 pm, 10 pm and midnight with hours of operation from 11 am to 1 am Sunday through Wednesday and from 11 am to 3 am Thursday through Saturday; and

G. Whereas, the applicants already operate The Stand Comedy Club on 3rd Avenue where there is no drink minimum for any particular comedy show but where there are drink and cocktail specials, including a boozy brunch on the weekends when there are no shows scheduled; and

H. Whereas, the proposed basement premises will require new egress from the Bar/Restaurant leading directly into the main staircase and hallway used by the Residential Tenants of the building creating significant concerns of security and safety for the existing Residents, who include families with children and who have resided in the building for decades; and

I. Whereas, the basement premises also includes a rear courtyard outdoor space that faces the rear windows of a large adjacent residential community creating concerns of noise coming from the late night Comedy Club; and

J. Whereas, the applicant proposed speakers throughout the establishment for “ambient” music, soundproofing was offered but no coherent plan for soundproofing was actually proposed; and

K. Whereas, Residential Tenants of the building, appeared before CB2, Man. and were unanimously opposed to a new liquor license in their building, citing concerns with late night noise and crowds, the poor existing sound-proofing with an old building previously used for commercial purposes that when converted to residential years ago was done so without proper sound mitigation, an aggravation of an existing heavy volume of pedestrian and vehicle traffic, the over-saturation of liquor licenses in the neighborhood and produced photographs of the exterior building and closeness of residential windows to the proposed outdoor uses and interior building where new egress from the Bar/Restaurant directly into the Residents staircase and common hallway is proposed; and

L. Whereas, still other neighbors and the Bowery Block Association also appeared and spoke in opposition to the new liquor license application, as well as letters received from the Little Italy Neighbors Association, the Friends of Petrosino Square and the Nolita Place Condominiums, a 67-Unit Condominium building located directly across the Street at 199 Bowery; and

M. Whereas, there are already 30 on premise liquor licenses (not including beer and wine) within a 500 foot radius of these premises, many of which have only recently been added to the Area and many bars and night clubs, including the General/Finale NYC located right across the Bowery from the proposed premises and Sweet & Vicious, located right across Spring Street from the proposed premises; and

N. Whereas, these existing establishments (located across from this proposed establishment) at Spring and Bowery already generate considerable sidewalk and traffic congestion, that the General/Finale NYC alone contains three bars and night clubs causing gridlock caused by private cars and limos, double parked and blocking the intersection for vehicles attempting to turn left onto Spring, leading to the honking of horns late at night at a heavily congested intersection; and

O. Whereas, there are an additional 22 liquor licenses within a 750-foot radius of the proposed premises for a total of 52 liquor licenses within a few blocks of the proposed license and it is anticipated with the addition of yet another large 22 story hotel (Citizen M. currently being built at the corner of Delancey Street and Bowery) will further seek to establish even more liquor licenses in the immediate area; and

P. Whereas, members of the CB2 SLA Committee are very concerned about the addition of a comedy club in this area and location where no such operation has previously existed, the large size of the premises and the significant number of new patrons invited into a basement premises in a building primarily occupied by residential tenants with families, the complication of creating egress from the basement premises into the residential portion of the building, hallways and staircase, the recent addition of many late night establishments, bars and night clubs in the immediate area, the number of existing late night bars and OP licenses in the surrounding residential area, the licensee's failure to establish a coherent and viable public interest or benefit for operating a comedy club at these premises in a residential building until 3 am or alleviate the Committee's concerns with additional traffic, noise, exhaust and the failure to obtain all the proper licenses and permits to operate an eating and drinking establishment at these premises; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial for **LLC to be formed/Paul Italia, d/b/a TBD, 2 Spring St. aka 188 Bowery 10012** on its application seeking a new OP license, and

THEREFORE BE IT FURTHER RESOLVED that should this application be considered by the SLA, CB2, Man. respectfully requests that this item be Calendared to appear before the Full Board of the SLA; 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 basement premises has never been licensed for the service of alcohol at any point in the past.

Vote: Unanimous, with 40 Board members in favor.

Tobi Bergman, *Chair*
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Dear Sir/Madam:

At its Full Board meeting on December 17, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

6. Erjo Company LLC, d/b/a Cafetal Social Club, 285 Mott St. 10012 (Upgrade to full OP license from Restaurant Wine)

A. Whereas, the applicant appeared before CB2 Manhattan's SLA Licensing Committee to upgrade its existing Restaurant Wine license (Lic. #1266042, exp. 9/30/17) to a full On Premise liquor license to continue to operate a small Italian Café in a 600 SF ground floor storefront located in a six-story mixed use building on Mott Street between Prince and East Houston Streets; and

B. Whereas, the applicant has only operated the existing storefront premises with a its beer and wine license since October/2012 but has operated for years as a Italian Café serving breakfast, lunch and dinner, the front façade windows are fixed and there is no plan to install new French doors or windows that open out to the public sidewalk in front, there is no backyard garden, there is an existing sidewalk café with 6 tables and 12 seats, there will be no stand up bar but one food counter with no seats, 12 interior tables and 31 interior table seats for a total interior patron capacity of 31 inside and 12 outside and there will be no other changes to its existing method of operation; and

C. Whereas, the hours of operation will continue to be from 8 am to 11 pm Sunday through Thursday and from 8 am to 12 am on Fridays and Saturdays, no TVs, 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

D. Whereas, the licensee and applicant presented a petition in support of their application with approximately 50 signatures, a number of whom appeared to reside in the same building or in close proximity nearby and a number of neighbors appeared in support of the applicant, including some who resided in the same building, indicating that the business is a good neighbor and a quintessential neighborhood eatery providing good food with an inexpensive menu frequented by their neighbors; and

E. Whereas, there are already 17 existing On Premise liquor licenses within 500 feet of the existing premises (not including beer and wine licenses) with 2 additional pending licenses and there are already 37 On Premise liquor licenses within 750 feet of the existing premises; and

F. 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 Italian Café restaurant.
2. Will operate with hours of operation from 8 am to 11 pm Sunday through Thursday and from 8 am to 12 am on Fridays and Saturdays.
3. The sidewalk café will continue to close by 11 PM Sunday through Thursday and by 12 AM Friday and Saturdays.
4. All doors and windows will be closed by 9 PM every evening.
5. Music will be quiet, background level only and 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. There will be no full service stand up bar.
8. The premises will be advertised as a Italian Café Restaurant and will not operate as a Lounge, Tavern, Bar or Sports Bar.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an alteration to an existing On-Premise liquor license to **Erjo Company LLC, d/b/a Cafetal Social Club, 285 Mott 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: Unanimous, with 40 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Daniel Miller, *Assistant Secretary*

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December 28, 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 December 17, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

