

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

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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

February 26, 2016

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 February 18, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

1. Laduree Soho LLC, d/b/a Laduree, 396-398 West Broadway 10012 (Renewal of OP license)

A. Whereas, the licensee appeared with his attorney for the renewal of its existing On Premise license (Lic. #1275681, exp. 2/28/2016) at the request of CB2 Man.'s SLA Committee after complaints were raised by neighbors arising from the operator's late night use of a backyard garden at the premises; and

B. Whereas, 14 residents living adjacent to the premises appeared in opposition to the renewal of Laduree's existing license, citing late night hours during the warmer seasonal months in the exterior rear yard past midnight and beyond the licensee's agreed upon hours of operation, with its staff often loitering in the exterior areas even later into the early morning hours, drinking, smoking and making noise as late as 3 AM in the yard, where music levels are excessive at night and very invasive, loud and can be heard even through closed windows, where the doors from the restaurant are left open past midnight, where djs are used for events and large parties and where a Mariachi band has played, all in derogation of Laduree's prior agreements with its neighbors and with CB2 Man.; and

C. Whereas, the residents who appeared in opposition to the renewal of the existing license also presented photos and video to CB2 Man. demonstrating music playing and large parties taking place in the rear yard of the licensee's premises on a number different dates throughout the summer; and

D. Whereas, the interior premises are 6500 Sq. ft. (3000 Sq. ft. ground floor and 3,500 Sq. ft. basement), with 41 interior tables and 103 interior seats and where the rear garden adds an additional 2,400 Sq. ft. exterior space, uncovered and open, where there exists a large exterior stand up bar with 15 seats and 50 exterior tables with 100 exterior patron seats for an exterior garden seating capacity for the premises which is greater than the total interior seating capacity and where there are French doors extending through much of the rear façade leading to the rear yard; and

E. Whereas, the premises is operated as a restaurant, tea salon and chocolatier with hours of operation during the winter months until 9 PM Sunday through Thursday and until 10 PM on Fridays and Saturdays, but during the more seasonal months in the Spring, Summer and early Fall, remains open much later in the outdoor garden until midnight on Wednesday and Thursdays and until 1 AM on Friday and Saturday, where large parties and promoted events take place along with a designated exterior smoking area; and

F. Whereas, when the licensee first appeared before CB2, Man. in June/2013 it executed a stipulations agreement with CB2, Man. that was attached and incorporated to their method of operation on their license and the stipulations were as follows:

1. Premises will close midnight Sunday through Thursday and 1:00 AM Fridays and Saturdays.
2. Windows and doors will close by 10 PM.
3. Music will be quiet, background level inside restaurant only and there will be no d.j.s, promoted events, scheduled performances or any events where a cover fee is charged.
4. The rear yard will close by 11 PM Sunday through Thursday and by Midnight Fridays and Saturdays.
5. There will be no smoking in the rear yard.
6. There will be no music in the rear yard.
7. The backyard garden will close by 11 PM for any private parties.

G. Whereas, when the licensee appeared with his attorney the licensee acknowledged the exterior garden space was being used in the summer months for special events and private parties with amplified music and that the licensee had installed exterior speakers throughout the exterior garden even though it had agreed to prohibit amplified music in the exterior rear yard space; and

H. Whereas, based on the above-referenced problems and complaints regarding the licensed use and occupancy of the rear yard with large parties and events with excessive levels of noise and music, CB2 Man. proposed to the licensee that it remove all its exterior speakers from the rear yard, to refrain from permitting any further special events and private parties in the rear yard at any time, to prohibit smoking and to close the rear yard by 10 PM every night; and

I. Whereas, the licensee did not agree to the proposed changes advanced by CB2 Man. for the sole purpose of ameliorating the current existing problems surrounding the licensee's use and occupancy of the rear yard while also taking into consideration the sanctity and daily lives of those neighbors with bedrooms and living quarters immediately adjacent to and about the licensee's outdoor operations; and

J. Whereas, CB2 Man. has significant concerns with the current licensee's credibility and trustworthiness based on the licensee's actions over the past year in derogation of his previously presented and agreed upon method of operation in that the licensee has been operating beyond 1AM on the weekends in the rear yard, with DJs, entertainment music levels, promoted events while repeatedly subjecting the surrounding community to loud, prohibited and objectionable late night operations in the rear yard; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial for **Laduree Soho LLC, d/b/a Laduree, 396-398 West Broadway 10012** on its application seeking a renewal of its existing 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 so that the Community and CB2 Man. can be fully heard on this issue.

Vote: Unanimous, with 35 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

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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

February 26, 2016

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 February 18, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

2. Coriander Factory, Inc., d/b/a Bo Caphe, 222 Lafayette St. - South Store 10012 (RW license seeking alteration to add service to sidewalk cafe)

A. Whereas, the applicant appeared before CB2, Manhattan's SLA Licensing Committee for an alteration to an existing Restaurant Wine license (Serial # 1280878; Exp. 8/31/2017) to extend its storefront operations to add service to a sidewalk cafe on Lafayette Street between Spring and Kenmare Streets just across the street from Petrosino Square; and

B. Whereas, the storefront premises has only been operating since October/2015 and prior thereto, had never previously been licensed for the service of alcohol and never operated with a use and occupancy for eating and drinking, and

C. Whereas, when the licensee first appeared before CB2 Man. in June/2014 there was significant opposition voiced to the licensing of the subject storefront premises located in an area immediately surrounding Petrosino Square, the stated community objections being the overwhelming nature of recently issued liquor licenses in an area already saturated with licensed eating and drinking establishments, and where there were already three liquor licenses in three consecutive buildings on one block on the west side of Petrosino Square and with the addition of the subject premises there would no longer be any storefronts left that did not have a liquor license, that there are already eight liquor licenses surrounding the perimeter of Petrosino Square, and that by adding more eating and drinking patrons to the area will only add to traffic, noise, public intoxication and environmental hazards already existing and negatively impacting the area; and

