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Antony Wong, *Treasurer*
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Erik Coler, *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 28, 2017

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 16, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

1. Royal Katsuei, Inc., d/b/a N/A, 357 Ave. of the Americas 10014 (New Restaurant Wine)

A. Whereas, the applicant and his representative appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new Restaurant Wine license to operate a family friendly Sushi Restaurant within a ground floor storefront located in a four-story mixed-use building (Circa 1910) located on Sixth Avenue between West 4th and Washington Place in Greenwich Village; and,

B. Whereas, the premises was previously operated as a Japanese Sushi Restaurant known as Soto (Kosugi Rest. Group #1186353) with a Restaurant Wine license, the applicant is not planning to make any significant changes to the interior or exterior of the premises, the method of operation being consistent with the prior operation of the storefront premises for eating and drinking with all exterior facades (windows and doors) remaining fixed and not operable and there being a letter of no objection presented permitting such uses and occupancy thereat; and,

C. Whereas, the storefront premises is approximately 1,400 Sq. ft., there is a kitchen, two patron bathrooms, one sushi bar with 14 patron seats and 11 tables with 30 patron table seats for a total patron seating capacity at 44, there is no sidewalk café and no other outdoor areas for patrons; and,

D. Whereas, the hours of operation will be from 11 AM to 11 PM Sunday through Thursday and from 11 AM to 12 AM Fridays and Saturdays, there will be no TVs, 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 except for patron ingress and egress, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; 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 Restaurant Wine license and the stipulations are as follows:

1. The premises will be advertised and operated as a Japanese Restaurant specializing in Sushi.
2. The hours of operation will be from 11 AM to 11 PM Sunday through Thursday and from 11 AM to 12 AM Fridays and Saturdays.
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will have no televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden, sidewalk cafe or any outdoor area for commercial purposes.
7. The premises will play quiet ambient recorded 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 will keep all doors closed except for patron ingress and egress.
10. There will be no pitchers of beer and no all you can eat/drink specials or boozy brunches; and

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

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the Restaurant Wine application to **Royal Katsuei, Inc., d/b/a N/A, 357 Ave. of the Americas 10014** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on the Restaurant Wine License.

Vote: Unanimous, with 36 Board members in favor.

Terri Cude, *Chair*
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NY State Liquor Authority
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Dear Sir/Madam:

At its Full Board meeting on February 16, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

2. Sushi on Jones, LLC, d/b/a Sushi on Jones, 348 Bowery a/k/a 56 Great Jones Street 10012
(Restaurant Wine—previously unlicensed location)

A. Whereas, the applicant and a representative of the applicant's attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new Restaurant Wine license to operate out of a temporary food stand serving sushi and other foods outdoors on an open lot operated since 1954 as a motor vehicle repair shop (Use Group 16) and gasoline station located at the corner of the Bowery and Great Jones Street in the Historic District of NoHo; and

B. Whereas, the applicant failed to provide any permits or certificate of occupancy to occupy and use the temporary food stand for eating or drinking uses, the location having never previously been licensed for the sale of liquor, the food stand having 4 counter seats, offering sushi, there also being take-out service windows facing the public sidewalk on Great Jones operated by other vendors selling Italian sandwiches, juices, coffee and tacos, the food stand being only 60 sq. ft., the 4 counter seats being exterior and not within the food stand, the stand being open to the outside, there currently being no bathroom accessible to patrons and there being concerns regarding the service of alcohol to patrons in such an undefined space by multiple vendors operating thereat; and

C. Whereas, the applicant seeks to operate with hours of operation Sunday through Saturday from 12 PM to 10 PM every day, there are outdoor speakers installed in open market area playing music with street furniture, sandwich boards, planters and stools placed on the public sidewalk and the open lot areas; and,

D. Whereas, the applicant rents the space from the existing property owner by means of a one-year vendor licensing agreement, the exterior premises appearing to be seasonal for the warmer months but have more recently been covered with a temporary plastic enclosure over the winter months for which there appear to be no permits; and.

E. Whereas, the NoHo Bowery Stakeholders appeared in opposition to this application, concerned about the outdoor operations in a temporary food market with four different vendors operating thereat, there being furniture and stools being placed on the public sidewalk without permits in place to use the public sidewalk, the temporary facilities being put in place by the owner of the property who is currently seeking to develop the property by erecting a building and who has not sought nor obtained the proper permits for this use; the current certificate of Occupancy is for Use Group 16 type uses which have no provision for eating and drinking uses within that use group; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial for **Sushi on Jones, LLC, d/b/a NA, 348 Bowery a/k/a 56 Great Jones Street 10012** on its application seeking a new restaurant wine license; and

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

Vote: Unanimous, with 36 Board members in favor.

Terri Cude, *Chair*
Daniel Miller, *First Vice Chair*
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NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on February 16, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

3. Pokespot Cleveland Pl., LLC d/b/a The Pokespot, 25 Cleveland Pl. 10012 (New Restaurant Wine)

A. Whereas, the applicant and his attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a Restaurant Wine license to operate a new, fast casual, quick service Restaurant specializing in Hawaiian poke bowls with rice, raw fish, seasoning and toppings within a ground floor storefront located in a 4-story mixed-use building (Circa 1900) located on Cleveland Place between Spring and Kenmare Streets directly across from Petrosino Square in Nolita; and,

B. Whereas, the storefront premises was previously operated for years as a restaurant and most recently known as HSP Partners LLC -The Cleveland Restaurant (Ser. # 1186353) with a Restaurant Wine license, the applicant is planning to make changes to the layout of the interior premises but plans no significant changes to the exterior premises, there being existing Accordion style doors that are operable and open out to the public sidewalk thereat; and,

C. Whereas, the leased storefront premises also includes a 1,300 SF exterior backyard which the prior operator used illegally since 2012 for eating, drinking and live music but which was never permitted and instead was repeatedly disapproved by the NYC Dept. of Buildings, the existing letter of no objection for the storefront premises permitting eating and drinking on the interior first floor only but does not extend to the rear yard or the basement; and

D. Whereas, because of the illegal and improper use and occupancy of the rear yard in the past by the prior operator at these premises, there were many complaints registered from those living and having bedroom windows facing the rear yard and disrupted by the noise and misuse of the back yard premises for over two years; and

E. Whereas, prior to its presentation with CB2, Man. the applicant reached out to the neighborhood and to those affected and disrupted by the prior operator misuse of the rear yard and by his counsel agreed that eating and drinking in the rear yard was prohibited and agreed that there would be no use or occupancy of the rear yard by Applicant for this purpose; and

F. Whereas, the interior storefront premises is approximately 1,850 Sq. ft. (1,000 Sq. ft. first floor and 858 Sq. ft. basement), a full service kitchen, one bathroom, no TVs, an interior stairs to the basement, 3 tables with 6 patron table seats, a window counter facing the front where the accordion doors are located, with 6 additional patron seats and a walk-up service counter with no seats for a total patron seating capacity of 12 seats, there will be no stand up bar, no sidewalk café and no outdoor areas for service to patrons; and,

G. Whereas, the hours of operation will be from 11 AM to 12 AM daily from Sunday through Saturday, 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 by 9 PM every night and there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees; and,

H. Whereas, despite extensive outreach and agreeing to not use the rear yard and to close the exterior doors by 9 PM every night, two people appeared in opposition to the application seeking an agreement by the applicant to never use the rear yard at any time in the future, seeking to prohibit the applicant from using branded take-out containers and to have the applicant keep the accordion doors closed at all times; and

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

J. Whereas, the Applicant already operates a similar fast casual restaurant on 4th Avenue within CB2, Man. with a Restaurant Wine license and an identical method of operation, there being no known problems or complaints being raised as it relates to the Applicant's other Restaurant within CB2 Man.; and

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

1. The premises will be advertised and operated as a fast casual Hawaiian Restaurant specializing in poke bowl dishes.
2. The hours of operation will be from 11 AM to 12 AM daily Sunday through Saturday.
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will have no televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden, sidewalk café or any outdoor area for commercial purposes.
7. The premises will play quiet ambient recorded 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 existing accordion doors facing the public sidewalk will be closed by 9 PM every night.
10. There will be no pitchers of beer.
11. There will be no all you eat/drink specials.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the Restaurant Wine application to **Pokespot Cleveland Pl., LLC d/b/a The Pokespot, 25 Cleveland Pl. 10012** unless the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on the Restaurant Wine License.

