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COMMUNITY BOARD NO. 2, MANHATTAN

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June 26, 2014

Dana E. Christian, Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

1. 265 Lafayette Ristorante, LLC, d/b/a Sant Ambroeus, 265 Lafayette St., 10012 (Existing OP License SN1270013 seeking alteration to add sidewalk café)

Whereas, this application is for an alteration of an existing On Premise license to add service to a sidewalk café with 7 tables and 14 seats in a mixed use building located on Lafayette Street between Prince and Spring Street; and

Whereas, the applicant initially came before CB#2, Man. in February/2013 seeking a transfer of an On Premise license for a 1,715 sq. ft. ground floor store front to operate an Northern Italian style restaurant from 9 am to 11 pm every night, with 21 tables and 42 seats, 1 bar with 7 seats and a maximum occupancy less than 74 people; and

Whereas, CB#2, Man. unanimously recommended to deny the license transfer unless the applicant agreed to certain stipulations, including but not limited to returning to CB2's Sidewalks and Street Activities Committee for a sidewalk café license; and

Whereas, the applicant thereafter appeared before CB2's Sidewalks and Street Activities Committee in April/2014 for a sidewalk café license, at which time it was ascertained that the named operators and licensees of these premises also own and operate a second restaurant using the Saint Ambroeus name on West 4th Street within CB2 (SN1140622); and

Whereas, the operator Jacobo Giustiniani, is a licensed stakeholder and owner of the West 4th Street location and **has been operating an illegal sidewalk café as well as illegally serving alcohol on a public sidewalk for many years**; and

Whereas, despite being repeatedly notified that he and his partners have been operating an illegal sidewalk café on West 4th Street, the operators have refused to do anything about it; and

Whereas, based on this operator's continued illegal operation and illegal service of alcohol for many years within CB#2, Man. **CB#2, Man. unanimously recommended denial of the operator's April/2014 application for a sidewalk café license at these premises (265 Lafayette Street); and**

Whereas, CB2's Licensing Committee also received numerous emails from and four representatives appeared on behalf of the five story building located directly above the licensed store front premises at 265 Lafayette St. to provide photos and to explain that the applicant had **installed a large new mechanical ventilation unit on a mezzanine rooftop surrounded by residential apartments;** and

Whereas, the residents in the building have consistently complained to the licensee regarding the placement and noise the mechanical systems emit within an enclosed courtyard area entirely surrounded by residential apartments up to five stories; and

Whereas, the NYC Dept. of Environmental Protection **has issued three violations for noise levels that exceed the legal decibel limit** for the mechanical systems, which operate from 5:30 am until midnight seven days a week, with the most recent hearing scheduled for July 24, 2014; and

Whereas, the applicant appeared with his lawyer to promise that he would resolve the violations and remedy the noise problems emitting from the large mechanical systems at some point in the future but has not yet resolved the existing problems that have existed for seven months; and

Whereas, in light of this operator's previous history of ignoring/disregarding/violating the law and installing large mechanical systems which violate NYC's noise regulations affecting surrounding residential neighbors, it was felt that the operator should not be granted future privilege and benefit of operating/adding service to a sidewalk café until it has resolved its prior transgressions: and

Whereas, there is also evidence that this applicant has not obtained all the proper licenses and permits to operate the sidewalk café, has shown a total disregard of the law by illegally operating a sidewalk café at its West 4th Street location, and has further generated a significant noise condition not previously existing and failed to demonstrate a public interest for permitting the proposed alteration with additional seating at a sidewalk café; and

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** for **265 Lafayette Ristorante, LLC, d/b/a Sant Ambroeus, 265 Lafayette St., 10012** on its application seeking an alteration to its existing OP license to add service to a sidewalk café; and

THEREFORE BE IT FURTHER RESOLVED that if this application is approved by the SLA, despite CB2, Manhattan's recommendation to deny this application, CB#2, Man. requests that the SLA conduct a 500-foot rule hearing because the sidewalk cafe sought to be combined with the existing license has never been licensed for the service of alcohol at any point in the past.

Vote: Unanimous, with 38 Board members in favor.

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

Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

2. 128 Billiard, Inc. d/b/a Tropical 128, 128 Elizabeth Street 10013 (existing OP – seeking alteration to extend hours to 4am seven days/week and expand OP license into basement of premises)

Whereas, the applicant appeared before CB2's SLA committee for the purpose of seeking an alteration to an existing on premise liquor license (SN 1252940) to expand its OP license and business until 4am seven days/week and further expand its business into the basement premises; and

Whereas, the previously agreed upon method of operation for these premises was to operate a Pool Hall and Lounge with hours until 2 am only, utilizing billiard tables, one bar seating 20 people, 15 tables with 56 seats in a 2570 SF first floor space; and

Whereas, the applicant appeared before CB2's SLA Committee six months ago in December/2013 with identical plans to seek an alteration to its existing license and CB2 previously recommended denial of the same alterations and refers the Liquor Authority to review that resolution; and

Whereas, the applicant/existing operator admitted in December/2013 during questioning by members of CB2's SLA Committee that his current business operation was open until 4am on certain nights in violation of the current method of operation for the premises, which requires the operator to close at 2am; and

Whereas, the applicant/operator now claims that his business is only operating until 2am but neighbors in the adjacent residential buildings have provided this Committee over the last month with photos and video of the premises purportedly operating as a night club at 3:30 am with velvet ropes and stanchions leading to the front door, with music emitting from the premises through its open doors, and that the premises operates as a nightclub and dance club with DJs; and

Whereas, Tropical 128 has continuously advertised and continues to advertise a 4 am closing time on the weekends (Friday and Saturday), 3 am on Thursdays and reviews at Yelp, a well-known internet site, demonstrate that the premises has operated and continues to operate as a bar and nightclub with DJ music; and

Whereas, the basement was previously used for storage and boilers and the current Certificate of Occupancy permits use of the basement for storage and boilers only and further permits the first floor premises for use as a Billiard Parlor (Zoning Group 8) only with a maximum occupancy of 74; and

Whereas, the applicant previously presented plans for the combined basement and first floor and sought to increase total occupancy from the current occupancy of 74 to a combined occupancy of 268 for the first floor and basement, requiring a Public Assembly permit; and

Whereas, the previously submitted basement plans also included one bar with 16 seats and 20 tables with 80 seats in a 1920 SF space; and

Whereas, the current application now states that the first floor premises will be expanded to 3200 sf on the basement expanded 2800 sf in the basement for a total premises of 6000 sf; and

Whereas, despite CB#2's prior recommendations to deny the basement alteration the applicant acknowledged and admitted that he has already commenced construction work at the premises and basement to expand the premises and existing operation in dereliction of CB2 prior recommendations to deny such an alteration; and

Whereas, the applicant performed no community outreach; and

Whereas, there are a number of elderly residents living in the adjacent tenement buildings and other residential building that immediately surround these premises; and

Whereas, members of the CB2 SLA Committee continue to be very concerned about the existing operators continued failure to abide by and ignoring its prior agreements with CB2 and the SLA and existing method of operation to operate a billiard hall until 2 am, the continued use of the premises as a bar and nightclub until 4 am with loud music, velvet ropes and stanchions, long exterior lines of patrons seeking entrance to the premises late at night, the continuing problems with noise and the certain increase in noise, late night traffic and quality of life issues should any expansion of hours or space occur with the proposed dramatic increase in occupancy from 74 to 268—an increase of 194-person to an existing occupancy, the use of the basement as a cabaret as indicated on certain NYC Dept. of Buildings applications, that there are already four other licensed premises in the same building (with this operator a total of 5), the long standing opposition by the surrounding neighbors and CB#2, Man. to this particular operator's history and dereliction of prior agreements, the extreme saturation of late night bars and OP licenses in the surrounding area, and the licensee's failure to establish a public interest or benefit for operating a night club and bar at these premises surrounded by residential buildings;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** for **128 Billiard, Inc. d/b/a Tropical 128** on its application seeking an alteration of its existing method of operation to extend its hours to 4 am and expand into the basement of the premises operating as a night club/cabaret.

Vote: Passed, with 36 Board members in favor, and 2 in opposition (S. Greene, R. Sanz).

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Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

3. Coriander Factory, Inc. d/b/a Hop In The Truck, 222 Lafayette St. 10012 (BW License, previously unlicensed storefront location with sidewalk cafe)

Whereas, the applicant presented before CB#2, Man. and seeks to open a restaurant serving Vietnamese fare in the southern storefront of 222 Lafayette St. which previously operated as a "Subway" sandwich shop in a mixed use, six-story building on Lafayette Street between Spring and Kenmare Streets just across the street from Petrosino Square; and

Whereas, the storefront premises has never been licensed for the service of alcohol or operated as an eating and drinking establishment, the premises will be renovated with a new full service kitchen requiring installation of new mechanical systems; and

Whereas, the licensed premises will be 1030 sf, there will be 14 tables in 33 seats, 1 bar with 7 seats; and

Whereas, the applicant seeks to install new French windows and doors that open out to the sidewalk in the new space and will change the front façade of the new space; and

Whereas, the applicant is also applying to operate and serve alcohol on a new sidewalk café with 4 tables and eight seats; and

Whereas, the premises also has a backyard garden which the applicant stated will not be used by the restaurant and business; and

Whereas, the applicant presented a letter of no objection for eating and drinking but which did not apply to the southern storefront but applied only to Ed's Lobster House located in the northern storefront of 222 Lafayette St. (Feb. 15, 2007); and

Whereas, the southern storefront premises at 222 Lafayette Street does not currently have a certificate of occupancy or letter of no objection to permit eating and drinking – a letter of no objection exists only for the northern storefront (any new LNO should be date 2014 or later); and

Whereas, the applicant provided a petition with 102 signatures in favor of the new restaurant, but four people appeared in opposition to the application, including the "Friends of Petrosino Square" organization representing residents surrounding the Square, voicing concerns about the rapid rate of liquor licenses surrounding the square and approval of new licenses over the last ten years, the addition of numerous sidewalk cafes to the area over the last few years and the potential number of new liquor licenses in the area that will result in an overwhelming impact on the character of the neighborhood; and