- 7. Tompad LLC, d/b/a TBD, 206 Spring St. 10013** (New OP – previously unlicensed premises)
- A. Whereas**, the applicant appeared before CB2, Manhattan’s SLA Licensing Committee seeking a new On Premise license in a previously unlicensed location for a lounge and bar serving Ceviche and cocktails on the fourth floor of a five-story commercial building located on Spring Street between Sixth Avenue and Sullivan Street; and
- B. Whereas**, the proposed fourth floor premises was previously operated as an upscale hair salon is located directly over Costata, a restaurant and bar operating with a full on premise license (Cos206, LLC d/b/a Costata) on the first three floors of the same building; and
- C. Whereas**, the certificate of occupancy for the building lists the use of the fourth floor for accessory office space only and an occupancy of 15 only and permits the use and occupancy as an eating and drinking establishment only on the first three floors of the same building currently occupied by Costata; and
- D. Whereas**, the applicant proposes to exclusively use an elevator adjacent to the Costata restaurant for patrons to access the fourth floor premises to be licensed, there will be a host on the interior ground floor with small plaque; and
- E. Whereas**, the proposed premises will be 2,000 SF, the premises will need to be gutted and renovated but there will be no kitchen, no outdoor space or rooftop space, there will be a stand up bar with no seats, 12 tables with 63 seats for a full occupancy of 63 and two bathrooms; and

F. Whereas, the proposed hours of operation were from 5PM to 2AM Sunday through Wednesday and from 5PM to 3 AM Thursday through Saturday, music will be background only and there will be no TVs; and

G. Whereas, there are already 20 existing On Premise liquor licenses within 500 feet of the existing premises (not including beer and wine licenses) with 3 additional pending licenses and there are already 31 On Premise liquor licenses within 750 feet of the existing premises; and

H. Whereas, the applicant did not perform any viable outreach to any local block associations or other neighbors in the immediate area, provided no coherent plan for limiting patron occupancy via reservations or by designing a waiting area for patrons to accommodate patron overflow at street level or otherwise, and who could not establish a coherent and viable public interest or benefit for operating a lounge and bar until 3 am in a building where the first three floors are already occupied for that purpose, where there being no permit/certificate to use and occupy the fourth floor space for eating and drinking in the manner proposed, where there is no valid reason provided in a public interest statement which distinguishes the instant application from the other already existing licensed bars, lounges and/or other eating and drinking establishments within 500 ft. of the premises and where there remains additional concerns with additional traffic and noise caused by adding yet another licensed bar and lounge in an area already saturated by liquor licenses; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial for **Tompad LLC, d/b/a TBD, 206 Spring St. 10013** on its application seeking a new OP license; 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 requests that the SLA conduct a 500 foot hearing because the basement premises has never been licensed for the service of alcohol at any point in the past.

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 40 Board members in favor.

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



Antony Wong, *Treasurer*
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December 28, 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 December 17, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

8. New Indian Foods LLC, d/b/a TBD, 195 Spring St. 10012 (Transfer of Existing 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 an "upscale" full service Indian Restaurant celebrating the flavors of India in a previously licensed located in a large storefront in the Soho Historic District on the northeast corner of Prince and Sullivan Streets; and

C. Whereas, the premises were previously operated for many years as a full service Italian Restaurant by Nilo, Inc. Viola Cons d/b/a Mezzogiorno (lic. #1025131, exp. 10/31/2017); there will be some physical and operational changes, a new ownership and a new menu but the premises will continue as a full service restaurant with similar hours of operation; and

D. Whereas, there is an existing sidewalk café with 8 tables and 16 seats running along Sullivan Street and there are 4 exterior tables and 8 seats on a platform on Prince Street which the applicant states is within the property line for the premises and which was previously used by the former operator; and

E. Whereas, the licensed premises is 2,000 SF with 22 tables and 44 seats, a stand up bar with 13 seats, a bread bar with 8 seats, a full service kitchen, two bathrooms and one entrance/exit for patrons, there is no intention to change the existing exterior doors or windows on the front facade on both Prince and Spring Streets; and

F. Whereas, the hours of operation will be from 12 PM to 11 PM Sunday through Thursday and from 12 PM to 12 AM Fridays and Saturdays, all doors and windows will be closed by 9 PM every night except for patron egress, the sidewalk café will close by 11 PM every night, there will be no TVs and 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

G. Whereas, the applicant meet with and conferred their application with the Soho Alliance and the South Village Neighborhood Block Association prior to presenting their application before CB2, Man. and no objections were made subject to certain stipulations limiting the method of operation to the licensed premises as outlined in the this resolution; and

H. Whereas, there are already 19 existing On Premise liquor licenses within 500 feet of the existing premises (not including beer and wine licenses) with 2 additional pending licenses and there are already 31 On Premise liquor licenses within 750 feet of the existing premises; and

P. 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 and operate as a full service Indian Restaurant and will not operate as a Lounge, Tavern, Bar or Sports Bar.
2. The hours of operation will be from 12 PM to 11 PM Sunday through Thursday and from 12 PM to 12 AM Fridays and Saturdays.
3. The sidewalk café will close at 11 PM every evening.
4. All doors and windows will be closed by 9 PM every evening.
5. Music will be quiet, background level only and 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. There will be one stand up bar with 13 seats.
8. There will be no dancing.
9. 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 **New Indian Foods LLC, d/b/a TBD** **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 40 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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December 28, 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 December 17, 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:

9. The Deluxe Room Inc., d/b/a The Room, 144 Sullivan St. 10012 (Alteration to existing TW license, laid over at request of applicant)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on December 8, 2015, the principal/applicant requested **to lay over** this application from consideration and did not appear before CB2 regarding its application; and,

Whereas, this application is for an alteration to an existing beer wine license;

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

Vote: Unanimous, with 40 Board members in favor.

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



Antony Wong, *Treasurer*
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December 28, 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 December 17, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

10. Coriander Factory Inc., d/b/a Bo Caphe, 222 Lafayette St. - South Store 10012 (RW) (laid over)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on December 8th, 2015, the principal/applicant requested to **to lay over** this application from consideration and did not appear before CB2 regarding its application; and,

Whereas, this application is for an alteration to an existing beer and wine license;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any proposed Beer and Wine or On Premise license to **Coriander Factory Inc., d/b/a Bo Caphe, 222 Lafayette St. - South Store 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 40 Board members in favor.

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



Antony Wong, *Treasurer*
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December 28, 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 December 17, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

11. 496 LaGuardia Restaurant Inc., d/b/a Mocha Burger, 496 LaGuardia Pl. 10012 (BW)
(failed to appear but requested layover after meeting to January/2016)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on December 8, 2015, the Applicant **failed to appear** and thereafter requested **to lay over** this application for a beer wine license and stated 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 **496 LaGuardia Restaurant Inc., d/b/a Mocha Burger, 496 LaGuardia Pl. 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 40 Board members in favor.

