

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



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

May 1, 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 April 20, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

1. Luxor Lounge, Inc., d/b/a N/A, 118 MacDougal St. 10012 (OP – Corporate Change)

A. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing Committee to present a corporate change application for an existing on-premise liquor license SN# 1185483 changing ownership in an existing corporation so that an existing Corporate Officer (Olga Rozinha) will have 100% ownership and shares of the existing corporation; the premises will continue to be operated with the same method of operation as a Lounge; and,

B. Whereas, the premises is located on MacDougal Street between Bleecker and West 3rd Streets on the ground floor in a mixed-use building in a Landmark Historic District in Greenwich Village with a total occupancy of 74 people, in a 2,500 square foot space with one bar with 6 seats, 25 tables with 41 seats for a total of 47 interior seats; and

C. Whereas, the hours of operation will continue to be from 4 PM to 2AM Sunday through Thursday and from 4 PM to 4 AM Fridays and Saturdays, music will be from ipod/cd's at background levels only, there is existing soundproofing, there is two security officers on the weekends until closing, there is no live music, no DJ's, no promoted events, no scheduled performances, no cover fees, no velvet ropes, no movable barriers, there will be no outside area or sidewalk café used for the sale or consumption of alcoholic beverages, food is served at all hours of operation, there will be no more than 2 TVs without sound and all doors and windows will be closed at all times; and

D. Whereas, the Principle executed a stipulations agreement with CB2, Man. that they agreed would be attached and incorporated in to their method of operation on their SLA restaurant on-premise liquor license as follows:

1. Premise will be advertised and operated as a lounge.
2. The hours of operation will be from 4 PM to 2AM Sunday through Thursday and from 4 PM to 4 AM Fridays and Saturdays. All patrons will be cleared and no patrons will rema in after stated closing times.
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 more than 2 televisions and without sound.
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 or patron seating.
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at any time.
8. The premises will not have DJ's, live music, or promoted events.
9. The premises will close all doors and windows at all times. There will not be French doors, operable windows or open facades.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the corporate change application for the existing on-premise liquor license SN#1028435 for **Luxor Lounge, Inc., d/b/a N/A, 118 MacDougal St. 10012** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the "Method of Operation" on the SLA On-Premise Liquor License.

Vote: Unanimous, with 34 Board members in favor.

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May 1, 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 April 20, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

2. Coriander Factory Inc., d/b/a Bo Caphe, 222 Lafayette St. South Store 10012 (Alteration Application)

A. Whereas, the applicant and his attorney appeared before CB2's SLA Committee for the purpose of seeking an alteration to an existing liquor license to open its storefront façade and increase the number of tables and patron seats within the storefront while continuing to operate a restaurant serving French Vietnamese fare within a 1,030 sq. ft. storefront premises on the ground floor of a mixed-use, six-story building on Lafayette Street between Spring and Kenmare Streets just across the street from Petrosino Square; and,

B. Whereas, the restaurant has been open and operated for approximately two years and when the operator originally appeared before CB2 Man. for its Restaurant Wine license in 2014 there was significant community opposition to the licensing of these premises, the storefront premises having previously to 2014 been occupied and operated as a "Subway" sandwich shop and never previously licensed for the service of alcohol, this particular storefront premises also being the last storefront running along the west side of Petrosino Square that has not been licensed for the service of alcohol over the last 10 years; and,

C. Whereas, over the objection of CB2, Man. in 2014 the operator also renovated the storefront premises by installing bi-folding French style doors that opened up the entire interior of the business to the public sidewalk and moved forward with a sidewalk café where none had previously existed

knowing that, with counsel present and guiding him through the process these significant impacts on the community of the open façade and outdoor dining would not be subject to the 500 foot rule or the public interest standard; and,

D. Whereas, despite such opposition to the licensing of these particular premises in 2014 and a recommendation from CB2, Man. to deny the Restaurant Wine license in 2014, the license was permitted by the SLA as the license sought at that time was for Beer and Wine and not subject to the 500 foot rule; and