D. Whereas, at the time of the licensee's initial presentation to CB2 in 2014, the licensee agreed, with his attorney, to hours of operation from 8 am to 12 am from Sunday through Wednesday and from 8 am to 1 am Thursday through Saturday, that new soundproofing would be installed, that all doors and windows will be closed by 9 pm each evening, there will be no TVs, music will be background only, there will be private parties but no promoted events or DJs; and

E. Whereas, despite agreeing to the above-referenced stipulations the applicant still refused to sign any agreement with the above-referenced stipulations incorporated into its method of operation; and

F. Whereas, CB2 Man. also had significant objections with the licensee's plans and decision to replace the storefront façade with operable windows and doors, unnecessarily increasing its impact on the neighborhood coupled with the license's refusal to agree to a stipulation's agreement with CB2 Man. resulting in a deny recommendation; and

G. Whereas, CB2 Man. felt strongly at that time that the proposed stipulations in 2014 were fair and reasonable in light of the onslaught of new liquor licenses being requested surrounding Petrosino Square and that fact that applicant was seeking to add yet another license to the area adjacent to the Park overwhelming the neighborhood; and

H. Whereas, despite such objections the SLA permitted a restaurant wine license to licensee at the premises albeit subject to the following stipulations:

1. Premises will close midnight Sunday through Wednesday and 1:00 AM Thursday through Saturday.
2. Windows and doors will close by 10 PM.
3. New soundproofing will be installed.
4. All doors and windows will be closed by 10 PM.
5. Sidewalk café will have only four tables and eight seats.
6. Sidewalk café will be closed each night by 10 PM.
7. Music will be quiet, background level inside restaurant only and there will be no d.j.s, promoted events, scheduled performances or any events where a cover fee in charged.

I. Whereas, the premises currently operates as a restaurant serving French-Vietnamese food open for breakfast, lunch and dinner in a 1,030 SF ground floor space with 14 tables and 33 seats, 1 stand up bar with 7 seats for a total interior seating occupancy of 40, there is a full service kitchen, one bathroom and one entrance/exit for patrons, there are floor to ceiling doors/windows that open the entire front façade out to the public sidewalk; and

J. Whereas, the applicant also appeared before CB2 Man.'s Sidewalk Café Committee this same Month and at that time it was determined that the public sidewalk in front of the storefront premises was limited and only had room to property fit three tables and six seats thereat; and

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

1. Premises will close midnight Sunday through Wednesday and 1:00 AM Thursday through Saturday.
2. All doors and windows will be closed by 10 PM.
3. Sidewalk café will have three tables and six seats.

4. Sidewalk café will be closed each night by 10 PM.
5. Music will be quiet, background level inside restaurant only and there will be no d.j.s, promoted events, live music, scheduled performances or any events where a cover fee is charged.
6. The premises will be advertised and operated as a full service restaurant specializing in French-Vietnamese food and will not operate as a Lounge, Tavern, Bar or Sports Bar.
7. There will be no televisions.
8. There will be no dancing.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant Wine License application for **Coriander Factory, Inc., d/b/a Bo Caphe, 222 Lafayette St. - South Store 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 Restaurant Wine License.

Vote: Unanimous, with 35 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

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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

February 26, 2016

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 February 18, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

3. 343 Broome Street Restaurant, Inc., d/b/a Randolph Beer, 343 Broome St. 10013
(Corporate changes to existing OP license)

A. Whereas, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application for a on-premise liquor license solely due to changes in its existing corporate structure; and

B. Whereas, the applicant plans to continue to operate a full service gastropub restaurant serving craft beers in a six story building (Circa 1915) operating as a Hotel on Broome Street between Elizabeth Street and the Bowery in Nolita; and

C. Whereas, the storefront premises has only been operated with an on premise license since April/2015, previously operated since 2012 with a beer wine license and prior thereto, had never previously been licensed for the service of alcohol and never operated with a use and occupancy for eating and drinking; and

D. Whereas, when the licensee previously appeared before CB2 Man. for an on premise license at the subject premises there was significant opposition voiced to the licensing of the subject storefront premises and at that time CB2, Man. objected to the issuance of yet another license where there were already 5 separately licensed premises within the same building alone, which is also a hotel and none of the establishments have direct entrances to the hotel, and that by adding yet another licensed premises to the area adjacent to this building will only add to traffic, noise, public intoxication and environmental hazards already existing and negatively impacting the area; and

E. Whereas, the storefront premises is approx. 2300 sq ft (ground floor is 1500 sq ft and basement 800 sq. ft.-storage/bathrooms) with 15 tables and 50 seats and 1 bar with 14 seats, for a total of 64 patron interior seats, all front façade windows will remain fixed and non-operable, there is a sidewalk café with 7 exterior tables with 14 exterior seats; and,

F. Whereas, the interior hours of operation will continue to be from 12 PM to 12 AM Sunday through Thursday, and 12 PM to 2AM Fridays and Saturdays (no patron shall remain after closing hour), the premises will operate as a full service restaurant and gastropub and not as a lounge or sports bar, there will have be no more than 1 TV, there will be quiet, background music except for occasional live acoustical “Bluegrass” performances without amplification during Brunch hours on Saturdays and Sundays only, there will be no d.j.’s, no promoted events, no cover fees, all windows and doors will close by 10PM and the sidewalk café will close by 10 PM every night; and,

G. Whereas, the same owners and licensees will continue to operate the eating and drinking establishment, albeit ownership with a different corporate entity; and

H. 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 on-premise license stating that:

1. The premises will be advertised and operated as a full service restaurant and gastropub and will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
2. The hours of operation will be from 12 PM to 12 AM Sunday through Thursday, and 12 PM to 2AM Fridays and Saturdays (no patrons shall remain after closing hour).
3. The premises will have no more than 1 television.
4. The premises will not permit dancing.
5. The sidewalk café will close by 10 PM every night.
6. The sidewalk café will have 7 tables and 14 seats
7. Live acoustical music will be permitted on Saturdays and Sundays during Brunch hours from (11 AM to 5 PM) and at all other times there will quiet ambient-recorded background music only.
8. The premises will not have DJ’s, 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 all doors will be closed at 10PM except for patron ingress and egress.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the On Premise license application for **343 Broome Street Restaurant, Inc., d/b/a Randolph Beer, 343 Broome St. 10013** **unless** the statements of the applicant as presented to CB2, Man. are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on its Liquor License.

