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Daniel Miller, *First Vice Chair*
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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 30, 2017

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

Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

- 1. 153 Elizabeth Hotel, LLC and Blue Bell Restaurant, d/b/a The Nolitan, 153 Elizabeth St. aka 40 Kenmare St. 10012** (OP Alteration – Hotel, Adding existing Ground Floor Restaurant and Sidewalk Café to Hotel License).
- A. Whereas**, the Applicant and his Representative appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an alteration application for an existing Hotel license SN# 1232135 in that the Hotel operator seeks to take back the restaurant space on the ground floor within an eight story Hotel on the corner of Elizabeth and Kenmare Streets (Circa 2006); and
- B. Whereas**, this Hotel operator (“The Nolitan”) previously operated a French restaurant (“Cantine Parisienne”) with an on premise license at these premises until 2016 when the license was transferred to another business (The Food Commission LLC d/b/a “Bread”) in the same ground floor storefront; and
- C. Whereas**, Bread recently closed and left the space so the Hotel is seeking to take back the space within its existing license and again operate within the same space with the same method of operation as a full service restaurant; and
- D. Whereas**, the existing storefront has fixed windows that do not open and the interior premises consists of an approximately 1,800 SF space (ground floor and cellar), with 18 interior tables with 52 interior patron seats, 1 bar with 9 patron seats, there will continue to be no TVs, three bathrooms and music will be background only; and

D. Whereas, the hours of operation for the Restaurant will continue to be from 7:00 AM to 12:00 AM Sunday through Thursday and from 7:00 AM to 1:00 AM Fridays and Saturdays, the premises will continue to operate as a full service restaurant, 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

E. Whereas, even though the Hotel did not previously operate a sidewalk café, the applicant proposes to operate such a café over the public sidewalk (similar to Bread) in front of the premises with 42 seats covering approximately 470 S.f. of the public sidewalk that will close by 10 PM every night; and

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

1. The premises will continue to be advertised and operated as a full service restaurant with a full service kitchen.
2. The interior hours of operation for the restaurant will be from 7:00 AM to 12:00 AM Sunday through Thursday and from 7:00 AM to 1:00 AM Fridays and Saturdays.
3. There will be no outdoor areas other than the licensed sidewalk café located on the public sidewalk directly in front of the premises.
4. There will only be table service to the sidewalk café and the sidewalk café will close by 10 PM every night.
5. No French or accordion style doors or windows will be installed at the premises and the applicant will close all doors by 10 PM every night.
6. Music will be quiet, background level inside the restaurant and there will be no live music, djs, promoted events, scheduled performances or any events for which a cover fee is charged
7. There will be two small televisions but the premises will never operate as a Bar, Tavern or Sports Bar.
8. There will be no dancing.
9. There will be no boozy brunches or unlimited all you can eat/all you can drink specials.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an alteration application to an existing on premise license to **153 Elizabeth Hotel, LLC and Blue Bell Restaurant, d/b/a The Nolitan, 153 Elizabeth St. aka 40 Kenmare 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 On Premise License.

Vote: Passed, with 35 Board members in favor, and 1 in opposition (A. Wong).

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

Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

2. Genuine Grand St. NYC, LLC, d/b/a Genuine Superette, 191 Grand St. 10013 (OP – Restaurant) (OP – Alteration Application)

A. Whereas, the applicant appeared before CB2's SLA Committee for the purpose of seeking an alteration to an existing liquor license to change its floor layout, lowering the height of its seating, changing its food menu, removing its sidewalk café and adding 6-7 bar stools to its first floor stand up bar within its existing premises while continuing to operate a restaurant with the same method of operation serving American/Italian fare, the applicant originally appearing before CB2 Manhattan in December/2014 seeking its on premise license in a previously licensed (Italian restaurant known as Novella) location subject to a stipulations agreement which remains in place, in a 2428 sf storefront premises (1080 sf ground floor and 1348 sf basement) within a 6 story mixed use building (circa 1939) at the corner of Grand and Mulberry Streets; and

B. Whereas, there will be one entrance for patrons, two bathrooms, there will be 19 tables with 65 seats, 2 bars with 18 seats for a total of 83 seats inside; there will be no sidewalk café or other outdoor areas for service to patrons, there are no operable windows or doors to the front façade; and

C. Whereas, the hours of operation for the premises will continue to be from 9 AM to 12 AM Sunday through Tuesday, from 9 AM to 1 AM on Wednesdays and from 9 AM to 2 am Thursday through Saturday, 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, no velvet ropes, no movable barriers; and,

D. Whereas, the applicant executed a stipulations agreement with CB2, Man. that they agreed would be attached and incorporated in to their method of operation on their 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.
2. Will operate from 9 AM to 12 AM Sunday through Tuesday, from 9 AM to 1 AM on Wednesdays and from 9 AM to 2 AM Thursday through Saturday.
3. There will be no live music, djs, promoted events, scheduled performances or any events for which a cover fee is charged.
4. Will operate only one business at the premises using only one d/b/a name.
5. Occupancy will be no greater than 83 patrons.
6. There will be no sidewalk café.
7. There will be no TVs and 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.
8. The operator will not install French doors, operable windows or open facades and will keep its existing doors closed at all times.
9. There will be one entrance/exit for patrons.
10. There will be no all you can eat/drink specials or “boozy brunches”; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an alteration to an existing OP license to **Genuine Grand St., LLC d/b/a Genuine Roadside, 191 Grand St. 10013** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” for the OP License.

Vote: Unanimous, with 36 Board members in favor.

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Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

3. Dean & DeLuca New York, Inc., d/b/a Dean & DeLuca, 560 Broadway 10012 (RW – Market Store—Class Change from Grocery Beer to Beer/Wine)

A. Whereas, the applicant and his attorney appeared before Community Board 2, Manhattan's SLA Licensing Committee to present an application to the Liquor Authority for a change in license class from Grocery Beer license to Tavern Wine license for the purpose of continuing to operate a high end Grocery Store within a ground floor storefront located in a six-story commercial use building on Broadway between Prince and Spring Streets in Soho; and,

B. Whereas, the existing operator is seeking to promote wine tastings and to offer wine over the counter to customers café style with 4 tables and 16 seats within one section of a large grocery store, the grocery store being 9,000 SF, there being a patron bathroom for customers in the basement and a certificate of occupancy permitting retail use and occupancy; and,

C. Whereas, there will be no sidewalk café and no other outdoor areas for service to patrons, there will be no operable windows or doors that open out to the sidewalk, the hours of operation for the will be consistent with the hours of the grocery store, from 8 AM to 9 PM Sundays and Saturdays and from 7 AM to 9 PM Monday through Friday, there will be no TVs, music will be quiet background only consisting of music from ipod/cds (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; and,

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

1. The premises will be advertised and operated as a Grocery Store.
2. The hours of operation will be from 8 AM to 9 PM Sundays and Saturdays and from 7 AM to 9 PM Monday through Friday.
3. The premises will not operate as a sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will have no televisions.
5. The premises will not permit dancing.
6. The premises will play quiet ambient recorded background music only.
7. The premises will not have DJs, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
8. The operator will not install French doors, operable windows or open facades and will close at existing doors and windows at all times.
9. There will be no all you can eat/drink specials; and

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

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the Restaurant Wine application to **Dean & DeLuca New York, Inc., d/b/a Dean & DeLuca, 560 Broadway 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 Tavern Wine License.