Vote: Unanimous, with 36 Board members in favor.

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February 28, 2017

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 16, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

4. PL Restaurant, LLC, d/b/a Coco Pazzo, 160 Prince St., 10012 (New Restaurant OP)

A. Whereas, the applicant and the applicant's attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application for a new on premise liquor license to operate a full service Italian Restaurant in a corner storefront premises of a six-story residential (Circa 1924) building at Prince Street and Thompson Street in the SoHo section of Manhattan; and

B. Whereas, the interior 1,349 sq. ft. corner storefront premises has been vacate and not occupied for any use or purpose since January/2014, having previously been occupied and operated as Milady's, an old fashioned Bar with pool table and limited menu, albeit located within a Residential Zoned District (R7-2) as this particular storefront premises operated with a "grandfathered" non-conforming status for commercial purposes predating the promulgation of zoning regulations in 1964; and

C. Whereas, pursuant to Article 5, Chapter 2, Section 52-61 (General Provisions) of the New York City Zoning Regulations, a building with a non-conforming use that is vacant for a continuous period of two years is deemed discontinued, loses the benefit of its grandfathered non-conforming status and shall thereafter revert back to and can only be used in the future for a conforming use, which in this case the conforming use is zoned for residential and not commercial uses; and

D. Whereas, Section 52-60 of the same Zoning Regulations further states as follows: "If, for a continuous period of two years, either the non-conforming use of land with minor improvements is discontinued, or the active operation substantially all the non-conforming uses in any building or other structure is discontinued, such land or building or other structure shall thereafter be used only for a conforming use" and "intent to resume active operations shall not affect the foregoing"; and,

E. Whereas, the applicant presented a Zoning Resolution Determination Form marked “Approved” from Kellie Lewis, Senior Zoning Specialist at the NYC Dept. of Buildings, dated September 2, 2016 which purports to demonstrated that the Milady’s storefront was one of five commercial storefronts within the same building with non-conforming uses, representing 51% of the total non-conforming spaces within the same building and not “substantially all” of the non-conforming uses in the building as stated in Article 5, Chapter 2, Section 52-61 (General Provisions) of the New York City Zoning Regulations; and

F. Whereas, the Determination Form as presented presumed there was only one building encompassing the five storefronts, but there are actually two buildings built on a single lot (160-162 Prince and 164-166 Prince aka 118-120 Thompson) with two separate entrances/addresses on two separate streets (Prince and Thompson), the Milady’s space being “substantially all” of the non-conforming use and occupancy at 160-162 Prince Street, causing the Community who appeared in opposition to this application to seriously question the underlying factual support for the “Determination”, facts which were presented to the NYC Dept. of Buildings in a self-certifying format from the applicant’s architect and which may not have been completely correct and valid for this purpose; and

H. Whereas, the applicant plans to renovate the interior space and install a new kitchen in the rear of the premises and provided drawings providing a layout of the proposed kitchen, the ancillary mechanical systems will be vented to the rooftop with existing venting and all proper filings for this purpose will be filed with the NYC Dept. of Buildings, an interior staircase will be built so that access to their storage facilities in the basement will not require employees to exit the premises and use hatches located on the public sidewalk along Prince Street to gain access to the those 600 Sq. ft. cellar facilities for this purpose; and

I. Whereas, there are existing windows running along the Prince Street façade which the applicant could not state affirmatively as to whether such windows were operable, the windows having never been opened in the past by the prior establishment Malady’s, there being neighbors who appeared and opposed the instant application, with the applicant recognizing such opposition and agreeing not to alter those windows to make them operable and to keeping them closed at all times; and

J. Whereas, the applicant is a well-known restaurateur who seeks to open a community driven food and beverage establishment focusing on classic Italian cuisine with 19 tables with 52 seats, one stand up bar (located in the rear near the kitchen) with 10 seats for a total patron seating capacity of 62, there being 2 bathrooms and 1 TV at the bar in their plans; and,

K. Whereas, the hours of operation will be 11 AM to 12 AM daily Sunday through Saturday, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), no promoted events, no scheduled performances or cover fees; and,

L. Whereas, CB2 Man. received opposition and neighbors appeared in opposition to this application, that opposition being mostly opposed to the significant numbers of liquor licenses within the surrounding area and community, the narrowness of the street, asserting that there were no permits in place to operate a non-conforming eating and drinking establishment in a residentially zoned area with the previously grandfathered status permanently forfeited; and,

M. Whereas, other members of the neighborhood also appeared in support of the instant application citing the applicant's significant experience as a restaurateur, the proposed method of operation being for a fine dining establishment and not as a bar or other late night, trendy establishment with open facades creating a significant negative impact in their residentially zoned neighborhood; and,

N. Whereas, based on the applicant's proposed method of operation and hours of operation consistent with a full service restaurant specializing in Italian food, seeking to serve the local neighborhood while also not establishing a significant impact on the existing neighborhood by maintaining a fixed front façade containing noise therein, the public interest will be served despite there being there already being 22 liquor licenses within a 500 foot radius of these premises, 33 liquor licenses within 750 feet of the premises and 12 beer and wine licenses, many of which have only recently been added in the area; and,

O. Whereas, the applicant executed a stipulations agreement with CB2, Man. that will be submitted to the SLA and the applicant agreed those stipulations would be attached and incorporated into the method of operation as a part of the restaurant on premise license stating that:

1. The premises will be advertised and operated as a full service Italian Restaurant.
2. Applicant will obtain a letter of no objection or certificate of occupancy permitting eating and drinking at the premises prior to issuance of license.
3. The hours of operation will be Sunday through Saturday from 10 AM to 12 AM.
4. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
5. The premises will not one television.
6. The premises will not permit dancing.
7. The premises will not operate a backyard garden, sidewalk cafe or any outdoor area for commercial purposes.
8. The premises will play quiet ambient recorded background music only.
9. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. There will not be any French doors or windows installed to the front façade and all existing doors and windows will be closed at all times except for patron egress.
11. There will be no all you can eat/all you drink special or boozy brunches.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant On Premises Liquor License for **PL Restaurant, LLC, d/b/a Coco Pazzo, 160 Prince St., 10012** **unless** the statements the applicant has presented are accurate and complete, that those conditions and stipulations agreed to by the applicant above are incorporated into the "Method of Operation" on the SLA On Premise License and *provided that premises is in fact entitled to operate as an eating and drinking establishment at this location.*

Vote: Unanimous, with 36 Board members in favor.