Vote: Unanimous, with 35 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

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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

February 26, 2016

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 February 18, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

4. Cherry Lane, Inc., d/b/a The Randolph at Broome, 349 Broome St. 10013 (Corporate changes to existing OP license)

A. Whereas, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application for a on-premise liquor license solely due to changes in its existing corporate structure; and

B. Whereas, the applicant plans to continue to operate a full service gastropub restaurant serving craft beers in a six story building (Circa 1915) operating as a Hotel on Broome Street between Elizabeth Street and the Bowery in Nolita; and

C. Whereas, the storefront premises has been operated as a Bar and Café since 2004; and

D. Whereas, the interior storefront premises are approximately 1800 SF (1000 ground floor and 800 SF basement for storage/office only), two bathrooms, one patron entrance/exit, 7 tables and 30 seats and 1 bar with 10 seats for a total of 40 patron interior seats, all front façade windows will remain fixed and non-operable, there is a sidewalk café with 7 exterior tables and 16 exterior seats; and

E. Whereas, the interior hours of operation will continue to be from 12 PM to 12 AM on Sundays, from 12 PM to 2 AM Monday through Wednesday and from 12 PM to 4AM Thursday through Saturdays, the premises will operate as a Bar and Café but not as a lounge or sports bar, there

will be no more than 2 TV, there will be quiet, background music only and there will be no d.j.s, no live music, no promoted events, no cover fees, all windows and doors will close by 10PM and the sidewalk café will close by 10 PM every night; and,

F. Whereas, the same owners and licensees will continue to operate the eating and drinking establishment, albeit ownership with a different corporate entity; and

G. 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 on-premise license stating that:

1. The premises will be advertised and operated as a Bar and Café but will not operate as a lounge or sports bar.
2. The hours of operation will be from 12 PM to 12 AM on Sundays, from 12 PM to 2 AM Monday through Wednesday and from 12 PM to 4AM Thursday through Saturdays.
3. The premises will have no more than 2 televisions.
4. The premises will not permit dancing.
5. The sidewalk café will close by 10 PM every night.
6. The sidewalk café will have 7 tables and 16 seats
7. There will be quiet ambient-level background music only.
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 all doors will be closed at 10PM except for patron ingress and egress.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the On Premise license application for **Cherry Lane, Inc., d/b/a The Randolph at Broome, 349 Broome St. 10013** unless the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on its Liquor License.

Vote: Unanimous, with 35 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

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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

February 26, 2016

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 February 18, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

5. Agoodlook, LLC, d/b/a Pietro's, 174 Elizabeth St. 10012 (Transfer of existing OP license)

A. Whereas, the applicant appeared before CB2 Manhattan's SLA Licensing Committee for a transfer of an existing on premise license (ICA Group LLC d/b/a El Portale; Lic. #1139130 Exp. 5/31/2017) to operate a small Italian Restaurant serving breakfast, lunch and dinner in a mixed use five story building mid-block on Elizabeth Street between Spring and Kenmare Streets; and

B. Whereas, the premises was previously operated for years as a small Mexican Restaurant with closing hours no later than 11 PM Sunday through Thursday and 12 AM Fridays and Saturdays; and

C. Whereas, there is no plans to alter the interior of the premises and it will continue to operate with a full service kitchen in a 700 SF basement premises with an additional 300 SF subbasement used for storage purposes only, there will be one bathroom, no TVs, 11 tables with 22 seats, 1 bar/counter with 3 seats for a total patron occupancy of 25; and

D. Whereas, the hours of operation will be from 8 AM to 12 AM Sunday through Wednesday and from 8 AM to 2 AM from Thursday through Saturday, music will be background only, doors and windows will close by 10 PM every night, there will be no d.j.'s, no promoted events, no live music, no cover fees, no scheduled performances, no velvet ropes, no moveable barriers, no TVs, no backyard garden/outdoor space and no sidewalk café at this time; and

E. Whereas, there the prior operator and licensee has for years operated the premises with illegal outdoor benches, table and umbrella at the front of the premises without any permits and the applicant stated and agreed to remove all such furniture from the exterior front of the premises and further agreed not to operate any part of its business outside the premises unless a permit is obtained for this purpose in the future; and

F. Whereas, there are already 27 existing licensed premises within 500 feet of the proposed premises (not including beer and wine licenses); and

G. 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 restaurant.
2. Will operate with hours of operation from 8 AM to 12 AM Sunday through Wednesday and from 8 AM to 2 AM on Thursdays through Saturdays.
3. There will be no sidewalk café at this time.
4. All outdoor furniture will be removed and there will be no exterior furniture (benches/seats/tables/umbrellas) permitted.
5. There will be no backyard garden.
6. All doors and windows will be closed by 10 PM every evening.
7. 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.
8. There will no TVs.
9. The premises will not permit dancing.
10. The premises will not be advertised or operate as a Lounge, Tavern, Bar or Sports Bar.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an alteration to an existng On-Premise liquor license to **Agoodlook, LLC, d/b/a Pietro's, 174 Elizabeth 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 35 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

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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

February 26, 2016

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 February 18, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

6. Sapori D Italia, LLC d/b/a Sambuca's, 105 Mulberry St. 10013 (Transfer of existing OP license)

A. Whereas, the applicant appeared before CB2 Manhattan's SLA Licensing Committee for a transfer of an existing on premise license (Red Mulberry LTD d/b/a Sambuca's; Lic. #1269306) to operate a small Italian Restaurant serving breakfast, lunch and dinner in a mixed use two story building (Circa 1900) on Mulberry Street between Canal and Hester Streets; and

B. Whereas, there will be no change in the current method of operation for the licensed premises and there are no plans to alter the interior of the premises but there will be new ownership; and

C. Whereas, the premises will continue to operate with a full service kitchen in a 800 SF storefront premises, one bathroom, two TVs, 13 tables with 39 seats, no stand up bar for a total patron occupancy of 39, with a sidewalk café with 20 seats but no backyard garden; and