Whereas, the community objections relate to the overwhelming nature of recently issued liquor licenses in an already saturated neighborhood, where there are already three liquor licenses in three consecutive buildings on one block on the west side of Petrosino Square and if this expansion was granted, there would only be one storefront left on the west side of Petrosino Square that did not already have a liquor license, that there are already eight liquor licenses surrounding the perimeter of Petrosino Square, and that by adding more eating and drinking patrons to the area will only add to traffic, noise, public intoxication and environmental hazards already existing and negatively impacting the area; and

Whereas, at the time of the applicant's presentation to CB#2, Man. the applicant agreed, with his attorney, to hours of operation from 8 am to 12 am from Sunday through Wednesday and from 8 am to 1 am Thursday through Saturday, that new soundproofing will be installed, that all doors and windows will be closed by 9 pm each evening, there will be no TVs, music will be background only, there will be private parties but no promoted events or DJs; and

Whereas, CB#2, Man. proposed the following stipulations agreement to applicant at the time of his presentation for the purpose of attaching and incorporating those agreed upon terms into the applicant's future method of operation on their BW license:

1. Applicant will obtain a new letter of no objection from the NYC Building Department for occupying the premises as a eating and drinking establishment before opening and operating the southern storefront premises and will not rely upon the letter of no objection granted to the northern storefront of 222 Lafayette St.
2. Will operate from 8 am to 12 am from Sunday through Wednesday and from 8 am to 1 am Thursday through Saturday.
3. Will close all doors and windows by 9 pm 7 days a week.
4. New soundproofing will be installed.
5. Music will be quiet, background level inside restaurant only and there will be no dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
6. The sidewalk café will have only 4 tables and eight seats.
7. The sidewalk café will be closed each night by 10 pm daily.

Whereas, despite proposing the following stipulations to applicant, the applicant refused to sign any agreement with CB#2, Man. incorporating the above-referenced stipulations into its method of operation; and

Whereas, CB2 Man. feels strongly that the above-stated stipulations were fair and reasonable in light of the onslaught of new liquor licenses being requested and currently existing around Petrosino Square Park and that fact that applicant was seeking to add yet another license to the area adjacent to the Park; and

Whereas, applicant has not obtained all the necessary permits to operate an eating and drinking establishment at this location and to permit such a license without the above-referenced stipulations and limitations under the circumstances presented; and

Whereas, no license to serve beer and wine should be granted prior to obtaining the proper permits and license to operate an eating and drinking establishment at the premises; and

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial for **Coriander Factory, Inc. d/b/a Hop In The Truck, 222 Lafayette St. 10012** on its application seeking a beer and wine license.

Vote: Unanimous, with 38 Board members in favor.

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Dana E. Christian, Director
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NY State Liquor Authority
317 Lenox Avenue
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Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

4. An Entity in which Lorenzo Randisi is a principal, 151 Mott St. 10013 (new beer and wine – previously unlicensed location)

Whereas, the applicant appeared before CB2, Manhattan's SLA Licensing Committee for a beer and wine license to operate a pizza restaurant using electronic ovens in a six-story mixed use building on Mott Street between Grand and Broome Streets; and

Whereas, the premises was previously operated as a gift shop and never as an eating and drinking establishment with a license to sell alcohol; and

Whereas, the total licensed premises will be 1400 s.f., two bathrooms with 15 tables and 30 seats, one bar with 5 seats for a total patron occupancy of 35, there will be no TVs, with background music only, there will be no sidewalk café or outdoor garden and there are no French doors or windows that will open out; and

Whereas, the applicant agreed to operate with hours of operation from 10 am to 11 pm Sunday through Wednesday and from 10 am to 12 am from Thursday to Saturday; and

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

1. Will operate with hours of operation from 10 am to 11 pm Sunday through Wednesday and from 10 am to 12 am from Thursday to Saturday.
2. There will be no TVs.

3. There will be no operable doors or windows that open out to the sidewalk.
4. Music will be quiet, background level inside restaurant only and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
5. Agreed not to seek a full on premises license at the premises.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of an Beer/Wine license to **An Entity in which Lorenzo Randisi is a principal, 151 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 BW License.

Vote: Unanimous, with 38 Board members in favor.

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Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

5. Miyabi Sushi Japanese Restaurant NY Inc., 118 West 3rd St., 10012 (BW, previously unlicensed location)

Whereas, the applicant appeared before CB2, Manhattan's SLA Licensing Committee for a new beer and wine license to operate a Japanese Sushi Restaurant in a ground floor space in a five story mixed use building in a historic district on West 3rd between MacDougal Street and Sixth Avenue; and

Whereas, the 1,800 s.f. premises have never been licensed for the service of alcohol and were previously operated as a video and record store known as "Bleecker Bobs", there will 10 tables, one sushi bar and 38 seats for patrons, one TV, there will be background music only, no sidewalk café or outdoor garden and they will not install French doors or windows; and

Whereas, the applicant will operate from 11 am to 12 am Sunday through Thursday and from 11 am to 2 am Fridays and Saturdays; and

Whereas, the operator already operates a sushi restaurant nearby and has managed an establishment in the neighborhood for years without any prior complaints; and

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

1. Premises will be advertised and operated as a sushi restaurant.
2. Will operate with hours of operation from 11 am to 12 am Sunday through Thursday and from 11 am to 2 am Fridays and Saturdays.

3. There will be only one TV.
4. Music will be quiet, background level inside restaurant only and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
5. Will not install French doors or windows that open out to sidewalk or otherwise.
6. Will close all doors and windows at all times.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of an Beer/Wine license to **Miyabi Sushi Japanese Restaurant NY Inc., 118 West 3rd 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" for a Beer and Wine License.

Vote: Unanimous, with 38 Board members in favor.

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Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

6. OM 216 LLC, d/b/a Caffe Morini & Enoteca, 216 Lafayette, 10012 2 (Beer Wine license in a previously unlicensed location)

Whereas, the applicant seeks to operate a full service Italian restaurant on the first, second and basement premises in a two story building designated as a Artists Work Living Quarters on Lafayette Street between Spring and Kenmare Streets just across the street from Petrosino Square; and

Whereas, the current certificate of occupancy states that “at least one occupant of each dwelling unit shall be a certified Artist as per Section 42-14 Zoning Resolution” and is dated March 24, 1981 and which permits Artists Work Living Quarters on the first and second floors and a tenant’s laundry and assessor storage in the basement; and

Whereas, these premises were never operated as an eating and drinking establishment with any liquor license and extensive renovations to the building, front façade are planned to add a full service restaurant kitchen and new mechanical HVAC systems for the rear and rooftop areas; and

Whereas, the applicant also operates a full service Italian Restaurant immediately next door with a full on premises liquor license at 218 Lafayette Street that has 97 seats and 1 bar with 15 seats for a total occupancy of 112 patrons; and

Whereas, the applicant previously appeared before CB#2, Man. seeking an alteration of an existing license at 218 Lafayette to break through and demolish portions of the fire wall separating 216 Lafayette with 218 Lafayette to combine its existing restaurant at 218 Lafayette with the additional premises at 216 Lafayette; and

Whereas, the SLA agreed with CB2's recommendation and denied the applicant's request for an alteration to expand and combine the premises at 216 Lafayette with its existing on-premises liquor license at 218 Lafayette; and

Whereas, the applicant thereafter brought an Article 78 against the SLA seeking to overturn the SLA's decision but that appeal was withdrawn and denied; and

Whereas, in its opposition to the Article 78, the SLA specifically articulated that there is a presumption against the issuance of another liquor license at these premises where there are already 18 full on premise liquor licenses with a 500 foot radius of the premises and the issuance of such license would not be in the public interest; and

Whereas, in its previous alteration application, the applicant also made blatant misrepresentations at its 500 foot hearing by claiming that 216 Lafayette Street was an existing part of the licensed premises at 218 Lafayette; and

Whereas, even though CB#2, Man. recommended a denial of the alteration combining the two buildings, the operator still commenced demolition work adjoining the two buildings causing the NYC Building Department to issue violations forcing the applicant to cease work and thereafter to appeal to the Board of Standards and Appeals; and

Whereas, as a part of the process of applying to the BSA for a variance, CB2's recommendation to the BSA was to not grant the variance; and

Whereas, the Board of Standards and Appeals thereafter issued a decision (Feb./2013) granting applicant a special permit for non-conforming use at the premises for eating and drinking at 216 Lafayette until Feb./2023 or a term of 10 years but refused to permit a combined restaurant at the two separate addresses and further required the applicant to operate two separate and distinct eating and drinking establishments with no interior connection between the two establishments located at separate addresses with the sole exception of one basement door permitting emergency egress in case of a fire only; and

Whereas, the Board of Standards and Appeals further refused to permit a sidewalk café or outdoor space at the premises, that the maximum seating capacity for 216 Lafayette will be 85 patrons, that the addition of any mechanical and ventilation systems will comply with NYC Noise Code Regulations and that any such systems will be directed away from the adjoining residential buildings; and

Whereas, the applicant reappeared yet again for a full on-premise at 216 Lafayette Street in September/2013 to operate the premises as a full service Italian restaurant in a 3,348 s.f. Space (cellar has 945 sq. ft. and no patron use, the 1st floor is 1,206 sq. ft. and the 2nd floor is 1,188 sq. ft.) with 10 tables and 30 seats and 1 bar with 15 seats on the first floor and 4 tables and 40 seats and 1 service bar on the second floor; and

Whereas, CB#2, Man. recommended denial for the on premise liquor license to applicant who now returns yet again seeking a beer and wine license with the same plans and method of operation for the premises at 216 Lafayette; and

Whereas, pursuant to the resolution of the Board of Standards and Appeals the Restaurant must close by 11 pm Sunday through Thursday and 12 am Fridays and Saturdays, no live music and no DJ's; and

Whereas, there were 10 people from the area directly adjacent to 216 Lafayette that were opposed to the beer and wine license, some of whom live in the building directly behind the premises (57 and 59 Crosby), and who brought photos showing exterior HVAC systems and exterior exhaust ductwork extending from the applicant's existing premises at 218 Lafayette located only a few feet from the windows of residents located in 57 and 59 Crosby and further demonstrating that the rear of the adjacent buildings are unusually close to the proposed premises; and

Whereas, the local community, which will be directly affected, was also concerned that adding an additional 85 Eaters and Drinkers per seating, an additional kitchen vent above a two-story building in a predominantly four-story or higher block, drawing for hire vehicles to drop off and pick up patrons from the second floor private dining room events, and a high turnover of eaters and drinkers in the ground floor in an area that already struggles with noise and exhaust pollution, pedestrian and traffic congestion, and significant environmental stress because of the proliferation of Eating and Drinking establishments in the immediate area would negatively impact the community and the newly expanded and renovated Petrosino Square Park; and

Whereas, there were also 5 speakers, but not necessarily from the neighborhood, in support of the application, as well as letters and petitions generally stating the applicants were good operators and as such should be granted a beer and wine license notwithstanding the concerns of those living directly adjacent to the premises and around Petrosino Park or the over saturation of liquor licenses in the area; and,

Whereas, CB#2, Man. has concerns about the loss of retail stores that support the daily needs of residents and a growing concern that too many locations have or will become licensed which is causing overwhelming traffic issues and other quality of life issues that only continue to grow with each newly licensed location surrounding Petrosino Square (including yet another new beer and wine application being heard on the same evening as this application, albeit for 222 Lafayette Street); and,

Whereas, CB#2, Man. can understand that immediate neighbors would have strong reasons to oppose such a license at this location given their experiences in addressing issues, complaints, violations and concerns as they relate to the operation at 218 Lafayette St.; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** for **OM 216 LLC, d/b/a Caffe Morini & Enoteca** on its application seeking a beer and wine license.