Terri Cude, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



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February 28, 2017

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 16, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

5. Morars, LLC, d/b/a Misirizzi, 36 E. 4th St. 10003 (Upgrade—On Premise License).

A. Whereas, the applicant appeared before CB2's SLA Licensing committee to present an application for an upgrade from Restaurant Wine to a new On Premise license for an existing small Italian Restaurant in a mixed-use five-story building (Circa 1910) on East 4th Street between Bowery and Lafayette Streets in the NoHo historic district section of Manhattan; and,

B. Whereas, the applicant and operator has only been operating its restaurant out of this storefront location since June/2016 (8 months), this location having previously operated with a Restaurant Wine license but never previously with an on premise license, there being a letter of no objection permitting eating and drinking at this location presented; and,

C. Whereas, the interior premises is 940 Sq. ft., with 470 Sq. ft. on the ground floor and 470 Sq. ft. in the basement (basement for storage purposes only and no patrons), 9 tables with 20 seats, one bar with 9 seats, for a total number of interior patron seats at 29, there being one bathroom, no sidewalk café and no outdoor areas for service to patrons; and,

D. Whereas, the hours of operation will continue to be from 12 PM to 11 PM Sunday through Thursday and from 12 PM to 12 AM Fridays and Saturdays, there are no TVs, music is quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there are French doors at the front façade but the operator closes the doors by 10 PM every evening, there are no d.j.'s, no promoted events, no private parties, no scheduled performances or cover fees; and,

E. Whereas, the applicant did perform some outreach in the area, there being a petition with 10 signatures presented but that petition did not acknowledge that the applicant already was operating with a Restaurant Wine and few signatures were from the immediate area, there being no one from the neighborhood appearing in support of this application; and,

F. Whereas, a representative from the NoHo Bowery Stakeholders was present and was opposed to adding another on premise license being added to this street and area, there being two late-night bars (B Bar and Swift Hibernian Lounge) closing at 4AM on either side of the storefront premises, there being three licensed premises within the same building as applicant and there being no history of an on premise license at this storefront in the past; and,

G. Whereas, this application being subject to the 500 ft. rule requiring the applicant to demonstrate a recognizable public interest for adding yet another on premise liquor license in an area that is already greatly saturated with licensed establishments, the existing business not being unique to the area, the applicant providing no coherent reason why the very small restaurant needed an on premise license other than that to increase revenues, the applicant only being at the location for only eight months, the applicant thus failing to demonstrate a recognizable public interest, there being many existing eating and drinking establishments in the immediate area and within lower Manhattan like this one, an area already greatly saturated with licensed eating drinking establishments, there being 17 existing on premise licenses within 500 ft. of the subject premises and 37 existing on premise licenses within 750 ft. of the subject premises, an additional 6 licenses pending with the NYS Liquor Authority in this same area without even including the vast numbers of other establishments in the area holding beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial for **Morars, LLC, d/b/a Misirizzi, 36 E. 4th St. 10003** on its application seeking a new OP license; and

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

THEREFORE BE IT FURTHER RESOLVED that if this application is considered by the SLA, despite CB2, Manhattan's recommendation to deny this application, CB, Man.2 requests that the SLA conduct a 500 foot hearing because the premises and rear yard extension thereat has never been licensed for the service of alcohol at any point in the past.

Vote: Unanimous, with 36 Board in favor.

Terri Cude, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



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Dear Sir/Madam:

At its Full Board meeting on February 16, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

6. Corp to be formed by Michael Callahan, d/b/a TBD, 428 Lafayette St. Ground Fl. 10003 (New Restaurant OP)

A. Whereas, the applicant and applicant's attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for an on premise liquor license to operate a full service restaurant on the first floor of a 5-story commercial/mixed-use Landmarked building (Circa 1831) located on Lafayette Street between E. 4th Street and Astor Place across from the Public Theater in the NoHo historic district section of Manhattan; and

B. Whereas, the premises was previously operated as the ground floor restaurant portion of Tango House and Colonnades Restaurant and was previously licensed for the service of alcohol with a similar method of operation as a full service Argentinian restaurant, but is now vacant; and

C. Whereas, the certificate of occupancy for this address permits a theater in the cellar and a letter of no objection was presented from the NYC Dept. of Buildings which permits an eating and drinking establishment on the first floor despite the certificate of occupancy indicating use group 6 offices, but neither the first floor and cellar are designated nor permitted to operate together and in combination with each other, and so the applicant is bringing two separate liquor license applications for each space, albeit simultaneously and there will be no patron access from the restaurant on the first floor to the basement where a theater will be located (MHJ Management LLC); and

D. Whereas, this particular application is for the 2,800 sq. ft. first floor and a full service restaurant with a full service kitchen is proposed, serving “New York style cuisine in a warm and convivial atmosphere with reasonably priced specialties” “featuring the original cuisine of Chef Kenneth Addington”, with 17 tables with 48 seats, one bar with 8 seats, there will be no sidewalk café, there are no other outdoor areas for patrons and no doors or windows or doors that open out to the public sidewalk from the interior of the establishment; and,

E. Whereas, the applicant seeks hours of operation on Sunday through Wednesday from 8 AM to 1 AM and from 8 AM 2 AM Thursday through Saturday, music in the restaurant will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be no TVs and all doors and windows will be closed at all times except for patron ingress and egress;

F. Whereas, the applicant executed a stipulations agreement with CB2, Man. that will be submitted to the SLA and the applicant agreed those stipulations would be attached and incorporated into the method of operation as a part of the restaurant on premise license stating that:

1. The premises will be advertised and operated as a full service Restaurant.
2. The hours of operation will be Sunday through Wednesday from 8 AM to 1 AM and from 8 AM to 2 AM Thursday through Saturday.
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 any televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden, sidewalk cafe or any outdoor area for commercial purposes.
7. The premises will play quiet ambient recorded 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. Doors and windows will remain fixed and closed at all times except for patron egress.
10. There will be no all you can eat/all you drink special or boozy brunches.
11. There will be no patron access from restaurant to basement where a theater will be located; and,

G. Whereas, this application being subject to the 500 ft. rule requiring the applicant to demonstrate a recognizable public interest, there being 16 existing licensed premises within 750 feet of the proposed premises, with 2 additional pending licenses, 10 existing liquor licenses within 500 feet of the proposed premises and unknown number of beer and wine licenses; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a new Restaurant On Premises Liquor License for a **Corp to be formed by Michael Callahan, d/b/a TBD, 428 Lafayette St. Ground Fl. 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 On Premise License.

Vote: Unanimous, with 36 Board members in favor.