D. Whereas, the hours of operation will be from 9 AM to 2 AM daily Sunday through Saturday, music will be background only, doors and windows will close by 10 PM every night, there will be no d.j.'s, no promoted events, no live music, no cover fees, no scheduled performances, no velvet ropes, no moveable barriers and the sidewalk café will close by midnight daily Sunday through Saturday; and

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

1. The premises will be operated as a full service Italian restaurant.
2. Will operate with hours of operation from 9 AM to 2 AM daily Sunday through Saturday.
3. The sidewalk café will close by midnight daily Sunday through Saturday.
4. All doors and windows will be closed by 10 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 be no more than 2 TVs.
7. The premises will not permit dancing.
8. The premises will not be advertised or operate as a Lounge, Tavern, Bar or Sports Bar.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a transfer to an existing On-Premise liquor license to **Sapori D Italia, LLC d/b/a Sambuca's, 105 Mulberry St. 10013** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on the OP License.

Vote: Unanimous, with 35 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

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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

February 26, 2016

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 February 18, 2016, 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:

7. Ambleside Partners, LLC, d/b/a Pravda, 281 Lafayette St. 10012 (Alteration to existing license, laid over meeting at request of applicant)

Whereas, at this month's CB2 SLA Licensing Committee meeting on February 9, 2016, 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 or on premise license;

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

Vote: Unanimous, with 35 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

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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

February 26, 2016

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 February 18, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

8. Rolso, Inc., d/b/a Café Novecento, 343 West Broadway 10013 (BW) (failed to appear)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 9, 2016, the Applicant **failed to appear** or request a layover of this application for a beer wine or on-premise license and did not explain their non-appearance;

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 **Rolso, Inc., d/b/a Café Novecento, 343 West Broadway 10013** **until** the Applicant has properly 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 35 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

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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

February 26, 2016

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 February 18, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

9. Bird's Ink, LLC, d/b/a Lighthouse Out Post, 241 Mulberry St. 10012 (New BW) (failed to appear)

Whereas, at this month's CB2 SLA Licensing Committee meeting on February 9, 2016 the principal/applicant **failed to appear** or to request to lay over this application for a beer wine license and provided no reason for their non-appearance;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any Beer and Wine or On Premise license to **Bird's Ink, LLC, d/b/a Lighthouse Out Post, 241 Mulberry 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 35 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

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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

February 26, 2016

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 February 18, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

10. Piacere Enterprises, LLC, d/b/a TBD, 351 Broome St. 10013 (failed to appear)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 9, 2016, the Applicant **failed to appear** or request to layover this application for an upgrade from restaurant wine to on premise license and provided no reason for their non-appearance;

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 **Piacere Enterprises, LLC, d/b/a TBD, 351 Broome 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 35 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

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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

February 26, 2016

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 February 18, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

11. Shi Lin or LLC to be formed, d/b/a Le Pierre, 341 W. Broadway 10013 (layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 9, 2016, the Applicant attorney requested **to lay over** this application for a new on-premise liquor license to the next month;

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 **Shi Lin or LLC to be formed, d/b/a Le Pierre, 341 W. Broadway 10013 until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 35 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

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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

February 26, 2016

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 February 18, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

12. Hu Holdings, LLC, d/b/a Hu Kitchen, 78 5th Ave. 10011 (RW SN#1262180 – Corporate Change)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for corporate change for a restaurant wine license SN#1262180 for a “full service restaurant mostly focused on fast-casual breakfast, lunch, soups, salads and baked goods, gourmet coffee, limited selection of organic wines, hard cider and beers; some prepackaged chips, chocolates, baked goods, gourmet grocery items will also be for sale”; and

ii. Whereas, this application is for a corporate transfer for a restaurant wine license for a location in a commercial building located on 5th Avenue between 13th St. and 14th St. for a roughly 2,817 sq. ft. premise located on the ground floor and mezzanine (2,089 sq. ft. ground floor, 728 sq. ft. mezzanine) with 25 tables and 66 table seats and 1 standup bar with 5 bar seats as presented in materials provided to CB2; there is an expired temporary certificate of occupancy, the temporary certificate of occupancy will be renewed prior to the approval of the corporate change; and,

iii. Whereas, the hours of operation will be Sunday from 8AM to 12AM and Monday to Saturday from 7AM to 12AM, 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 wine license stating that:

1. The premises will be advertised and operated as a fast casual restaurant as described.
2. The hours of operation will be Sunday from 8AM to 12AM and Monday to Saturday from 7AM 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 televisions or 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 and windows at 10 PM except for patron ingress and egress.
10. There will be no sidewalk café.
11. There will be no unlimited drink specials or unlimited all you can eat and drink specials.
12. There will be no sales of pitchers of beer.
13. Licensee will obtain an updated and current Temporary Certificate of Occupancy prior to approval of Corporate Change.

v. 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; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a corporate change for the existing Restaurant Wine License SN#1262180 for **Hu Holdings, LLC, d/b/a Hu Kitchen, 78 5th Ave. 10011** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 35 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

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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

February 26, 2016

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 February 18, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

13. Ahimsa NYC, Inc., d/b/a TBD, 210 Thompson St. 10012 (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 "relaxed family friendly restaurant specializing in Indian cuisine...there will not be any bar and beer and wine is expected to represent a small percentage of sales"; and,

ii. Whereas, this application is for a new restaurant wine license at a previously licensed location in a mixed-use building located on Thompson St between West 3rd St. and Bleecker St. for a roughly 1,800 sq. ft. premise located on the ground floor and basement (1,085 sq. ft. ground floor, 750 sq. ft. basement, patron use of ground floor only) with 21 tables and 52 table seats, there is no standup bar and one service bar; there is an existing certificate of occupancy; and,

iii. Whereas, the hours of operation will be Sunday to Thursday from 12PM to 11PM and Friday to Saturday from 12PM to 12AM, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 9PM except for 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 wine license stating that:

1. The premises will be advertised and operated as a family friendly restaurant focusing on Indian Cuisine.
2. The hours of operation will be Sunday to Thursday from 12PM to 11PM and Friday to Saturday from 12PM 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 televisions or 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 close all doors and windows at 9PM every night and anytime there is amplified music.
10. There will be no stand up bar.
11. There will be no patron use of basement
12. There will be no unlimited drink specials or unlimited food and drink specials.
13. There will be no sidewalk café.

v. Whereas, the applicant met with the Bleecker Area Merchants’ and Residents’ Association and a letter in support was submitted; and,

vi. Whereas, there are currently approximately 39 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 **Ahimsa NYC, Inc., d/b/a TBD, 210 Thompson 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.