Vote: Passed with 22 Board members in favor, 14 in opposition (S. Aaron, T. Bergman, L. Cannistraci, D. Collins, T. Connor, C. Dawson, M.P. Derr, S. Greene, D. Gruber, R. Rothstein, R. Sanz, F. Sigel, C. Spence, R. Stewart) and 2 in abstention (D. Diether, S. Secunda).

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At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

7. Lets Eat Cantina, d/b/a Pepe Rosso Cantina, 173 Mott St., 10013 (BW license, previously licensed premises)

Whereas, the applicant already operates an Italian restaurant Pepe Rosso Social Restaurant at the same address on the ground floor but appeared before CB#2, Manhattan's SLA Licensing Committee for a separate beer and wine license to operate in the basement at the same address but which has a separate entrance from the street—and with other interior passageways leading between both establishments that the applicant emphatically stated would never be utilized—to operate the basement premises for catered parties serving Italian fare from the restaurant in a six story mixed use building on Mott Street between Broome and Grand Streets; and

Whereas, the applicant has no plans to alter or modify/renovate the existing basement premises which previously operated by another, previous operator ("Double Happiness") as a non-conforming bar creating significant complaints in the neighborhood of late night noise but the current operator stated repeatedly that he has no intention of operating the premises as a bar or tavern but rather for catering only as a secondary business to the existing Restaurant and further agreed never to operate the basement premises as a bar; and

Whereas, the total basement premises is 1,200 s.f., there will be 4 tables and 40 seats and 1 bar with five seats for a proposed occupancy of 45 patrons, no TVs, with background (quiet) music only, no sidewalk café or outdoor garden; and

Whereas, the hours of operation will be from 11 am to 11 pm from Sunday to Wednesday and from 11 am to 12 am on Thursdays through Saturdays and the applicant further stated that the basement premises would not be open daily but only when private parties are planned for the space; and

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

1. Premises will be used for catered events with food from the existing Restaurant upstairs serving Italian food.
2. Will not operate a sidewalk café or outdoor garden.
3. Will operate Sunday to Wednesday and from 11 am to 12 pm and from Thursday through Saturday 11 am to 12 am.
4. There will no TVs.
5. Will not be operated as a bar or tavern.
6. All doors and windows will be closed by 10 pm every night.
7. Music will be quiet, background level inside restaurant only and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of a beer and wine license to **Lets Eat Cantina, d/b/a Pepe Rosso Cantina, 173 Mott St., 10013** **unless** the statements of the applicant as presented to CB#2, Man. are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on the BW License.

Vote: Unanimous, with 38 Board members in favor.

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
Jo Hamilton, *Second Vice Chair*
Bob Gormley, *District Manager*



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

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June 26, 2014

Dana E. Christian, Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

8. Viejo Group LLC, d/b/a Wine Spot, 127 MacDougal St. 10012 (change of class – upgrade from BW to full OP license and alteration to add new bar and service bar in the basement)

Whereas, the applicant currently operates a Wine Bar with a tavern wine license on the first floor and basement premises in a historic townhouse in a landmark district on MacDougal Street between West 3rd Street and Washington Square South and appeared before CB2, Manhattan's SLA Licensing Committee for an upgrade of the existing tavern wine license to operate a full service bar in two story premises; and

Whereas, the two-story premises has never operated as a full service bar with a full on premise license and is located in a neighborhood already significantly saturated with liquor licenses and late night bars and there are currently 39 existing on premise liquor licenses within 500 feet of the subject premises and there is little evidence of a "public interest" for adding yet another bar with a full OP license in a historic building in this area with no compelling reasons; and

Whereas, the total licensed premises is 1,200 s.f. (ground floor 700 s.f. and basement 500 s.f.), there is one bathroom, and currently operates with 16 tables and 43 seats, one service bar with no seats for an overall occupancy of 43 patrons, no TVs, no sidewalk café or outdoor garden; and

Whereas, the certificate of occupancy for the premises permits a store on the first floor and a store with boiler in the basement with residential on the second and third floors; and

Whereas, the applicant seeks to add a new bar to the upstairs premises and new service bar to the basement premises; and

Whereas, the proposed hours of operation will be from 10 am to 4 am every night seven days a week; and

Whereas, the existing beer and wine license advertises and hosts live flamenco music on a regular basis certain nights with specific show times; and,

Whereas, MacDougal Street already has a tremendous problems with quality of life issues, noise, pedestrian and vehicular traffic and “Impact” police from the NYPD are regularly assigned to patrol the immediate area of MacDougal St. along with Mounted Police Units on Weekends;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial for **Viejo Group LLC, d/b/a Wine Spot, 127 MacDougal St. 10012** on its application seeking an upgrade from tavern wine to full on premises license and alteration to add a full service bar and additional service bar within the premises.

Vote: Passed, with 35 Board members in favor, 2 in opposition (M.P. Derr, R. Sanz) and 1 recusal (D. Gruber).

David Gruber, Chair
Bo Riccobono, First Vice Chair
Jo Hamilton, Second Vice Chair
Bob Gormley, District Manager



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

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June 26, 2014

Dana E. Christian, Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

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

9. Soseb LLC, d/b/a Cocotte, 110 Thompson St. 10012 (RW) (attorney requested layover)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on June 10, 2014, the applicant's attorney requested to lay over and/or withdraw this application from consideration until an application and all necessary paperwork was ready for review; and,

Whereas, this application is for a Beer and Wine license;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed alteration, corporate change or transfer of the Beer and Wine or On Premise license for **Soseb LLC, d/b/a Cocotte, 110 Thompson 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; and,

Vote: Unanimous, with 38 Board members in favor.

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
Jo Hamilton, *Second Vice Chair*
Bob Gormley, *District Manager*



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

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June 26, 2014

Dana E. Christian, Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

10. 1 Nobleden NYC Corp, 196 Grand St., 10013 (withdrawn by attorney-will resubmit for hotel wine license)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on June 10, 2014, the applicant's attorney requested to withdraw this application from consideration until an application and all necessary paperwork was ready for review; and

Whereas, this application was for a hotel beer wine license;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed alteration, corporate change or transfer of the Beer and Wine or On Premise license for **1 Nobleden NYC Corp, 196 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; and,

Vote: Unanimous, with 38 Board members in favor.

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
Jo Hamilton, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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June 26, 2014

Dana E. Christian, Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

11. Entity to be formed by Matt Piacentini, 240 Mulberry St. 10002 (withdrawn by attorney)

Whereas, after this month's CB2 SLA Licensing Committee meeting on June 10, 2014, the applicant requested to withdraw this application from consideration until an application and all necessary paperwork was ready for review; and,

Whereas, this application is for an on premise liquor license; and

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any On Premise license for **Entity to be formed by Matt Piacentini, 240 Mulberry St.** until the applicant has fully 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 38 Board members in favor.

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
Jo Hamilton, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
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June 26, 2014

Dana E. Christian, Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

12. Kale NYC LLC, d/b/a Officina Mille Miglie, 371 Broome St. aka 173 Mott St. 10013 (attorney requested layover)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on June 10, 2014, the applicant's attorney requested to lay over or withdraw this application from consideration until an application and all necessary paperwork was ready for review; and,

Whereas, this application is for a on premise liquor license; and

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed alteration to the Beer and Wine or On Premise license to **Kale NYC LLC, d/b/a Officina Mille Miglie, 371 Broome St. aka 173 Mott 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 38 Board members in favor.

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
Jo Hamilton, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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June 26, 2014

Dana E. Christian, Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

13. MM 130 Bowery Restaurant Corporation, d/b/a Capitale, 130 Bowery 10013 (change of class from OP to Catering Establishment License) (attorney requested layover)

Whereas, during this month's CB2 SLA Licensing Committee meeting on June 10, 2014, the principal requested to lay over this application from consideration until an application and all necessary paperwork was ready for review; and,

Whereas, this application is for an alteration to change an existing On-Premise liquor license to catering establishment license;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed alteration to the Beer and Wine or On Premise license to **MM 130 Bowery Restaurant Corporation, d/b/a Capitale, 130 Bowery 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 38 Board members in favor.