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



Antony Wong, *Treasurer*
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December 28, 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 December 17, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

12. Entity to be formed by Michael Ingemann d/b/a TBD, 177 Mott St. 10012 (New OP) (laid over)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on December 8th, 2015 the principal/applicant requested **to lay over** this application and did not appear before CB2 regarding its application; and,

Whereas, this application is for a new on premise license;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any Beer and Wine or On Premise license to **Entity to be formed by Michael Ingemann d/b/a TBD, 177 Mott 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 40 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *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 December 17, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

13. 410 Amsterdam, LLC, d/b/a TBD, 228 Thompson St. 10012 (withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on December 8th, 2015, the Applicant requested **to withdraw** from consideration this application for a new on-premise liquor license;

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 **410 Amsterdam LLC, d/b/a TBD, 228 Thompson 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 40 Board members in favor.

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



Antony Wong, *Treasurer*
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December 28, 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 December 17, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

14. ZKS Restaurant, d/b/a Boots and Saddle, 100A 7th Ave. South 10014 (OP Alteration - SN#1284839)

- i. Whereas**, the Licensee appeared before Community Board 2, Manhattan's SLA Licensing committee to present an "alteration" application to the Liquor Authority for their existing On-Premise Liquor License SN#1284839 to expand extend the hours of operation by 1 hour each night of the week; and,
- ii. Whereas**, the "alteration" application will reflect only the addition of 1 hour of operation to the end of the hours of operation each night of the week and for 4AM closing time on Halloween and the entire week preceding the annual Pride March held in Manhattan; and,
- iii. Whereas**, the Licensee executed a stipulations agreement with CB2, Man. that they agreed to submit to the SLA along with their current "Alteration" application and agreed that they would be additionally attached and incorporated in to the method of operation on the current on-premise liquor license SN#1284839 stating that:
1. The hours of operation will now be Sunday from 12PM to 3AM, Monday to Wednesday from 2PM to 3AM, Thursday and Friday from 2pm to 4AM and Saturday from 12PM to 4AM. All patrons will be cleared and no patrons will remain after stated closing times. Closing hour will also be 4AM on Halloween and for the entire week prior to the Annual Pride March in Manhattan.
 2. All previous stipulations will continue to remain in effect.

iv. Whereas, a local resident and member of a local block association appeared and stated that there had been no apparent issues with the licensee's establishment since the inception of the license at this location and that as long as security remained at current levels there was no objection;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the Alteration Application for the existing On-Premise Liquor License SN#1284839 for **ZKS Restaurant, d/b/a Boots and Saddle, 100A 7th Ave. South 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 further incorporated into the "Method of Operation" on the SLA Restaurant On-Premise Liquor License.

Vote: Unanimous, with 40 Board members in favor.

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



Antony Wong, *Treasurer*
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December 28, 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 December 17, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

15. Whynot My Way, LLC d/b/a Whynot Bistro (Dominic Bistro), 14 Christopher St. 10011 (Existing TW - Alteration, Method of Operation Change and Upgrade SN#1272603 to OP)

i. Whereas, the Licensee and his attorney appeared before CB2's SLA Licensing committee to present three separate applications to the New York State Liquor Authority as one co-mingled presentation to CB2, Man. **(1)** an upgrade application of the current Tavern Wine License to a Full Restaurant On-Premise Liquor License, **(2)** an alteration application and **(3)** a change in method of operation application; the Licensee summarized the change as "Dominique Bistro opened as Whynot Coffee in May of 2013 and operates as a charming cafe bistro offering customers exceptional coffee with an expanded bistro menu. The cafe plans to be a full service restaurant that will keep a casual atmosphere. The Jazz Room will become a dining room with a pianist playing most nights and on occasion a guitar and/or vocalist will join the pianist and on some nights a jazz trio.", CB2, Man. is only able to evaluate and provide a recommendation of this presentation as a whole as the applicant chose not to present it to CB2 as three different applications; and,

ii. Whereas, in July 2013, when this Licensee first appeared before CB2, Man. with an application for a Restaurant Wine License for a Coffee Shop, CB2 recommended denial of application for the detailed reasons set forth in the July 2013 CB2 Resolution; [in July 2013 the proposed operation was only for a coffee shop located on the ground floor with 36 seats (and a sidewalk café with 8 seats which was not permitted because of the residential zoning of the area) with hours of operation from 6 AM to 1 AM 7 days a week, background music from vinyl records and live light jazz

and classical trios (un amplified) once or twice a week]; reasons for denial were specific and for cause and there was a recommendation that the applicant return to CB2; July 2013 – Original TW application resolution - Page 40:

http://www.nyc.gov/html/mancb2/downloads/pdf/fullboard_2013/07july2013_fullboard.pdf; and,

iii. Whereas, after appearing before CB2, Man. in July 2013 and having received notice of CB2's recommendation to deny the application, the Licensee mailed, after the fact, 2 additional alterations and completed CB2 Questionnaires in late July and in August to CB2, but did not return to present those changes to CB2 or request to return – the amendments were to remove the sidewalk café from the application and to add another floor, the basement space, to the premises with an additional 10 tables, 10 couches and 2 chairs for a total of 26 seats in the basement and two additional bathrooms in the basement; This almost doubled the patron capacity of the premises while adding live music in the evening hours and creating a much more significant impact on the surrounding area which is zoned for residential uses only and has very narrow streets; and,

iv. Whereas, the Liquor Authority subsequently approved the RW application; and,

v. Whereas, in November 2014, **the Licensee appeared before CB2, Man. to present an alteration application and an upgrade application to full on premise liquor for which CB2 recommended denial of both applications for the detailed reasons set forth in the November 2014 CB2 Resolutions**,

the Licensee stated at the time that the premises operated as a bistro over the two floors with two separate entrances and two different operations, with hours of operation from 6 AM to 12 AM Sunday to Wednesday and 6 AM to 1 AM Friday and Saturday; reasons for denial were specific and for cause; November 2014 – Alteration Application & Upgrade from TW to OP - Page 27 & Page 32 http://www.nyc.gov/html/mancb2/downloads/pdf/fullboard_2014/11%20November%202014.pdf; and,

vi. Whereas, at that time in November 2014, the upstairs and downstairs of the premises were operated under different names, the upstairs, Whynot Bistro had quiet mellow music from a vinyl record player and as of January 2014, the basement operated as Whynot Jazz Room, a live music venue with amplified live music and regular live performances; the last questionnaire mailed to CB2 indicates that there would only be small jazz trios once or twice a week without amplification but there was in fact amplified music beyond the scope of the description; and,

vii. Whereas, in July 2015, **the Licensee appeared at CB2's request to present their renewal application for their existing Tavern Wine License for which CB2 recommended denial for the detailed reasons set forth in the July 2015 CB2 Resolution**,

a large number of community complaints were outlined in the resolution and *CB2 refers the members of the Authority directly to the July 2015 resolution for a detailed overview of those complaints from members of the community*, July 2015 – TW License Renewal Application – Page 39:

