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Terri Cude, First Vice Chair
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Antony Wong, *Treasurer*
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Susan Wittenberg, *Assistant Secretary*

Community Board No. 2, Manhattan

3 Washington Square Village
New York, NY 10012-1899
www.cb2manhattan.org

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

June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

1. Bowery Restaurant Group LLC, d/b/a Bacchanal, 146 Bowery 10013 (SN#1268378 – Alteration to add SWC)

1. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an “alteration” application to the Liquor Authority for their existing Restaurant On-Premise Liquor License SN#1268378 to add a NYC Department of Consumer Affairs Licensed Sidewalk Café consisting of 18 tables and 54 seats to the Licensed Premises; and,

2. Whereas, the restaurant is a full service high-end restaurant located in the corner unit of this building on Bowery and Broome St. with patron seating on the ground floor and basement, and

3. Whereas, the “alteration” application will reflect the addition of a NYC Department of Consumer Affairs Licensed Sidewalk Café consisting of 18 tables and 54 seats NYC to the premises as presented to CB2’s Sidewalks & Street Activities Committee and CB2’s SLA Licensing Committee and indicated in provided diagrams and plans; and,

4. Whereas, the Licensee executed a stipulations agreement with CB2, Man. that they agreed to submit to the SLA along with their current “Alteration” application and agreed that they would be additionally attached and incorporated in to the method of operation on the current restaurant on-premise liquor license SN#1268378 stating that:

1. The premises will be advertised and operated as a full service high-end restaurant.

2. The hours of operation will be Sunday from 11:30AM to 12:00AM(Midnight), Monday to Thursday from 4PM to 12AM(Midnight), Friday from 4PM to 2AM and Saturday from 11:30AM to 2AM (No new patrons are allowed to enter the premises after 1AM on Friday and Saturday). All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The Premises will not have French Doors, Operable Windows or open facades.
10. Sidewalk Café hours will be from 12PM(Noon) to 10PM 7 days a week. There will be no patrons in the sidewalk café prior to Noon or after 10PM.
11. No Smoking in the sidewalk café.
12. There will be no more than 18 tables and 54 chairs as per approved DCA plans.
13. A retractable DCA approved awning will be installed over the sidewalk café.
14. All existing stipulations agreed to at the licensing hearing at the Liquor Authority will remain in effect including reservation only seating in basement, no more than 50 people in the basement, No DJ’s, and No new patrons may enter premises after 1 am on weekends.
15. There will only be one patron entrance for entire premises located mid block on the Bowery for all regular patron ingress and egress.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the Alteration Application for the existing Restaurant On-Premise Liquor License SN#1268378 for **Bowery Restaurant Group LLC, d/b/a Bacchanal, 146 Bowery 10013** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are further incorporated into the “Method of Operation” on the SLA Restaurant On-Premise Liquor License.

Vote: Unanimous, with 40 Board members in favor.

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Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

2. Freeze Means Run LLC, d/b/a Happy Bones NYC, 394 Broome St. 10013 (New Tavern Wine)

1. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new tavern wine license for a previously unlicensed location for a "minimalist coffee shop specializing in flat whites, with local art & global publications on display"; and,

2. Whereas, this application is for a new tavern wine license located in a 6-story mixed-use building located on westerly most unit on Broome St. on the ground floor between Mulberry St. and Cleveland Place for a roughly 800 sq. ft. premise with 3 tables and 8 seats and no stand up bar, there is no application for a sidewalk cafe, there are no other outdoor areas for patrons, and benches on the sidewalk will be removed, there is no Certificate of Occupancy and no letter of no objection was provided; and,

3. Whereas, the hours of operation will be from 7AM to 7PM 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 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,

4. 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 tavern wine license stating that:

1. The premises will be advertised and operated as a full service Coffee Shop.

2. The hours of operation will be from 7AM to 7PM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The Premises will not have French Doors, Operable Windows or open facades.
10. The premises will never upgrade to an on-premise liquor license.
11. If the operator increases the hours of operation, they will return to CB2 to present the alteration application prior to submitting the alteration application to the Liquor Authority.
12. They will not have outdoor benches.
13. They will post no smoking signs.

5. Whereas, the Applicant provided a simple unspecific petition which did not provide any information to those signing the petition; and,

6. Whereas, 3 members of the community appeared in opposition questioning why a small coffee shop would require a tavern wine license, that this was not an appropriate venue for this type of license, that the operators were inexperienced, that the food offerings were insufficient, that no appropriate community outreach was performed and when questioned, store employees had no idea that this application was being presented the day before the meeting, that there was an illegal bench in front of the premises; and,

7. Whereas, there are currently approximately 17 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses; and,

8. Whereas, it was brought to the attention of CB2’s SLA Licensing Committee after CB2’s hearing that **there is currently no bathroom available for patrons at the premises** and this location falls under the unique situation of not being required by the City of New York to have a patron bathroom, but is in fact required to have a patron bathroom pursuant to State regulations governing the service of alcohol should they be issued a tavern wine license; no patron bathroom was indicated on floor plans provided to CB2, Man. and it appears that if a bathroom is located in the rear, patrons would have to enter into employee only food and drink preparation areas which would mean the bathroom could not be used for patrons;

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of a new Tavern Wine License for **Freeze Means Run LLC, d/b/a Happy Bones NYC, 394 Broome St. 10013** **unless** there is a legal patron bathroom and 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.

THEREFORE BE IT FURTHER RESOLVED that CB2, Man. respectfully requests that prior to the issuance of any license that the Liquor Authority actively **confirm that there is a patron bathroom** at the premises and require that the Applicant provide an affidavit with pictures and diagrams stating that any bathroom on the premises may be legally utilized by patrons during all hours

of operation pursuant to NYS and NYC Codes & Regulations including Health Codes and that the Applicant provide a “letter of no objection” or equivalent referencing the Applicant specifically (there are other ground floor units) from the New York City Department of Buildings indicating that the location may be utilized as an eating and drinking establishment.

Vote: Passed, with 27 Board members in favor, and 13 in opposition (R. Chattree, R. Dawson, J. Frost, S. Gammie, S. Kent, A. Meadows, R. Riccobono, M. Schott, F. Sigel, S. Sweeney, S. Wittenberg, A. Wong, E. Young).

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Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
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Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

3. Elmer Kennedy LLC, 86 Kenmare St. 10012 (New Restaurant Wine)

- 1. Whereas**, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee for a second time to present an application to the Liquor Authority for a new restaurant wine license for a previously licensed restaurant wine location for a "family restaurant that will focus on a menu inspired by a brick oven"; and,
- 2. Whereas**, the Applicant had presented an application for a restaurant on-premise liquor license in May/2015 but withdrew the application after having presented the application to CB2's SLA Licensing Committee; and,
- 3. Whereas**, this application is for a new restaurant wine license located in a 6 story mixed use tenement apartment building (circa 1900) with 30 residential apartments located on Kenmare St. on the corner of Mulberry St, for a roughly 1,000 sq. ft premise (with additional 1,000 sq ft basement for storage use only) with 21 tables and 42 seats and 1 standup bar with 10 seats for a total of 52 interior seats, there is no sidewalk café included with this application at this time but there may be in the future, there are no other outdoor areas for patrons, and no benches on the sidewalk, there is an existing Certificate of Occupancy; and,
- 4. Whereas**, the hours of operation will be Sunday to Monday from 11AM to 11PM and Tuesday to Saturday from 11AM to 12AM/Midnight (No patrons shall remain after the closing hour), music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed by 9pm every night 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,