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
Jo Hamilton, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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June 26, 2014

Dana E. Christian, Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

14. Hok S. Lam, d/b/a Miss Yu, 188 Bowery 10012 (Withdrawn by Applicant At Meeting and Prior to Presenting)

Whereas, during this month's CB2 SLA Licensing Committee meeting on June 10, 2014, the principal requested to withdraw the instant application from consideration after a contingent of 10 neighbors and two Block Associations appeared in opposition to the application; and,

Whereas, this application is for a new On-Premise liquor license at a previously unlicensed location;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed alteration to the Beer and Wine or On Premise license to **Hok S. Lam, d/b/a Miss Yu, 188 Bowery 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
Jo Hamilton, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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June 26, 2014

Dana E. Christian, Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

15. No Moore Oysters and Maritime LLC, d/b/a Navy, 135 Sullivan St. 10012 (attorney requested layover)

Whereas, during this month's CB2 SLA Licensing Committee meeting on June 10, 2014, the principal's attorney requested to layover and adjourn the instant application from consideration until an application and all necessary paperwork was ready for review; and,

Whereas, this application is for a new On-Premise liquor license at a previously unlicensed location;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed alteration to the Beer and Wine or On Premise license to **No Moore Oysters and Maritime LLC, d/b/a Navy, 135 Sullivan 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 38 Board members in favor.

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
Jo Hamilton, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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June 26, 2014

Dana E. Christian, Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

16. Aron Watman, on behalf of entity TBD, d/b/a TBD, 92 W. Houston St. 10012 (Layover requested at meeting)

Whereas, during this month's CB2 SLA Licensing Committee meeting on June 10, 2014, the principal and his attorney requested to layover and adjourn the instant application from consideration until an application and all necessary paperwork was ready for review; and,

Whereas, this application is for a new On-Premise liquor license at a previously licensed location;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed alteration to the Beer and Wine or On Premise license to **Aron Watman, on behalf of entity TBD, d/b/a TBD, 92 W. Houston St. 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
Jo Hamilton, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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June 26, 2014

Dana E. Christian, Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

17. Bare Burger Dio, Inc. d/b/a Bare Burger, 535 LaGuardia Place 10012 (Seeking On Premise Liquor License)

Whereas, during this month's CB2 SLA Licensing Committee meeting on June 10, 2014, the principal/applicant failed to appear before CB2; and

Whereas, this application is for a new On-Premise liquor license;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed alteration to the Beer and Wine or On Premise license to **Bare Burger Dio, Inc. d/b/a Bare Burger, 535 LaGuardia Place 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 38 Board members in favor.

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
Jo Hamilton, *Second Vice Chair*
Bob Gormley, *District Manager*



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

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June 26, 2014

Dana E. Christian, Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

18. 316 Bowery LLC, d/b/a Saxon and Parole and Madame Geneva, 316 Bowery 10012 (on-premise)

Whereas, the licensee appeared before CB#2, Man. to present an alteration application for a non-conforming use of an existing on premises restaurant liquor license (SN1204317) for a “full service restaurant” to correct certain aspects of the non-conforming use; and,

Whereas, it appears the sole reason the licensee submitted notice to CB#2, Man. and appeared before CB#2, Man. was because the Liquor Authority cited licensee for an alteration to the operating premises, which was not filed with the State Liquor Authority as required by law; and

Whereas, the Licensee is in violation of existing stipulations executed and on file with the Liquor Authority which are currently attached to the existing liquor license as conditions; and,

Whereas, the premises is located on the ground floor and basement with patron uses on both floors on the Southwest corner of the intersection of Bleecker St and Bowery in two mixed use residential commercial buildings comprising the addresses of 316 Bowery and 2 Bleecker St and 4-6 Bleecker St; and

Whereas, the premises (and the on-premises liquor license and additional bar license) cover two primary areas, one area operated as “Saxon and Parole” located in the Easterly portion of the premise on the Ground Floor and Basement and “Madame Geneva” located on the westerly portion of the premises on the Ground Floor only; and,

Whereas, the licensee stated that the alterations include a “new name, new menu, new door position on corner of Bleecker and Bowery; interior work – added walls – reduced seats”; it was explained that these changes had occurred some time ago and that this alteration application is to bring the licensee in compliance with SLA regulations to reflect the proper method of operation; and,

Whereas, CB2’s original resolution from November 2007 is as follows:

1. 316 Bowery, LLC, 316 Bowery (at Bleecker), NYC.

WHEREAS, the applicant appeared before the committee; and,

WHEREAS, this application is for transfer of an On Premise license, pursuant to purchase for a New American/Fusion restaurant, located in a 6,000 s.f. premise in a mixed use building located on the corner of Bowery and Bleecker Streets, with 134 table seats, 2 bars with 28 seats and a maximum legal capacity of 170 persons; and,

WHEREAS, the applicant stated the hours of operation are 11:00 a.m. – 4:00 a.m. seven days a week; there will be a sidewalk café application but not a backyard garden; music will be background only; and,

WHEREAS, the applicant has agreed to operate as a Restaurant only as defined in the New York State ABC Law and referenced in the SLA Taskforce Report; and,

WHEREAS, the applicant has agreed to abide by the regulations associated with all New York City departments and safety organizations including but not limited to Department of Buildings and Fire Department, and will obtain all required certificates, permits and related documents, including but not limited to the Certificate of Occupancy or Letter of No Objection and Public Assembly Permit. All certificates, permits and related documents will be in place prior to the use of the On Premise license; and,

WHEREAS, the applicant has agreed to operate only when violations (if any) at this current location under previous ownership and management have been corrected.

WHEREAS, those conditions agreed to by applicant and NoHo Residents and Property Owners in a fully executable agreement attached will be incorporated into the “Method of Operation” on the SLA On Premise license; and,

WHEREAS, members of the community and former executive members of the NoHo Neighborhood Block Association appeared to state their support for the applicant; and,

WHEREAS, no one appeared in opposition from the community; and,

THEREFORE, BE IT RESOLVED that CB2, Manhattan recommends denial to the proposed On Premise license for 316 Bowery, LLC, 316 Bowery, UNLESS those conditions agreed to by applicant relating to the fourth, fifth, sixth and seventh “whereas” clauses above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 41 Board members in favor.

Whereas, the stipulations agreement that is incorporated into the “method of operation” on the SLA On-Premise License dated November 13, 2007 that is on file with the Liquor Authority contains the following text:

Agreement between 316 Bowery, LLC, 316 Bowery, NYC/dba Superior Restaurant NYC and Residents and Property Owners of NoHo (The Signers)

Background & Method of Operation: Superior LLC intends to operate a restaurant, only. They will occupy both the ground floor and basement space and will utilize the Sidewalk Cafe....with an anticipated Public Assembly Permit for 200 people¹. They will take over this space on January 15; redesign for three months and anticipate opening by April 1st.

There is a preliminary layout and Method of Operation, which is subject to change since the entire building will be under renovation. The majority of seating will be at tables with a bar currently configured for 17 people on the first floor and another for 7 in the lower level. The full restaurant kitchen will be in the westernmost section of their footprint - though it has not been decided whether it will be on the lower level or on the first floor, or both. It will be managed by a full-time chef.

Any Alteration to the Method of Operation will be subject to review and reconsideration through hearing at CB#2 Manhattan, the dispensation of which will be duly noted by the State Liquor Authority (in keeping with their regulations as regards Methods of Operation in license approvals). Since the initial application for a license is in advance of actual renovation and occupancy, the Community agrees to accept a conditional layout and method of operation until such time as a final layout and M of O is offered, as long as it is subject to the process outlined above.

Covenant Items:

Venting: In addition to City requirements, all venting will be mutually tested and mutually approved between Superior LLC and 10 Bleecker Coop. This is to include emissions as well as noise. During the first month of operation Superior LLC will, at their own expense, place monitoring devices in approved locations at 10 Bleecker to determine sufficiency as well as an approved base line for future reference¹.

Handicapped Access:- Superior LLC will assure that handicapped access meets or exceeds statutes.

Security/Street Monitoring: There will never be any velvet ropes or waiting lines on the street surrounding the establishment.

There will be door personnel, solely responsible for patron monitoring - entrance, exit and street activity (including smoking patrons) from Thursday through Saturday, from 9:00 p.m. to closing. At this time, because the stated nature is a restaurant only, the community will not require a commitment to "trained security" personnel.²

Applicant agrees to additionally explore incorporating a designated smoking area where patrons can smoke in a controlled environment (and will be easily monitored).

Patron entrance on the Bleecker St side is generally prohibited. Should a small Chef's Dining room be part of the final Method of Operation, the applicant agrees to a capacity no greater than 25 which is not to be additional to the agreed Public Assembly of 200 maximum people, and Residents agree to allowing entrance on the Bleecker St. side.

Bleecker St exits will only be used for required emergency exiting. The service/delivery entrance is currently located on the Bleecker St. side can continue to be used for service purposes.

Staff will regularly clean the sidewalk surrounding the establishment throughout hours of operation.

*Superior LLC also agrees to **replace the tree(s)** previously located on Bowery and possibly on Bleecker St in concert with any City Agency approvals.*

License: *For at least the first two year licensing period the license will be for Restaurant Use only.*

Sidewalk Cafe: *The sidewalk cafe will adhere to all DCA requirements - including the removal of tables and chairs at the end of sidewalk hours - with the following conditions: Sidewalk Cafe hours will be no later than 11:00 p.m. Sunday thru Wednesday and no later than Midnight Thursday through Saturday, for the first period of the DCA license. Superior LLC will not apply for a heated, year-round unenclosed sidewalk cafe permit.*

Garbage: *Superior LLC agrees to store all waste inside their establishment until 1 hour before pick up. All organic waste is to be stored in refrigerated storage. All garbage pick up is to be on the Bowery.*

Support of the Arts: *Superior LLC agrees to incorporate recognized art components in the design or operation of their restaurant and to abide by all regulations of the NYC Landmarks Commission. Art components defined as art that is commissioned, displayed or presented, as confirmation of NoHo's interest in and support of all arts-related activity. The exact demonstration of this request can be mutually defined and qualified in subsequent community/applicant discussions with selection and aesthetic compatibility under the sole discretion of the applicant.*

Community Dialogue: *Superior LLC agrees to participate in **ongoing neighborhood dialogue** with entities identifying themselves as participants on an ongoing basis. Meetings will occur quarterly, at minimum.*

Whereas, the licensee stated that the name was changed from Double Crown to Saxon and Parole; and,

Whereas, the focus of the food has changed from British and Asian traditions (British Imperialism) inspired food to a menu focused on “domestic meat and seafood, as well as seasonal and sustainable produce, marked with Farmerie’s signature global twist in flavors and cooking method”(from website – no current menu was provided); and,