E. Whereas, in December/2016 the applicant presented an application to upgrade his Restaurant Wine license to a full on-premise license subject to the 500 ft. rule, the recommendation from CB2, Man. at that time being negative and to deny the upgrade application for the reasons stated within a resolution presented to the NYS SLA in December/2016; and,

F. Whereas, the instant application seeks to obtain approval of an open façade two years after it was constructed, on its own motion, without permission and over the strenuous objection of CB2 Man., this application seeking only to try to establish conformity with the 500 ft. rule while its upgrade application is still pending before the NYS SLA; and,

G. Whereas, the additional seats sought to be added are also objectionable, those seats facing out from the open façade to the public sidewalk, exacerbating the impact of the open façade facing the public sidewalk and park across the street; and,

H. Whereas, the surrounding area around Petrosino Square is already greatly saturated with liquor licenses, there being many taverns, bars, cafes, restaurants and other late night establishments already existing in this area, with 18 existing on premise licenses within 500 ft. of the subject premises, 38 existing on premise licenses within 750 ft. of the subject premises, with 3 additional on premise license pending with the NYS Liquor Authority, without even including the vast numbers of eating and drinking establishments in the area holding beer and wine licenses, this particular café serving Vietnamese fare not being unique in lower Manhattan or serving a public interest for the surrounding community already greatly saturated with liquor licenses and eating and drinking establishments in contrast to an ever increasing, on-going need for other supplemental business services in the area designed to service the local community;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial for **Coriander Factory Inc., d/b/a Bo Caphe, 222 Lafayette St. South Store 10012** on its application seeking an alteration to its existing license.

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 35 Board members in favor.

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Dear Sir/Madam:

At its Full Board meeting on April 20, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

3. Gino Sorbillo Bowery, 334 Bowery 10012 (RW – Restaurant/Pizzeria)

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 new Restaurant Wine license to operate a Restaurant specializing in Pizza Napolitano within a ground floor storefront located in a eight-story mixed-use building (Circa 1909) located on the Bowery between Bond and Great Jones Streets in Noho; and

B. Whereas, the premises was previously operated as a Pizzeria Restaurant known as Forcella 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, there being a letter of no objection presented permitting such use and occupancy thereat; and

C. Whereas, the storefront premises is approximately 2,800 Sq. ft. (2,200 Sq. ft. ground floor restaurant and 800 Sq. Ft. basement, the basement not being for patron uses), there is a full service kitchen with existing Pizza oven, two patron bathrooms, one bar with 7 patron seats and 12 tables with 46 patron table seats for a total patron seating capacity at 53, there will be a sidewalk café with 5 tables and 10 seats but no other outdoor areas for patrons; and

D. Whereas, the hours of operation will be from 12 PM to 12 AM Sunday through Saturday, 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 by 10 PM, the sidewalk café will close by 11 PM every night and 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 Pizzeria Restaurant.
2. The hours of operation will be from 12 PM to 12 AM 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 sidewalk cafe will close by 11 PM every night.
7. There will be sandwich boards or A-Frames on the public sidewalk.
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. The operator will not install French doors, operable windows or open facades and will close at existing doors and windows by 10 PM every night.
11. 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 **Gino Sorbillo Bowery, 334 Bowery 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 34 Board members in favor.

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Dear Sir/Madam:

At its Full Board meeting on April 20, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

4. Megapie Greenwich, Inc., d/b/a Pieology, 168 Bleecker St. 10012 (Restaurant Wine—previously unlicensed location)

A. Whereas, the applicant and 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 a pizzeria restaurant (where patrons design and made their own pizza to consume) in a storefront location previously operated as a Nail Salon, the storefront being within 7 story mixed use building (Circa 1910) on Bleecker Street at the corner of Sullivan Street in a Landmarked Historic District; and

B. Whereas, the applicant has submitted construction plans to the NYC Dept. of Buildings to obtain all necessary permits to gut renovate the premises and obtain a certificate of occupancy to occupy and use the storefront for eating or drinking uses, the location having never previously been licensed for the sale of liquor, there being no plans presented or intention to install any open façades to the public sidewalk; and,