Vote: Unanimous, with 36 Board members in favor.

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317 Lenox Avenue
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Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

4. Let's East Cantina, d/b/a Pepe Rosso Cantina, 173 Mott St. Basement 10013 (Class Change/Upgrade to On Premise from Tavern Wine)

A. Whereas, the applicant has operated a full service Italian restaurant Pepe Rosso Social on the ground floor (Lic. #1283300) and has also operated a small café in the basement in the same six story mixed use building but which has a separate entrance down to the basement from the street, and like the ground floor restaurant will be for serving Italian fare from the restaurant in the basement premises on Mott Street between Broome and Grand Streets; and

B. Whereas, the applicant has no plans to alter or modify/renovate the existing basement premises which previously operated with a tavern wine license since 2014, the licensee having presented a Letter of No Objection from the NYC Dept. of Building permitting eating and drinking in the basement premises with the licensee repeatedly agreeing and affirmatively stating that he has no intention of operating the premises as a bar or tavern but rather solely in conjunction with the existing Restaurant; and

C. Whereas, the total basement premises is 1,200 s.f., there will be 4 tables and 40 seats and 1 bar with four seats for a proposed occupancy of 44 patrons, no TVs, with background (quiet) music only, no sidewalk café or outdoor garden, the hours of operation will be the same as the first floor Restaurant, from 11 am to 11 pm from Sunday to Wednesday and from 11 am to 12 am on Thursdays through Saturdays; and

D. Whereas, the applicant previously executed a stipulations agreement with CB2, Man. in Nov./2014 when it applied for its Tavern Wine license at the same premises and those stipulations incorporated into their method of operation on their TW license were as follows:

1. Basement premises will be advertised and operated as a full service Restaurant serving Italian food consistent with and in conjunction with the ground floor storefront restaurant.
2. Will not operate a sidewalk café or outdoor garden.
3. Will operate Sunday to Wednesday and from 11 am to 11 am and from Thursday through Saturday from 11 am to 12 am.
4. There will no TVs.
5. Will not seek to upgrade to full OP license class.
6. Will not be operated as a bar or tavern.
7. All doors and windows will be closed at all times.
8. Music will be quiet, background level inside restaurant only and there will be no live music, djs, promoted events, scheduled performances or any events for which a cover fee is charged.

E. Whereas, the Licensee has no plans to alter its current method of operation, the current Restaurant operating with fixed windows, no outdoor uses or sidewalk café, the hours of operation being reasonable, neighborly and consistent with the operation of a restaurant in the mixed use neighborhood, the current operations with the proposed, agreed upon stipulations and method of operation establishing the threshold public interest standard; and

F. Whereas, this upgrade application being subject to the 500 ft. rule, there being an existing and significant saturation of liquor licenses in the area with 20 On Premise licenses within 500 ft. of the premises and there being 48 On Premise licenses within 750 ft. of the premises; and

G. Whereas, the licensee agreed to a new set of stipulations for the basement premises with the same or similar terms and conditions as previously agreed to in 2014, to be, once more, incorporated on its On Premise license and those stipulations/conditions are as follows:

1. The basement premises will be advertised and operated as a full service Restaurant serving Italian food consistent with and in conjunction with the ground floor storefront restaurant.
2. The hours of operation will be Sunday to Wednesday and from 11 am to 11 am and from Thursday through Saturday from 11 am to 12 am.
3. The premises will have no televisions and will not operate as a lounge, bar or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not permit dancing.
5. The premises will play quiet ambient, recorded background music only.
6. There will be no sidewalk café, no backyard garden or any outdoor service
7. The premises will not have DJs, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
8. The operator will not install French doors, operable windows or open facades and will close at existing doors and windows at all times.
9. There will be no all you can eat/drink specials; and

H. Whereas, two members of the Community representing the Chinatown Head Start Program, a preschool program located across the Street and in the adjacent block, appeared in opposition, presenting a petition against the application with the signatures of 100 parents with children in the preschool, citing an increase in noise, traffic, garbage, congestion and air pollution in the neighborhood

but speaking in general terms about an over saturation of liquor licenses but not making specific comments about the Licensee's prior operations at these premises or the specific impacts the existing operations on the immediate neighborhood; and

I. Whereas, the Chinatown Head Start Program further asserted that these basement premises were located within 200 feet of the Head Start Preschool and within 200 feet of two Churches (Most Holy Crucifix Church at 378 Broome Street and the Holy Trinity Ukrainian Orthodox Cathedral at 359 Broome Street), the Churches however being located not on the same block or Avenue of each of the two Churches;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an On Premise license to **Lets Eat Cantina, d/b/a Pepe Rosso Cantina Basement, 173 Mott St., 10013** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on the OP License; and

THEREFORE BE IT FURTHER RESOLVED that CB2, Man. recommends the New York State Liquor Authority conduct an investigation to determine whether the Head Start Program occupies the entire building at 180 Mott Street and does so exclusively as a School so as to establish a prohibition for the licensing of the premises at 173 Mott Street pursuant to the 200 Foot Rule.

Vote: Unanimous with 36 Board members in favor.