<http://www.nyc.gov/html/mancb2/downloads/pdf/full%20board%202015/07%20July%202015.pdf>; and,

viii. Whereas, the Licensee has received five (5) ECB Violations from the New York City Department of Sanitation in 2015 for obstructing the sidewalk with illegal benches; 6 Benches have been regularly placed on the sidewalk over two years bordering the entire Gay St. Façade with seating for up to 17 people – 2 benches with 4 seats, 2 benches with three seats, 1 bench with 2 seats and 1 bench with 1 seat; and,

ix. Whereas, the Licensee has received five (5) New York City Landmarks Preservation Commission Violations, 3 in 2014 and 2 in 2015 for violating “Replacement of storefront at Gay Street facade without permit(s).”, “Installation of awnings at Gay Street facade without permit(s).”, “Alterations of 1st floor windows at Gay Street facade without permit(s).”, “Installation of neon signage (“Jazz Club”) and signage at entrance Jazz Room without permit(s).” and “Installation of menu box without permit(s).”

x. Whereas, there are records of at least 52 311 calls regarding commercial establishment loud noise/party/loud talking at 14 Christopher St., many of which are noted that the NYPD took action to correct the situation; 11 of those complaints are from after the July 2015 CB2 committee hearing were these issues were raised in detail with the Licensee; and,

xi. Whereas, prior to receiving a restaurant wine license from the Liquor Authority in 2013, this location was **previously unlicensed**, most recently operating as a clothing store for more than 20 years or even longer; the premises is located in a grandfathered commercial space in a residential building located in an **R6 Residential Zoning District** on the charming corner of Christopher St and Gay Street (southern corner); and,

xii. Whereas, it is unknown to CB2, Man. exactly what applications have been filed with the Liquor Authority to date and what the actual approved method of operation and other relevant factors are; and,

xiii. Whereas, at this meeting in December 2015 the proposed changes in the alteration application, method of operation change application and upgrade application include **(1)** full open kitchen will be installed and a full menu will offer French classics and authentic countryside dishes, **(2)** the trade name will change from Whynot Bistro to Dominique Bistro, **(3)** the basement space Jazz Room will be converted into a dining area, **(4)** The wooden benches will be replaced with leather banquettes, **(5)** A baby grand piano will be placed in the basement space with a pianist playing most nights and on occasion a guitar and/or a vocalist will join the pianist and on some nights a jazz trio, **(6)** The proposed ground floor seating will increase from 40 seats to 44 seats which include 4 chef's counter seats and 10 bar stools. The number of tables will decrease from 16 to 15 tables. The ground floor stand-up bar will increase in size from 14' to 16.' The number of ground floor bar stools will increase from 2 bar stools to 10 bar stools, **(7)** the front entrance from the street to the downstairs will be closed most nights and will only be opened when there are private events, **(8)** a ground floor restroom will be built, **(9)** the proposed basement seating will be reconfigured and will remain at 26 seats which include 6 bar stools. The number of tables will increase from 10 to 15 tables. An additional 6" x 8' stand-up bar will be installed in the basement with 6 bar stools, **(10)** One of the two basement restrooms will be removed; and

xiv. Whereas, the proposed bistro restaurant is roughly 1,500 sq. ft. on two floors (1,000 sq. ft. ground floor, 500 sq. ft. cellar); the ground floor will have 15 tables and 30 seats, one stand up bar with 10 seats and one eating counter with 4 seats, the basement has 15 tables and 20 seats and 1 standup bar with 6 seat, there will be a total of 70 seats which includes 10 basement tables with 1 seat per table only, there is an existing Certificate of Occupancy, which indicates maximum occupancy in the basement of 27 seats and on the ground floor of 47; should the premises ever operate with more than 74 persons across the two floors, a Place of Assembly would be required as these two spaces are presented as being operated as one unit; and,

xv. Whereas, the applicant presented a petition in support in conjunction with the proposed changes with local signatures of business owners and residents with a brief overview of what the applicant is presenting; and,

xvi. Whereas, CB2, Man. respectfully requests that the Authority consider these concerns as it evaluates these 3 applications which CB2, Man. was unable to consider separately because the applicant presented them as one cohesive presentation to CB2:

1. The premise has never been licensed for the service of full alcohol (at least for the past 20+ years).
2. There are approximately 20 On-Premise Liquor Licenses within 500 feet of this location. In contrast, this is a quiet residential side street. Gay Street is a gem world renowned for its character and ambiance. It is one of a handful of narrow one-block streets in NYC. The Greenwich Village Society for Historic Preservation calls gay St “one of the quaintest and most intriguing streets in the West Village” and “one of the Village’s most charming and literary streets.” It is lined with ground floor residential units.
3. This is a grandfathered commercial space in a residential building located in an R6 Residential Zoning District.
4. There are plenty of coffee shops and bistro style restaurants in the area and numerous places with full liquor licenses all offering varying combinations of what this Licensee presents as unique, and in fact licensing this location for Full Liquor would offer nothing unique, and in fact would be detrimental. There are plenty of live jazz venues, live piano bars as well in properly zoned areas, some also located in basements.
5. There’s no need for a bistro restaurant to have a full on premise liquor license.
6. A live music venue or piano bar in the basement is wholly inappropriate in a residential neighborhood with R6 zoning and all the characteristics of a residential neighborhood including narrow streets and ground floor apartments in adjoining buildings.
7. It is unclear if the applicants live music venue in the basement with piano, jazz trios, vocalist and scheduled show times and most likely percussionists as there are now will charge fees or entrance fees or if those will be incorporated into the food and drink prices, but it is know that this type of business does attract a late night clientele that linger and smoke on the sidewalk creating noise and this is a residential community.
8. The existing premise has sound problems and music leakage is regularly heard as several residents have testified. If the application to change seating the basement is approved, it will only expand this problem. The noise-attenuating vestibule for the basement exterior door previously promised by the Licensee will be removed and adding a separate stand up bar only exacerbates this problem even more. The special events indicated by the Licensee will undoubtedly occur on weekends and in the evenings when this is already a know issue.
9. The supposed conversion of the basement into a “dining area” is difficult to fathom as presented as 10 of the tables only have seating for one person and on one side only as presented to CB2. There will be 15 tables and a total of 20 seats. If there were more seats, this would violate the total occupancy of the premises between the 2 floors, which is limited to 74 persons.
10. The continuation of the live music venue in the basement makes this a de-facto destination location in a residential neighborhood, adding full liquor again just exacerbates the situation and increases vehicular traffic for those who take for hire cars because they are unfamiliar with the named streets in Greenwich Village that do not run on a Cardinal axis; and,
11. There is no guarantee that the issuance of this license would result in the applicants claim that he will forever remove the illegal sidewalk benches that he has in past adamantly refused to remove in totality, arguing that he should be allowed to have a few and those benches adversely affect pedestrian traffic. In place of the illegal benches at the moment, the Licensee has placed planters on the sidewalk which also block the free flow of pedestrians.; and,
12. Because the Licensee seems to have trouble adhering to many regulations at this location, upgrading to a full on-premise license that carries more responsibility is inappropriate.