Terri Cude, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



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

Community Board No. 2, Manhattan

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February 28, 2017

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 16, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

7. MHJ Management, LLC, d/b/a TBD, 428 Lafayette Street, 10003 (New OP license for basement theater)

A. Whereas, the applicant and applicant's attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for an on premise liquor license to operate a theater and live music venue in the cellar level of a 5 story commercial/ mixed use landmarked building (Circa 1831) located on Lafayette Street between E. 4th Street and Astor Place across from the Public Theater in the NoHo historic district section of Manhattan; and

B. Whereas, the premises was previously operated as the basement portion of the Tango House Theater and was previously licensed for the service of alcohol, the theater basement premises closing no later than 2 AM during the week and 2:30 AM on the weekends, but is now vacant; and

C. Whereas, the certificate of occupancy for this address permits a theater (use group 8) in the cellar and a letter of no objection from the NYC Dept. of Buildings exists which permits an eating and drinking establishment on the first floor which the certificate of occupancy designates as use group 6 offices, but neither the first floor and cellar are designated nor permitted to operate together and in combination with each other, and so the applicant is bringing two separate liquor license applications for each separate space, albeit simultaneously and there will be no patron access from the first floor restaurant to the basement where the theater is located; and,

D. Whereas, this application is for a 3,300 sq. ft. cellar level space (and 330 Sq. ft. sub-cellar) offering a theater and live music venue, with 7 tables with 36 seats which are fixed, one bar with 12 seats, one service bar in the theatre, and three separate configurations for the theatre space which includes option 1 with 70 patron seats in the theatre, option 2 with 40 patron seats and a standee area behind the seating, and option 3 with no patron seating in an open configuration for standees only, at no time under any option will total occupancy exceed 120 persons including employees, there is no sidewalk café, there are no other outdoor areas for patrons and no doors or windows that open out to the public sidewalk from the interior of the establishment; and,

E. Whereas, the applicant seeks hours of operation on Sunday through Wednesday from 11AM to 2 AM and Thursday through Saturday from 10 AM to 3 AM, music in the cellar theater/music venue will be live music, DJ and entertainment levels, with amplified sound, but there will be no TVs, all DJ use will be incidental to live theater and live music events, there will be no nights with DJs only, and all doors and windows will be closed at all times except for patron ingress and egress; and,

F. Whereas, the applicant submitted with the application and intends to execute a security plan that includes one guard in the Cellar Theater area Sunday through Wednesday and three guards Thursday through Saturday, as well as an extensive soundproofing plan to minimize transmission of noise to neighbors; and

G. Whereas, the applicant executed a stipulations agreement with CB2 that will be submitted to the SLA and the applicant agreed those stipulations would be attached and incorporated into the method of operation as a part of the on premise license stating that:

1. The premises will be advertised and operated as a legitimate theater and live music venue.
2. The hours of operation will be Sunday through Wednesday from 10 AM to 2 AM and from 10 AM to 3 AM Thursday through Saturday.
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 any televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden, sidewalk cafe or any outdoor area for commercial purposes.
7. The premises will not operate as nightclub, any DJ use will be incremental to live theater and live music events and there will be no nights DJ music only.
8. Doors and windows will remain fixed and closed at all times except for patron egress.
9. There will be no barriers or ropes on the public sidewalk.
10. Occupancy will never exceed 120 persons including staff.
11. There will be no patron access from restaurant above to basement where the theater will be located; and,

H. Whereas, this application being subject to the 500 ft. rule requiring the applicant to demonstrate a recognizable public interest, there being 16 existing licensed premises within 750 feet of the proposed premises, with 2 additional pending licenses, 10 existing liquor licenses within 500 feet of the proposed premises and unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant On Premises Liquor License for **MHJ Management, LLC, d/b/a TBD, 428 Lafayette Street, 10003 (Cellar) unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the “Method of Operation” on the SLA On Premise License.

Vote: Unanimous, with 36 Board members in favor.

Terri Cude, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



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

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February 28, 2017

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 16, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

8. Marie Adrienne, LLC, d/b/a The Ship, 158 Lafayette St. (Transfer of Existing OP license)

A. Whereas, the applicant appeared before CB2, Manhattan's SLA Licensing Committee seeking a transfer of an existing on premise license held by Seconds, LLC d/b/a The Ship (Ser.# 1267432) located within a 2,730 sq. ft. storefront premises (980 sq. ft. ground floor and 1,750 sq. ft. basement) in a five-story commercial use building (Circa 1940) on Lafayette Street between Grand and Howard Streets in the Nolita section of Manhattan; and,

B. Whereas, the storefront premises has been operating since 2013 as a high end cocktail lounge with true background music and the applicant, who resides in the neighborhood, intends to continue to operate the premises with an identical method of operation, there is a certificate of occupancy for the premises permitting retail eating and drinking (use group 6) in the ground floor and cellar levels with no dancing, maximum occupancy of 73 permitted over the two floors; and,

C. Whereas, the hours of operation will be continue to be from 5 PM to 1 AM Sunday through Thursday and from 6 PM to 3 AM Fridays and Saturdays, with 13 tables and 56 seats and one bar with 7 seats for a total patron occupancy of 63, three bathrooms, one entrance and three exits, there will be no TVs, 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 except for patron ingress and egress, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

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

1. The premises will be advertised and operated as a high-end cocktail lounge with background music.
2. The hours of operation will be from 5 PM to 1 AM Sunday through Thursday and from 6 PM to 3 AM Fridays and Saturdays.
3. The premises will not operate as a sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will have no televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden, sidewalk cafe or any outdoor area for commercial purposes.
7. The premises will play quiet ambient, recorded 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. There will be no ropes or moveable barriers on the public sidewalk.
10. The premises will not have French doors, operable windows or open facades and will keep all doors closed except for patron ingress and egress.

E. Whereas, this application being subject to the 500 ft. rule requiring the applicant to demonstrate a recognizable public interest, there being 34 existing licensed premises within 750 feet of the proposed premises, with 2 additional pending licenses, 12 existing liquor licenses within 500 feet of the proposed premises and unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the On Premise transfer application to **Marie Adrienne, LLC, d/b/a The Ship, 158 Lafayette St. (Transfer of Existing OP license) unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on the On Premise License.

Vote: Unanimous, with 36 Board members in favor.

Terri Cude, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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February 28, 2017

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 16, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

9. San Roku, LLC, d/b/a Raku, 48 MacDougal St. 10012 (Withdrawn).

A. Whereas, the applicant appeared before CB2's SLA Licensing committee to present an application for a new On Premise license to operate a Japanese style Noodle House on MacDougal Street between Prince and West Houston Streets in a mixed use three story building (Circa 1899) within a Historic District in SoHo; and

B. Whereas, after consideration before CB2, Man., the applicant decided to withdraw this application for an On Premise license from consideration at these premises and will resubmit a new 30 day notice to CB2 Man seeking a Restaurant Wine license for the purpose of reappearing before CB2 Man. in March/2017 for this purpose;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **San Roku, LLC, d/b/a Raku, 48 MacDougal St. 10012** **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 36 Board members in favor.

Terri Cude, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
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February 28, 2017

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 16, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

10. Esterina Sorbillo, LLC, d/b/a Zia Esterina Sorbillo Mulberry, 112 Mulberry St. 10013 (RW – Takeout Pizzeria) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 7, 2017, the Applicant and/or its Attorney requested **to lay over** its application and presentation before CB2 Man. until March/2017;

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 **Esterina Sorbillo, LLC, d/b/a Zia Esterina Sorbillo Mulberry, 112 Mulberry St. 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 36 Board members in favor.

Terri Cude, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
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February 28, 2017

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 16, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

11. SoHo Grand Hotel, Inc., d/b/a SoHo Grand Hotel, 310 West Broadway 10013 (OP – Hotel Restaurant Bar “Gilligans”)(OP- Lay over requested)

Whereas, at this month’s CB2, Manhattan’s SLA Licensing Committee Meeting on February 7, 2017, the Applicant requested to lay over this application for an on premise license to February 7, 2017;

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 **SoHo Grand Hotel, Inc., d/b/a SoHo Grand Hotel, 310 West Broadway 10013** **until** the Applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

Terri Cude, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
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February 28, 2017

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 16, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

12. 3 Howard, LLC, d/b/a N/A, 3 Howard St. 10013 (OP- Withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 7, 2017, the Applicant requested to **withdraw** this application from further consideration;

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 **3 Howard, LLC, d/b/a N/A, 3 Howard 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 36 Board members in favor.