- 5. Whereas,** the principals of this Applicant are also principles of another restaurant within CB2, Kennedy Organics, LLC d/b/a Charlie Bird SN#1268796; and,
- 6. Whereas,** there is also another large two-story restaurant located within the same building albeit on the Western side of the building with seating for 134 patrons with an on-premise liquor license with operators who have had a checkered operational history in the past and have generated quality of life issues in the immediate area; and,
- 7. Whereas,** past operators within the same location for which this Applicant seeks to be licensed have also had a long adversarial relationship with the residents in the building and with the community which is well documented in hearings at the SLA and in resolutions generated by CB2, Man. for both the most recent licensee at this location, Toby's Public House II, LLC d/b/a Toby's Public House SN#1260753 and the previous licensee, Village Tart LLC SN#1222227; and,
- 8. Whereas,** one of the primary issues which has consistently been a complaint from when this premises was first licensed in 2009, formerly having been a dry cleaners, is that the location has never been adequately soundproofed; and,
- 9. Whereas,** several people appeared to speak on behalf of the licensee to offer support for the applicant, including the landlord in the licensee's Charlie Bird location on King St and a building owner on yet another block; and
- 10. Whereas,** at least 11 people appeared, including the 86 Kenmare St. Tenant's Association President and their Attorney, all in opposition to the instant application unless appropriate stipulations were agreed upon and further a petition in opposition with signatures from an additional 18 of the 30 residential apartments in the same building was presented and submitted, again expressing opposition to the application unless certain stipulations limiting the applicant's method of operation were agreed upon to ensure an appropriate compromise between the eating and drinking business and the adjacent residential dwellers who resided there and preceded the change from dry cleaner to licensed eating and drinking establishment; and,
- 11. Whereas,** those in opposition to the application, unless certain stipulations limiting the operation were agreed upon, provided a history of adversarial relationships with past operators at the location, specifically detailing a prior failure to install any form of soundproofing at the location, a lack of initial outreach of the current Applicants to those living in the building most affected by the proposed operation, fear that there would be no enforcement of any stipulations if agreed upon by the applicant, concerns that certain representations of the Applicant were made in bad faith, that no residential tenants in the building supported the application as originally presented, that the long procession of failed restaurants in the two commercial ground floor units have provided endless quality of life issues over the years; and,
- 12. Whereas,** despite such differences during CB2's SLA Licensing Committee Meeting the Applicant and Tenants Association were allowed to meet for over an hour to come to terms on outstanding issues and an agreement was reached and numerous stipulations were agreed to by the Applicant; and
- 13. Whereas,** at the meeting, the Applicant was asked to return a list of stipulations agreed to with the Tenant's Association so that they could become part of a stipulations agreement, a verbal overview of those stipulations was provided at the meeting and the Applicant returned a list of stipulations that they were willing to agree to; and,

14. Whereas, the Applicant executed a stipulations agreement with CB2, Man. that they agreed to submit to the Liquor Authority and agreed would be attached and incorporated into the Applicant's method of operation on the restaurant wine license as follows:

1. The premises will be advertised and operated as a family restaurant focused on a brick oven inspired menu.
2. The hours of operation will be Sunday to Monday from 11AM to 11PM and Tuesday to Saturday from 11AM to 12AM/Midnight. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a "lounge", tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The Premises will close all doors and windows at 9PM every night and anytime there is amplified music except for patron ingress and egress.
10. This stipulations agreement also incorporates the stipulations ("concessions") outlined in a letter dated 6/12/2015 and signed by Ryan Hardy.
11. In addition to the above referenced stipulations, soundproofing work will be performed utilizing the materials as described in presentations to CB2 or equivalent materials.
12. The applicant will perform a commissioning sound test(s) that will be conducted by an acoustical engineer prior to finalizing the soundproofing work that will be performed. The applicant will widely notify building residents as well as provided at least one week notice or more to the Tenants Association President and their Attorney as to reasonable times when the sound test(s) can be conducted in tenant apartments. Tenants have agreed to give access for the purpose of sound testing. Any changes deemed necessary by the acoustical engineer will be performed prior to finalizing the soundproofing work.
13. There will be no music played in the premises outside of the stated operating hours. There will be no music in any outdoor areas.
14. At all times the applicant will adhere to NYC Noise Codes, in particular as they pertain to any amplified or non-amplified sound including music and any HVAC or other mechanical systems sounds in the premises or used by the premises.
15. A DCA and Landmarks approved Sound Absorbing Awning will be installed to cover any future areas where a sidewalk café may be located as part of the sound mitigation process. That sidewalk awning will be extended from 6pm until closing of the sidewalk café. If no sound-absorbing awning is installed over a future sidewalk café, the café will close no later than 9pm with no patrons remaining in the sidewalk café at that time.
16. A sidewalk café is not included in this application. The applicant will return to CB2 to present a sidewalk application and submit a future application to incorporate the sidewalk café into the licensed premises

15. Whereas, the additional stipulations ("concessions") outlined in a letter to CB2, Man. dated 6/12/2015 and signed by Ryan Hardy include the following that the applicant also agrees will also be incorporated into the stipulations agreement with CB2, Man. with the understanding that the CB2 Stipulations form may overlap in some areas and have more restrictive language which would govern the intent, the additional stipulations ("concessions") are as follows:

1. Applicant agrees that the weekly closing time of the restaurant at the Premises shall be 11:00 p.m. on Sundays and Mondays and 12:00 a.m. on Tuesday through Saturday. Applicant will abide by applicable NY law in connection with the definition of closing time.
2. Applicant agrees that the windows and doors to the restaurant shall be closed after 9:00 p.m.
3. Applicant agrees that it will apply for a permit for an awning and will use reasonable best efforts to obtain and install said awning.
4. Applicant agrees to comply with DCA standards regarding outside tables, chairs, furniture and planters. Applicant agrees that the sidewalk cafe can only stay open past 9 p.m., if a retractable awning is installed.
5. Applicant will take reasonable measures to control and prevent overcrowding and smoking outside the restaurant and will enforce NYC smoking policies as to the proximity of the restaurant.
6. Applicant will provide a private number to the tenants association for the building of which management personnel will monitor and will reasonably respond to complaints from the tenants regarding the restaurant, provided the tenants have contacted the private number with any complaints prior to resorting to calling 311.
7. Applicant agrees that there will be no access permitted to the residential portion of the building directly from the Premises.
8. Applicant will use best reasonable efforts to schedule garbage pickup at or near closing time.
9. Applicant will keep the restaurant fans/vents in working order and will use reasonable best efforts to keep the noise of said fans/vents at the level required by NYC Building Codes.
10. There will be construction for the purpose of renovation of the space for the new restaurant. Applicant agrees that construction will take place as follows: 7:00 a.m. to 6:00 p.m., Monday through Friday for on site maintenance and management. Major construction will not commence until after 8:00 a.m. and jack hammering work will not commence until after 9:00 a.m. There will be no construction requiring a NYC Department of Buildings permit on the weekends and Applicant will not make any application to the NYC Department of Buildings for permission to do any such construction.
11. In an effort to address the concerns of the tenants of 86 Kenmare Street, Applicant has retained Cerami & Associates, an acoustical consultant and JD Audio & Video Design Inc. who will draw and specify a construction plan which, when built, will mitigate noise from restaurant. Copies of the relevant documents related thereto were provided to the Community Board at the meeting on June 9th. The engineer's construction plan will devise a strategy to mitigate the sound of the elevated voices, music and other sounds emanating from the proposed restaurant to within or below NYC Building Codes. The tenants have agreed give access to the engineer for the purpose of testing and will cooperate fully with the installation of the sound-proofing. The sound proofing construction will include, but will not be limited to, demolition of the existing sheetrock ceiling, filling the space between the ceiling joists with sound proofing material, a dropped ceiling and acoustical separation of the ceiling from the walls. The engineer will test the existing sound conditions when the sound-proofing is complete, but before the ceiling is taped and painted, to make sure it conforms to NYC Building Codes. The engineer's test results, both preliminary and final, and construction plans and drawings will be shared with 86 St Tenant's Association. The applicant will also agree to allow a representative of the 86 St Tenant's Association to inspect the final sound-proofing before the finished ceiling is installed.

16. Whereas, CB2 would like to acknowledge the hard work that the members of the Tenants Association at 86 Kenmare St. and Applicant performed in order to come to agree to the above stipulations which is reflected in the first supportive resolution of an applicant at this particular location since it was originally licensed in 2009 and CB2, Man. hopes that the spirit of cooperation continues to be the hallmark of the continuing relationship between the applicant and the residents and that this will guide future positive interactions; and,

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

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant Wine License for **Elmer Kennedy LLC, 86 Kenmare St. 10012** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 40 Board members in favor.

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Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
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Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

4. Song E Napule Inc., d/b/a Song E Napule, 146 W. Houston St. 10012 (New Restaurant Wine)

1. 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 previously licensed restaurant wine location for a "small family Pizzeria/Restaurant with a main focus on food"; and,

2. Whereas, this application is for a new restaurant wine license located in a 4-story mixed-use building located on the ground floor on West Houston St. between MacDougal St and Sullivan St. for a roughly 450 sq. ft. premise with 5 tables and 10 seats and 1 standup bar with 3 seats, a window counter with 4 seats for a total of 17 interior seats, there are also 2 tables and 4 seats located outside in front of the establishment but within the property line (a letter provided by the Applicant from a land surveyor indicates that there is 3' 7" wide strip of outdoor area within the property line in front of the establishment), there are no other outdoor areas for patrons, and no benches on the sidewalk, there is an existing Certificate of Occupancy; and,

3. Whereas, the hours of operation will be Sunday to Thursday from 11AM to 11PM and Friday to Saturday from 11AM to 12AM (No patrons shall remain after the closing hour), music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed by 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 will be no TV's; and,

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

1. The premises will be advertised and operated as a small family pizzeria/restaurant with the main focus on food.
2. The hours of operation will be Sunday to Thursday from 11AM to 11PM and Friday to Saturday from 11AM to 12AM (Midnight). 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 play quiet ambient recorded background music only. No music will be audible in any adjacent residences at anytime.
7. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
8. The Premises will close all doors and windows at 10PM every night and anytime there is amplified music.
9. There will be 2 outdoor tables and 4 outdoor seats but within the property line; the outdoor seating will always be set up within the property line.
10. No service to the outdoor tables will take place from the public sidewalk.