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Director
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Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

5. Buona Notte Restaurant, Inc., d/b/a Buona Notte, 120 Mulberry St. 10013 (Restaurant On Premise—Transfer of Assets to New Owners)

A. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present a transfer of an existing On Premise liquor license application to the Liquor Authority with the plan of continuing to operate a full service Italian Restaurant with the existing method of operation within a ground floor storefront located in a 5-story mixed-use building (Circa 1910) located on Mulberry Street between Hester and Canal Streets in Little Italy; and,

B. Whereas, the premises was previously operated as the Buona Notte Restaurant (Lic. #1025256) with an on premise license since 1999 and there will be no renovations or changes to the interior of the premises or the existing method of operation of the business as a full service restaurant with a full service kitchen; and,

C. Whereas, the storefront premises is approximately 3,500 Sq. ft. (2,500 sq. ft. ground floor and 1,000 sq. ft. basement for storage only), one entrance for patrons, one service bar with no patron seats, 14 interior tables with 56 interior patron table seats for a total interior patron seating capacity of 56, there is an existing sidewalk café with 6 tables and 12 seats, and an existing backyard garden with 4 tables and 12 patron seats; and,

D. Whereas, the interior hours of operation will continue to be from 11 AM to 12 AM Sunday through Saturday, the sidewalk café will close by 10 PM Sunday through Thursday and 11 PM Fridays and Saturdays, the rear yard will be for dining only and close at 10 PM every evening, there are two TVs, music will be quiet background for the interior premises and there will be no music in the exterior areas, the interior only music 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 evening, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

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

1. The premises will be advertised and operated as a full service Italian Restaurant.
2. The hours of operation will be from 11 AM to 12 AM Sunday through Saturday.
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will have two televisions only.
5. The premises will not permit dancing.
6. The backyard garden will close by 10 PM every night.
7. The sidewalk cafe will close by 10 PM Sunday through Thursday and 11 PM on Fridays and Saturdays.
8. The interior premises will play quiet ambient recorded background music only.
9. The premises will not have DJs, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. All doors and windows will be closed by 9PM every night.
11. There will be no all you can eat/drink specials or boozy brunches; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the On Premise transfer application to **Buona Notte Restaurant, Inc., d/b/a Buona Notte, 120 Mulberry St. 10013** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on the Restaurant On Premise License.

Vote: Unanimous, with 36 Board members in favor.

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Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

6. 9 Crosby, LLC & Interstate Management Company LLC, d/b/a Nomo Soho, 9 Crosby St. 10013 (OP Alteration Hotel—layover requested prior to meeting)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 13, 2017, the Applicant request to layover its application and presentation before CB2 Man. to July/2017;

THEREFORE BE IT RESOLVED that CB#, 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 **9 Crosby, LLC & Interstate Management Company, LLC, d/b/a Nomo Soho, 9 Crosby St. 10013** **until** the Applicant has properly presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

7. Mott Street Baking Company, LLC, d/b/a Little Cupcake Bake Shop, 30 Prince St. 10012
(TW – layover requested at meeting)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 13, 2017, the Applicant was not prepared to present his application and requested to lay over this application for a Tavern Wine license to July/2017;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Mott Street Baking Company, LLC, d/b/a Little Cupcake Bake Shop, 30 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 36 Board members in favor.

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Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

8. Entity to be formed by Laurent Francois, d/b/a Botanicus Grand, 127 Grand St. 10013 (Restaurant Wine—laid over at request of Applicant).

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 13, 2017, the Applicant requested to lay over this application for an on premise license to July/2017;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Entity to be formed by Laurent Francois, d/b/a Botanicus Grand, 127 Grand St. 10013** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

9. Greek Natural Foods, LLC, d/b/a Greecologies, 379 Broome St. 10013 (Restaurant Wine — Withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 13, 2017, the Applicant requested to withdraw this application from further consideration and will not move forward with the application to the New York State Liquor Authority;

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

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



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

Community Board No. 2, Manhattan

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June 30, 2017

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

Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

10. 123 McDougal Street Pizza Corp., d/b/a Ben's Pizzeria, 123 MacDougal St. aka 119 MacDougal St. 10012 (Beer & Cider for Pizzeria—Applicant failed to appear)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 13, 2017, the Applicant failed to appear or provide any information as to their absence before CB2 Manhattan for a Cedar and Beer license to operate a pizzeria;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **123 McDougal Street Pizza Corp., d/b/a Ben's Pizzeria, 123 MacDougal St. aka 119 MacDougal St. 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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June 30, 2017

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

Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

11. Vittorio Assaf, d/b/a Serafina, 406 Broome St. 10012 (OP – Restaurant) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 13, 2017, the Applicant requested to lay over this application for an on premise license to July/2017;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Vittorio Assaf, d/b/a Serafina, 406 Broome St. 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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June 30, 2017

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

Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

12. FT 328, LLC, d/b/a Bar Veloce, 328 W. 12th St. 10014 (OP – Bar/Tavern Laid over at Meeting at Request of Applicant)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 13, 2017, the Applicant requested that this application be laid over to July/2017;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **FT 328, LLC, d/b/a Bar Veloce, 328 W. 12th St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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June 30, 2017

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

Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

13. Entity to be formed by Laurent Francois, d/b/a Botanicus Grand, 127 Grand St. 10013 (Restaurant Wine—laid over at request of Applicant).

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 13, 2017, the Applicant requested to lay over this application for an on premise license to July/2017;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Entity to be formed by Laurent Francois, d/b/a Botanicus Grand, 127 Grand St. 10013** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



Antony Wong, *Treasurer*
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June 30, 2017

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

Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

14. Svetlana Sky or Corp. to be formed, d/b/a Fork and Parrot, 519 Broome St. 10013 (OP – Previously Unlicensed - includes Live Music and Outdoor Seating—laid over at request of Applicant).

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 13, 2017, the Applicant requested to lay over this application for an on premise license to July/2017;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Svetlana Sky or Corp. to be formed, d/b/a Fork and Parrot, 519 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 36 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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June 30, 2017

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

Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

15. The Wing Soho, LLC, d/b/a The Wing, 52 Mercer St. aka 477 Broadway 10013 (OP – Work-share Space with Café on 5th floor – Layover at request of applicant)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 13, 2017, the Applicant requested that this application be laid over to July/2017;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **The Wing Soho, LLC, d/b/a The Wing, 52 Mercer St. aka 477 Broadway 10013** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



Antony Wong, *Treasurer*
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June 30, 2017

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

Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

16. The Wing Soho, LLC, d/b/a The Wing, 52 Mercer St. aka 477 Broadway 10013 (OP – Work-share Space with Café on 5th floor – Layover at request of applicant)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 13, 2017, the Applicant requested that this application be laid over to July/2017;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **The Wing Soho, LLC, d/b/a The Wing, 52 Mercer St. aka 477 Broadway 10013** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



Antony Wong, *Treasurer*
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June 30, 2017

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

Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

17. 135 Tart, LLC, d/b/a Once Upon a Tart, 135 Sullivan St. South Store 10012 (OP – Previously Unlicensed—laid over at request of Applicant).