Terri Cude, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
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February 28, 2017

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 16, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

13. Gino Sorbillo, LLC, d/b/a Gino Sorbillo Bowery, 334 Bowery 10012 (OP – Pizzeria Restaurant) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 7, 2017, the Applicant requested to lay over this application for an on premise license to March/2017;

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 **Gino Sorbillo, LLC, d/b/a Gino Sorbillo Bowery, 334 Bowery 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 36 Board members in favor.

Terri Cude, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
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February 28, 2017

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 16, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

14. Corp. to be formed by Sanjay Laforest d/b/a TBD, 206 Spring St. 10012 (OP-Restaurant) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 7, 2017, the Applicant requested to lay over this application for an on premise license to March/2017;

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 **Corp. to be formed by Sanjay Laforest d/b/a TBD, 206 Spring St. 10012 (OP-Restaurant)** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

Terri Cude, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



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

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February 28, 2017

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 16, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

15. Dinerland Comedy, LLC, d/b/a Comedy Village, 145 Bleecker St. 10012 (OP – Comedy Club) (withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on February 7, 2017, the Applicant requested to withdraw this application from further consideration;

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 **Dinerland Comedy, LLC, d/b/a Comedy Village, 145 Bleecker 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 36 Board members in favor.

Terri Cude, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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February 28, 2017

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 16, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

16. Maneken Corp., d/b/a Oscar's Place (previously d/b/a Petite Abeille), 466 Hudson St. 10014 (RW Corp Change SN#1029434)

i. Whereas, the applicant appeared before Community Board 2, Manhattan's SLA Licensing Committee to present an application for a corporate change for an existing restaurant wine license for a modern European Restaurant; Neil Smith and Crescencio Huero will replace Yves Jadot as Principals; and,

ii. Whereas, this application is for a corporate change of an existing Beer and Wine license SN#1029434 located in a mixed-use building located on Hudson St. between Barrow St. and Grove St. in a currently licensed location for a 800 sq. ft. premise with 8 tables with 16 seats, no standup bars, 1 service bar, 12 seats in a Department of Consumer Affairs licensed sidewalk café, there are no other outdoor areas and there is an existing Certificate of Occupancy; and,

iii. Whereas, the hours of operation will be Monday through Friday from 7:30am to 11pm and Saturday and Sunday from 9am to 11pm (all patrons will be cleared and no patrons will remain after stated closing times), music will be quiet background only consisting of recorded music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers, no T.V.'s; and,

iv. Whereas, the new principals executed a stipulations agreement with CB2, Man. that they have agreed to submit to the SLA and agreed would be attached and incorporated in to the existing method of operation on the existing Restaurant Wine License stating that:

1. The premises will be advertised and operated as a full service restaurant, specifically a “modern European restaurant”.
2. The hours of operation will be Monday through Friday from 7:30am to 11pm and Saturday and Sunday from 9am to 11pm. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café).
7. The premises will operate a sidewalk café no later than 11 PM (all tables and chairs will be removed at 11 PM).
8. The premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at anytime.
9. The premises will close all doors and windows at 10PM every night and anytime there is amplified music. Doors will not be propped open after those hours.
10. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
11. There will be no Boozy Brunches.
12. There will be no “A frames” obstructing the sidewalk.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a corporate change for the existing restaurant wine license SN#1029434 for **Maneken Corp., d/b/a Oscar’s Place (previously d/b/a Petite Abeille), 466 Hudson St. 10014** unless the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the “Method of Operation” on the SLA restaurant wine license.

Vote: Unanimous, with 36 Board members in favor.

Terri Cude, Chair
Daniel Miller, First Vice Chair
Susan Kent, Second Vice Chair
Bob Gormley, District Manager



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

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February 28, 2017

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 16, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

17. Emmy Squared Bedford, LLC d/b/a Emmy Squared (previously H. Greenstone on behalf of an entity to be determined), 31-33 Bedford 10014 (New OP – Restaurant)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority for a restaurant on-premise liquor license for the second location of Emmy Squared which specializes in Detroit-style pizza; it will be a neighborhood restaurant meant to be both casual and professional with an emphasis on a relaxed dining experience paired with high level, warm service; and,

ii. Whereas, this application is for a new restaurant on-premise liquor license at a previously licensed location in a mixed-use commercial building on the Northwest corner of Bedford St. and Downing St. for a roughly 1,800 sq. ft. premise (ground floor 600 sq. ft. cellar 1,200 sq. ft.); on the first floor there are 12 tables and 24 table seats, 1 standup bar with 8 seats, in the basement there is a kitchen, a dining room with 8 tables and 29 seats and a separate room with 1 table and 8 seats for a grand total of 69 seats; the applicant stated the maximum occupancy would be less than 75 people on both floors; the applicant presented a Certificate of Occupancy #104056940F issued July 21, 2014 which indicates is for the 1st floor only however this is not valid for this premises– *a letter of no objection must be obtained showing allowable use of eating and drinking for both the ground floor and basement (not just the ground floor) issued to this Applicant*; (upon further investigation by CB2 it was determined that the Certificate of Occupancy #104056940F due to a very unique circumstance resulting from the enlargement of a non-conforming use of a restaurant into a previous apartment on the ground floor is only valid for the area occupied in the building by another licensed premises “Mas” Restaurant/Little Barque, LLC SN1146967 as a result of a Board of Standards and Appeals Variance covered under decision [99-05-BZ](#)); and,

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

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

1. Premise will be advertised and operated as a full service restaurant focusing on Detroit style pizza operating as a neighborhood restaurant, casual and professional high level warm service.
2. The hours of operation will be from 11AM to 12AM Sunday to Thursday and 11AM to 1AM Friday and Saturday. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes.
7. There will be no sidewalk café per zoning regulations.
8. The premises will play quiet ambient-recorded background music only. All music levels and volumes will at all times comply with all New York City Laws and Regulations and will not be audible in adjacent residences at anytime.
9. The premises will not have DJ's, live music, cover charges or promoted events.
10. The premises will close all doors and windows at all times. There will be no French doors, operable windows or open facades.
11. Windows will be inoperable and remained closed at all times without exception.
12. Doors will remain closed at all times except for patron ingress and egress.
13. Premises will provide a letter of no objection indicating eating and drinking and patron use on **both** the ground floor and basement level.
14. There will be no outdoor benches.
15. There will be active management of the exterior of the restaurant to minimize patron noise and noise impacting quality of life to neighbors.
16. There will be no boozy brunches or unlimited drink or all you can eat and drink specials.

v. Whereas, a petition in support was presented and the applicant reached out to the local block association, the Bedford Downing Block Association; a number of individuals residing near their Brooklyn operation submitted letters and spoke highly of the Applicant and their character and background in the restaurant industry and several letters in support were received; and,

vi. Whereas, a mix of correspondence was received and a number of local residents wrote and/or appeared with concerns or opposition; the Block Association and local residents living immediately adjacent to the premises expressed strong feelings that the “Applicant must agree to seal all windows, maintain a 24/7 closed door & window policy, enforce the proposed closing times (midnight on weeknights, 1:00 a.m. Saturday & Sunday), be personally accessible for noise complaints, and actively control patron noise outside the restaurant”; one resident wrote adamantly in opposition citing the fact that the premises is in a residential zoned district and that the grandfathered use allowable in the space on the ground floor and basement is only intended to serve the immediate neighborhood and not intended to be a destination restaurant location as evidence by the lower price points and higher

turnover necessary to operate this business, he further stated that the grandfathered commercial spaces in immediate area originally serviced hyper local residents and that the progression to transforming those grandfathered spaces into destination licensed eating and drinking locations was slowly destroying the neighborhood and having a tremendous impact on quality of life issues; and,

vii. Whereas, CB2, Man. has a number of concerns regarding this premises and the potential for quality of life impacts but they have been somewhat assuaged by the agreement to monitor the exterior of the premises and take an active engagement in monitoring those areas for impacts on quality of life whether noise or traffic related and on the agreement to have all windows and doors remain closed at all times; any sound intrusion from the interior of any business to the exterior in residentially zoned areas creates a significant impact; and,

viii. Whereas, there are currently 25 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a new Restaurant On-Premise Liquor License for **Emmy Squared Bedford, LLC d/b/a Emmy Squared (previously H. Greenstone on behalf of an entity to be determined), 31-33 Bedford 10014** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On-premise Liquor License.