Whereas, the licensee presented “before” and “after” floor plans indicating modifications to the seating layout, bar location in the Eastern portion of premises and to the ingress and egress, adding back into the floor plans a pre-existing door that had not been used on the corner of Bleecker and Bowery and adding a vestibule for that door as well as modifications to seating in the room in which the door is located and some new partitions; and,

Whereas, the licensee states that there is a reduction in seating, but it appears from materials presented by the licensee that there is actually no change except for the type of seating which now includes 26 low lounge seats; the “before” seating in the original resolution indicates 51 tables across the premises, 134 table seats and 2 bars with 13 seats and 15 seats (“before” total of 162 seats); and “after” seating as presented now indicates 44 tables, 106 table seats, 26 low lounge seats and 2 bars with 30 seats (“after” total of 162 seats);

Whereas, overall, as presented by the applicant, CB#2, Man. does not have objections to the physical modifications, **however the applicant fails to include several critical changes that were never presented to CB2 Manhattan and that are not on file with the Liquor Authority; the original application would have most likely not been approved by CB#2, Man. as presented here now with those critical changes and those changes were in direct conflict with the original stipulations that the applicant agreed to; the licensee has operated from the first day of operation in violation of the original stipulations agreement; and,**

Whereas, in the original diagrams presented to both CB#2, Man. and those on file with the Liquor Authority there is no entry door into the portion of the premises which is now identified and utilized as the entrance into “Madame Geneva”, the westerly portion of the premises; the creation of this entry door, which was never presented to CB#2, Man. or the Liquor Authority and yet has been in use since the issuance of the liquor license, allowed for the licensee by virtue of the new layout to create a separate venue with an independent entrance which they named “Madame Geneva”; there are interior connections to the other area of the licensed premises “Saxon and Parole”; but at the time of the original presentation to CB2 and the Liquor Authority, this space was supposed to be a bar in the rear of the premises with the only access through the restaurant with patron ingress and egress from the entrance on the Bowery side of the Restaurant; at the time of the original presentation to CB2 and the Liquor Authority, all patron ingress and egress was to happen on the Bowery side of the premises (except for emergencies) and this was explicitly stipulated and a condition of the license.

Whereas, while the Licensee was emphatic that the entrance used for Madame Geneva was approved by CB#2, Man. and the Liquor Authority, it is clear from CB2’s records that the entrance was never presented to CB#2, Man. and after review of materials received via FOIL from the Liquor Authority, **the entrance does not appear in diagrams on file with the Liquor Authority;** and

Whereas, CB#2, Man. has significant concerns and objections with the following:

The Licensee when originally presenting this application to CB#2, Man. did not indicate that the licensee would be operating utilizing two (2) d/b/a’s, one a restaurant now “Saxon and Parole” and one a self described “bar lounge”/”gin den”, “Madame Geneva” with separate entrances for both on different streets and both of which are advertised separately and have separate websites. The floor plans originally presented to CB2 Manhattan showed no door that now exists as the main entrance for “Madame Geneva” located at 4 Bleecker (two other doors were show on the original plans, one a service door and one an entry into a smaller dining room). On the presented floor plans, the door which was not presented is located North of the Westernmost standup bar.

The Licensee is operating contrary to the original agreement executed by the Licensee, which clearly states *“Patron entrance on the Bleecker St side is generally prohibited. Should a small Chef’s Dining room be part of the final Method of Operation, the applicant agrees to a capacity no greater than 25 which is not to be additional to the agreed Public Assembly of 200 maximum people, and Residents agree to allowing entrance on the Bleecker St. side. Bleecker St exits will only be used for required emergency exiting. The service/delivery entrance is currently located on the Bleecker St. side can continue to be used for service purposes.”*

The patron entrance which is indicated as potentially an allowable use if the residents agree is in fact the existing door in the “small chef’s dining room” which is located adjacent to the east of “Madam Geneva”. Madame Geneva is not a small chef’s dining room.

The original agreement indicates that the premises will be a “restaurant only” and it now contains a portion of the premises which operates as a separately branded bar/lounge utilizing a door on Bleecker St. which did not appear in the original presentation yet was utilized from the first day of operation – The applicant did not follow the process as outlined in the original agreement that “*Any Alteration to the Method of Operation will be subject to review and reconsideration through hearing at CB#2 Man., the dispensation of which will be duly noted by the State Liquor Authority (in keeping with their regulations as regards Methods of Operation in license approvals).*”

When the Licensee originally opened, there was an uproar from immediate residents that “Madame Geneva” was in violation of the original executed agreement. There were meetings between the Licensee and Residents, but no changes were brought before CB#2, Man. for consideration prior to this current 6 years later; one of the major agreements during these discussions from the past, which was not presented to CB#2, Man. at this time, was that the Licensee would stop operating the Bleecker St. Side of the Premises (the Madame Geneva portion) at 2 AM on weekends.

There was no objection originally to operating the Bowery entry and Bowery portion of the premises until 4 am as it was stated the venue would be closed much earlier because the premises would be a “restaurant only”; The concern has always been with the Bleecker St. side of this premises because it is predominantly residential in character; Bleecker St. is a narrower street and there is and will continue to be concerns regarding congregating patrons in front of this portion of the premises; This was already a known entity and of significant concern at the time of the original application for this licensee and is specifically why patron entrances were prohibited on the Bleecker St. side; All patron uses were limited to the Bowery Side to minimize quality of life impacts for the surrounding residents; the creation of stipulations with residents and the original recommendation from the Community Board represent a compromise that was acceptable to both the Licensee and the Community Board;

It appears that the Licensee never returned to CB#2, Man. to discuss any changes, instead simply operated as they felt compelled to do so;

Whereas, in light of the above concerns, CB#2, Man. was prepared to compromise with the Licensee to approve all changes, including de-facto acceptance and approval of the use of the Bleecker St. Entrance for Madame Geneva in exchange for the applicant agreeing to close the Madam Geneva portion of the premises at 2 AM at least on Wednesday to Saturday as they state they have operated and 12 AM Sunday, and 1 AM on Monday and Tuesday, but the Licensee was unwilling to agree to those terms or address them and stated clearly that he would like to reserve the right to operate his business until 4 am as his license allows; and,

Whereas, it was pointed out that the willingness to discuss the significant changes, which is entirely contrary to the concept originally presented and approved method of operation and premise layout, was because in fact the licensee is not an irresponsible neighbor or operator, but never the less, there would still be an impact on immediate neighbors and the above mentioned reduction in hours would appear to be a very reasonable compromise for a “restaurant only” which in fact runs in the area which is operated and identified as “Madame Geneva” (Which is actually a bar/lounge and advertises itself as such and is noted in the media as such but the licensee keeps referring to as part of the “restaurant”) which has an entrance in a residential portion of Bleecker St.; and,

Whereas, it is also noted that previous Licensees who occupied this premises since 1995 (before the current operator) in fact utilized the area identified as “Madame Geneva” as a full service Kitchen and **never** had any patron ingress/egress on the Bleecker Side portion of the premises; and,

Whereas, CB#2, Man. did receive an agreement supporting the above changes as presented by the Licensee from a neighborhood resident/merchant/property owners association, but that new agreement did not reflect the significant change in this operation from inception and original neighborhood agreements and there were concerns from several members of CB#2, Man. that there was a conflict of interest, as it was not disclosed at the time it was presented that the Licensee is a Board Member of the organization; and,

Whereas, CB#2, Man. also received correspondence in opposition from a neighbor who was also a party and signer of the original agreement at the inception of the License;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to the alteration of the existing on-premise liquor license for **316 Bowery LLC, d/b/a Saxon and Parole and d/b/a Madame Geneva, 316 Bowery 10012 (SN1204317)**; and

THEREFORE BE IT FURTHER RESOLVED that CB#2, Man. respectfully requests that Liquor Authority place this matter before the Full Board of the New York State Liquor Authority for consideration at a regularly scheduled meeting; and

THEREFORE BE IT FURTHER RESOLVED that CB#2, Man. respectfully requests that should the Liquor Authority consider granting this alteration application and/or including the use of the entrance for the “Madame Geneva” portion of the premises as a regular entrance/egress that the Liquor Authority consider imposing a stipulation on “closing” hours of operation of 12 AM Sundays, 1 AM Mondays and Tuesday, 2 AM Wednesday to Saturday (and New Year’s Eve) for the portion of the premises located in 4-6 Bleecker St. otherwise known as “Madame Geneva” with an entrance on Bleecker with no patrons to remain in the premise after closing.

Vote: Passed, with 29 Board members in favor, and 9 in opposition (S. Greene, M.P. Derr, R. Sanz, S. Smith, R. Stewart, L. Cannistraci, T. Connor, D. Collins, E. Young).

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
Jo Hamilton, *Second Vice Chair*
Bob Gormley, *District Manager*



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

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June 26, 2014

Dana E. Christian, Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

19. St. Helene LLC, d/b/a Chez Sardine, 183 W. 10th St aka 233 W.4th St. 10014 (OP Alteration – SN1265091)

Whereas, the applicant appeared before the committee to present an alteration application for an existing on premises restaurant liquor license (SN1265091) for an Izakaya Japanese Bistro combining cooked elements and raw fish, small bites, family friendly casual atmosphere; and,

Whereas, this application is to reconfigure the seating for a more casual seating arrangement, to extend the bar an additional 5.5 feet, to remove the existing sushi bar and install counter seating, and to extend the hours of operation by 1 hour each night; and,

Whereas, the restaurant is located on the ground floor of a 6 story mixed use commercial/residential building located on the corner of West 4th St. and West 10th Street, for a 650 sq. ft, the maximum proposed occupancy is 48 people, there is an existing Certificate of Occupancy, there is no backyard use, there is no sidewalk café; and,

Whereas, there will now be 4 tables and 8 seats, 1 bar with 13 seats and 15 counter seats for a total of 36 seats, a net increase of 2 seats in the new configuration; and,

Whereas, the new hours of operation will be Sunday to Tuesday from 12 pm to 12 am (midnight) and Wednesday to Saturday from 12 pm to 2 am, the establishment will be continue to be a Izakaya, a Japanese Bistro, combining cooked elements and raw fish, small bites and will continue to be a family friendly casual atmosphere, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, there may be occasional private parties; and,

Whereas, the principals are principals in a number of other establishments, including John Dory LLC dba Market Table, Happy Cooking LLC dba Joseph Leonard, Little Wisco LLC dba Fedora, Penmanship LLC dba Jeffrey's Grocery, and George Marcel LLC dba Perla which are located within CB#2, Man.; and,

Whereas, the applicant executed a new stipulations agreement with CB#2, Man. that he agreed would be attached and incorporated in to the new method of operation on the existing SLA license (SN1265091) stating that:

1. The premises will be advertised and operated as a Japanese Bistro.
2. The hours of operation will be Sunday to Tuesday from 12 pm to 12 am (midnight) and Wednesday to Saturday from 12 pm to 2 am. No patrons will remain at closing.
3. The kitchen will remain open with full service until closing.
4. There will be no rear yard garden.
5. There is no sidewalk café.
6. All doors and windows will be closed at 9 pm seven days a week except for ingress and egress.
7. There will be no dj's, no live music, no promoted events, no events for which cover fees are charged, no scheduled performances.
8. Music will be quiet background only.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to the alteration of the existing on-premise liquor license for **St. Helene LLC, d/b/a Chez Sardine, 183 W. 10th St aka 233 W.4th St. 10014 (SN1265091) unless** the statements the applicant has presented are accurate and that those conditions and stipulations agreed to by the applicant relating to the 7th "whereas" clause above are incorporated into the "Method of Operation" on the SLA On Premise license.