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 13, 2017, the Applicant requested to lay over this application for an on premise license to July/2017;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **135 Tart, LLC, d/b/a Once Upon a Tart, 135 Sullivan St. South Store 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



Antony Wong, *Treasurer*
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June 30, 2017

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

Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

18. George Marcel, LLC, d/b/a Perla, 234 W. 4th St. 10014 (OP – Restaurant alteration)

i. Whereas, the Licensee and his attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an alteration application to the Liquor Authority for a currently licensed premises for George Marcel, LLC d/b/a Perla Serial Number 1291243 to **(1)** make physical changes to the licensed premises which have already been completed to relocate the bar inside the premises due to plumbing limitations, **(2)** extend the hours of operation to opening at 8AM to incorporate a breakfast seating, and **(3)** to change from an Italian restaurant to a new American seasonal restaurant focusing on a more causal method of operation with lower price points; and,

ii. Whereas, the application was original presented to CB2, Man. in December 2015 and an extensive resolution covering the various aspects of this application was provided to the Liquor Authority including a list of detailed stipulations which the applicant had agreed to; and,

iii. Whereas, in December 2015 there was significant community opposition to this application, but many of those who appeared in opposition in December 2015 appeared in June 2017 in support, stating that the applicant had adhered to his stipulations and was operating **this** location in the manner which he had promised; and,

iv. Whereas, the Applicant executed an updated stipulations agreement with CB2, Man. (changes in italics) that they agreed to submit to the SLA and agreed would be attached and incorporated in to the method of operation for the restaurant on-premise liquor license reflecting the changes in this alteration application:

1. The establishment will be advertised and operated as a *seasonal new American restaurant*.
2. The hours of operation of the premises will be from 8AM to 12AM 7 days a week. All patrons will be cleared from the premises and no patrons will remain after stated closing time
3. The kitchen will remain open and the full food menu will be available until closing time.
4. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
5. The premises will not have televisions. There will be no projectors.
6. The premises will not permit dancing.
7. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a DCA Licensed sidewalk café.
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. The premises will not have DJs, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. The licensee will obtain all required certificates, permits and related documents and will keep current all certificates, permits and related documents.
11. All doors and windows will be closed at 9PM every night and anytime there is amplified music. All doors will remain closed after 9 pm except for patron ingress and egress.
12. The premises and all mechanicals will comply with all NYC Noise Codes at all times.
13. The licensee will install Landmark’s approved awnings subject to approval from the landlord and relevant City Agencies.
14. The licensee will post a “Please be considerate of our neighbors” style sign that is visible to patrons both entering and exiting the premises.
15. There will be no discounting from full price of any alcohol for “happy hour”.
16. The licensee will install an upgraded air-conditioning system in consultation with an HVAC specialist that is capable of adequately cooling the premises without the need to open any windows for ventilation. Any new air conditioning or mechanicals will comply with all NYC Noise codes.
17. There will be no A-frames, sandwich boards or other sidewalk obstructions utilized by the premises.
18. No Staff members will serve patrons on the sidewalk, from the sidewalk or through any windows at anytime.
19. A portion of the Maitre D’s job responsibilities will include managing patrons in the immediate exterior sidewalk area outside the premises.
20. There will be no velvet ropes, barricades, planters or other sidewalk obstructions used to control patrons.
21. *The alteration application presented in June 2017 includes presenting plans for physical changes which have been made that include a modification of the existing standup bar to rotate and move away from the windows along West 4th St. due to limitations from plumbing configurations as indicated on diagrams and for future changes to expand the hours of operation to include a breakfast seating (no later hours of service) and to change from an Italian restaurant to a new American seasonal restaurant and to focus on a more casual method of operation with lower price points.*

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the alteration application for the existing restaurant on-premise liquor license serial # 1291243 for **George Marcel, LLC, d/b/a Perla, 234 W. 4th St. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 36 Board members in favor.

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



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

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June 30, 2017

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

Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

19. Simo Pizza, LLC, 90-92 Gansevoort St. 10014 (New RW – Restaurant, prev. unlicensed)

i. Whereas, the applicant and his representative appeared before Community Board 2, Manhattan's SLA Licensing Committee #2 to present an application to the Liquor Authority for a new restaurant wine license for a specialty pizza restaurant serving pizza by the pie; and,

ii. Whereas, the premises is a previously unlicensed location in a mixed-use commercial/residential building located on the ground floor on Gansevoort Street between Washington St. and Tenth Avenue, it is a roughly 1,184 sq. ft. premise, there will be 23 tables and 49 seats, there is no standup bar, there will 1 service bar, no sidewalk café is included with this application; the applicant presented a temporary certificate of occupancy which they represented would be kept current going forward; and,

iii. Whereas, the hours of operation will be 11AM to 12AM 7 days a week (no patrons will remain after closing time), all doors will be closed by 10PM daily, all windows will be closed at all times as there will be no operable facades, music will be quiet background only consisting of music from ipod/cds (i.e. no active manipulation of music – only passive prearranged music), there will be no dj, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

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

1. Premise will be advertised and operated as a specialty pizza restaurant.

2. The hours of operation will be from 11AM to 12AM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only on the interior. All music levels and volumes will at all times comply with all New York City Laws and Regulations and will not be audible in adjacent residences at anytime.
8. The premises will not have DJs, live music, cover charges or promoted events.
9. The premises will close all doors & windows at 10PM every night and anytime there is amplified music.
10. The premises will not have French doors, operable windows or open facades and will close all doors by 10PM every night.
11. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
13. No sidewalk café is included in this application.
14. The Licensee will meet with residents of 95 Horatio St if there are any issues to resolve from complaints.

v. Whereas, the Principles also operate another restaurant within CB2, Man., Rossopomodoro located at 118 Greenwich Ave; a petition in support was presented; there were some concerns voiced a lack of community outreach, in particular to local residents and residents of 95 Horatio Street, local community groups were not contacted, several local residents appeared with concerns which the applicant was able to address and they agreed to meet with any residents who live above should any issues arise to resolve their complaints; and,

vi. Whereas, there are currently approximately 20 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 on restaurant wine license for **Simo Pizza, LLC, 90-92 Gansevoort St. 10014** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 36 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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June 30, 2017

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

Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

20. 632 Below, LLC, d/b/a 632 Below, 632 Hudson St. 10014 (OP – Catering Hall)(Remove Basement from license)

Whereas, after appearing before CB2 Manhattan's SLA Licensing Committee #2 Meeting on June 15th, 2017, the Applicant 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 prior to any filings with the SLA should they proceed; and