13. It is wholly inappropriate to operate this premises with separate outdoor entrances to both the ground floor and the basement even if the basement exterior door is used for undefined "special events" only which undoubtedly would include live music in the basement space with a separate standup bar and would most likely occur every week and weekend.
14. Prior to opening, the applicant improperly/illegally and knowingly altered two very large plate glass non operable windows facing gay street to convert them from non-operable plate glass windows to huge operable windows – the Licensee stated he chose the windows himself - the Licensee was aware that this was a landmark district prior to this change – they were issued a violation by the NYC Landmarks Commission on 12/31/2013 for "Alterations of 1st floor windows at Gay Street facade without permit(s)." The applicant also did not file any Department of Building applications to change the windows or other changes. Additionally these illegal installed windows which are not supposed to open are kept open any time the weather is agreeable at all hours creating quality of life issues. The applicant has subsequently presented an approval letter from the NYC Landmarks Commission which states they would approve legalizing certain aspects of the issues for which they were issued violations if they were properly included in NYC Department of Buildings filings, but no evidence was presented that these filings were ever made with the NYC DOB.
15. CB2, Manhattan takes violations of Landmarks regulations seriously as these designations help protect the historical character of our community, embody what our community looks like and are the root of why the residential portions of our community such as this area are highly sought after areas to live, because the unique historical character here is recognized and protected. The intersection of Gay Street and Christopher Street is the embodiment of why this historic area is world-renowned. For someone to knowingly make such drastic changes while trying to do so undetected is an affront to our Community in CB2, which is home to a significant portion of the landmarked districts in New York City.
16. The original application for the RW included a sidewalk café. It was pointed out to the Applicant that this location is not eligible to have a sidewalk café because it is located within an R6 residential zoning in which sidewalk cafes are not allowed. The applicant went ahead at that time and instead of a sidewalk café which he could not have, he illegally placed 6 benches along the Gay Street Façade that include 17 seats, (this is twice the number of seats he originally applied for in a sidewalk cafe. He does not have a revocable consent from the Department of Transportation to have any sidewalk benches. This is a residentially zoned area with ground floor apartments and these Benches are highly inappropriate even to the casual observer. These benches have occupied the entire Gay street façade. Behind the benches are the large illegally opening windows, which are always open when the weather is nice. If the façade were longer, there would undoubtedly be even more benches. In July 2015 the applicant was request to appear before CB2 for the renewal of his TW License. After that meeting and after receiving 5 ECB violations, the applicant removed 4 of the benches leaving two benches with 8 seats. Immediately prior to applying for these changes in this presentation, the applicant removed all benches, but there are no guarantees that he would not return them to the exterior and his past actions certainly provide no guarantees.
17. The operator originally stated in July 2013 that he would close his illegal windows at the very late hour of midnight even though he would have scheduled live music in the establishment several days a week. According to residents, up until just recently in 2015 an electronic piano has remained through late 2015. It is inappropriate to have live music in an open-air environment with large windows in a Residential District. It is also inappropriate to have any recorded music audible outside the premises though open windows. The live music is now in the basement, but regardless of whether there is any music, it is inappropriate in a residential district to keep any illegally converted windows open. At the time, the operator stated he could not close his illegal windows before midnight because in order to close the windows he would need to move tables and chairs where customers would be sitting.

1. During the original application in 2013 - community outreach was limited and occurred during the July 4th Holiday Week when many residents were out of town or on vacation.
18. The current hours of operation for this coffee shop and restaurant bistro are beyond what most coffee shops/bistros operate in the West Village who also only have beer and wine licenses, which would beg the question as to how the “late night operation” with live music and open windows would operate and the quality of life impact this would have with a full liquor license and two bars. In fact several residents who live across the street testified to this very problem.
19. While the operator provided pictures to accompany the application, no pictures were offered with views of the huge open windows and the 6, 4 or 2 illegal benches depending on the date and in fact, great lengths were gone to capture angles that did not show the operable windows or the illegal benches.
20. This application is a classic example of a bait and switch application. It was originally presented to CB2, Man. as a 1-story coffee shop closing at 1 AM latest with occasional light unamplified live jazz music. It is now a bistro aiming to be open until 1AM/2AM, depending on the presentation of the application and the basement is now part of the premises and it is now being operated as a live music venue (including late night). CB2 and the Community have been told by the Principal that he is essentially doing it his way and that’s the way it is going to be by the Licensee, and at every turn this premises has morphed in an unprofessional manner for a supposed neighborhood establishment extracting as much as possible and going far beyond until cited by enforcement agencies even though certain actions are blatantly illegal and each turn appears to reflect poor character of the operator to the point the authority should consider taking character into consideration in issuing this license or approving any changes.

xvii. Whereas, it is hard to understand how the Licensee has again morphed his operation to Dominique Bistro to suit his needs prior to presenting before the Liquor Authority or CB2, Man. given his history with many neighbors, CB2 and the Liquor Authority including other premises beyond CB2 which have had similar issues and this appears to be a continuing disturbing pattern of conduct which engenders no confidence in any proposed changes and it is also disturbing in that these patterns of repeat conduct are repeatedly dismissed as one time only issues by the Licensee even though they occur regularly; attempts to address any issues are confined to the time period immediately prior to any hearings and show no interest in sustained improvement in quality of life improvements; and,

xviii. Whereas, this application in sum is to add a 2nd standup bar in the basement in addition to the ground floor standup bar, expand the ground floor bar from 2 to 10 seats, add full liquor to the entire premise, continue live music in the basement, change seating on in basement into a configuration which results in among other things 10 tables with only one seat for each, reconfigure the bathrooms, continue use of the illegally installed large almost floor to ceiling operable windows on Gay Street late into the evening, abandon sound attenuation plans for the basement door which will still be used for special events in the basement on a regular basis, and remove illegal outdoor benches now that the weather is cold all in the interest of improving the current operation; and,

xix. Whereas, the proposed changes supposedly correct past issues, but it was unclear how any of these changes ameliorate any of the ongoing issues in a meaningful manner that they would justify the addition of a separate bar in the basement or expansion of the ground floor bar or support an upgrade to a full liquor license or any other changes; and,

xx. Whereas, since the inception of Whynot My Way, LLC not a single permit has been applied for with the New York City Department of Buildings for any work even though this premise was previously a retail clothing store for at least 20+ years; it is hard to understand how the premises has been constructed to date without any electrical, plumbing or other permits even as the Licensee claims to have already moved bathrooms, built bars, installed a kitchen and fixtures in spaces which were previously empty while used as a retail store and he has said – well everything was just there; and,