5. Whereas, the Applicant reached out to the MacDougal Sullivan Gardens Association and provided a letter of support, the Applicant met with the Bleecker Area Merchants’ & Residents’ Association and a resolution in support was provided by the Resident Chair, a separate petition circulated by the Applicant with over 200 signatures in support was also provided; and,

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

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant Wine License for **Song E Napule Inc., d/b/a Song E Napule, 146 W. Houston St. 10012** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 40 Board members in favor.

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Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

5. The Princess and The Frog Flavors Corp., d/b/a The Frogs Crown, 204 Spring St. 10012 (New Beer & Wine)

- 1. Whereas**, the Applicant appeared before CB2 Manhattan's SLA Licensing Committee for a beer and wine license in a 7-story mixed-use building at 204 Spring Street between Sullivan and Street and Sixth Avenue, the Applicant had previously appeared in April 2014 but did not file their application at that time and more than 1 year had passed so they submitted a new 30 day notice to CB2, Man. and re-appeared before the SLA Licensing Committee; and,
- 2. Whereas**, the premises have been operated for the last three years by the current operator as a small cafe; and,
- 3. Whereas**, this application is for a new beer & wine license located in a 7-story mixed-use building located on the ground floor on Spring St. between Sullivan St. and 6th Ave for a roughly 300 sq. ft. premise with 6 tables and 12 seats and 1 service bar, there is no sidewalk café in operation or other outdoor areas for patrons, and there are no benches on the sidewalk, the Applicant is in the process of applying for a letter of no objection; and,
- 4. Whereas**, the hours of operation will continue to be from 8AM to 12AM (midnight) 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 French doors or windows, all other doors and windows will be closed by 10PM except for patron ingress and egress, there will be no tv's, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

5. 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 Beer and Wine license and the stipulations are as follows:

1. The premises will continue to be advertised and operated as a small café.
2. The Hours of operation will continue to be from 8AM to 12AM (midnight) 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences at anytime.
7. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
8. The Premises will close all doors and windows at 10PM every night and anytime there is amplified music.
9. The Applicant will never request to upgrade to an on-premise liquor license.
10. There is no sidewalk café.

6. Whereas, the Applicant provided a petition indicating the method of operation and hours of operation signed by residents in the immediate areas; and,

7. Whereas, there are currently approximately 17 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 an Beer/Wine license to **The Princess and The Frog Flavors Corp., d/b/a The Frogs Crown, 204 Spring 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 BW License.

Vote: Unanimous, with 40 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Susan Wittenberg, *Assistant Secretary*

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June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

6. Piacere Enterprises, LLC d/b/a Piacere, 351 Broome St. 10013 (Existing Restaurant Wine seeking upgrade to On Premises Liquor)

- 1. Whereas**, the Licensee appeared before CB2's SLA committee to present an application to upgrade their existing restaurant wine license (SN#1268740) to a full on-premises liquor license for an Italian pizzeria restaurant serving organic food; and
- 2. Whereas**, the Licensee has been operating with a Restaurant Wine License since July/2013; and
- 3. Whereas**, when the existing licensee initially appeared for a new beer and wine license before CB2 in December/2012, CB2, Man. unanimously adopted a resolution on December 20, 2012 recommending denial of the beer and wine license; and
- 4. Whereas**, despite CB#2, Man. adopting a resolution recommending denial of a beer and wine license at these premises, the SLA nonetheless granted the beer and wine license to this applicant even though this location had never been licensed before; and
- 5. Whereas**, in January/2014 after having been open for only 6 months, the Licensee appeared before CB2, Man. prior to submitting an application to the Liquor Authority to request to upgrade their existing Restaurant Wine License to a Full On-Premise Liquor License and CB2, Man. unanimously adopted a resolution on January/2014 recommending denial of the upgrade application at that time; and

6. Whereas, the premises is located in a hotel building with 6 commercial spaces on the ground floor and basement with SRO residents and hotel rooms on the upper floors, but there is no direct access to the Hotel, the storefront is located on Broome Street between Bowery and Elizabeth Street for a 1,900 SF premises (950 SF for ground and 950 SF for the basement – ancillary uses only in basement) with 10 tables with 35 seats, 1 bar with 11 seats and an existing sidewalk café with 8 tables and 24 seats and a maximum occupancy of less than 74 people; and

7. Whereas, the hours of operation are Sunday to Wednesday from 12PM to 2AM and Thursday to Saturday from 12PM to 3AM, 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 no French doors or windows, all other doors and windows will be closed by 10PM except for patron ingress and egress, there will be no tv's, there will be no d.j.; and,

8. Whereas, the reasons for CB2's initial recommendation to deny the original beer and wine application at these premises and the recommendation to deny the subsequent request to upgrade their existing Restaurant Wine license have not changed; and

9. Whereas, there are already 4 other Full On-Premise Liquor Licenses in this building alone (only 1 of the 6 storefronts in this building is not an eating and/or drinking establishment including some basement areas) and licensing this premises with an On-Premise Liquor License would result in 5 On-Premise Liquor Licenses in the same building; and,

10. Whereas, there continue to be significant concerns regarding the late night hours of operation and the applicant was not willing to reduce his hours of operation currently until 3 AM, there is already late night food available in this building according to the licenses issued to the other establishments in the building who already hold on-premise liquor licenses and certainly there is plenty of food available in the immediate neighborhood, there continues to be an over saturation in the number of OP and Beer and Wine licenses in this area, including significant multi-floor venues which have been the subject of disciplinary charges, it is clear that these existing licensees and the upgrade of this license will have a major impact on traffic and noise and quality of life issues and noise from late-night operations and from patrons as expanded operations here will continue to hold people in the area and discourage people from leaving the area in the later hours in particular after midnight, this location is in particular subject to this concern as it would be the 5th on-premise liquor license in the building; and,

11. Whereas, a number of current patrons and local residents appeared in support of this application stating the good character of the operators and the quality of food and service and availability, but their support was not sufficiently compelling to warrant CB2, Man. recommending upgrading this liquor license given the many other existing issues; and,

12. Whereas, several local residents appeared in opposition to this application and a representative of the local block association appeared in opposition stating the overwhelming number of liquor licenses in the area and in the building, that the applicant had not demonstrated any public benefit for upgrading their license and that adding full liquor would only make this premises a contributor to late night noise and holding people in the area who would otherwise be leaving; and,

13. Whereas, CB#2, Man, continues to hear a large number of beer and wine and on-premise license applications in this area for previously unlicensed locations in a relatively short period of time which has resulted in a dramatic change in the character of the neighborhood in that short period of time, and many of the beer and wine licensees are now seeking to upgrade their licenses which is presenting challenges for the neighborhood; and

14. Whereas, CB#2, Man. has recommended denying previous applications at this location and in this building because there are already 5 separately-licensed premises in this building alone, which is also a hotel and no establishment has direct entrances to the hotel; there is no need or benefit of having another on-premise liquor license to serve the patrons of the hotel or local residences and

15. Whereas, CB#2, Man. continues to be concerned that this rapid rate of new applications and approval of new licenses and the potential number of upgraded beer and wine licenses in the area will result in an overwhelming impact on the character of the neighborhood, quality of life issues, traffic and noise concerns; and

16. Whereas, without properly taking into consideration the potential impact of these new establishments prior to licensing additional premises or upgrading existing licensees the results could be disastrous for appropriate economic and residential development of the neighborhood; and

17. Whereas, it was expressed from the outset of this operation that there were concerns that this location was previously unlicensed, that there was not support from CB2, Man., that it was fairly clear from the outset of the original presentation for a restaurant wine license that there were a significant amount of full on-premise liquor licenses in the area and in the same building that were overwhelming the community already, and that at the time of the original application for the premises in December/2012 there were other previously/currently licensed premises which had on-premises liquor licenses that were available;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** for **Piacere Enterprises LLC. d/b/a Piacere, 351 Broome St. 10013** on its application seeking an upgrade from a restaurant wine license to a Full On Premise Liquor License.