Whereas, prior to consideration by the Full Board of CB2, Man. but after appearing before the Committee, CB2 Manhattan's SLA Licensing Committee #2 had voted to recommend denying this application 6-1;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **632 Below, LLC, d/b/a 632 Below, 632 Hudson St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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June 30, 2017

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

Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

21. Maisie Below, Inc., d/b/a N/A, 632 Hudson St. 10014 (OP – New Tavern in what is currently basement of Catering Hall)

Whereas, after appearing before CB2 Manhattan's SLA Licensing Committee #2 Meeting on June 15th, 2017, the Applicant 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 prior to any filings with the SLA should they proceed; and

Whereas, prior to consideration by the Full Board of CB2 Manhattan but after appearing before the Committee, CB2 Manhattan's SLA Licensing Committee #2 had voted to recommend denying this application 6-1;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Maisie Below, Inc., d/b/a N/A, 632 Hudson St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



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

Community Board No. 2, Manhattan

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June 30, 2017

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

Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

22. Sushi on West 10th Street, LLC (Entity to be formed by Derek Feldman), d/b/a N/A, 210 W. 10th St. 10014 (New RW – Restaurant, previously unlicensed location)

i. Whereas, the Applicant and representative appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new restaurant wine license for a high end omakase sushi establishment with 30 to 60 minute seating's serving sake and beer; and,

ii. Whereas, this application is for a new restaurant wine license located in a mixed-use building located on the ground floor and basement on West 10th Street between West 4th Street and Bleeker Street for a roughly 1,000 sq. ft. premise (500 sq. ft. ground floor patron use, 500 sq. ft. accessory basement, no patron use) with 1 tables and 2 seats and 1 bar/sushi bar/eating counter with 10 seats, there is no sidewalk café and there are no other outdoor areas for patrons, and no benches on the sidewalk, there is no existing certificate of occupancy for the building; this building has multiple existing ground floor uses; no letter of no objection pertaining to this specific location within the building was presented; the applicant agreed to present a new letter of no objection dated after June 15th, 2017 for this specific location within the building; and,

iii. Whereas, the hours of operation will be 12AM to 11PM 7 days a week, all patrons will be cleared and no patrons will remain after stated closing times, music will be quiet background only consisting of music from ipod/cds (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at all times except for patron ingress and egress, there will be no dj, no promoted events, no private parties, no scheduled performances or cover fees, there will be no TV's, there will be no use by patrons of the basement; and,

iv. Whereas, the Applicant agreed to execute 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. Premise will be advertised and operated as a high-end Japanese omakase sushi restaurant with 30-60 minute seating's.
2. The hours of operation will be from 12AM to 11PM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a "lounge", tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only on the interior. All music levels and volumes will at all times comply with all New York City Laws and Regulations and will not be audible in adjacent residences at anytime.
8. The premises will not have DJs, live music, cover charges or promoted events.
9. The premises will close all doors & windows at 9PM every night and anytime there is amplified music.
10. The premises will not have French doors, operable windows or open facades and will close all doors by 9PM every night.
11. Will not have unlimited drink or unlimited food & drink specials. Will not have "boozy brunches". No pitchers of beer.
12. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.
13. Will post a "please be considerate to neighbors" style sign in window.
14. Premises will be reservation only – if there are walk-ins, will take phone number and text when seating available or equivalent so there are no patron lines or congregating on sidewalk.
15. Applicant will obtain a new updated letter of no objection that is dated after June 15th, 2017. This Location has never previously been used as an eating and drinking premise.
16. No sidewalk café is included in this application.

vi. Whereas, the Applicants have been operating a smaller somewhat comparable variation of this concept for about a year called Sushi on Jones located in an outdoor food market located within CB2, Man. on the Northwest corner of Great Jones St. and Bowery which does not serve any alcohol, beer or wine, they explained that at this location on West 10th St. seatings are only 30 to 60 minutes long, are by reservation only, communications regarding reservations are handled by text/electronic means and as a result there are no waiting patrons, the premises will never use outdoor benches; and,

vii. Whereas, the applicant presented a petition in support; and,

viii. Whereas, a few residents appeared and spoke in opposition stating that this is another previously unlicensed location which is becoming an eating and drinking use with later hours of operation where one did previously not exist and would have resulting quality of life impacts to the local area without benefits to the local community; and,

ix. Whereas, according to the applicant, there are currently approximately 30 On Premise Liquor Licenses within 500 ft. of the premises and 5 beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a new Restaurant Wine License for **Sushi on West 10th Street, LLC, d/b/a N/A, 210 W. 10th St. 10014** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 36 Board members in favor.

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



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

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June 30, 2017

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

Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

23. While We Were Young, LLC, d/b/a While We Were Young, 183 W. 10th St., Space #2 10014 (OP – Restaurant add Sidewalk Café)

i. Whereas, the Applicant and his representative appeared before Community Board 2, Manhattan's SLA Licensing Committee to present an alteration application for an existing on-premise liquor license SN# 1290230 to incorporate a Sidewalk Café originally submitted as 3 tables with 14 seats, which in order to comply with Department of Consumer Affairs' regulations was reduced to 3 tables and 6 seats; and,

ii. Whereas, the applicant's restaurant has only been open for less than one year, during which time the applicant installed an open front façade to the storefront in derogation of his prior agreements and representations to CB2, Man. and to the Liquor Authority when applying for his initial license that he would only have a fixed façade thereby receiving an approval of the license by the NYS Liquor Authority despite recommendations from CB2, Man. that the license application did not meet the public interest standard and despite a 500 foot hearing whereat the findings of the Administrative Law Judge coincided with the recommendation of CB2, Man. that the public interest for the issuance of the license had not been met; additionally, while barely complying with the minimum requirements for a sidewalk café in the most abbreviated manner possible, there being no other sidewalk cafes existing on the block, this block not being suitable for outdoor seating due to the unique circumstances created by an on-premise liquor license in every storefront on this side of the street on this short block, there being a jazz club next door with long lines queuing on the public sidewalk for multiple shows each evening blocking pedestrian use of the sidewalk and due to such heavy use of the narrow street which

includes an adjacent bike lane and a NYC Transit Bus service line, the M8, the sidewalk is heavily congested and a sidewalk café at this location in conjunction with the other uses of the sidewalk walk by patrons of the other licensed premises on this block would result in an unsafe condition with pedestrians stepping into the street to avoid the sidewalk congestion; and,