xxi. Whereas, a number of local residents who live immediately next door and across the street again appeared and written correspondence from neighbors who live next door and across the street was again received; the correspondence cites the residential character of the neighborhood is inappropriate for what is now a continually morphing coffee shop that would now like a full liquor license with a basement live music venue – it was first a coffee shop, then a bistro, then a live music jazz club and now wants to become a piano bar in the basement and ; that another licensed establishment that the Licensee owns and operates around the corner, Olivo (SN1239338), has flagrantly violated New York City Sidewalk Café Laws in the past until they received violations by both operating their sidewalk café well beyond the hours mandated by law and by having many more tables and chairs than allowed on their sidewalk café license and for placing tables and chairs in front of other establishments beyond their licensed area after those establishments have closed, namely the flower shop next door; it was also pointed out that at this establishment, the subject of this application on Gay Street, the Licensee has been doing the same thing with 4 illegal benches and 19 seats creating an open air patio on the public sidewalk illegally; that the premises has increased the noise and traffic in the area and in particular the illegal operable windows which are open late into the evening and this forces people who live in the immediate area to essentially have this operator and their patrons in their living rooms and bedrooms; that sound leakage from the basement travels directly into the apartments across the street, that the illegal benches have been essentially a breach of the trust of the public space known as the sidewalk and street and that while this may be a legal use for the interior of this commercial space this is still first and foremost a residential neighborhood that is mostly quiet and free from the hustle and bustle of the nearby avenues and upgrading would certainly add to the foot traffic and noise and is counter productive to the character of the neighborhood; residents have repeatedly tried to approach staff and the owner about closing the windows or attenuating sound issues from the basement but the only response were immediately prior to presentations at CB2, Man. and there was no follow up or response, requests directly to staff in person to close windows fell on deaf ears, several people were asked about changes since August 2015 and the response was that rat issues had been mitigated, that some of the benches were removed but two benches with seating for a total of 8 people remained until just recently, that windows were still open as late as customers were in the premises on most nights, one resident sated that they had been in the premises and had counted seating for well beyond 74 persons in the premises, another resident testified that there continued to be a flouting of the laws by the principal and the inconsistent operation of the premises with windows open late and music and noise was wholly unpredictable and a terrific burden on quality of life and that the relationships with the owner were so poor and unprofessional that it was difficult to continue to articulate at this point as there seemed to be no point in trying; and,

xxii. Whereas, CB2, Man. had originally requested that the applicant in July 2013 re-envision his plan for the business in terms of operating within a residentially zoned community and requested that they return to CB2, Man. at a later date with an accurate completed CB2 Questionnaire and a copy of their application to the Liquor Authority reflecting that information, but instead the Licensee chose to avoid the community board, simply mail updated materials reflecting changes they had made that they were aware only exacerbated the situation and went directly to the Liquor Authority; and,

xxiii. Whereas, this business already creates a significant noise disturbance and other quality of life issues for some residents who live immediately across the street and in the area and these complaints would be exacerbated and expanded, not mitigated, by upgrading the existing license to a full liquor license; those residents with issues have tried to communicate with the Licensee and his staff but have been rebuffed, attempts to communicate have been in person directly to staff and by telephone and directly with the owner who has no recollection of those complaints and also at previous CB2, Man. committee meetings; the premises has advertised live music extensively including on social media, on the radio and draws a crowd from beyond this neighborhood for music events; there is limited parking in the area and expanding the basement use to include a standup bar with live music will most likely result in additional evening and late night business which will have an impact on parking in the area; Greenwich Village and the West Village have plenty of coffee shops and bistros and restaurants and piano bars and jazz venues and live music and proposed operation is not unique, the premises has been cited for breaking regulations over a long period of time; and,

xxiv. Whereas, despite the Licensee's claim that he is "giving up things" in exchange for approval of a restaurant on-premise liquor license, there continue to be ongoing complaints which are not addressed until just prior to presentations and applications and collection of signatures in support does not address those ongoing issues which the Licensee has chosen to allow to linger and perpetuate by not taking full corrective actions immediately; and,

xxv. Whereas, CB2 Man. has devoted at least 5 hours over the last few years to presentations by this Licensee with little corrective action, residents have continually appeared and stated their concerns with little attention or corrective action and no improvement in communications or a desire to fix ongoing issues; and,

xxvi. Whereas, there are approximately 21 On-Premise Liquor Licenses within 500 feet of this location, this location is subject to the "500 Ft Rule" and no exceptions appear to apply and therefore CB2, Man. respectfully requests that a "500 ft." hearing be conducted and that this resolution be entered into the record; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an upgrade from the existing restaurant wine license to an on-premises liquor license, denial of the alteration application presented and denial of the method of operation change for **Whynot My Way, LLC d/b/a Whynot Coffee, 14 Christopher St. 10014**; and,

THEREFORE BE IT FURTHER RESOLVED that CB2, Manhattan respectfully requests that this item and these matters be placed on the calendar at a future Full Board meeting of the Liquor Authority in order for the Commissioners to review this matter and hear from directly impacted neighbors should they chose to appear prior to making a final determination; and,

THEREFORE BE IT FURTHER RESOLVED that CB2, Man. respectfully requests that the Liquor Authority consider **imposing the following conditions on the existing restaurant wine license SN#1272603** should they choose not to approve any of the applications or portions thereof, irrespective of any other determinations as the Licensee never appeared in its current iteration before CB2:

1. The originally presented to CB2, Man. proposed hours of operation: 6 AM to 1 AM, 7 days a week. No patrons remain after closing.
2. No amplified live music as originally presented to CB2, Man., including no amplified guitars or percussion or brass instruments or amplified singers. Only small acoustic jazz and classical trios (3 members or smaller) – quiet playing - once or twice a week.

3. No scheduled or advertised live music performances or cover charges as originally presented to CB2.
4. Windows and doors remain closed at all times as the existing operable windows were illegally installed and are inappropriate in a residentially zoned area. Additionally keep the kitchen door on Gay Street closed at all times.
5. Remove all illegal outdoor benches in perpetuity and any other sidewalk obstructions and illegal A frame signs.

Vote: Unanimous, with 40 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Daniel Miller, *Assistant Secretary*

COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

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

December 28, 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 December 17, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

16. Ramen by Mew, LLC, 7 Cornelia St. Northwest Store 10014 (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 Japanese ramen restaurant; and,

ii. Whereas, this application is for a restaurant wine license for a 860 sq foot premises located on the ground floor in a mixed use building with 5 tables and 30 seats and 1 standup bar with 13 seats for a total of 43 seats, there is a certificate of occupancy; and,

iii. Whereas, the hours of operation will be from 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 Japanese ramen restaurant.

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 not have French doors, operable windows or open facades and will close all doors at 9PM.
11. There will be no unlimited drink specials of any type.

v. Whereas, there are currently approximately 22 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a new restaurant wine license for **Ramen by Mew, LLC, 7 Cornelia St. Northwest Store 10014** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Tavern Wine License.