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

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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

February 26, 2016

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 February 18, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

14. MI-NE Sushi NY, Inc., d/b/a TBD, 496 Sixth Ave. 10011 (New RW – previously unlicensed location)

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 in a previously unlicensed location for a Japanese restaurant and sushi bar; and,

ii. Whereas, this application is for a new restaurant wine license for a location in a mixed-use building located on Sixth Avenue between 12th St and 13th St for a roughly 2,175 sq. ft. premise located on the ground floor and basement (2,079 sq. ft. ground floor, 96 sq. ft. basement, patron use of ground floor only) with 26 tables and 59 table seats, 1 standup bar with 6 bar seats; an new letter of no objection is in the process of being obtained and will be presented to the Liquor Authority; and,

iii. Whereas, the hours of operation will be from 11:30AM to 11PM seven 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 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 Japanese restaurant and sushi bar.
2. The hours of operation will be from 11:30AM to 11PM seven 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 or 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 and windows at 10 PM except for patron ingress and egress.
10. There will be no unlimited drink specials or unlimited food and drink specials.
11. There will be no sale of beer by the pitcher.
12. There is no sidewalk café.
13. There will be no patron use of basement.
14. Applicant has agreed that they never apply for an upgrade to a full on premise liquor license ever.

Applicant will obtain a letter of no objection from the NYC Department of Buildings.

v. Whereas, the applicant had discussions with the 13th St. Block Association and there were no objections, a petition with roughly 150 signatures was presented; and,

vi. Whereas, the Principal is also a principal of three Japanese deli & grocery stores which hold grocery beer & wine licenses, including one on the same block as the proposed premises; and,

vii. Whereas, there are currently approximately 14 On Premise Liquor Licenses within 500 ft of the premises and an unknown number of beer and wine licenses; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant Wine License for **MI-NE Sushi NY, Inc., d/b/a TBD, 496 Sixth Ave. 10011** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 35 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

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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

February 26, 2016

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 February 18, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

15. 9th Avenue NYC, LLC, d/b/a Tippy Girl, 45 W. 8th St. 10015 (New OP)

- i. Whereas**, the Applicant, Peter Guimaraes, appeared before CB2's SLA Licensing committee on February 11, 2016 to present an application for a new on-premise liquor license to operate a "restaurant and bar specializing in fast casual cuisine (calamari, pizza tacos, sushi, sliders, salads)" in a location where a Peruvian restaurant was previously located; and,
- ii. Whereas**, the premises is located in a 5 story mixed use residential building located on West 8th Street between Sixth Avenue and Fifth Avenue in a 1,650 sq. ft premises located on the ground floor with 18 tables and 40 seats and 1 stand up bar with 14 seats for a total of 54 seats; the applicant did not provide a Certificate of Occupancy and no certificate of occupancy for this specific address is available on the NYC DOB website (C of O listed on website is for address next door and does not include this property); and,
- iii. Whereas**, there was confusion as to the hours of operation with different hours presented prior to the meeting, hours presented on paper at the meeting and hours discussed verbally, the hours presented on materials submitted at the meeting were Sunday to Wednesday from 11AM to 12AM, Thursday from 11AM to 2AM and Friday to Saturday from 11AM to 3AM, music was indicated as from ipods/cds at both background and entertainment levels, there would be no DJ's, no Live Music, the principal indicated he would manage the premises, the applicant indicated that there would be 2 TV's with no specifics, that there were no plans to install sound proofing, no indication was provided what

times they would close the existing fully operable front accordion doors that comprise the whole front façade, but it was stated that those windows would be regularly used, the Applicant did not complete the portion of the questionnaire which asks whether there will be promoted events, scheduled performances, outside promoters, any events for which a cover fee is charged and whether there would be private parties; and,

iv. Whereas, there are currently approximately 21 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses; and,

v. Whereas, On December 24th, 2015, the applicant notified CB2, Man. by personal delivery of their intent to apply for a full on premise liquor, wine, beer & cider license; the applicant was advised that they would be placed on the CB2 agenda for the February 11th, 2015 meeting as the cutoff for the January meeting had already passed; CB2 was informed that in early January, the Applicant was in communication with the local Business Improvement District, the Village Alliance, at which time the Applicant was advised of the local West 8th St. Block Association; The West 8th St. Block Association having *not* been contacted by the Applicant in advance of the February 11th meeting proactively reached out instead to the Applicant on February 4th to discuss the Applicant's pending application in advance of CB2's meeting on February 11th; and,

vi. Whereas, CB2, Man. requests that all Applicants who submit a "30 Day Notice" to CB2, Man. appear before CB2's SLA Licensing Committee 1 or 2 and that in advance of the meeting submit a completed CB2 SLA Licensing Questionnaire as well as provide a variety of supporting materials as outlined including "Provide proof of community outreach with signatures or letters from Residential Tenants at location and from surrounding buildings. (i.e. a letter from the neighborhood block association or petition in support.)", "Certificate of Occupancy or Letter of No Objection for the premises.", and "Floor plans of the premise, including all tables and chairs and kitchen lay out to be licensed. Please also include any schematics for sidewalk café, backyard garden space and/or rooftop areas if applicable."; and,

vii. Whereas, in advance of CB2's SLA Licensing Committee meeting on February 9th, the Applicant submitted materials to CB2 including a completed copy of the CB2 SLA Licensing Questionnaire; at the time of CB2's SLA meeting on February 11th, the Applicant submitted a *different* questionnaire and a *different* floor plan than was submitted on February 11th and no Certificate of Occupancy or Letter of No Objection was presented; the new questionnaire had discrepancies from the original questionnaire and the new floor plans submitted at the meeting were not to scale and did not show the fully operable front façade or the exit/doorway to the rear yard area; no evidence of any community outreach initiated by the applicant was presented and subsequently *the applicant stated he had not performed any community outreach*; and,