Vote: Unanimous, with 36 Board members in favor.

Terri Cude, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



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

Community Board No. 2, Manhattan

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

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org
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February 28, 2017

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 16, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

18. The Mess 13, LLC, d/b/a The Mess, 22 East 13th St. 10003 (New OP – Restaurant)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee for a second time after having first appeared in January/2017 to present an application to the Liquor Authority for a restaurant on-premise liquor license for a fine dining restaurant; the applicants also own and operate a number of other establishments, several of which are located in CB2; and,

ii. Whereas, this application is for a new restaurant on-premise liquor license at a previously licensed location located between Fifth Avenue and University Place in a mixed use building on the ground and second floor for an approximately 3,800 sq. ft. premise with customer operations on the ground floor of 550 square feet and the second floor of 1,000 square feet, there will be 32 tables and 86 table seats, 2 stand up bars with 10 seats for a total of 96 seats, there is an existing certificate of occupancy for 75 persons between the 2 floors, but the applicant will file for a change to the certificate of operation prior to operating the establishment to properly reflect the proposed occupancy, there will be 2 tables and 4 seats located on the front terrace which is within the property line; and,

iii. Whereas, the hours of operation will be Sunday to Tuesday from 11AM to 12:30AM, Wednesday to Thursday from 11AM to 1AM and Friday to Saturday from 11AM to 2AM (no patrons will remain after closing time), 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 as stipulated 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, no live music, no jukebox, no tv's, the sound system will be a "simple restaurant system", there will be no security personnel, there may be private parties; and,

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

1. Premise will be advertised and operated as a fine dining restaurant.
2. The hours of operation will be Sunday to Tuesday from 11AM to 12:30AM, Wednesday to Thursday from 11AM to 1AM and Friday to Saturday from 11AM to 2AM. All patrons will be cleared and no patrons will remain after stated closing times. On Sundays where a national holiday falls on Monday, the closing hour will be 2AM.
3. The premises will operate a full service fine dining restaurant with the kitchen open and full menu items available until closing every night.
4. The premises, or any portion of the premises will not operate as a "lounge", tavern or sports bar.
5. The premise will not have televisions.
6. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
7. The premises will not operate a backyard garden or any outdoor area for commercial purposes except for a small area in front of the premises.
8. The small outdoor space in front of the premises will have no more than 2 tables and 4 seats, comply with all NYC Sidewalk café regulations while operating (even though on private property) and will cease all operation at 10pm. No patrons, tables or chairs will remain in the front outdoor space after 10pm.
9. The premises will play quiet ambient-recorded background music only on the interior. All music levels and volumes will at all times comply with all New York City Laws and Regulations and will not be audible in adjacent residences at anytime. Licensee will use best efforts to soundproof the premises to ensure noise does not emanate in any direction in violation of the NYC Noise Code.
10. The Operator shall hire a certified acoustical consultant to make recommendations such that any exterior mechanical equipment installed and/or operated by the Operator will meet or exceed the current NYC Noise Code guidelines for residential areas. The Operator shall use its best efforts to soundproof the Exterior Equipment according to said recommendations to ensure that all noise produced by any external equipment installed and operated by the Operator meets or exceeds New York City noise code. Subsequent to any exterior equipment installation, the Operator shall hire a certified acoustical consultant to perform a "Commissioning Test" to ensure that any exterior equipment is installed correctly and meets or exceeds the current New York City Noise Code. The Operator shall provide proof of a successful Commissioning Test to the Community Board, the State Liquor Authority and the local residents association. The Operator will cause all Exterior Equipment to be shut off and to not be operated during all hours that the premises is closed, with the sole exception of an exterior chiller which The Operator agrees will be configured to conform to the noise requirements in this paragraph.
11. The premises will not have DJ's, live music, cover charges or promoted events.
12. The premises will close all doors and windows at 9PM and anytime there is amplified music. There will be no French doors, operable windows or open facades. Upon request, the Operator shall hang a sign outside the premises, which shall be legible from 20 feet away, instructing patrons to keep the noise down and to respect the neighbors.
13. The Operator shall not store garbage or garbage dumpsters outside of the premises. All garbage will be triple bagged. Operator will not permit garbage to remain on curb for longer than 3 hours prior to pickup.

14. The Operator shall not install any banner up-lighting on the exterior of the Premises and shall replace said lighting with reduced brightness, spot-type down lighting so as to not disturb residents living above and around the premises
15. The Operator shall not offer any discounted drinks at any time past 7pm. There will be no boozy brunches or unlimited drink or all you can eat and drink specials.
16. All signage will conform to signage standards found in landmark districts.
17. The Operator shall use its best efforts to ensure that smells emanating from the premises do not disturb the neighbors. Upon reasonable request the Operator shall implement whatever measures necessary to abate any odor issues shown to be emanating from the premises.
18. The Operator will obtain an updated Certificate of Occupancy and Place of Assembly permit to reflect the proposed occupancy of 120 people and 96 seats.
19. The Operator agrees that all other stipulations agreed to with the University Place Residents Association, Inc. in conjunction with this application in February 2016 will be incorporated into this stipulation agreement.

v. Whereas, a petition in support was presented, the applicant reached out to the local block association, the University Place Residents Association, a number of individuals residing near their West Village operation submitted letters and appeared and spoke highly of the Applicant and their character and background in the restaurant industry, and a immediate neighbor who previously had issues with mechanical noise problems submitted a letter stating the applicant was taking steps to resolve those issues; and,

vi. Whereas, in January/2017, a number of residents appeared in opposition because they had not had an opportunity to meet with the operator and because their were a number of outstanding issues in particular as they relate to improperly installed mechanical equipment for which ECB Violations have been issued, ECB violations #35195321L and #35167696J and for ECB Violations for operation of a place of assembly w/o a current certificate of operation, ECB violation #35167697L and for an altered/changed building occupied w/o a valid certificate of occupancy ECB violation # 35167695h; those violations were resolved/and or dismissed between the January 2017 and February 2017 CB2 meetings; the previous concerns have been addressed by the Applicant and steps are being taken to install sound baffling around certain mechanical equipment; and,

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

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant On-Premise Liquor License for **The Mess 13 LLC, d/b/a The Mess, 22 East 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 36 Board members in favor.