iii. Whereas, CB2, Man. had originally recommended to the Liquor Authority that the initial liquor license be denied in October 2015 because of the large number of liquor licenses in the immediate area, there had never been an on premise license issue to these premises previously, because the restaurant was not unique, that the 2 existing licenses already in the building already generate noise complaints because of the operations, the impact on the quality of life in the area, the large number of people on the sidewalk, the impact on noise, and that the issuance of the license on this short block would result in every storefront on this side of the street having a liquor license; and,

iv. Whereas, even though there remain questions as to whether the Public Interest was ever met for a license to be issued at these premises in the first place, the license was issued his license based on certain representations by the Applicant to CB2, Man. and the NYS Liquor Authority, which have now been found to be misrepresentations, to wit the Applicant in March 2016 appeared before the Full Board of the Liquor Authority and the Members of the Authority and after a lengthy discussion, question and answer period where the Applicant and his Counsel unambiguously represented to the Authority (during argument and in order to persuade the Full Board of the NYS Liquor Authority that a public interest could be found) that its front façade to the storefront would be fixed and the premises would be soundproofed even though the Applicant was actually intending to and was in the process of applying with the NYC Landmark Commission to replace the entire fixed façade with operable doors that made the entire façade open to the public sidewalk; and,

v. Whereas, in materials submitted to CB2, Man. and in statements to CB2 in October 2015, the applicant stated that the façade would change to include “new signage/new impact windows for sound and efficiency”, they indicated specifically that they did not plan to install French Doors, accordion doors or windows that open and that they planned to install sound proofing; diagrams presented indicate a fixed façade; and,

vi. Whereas, in March 2016 before the Liquor Authority, the Applicant’s attorney is recorded as making several statements to persuade the Liquor Authority that the issue of the license was in the public interest, including “We’ll be soundproofing the floor, the ceiling, the walls, replacing the frontage of the building with soundproof glass.” and, “They’re soundproofing this place like crazy” and “I don’t think that adding a full bar and a full food menu and soundproofing is going to net us a louder establishment. They’ve taken advice from the Community Board in respect to getting a security person or someone to keep the front area clean. They’ve come done that, keeping the façade fixed”; and

vii. Whereas, during the same hearing before the Liquor Authority, the Applicant Bradford Dunnigan was also recorded as follows: “I’ve done everything I’ve been asked.” and, “As far as the storefront goes, we’ve already had an initial meeting with LPC and we will be replacing the whole storefront.”; In response to a question from Chairman Bradley “are those windows going to open?”, Mr. Dunnigan responded “no fixed”; and,

viii. Whereas, just two months later in May 2016 the applicant appeared before CB2, Man. to present an application to the New York City Landmark Preservation Commission (LPC) to replace the existing storefront of the premises; the application included the installation of an operable façade with large accordion style windows across the entire façade; CB2’s recommendation to LPC was “A. That the removal of the existing aluminum storefront be approved. B. That the replacement wood framed storefront be approved. C. That the signage and illumination be approved. D. *That the accordion style windows be denied.*”, LPC subsequently approved the application as presented; and,

ix. Whereas, in June 2017, the applicant originally submitted plans to CB2, Man. for a sidewalk café with 3 tables and 14 seats at this location but was not feasible or legal that included notations that the sidewalk café could only operate if the operable façade remained in a fixed open position; the applicant subsequently modifying the sidewalk café plans to include 3 tables and 6 seats due to the existence of a fire escape located directly above the proposed sidewalk café; and,

x. Whereas, after photos were shown by residents in the area who appeared in opposition to this application demonstrating the business operating at all time of the day and night for months with the open façade, the Licensee and Applicant stated that his air-conditioning system is not operating properly requiring him to operate his establishment with the open façade rather than in a fixed closed position as was his agreement and condition upon which the license was issued in the first place; and,

xi. Whereas, the applicant stated that he just didn’t think it was a big deal, that he was closing his windows at 8:45PM and that his AC repairman was coming to his premises first thing the following day; and,

xii. Whereas, the applicant said there was a huge time lag to open the establishment and that plans changed which resulted in an open façade storefront; and,

xiii. Whereas, the applicant and his representative conceded that they had not filed an alteration application with the Liquor Authority regarding the operable façade; and,

xiv. Whereas, neighbors appeared in opposition and submitted photographs and letters in opposition stating that the applicant had **(1)** misrepresented his prior application to both the Liquor Authority and CB2, Man. regarding the operable façade; **(2)** that the sidewalk café would add to the existing noise level that this premises already due to the open facades and no soundproofing; **(3)** that the current premises had been consistently operating with an open façade long before the warm weather of June and dated photographs were provided; **(3)** that the Applicant has taken no steps to fix the issue of the operable façade and has been aware of this issue as it was a deciding factor in the issuance of the license at the NYS SLA; **(4)** that impeding pedestrian traffic on this narrow sidewalk would create a dangerous condition in the bike lane; **(5)** there is a licensed premises operating in every single façade along this side of this short block (4 businesses) and there are many patrons who congregate and queue up on the sidewalk regularly on the shared sidewalk between the 4 premises which often causes pedestrians to step into the street in front which has an unprotected bike lane, which cause bikers to move into the moving vehicular traffic etc. and this street is also a bus route; **(6)** that the sidewalk tables which are only allowed to be 13 inches by 16 inches are too small to serve lunch and dinner meals and have drinks which would result in the outdoor area becoming more of a tapas and cocktails area which is not what the applicant represents himself as which is a fine restaurant with chefs who have worked at Michelin starred locations; **(7)** that there has never been this level of noise until recently in this immediate area; **(8)** there is simply no credibility whatsoever with the applicant; **(9)** that the tree in front of the business further blocks pedestrian traffic and exacerbates the confusion and congestion on the sidewalk in this area where the sidewalk café is planned; **(10)** that if the façade was

fixed, there would most likely be limited opposition; **(11)** it is unlikely that the operator would operate the café as presented and would operate in violation of DCA regulations or further conditions set by the NYS SLA; and **(12)** that the operator also uses an “A frame” sign in violation of city regulations blocking the sidewalk, that he already has placed a table on the sidewalk, as well as planters further congesting the sidewalk in question; and,

xv. Whereas, in addition to the concerns outlined above, CB2, Man. has significant issues with this application and location and with respect to the impact of this premises; the operable façade and sidewalk café create a condition that was outlined as significant concern before the Liquor Authority in the original hearing where the license was granted in March 2016 as that of an open window eating and drinking establishment; no other sidewalk cafés exist on this block; the applicant and his attorney stated that this operator was doing everything to have no impact and no noise impact at all in addition to having a fixed facade; that has clearly not been the case and it is difficult to take any representations by this applicant on their face as accurate, complete or correct; the misrepresentations, if known at the inception of this license, would have resulted in this liquor license not being approved by the Liquor Authority – this is clear from the record of the meeting; to extend any aspect of this license at this time to include the possibility of having more quality of life impacts through noise or disrupting pedestrian flow of traffic or any other issues and by allowing a condition whereby there is an operable façade and outdoor seating, effectively negating any sound proofing and moving the establishment partially on to the sidewalk street, by creating a monetary benefit for the applicant would be a reward for not complying with the representations that they have made that have not been truthful; and,

xvii. Whereas, CB2, Man. relies on Applicants to be honest and truthful in their presentations and that statements made are accurate and complete;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the alteration application to the existing on-premise license Serial Number 1290230 for **While We Were Young, LLC, d/b/a While We Were Young, 183 W. 10th St., Space #2 10014**; and,