viii. Whereas, at the meeting, Mr. Guimaraes stated that he was an experienced restaurateur, that he had retained the services of an attorney familiar with Liquor Authority Licensing Procedures in NY to assist him with his application to the Liquor Authority, he stated he had appeared in front of other Community Boards including CB4, Man. in the past year, he stated that he had been a principal in other licensed premises in NY and in CT, CB2's SLA Licensing questionnaire stated that both he and Pier Mario DelRosso, the 2nd principal on the license who resides in Miami, Fl, were past principals on three different licenses, (1) "Bice Ristorante, 54th St" SN#1255701, 7 East 54th Street Associates, LLC d/ba/ Bice Ristorante, 7 E 54th St (2) "Alfredo 100, 54th St." SN#1277237 ATO Restaurant Associates

LLC d/b/a Alfredo 100, 7 E 54th St and (3) “Sound Factory II, West 46th St” SN1027889 Phoenix Sound, Inc. d/b/a Sound Factory 618 West 46th St; After performing a “Public License Query” on the Liquor Authority’s website, there were no records indicating that Mr. Guimaraes was a principal on any license and the Mr. DelRosso was only a principle on the License for SN#1255701 7 East 54th Street Associates; and,

ix. Whereas, when asked about the “Topsy Girl” concept, Mr. Guimaraes began by indicating that the proposed restaurant/bar was tied in with the Topsy Girl Spirits and Wine Product line which he was developing along with partners, it was unclear what Mr. Guimaraes relationship was to the Topsy Girl Spirits and Wine Brand, but from Mr. Guimaraes initial representations it seemed he was intricately involved, but the extent of his relationship was unclear;

x. Whereas, the Applicant continued that the premises would be a neighborhood restaurant, the first of a number of locations which would also be located in Hell’s Kitchen, Hartford, Miami, Las Vegas, he indicated that there was however nothing special about the premises except that they would be a neighborhood establishment that would focus on high end American and Italian food like pizza, tacos and sliders and that as the evening progressed the establishment would switch from a restaurant to a bar; and,

xi. Whereas, the Applicant was asked why he need to stay open until 3AM and he repeatedly stated that it was unfair if he could not compete with other late night bars in the area irrespective of any impact on quality of life and irrespective of the unique qualities of this area of 8th street including the history a positive working relationship between the local business improvement district, property owners, the local block association and local businesses in part to mitigate quality of life issues; he reiterated that the location was a high end neighborhood restaurant concept; and,

xii. Whereas, when asked about the “entertainment level” music and the lack of plans for additional soundproofing – despite the fact that the previous licensee operated as a full service Peruvian restaurant with background music only – he stated no additional sound proofing was needed because there was a commercial space located above his establishment before the residential units in the building began; the applicant also stated his intention to lease the apartment above the commercial space but stated that would only be for a year or so as he does above all his new restaurants; he reiterated that even though no tests had been conducted or professional sound engineer consulted or consultations with residents during any tests he was sure there would be no issues; and,

xiii. Whereas, the applicant was asked about a past application presented to CB4 Manhattan for which CB4 recommended denial to the Liquor Authority by the same corporate entity as appearing here but at a different location, **9th Avenue NYC LLC d/b/a Topsy Girl at 714 9th Avenue**, (see letter form CB4 Manhattan to the Liquor Authority:

<http://www.nyc.gov/html/mancb4/downloads/pdf/2015%20PDFs/july/17%20BLP%20Letter%20to%20SLA%20re%20Topsy%20Girl%20-%20714%209th%20Avenue.pdf>); the Applicant stated he was unaware of the recommendation to deny his application even though through his attorney he decided not to execute stipulations to which he had agreed during that presentation to CB4 and that he chose not to pursue an application at that location for unclear reasons, but the concept being present for this location on West 8th Street is the same; and,

xiv. Whereas, the applicant was asked about a newspaper article regarding his concept, albeit covering the application for the location in CB4 as described above, and while it seemed the applicant was familiar with the article, he did not address the questions including statements that there would be all day happy hours etc. and dismissed the article (see article: <https://www.dnainfo.com/new-york/20150717/hells-kitchen-clinton/topsy-girl-bar-offer-all-day-happy-hour-on-ninth-avenue>); and,

xv. Whereas, no one appeared in support, no petitions were presented in support and no evidence of any outreach initiated on the part of the applicant was presented and the applicant stated that he had not performed any community outreach; and,

xvi. Whereas, the West 8th Street Block Association Co-Chair presented a letter in opposition, which is attached, outlining their past diligent work with local businesses and elected officials to create community standards of behavior and a shared vision of the future through the dramatic transformation of this block from 1 licensed premises on the block approximately a decade ago when this was a retail corridor to the 18 licenses that exist today within 500 ft., many of which are located on this block, and outlined that after discussions and meeting with the applicant that he did not share the same vision for the future and that for this and other reasons they would be opposing this; the letter further outlined the non-compliant storefront infill installed at this location in violation of the NYC Zoning code as outline within the Special Limited Commercial District defined by Article VIII, Chapter 3 of the NYC Zoning Code, which requires (section 85-03) that the spaces be completely enclosed and that the Applicant stated to them and CB2, Man. that he was unwilling to comply with the requirement even though past licensees at this location had agreed to keep all doors and windows closed at all times; this non-conforming condition of a fully operable front façade was improperly built by a past tenant at this location; and,

xvii. Whereas, a representative of the Ninth St. Block Association residing at 50 West 9th St. which represents the block and a number of buildings immediately behind this establishment and to the North that abut the existing rear courtyard appeared and stated that the rear courtyard/garden of this establishment had presented an ongoing problem over the course of previous licensees at this location and in adjoining buildings even with negotiated agreements regarding use and that the storage of garbage and refuse in the rear area and the existing mechanical setups had resulted in negative quality of life impacts on neighbors to the rear and that mechanical noise had resulted in the issuance of at least 3 Department of Environmental violations in recent years at this location; the rear “donut” courtyard area is an echo chamber; the representative stated that the Applicant was unwilling to store his garbage, recyclables and bottles elsewhere or take any steps to mitigate noise like the adjoining businesses and the licensee restated this position to CB2, Man. as this was an existing situation and he felt no need to make any agreements.; and.