Terri Cude, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



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

Community Board No. 2, Manhattan

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

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

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February 28, 2017

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 16, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

19. The Meatpackers, Inc., d/b/a Vogue One, 1-3 Little West 12th St. 10014 (New OP – Restaurant)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new restaurant on-premise liquor license in a location which has never been issued a liquor license before for a full service restaurant which will have a California brasserie style menu with Latin American cooking style inspirations; and,

ii. Whereas, this application is for a new Restaurant On-Premise Liquor; the premises is in a commercial district with residential loft units across the street located on the ground floor and cellar of a 5 story commercial building on Little West 12th St. between Hudson St. and 9th Avenue for a roughly 5,250 sq. ft premise (2,750 sq ft ground floor and 2,500 sq ft basement), with 45 tables and 152 seats (of those – 2 tables and 16 seats are in the basement – the rest on the ground floor), and 1 standup bar on the ground floor with 13 seats and 1 service bar, for a total of 165 interior seats, the maximum occupancy for the premises is stated to be 250; there is no rear yard, rooftop or patio seating, there is no sidewalk café included in this application; there are existing building permits and certificates of occupancy, but they **do not support the current application as presented** (it appears that Certificate of Occupancy #100169 issued 3/2/1992 has been superseded by a new c of o which does not include this space), – the applicant will need to update certificates of occupancy and any permits and place of assembly permits to reflect the current proposal and as such, **all permits presented to the Liquor Authority should be dated 2017 or later with each use within the building specifically designated (there are other licensed premises on the same block & lot number in different buildings which may appear on the same C of O) in order for the license to be issued unless a detailed explanation is presented and reviewed by the Authority;** and,

iii. Whereas, the hours of operation will be Sunday to Thursday from 7AM to 1AM and Friday to Saturday from 7AM to 2AM (All patrons will be cleared from the premises and no patrons will remain after stated closing time), music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 10PM except for patron ingress and egress, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. Whereas, the applicant operates another establishment in New York, La Mangeoire at 1008 2nd Ave. (SN#1028563); and,

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

vi. Whereas, even though this applicant reached out to and met with local residents, there were concerns regarding the addition of this premises as yet another full license in a already over saturated area in the Meat Packing District, that this would draw additional traffic congestion and create additional parking issues, additional pedestrians, impact the existing noise level and exacerbate ongoing quality of life issues in the area and there was significant concern regarding noise in warmer weather months; and,

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

1. Premise will be advertised and operated as a full service restaurant with a California style menu with Latin American cooking style inspirations.
2. The hours of operation will be Sunday to Thursday from 7AM to 1AM and Friday to Saturday from 7AM to 2AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
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. All music levels and volumes will at all times comply with all New York City Laws and Regulations and will not be audible in adjacent residences at anytime.
8. The premises will not have DJ's, live music, cover charges or promoted events.
9. The premises will close all doors and windows at 10PM and anytime there is amplified music.
10. There will be no sidewalk café.
11. There will be no boozy brunches or unlimited drink or all you can eat and drink specials.
12. There will be no more than 166 seats total inside the premises.
13. The main door to the premises primarily used by patrons for ingress and egress will be the Westerly most door with the double door vestibule so as to minimize any quality of life issues.
14. All mechanicals will comply with NYC Noise Codes.
15. There will be no bottle service except for wine products.
16. There will be no velvet ropes or barricades.

17. If there is a change to ownership greater than 49% the Licensee will submit notice to CB2 and appear to present Corporate Change application. This excludes any transfer between the initial 2 Principles/Partners.

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

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

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a new Restaurant On Premise Liquor License for **The Meatpackers, Inc., d/b/a Vogue One, 1-3 Little West 12th St. 10014** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Passed, with 34 Board members in favor, and 1 in opposition (R. Chattree).

Terri Cude, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



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

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

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org
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February 28, 2017

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 16, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

20. Icelandic Fish & Chips US, LLC, d/b/a Icelandic Fish & Chips, 28 7th Ave. South 10014 (New OP – Restaurant)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a full service restaurant serving Icelandic fish & chips, organic Icelandic style with skur – Icelandic milk product as presented in detail; there is no meat served, only fish; the applicants have operated a similar establishment operating under the same name in Reykjavik, Iceland for 10 years; and,

ii. Whereas, this application is for a new restaurant on-premise liquor license for a previously licensed location in a commercial building located on 7th Ave South St. between Leroy St. and Morton St. on the basement, ground floor, and mezzanine and for a roughly 1,515 sq. ft premise (1st floor 685 sq. ft., mezzanine 390 sq. ft. and basement 640 sq. ft. – no patron use of basement), the proposed premises will have 33 tables and 74 seats, a waiting area with 14 seats and 1 stand up bar with 8 seats for a total of 94 interior seats, there is an existing temporary Certificate of Occupancy and place of assembly permit; there will be a sidewalk cafe; and

iii. Whereas, the hours of operation will be Sunday from 10AM to 12AM, Monday to Thursday from 11AM to 12AM, Friday from 11AM to 1AM and Saturday from 10AM to 1AM (all patrons will be cleared from the ground floor of the premises and no patrons will remain after stated closing time), music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), the future sidewalk café will close at 10PM Sunday to Thursday and 11PM Friday to Saturday, 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; there may be occasional live music with 1 or 2 performers with acoustic instruments only and no amplifiers in Icelandic tradition in the interior only; and,

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

1. Premise will be advertised and operated as a full service restaurant serving Icelandic fish & chips, organic Icelandic style with skur – Icelandic milk product.
2. The hours of operation will be on Sunday from 10AM to 12AM, Monday to Thursday from 11AM to 12AM, Friday from 11AM to 1AM and Saturday from 10AM to 1AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
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 on the interior. All music levels and volumes will at all times comply with all New York City Laws and Regulations and will not be audible in adjacent residences at anytime.
8. The premises will not have DJ’s, cover charges or promoted events.
9. The premises will close all doors and windows at 10PM. There will be no French doors, operable windows or open facades.
10. There will be no boozy brunches or unlimited drink or all you can eat and drink specials.
11. Will keep current at all times temporary Certificate of Occupancy or obtain permanent Certificate of Occupancy.
12. Sidewalk café will close at 10PM Sunday to Thursday and 11PM Friday to Saturday. No patrons will remain in Sidewalk Café at closing and all tables and chairs will be removed at that time.
13. The premises may on occasion have live music, which will be acoustical only and there will be no amplification.
14. There will be no music in the outdoor area of any kind.

v. Whereas, there are currently approximately 19 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses; and

vi. Whereas, a petition in support was submitted and the landlord appeared in support and answered questions;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant On Premise Liquor License for **Icelandic Fish & Chips US LLC, d/b/a Icelandic Fish & Chips, 28 7th Ave. South 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 36 Board members in favor.