Vote: Unanimous, with 40 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Daniel Miller, *Assistant Secretary*

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December 28, 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 December 17, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

17. Big Fish Enterprises, LLC, 142 W. 10th 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 for a restaurant described as an "American bistro that will focus on farm to table food" as presented; and,

ii. Whereas, this application is for a new restaurant on-premise liquor license for a location in a mixed-use building located on West 10th St. between Greenwich Ave. and Waverly Place for a roughly 2,485 sq. ft premise located on the ground floor and basement (1,675 sq. ft ground floor patron use and kitchen, 810 sq ft basement, storage – no patron use) with 17 tables and 55 table seats and 1 standup bar with 10 bar seats for a total of 65 seats; the premises is located in a residentially zoned area, there is no existing certificate of occupancy, the applicant states the premises is permitted as a "grandfathered" commercial use, there is no existing Certificate of Occupancy, the applicant provided documentation dated 3/31/2005 from the NYC Department of Buildings stating that they DOB will not object to the use of the building as "store on the first (1st) floor and four (4) families dwelling as per alteration 3350/1925 four stories"; and,

iii. Whereas, the hours of operation of the premises will be Sunday to Thursday from 11AM to 1AM and Friday to Saturday from 11AM to 2AM (No patrons shall remain after the closing hour), music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors & 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, 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 “American bistro that will focus on farm to table food.”
2. The hours of operation of the premises will be Sunday to Thursday from 11AM to 1AM and Friday to Saturday from 11AM to 2AM. 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, any outdoor area for commercial purposes or 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 licensee will obtain all required certificates, permits and related documents and will keep current all certificates, permits and related documents.
11. The premises will not have French doors, operable windows or open facades and all doors will remain closed at all times 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 post a “Please be considerate of our neighbors” style sign that is visible to patrons both entering and exiting the premises.
14. There will be no A-frames, sandwich boards or other sidewalk obstructions utilized by the premises. There will be no velvet ropes, barricades, planters or other sidewalk obstructions used to control patrons.
15. The premises will operate under one d/b/a name.
16. There will be no all you can drink, all you can eat specials or boozy brunches.
17. There will be no patron use of the basement.

v. Whereas, one of the principals was also a principal in a catering premise license for Fifth Avenue Ball Room, LLC, at 24 5th Ave, which is now closed and was also located within CB2, Man., and both principals have been involved in the operation of their family's other licensed establishments over the years; the proposed chef for the premises, who will not be a principal, is internationally known, highly regarded and has operated other restaurants within New York City; and,

vi. Whereas, the principals and their attorney met with representatives of the local block association, the Mid West 10th St. Block Association prior to the meeting to present their application and solicit feedback and discuss the method of operation and possible stipulations; the applicant agreed to a number of stipulations in regards to the “method of operation” but was not willing to agree to

reduction of hours of operation to be in line with other restaurants in this residentially zoned area closing at midnight Sunday to Thursday and 1AM Friday and Saturday; the Mid West 10th St. Block Association was therefore unable to support the application and requested that CB2, Man. recommend denying the application; and,

vii. Whereas, CB2, Man. also received a number of emails in opposition and several residents spoke in opposition, primarily objecting to the proposed hours of operation particularly to any 2AM closing time citing that **(1)** this is a residential community in the immediate area with residential zoning and the proposed premises is located in a grandfathered commercial space – the street is not intended to have late night restaurant operations; **(2)** that the hours of operation until 1AM during the Week and 2AM on the weekends are beyond what other restaurants on West 10th St. operate, and that local residents have been accommodating to new operators on this street and reached agreements, but not with later hours of operation in order to maintain quality of life for local residents while accommodating local businesses, **(3)** the premises will operate as a destination location due to the reputation of the Chef and the intentions of the Principals to open and run a well known restaurant which is inappropriate for a residential side street particularly with later hours of operation – a destination location with late hours of operation is more suited to a commercially zoned area such as those found on Avenues; **(4)** that this type of operation with later operating hours will have a direct impact on the block in particular with the advent of new for hire car services such as Lyft and Uber which results in idling vehicles remaining on this residential street which does not have enough room for idling cars and free flow of traffic and an existing designated bicycle lane; **(5)** that the destination location style of operation will result in patrons remaining in the vicinity at later hours because of the late closing hours which impact the immediate residential community in particular beyond the hours of 11pm; **(6)** that the economic argument presented by the applicant for extended hours of operation places the burden on the residents to accommodate this business which contradicts the neighborhoods responsibility to accommodate local businesses in harmony with the residential character of the immediate area – local residents have welcomed a number of operators despite the existing quality of life issues in the area if they are not further contributing to those problems with later operating hours; **(7)** that are already significant quality of life problems which exist in the area due to the oversaturation of licensed businesses in particular that operate in the later evening and early morning and whose patrons move along residential side streets due to the grandfathered locations of many of these businesses; **(8)** the previous past two operators at this location closed earlier than this operator - the last operator, Seven White, LLC d/b/a Lauro, who operated until just recently presented to CB2, Man. in July 2007 and agreed that they would operate no later than 11PM due to the residential nature of this immediate area – this new application by the principals is a significant expansion in hours of operation where they have the most impact on this residential community; and **(9)** because the highly regarded Chef is not a principal, there is a concern that like many other operations over the years in the immediate area and on this street that if this restaurant concept does not succeed, the premises will become more of a food focus earlier and then late night destination drinking location later in the evening with its associated significant quality of life issues which already impact the area; and,

viii. Whereas, there was discussion among some members of CB2, Man. who thought that exceptional circumstances were presented because the applicant and their family has over 2 generations of experience and is a proven high-end restaurateur in their other family establishments, that given the applicants statements that without an after theatre crowd seating of 11PM the location and high rent would make this operation as presented fiscally **implausible**, that given the nature of the establishment with a world renowned chef it was felt that that this would be an asset to the community even with late closing times of 1AM during the week and 2AM on the weekends, that other assurances were provided to CB2, Man. that there would be no additional impact on the community with increased hours of operation over the previous operator, and that the business would be total enclosed without any operable windows or accordion` doors or operable façade; and,

ix. Whereas, there are currently approximately 24 On Premise Liquor Licenses within 500 ft of the premises and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant On Premise Liquor License for **Big Fish Enterprises, LLC, 142 W. 10th 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 25 Board members in favor, and 15 in opposition (K. Berger, T. Bergman, C. Booth, R. Chattree, T. Cude, D. Diether, S. Gammie, D. Gruber, A. Meadows, L. Rakoff, S. Russo, S. Sweeney, S. Wittenberg, A. Wong, R. Woodworth).