xviii. Whereas, a number of other individuals appeared in opposition despite no outreach by the applicant, including those living in the same building and adjoining buildings who summarized their concerns; **(1)** this concept doesn't fit with the West 8th Street concept which has been successfully promoted by local officials, the local business improvement district, property owners and local residents which has for the most part allowed for a positive transformation of this corridor; **(2)** concerns were expressed that the only uniqueness stated by the applicant was a tie in to a spirit and wine brand operating under the same name, “Topsy Girl” which the applicant seems to have a direct financial involvement; **(3)** what was not described by the applicant was that “Topsy Girl” brand was a plot line on the reality TV show the Real House Wives of New York on which the applicant appears as a cast member; **(4)** that the location was in fact intended to be a destination location that would be promoted through a buried plot line on the reality television show; **(5)** that a soft opening of this premises was already being promoted even though the license had not yet even been submitted to the Liquor Authority; **(6)** that there was no room for another venue with entertainment level music as the premises across the street which has been a basement cabaret of one sort or another and was at one point the only licensed premises on the block prior to a decade ago can be heard in many of the buildings across the street all the way up to the 5th floor with the low back bass beat; **(7)** that even though there is a separation of another commercial business between this premises and residents above, no existing soundproofing exists to handle “entertainment” level music; **(8)** there is no need for a premises with entertainment level music that states it is a restaurant, particularly one with a operable

front glass facade; **(9)** that it's inconceivable an experienced operator in NY would sign a lease without first doing due diligence and reaching out to residential neighbors immediately upon interest to understand the inherent issues and work to find solutions to problems; **(10)** that the West 8th St. Block Association went back and forth trying to find some compromise up and to the same stipulations that the prior licensee operated but was rebuffed at each step by the applicant – he also did not present any additional modifications to CB2, Man. at the time of the meeting **(11)** there were concerns because it was stated that the applicant told the West 8th Street Block Association that this was primarily a promotional marketing tool to push the “Topsy Girl” brand; **(12)** there were concerns that because this would undoubtedly become a destination location because of tie-ins with the reality TV show that there would be parking impacts in the area because of the appeal to out of town tourists looking for a night out on the town; **(13)** that the impacts of any filming on the block of any reality TV shows would be disruptive; a number of other issues were also raised; and,

xix. Whereas, it was further noted that residents of this block had negotiated stipulations with many if not all of the premises licensed within the past decade and that those stipulations agreements were flexible and broader than just hours of operation and were all not exactly the same because the negotiated stipulations often included other items that further benefited the block and businesses by addressing non-traditional aspects such as correcting non-compliant facades and taking into account unique aspects to each application to help ease the impact of the rapid growth of licensed premises on this block; and,

xx. Whereas, CB2, Man. has strong concerns regarding the applicant's response to concerns regarding the retractable front façade doors (which results in a fully open front façade when doors are retracted) as the retractable doors were previously installed illegally in derogation of zoning laws specific to this block; the prior operator agreed to not open them at all times and did not open them at any time; the current applicant, upon learning this aspect of the prior limitations of use for this premises dismissed those concerns and stated that the doors were existing and that he planned to use them as they fit his business model and refused to abide by the existing laws and regulations even in spirit; he further stated that he did not have the resources to correct this and that it was not his responsibility even though it appears that a portion of the lease provided to CB2, Man. indicates that this would in fact be his responsibility; and,

xxi. Whereas, CB2, Man. urges the SLA to ensure that the arrangement between Mr. Guimaraes and the Topsy Girl Spirits and Wine Product line does not violate New York's tied house laws - Section 101 of the New York Alcohol Beverage Control Law Article 8, which provides, in part, that it “shall be unlawful for a manufacturer or wholesaler licensed under this chapter” to be “interested directly or indirectly in any premises where any alcoholic beverage is sold at retail.”; and,

xxii. Whereas, CB2 afforded the applicant ample opportunity to address all issues and to propose any solutions to the concerns raised, but the applicant was steadfast and stated that in order to compete he could not accommodate local residents requests or come to agreements as requested; he stated at the same time that he didn't say he would not agree to stipulations, but he was not able to articulate what he might agree to; this seemed to go against the spirit of working with the community; and,

xxiii. Whereas, there are already many bars and restaurants and eating establishments which provide the same or similar services in the area, there being no coherent reason for adding yet another licensed establishment which would impact residential quality of life and noise, there being no permits proffered demonstrating permission to use or occupy the premises as proposed and there is no public interest established; and

xxiv. Whereas, CB2, Man. has great concerns regarding this application and applicant due to the many discrepancies and lack of candor on the part of the applicant as presented above; and,

xxv. Whereas, CB2, Man. believes this application should be denied in its entirety by the Liquor Authority;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to **9th Avenue NYC, LLC, d/b/a Topsy Girl, 45 W. 8th St. 10015 (OP)** on its application seeking a new on-premise liquor license; and

THEREFORE BE IT FURTHER RESOLVED that should this application be considered by the Liquor Authority, CB#2, Man, respectfully requests that this item be calendared to appear before the Full Board of the Authority and that CB2 be notified in advance of the meeting.