Vote: Unanimous, with 40 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Susan Wittenberg, *Assistant Secretary*

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June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

7. Tokana Café Bar Restaurant, Inc., d/b/a Little Rascal, 163 Elizabeth St. 10012 (Existing Restaurant Wine seeking upgrade to On Premises Liquor)

- 1. Whereas**, the Licensee appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for an upgrade from an existing Restaurant Wine License (SN#1262589) to a Full On-Premise liquor license for a Turkish restaurant; and,
- 2. Whereas**, this application is for an existing restaurant in a 1-story building with 3 commercial spaces that was never previously licensed before the issuance of the current restaurant wine for a 1,200 sq. ft. premise (700 sq. ft. ground floor and 500 sq. ft. basement – ancillary uses only in basement) just to the North of the corner of Elizabeth and Kenmare Street, there are 9 tables and 21 seats and 1 bar with 8 seats for a total of 29 seats with a proposed occupancy of 30, there is no sidewalk café, and the maximum occupancy for the premise is 74; and,
- 3. Whereas**, the hours of operation are Sunday to Thursday from 11AM to 12AM(Midnight) and Friday to Saturday from 11AM to 1AM (No patrons shall remain after the closing hour), music is 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 9PM except for patron ingress and egress, there will be no d.j., no promoted events, no scheduled performances or cover fees, there will be no TV's; and,
- 4. Whereas**, the 1 story building in which this premises is located is currently divided into 3 storefronts, two of the store fronts, including the subject premises currently hold restaurant wine licenses, prior to the issuance of both restaurant wine licenses in this building in 2012, the entire building was operated as a wholesale fruit and vegetable business; and,

5. Whereas, at the time of the issuance of the original license in 2012 there were 14 on-premise liquor licenses within 500 feet, there are currently 22 on-premise liquor licenses within 500 feet; these numbers do not include the numerous beer and wine licenses which are within close proximity that are new and that have previously existed and this neighborhood and immediate area have had a significant corresponding increase in quality of life issues in particular as they pertain to licensed premises and specifically premises which hold full on-premises liquor licenses and even more so for premises which maintain facades which open the majority of the premises to the street; and,

6. Whereas, when the applicant initially appeared for a new restaurant wine license before CB2, Man. in June/2012, CB2 unanimously adopted a resolution in June/2012 recommending denial of the beer and wine license; and

7. Whereas, despite CB#2, Man. adopting a resolution recommending denial of a beer and wine license at these premises, the SLA nonetheless granted the beer and wine license to this applicant even though this location had never been licensed before and imposed the following stipulations:

1. The premises will close at 12AM Sunday to Thursday and 1AM Friday to Saturday.
2. The premise will be operated as a full service restaurant only.
3. The kitchen will be open until the premise is closed.
4. All doors and windows will be closed at 9 p.m. every night of the week.
5. There will be no D.J.'s and No Live Music. Music will be quiet background music only.
6. Staff will direct vehicle and pedestrian traffic, and use best efforts to dissuade patrons from loitering in front of the premise.

8. Whereas, CB2's June/2012 resolution stated in part "CB#2, Man. and the community have great concerns that applicants are using the Beer and Wine license as a ploy to be licensed by the SLA and change the status of an unlicensed location where there is great community opposition, often with the plans to quickly upgrade to a full On-Premise license"; and

9. Whereas, at the original presentation to CB2 Man., it was not disclosed that the premises would have large operable windows along the front façade of the building, which have generated noise complaints, and while the applicant stipulated the windows would be closed everyday at 9PM at the Liquor Authority hearing, over time they have often been observed open past 9PM well into the night and photographic evidence was provided and members of the committee had observed this in person; and,

10. Whereas, patrons and staff/owners of the premise do congregate in front of the establishment and smoke on the sidewalk; and,

11. Whereas, this is another location within CB2, Man. that has never held an on-premises liquor license; and,

12. Whereas, CB#2, Man. has concerns that there are too many locations that have or will become licensed in some fashion which is causing overwhelming traffic issues and other quality of life issues that only continue to grow with each newly licensed location on residential streets such as Elizabeth St, which while there are commercial ground floor uses, the majority of buildings are walk up tenement buildings and in particular there is great concern regarding premises with on premises liquor licenses with facades and large windows that open and their contribution to the existing noise levels in the immediate community; and,

13. Whereas, the Licensee stated that the primary reasons for upgrading to an on-premise liquor license were so that he could serve the Turkish national beverage and satisfy the occasional customer request and compete with long operating premises that have held full on-premise liquor licenses for many, many years and offered no other significant compelling reasons; and,

14. Whereas, a large number of current patrons who are local residents appeared to speak in support the operator and spoke to the character of the operator and to the “quiet” nature of the operation, the family atmosphere and the restaurant character of the operation, but their support was not compelling enough to warrant CB2, Man. recommending upgrading this liquor license given the many other existing issues; and,

15. Whereas, several members of the community and a representative of the local block association which has members on Elizabeth St appeared in opposition stating the overwhelming number of liquor licenses in the area, the seeming success of the current operation without a liquor license, that adding full liquor would only make this premises louder with the large operable windows, which they have observed open later in the evenings; and,

16. Whereas, it was expressed from the outset of this operation that there were concerns that this location was previously unlicensed, that there was not support from CB2, that it was fairly clear from the outset of the original presentation for a restaurant wine license that there were a significant amount of full on-premise liquor licenses in the area that were overwhelming the community already, and that at the time of the original application for the premises in 2012 there were other previously/currently licensed premises which had on-premises liquor licenses that were available; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial for **Tokana Café Bar Restaurant, Inc., d/b/a Little Rascal, 163 Elizabeth St. 10012** on its application seeking an upgrade from a restaurant wine license to a Full On Premise Liquor License.

Vote: Passed, with 38 Board members in favor, 1 in opposition (K. Shea) and 1 abstention (R. Sanz).

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



Antony Wong, Treasurer
Keen Berger, Secretary
Susan Wittenberg, Assistant Secretary

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June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

8. LYH Hospitality LLC, d/b/a Da Marcella, 142 W. Houston St. 10012 (Layover at meeting)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 9th, 2015, the Applicant and the Applicant's attorney agreed 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 should they proceed in order to perform additional community outreach to the local community groups with whom inadequate communications had transpired;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed 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 **LYH Hospitality LLC, d/b/a Da Marcella, 142 W. Houston St. 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 40 Board members in favor.

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



Antony Wong, Treasurer
Keen Berger, Secretary
Susan Wittenberg, Assistant Secretary

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June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

9. Sushizo, 88 W. 3rd St. 10012 (New RW – Did not appear)

Whereas, the Applicant failed to appear before CB2, Manhattan's SLA Licensing Committee Meeting on June 9th, 2015 after having submitted a "30 Day Notice" to CB2 for a New Restaurant Wine License and having been placed on CB2's SLA Licensing Committee's Agenda;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed restaurant wine, tavern wine, eating place beer, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Sushizo, 88 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 40 Board members in favor.

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



Antony Wong, Treasurer
Keen Berger, Secretary
Susan Wittenberg, Assistant Secretary

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June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

10. Food Love 125, Inc., d/b/a Ramen Torii, 4 Union Square South (New RW – Did not appear)

Whereas, the Applicant failed to appear before CB2, Manhattan's SLA Licensing Committee Meeting on June 9th, 2015 after having submitted a "30 Day Notice" to CB2 for a New Restaurant Wine License and having been placed on CB2's SLA Licensing Committee's Agenda;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed restaurant wine, tavern wine, eating place beer, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Food Love 125 Inc., d/b/a Ramen Torii, 4 Union Square South** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 40 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Susan Wittenberg, *Assistant Secretary*

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June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

11. Greek Natural Foods, d/b/a Greecologies, 379 Broome St. 10013 (New Beer & Wine - Withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 9th, 2015, the Applicant's attorney requested to **withdraw** this application for a new beer & wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed 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 **Greek Natural Foods, d/b/a Greecologies, 379 Broome St. 10013** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 40 Board members in favor.

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



Antony Wong, Treasurer
Keen Berger, Secretary
Susan Wittenberg, Assistant Secretary

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June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

12. Lihou, LLC, 160 Prince St. 10012 (New OP - Withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 9th, 2015, the Applicant's attorney requested to **withdraw** 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 should they proceed;

THEREFORE BE IT RESOLVED that CB#2, 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 **Lihou, LLC, 160 Prince St. 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 40 Board members in favor.

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



Antony Wong, Treasurer
Keen Berger, Secretary
Susan Wittenberg, Assistant Secretary

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June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

13. 188 Planet, Inc., d/b/a Earth-Terra, 188 Bowery 10012 (New OP - Withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 9th, 2015, the Applicant's attorney requested to **withdraw** 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 should they proceed;

THEREFORE BE IT RESOLVED that CB#2, 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 **188 Planet, Inc., d/b/a Earth-Terra, 188 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 40 Board members in favor.