C. Whereas, the storefront premises is approximately 2,000 Sq. ft., there being entrances to the premises on Sullivan Street and on Bleecker Streets, the plans to renovate presented include two patron bathrooms, the addition of soundproofing to protect the residences located immediately above the storefront premises, one counter with no patron seats, 16 tables with 42 patron seats for a total patron seating capacity at 42, there will be no sidewalk café and no other outdoor areas for patrons; and,

D. Whereas, the hours of operation will be from 10 AM to 12 AM Sunday through Wednesday and from 10 AM to 4 AM Thursday through Saturday, there will be TV monitors without sound no greater than 42 inches width that will not be connected to a TV cable service and will be used to promote/demonstrate how to make pizza to patrons, 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, 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 Bleecker Area Merchants and Residents Association (“BAMRA”) appeared in opposition to this application and to the service of alcohol until 4 AM Thursday through Saturday, the storefront location being in one of most saturated areas in CB2, Man. for liquor licenses and late night bars; and

F. Whereas, the applicant understood the concerns of BAMRA and CB2, Man. that this particular area was already greatly saturated with liquor licenses and late night bars, so it agreed not to serve any alcoholic beverages after 12 AM every night but requested to remain open and operating until 4 AM to serve pizza (food only) to patrons; and,

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

1. The premises will be advertised and operated as a restaurant specializing in making your own pizza).
2. The hours of operation will be from 10 AM to 12 AM Sunday through Wednesday and from 10 AM to 4 AM Thursday through Saturday but the service of alcohol will cease and end every night by 12 AM.
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will have two monitors without TV or cable service.
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. Soundproofing will be installed and 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 close all doors and windows at all times. There will not be French doors, operable windows or open facades. There will be no pitchers of beer.
10. A certificate of occupancy of letter of no objection permitting use and occupancy for eating and drinking will be issued before opening/licensing is issued.
11. The entrance(s) on Sullivan Street will not be used by patrons after 12 AM every night; and

H. 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 **Megapie Greenwich, Inc., d/b/a Pieology, 168 Bleecker St. 10012** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on the Restaurant Wine License.

Vote: Passed, with 31 Board members in favor, and 4 in opposition (K. Berger, E. Coler, D. Diether, S. Russo).

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

Dear Sir/Madam:

At its Full Board meeting on April 20, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

5. Wild Kitchen Corp d/b/a Bowllin, 27 Waverly Pl. 10013 (New Restaurant Wine)

A. 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 to operate a fast casual Korean fusion restaurant with BBQ sauces within a ground floor storefront located in a twenty-story mixed use building (Circa 1930) located on Waverly Place between Greene Street and University Place in Greenwich Village; and

B. Whereas, the premises was previously operated as Friends Café and Deli and the applicant has already been for the last year operating his Restaurant without any license to sell alcohol and will continue to operate with the same method of operation with all exterior facades (windows and doors) remaining fixed and not operable and there being a certificate of occupancy presented permitting eating and drinking on the ground floor; and

C. Whereas, the storefront premises is approximately 540 Sq. ft., one patron bathroom, one food counter with 3 patron seats, 4 tables with 10 patron table seats for a total patron seating capacity at 13, 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 9 PM Sunday through Saturday, 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 fast causal Korean fusion Restaurant.
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 **Wild Kitchen Corp d/b/a Bowlin, 27 Waverly Pl. 10013** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on the Restaurant Wine License.

Vote: Unanimous, with 35 Board members in favor.

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Dear Sir/Madam:

At its Full Board meeting on April 20, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

6. KLK Chinese Restaurant, Inc., d/b/a Red Egg, 202 Centre St. 10013 (New OP – Previously Licensed location)

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 a new restaurant on premise liquor license for a previously licensed location to operate a “Hong Kong style dim sum and Cantonese style” restaurant serving lunch and dinner; and

B. Whereas, the premises has been previously operated for years as Red Egg, a full service Restaurant with an on-premise license (202 Centre Corp.; lic. #1206246, exp. 6/30/2016) and the applicant will continue to operate the premises as a Restaurant with a full service kitchen, with a similar method of operation, albeit under new ownership, with a similar menu, many of the existing staff to remain and similar closing hours; and