Vote: Unanimous, with 35 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

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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

February 26, 2016

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 February 18, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

16. Spice 39, Inc., d/b/a Spice, 39, E. 13th St. 10003 (“Transfer” 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 via a “transfer” application for a Thai restaurant; and,

ii. Whereas, this application is for a new restaurant on-premise liquor license for a location in a commercial use building located on 13th St between University Place and Broadway for a roughly 1,800 sq. ft premise located on the ground floor and mezzanine (1,050 sq ft ground floor, 750 sq ft mezzanine, basement undetermined size – no patrons) with 22 tables and 50 table seats, 1 standup bar with 7 bar seats; there is an existing certificate of occupancy; and,

iii. Whereas, the hours of operation will be Sunday from 10AM to 12AM and Monday to Saturday from 11:30AM to 12AM, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 9PM except for 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 Thai restaurant.
2. The hours of operation will be Sunday from 10AM to 12AM and Monday to Saturday from 11:30AM 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 televisions or 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 and windows at 9 PM except for patron ingress and egress and anytime there is amplified music.
10. There is no sidewalk café.
11. This application only includes basement (no patron use), ground floor and mezzanine.
12. There will be no change in method of operation from the previous operator.

v. Whereas, the President of the University Place Residents Association was in attendance at the meeting and had no objections if there were to be no changes in the method of operation of the previous operator and if there was no change in the name of the restaurant; and,

vi. Whereas, there are currently approximately 14 On Premise Liquor Licenses within 500 ft of the premises and an unknown number of beer and wine licenses; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant On-Premise Liquor License for **Spice 39, Inc., d/b/a Spice, 39, E. 13th St. 10003** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 35 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

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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

February 26, 2016

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 February 18, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

17. 10 Downing Restaurant, LLC, d/b/a Clover Grocery, 259 6th Ave. 10014 (New RW - layover)

Whereas, the applicant appeared before CB2, Man. on February 11th 2015 to present an application for a new beer & wine license for an upscale market, café and event space; and,

Whereas, the applicant realized after the presentation that incomplete information had been presented to CB2, Man. in error due to miscommunication from the applicant and certain information could be more clearly presented, which resulted in both incorrect stipulations being agreed to and CB2's SLA Committee voting on the matter with incorrect information and incorrect stipulations; and,

Whereas, after consulting with CB2, Man. after the meeting had taken place, the applicant requested to come back and re-present their application to CB2's SLA Licensing Committee at a regularly scheduled meeting so that the Committee could present a recommendation to CB2's Full board with the accurate information; in essence, the Applicant has requested to layover this application until March/2016;

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 **10 Downing Restaurant, LLC, d/b/a Clover Grocery, 259 6th Ave. 10014** until the Applicant has re-presented their application in front of CB2's SLA Licensing Committee with full and accurate information and CB2, Man. 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 35 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

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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

February 26, 2016

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 February 18, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

18. 2nd City West Village, LLC, d/b/a 2nd City, 525 Hudson St. 10014 (New OP – Layover)

Whereas, the applicant appeared before CB2's SLA Licensing committee for a second time on February 12th, 2016 to present an application for a new on-premise liquor license to operate a restaurant in a ground floor storefront for a "premium quick casual restaurant focused on blending Filipino flavors with modern cooking; our concept is concentrating on chef Jordan Andino grandmother's recipes and his American cooking influence; a soulful blend of Filipino and Mexican", in addition to seated customers, food will be available to go and for delivery; and,

Whereas, when the applicant first appeared in January/2016, it was noted that the premises did not have a patron bathroom which would preclude the premises from being licensed; the applicant requested a layover to see if this could be resolved; the applicant returned in February/2016 with diagrams indicating a new proposed patron bathroom in a different location than the current employee only bathroom located behind the kitchen; and,

Whereas, the previous entity at this location operated as a Mexican restaurant with a full restaurant on-premises liquor license, however it appeared that the license was issued in error as the premises did not have a patron bathroom as required by NY State regulations, there was an employee kitchen located in the rear of the premises which would require patrons to go through the kitchen to access which is in violation of NYC health codes; and

Whereas, the applicant had indicated at CB2's SLA Licensing Committee that they were prepared to have the committee vote on the matter in February/2016 despite open questions, but because their attorney was not present, were unaware that in addition to their verbal representations, which were not detailed, that they could provide additional information regarding the steps that they have taken in regards to ventilation issues, noise mitigation and other issues, and also that they could further meet with their immediate neighbors and address additional concerns and objections; and,

Whereas, after consulting with CB2, Man. after the meeting had taken place, their attorney requested that their client be afforded the opportunity to come back and re-present their application to CB2's SLA Licensing Committee at a regularly scheduled meeting so that the Committee could present a recommendation to CB2's Full board with more complete information and a recommendation which would take into account all available information, in essence the Applicant has requested to layover this application until March/2016,

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 re-presented their application in front of CB2's SLA Licensing Committee with full and accurate information 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 35 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

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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

February 26, 2016

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 February 18, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

19. Fiftyone Merchants, LLC, d/b/a Via Carota, 51 Grove St. 10014 (OP-Alteration SN# 1275555) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on February 11th, 2015, the Applicant requested to **layover** this application for an alteration to an existing restaurant on premise liquor license (SN#1275555) to add additional space to the existing 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 **Fifty one Merchants, LLC, d/b/a Via Carota, 51 Grove 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 35 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

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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

February 26, 2016

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 February 18, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

20. Major Dough Soho 463, LLC, d/b/a Sadelle's, 463 W. Broadway 10012 (OP Alteration SN# 1287177) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on February 11th, 2015, the Applicant requested to **layover** this application for an alteration to an existing restaurant on premise liquor license (SN#1287177) 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 **Major Dough Soho 463, LLC, d/b/a Sadelle's, 463 W. Broadway 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 35 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

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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

February 26, 2016

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 February 18, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

21. CGM 13, LLC, d/b/a all'onda, 22 E. 13th St. 10003 (OP Alteration SN#1269193) (Extend hours of operation – laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on February 11th, 2015, the Applicant requested to **layover** this application for an alteration to an existing restaurant on premise liquor license (SN#1269193) to extend the hours of operation 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 **CGM 13, LLC, d/b/a all'onda, 22 E. 13th St. 10003** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 35 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

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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

February 26, 2016

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 February 18, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

22. 50 Commerce Street Restaurant, LLC, d/b/a TBD, 50 Commerce St. 10014 (OP) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on February 11th, 2015, the Applicant 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 **50 Commerce Street Restaurant, LLC, d/b/a TBD, 50 Commerce 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 35 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