Vote: Passed, with 37 Board members in favor, and 1 in opposition (S. Aaron).

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
Jo Hamilton, *Second Vice Chair*
Bob Gormley, *District Manager*



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

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June 26, 2014

Dana E. Christian, Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

20. Hamilton's Soda Fountain NY, LLC d/b/a Hamilton's Soda Fountain, 51 Bank St. 10014

Whereas, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new Restaurant Wine License for a "Soda fountain designed in a 1930's nostalgic style; children and family oriented; serving a single menu – breakfast and lunch all day long 6 am – 12 midnight; \$0.25 to \$12.00; soda and carbonated drinks, ice cream based desserts, old fashioned candy; beer and wine is available to accommodate the parents and adults"; and

Whereas, this application is for a new Restaurant Wine License in a previously licensed location; the premises is in a residential district located on the ground floor of a residential building on the corner of West 4th Street and Bank St. for a roughly 900 sq. ft. premise with 8 tables and 16 seats, and one standup bar with 8 seats, and 14 seats at "drink rails" in the front window for a total of 38 seats; there is no sidewalk café and none is permitted per zoning; there are no other outdoor seating areas or backyard garden, and there is an existing Letter of No Objection for the first floor only; and,

Whereas, the hours of operation will be Sunday from 6 am to 11 pm, Monday to Saturday from 6 am to 12 am (midnight), there is no Sidewalk café, all doors and windows will be closed at all times except for ingress and egress, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

Whereas, the applicant executed a stipulations agreement with CB#2, Man. that they agreed would be attached and incorporated in to the method of operation on the new restaurant wine SLA license stating that:

1. The premises will be advertised and operated as a Soda Fountain Restaurant.
2. The hours of operation will be Sunday from 6 am to 11 pm, Monday to Saturday from 6 am to 12 am (midnight). No patrons will remain at closing.
3. The kitchen will remain open with full service until closing.
4. There will be no rear yard garden.
5. There is no sidewalk café.
6. There will be no outdoor benches.
7. There are no operable windows.
8. There will be no dj's, no live music, no promoted events, no events for which cover fees are charged, no scheduled performances.
9. Music will be quiet background only.
10. There will be no draft beer and no pitchers of beer served.
11. The West 4th Street Doors will be used for emergency egress only (no patron ingress).
12. The corner door located on the corner of West 4th St and Bank St. will be the main door and only door in use for regular patron ingress and egress.

Whereas, the applicant performed community outreach with two local block associations, the Mid West 12th St. Block Association and the Waverly Bank 11 Association and no opposition was noted;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of a new restaurant wine license for **Hamilton's Soda Fountain NY, LLC d/b/a Hamilton's Soda Fountain, 51 Bank St. 10014** unless the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 4th "whereas" clause above are incorporated into the "Method of Operation" on the SLA Restaurant Wine License.

Vote: Unanimous, with 38 Board members in favor.

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
Jo Hamilton, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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June 26, 2014

Dana E. Christian, Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

21. Soho Hotel Owner LLC, d/b/a Holiday Inn Soho, 138 Lafayette St. 10012 (Transfer existing SN1198277 - Hotel OP License at currently licensed location)

Whereas, the applicant appeared before CB2's SLA committee; and

Whereas, this application is for a transfer of existing Hotel OP license at a franchised Hotel with an existing Bistro/Restaurant and Public Patron Areas on the 2nd floor of the premises of the hotel in addition to mini bars in guest rooms located on each of the other floors; it is currently/previously operated as PNY IV Bev LLC, serial number 1198277 (Exp. Dated 12/31/2015); the current applicant Soho Hotel Owner LLC seeks to transfer the existing operation and seeks to continue operating in the same manner for the time being, but may return to CB#2, Man. in the future in order to present an alteration application to CB#2, Man. at which time CB#2, Man. will formulate a separate recommendation on that alteration; and,

Whereas, the hotel is located in a in a M1-5B Zoning district (which does not allow eating and drinking use as of right below the 2nd story) and the hotel occupies the 2nd floor through 14th floor of the premises located on the corner of Lafayette St. and Howard Street; and,

Whereas, in the bistro/restaurant/patron areas, the hours of operation will be from 6 am to 11 pm seven days per week, there will be 15 tables and 52 seats and 1 standup bar with 2 seats for a total of 54 seats; there will be no outdoor space, no sidewalk café or garden associated with these premises, music will be background only and there will be 4 televisions; and,

Whereas, the applicant executed a stipulations agreement with CB#2, Man. that they agreed would be attached and incorporated in to the method of operation on the hotel on-premise liquor SLA license associated with this “transfer” application stating that:

1. The premises will be advertised and operated as Holiday Inn Soho.
2. The hours of operation will be Sunday from 6 am to 11 pm 7 days a week for Bistro and Patron areas. No patrons will remain at closing.
3. There will be no rear yard garden.
4. There is no sidewalk café.
5. There are no outdoor areas.
6. There will be no outdoor benches.
7. There are no operable windows.
8. The premises will not seek a NYC DCA Cabaret License, nor will it operate as a nightclub or disco.
9. Will employ two to three doorman/security personnel on a daily basis.
10. There will be no dj’s, no live music, no promoted events, no events for which cover fees are charged, no scheduled performances.
11. Music will be quiet background only in the Bistro and Patron areas.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the transfer of a Hotel On Premises Liquor License to **Soho Hotel Owner LLC, d/b/a Holiday Inn Soho, 138 Lafayette 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 Hotel OP License.

Vote: Unanimous, with 38 Board members in favor.

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
Jo Hamilton, *Second Vice Chair*
Bob Gormley, *District Manager*



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

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June 26, 2014

Dana E. Christian, Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

22. LYH Hospitality LLC, d/b/a TBD, 21-23 W. 8th St. 10011 (New OP – Previously Licensed)

Whereas, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new Restaurant On-Premise Liquor License for "a family style upscale diner restaurant offering value driven Greek and Italian comfort food; we will serve breakfast, lunch and dinner in an atmosphere reminiscent of a café on the Italian Riviera"; and,

Whereas, this application is for a new Restaurant On-Premise Liquor License in a previously licensed location; the premises is in a mixed-use residential/commercial district located on the ground floor and basement of a residential building on West 8th Street between MacDougal St. and Fifth Ave for a roughly 7,052 sq. ft. premise equally divided between the ground floor and basement (3,526 sq. ft. on each floor), with 38 tables and 190 seats (of those – 8 tables and 64 seats are in the basement – the rest on the ground floor), and one standup bar with 10 seats for a total of 200 seats; while the applicant mistakenly included a sidewalk café in the application, the premises is located in an area where sidewalk cafes are prohibited; there are no other outdoor seating areas or backyard garden, there are existing building permits and certificates of occupancy, but they do not seem to support the current application as presented – but the applicant will update certificates of occupancy and any permits or letters of no objection and place of assembly permits to reflect the current proposal and as such, **all permits presented to the Liquor Authority should be dated 2014 or later in order for the license to be issued unless a detailed explanation is presented and reviewed by the Authority** (the location was previously licensed, but it does not appear that the previous licensee had the appropriate Department of Building Certifications for the actual use); and,

Whereas, the hours of operation will be Sunday to Thursday from 7 am to 12 am (midnight) and Friday to Saturday from 7 am to 1 am, all doors and windows will be closed at all times except for ingress and egress, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

Whereas, the applicant executed a stipulations agreement with CB#2, Man. that they agreed would be attached and incorporated in to the method of operation on the new restaurant on-premise SLA liquor license stating that:

1. The premises will be advertised and operated as an upscale Greek and Italian Diner.
2. The hours of operation will be Sunday to Thursday from 7 am to 12 am (midnight) and Friday to Saturday from 7 am to 1 am. No patrons will remain at closing.
3. The kitchen will remain open with full service until closing.
4. The premises will not be operated as a nightclub, disco or lounge.
5. The premises will not seek a NYC DCA Cabaret License.
6. There will be no rear yard garden.
7. There is no sidewalk café.
8. There will be no operable windows (no windows that open).
9. All doors and windows will be closed at all times except for ingress and egress.
10. There will be no dj's, no live music, no promoted events, no events for which cover fees are charged, no scheduled performances.
11. New Sound proofing will be installed (as outlined in materials submitted by applicant and correspondence from Foundation Audio – according to materials submitted supporting CB2's Questionnaire, "the new sound system will only play at a maximum of 99dB.")
12. Music will be quiet background only.
13. There will only be 1 television that will be located at the stand up bar on the ground floor.
14. There will only be one standup bar on the ground floor as per diagrams and one service bar in basement.
15. The previously existing separate patron entrance to the basement from West 8th St will be removed. All patron access to the basement will be through the interior of the restaurant.
16. The premises will not be a night club, sports bar or dance club.
17. The premises will be a restaurant in total character focused on food.
18. There will be no sale of beer by the pitcher.
19. The licensee will actively manage patrons in outdoor areas to reduce noisemaking, rowdy patrons and loitering.
20. No doors will remain propped open.
21. All appropriate Department of Building Permits will be obtained prior to opening.