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



Antony Wong, Treasurer
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Susan Wittenberg, Assistant Secretary

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June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

14. Sapori D Italia, LLC, d/b/a Same, 105 Mulberry St. 10013 (New OP - Layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 9th, 2015, the Applicant's attorney 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 should they proceed; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan 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 **Sapori D Italia, LLC, d/b/a Same, 105 Mulberry St. 10013 until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 40 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Susan Wittenberg, *Assistant Secretary*

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June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

15. 496 LaGuardia Restaurant, Inc., d/b/a Mocha Burger, 496 La Guardia Pl. 10012 (New OP – Layover Request)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 9th, 2015, the Applicant's attorney 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 should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **496 LaGuardia Restaurant, Inc., d/b/a Mocha Burger, 496 La Guardia Pl. 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 40 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Susan Wittenberg, *Assistant Secretary*

Community Board No. 2, Manhattan

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June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

16. New Organico Inc., d/b/a Organika, 89 7th Ave. aka 16 Barrow St. 10014 (Change in Corporate Ownership to existing OP License, SN1247549, Exp. 11/30/2016).

1. Whereas, the two owners of Organika appeared before CB2, Manhattan's SLA Licensing Committee seeking to change its existing corporate structure whereby one existing owner will be buying all the shares of the corporation from the other existing owner so that there will be only one owner with 100% ownership of the business; and

2. Whereas, the current method of operation will not change and the business will continue to operate as a full service restaurant specializing in organic foods with waiter service in a 500 sf storefront premises located in a 5 story mixed use building on Seventh Avenue South between Grove and Barrow Streets; and

3. Whereas, there will continue to be 7 tables with 19 seats, 1 bar with 6 seats with a total permitted occupancy of 30; the hours of operation will continue to be from 12 PM to 1 AM every night, the sidewalk café will be open every night until 12 AM, there will no TVs, music with be background only, there will be no d.j. or live music, no private parties, there will be no scheduled performances or events with a cover charge; and,

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

1. Premises will be advertised and operated as a full service restaurant with a full service kitchen and waiter table service and will not operate as a bar, nightclub or lounge.

2. Will operate from 12 PM to 1 AM every night.
3. Will close its sidewalk café by Midnight every night.
4. There will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
5. Food will be served at all times.
6. Occupancy will be no greater than 30 patrons.
7. There will no more than one TV within the premises and the premises will not operate as a Sports Bar.

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of a corporate change to an existing OP license to **New Organico Inc., d/b/a Organika, 89 7th Ave. aka 16 Barrow St. 10014** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" for the OP License.

Vote: Passed, with 39 Board members in favor, and 1 in opposition (D. Diether).

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Susan Wittenberg, *Assistant Secretary*

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June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

17. Nourish New York LLC, d/b/a Nourish Kitchen & Table, 95 Greenwich Ave. 10014
(Alteration to Add Sidewalk Café service to existing Beer Wine License, SN1270203 Exp. 6/30/2015).

- 1. Whereas**, the applicant appeared before CB2, Manhattan's SLA Licensing Committee seeking an alteration to an existing Beer and Wine license to serve beer and wine at a sidewalk café located on the public sidewalk directly in front of the storefront premises located in a ground level storefront on Greenwich Street between Bank and West 4th Streets; and
- 2. Whereas**, the applicant originally appeared before CB2, Man. seeking its existing Beer and Wine license for a previously unlicensed location back in March/2013 and CB2 Man. recommended its approval of the Beer Wine license subject to a stipulations agreement that currently remains in place; and
- 3. Whereas**, the applicant's stated plan is to continue to operate the premises as a "gourmet takeaway food shop and café" with the same method of operation in the 585 SF interior space, with 1 interior table and 12 seats, a chef's counter with 7 seats and a maximum occupancy of 30 patrons; and
- 4. Whereas**, the interior hours of operation will continue to be on Sundays from 7:30 AM to 10 PM, Monday through Thursday from 9:30 AM until 11 PM, Fridays and Saturdays from 9:30 AM until 12 AM, music will be from ipod/cd's at background levels only, there will no TVs and all doors and windows will be closed by 9 PM every night except for patron egress and ingress through the main front door; and

5. Whereas, the applicant already appeared before CB2 Manhattan’s Sidewalk Café Committee, the sidewalk café having been approved for 3 tables and 6 chairs and the sidewalk café will close every night by 11 PM; and

6. Whereas, the applicant again executed a stipulation agreement with CB2 Man. that they agreed would be attached and incorporated in to their method of operation on their SLA beer and wine license as follows:

1. Interior hours of operation will be on Sundays from 7:30 AM to 10 PM, Monday through Thursday from 9:30 AM until 11 PM and on Fridays and Saturdays from 9:30 AM until 12 AM.
2. Music will be from ipod/cd’s at quiet background levels inside the restaurant only.
3. The sidewalk café will close by 11 PM every night.
4. There will no TVs and will not operate as a Sports Bar.
5. All Doors and windows will be closed by 9 pm every night except for patron egress and ingress.
6. There will be no live music, dj’s, promoted events, scheduled performances or any events for which a cover fee is charged.
7. The applicant will not operate a disco, bar, lounge, nightclub or seek a DCA Cabaret License.
8. The premises will operate as a gourmet takeaway food shop and café at all times.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an alteration to the existing beer and wine license for **Nourish New York LLC, d/b/a Nourish Kitchen & Table, 95 Greenwich Ave. 10014** **unless** the statements the applicant presented are both accurate and complete, and that those conditions and stipulations agreed to by the applicant are incorporated into the “Method of Operation” on the beer and wine license.

Vote: Unanimous, with 40 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Susan Wittenberg, *Assistant Secretary*

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June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

18. Nisida LLC, d/b/a Rossopomodoro, 118 Greenwich Ave. 10011 (Alteration to Add Sidewalk Café service to existing OP License, SN1279715 Exp. 10/31/2016).

1. Whereas, the applicant appeared before CB2, Manhattan's SLA Licensing Committee seeking an alteration to an existing On Premise license to serve beer, wine and alcohol at a sidewalk café located on the public sidewalk directly in front of the premises on West 13th Street; and

2. Whereas, the applicant originally appeared before CB2, Man. seeking its existing On Premise license in June/2014 and CB2 Man. recommended its approval of the On Premise license subject to a stipulations agreement that currently remains in place for the business located in a historic district at the corner of Greenwich Avenue between West 13th; and

3. Whereas, the applicant's plan continues to be to operate the premises as a full service Italian Restaurant serving specialty pizza and pasta with the same method of operation Street in a 3500 SF interior storefront premises (1500 SF Ground Floor dining, 500 SF kitchen and 1500 SF basement—accessory use only to basement with bathrooms with no patron seating), with 35 interior tables and 85 seats, 1 stand up bar with 10 seats, 1 service bar and 1 food counter with no seats for total interior seating capacity of 95; and

4. Whereas, the hours of operation will continue to be Sunday through Wednesday from 11 AM until 12 AM and Thursdays through Saturdays from 11 AM until 1 AM, music will be from ipod/cd's at background levels only, there will no TVs and all doors and windows will be closed by 9 PM every night except for patron egress and ingress through the main front door; and

5. Whereas, the applicant already appeared before CB2, Manhattan’s Sidewalk Café Committee, the sidewalk café having been approved for 8 tables and 16 chairs and the applicant further agreed to install a retractable awning over the side walk café; and

6. Whereas, because the sidewalk café is new to the location and new to the business, and further is located on West 13th Street directly across from and adjacent to residential homes and apartment buildings, the applicant agreed that he will close from Sunday through Thursday by 10 PM and on the weekends (Fridays/Saturdays) by 11 PM; and

7. Whereas, the applicant again executed a stipulation agreement with CB2 Man. that they agreed would be attached and incorporated in to their method of operation on their SLA On Premise license as follows:

1. Interior hours of operation will be Sunday through Wednesday from 11 AM until 12 AM and Thursdays through Saturdays from 11 AM until 1 AM.
2. Music will be from ipod/cd’s at quiet background levels inside the restaurant only.
3. The sidewalk café will close by 10 PM Sunday through Thursday and by 11 PM on the weekends (Fridays/Saturdays).
4. There will be a retractable awning installed and operated over the sidewalk café at all times.
5. There will no TVs and will not operate as a Sports Bar.
6. All Doors and windows will be closed by 9 pm every night except for patron egress and ingress.
7. There will be no live music, dj’s, promoted events, scheduled performances or any events for which a cover fee is charged.
8. The applicant will not operate a disco, tavern, bar, lounge, nightclub or seek a DCA Cabaret License.
9. The premises will operate as a full service Italian Restaurant with a full service kitchen and waiter service specializing in Pizza and Pasta dishes at all times.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an alteration to the existing On Premise license for **Nisida LLC, d/b/a Rossopomodoro, 118 Greenwich Ave. 10011** **unless** the statements the applicant presented are both accurate and complete, and that those conditions and stipulations agreed to by the applicant are incorporated into the “Method of Operation” on the beer and wine license.