THEREFORE BE IT FURTHER RESOLVED that CB2, Man. respectfully requests that this alteration application be placed on the calendar to be heard before the Full Board of the New York State Liquor Authority prior to any determination.

Vote: Unanimous, with 36 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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June 30, 2017

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

Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

24. Oidia, LLC, d/b/a Sherry B. Dessert, 643 Hudson St. 10014 (New OP – Dessert restaurant includes future sidewalk café)

i. Whereas, the Applicant and representative appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for an on-premise liquor license for a “chef-owned and operated dessert restaurant that focuses on pastry and ice-cream”; and,

ii. Whereas, this application is for a new tavern on-premise liquor license for a premises which had previously been licensed as a restaurant on-premise liquor license; even though this is a tavern on-premise liquor license, the premises will be operated in the spirit of a restaurant, but is unable to meet the minimum requirements of serving appropriate meals throughout the day as they are a dessert restaurant; the premises is located in a mixed-use building on Hudson St. between Gansevoort and Horatio St. for a roughly 1,690 sq. ft. premise (ground floor 690 sq. ft., cellar 1,000 sq. ft., no patron use in cellar); there are 8 tables and 16 table seats, an easting counter with 4 seats and 1 standup bar with no seats for a total of 20 seats; there is a sidewalk café that will be applied for in the future anticipated to be 6 tables and 12 seats; a certificate of occupancy was presented; and,

iii. Whereas, the hours of operation will be Sunday to Wednesday from 7:30AM to 8PM and Thursday to Saturday from 7:30AM to 12AM (all patrons will be cleared from the ground floor of the premises and no patrons will remain after stated closing time), the sidewalk café will operate no later than 8PM Sunday to Wednesday and 10:30PM Thursday to Saturday and all tables and chairs will be removed at that time and no patrons will remain in sidewalk café, all doors will be closed by 8PM Sunday to

Wednesday and 10PM Thursday to Saturday, there are operable windows in the front of the facade, music will be quiet background only consisting of music from ipod/cds (i.e. no active manipulation of music – only passive prearranged music), there will be no dj, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

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

1. Premise will be advertised and operated as a dessert restaurant focusing on pastries and ice cream.
2. The hours of operation will be Sunday to Wednesday from 7:30AM to 8PM and Thursday to Saturday from 7:30AM to 12AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only on the interior. All music levels and volumes will at all times comply with all New York City Laws and Regulations and will not be audible in adjacent residences at anytime.
8. The premises will not have DJ’s, live music, cover charges or promoted events.
9. The premises will close all doors & windows at 8PM Sunday to Wednesday and 10PM Thursday to Saturday and anytime there is amplified music.
10. The premises will not have French doors or open facades.
11. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
13. This application includes a future Department of Consumer Affairs sidewalk café with 6 tables and 12 seats in the sidewalk cafe.
14. The applicant will operate the sidewalk café no later than 8PM Sunday to Wednesday and 10:30PM Thursday to Saturday (all tables and chairs will be removed at this hour).
15. There may be cover fees for book singings and charity events.
16. There will be wait service (waiters) for seated patrons inside and in the sidewalk café.
17. Applicant will monitor the immediate area and playground for “to go” trash from the establishment.
18. Operator will operate the establishment in the spirit of a restaurant even though this is a tavern application for a dessert restaurant.
19. Applicant will not apply to extend the hours of operation in the future.
20. Should the interior waiting capacity be exceeded, a notification system will be used to ensure lines do not form on the street.

vi. Whereas, the applicants operate a similar dessert shop in Chappaqua, NY but do not have a liquor license of any kind at that location; and,

vii. Whereas, the applicant reached out to a local community group and presented a petition in support; and,

viii. Whereas, the local community group that was reached out to, the West Village Residents Association indicated that there was a more active local neighborhood group but was not opposed to the application, The Jane Street Block Association appeared and advised that they had not been contacted by the applicant but indicated the application seemed somewhat reasonable; the main concern voiced by the Jane Street Block Association was trash generated from “to go” business which the applicant intends to do and the impact of trash in the area and in the park across the street as well as any potential lines that might form outside the establishment; CB2, Man. members voiced concerns that the applicant would not have waiter service to patron tables and was concerned that without having wait service the business would operate in free form manner with open seating and customers ordering drinks without a seat etc.; to resolve these concerns, the applicant agreed to police the immediate area and the park for trash to ensure this is not an issue (up and down the block and across the street in the park, that they would have a notification system if lines form outside the establishment to ensure there is no line and that they would have wait service to tables at all times; and,

ix. Whereas, according to the applicant, there are currently approximately 20 On Premise Liquor Licenses within 500 ft of the premises and 5 beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new on premise liquor license for a restaurant for **Oidia, LLC, d/b/a Sherry B. Dessert, 643 Hudson St. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 36 Board members in favor.