C. Whereas, this application is for an on premise liquor license located in a mixed use 6 story mixed use building (Circa 1912) located on the ground floor and basement on Centre St. between Hester and Grand Sts. for a 6,374 sq. ft premises with 35 tables and 129 table seats and 1 standup bar with 8 seats for a seating occupancy of 137 interior seats, this application does not include a sidewalk café and there are no other outdoor areas for patrons; and,

D. Whereas, the hours of operation will be Sunday through Saturday from 10 AM to 11 PM, 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 10 p.m. 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 will be no TV's; and,

E. Whereas, there is a history of problems at this location with the prior owner permitting late night parties beyond the stated hours of operation with DJs in derogation of its method of operation as a restaurant and the current applicant, having been fully briefed on those problems agreed that it would never operate in that manner in the future at this location should his license be approved, albeit with limitations and enforceable stipulations being agreed to herein; and,

F. Whereas, this same applicant previously appeared before CB2, Man. in May/2016, albeit with different representation and was not able to move forward with his application at the NYS SLA, this being his second appearance before CB2, Man., the prior resulting in an deny/unless resolution from CB2, Man. with stipulations consistent with the current application; and,

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

1. The premises will be advertised and operated as a full service Cantonese restaurant specializing in Dim Sum with a full service kitchen and will operate at all times as a full service restaurant.
2. The hours of operation from Sunday through Saturday from 10 AM to 11 PM.
3. The premises will never operate as a Night Club, Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. All doors and windows will close by 10 PM every night.
5. There will be no outdoor service and no sidewalk café.
6. Music will be quiet, background level inside the restaurant and bar and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
7. There will be no televisions.
8. The premises will not permit dancing.
9. There will never be any after-hour events.
10. There will be no all you can eat/all you drink specials or pitchers of beer.

H. Whereas, there are currently approximately 23 On Premise Liquor Licenses within 500 ft of the premises, an unknown number of beer and wine licenses and 34 On Premise Liquor Licenses within 750 ft of the premises; and

I. Whereas, there is a public school PS 130 The Desoto School at 143 Baxter nearby that could be within 200 feet of the existing premises;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a new Restaurant On Premises Liquor License for **KLK Chinese Restaurant, Inc., d/b/a Red Egg, 202 Centre St. 10013** unless the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the "Method of Operation" on the SLA On Premise License, and

THEREFORE BE IT FURTHER RESOLVED that CB2, Man. recommends the State Liquor Authority measure and calculate the distance between PS 130 The Desoto School and 202 Centre Street to determine whether the distance between the existing School and the applicant's premises does not violate the 200 ft. rule;

Vote: Unanimous, with 35 Board members in favor.

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Dear Sir/Madam:

At its Full Board meeting on April 20, 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:

7. The Egg Shop LES, LLC, d/b/a N/A, 151 Elizabeth St. 10012 (add SWC; laid over)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 12, 2017, the Applicant requested **to lay over** its application and presentation before CB2 Man. until May/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 **The Egg Shop LES, LLC, d/b/a N/A, 151 Elizabeth 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 35 Board members in favor.

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Dear Sir/Madam:

At its Full Board meeting on April 20, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

8. South Village Hospitality Group, LLC, d/b/a Carroll Place, 157 Blecker St. 10012 (extend SWC hours—layover requested prior to meeting)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 12, 2017, the Applicant was not prepared to present his application and requested **to lay over** this application for an on premise license to May/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 **South Village Hospitality Group, LLC, d/b/a Carroll Place, 157 Blecker St. 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 35 Board members in favor.

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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May 1, 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 April 20, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

9. D. Elwell on behalf of an entity to be formed, d/b/a TBD, 78 W. 3rd St. 10012 (RW – Café/Coffee Shop) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 12, 2017, the Applicant requested **to lay over** this application for an on premise license to May/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 **D. Elwell on behalf of an entity to be formed, d/b/a TBD, 78 W. 3rd St. 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 35 Board members in favor.