Whereas, after dialogue with the West 8th St. Block Association and in consideration of the above stipulations and specifically the hours of operation, the West 8th St. Block Association is not in opposition to this liquor license application, but does point out that their support is contingent the above stipulations being in place and if those stipulations were not in place, the Block Association would not support the application for a variety of reasons; and,

Whereas, the applicant performed community outreach and a petition was submitted; and,

Whereas, there are 18 on-premise licenses within 500 feet; and,

Whereas, there are some concerns that this is the largest premise on West 8th St., with a maximum occupancy of 243 persons, and there are no articulated plans to mitigate any vehicular or pedestrian traffic impacts; and,

Whereas, there are also some concerns that this premises could impact quality of life in the immediate area; and,

Whereas, the applicants represented that through their experience working in restaurants they will be able to manage the above concerns in regards to traffic and quality of life impacts and because there will be no operable windows and extensive sound proofing that noise from the interior of the premises will have no impact;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of a Restaurant On-Premises Liquor License for **LYH Hospitality LLC, d/b/a TBD, 21-23 W. 8th St. 10011** unless the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 4th “whereas” clause above are incorporated into the “Method of Operation” on the SLA Restaurant On-Premises Liquor License.

Vote: Unanimous, with 38 Board members in favor.

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
Jo Hamilton, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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June 26, 2014

Dana E. Christian, Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

23. Jankman LLC, d/b/a Jack's Wife Freda, 50 Carmine St. 10014 (New OP – Previously Licensed)

Whereas, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new Restaurant On-Premise Liquor License for an owner operated "all day café serving breakfast, lunch and dinner" similar to the existing operation located on Lafayette St. also operating under the name "Jack's Wife Freda"; and,

Whereas, this application is for a new Restaurant On-Premise Liquor License in a currently licensed location; the premises is in a residential district located on the ground floor and basement of a residential building on Carmine Street between Bleecker and Bedford Streets for a roughly 2000 sq. ft premise equally divided between the ground floor and basement, basement is for accessory use only with no patron seating, with 18 tables and 55 seats, and one standup bar with 11 seats for a total of 67 seats; there is no sidewalk café and none is permitted per zoning; there are no other outdoor seating areas or backyard garden, there is an existing Letter of No Objection for the first floor only; and,

Whereas, hours of operation will be Sunday from 8 am to 10 pm, Monday to Wednesday from 8 am to 12 am (midnight) and Thursday to Saturday from 8 am to 1 am, all doors and windows will be closed at 9 pm seven days a week except for ingress and egress, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

Whereas, the applicant executed a stipulations agreement with CB#2, Man. that they agreed would be attached and incorporated in to the method of operation on the new restaurant on-premise SLA liquor license stating that:

1. The premises will be advertised and operated as an all day café/restaurant.
2. The hours of operation will be Sunday from 8 am to 10 pm, Monday to Wednesday from 8 am to 12 am (midnight) and Thursday to Saturday from 8 am to 1 am. No patrons will remain at closing.
3. The kitchen will remain open with full service until closing.
4. There will be no rear yard garden.
5. There is no sidewalk café.
6. There is sufficient existing soundproofing.
7. All doors and windows will be closed at 9 pm seven days a week except for ingress and egress.
8. There will be no dj's, no live music, no promoted events, no events for which cover fees are charged, no scheduled performances.
9. Music will be quiet background only.
10. There will be no televisions.

Whereas, the Principals currently own and operate another licensed premises within CB2 Manhattan under the same d/b/a name located on Lafayette St with a similar method of operation with no known issues; and,

Whereas, the applicant performed community outreach with the Carmine St. Block Association, which was confirmed by the Block Association and no opposition was noted from the Block Association and another restaurateur who owns at least 5 licensed premises within CB2 Manhattan spoke in strong support;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of a Restaurant On-Premises Liquor License for **Jankman LLC, d/b/a Jack's Wife Freda, 50 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 relating to the 4th "whereas" clause above are incorporated into the "Method of Operation" on the SLA Restaurant On-Premises Liquor License.

Vote: Unanimous, with 38 Board members in favor.

David Gruber, Chair
Bo Riccobono, First Vice Chair
Jo Hamilton, Second Vice Chair
Bob Gormley, District Manager



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

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June 26, 2014

Dana E. Christian, Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

24. Paali Enterprises, Inc., d/b/a Village Prime, 300-302 Bleecker St. 10014 (New OP)

Whereas, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new Restaurant On-Premise Liquor License for a restaurant that "will be serving aged steak and seafood with a great selection of wines that will complement all the dish on the menu"; and,

Whereas, this application is for a new Restaurant On-Premise Liquor License in a previously licensed location that has been closed for some time; the premises is in a mixed residential/commercial district located on the ground floor and basement on Bleecker Street between Barrow St./7th Ave South and Grove St. for a roughly 3,600 sq. ft. premise divided between 1,500 sq. ft. on the interior ground floor, 600 sq. ft. in an exterior rear/sideyard and 1,600 sq. ft. in the basement, basement is for accessory use only with no patron seating, there will be 18 tables and 44 seats on the interior and 1 standup bar with 5 seats for a total of 49 interior seats and 7 tables and 28 seats in the rear/sideyard for a grand total of 77 seats; there is no sidewalk cafe, the last Certificate of Occupancy issued for the premises is an expired *temporary* certificate of occupancy dated 9/19/1966 which reflects the current use of the premises which is divided between a store and the proposed restaurant; there is no indicated out door use for either a rear yard or side yard and the applicant was unable to produce any documentation showing that outdoor eating and drinking use for patron use is permitted; and,

Whereas, the presented hours of operation are Monday to Friday from 11:30 am to 12 am and Saturday and Sunday from 10 am to 12 am; music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music) both inside the restaurant and in the rear yard, 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,

Whereas, the applicant is an experienced restaurateur, but the concerns at this location are in relation to the rear yard garden; and,

Whereas, CB#2, Man. has serious concerns in regards to the use of the rear yard garden, the concerns are as follows:

- 1. There is no indication that use of the outdoor area is allowed for patron eating and drinking.**
- 2. The rear side yard is surrounded on three sides by brick walls with residential units behind the yard – no sound mitigation solutions were presented.**
- 3. Closing hours of 12 am midnight is inappropriate given the proximity of residential tenants.**
- 4. Opening hours of the rear yard prior to 11 am on the weekends is inappropriate given the proximity of residential tenants.**
- 5. Any music in any outdoor rear areas is inappropriate.**

Whereas, the applicant was somewhat willing to discuss reducing the closing times of the rear yard and eliminating music, but was not willing in the eyes of CB#2, Man. to properly reduce the hours in light of the adjoining residential tenancies; the applicant's attorney was also adamant that rear yard dining was allowed at this location but was unable to affirmatively demonstrate that rear yard use was allowed and simply said past use indicated it was allowed, the applicant was also unable to suggest any sound mitigation techniques they might utilize to minimize patron noise in the rear yard; and,

Whereas, irrespective of the allowable use of rear/side yard dining, there were discrepancies in the documents submitted by the applicant and documents on file with the DOB as they pertained to the current Certificate of Occupancy for the location; the current ground floor covered by the building is split between the proposed restaurant, and storefront and the rear yard in question; the most recently dated Certificate of Occupancy which is an expired temporary Certificate of Occupancy from 9/19/1966 (<http://a810-cofo.nyc.gov/cofo/M/000/063000/M000063541.PDF>) accurately reflects the division of space between a store and restaurant; the applicant insists that because that Certificate of Occupancy expired and was never finalized that the previous Certificate of Occupancy dated 1/30/1963 is active (<http://a810-cofo.nyc.gov/cofo/M/000/057000/M000057118.PDF>);

Whereas, there are approximately 29 on-premise liquor licenses within 500 ft. and a large additional number of beer and wine licenses all in close proximity to residential neighbors; and,

Whereas, CB#2, Man. recommends that the liquor authority find no public interest or benefit for the outdoor area of this proposed restaurant because of its impact on the quality of life of surrounding residential neighbors, because of the impact of the existing noise level and because there is no affirmative documentation that indicates rear yard use is allowed; and,

Whereas, a representative of an adjoining condominium building 34-36 Barrow St. with 11 units appeared and spoke in adamant opposition to use of the rear yard garden until 12 am 7 days a week;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends *DENIAL* of a Restaurant On-Premises Liquor License for Paali Enterprises, Inc., d/b/a Village Prime, 300-302 Blecker St. 10014; and

THEREFORE BE IT FURTHER RESOLVED that given the sensitive nature of the use of outdoor areas for licensed premises and the lack of any affirmative information demonstrating that patron eating and drinking is legal in the outdoor portion of this application, CB#2, Man. respectfully requests

that the Liquor Authority consider sending this applicant back to CB#2, Man. to re-present an application FOR THE OUTDOOR PORTION of the licensed premises should the liquor authority consider approving the indoor portion of the application; and

THEREFORE BE IT FURTHER RESOLVED should the Liquor Authority Consider approving the application in its entirety, CB#2, Man. respectfully requests that the liquor authority consider placing the following stipulations as a condition of the on premise restaurant liquor license:

1. The hours of operation of the interior of the premises are Monday to Friday from 11:30 am to 12 am and Saturday and Sunday from 10 am to 12 am.
2. The hours of operation of the rear yard are Monday to Thursday from 11:30 am to 9 pm, Friday from 11:30 am to 10 pm, Saturday from 11 am to 10 pm and Sunday from 11 am to 9 pm. The rear yard will be “dark” at closing times and no patrons or staff shall remain in the outdoor area.
3. The premises will be advertised and operated as a high end aged steakhouse and seafood restaurant.
4. All doors and windows, including any windows facing rear yard and doors to rear yard, shall remain closed at all times expect for ingress and egress.
5. Music will be quiet background only in the interior and their will be no music in the exterior.
6. There will be no dj’s, live music, promoted events or any events for which a cover fee is charged.
7. There will be no more than 1 television in the interior of the premises.
8. The rear yard garden will not be used unless the NYC Department of Buildings indicates that use is allowed and states the maximum occupancy of the restaurant for both the interior and the exterior area.