Terri Cude, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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February 28, 2017

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 16, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

21. Jeju R&D LLC, d/b/a Jeju Noodle Bar, 679 Greenwich St. (aka 139 Christopher St.) 10014 (New RW)

- i. Whereas**, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new restaurant wine license for a full service restaurant serving Korean and Asian fare including seafood, noodles, appetizers, soups, salads and more, operating as a noodle bar; and,
- ii. Whereas**, the premises is located in a mixed-use building in a residentially zoned district (R6) located on the ground floor on the Northeast Corner of Greenwich St and Christopher St for a roughly 2,000 sq. ft. premise on the ground floor and basement (1000 sq ft each, basement for ancillary uses only – no patrons) with 12 tables and 24 seats and 1 bar with 8 seats, for a grand total of 32 seats, there is no sidewalk café and there are no other outdoor areas for patrons, there is an existing Certificate of Occupancy issued by the NYC Department of Buildings; and,
- iii. Whereas**, the hours of operation will be from 11AM to 2AM 7 days a week (No patrons shall remain after the closing hour), music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there are no operable French doors or operable windows, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no T.V.'s, there will be no use by patrons of the basement; and,

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

1. Premise will be advertised and operated as a full service restaurant serving Korean and Asian fare including seafood, noodles, appetizers, soups, salads and more.
2. The hours of operation will be from 11AM to 2AM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes.
7. There will be no sidewalk café per zoning regulations.
8. The premises will play quiet ambient-recorded background music only. All music levels and volumes will at all times comply with all New York City Laws and Regulations and will not be audible in adjacent residences at anytime.
9. The premises will not have DJ’s, live music, cover charges or promoted events.
10. The premises will close all doors and windows at 10PM every night and anytime there is amplified music. Doors will not be propped open after those hours. There will be no French doors, operable windows or open facades.
11. There will be no unlimited drink or all you can eat and drink specials.
12. There will be no bottomless brunches, boozy brunches or unlimited drink or all you can eat and drink specials and no pitchers of beer.
13. This will be a restaurant operation only.

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

vi. Whereas, the applicant states the premises is located within 200 ft. of the Church of St. Veronica located at 149-155 Christopher St. (190 ft.), which is a part of the Arch Diocese of NY, which would preclude a future application for an on-premise liquor license because it would violate the “200 ft. rule”;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a new Restaurant Wine license for **Jeju R&D, LLC, d/b/a Jeju Noodle Bar, 679 Greenwich St. (aka 139 Christopher St.) 10014** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 36 Board members in favor.

Terri Cude, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



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

Community Board No. 2, Manhattan

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www.cb2manhattan.org

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February 28, 2017

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 16, 2017, 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:

22. Flip'n Toss LLC, d/b/a N/A, 82 Christopher St. 10014 (New RW – Layover)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on February 9th, 2016 the Applicant requested to **Layover** this application for a new restaurant wine license at a previously unlicensed location and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed; it was noted at the meeting that there was no patron bathroom and in order to remedy this situation it appeared a substantial reconfiguration of plumbing fixtures would be required if even possible; the applicant agreed they would investigate options to see if a patron bathroom was feasible and return to CB2, Man. at a future date;

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 **Flip'n Toss LLC, d/b/a N/A, 82 Christopher 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 36 Board members in favor.

Terri Cude, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



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

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February 28, 2017

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 16, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

23. RH NY MP F&B, LLC, d/b/a Restoration Hardware, 9-19 Ninth Ave. 10014 (RW – Retail Store and Restaurant – outdoor rooftop - Layover)

Whereas, after appearing before CB2, Manhattan's SLA Licensing Committee #2 Meeting on December 15th, 2016 and February 9, 2017 the Applicant requested to **layover** this application again until March for a new restaurant wine license for a 5-story premises operating as an upscale interior design gallery/interior decorating establishment and furniture showroom with a full service restaurant on the 5th floor and grab and go/pantry on the 4th floor and exterior showroom area on the 5th floor in order to consider the requests of the committee and local residents; the applicant may file their application with the SLA but will jointly request with CB2, Man. that no final determination be made until after CB2, Man. issues a recommendation at the March 23rd CB2 Full Board meeting; the SLA Committee was prepared to present a resolution recommending Denial of the Application to the Full Board of CB2, Man. in December 2016 in particular as it related to use of outdoor music on the exterior portions of the 5th Floor, but is willing to continue working with the applicant to come to an agreement;

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 **RH NY MP F&B, LLC, d/b/a TBD (Restoration Hardware), 9-19 Ninth Ave. 10014** **until** the Applicant has re-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 36 Board members in favor.

Terri Cude, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
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February 28, 2017

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 16, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

24. The Vault, LLC, d/b/a Lively, Vault at 675 Hudson St. 10014 (Corp Change OP – Restaurant SN#1226150 - Layover)

Whereas, after CB2, Manhattan's SLA Licensing Committee #2 Meeting on February 9th, 2017, the Applicant requested to again **layover** this application for a corporate change to an existing on-premise liquor license after having requested a layover in December 2016 and January 2017, the premises being currently closed, the applicant has agreed to request with CB2 that the SLA not complete their review of the corporate change application until after they have appeared before CB2 in March 2017 and after CB2's March 23rd, 2017 Full Board meeting;

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 **The Vault, LLC, d/b/a Lively, Vault at 675 Hudson St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

Terri Cude, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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February 28, 2017

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 16, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

25. 120 Uni Roast, LLC, d/b/a Roast Kitchen, 120 University Place 10003 (RW – Withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on February 9th, 2017, the Applicant requested to **withdraw** this application for a new restaurant wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **120 Uni Roast, LLC, d/b/a Roast Kitchen, 120 University Place 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 36 Board members in favor.

Terri Cude, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
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February 28, 2017

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 16, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

26. Bleecker Fish, LLC, d/b/a TBD, 280 Bleecker St. 10014 (RW – Restaurant - Layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on February 9th, 2016 the Applicant requested to **Layover** this application for a transfer/new restaurant wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Bleecker Fish LLC, d/b/a TBD, 280 Bleecker 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 36 Board members in favor.

Terri Cude, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
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February 28, 2017

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 16, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

27. Sushi on Bedford LLC, 14 Bedford St. 10014 (RW – Restaurant – Withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on February 9th, 2016 the Applicant requested to **withdraw** this application for a new restaurant wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Sushi on Bedford LLC, 14 Bedford 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 36 Board members in favor.

Terri Cude, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
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February 28, 2017

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 16, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

28. FIMT Consulting LLC, d/b/a TBD, 63 Bedford St., 10014 (OP-Restaurant-Layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on February 9th, 2016 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 prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **FIMT Consulting LLC, d/b/a TBD, 63 Bedford 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 36 Board members in favor.

Terri Cude, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
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February 28, 2017

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 16, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

29. Dean & DeLuca Small Format Lq. LLC, d/b/a Dean & DeLuca, 33 Ninth Ave. 10014 (OP – Restaurant - Layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on February 9th, 2016 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 prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Dean & DeLuca Small Format Lq., LLC, d/b/a Dean & DeLuca, 33 Ninth Ave. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

Terri Cude, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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February 28, 2017

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 16, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

30. FB 35 East 13, Inc., d/b/a N/A, 35 E. 13th St. 10003 (New OP)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on February 9th, 2017 the Applicant requested to **layover** this application for a new on-premise liquor license across multiple floors with outdoor rooftop and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed; there is significant community opposition;

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 FB 35 East 13, Inc., 35 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 36 Board members in favor.

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

Sincerely,



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



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



Terri Cude, Chair
Community Board #2, Manhattan

TC/fa

cc: Hon. Jerrold L. Nadler, Member of Congress
Hon. Nydia M. Velázquez, Member of Congress
Hon. Brad Hoylman, NY State Senator
Hon. Daniel L. Squadron, NY State Senator
Hon. Deborah J. Glick, NY State Assembly Member
Hon. Yuh-Line Niou, NY State Assembly Member
Hon. Gale Brewer, Man. Borough President
Hon. Rosie Mendez, NYC Council Member
Hon. Margaret Chin, NYC Council Member
Hon. Corey Johnson, NYC Council Member
Jacqueline Held, Deputy Commissioner of Licensing, NY State Liquor Authority
Michael Jones, Chief Deputy Chief Executive Officer, NY State Liquor Authority
Jonathan Rodriguez, Hearing Bureau, NY State Liquor Authority
SLA Examiners