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Daniel Miller, *Assistant Secretary*

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December 28, 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 December 17, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

18. FJF Hospitality Group, Inc., d/b/a Tavo, 615 Hudson St. 10014 (New 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 full service Latin fusion restaurant as described; and,

ii. Whereas, this application is for a new restaurant on-premise liquor license for a location in a mixed-use building located on Hudson St between Jane St. and West 12th St. for a roughly 3,900 sq. ft. premise located on the ground floor and basement (1,959 sq. ft. per floor, patron use of ground floor only, storage and patron bathrooms in basement) with 22 tables and 61 table seats on the ground floor, 1 standup bar on the ground floor with 9 bar seats; there is an existing Certificate of Occupancy; and,

iii. Whereas, the hours of operation from 11AM to 12AM 7 days a week, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), 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 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 on-premise liquor license stating that:

1. The premises will be advertised and operated as a full service Latin fusion restaurant as described.
2. The hours of operation will be from 11AM to 12AM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will no more than 1 television no larger than 42 inches. There will be no projectors.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The Premises will not have French doors, operable windows or open facades and will close all doors at 10PM except for patron ingress and egress.
10. Basement will not be for patron dining – only storage and patron bathrooms.
11. The building façade will never be changed to have operable windows.

v. Whereas, the applicant met with members of the Jane Street Block Association and a member appeared in support of the application; and,

vi. Whereas, the Principals are also a principals of several other licensed establishments including La Loteria located within CB2, Man.; and,

vii. Whereas, there are currently approximately 13 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 **FJF Hospitality Group, Inc., d/b/a Tavo, 615 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 40 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Daniel Miller, *Assistant Secretary*

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December 28, 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 December 17, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

19. Papaja (Papeja), Inc., 84 7th Ave. South aka 303 Bleecker 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 "Italia Modern Trattoria/Bistro" restaurant; and,
- ii. Whereas**, this application is for a new restaurant on-premise liquor license for a location in a mixed-use building located on 7th Avenue South with entrances on both 7th Avenue South and Bleecker St. for a roughly 1,552 sq. ft. premise located on the ground floor, basement (basement has no patron use) and an existing enclosed sidewalk café with 23 tables and 35 table seats and 1 standup bar with 10 seats for total of 45 seats, there is an existing Certificate of Occupancy; and,
- iii. Whereas**, the hours of operation will be Sunday to Wednesday from 11AM to 12AM, Thursday from 11AM to 1AM, and Friday and Saturday from 11AM to 2AM. (all patrons will be cleared from the ground floor of the premises and no patrons will remain after stated closing time), there is an existing sidewalk café included with this application, 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 on the 7th Avenue South façade will be closed at 10PM except for patron ingress and egress, the windows on the Bleecker St. façade will be non operable and the door on the Bleecker St. side will remain 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 premises will be advertised and operated as a “Italia Modern Trattoria/Bistro” restaurant as described.
2. The hours of operation will be Sunday to Wednesday from 11AM to 12AM, Thursday from 11AM to 1AM, and Friday and Saturday from 11AM to 2AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will have no more than 2 televisions no larger than 42 inches. There will be no projectors.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The Premises will not have French doors, operable windows or open facades except for those in the sidewalk café façade and will close all doors and windows at 10 PM except for patron ingress and egress.
10. There will be no patron use of basement.
11. No speakers or amplified music will be located in the sidewalk café.
12. There will be no televisions in the enclosed sidewalk café.
13. The Bleecker St. door will be closed at all times expect for patron ingress and egress.
14. There will be no outdoor benches ever.

v. Whereas, a local resident and member of the local block association appeared and expressed concern that the premises would not be operated as a restaurant only and would be operated with music that could be heard outside or other disruptive late night operations however, she was assured by the applicant that this would never be the case and this would be a restaurant operation only; a concern which had been emailed to the committee was addressed as far as whether the operator could physically "close off" the enclosed sidewalk café from the interior of the restaurant as is required by law, the applicant was unable to answer the question satisfactorily but stated that he would comply with regulations that exist ; and,; and,

vi. Whereas, the primary Principal is also a principal of several other current and past licensed establishments including several in CB2, the licensed premises include Barolo on West Broadway, I Tre Merli on West 10th and West 4th, I Tre Merli on West Broadway, Revel on Gansevoort St., La Focaccia, Bistro at Trump Tower, Terrace Restaurant at Trump Tower, Box Bar; and,

vii. Whereas, there are currently approximately 32 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 **Papaja (Papeja), Inc., 84 7th Ave. South aka 303 Bleecker 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.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Daniel Miller, *Assistant Secretary*

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December 28, 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 December 17, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

20. Bamboo Village Restaurant Inc., 96 Bowery 10013 (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 "family style Chinese restaurant" which is already operating, but without the service of beer, wine or liquor; and,
- ii. Whereas**, this application is for a restaurant wine license for a 1,600 sq. ft. premises located on the ground floor in a commercial use only building with 34 tables and 68 seats and no standup bar (only a service bar), there is a certificate of occupancy, but it does not currently allow an eating and drinking establishment (it only permits a wholesale establishment equipment showroom use group 11B), there is a current application in progress with the NYC Department of Buildings to alter the use but it has not yet been completed; and,
- iii. Whereas**, the hours of operation will be Sunday to Friday from 11AM to 11PM and Friday to Saturday from 11AM to 12AM (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 10PM 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 1 TV only; 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 family style Chinese restaurant.
2. The hours of operation will be Sunday to Friday from 11AM to 11PM and Friday to Saturday from 11AM to 12AM. 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 more than 1 television no more than 42 inches. There will be no projectors.
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 10PM except for patron ingress and egress.
11. There will be no stand up bar.
12. The applicant will apply for a new letter of no objection dated after 12/2015 or obtain a new certificate of occupancy dated after 12/2015.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new restaurant wine license for **Bamboo Village Restaurant Inc., 96 Bowery 10013** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Tavern Wine License.

Vote: Unanimous, with 40 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Daniel Miller, *Assistant Secretary*

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December 28, 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 December 17, 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:

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

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on December 10th, 2015, the Applicant's attorney requested to layover this application for a new restaurant on-premise liquor license due to not having all of the materials requested by CB2 for consideration and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any type of proposed 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.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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December 28, 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 December 17, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

22. BKUK 7 Corp., 1 7th Ave. South 10014 (OP Transfer - Layover)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on December 10th, 2015, the Applicant's representative requested to layover this application for a transfer of 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 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 40 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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December 28, 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 December 17, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

23. Hu Holdings, LLC, d/b/a Hu Kitchen, 78 5th Ave. 10011 (RW Corp Change - withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on December 10th, 2015, the Applicant's attorney requested to **withdraw** this application for a corporate change for an existing restaurant wine 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 **Hu Holdings, LLC, d/b/a Hu Kitchen, 78 5th 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 40 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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December 28, 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 December 17, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

24. Derek M. Koch or entity to be formed, 17 Greenwich Ave. 10014 (New OP - Withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on December 10th, 2015, the Applicant requested to **withdraw** 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 CB#2, 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 **Derek M. Koch or entity to be formed, 17 Greenwich 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 40 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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December 28, 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 December 17, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

25. 2nd City West Village, LLC, d/b/a 2nd City, 525 Hudson St. 10014 (New OP – layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on December 10th, 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 **2nd City West Village, LLC, d/b/a 2nd City, 525 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 40 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. 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