Vote: Unanimous, with 38 Board members in favor.

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
Jo Hamilton, *Second Vice Chair*
Bob Gormley, *District Manager*



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

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June 26, 2014

Dana E. Christian, Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

25. Nisida LLC, d/b/a Rosso Pomodoro, 118 Greenwich Ave. AKA 234 W. 13th St. 10014 (New OP – Previously Licensed)

Whereas, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new Restaurant On-Premise Liquor License for an Italian restaurant focused on Pizza and Pasta similar to what is provided at their location at Eataly on 5th Avenue; and,

Whereas, this application is for a new Restaurant On-Premise Liquor License in a currently licensed location; the premises is in a mixed use residential/commercial district located on the ground floor and basement on Greenwich Ave between 7th and 8th Avenues for a roughly 3,500 sq. ft. premise (1,500 sq.ft ground floor dining room, 500 sq. ft. ground floor kitchen and 1,500sq ft basement - accessory use only and restrooms – no patron seating) with 35 tables and 85 table seats, 1 stand up bar with 10 seats, 1 service bar and 1 food counter with no seats for a total of 95 seats; there is no sidewalk café and there is no DCA Sidewalk Café License; there are no other outdoor seating areas and there is an existing Certificate of Occupancy for 110 persons; and

Whereas, hours of operation will be Sunday to Wednesday from 11 am to 12 am (midnight), and Thursday to Saturday from 11 am to 1 am, all doors and windows will be closed at 9 pm seven days a week except for ingress and egress, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

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

1. The premises will be advertised and operated as an Italian restaurant focused on Pizza and Pasta.
2. The hours of operation will be Sunday to Wednesday from 11 am to 12 am (midnight), and Thursday to Saturday from 11 am to 1 am. No patrons will remain at closing.
3. The kitchen will remain open with full service until closing.
4. There will be no rear yard garden.
5. There is no sidewalk café.
6. There is sufficient existing soundproofing.
7. All doors and windows will be closed at 9 pm seven days a week except for ingress and egress.
8. There will be no dj's, no live music, no promoted events, no events for which cover fees are charged, no scheduled performances.
9. Music will be quiet background only.
10. There will be no televisions.
11. There will be no take out window.

Whereas, the applicant provided a petition in support and a number of letters in support;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of a Restaurant On-Premises Liquor License for **Nisida LLC, d/b/a Rosso Pomodoro, 118 Greenwich Ave. AKA 234 W. 13th St. 10014** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 4th “whereas” clause above are incorporated into the “Method of Operation” on the SLA Restaurant On-Premises Liquor License.

Vote: Unanimous, with Board members in favor.

David Gruber, Chair
Bo Riccobono, First Vice Chair
Jo Hamilton, Second Vice Chair
Bob Gormley, District Manager



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

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June 26, 2014

Dana E. Christian, Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

THE FOLLOWING ARE RESOLUTIONS FOR ALL APPLICANTS THAT WERE LAID OVER, WITHDRAWN, OR WHO DID NOT APPEAR BEFORE CB2 AS REQUESTED:

26. 150 RFT Varick Corp, d/b/a Greenhouse/WIP, 150 Varick St. 10013 (New NYC DCA Cabaret License)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting #2 on June 12th, 2014 where this application for a New York City Department of Consumer Affairs Cabaret License was presented for comment, the applicant's attorney stated it was their intention **withdraw** this application from the Department of Consumer Affairs at this time in order to meet with the community and that they will resubmit the application for consideration to the Department of Consumer Affairs in the future should they choose to pursue a Cabaret License; should they re-apply, the applicant will appear at a future CB2 SLA Licensing Committee meeting in order to present the application to CB#2, Man. for review;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that should the applicant not withdraw this application at this time, that the New York City Department of Consumer Affairs **deny** any new Cabaret License for this premises for **150 RFT Varick Corp, d/b/a Greenhouse/WIP, 150 Varick St. 10013** and that no determination be made at this time or in the future until CB2, Manhattan is able to provide a detailed recommendation in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
Jo Hamilton, *Second Vice Chair*
Bob Gormley, *District Manager*



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

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Dana E. Christian, Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

27. 74 Fifth Ave. Market Corp., 74 5th Ave., 10011 (3rd Layover - Alteration to Existing Restaurant Wine SN#1196583)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting #2 on May 15th, 2014, a representative of the applicant appearing for the 3rd month in a row agreed to **layover** this application for a third time for an alteration to an existing restaurant wine license alteration for an additional one month in order to present a completed package for review including static and complete floor plans; address issues with late night operation (premises will be open 24 hours); explain how with a 24-tap beer system the premises could monitor for underage drinking when there was no table service and seating areas located in a mezzanine are out of view of the service point at the entrance of the store; address underage procedures because the premises is located directly across the street from a large University Dormitory (the New School); address issues that it seemed highly unusual that a "market" style convenience store establishment with "to go" foods for sale on the ground floor and an upstairs mezzanine for patron dining would change in the evenings by placing numerous additional tables and chairs on the ground floor to accommodate patrons for the consumption of beer and wine and then remove those tables during the day to accommodate patrons looking for "to go" style convenience store food; to address concerns that in order to sell enough draft beer with 24 taps that the business would change its underlying business to be predominantly a drinking establishment during the evening hours without any plans to mitigate quality of life impacts; and in order to address these concerns the applicant would prepare a complete package addressing those concerns and will resubmit the application package for consideration at a future CB#2, Man. SLA Licensing Committee meeting should they proceed; and,

The representative of the applicant who appeared stated that even though CB#2, Man. had requested a response to the above concerns last month and the month prior, conceded that he did not have a complete package and that CB#2's request was reasonable given the size and seating of the operation; he was previously provided the contact information for the Chair of the Committee to answer any additional questions prior to returning next month;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, class change, **alteration**, transfer, upgrade or changes to any existing license for **74 Fifth Ave. Market Corp., 74 5th Ave., 10011** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
Jo Hamilton, *Second Vice Chair*
Bob Gormley, *District Manager*



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

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Dana E. Christian, Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**28. Thai Smile Restaurant Inc., d/b/a Tue Thai Food, 3 Greenwich Ave, Store 4 10014
(Alteration RW SN#1261536 to add unenclosed sidewalk café)**

Whereas, after having been requested to appear at CB2, Manhattan's SLA Licensing Committee Meeting #2 on June 12th, 2014 (after submitting a 30 day notice to CB2), the applicant and/or their attorney chose not to appear before CB2 and did not notify CB2 of any request to layover or withdraw their application to the Liquor Authority;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, class change, **alteration**, transfer, upgrade or changes to any existing license for **Thai Smile Restaurant Inc., d/b/a Tue Thai Food, 3 Greenwich Ave, Store 4 10014 (SN#1261536)** 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 38 Board members in favor.

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
Jo Hamilton, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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June 26, 2014

Dana E. Christian, Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

29. Robot Apartments, LLC, 25 Bleecker St. 10012 (New RW - Withdrawn]

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting #2 on June 12th, 2014, the applicant's attorney requested to **withdraw** this application for a new restaurant wine license at this location and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Robot Apartments, LLC, 25 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 38 Board members in favor.

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
Jo Hamilton, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
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NY State Liquor Authority
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New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

30. MCD Hospitality LLC, d/b/a Le Baratin, 26 Greenwich Ave. 10011 (change of class - RW to OP - Withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting #2 on June 12th, 2014, the applicant's attorney requested to **withdraw** this application for an upgrade from an existing restaurant wine license (SN#1269363) to an on-premise restaurant liquor license at this location and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, class change, alteration, transfer, **upgrade** or changes to any existing license for **MCD Hospitality LLC, d/b/a Le Baratin, 26 Greenwich Ave. 10011** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
Jo Hamilton, *Second Vice Chair*
Bob Gormley, *District Manager*



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

Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

31. Adam Haggiag or Corp. to be formed d/b/a TBD, 52 Grove St aka 100 7th Ave. South 10014 (New OP - Withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting #2 on June 12th, 2014, the applicant's attorney requested to **withdraw** this application for a new on-premise restaurant liquor license at this location and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Adam Haggiag or Corp. to be formed d/b/a TBD, 52 Grove St aka 100 7th Ave. South 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 38 Board members in favor.

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
Jo Hamilton, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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June 26, 2014

Dana E. Christian, Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

32. Entity to be determined, d/b/a TBD, 679 Greenwich St. 10014 (New OP - Withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting #2 on June 12th, 2014, the applicant's attorney requested to **withdraw** this application for a new on-premise restaurant liquor license at this location and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Entity to be determined, d/b/a TBD, 679 Greenwich 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 38 Board members in favor.

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
Jo Hamilton, *Second Vice Chair*
Bob Gormley, *District Manager*



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

COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.cb2manhattan.org

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

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

June 26, 2014

Dana E. Christian, Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

33. Sugar Factory American Brasserie Meatpacking LLC d/b/a Sugar Factory, 1-3-5 Little W. 12th St. 10014 (attorney requested layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting #2 on June 12th, 2014, the applicant's attorney requested to **layover** this application for a new on-premise restaurant liquor license at this location and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Sugar Factory American Brasserie Meatpacking LLC d/b/a Sugar Factory, 1-3-5 Little 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 38 Board members in favor.

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
Jo Hamilton, *Second Vice Chair*
Bob Gormley, *District Manager*



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

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June 26, 2014

Dana E. Christian, Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on June 19, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

34. Down and Dirty Tacos and Tequila Bar Meatpacking, LLC d/b/a Down and Dirty Tacos and Tequila Bar, 835 Washington St. 10014 (attorney requested layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting #2 on June 12th, 2014, the applicant's attorney requested to **layover** this application for a new on-premise restaurant liquor license at this location and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Down and Dirty Tacos and Tequila Bar Meatpacking, LLC d/b/a Down and Dirty Tacos and Tequila Bar, 835 Washington 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 38 Board members in favor.

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

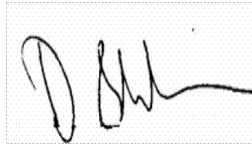
Sincerely,



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



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



David Gruber, Chair
Community Board #2, Manhattan

DG/fa

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