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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May 1, 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 April 20, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

10. BAB Food, LLC, d/b/a TBD, 130 W. Houston St. 10012 (aka 168 Sullivan St.) (OP – Restaurant) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 12, 2017, the Applicant requested **to lay over** this application for an on premise license to May/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 **BAB Food, LLC, d/b/a TBD, 130 W. Houston St. 10012 (aka 168 Sullivan St.)** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 35 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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May 1, 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 April 20, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

11. International Center for Photography and Maman Tribeca, LLC, d/b/a International Center of Photography and Maman at ICP, 250 Bowery 10012 (OP-Café & Museum)

A. Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 12, 2017 the Applicant served a 30 day notice on CB2 Man. seeking to add International Center for Photography ("ICP") as a licensee to a pending on premise license before the NYS SLA, the prior application being for an on-premise license by a separate and different entity, with separate ownership and previously identified and known as Maman at ICP; and

B. Whereas, Maman at ICP previously presented to CB2, Man. in Sept./2016 as the sole licensee for the premises resulting in a deny/unless recommendation from CB2, Man. in Sept./2016; and.

C. Whereas, upon information known and published to CB2, Man., Maman at ICP will no longer have any ownership, management or control in the future over the day to day operations for the premises to be licensed; and,

D. Whereas, because of the 100% change and transfer of the pending license from Maman at ICP to ICP, CB2, Man. requested that ICP appear before CB2 Man.'s SLA Licensing Committee, placing it on its Calendar and Meeting on April 12, 2017; and,

E. **Whereas**, prior to CB2, Man.'s SLA Licensing Committee on April 12, 2017, the attorney representing ICP indicated that ICP would not be able to appear but would appear before CB2, Man. in May/2017 and that ICP would be agreeing to the same stipulations and agreement with CB2, Man. that Maman at ICP had previously agreed to;

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 **International Center for Photography and Maman Tribeca, LLC, d/b/a International Center of Photography and Maman at ICP, 250 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 35 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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May 1, 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 April 20, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

12. FiftyTwo Merchants, LLC, d/b/a Pisellino, 52 Grove St. 10014 (OP-Restaurant)

i. Whereas, the applicant appeared before Community Board 2, Manhattan's SLA Licensing Committee #2 to present an application to the Liquor Authority for a new on-premise liquor license for a "small café fashioned in the tradition of fine Italian cafes and bars featuring pastry, panini, Italian snacks and serving coffees, fresh juices, beer, wines and cocktails throughout the day"; and

ii. Whereas, the premises is a previously licensed location in a mixed use commercial/residential building located on the ground floor on the Southwest corner of 7th Avenue South and Grove St., it is roughly 800 sq. ft. premise (650 sq. ft. ground floor and 150 sq. ft. basement - accessory use only) with 7 tables and 16 seats, one standup bar with 9 seats and 1 counter with 5 seats for a total of 30 interior seats; there will be a future Department of Consumer Affairs licensed sidewalk café – a rough plan was presented but was not complete; there is an existing Certificate of Occupancy; and,

iii. Whereas, the hours of operation for the interior of the premises will be from 7AM to 1AM (no patrons will remain after closing time), the future Sidewalk café presented in this application will close no later than 11PM 7 days a week (all tables and chairs will be removed at that hour), all doors will be closed by 10PM daily, all windows will be closed at all times as there will be no operable facades (any changes to the façade will not include operable windows), 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 will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. Whereas, it was noted that the rough plan presented for the proposed future sidewalk café was incomplete and did not include sidewalk obstructions which are applicable to DCA sidewalk licensing regulations and that any future review of inclusion of a sidewalk café into the liquor license should include a schematic for the sidewalk café which has been approved by the New York City Department of Consumer Affairs and reflect all sidewalk obstructions along the Grove St. facade; and

v. 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 new restaurant on-premise liquor license stating that:

1. Premise will be advertised and operated as a small full service fine café fashioned in the tradition of fine Italian cafes and bars.
2. The hours of operation will be on Sunday from 7AM to 1AM 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 (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, live music, cover charges or promoted events.
9. The premises will close all doors and windows at 10PM and anytime there is amplified music. There will be no French doors, operable windows or open facades.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
12. There will be no operable windows.
13. Sidewalk Café will close at 11PM 7 days a week (all tables and chairs will be removed at that hour).