Vote: Unanimous, with 40 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Susan Wittenberg, *Assistant Secretary*

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June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

19. PB Hudson LLC, d/b/a Pizzetteria Brunetti, 626 Hudson St. 10014 (Alteration to Add Sidewalk Café service to existing RW License, SN1269919 Exp. 8/31/2015).

- 1. Whereas**, the applicant appeared before CB2, Manhattan's SLA Licensing Committee seeking an alteration to an existing Restaurant Wine license to serve beer and wine at a sidewalk café located on the public sidewalk directly in front of the premises on Hudson Street between Jane and Horatio in a historic district; and
- 2. Whereas**, the applicant already operates the specialty pizza and Italian food restaurant in a three story mixed use townhouse building with a rear yard; and
- 3. Whereas**, the applicant operates in a 2330 SF interior storefront premises (1540 SF ground floor and rear yard with 790 SF basement for storage only and no patron use), with 6 interior tables and 18 interior seats, 1 interior bar with 8 interior seats and no food counters; and with 7 exterior tables with 26 seats in the rear yard; and,
- 4. Whereas**, the interior hours of operation will continue to be Sundays from 11 AM to 10 PM, Monday through Thursday from 12 PM until 11 PM and on Fridays/Saturdays from 12 PM until 12 AM, music will be from ipod/cd's at background levels only, there will no TVs and all doors and windows will be closed by 9 PM every night except for patron egress and ingress through the main front door; and
- 5. Whereas**, there have been past complaints from adjacent neighbors regarding the operator's use of the rear yard, mostly from parties and noise emanating from the exterior rear yard used by applicant; and

6. Whereas, when the applicant appeared before CB2, Manhattan’s Sidewalk Café Committee in April/2015 the applicant agreed to close the rear yard at 9:30 PM Sunday through Thursday and by 11 PM on Fridays/Saturdays: and

7. Whereas, the sidewalk café having been approved for 8 tables and 16 chairs, the applicant agreed to install and maintain a retractable awning over said café and to close the café by 10 PM Sunday through Thursday and by 11 PM on Fridays/Saturdays; and

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

1. Interior hours of operation will be Sunday through Thursday from 11 AM until 11 PM and on Friday and Saturdays from 11 AM until 12 AM.
2. There will be no music in the rear yard.
3. There will be no parties in the rear yard.
4. The rear yard will be for seasonal use only and will not open before 11 AM on the weekends and will close by 9:30 PM Sunday through Thursday and by 11 PM on the weekends.
5. Music will be from ipod/cd’s at quiet background levels inside the restaurant only.
6. The sidewalk café will close by 10 PM Sunday through Thursday and by 11 PM on the weekends (Fridays/Saturdays).
7. There will be a retractable awning installed, maintained and operated over the sidewalk café at all times.
8. There will no TVs and will not operate as a Sports Bar.
9. All Doors and windows will be closed by 9 pm every night except for patron egress and ingress.
10. There will be no live music, dj’s, promoted events, scheduled performances or any events for which a cover fee is charged.
11. The applicant will not operate a disco, tavern, bar, lounge, nightclub or seek a DCA Cabaret License.
12. The premises will operate as a full service Italian Restaurant with a full service kitchen and waiter service specializing in Pizza and Italian food at all times.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an alteration to the existing On Premise license for **PB Hudson LLC, d/b/a Pizzetteria Brunetti, 626 Hudson St. 10014** **unless** the statements the applicant presented are both accurate and complete, and that those conditions and stipulations agreed to by the applicant are incorporated into the “Method of Operation” on the restaurant wine license.

Vote: Unanimous, with 40 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Susan Wittenberg, *Assistant Secretary*

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June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

20. Lewek Corp., d/b/a The Cubby Hole, 281 W. 12th St. 10014 (Renewal of OP license)

1. Whereas, the applicant appeared before CB2, Manhattan's SLA Licensing Committee for the renewal of its existing license for a Bar operating since 1994 in a ground floor corner storefront located in a four-story brick mixed-use townhouse (circa 1920) on a cobblestone block in a landmarked historic district on the corner of West 12th Street and West 4th Street; and

2. Whereas, the premises is approximately 800 SF and is located on a corner with narrow streets that are primarily surrounded by residential buildings and has been operated for many years with hours of operation from 2PM to 4AM daily with 1 Bar and no tables, music is played by juke box, the windows to the establishment are fixed, there are no outside areas or sidewalk café, there is one bathroom and one entrance/exit for patrons; and

3. Whereas, over the years this location has become a popular destination location for Millennials, attracting boisterous crowds that pack into a very small location with very late night hours, often causing patrons to regularly exit the premises and hang out on the sidewalk and on the street laughing, creating unnecessary loud noise in an otherwise quiet neighborhood disturbing local residents between the hours of 10 PM and 4 AM in an inebriated manner; and

4. Whereas, in 2011 local residents appeared before CB2 Man., including the West 12th Street Block Association and despite attempts by local residents with the owner of the establishment to create some sort of agreement to help curb the excessive, late night noise and outdoor patron encroachment on the Bar's residential neighbors, the owner contacted her attorney and did not appear before CB2 Man., as previously requested, ultimately resulting in a "deny" recommendation from CB2 Man. as to operator's 2011 renewal application; and

5. Whereas, despite the deny recommendation the SLA renewed the operator's license in 2011 and 2013; and

6. Whereas, more recently CB2 Man. received a number of complaints via email regarding the Bar from residential neighbors reiterating their complaints from 2011 and explaining that the current operator has done little to ameliorate the on-going late night noise of patrons hanging out on the public sidewalk in and around the premises until 4AM; and

7. Whereas, at the request of CB2 Man, the owner of the establishment and her attorney appeared in good faith before CB2 Man. in an attempt to respond to some of the concerns of its residential neighbors; and

8. Whereas, the operator and her attorney stated that she has a person near the front door of the establishment on the weekends but further agreed to make sure that the person does a better job of informing patrons to move away from the neighborhood upon exiting, to curb patrons from making noise on the sidewalk and to provide CB2 Man. with a contact name and phone number so that members of the West 12th Street Block Association with complaints could speak directly with the owner about their complaints;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a Renewal of an existing On Premise Liquor License for **Lewek Corp., d/b/a The Cubby Hole, 281 W. 12th St. 10014.**

Vote: Unanimous, with 40 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Susan Wittenberg, *Assistant Secretary*

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June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

21. Kasaka Inc, d/b/a Kasaka, 220 W. 13th St. 10011 (New BW, previously licensed location).

1. Whereas, the applicant appeared before CB2's SLA Licensing committee to present an application for a new restaurant wine license to operate a sushi restaurant on West 13th street within a historic district between 7th Avenue and Greenwich Avenue in a mixed use six story building; and

2. Whereas, the location was previously operated as a Japanese restaurant with a Beer and Wine license only and the applicant further agreed to never seek a full OP license at this particular location; and

3. Whereas, the storefront premises is approximately 800 SF, with a 600 SF cellar for storage purposes only, 2 tables with 8 seats, one sushi counter with 10 seats for a total number of interior patron seats at 18, no stand up bar, there is only one bathroom, there will be no TVs and music will be background only; and

4. Whereas, the hours of operation for the Restaurant will be from 5 PM to 11 PM seven days per week and the premises will operate as a full service sushi restaurant but there will be no sidewalk café, there will be no d.j. or live music, no private parties, there will be no scheduled performances or events with a cover charge; and; and

5. 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 BW license and the stipulations are as follows:

1. The premises will be advertised and operated as a sushi restaurant.

2. The hours of operation for the restaurant will be 5 PM to 11 PM seven days per week.
3. There will no outdoor space and no sidewalk café.
4. No French or accordion style doors will be installed at the premises and the applicant will close all exterior doors or windows by 9 PM every night.
5. Music will be quiet, background level inside the restaurant and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged
6. There will be no televisions and the premises will not operate as a Bar, Tavern or Sports Bar.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a Beer and Wine license to **Kasaka Inc, d/b/a Kasaka, 220 W. 13th St. 10011** **unless** the statements of the applicant as presented to CB2, Man. are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on the Beer and Wine License.

Vote: Unanimous, with 40 Board members in favor.