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



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

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June 30, 2017

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

Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

25. Uncle Biagio, LLC, d/b/a N/A, 103 Greenwich Ave. 10014 (OP – Restaurant includes Sidewalk Café)

i. Whereas, the Applicant and representative appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a “transfer application” of an existing on-premise liquor license for a “neighborhood Italian restaurant run by the chef’s at Quality Italian in the Quality Eats price range” and,

ii. Whereas, this application is for a new restaurant on-premise liquor license at a currently licensed location in a mixed use building on Greenwich Ave. between West 12th St. and Jane Street for a roughly 2,200 sq. ft. premise (ground floor 1,100 sq. ft., cellar 1,000 sq. ft., no patron use in cellar); there are 16 tables and 35 banquette seats and 16 table seats, 1 standup bar with 10 seats for a total of 61 seats; there is a sidewalk café that will be applied for as an assignment application with 7 tables and 14 seats, a letter of no objection was presented; and,

iii. Whereas, the hours of operation will be Sunday to Wednesday from 9AM to 12AM and Thursday to Saturday from 9AM to 1AM (all patrons will be cleared from the ground floor of the premises and no patrons will remain after stated closing time), the sidewalk café will close at 11PM and all tables and chairs will be removed at that time and no patrons will remain in sidewalk café, all doors will be closed by 10PM daily, there are no operable windows, music will be quiet background only consisting of music from ipod/cds (i.e. no active manipulation of music – only passive prearranged music), there will be no dj, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

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

1. Premise will be advertised and operated as a neighborhood Italian restaurant.
2. The hours of operation will be Sunday to Wednesday from 9AM to 12AM and Thursday to Saturday from 9AM to 1AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only on the interior. All music levels and volumes will at all times comply with all New York City Laws and Regulations and will not be audible in adjacent residences at anytime.
8. The premises will not have DJ’s, live music, cover charges or promoted events.
9. The premises will close all doors & windows at 10PM every night and anytime there is amplified music.
10. The premises will not have French doors, operable windows or open facades and will close all doors by 10PM every night.
11. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
13. This application includes a future Department of Consumer Affairs sidewalk café with 7 tables and 14 seats.
14. The applicant will operate the sidewalk café no later than 11PM (all tables and chairs will be removed at this hour).

vi. Whereas, the applicant’s operate 9 other restaurants in New York City and operate one restaurant within CB2, Man. at 19 Greenwich Ave. operated as Quality Eats (Off Cuts, LLC); and,

vii. Whereas, the applicant met with a local community group and presented a petition in support; and,

viii. Whereas, the local community group, The Jane Street Block Association, advised the applicant to reach out to immediate neighbors as their block association does not have members in adjoining buildings and was not satisfied with the Applicants outreach and recommended that either the application be laid over or denied; and,

ix. Whereas, according to the applicant, there are currently approximately 9 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 on premise liquor license for a restaurant for **Uncle Biagio, LLC, d/b/a N/A, 103 Greenwich Ave. 10014** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 36 Board members in favor.

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



Antony Wong, *Treasurer*
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June 30, 2017

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

Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

26. Juice and Java NYC, LLC, d/b/a Juice and Java, 64 Carmine St. 10014 (OP – Restaurant)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for an on-premise liquor license for a health food restaurant; and,

ii. Whereas, this application is for a new restaurant on-premise liquor license at a previously licensed location in a mixed use building on Carmine St. between Bedford St. and 7th Avenue South for a roughly 2,100 sq. ft. premise (ground floor 1,300 sq. ft., cellar 800 sq. ft.); there are 20 tables and 60 table seats, 1 standup bar with 8 seats for a total of 68 seats; there is no outdoor seating, a letter of no objection was presented; and,

iii. Whereas, the hours of operation will be 8AM to 11PM 7 days a week (all patrons will be cleared from the ground floor of the premises and no patrons will remain after stated closing time), all doors will be closed by 10PM daily, music will be quiet background only consisting of music from ipod/cds (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

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

1. Premise will be advertised and operated as a health food restaurant.

2. The hours of operation will be 8AM to 11PM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only on the interior. All music levels and volumes will at all times comply with all New York City Laws and Regulations and will not be audible in adjacent residences at anytime.
8. The premises will not have DJ’s, live music, cover charges or promoted events.
9. The premises will close all doors & windows at 10PM every night and anytime there is amplified music.
10. The premises will not have French doors, operable windows or open facades.
11. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
13. There is no sidewalk café included in this application.

vi. Whereas, the applicant had discussions with local residents and the local block association who expressed support provided the above listed stipulations were adhered to; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a new on premise liquor license for a restaurant for **Juice and Java NYC, LLC, d/b/a Juice and Java, 64 Carmine St. 10014** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 36 Board members in favor.

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



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

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June 30, 2017

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

Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

27. Rocky's Pizza 14th Street Corp., d/b/a N/A, 304-310 West 14th St. 10014 (RW – laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on June 15th, 2017, the Applicant requested to **layover** this application for a new restaurant wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Rocky's Pizza 14th Street Corp., d/b/a N/A, 304-310 West 14th St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



Antony Wong, *Treasurer*
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June 30, 2017

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

Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

28. Springbone 90 West 3rd, LLC, d/b/a Springbone Kitchen, 90 West 3rd St. 10012 (RW - withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on June 15th, 2017, the Applicant requested to **withdraw** this application for a new restaurant wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Springbone 90 West 3rd, LLC, d/b/a Springbone Kitchen, 90 West 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 36 Board members in favor.

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



Antony Wong, *Treasurer*
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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 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

29. Bel Fries Foods, LC, d/b/a Bel-Fries, 195 Bleecker St. 10012 (RW –laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on June 15th, 2017, the Applicant requested to **layover** this application for a new restaurant wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Bel Fries Foods, LC, d/b/a Bel-Fries, 195 Bleecker St. 10012** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



Antony Wong, *Treasurer*
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June 30, 2017

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

Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

30. Big Ciccio Corp. or Entity to be formed, d/b/a Cig Ciccio, 112-114 Perry St. 10014 (OP – Restaurant - withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on June 15th, 2017, the Applicant 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 prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Big Ciccio Corp. or Entity to be formed, d/b/a Big Ciccio, 112-114 Perry St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



Antony Wong, *Treasurer*
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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 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

31. The Woo, Inc., d/b/a Pending, 206 Spring St. 10012 (OP – Restaurant, Bsmt, 1st & 2nd Flr, laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on June 15th, 2017, the Applicant requested to **layover** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed; and

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **The Woo, Inc., d/b/a Pending, 206 Spring St. 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



Antony Wong, *Treasurer*
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Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

32. Blokes Retail, LLC, d/b/a N/A, 76 Carmine St. 10014 (OP – Bar/Tavern includes Sidewalk Café - laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on June 15th, 2017, the Applicant requested to **layover** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed; and

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Blokes Retail, LLC, d/b/a N/A, 76 Carmine St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



Antony Wong, *Treasurer*
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June 30, 2017

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

Dear Sir/Madam:

At its Full Board meeting on June 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

33. Loui Amsterdam, Inc., d/b/a TBD, 76-78 Carmine St. 10014 (OP – Restaurant - withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on June 15th, 2017, the Applicant 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 prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Loui Amsterdam, Inc., d/b/a TBD, 76-78 Carmine St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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

Sincerely,



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



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



Terri Cude, Chair
Community Board #2, Manhattan

TC/fa

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