vi. Whereas, the two Principles also operate 3 other licensed restaurants within CB2, Man., they presented a petition in support with signatures gathered at their other restaurants and presented a letter in support from the local block association; and,

vii. Whereas, there are currently approximately 41 On Premise Liquor Licenses within 500 ft of the premises and an unknown number of beer and wine licenses; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new on premise liquor license for **Fifty Two Merchants, LLC, d/b/a Pisellino, 52 Grove St. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 35 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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May 1, 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 April 20, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

13. Smorgasburg Events, LLC, d/b/a N/A, 76 Varick St. 10013 (OP - Outdoor food & Shopping court with bar and outdoor seating, entertainment level music, live music, special events, private parties - Layover)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on April 13th, 2017, the Applicant agreed to return and appear before CB2, Manhattan's SLA Licensing Committee #2 in May 2017 in order to among other things conduct a zoning analysis to determine if the proposed use is in fact an allowable use and if so what capacity the premises can operate at, to determine who owns/controls/allowable use of an adjoining parcel of land which was previously a portion of Avenue of the Americas (formerly known as Sullivan Street) from Canal Street to Grand Street that is in the process of/has been de-mapped and subject to a number of land transactions and easements, to determine if they are able to use that land that was previously Sullivan St/Avenue of the America's extension in order to access the proposed location as the current proposed plans are predicated on this access, and to further develop how special events will be conducted at the location; they will appear to re-present the application with the additional information 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 Smorgasburg Events, LLC, d/b/a N/A, 76 Varick St. 10013 until** the Applicant

has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 35 Board members in favor.

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



Antony Wong, *Treasurer*
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May 1, 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 April 20, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

14. Entity to be formed by Derek Feldman, d/b/a N/A, 210 W. 10th St. 10014 (RW-Layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on April 13th, 2017, the Applicant requested to **layover** this application for a new restaurant wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting 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 Entity to be formed by **Derek Feldman, d/b/a N/A, 210 W. 10th St. 10014** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 35 Board members in favor.

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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May 1, 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 April 20, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

15. DBT Inc., d/b/a N/A, 26 Carmine St. 10014 (RW-Layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on April 13th, 2017, the Applicant requested to **layover** this application for a new restaurant wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting 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 **DBT Inc., d/b/a N/A, 26 Carmine St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 35 Board members in favor.

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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May 1, 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 April 20, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

16. E. Admony on behalf of an entity to be determined, d/b/a TBD, 125 Christopher St. aka 502-508 Hudson St. 10014 (RW-Withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on April 13th, 2017, the Applicant requested to **withdraw** this application for a new restaurant wine license;

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 **E. Admony on behalf of an entity to be determined, d/b/a TBD, 125 Christopher St. aka 502-508 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 35 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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May 1, 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 April 20, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

17. Big Ciccio Corp. or Entity to be formed, d/b/a Big Ciccio, 112-114 Perry St. 10014 (OP-Layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on April 13th, 2017, the Applicant requested to **layover** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting 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 **Big Ciccio Corp. or Entity to be formed, d/b/a Big Ciccio, 112-114 Perry St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 35 Board members in favor.

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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May 1, 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 April 20, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

18. Eli Zabar, LLC, d/b/a Eli's Night Shift, 38 W. 8th St. 10011 (OP-Withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on April 13th, 2017, the Applicant requested to **withdraw** this application for a new on-premise liquor license;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed 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 **Eli Zabar, LLC, d/b/a Eli's Night Shift, 38 W. 8th St. 10011** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 35 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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May 1, 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 April 20, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

19. 29-33 Ninth Avenue, LLC, d/b/a TBD, 29-35 Ninth Ave. 10014 (OP-Layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on April 13th, 2017, the Applicant requested to **layover** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting 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 **Big Ciccio Corp. or Entity to be formed, d/b/a Big Ciccio, 112-114 Perry St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 35 Board members in favor.

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

Sincerely,



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



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



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