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



Antony Wong, Treasurer
Keen Berger, Secretary
Susan Wittenberg, Assistant Secretary

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June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

22. S.O. Farms Hospitality Group LLC d/b/a Queens Way, 16-18 Kings St. 10014 (transfer of OP license, New Mekong Rest. lic. #1180262, exp. 10/31/2016; laid over at request of attorney)

1. Whereas, after this month's CB2 SLA Licensing Committee meeting on June 11th, 2015, the principal/applicant and his attorney requested to **layover** and adjourn this application, which is for a transfer of a restaurant on premise license at these premises, and agreed to return and/or resubmit their application for consideration before CB2 Man. SLA Licensing Committee at its regularly scheduled meeting in July/2015 after certain issues were raised during and after the meeting on June 11th, 2015 regarding the applicant's proposed method of operation, the use of an additional doorway not fully described or disclosed to CB2 Man. or the public by the applicant at the meeting, the additional entrance/exit for patrons being on King Street but where the existing entrance to the Mekong restaurant is located on the corner of King and Sixth Avenue, creating confusion and distrust between the applicant and the public; and

2. Whereas, due to the confusion and conflict relating to the additional King Street Entranced not fully disclosed to the Public of CB2 Man., that applicant requested to come back to explain their method of operation relating to the doorway and to not move forward to the SLA until this important issue can be resolved;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any beer and wine or on premise license to **S.O. Farms Hospitality Group LLC d/b/a Queens Way, 16-18 Kings St. 10014** until the applicant has presented their application in front of CB2's SLA Licensing

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

Vote: Unanimous, with 40 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Susan Wittenberg, *Assistant Secretary*

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June 26, 2015

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NY State Liquor Authority
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New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

23. Off Cuts LLC, d/b/a Steakline, 19 Greenwich Ave. 10014 (transfer of OP license, Whitehall NYC LLC lic. #1256879, exp. 10/31/2015).

1. Whereas, the applicant appeared before CB2, Manhattan's SLA Licensing Committee for a transfer of an existing on premise restaurant liquor license to operate a family-friendly full service American Restaurant in a ground floor storefront of a four story mixed use building (circa 1920) in a landmarked historic district on Greenwich Avenue between West 10th Street and Stonewall Place; and

2. Whereas, the premises is located in a 3600 SF space (1800 SF ground level and 1800 SF basement for full service kitchen and storage but not for use by patrons) with 21 tables and 58 seats, 1 Bar with 12 seats for a total interior seating occupancy of 70, two bathrooms and one entrance/exit for patrons; and

3. Whereas, the hours of operation will be from 11 AM to 12:30 AM Sundays through Thursdays and from 11 AM to 2 AM Fridays and Saturdays, all doors and windows will be closed by 9 PM every night except for patron egress, music will be quiet background consisting of music from ipod/cd's; there will be no d.j.s, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes and no movable barriers; and

4. Whereas, there is an existing sidewalk café which will close every evening by 11 PM; and

5. Whereas, the applicant met with the Midwest 10th Street Block Association with respect to its application and agreed upon certain stipulated terms which are, to the most extent, incorporated herein; and

6. Whereas, the applicant executed a stipulations agreement with CB#2 Man. that they agreed would be attached and incorporated in to their method of operation on their On Premise restaurant license with the SLA and those stipulations are as follows:

1. The premises will be advertised and operate as a full service restaurant serving American fare.
2. There will be only one TV and it will not operate as a sports bar, tavern or lounge.
3. The hours of operation will be 11 AM to 12:30 AM Sundays through Thursdays and from 11 AM to 2 AM Fridays and Saturdays.
4. No French or accordion style doors will be installed at the premises and the applicant will close all exterior doors or windows by 9 PM every night.
5. Sidewalk café will close by 11 PM every evening.
6. There will be no dancing, music will be quiet, background only and there will be no d.j.s, live music, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes and no movable barriers.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a Restaurant On Premise Liquor License for **Off Cuts LLC, d/b/a Steakline, 19 Greenwich Ave. 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 its Restaurant On Premise Liquor License.

Vote: Unanimous, with 40 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

24. Food and Fun LLC, 64 Carmine St. 10014 (New OP license, previously licensed location).

1. Whereas, the applicant appeared before CB2, Manhattan's SLA Licensing Committee for the transfer (Oreste, Inc. d/b/a Trattoria Toscana, Exp. 10/31/15) of an on premise restaurant liquor license to operate a full service Restaurant with a focus on Southern cuisine from New Orleans located in the ground floor storefront of a six-story mixed-use building (circa 1900) on Carmine Street within a historic district between Bedford Street and 7th Avenue South; and

2. Whereas, the Zoning is Residential 6 but there is an existing letter of no objection to operate an eating and drinking establishment at this location; and

3. Whereas, the premises is located in a 2,100 SF space (1,300 SF first floor and 800 SF basement for storage purposes only) with 20 tables and 60 seats, 1 Bar with 8 seats for a total seating occupancy of 68, a full service kitchen, two bathrooms and one entrance/exit for patrons, there are existing French doors on the front façade but there will be no sidewalk café or outdoor space; and

4. Whereas, the hours of operation will be from 10 AM to 12 AM Sunday through Wednesday and from 10 AM to 1 AM Thursday through Saturday, all doors and windows will be closed by 9 PM Sunday through Thursday and 10 PM on the weekends, music will be quiet background consisting of music from ipod/cd's; there will be no d.j.s, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes and no movable barriers; and

5. Whereas, the applicant executed a stipulations agreement with CB#2 Man. that they agreed would be attached and incorporated in to their method of operation on their On Premise restaurant license and those stipulations are as follows:

1. The premises will operate as a full service restaurant with a full service kitchen open at all times.
2. There will be only one TV and the premises will not operate as a sports bar, tavern, bar or lounge.
3. The hours of operation will be from 10 AM to 12 AM Sunday through Wednesday and from 10 AM to 1 AM Thursday through Saturday.
4. All existing French doors and all windows will be closed by 9 PM from Sunday through Thursday and by 10 PM Fridays and Saturdays.
5. There will be no all you can drink/all you eat specials.
6. There will be no dancing, music will be quiet, background only and there will be no d.j.s, live music, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes and no movable barriers.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a Restaurant On Premise Liquor License for **Food and Fun LLC, 64 Carmine St. 10014** unless the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on its Restaurant On Premise Liquor License.

Vote: Unanimous, with 40 Board members in favor.

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



Antony Wong, Treasurer
Keen Berger, Secretary
Susan Wittenberg, Assistant Secretary

Community Board No. 2, Manhattan

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June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

25. FiftyOne Merchants LLC, d/b/a Via Carota, 49 Grove St. 10014 Store # 1, 2, & 3
(alteration to add addition Storefront #4, not previously licensed, to existing OP license)

1. Whereas, prior to this month's CB2 SLA Licensing Committee meeting on June 11th, 2015 the principal/applicant requested to lay over the application and did not appear before CB2 Man. for consideration regarding its alteration application and requested to be heard in July/2015; and,

2. Whereas, this application is add an adjacent storefront location to its existing On Premise license and the proposed storefront never previously operated as an eating or drinking established or has been licensed in the past; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any alteration to its On Premise license to **FiftyOne Merchants LLC, d/b/a Via Carota, 49 Grove St. 10014** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 40 Board members in favor.

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



Antony Wong, Treasurer
Keen Berger, Secretary
Susan Wittenberg, Assistant Secretary

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June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

26. SoHo Hotel Owner LLC, 138 Lafayette 10012 (Alteration to existing license, laid over at request of applicant and attorney)

1. Whereas, prior to this month's CB2 SLA Licensing Committee meeting on June 11th, 2015 the principal/applicant requested to layover and adjourn this application to July/2015 and did not appear before CB2 regarding its application; and,

2. Whereas, this application is for an alteration to its existing Beer Wine/On Premise license; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any Beer and Wine or On Premise license to **SoHo Hotel Owner LLC, 138 Lafayette 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 40 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Susan Wittenberg, *Assistant Secretary*

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June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

27. York Food Corp., d/b/a Falucka, 162 Bleecker St. 10012 (Renewal application to existing OP license)

1. Whereas, at the request of CB2 Man., the principal/applicant appeared before CB2 prior to his renewal application on June 11th, 2015 and thereafter, at the meeting, requested to layover and adjourn his renewal application to July/2015 and promised to reappear before CB2 Man. so that he could consult with his attorney and so that he could be more prepared to respond to the inquiries made at this Month's meeting regarding the operator's prior applications to the SLA, certain violations regarding the use of tobacco products within the premises, an insufficient ventilation system within the premises, causing a constructive eviction of a tenant living above the premises from toxic levels of CO2 within the residential apartment and toxic levels within the establishment itself resulting in the NYC Dept. of Health issuing violations against the establishment and in violating its existing/stated method of operation with the SLA to operate as Restaurant when in fact the premises does not have a full service kitchen and has been operating for years as a Houka Bar until 4 AM daily;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any Beer and Wine or On Premise license to **York Food Corp., d/b/a Falucka, 162 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 40 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Susan Wittenberg, *Assistant Secretary*

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June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

28. 22 Howard Street F&B LLC, d/b/a Smile To Go, 22 Howard St. 10013 (RW laid over at request of applicant, previously unlicensed location)

1. Whereas, prior to this month's CB2 SLA Licensing Committee meeting on June 11th, 2015, the principal/applicant requested to **layover** this application from consideration and did not appear before CB2 regarding its application; and,

2. Whereas, this application is for a new Beer and Wine license in a previously unlicensed location;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed Beer and Wine or On Premise license to **22 Howard Street F&B LLC, d/b/a Smile To Go, 22 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 40 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

29. Dumpling 516 Hudson NY, Inc., 516 Hudson St. 10014 (RW, withdrawn from consideration)

1. Whereas, prior to this month's CB2 SLA Licensing Committee meeting on June 11th, 2015, the principal/applicant requested to **withdraw** this application from consideration and did not appear before CB2 regarding its application; and,

2. Whereas, this application was for a new Beer and Wine license;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed alteration to the Beer and Wine or On Premise license to **Lihou LLC, 160-162 Prince St. 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 40 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Susan Wittenberg, *Assistant Secretary*

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June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

30. NY Piada Inc, 15 Eighth Ave. 10014 (New RW, laid over at request of attorney)

1. Whereas, prior to this month's CB2 SLA Licensing Committee meeting on June 11th, 2015, the principal/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 should they proceed with this application from consideration and did not appear before CB2 regarding its application;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any beer and wine or on premise license to **NY Piada Inc, 15 Eighth Ave. 10014** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 40 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Susan Wittenberg, *Assistant Secretary*

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June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

31. Minerva Hospitality Grove Ltd., Minerva, 302-304 W. 4th St. 10014 (Resubmission of BW license, but failed to Appear)

1. Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 11, 2015, the principal, Chrysalis Coutino-Kinsella failed to appear on this application for a beer and wine license; and

2. Whereas, this application is a resubmission of the initial application for a Restaurant Wine license that was previously presented before CB2, Manhattan in January/2015, but "while the initial Application was pending, but before its issuance, a Notice of Violation was served upon the applicant, on March 23, 2015, for the sale of an alcoholic beverage upon the premises, when the applicant did not possess a liquor license" (Case 103908 & 104664); and as a result, the Liquor Authority subsequently disapproved the pending January/2015 Application; and

3. Whereas, the applicant also owns an adjacent storefront business with a BW license, had wine on its menu and would have its employees obtain Wine from the adjacent storefront premises and bring it over to the unlicensed café/restaurant to serve patrons; and

3. Whereas, while the disciplinary proceeding in connection with the unlicensed sale is being addressed the Liquor Authority rules permit **a resubmission** of a new application, which was the application currently before CB2, Man.; and,

4. Whereas, the applicant's representative and Business Manager, Matthew Paratore, appeared before CB#2 Man.'s SLA Committee in May/2015 for the resubmission application but was unable to answer many of the questions posed by the Committee in a credible manner as to underlying facts of the illegal sale, the frequency of other illegal sales at the premises or the investigation conducted by the SLA, unjustly attempting to blame an employee working at the café/restaurant or accusing the SLA investigator of certain overzealous conduct; and

5. Whereas, after an adjacent resident neighbor also appeared at the May/2015 CB#2 Committee meeting to voice concerns regarding the applicants failure to redesign and properly install a HVAC system leading from the eating and drinking establishment to the rear yard and rooftop of the adjacent residential building creating an on-going disturbance, the applicant's (above-referenced) business manager requested and agreed to **layover** the application to June/2015 so that he could ameliorate and remedy that on-going problem and promised/agreed to reappear and return to CB#2 to report that this problem had been resolved; and

6. Whereas, two other neighbors appeared to oppose the existing application at the June 11, 2015 CB2 Committee Meeting, affirming that the owner/operator and applicant had made no attempt to remedy the HVAC problems and to also reiterate certain dangers associated with a sidewalk hatch, that the operator currently uses daily and which hatch is open all day and night when the café/restaurant is operating because it is the only means of egress/access for employees of the business to prepare certain foods in the cellar for service inside the groundfloor café/restaurant to patrons, that the open hatch is a dangerous condition, that one of the neighbors personally observed a person fall into the open hatch and that the open hatch causing patrons to smoke their cigarettes and hang out directly in front of the adjacent residential building disturbing residents therein because the open hatch takes up a large portion of the front façade and public sidewalk in front of the existing establishment;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed 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 **Minerva Hospitality Grove Ltd., Minerva, 302-304 W. 4th St. 10014** **until** the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 40 Board members in favor.

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



Antony Wong, Treasurer
Keen Berger, Secretary
Susan Wittenberg, Assistant Secretary

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June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

32. Prime 135 NYC LLC, d/b/a Prime 135, 135 7th Ave. S. 10014 (upgrade to full OP, withdrawn)

1. Whereas, prior to this month's CB2 SLA Licensing Committee meeting on June 11th, 2015, the applicant's attorney requested to **withdraw** this application for an upgrade to a full on premise license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed On Premise license to **Prime 135 NYC LLC, d/b/a Prime 135, 135 7th Ave. S. 10014** should this application proceed directly to the SLA.

Vote: Unanimous, with 40 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Susan Wittenberg, *Assistant Secretary*

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June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

33. Infinity Restaurant Group, 45 W. 8th St. 10011 (New OP, layover)

1. Whereas, prior to this month's CB2 SLA Licensing Committee meeting on June 11th, 2015, the principal/applicant requested to layover this application for an on premise license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed with this application from consideration and did not appear before CB2 regarding its application;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed On Premise license to **Infinity Restaurant Group, 45 W. 8th St. 10011** should this application proceed directly to the SLA.

Vote: Unanimous, with 40 Board members in favor.

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



Antony Wong, Treasurer
Keen Berger, Secretary
Susan Wittenberg, Assistant Secretary

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June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

34. 13 8th Ave. (TBD), 13 8th Ave. 10014 (New OP, withdrawn)

1. Whereas, prior to this month's CB2 SLA Licensing Committee meeting on June 11th, 2015, the applicant's attorney requested to **withdraw** this application for an on premise license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed On Premise license to **Prime 135 NYC LLC, d/b/a Prime 135, 135 7th Ave. S. 10014** should this application proceed directly to the SLA.

Vote: Unanimous, with 40 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Susan Wittenberg, *Assistant Secretary*

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June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

35. Piccolo W.V. LLC, 57 7th Ave S. 10011 (transfer of license, laid over at request of attorney)

1. Whereas, prior to this month's CB2 SLA Licensing Committee meeting on June 11th, 2015, the principal/applicant requested to **layover** this application for a transfer of an existing on premise license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed with this application from consideration and did not appear before CB2 regarding its application;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any beer and wine or on premise license to **Piccolo W.V. LLC, 57 7th Ave S. 10011** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 40 Board members in favor.

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



Antony Wong, Treasurer
Keen Berger, Secretary
Susan Wittenberg, Assistant Secretary

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June 26, 2015

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

Dear Sir/Madam:

At its Full Board meeting on June 18, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

36. Bocca Di Bacco Meatpacking District, Inc., d/b/a Bocca Di Bacco, 1-3-5 Little West 12th St. 10014 (New OP, withdrawn)

1. Whereas, prior to this month's CB2 SLA Licensing Committee meeting on June 11th, 2015, the applicant's attorney requested to **withdraw** this application for an on premise license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed On Premise license to **Bocca Di Bacco Meatpacking District Inc., d/b/a Bocca Di Bacco, 1-3-5 Little West 12th St. 10014** should this application proceed directly to the SLA.

Vote: Unanimous, with 40 Board members in favor.

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

Sincerely,



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



Tobi Bergman, Chair
Community Board #2, Manhattan



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

TB/fa

cc: Hon. Jerrold L. Nadler, Congressman
Hon. Nydia Velasquez, Congresswoman
Hon. Sheldon Silver, NY State Assembly Member
Hon. Deborah J. Glick, NY State Assembly Member
Hon. Brad Hoylman, NY State Senator
Hon. Daniel L. Squadron, NY State Senator
Hon. Gale Brewer, Man. Borough President
Hon. Corey Johnson, Council Member
Hon. Margaret Chin, Council Member
Hon. Rosie Mendez, Council Member
Pauline Yu, CAU
Kerri O'Brien, Deputy Commissioner of Licensing NY State Liquor Authority
Michael Jones, Deputy Chief Executive Officer, NY State Liquor Authority
SLA Examiners