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Daniel Miller, *First Vice Chair*
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Antony Wong, *Treasurer*
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Community Board No. 2, Manhattan

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September 8, 2017

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

Dear Sir/Madam:

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

1. Boqueria Soho, LLC, d/b/a Boqueria, 171 Spring St. 10012 (OP – Restaurant)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a corporate change to an existing restaurant on premise liquor license SN# 1210705 (Exp: 9/30/18) for a “Spanish tapas-style restaurant;” and,

ii. Whereas, this application is for an existing restaurant on premise license in a mixed use building on Spring St. between Thompson St. and West Broadway (Block 502/Lot 41) for a roughly 3,500 sq. ft. premise (ground floor 2,300 sq. ft., basement 1,200 sq. ft.); there are 20 tables and 44 table seats, 1 standup bar with 5 seats, and one kitchen counter with 5 seats for a total of 54 seats; there is no outdoor seating, a Certificate of Occupancy was presented; and,

iii. Whereas, the hours of operation will be 10AM to 12AM, seven (7) days a week (all patrons will be cleared from the premises and no patrons will remain after stated closing time), all doors will be closed by 10PM daily, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

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

1. Premise will be advertised and operated as a Spanish tapas restaurant.

2. The hours of operation will be from 10AM to 12AM seven (7) days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge,” tavern or sports bar.
4. The premise will have no more than one (1) television, no larger than 46” (& no projectors).
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only on the interior. All music levels and volumes will at all times comply with all New York City Laws and Regulations and will not be audible in adjacent residences at anytime.
8. The premises will not have DJ’s, live music, cover charges or promoted events.
9. The premises will close all doors & windows at 10PM every night.
10. The premises will not have French doors, operable windows or open facades.
11. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
13. Will continue to maintain appropriate soundproofing and will continue to maintain the soundproofing on the ventilation system.
14. Will not seek to obtain a sidewalk café permit or otherwise install outdoor seats or service.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a corporate change for the existing restaurant wine license for **Boqueria Soho, LLC, d/b/a Boqueria, 171 Spring St. 10012 (OP – Restaurant)** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 13 Executive Committee members in favor.

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

Dear Sir/Madam:

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

2. Local & Vine, Inc. d/b/a Local & Vine, 282 Hudson St. 10013 (RW – Wine Bar)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an alteration application for an existing restaurant wine license SN# 1296773 to incorporate a Sidewalk Café of 209 sq. ft. with (9) tables and 18 seats; and,

ii. Whereas, this the existing restaurant wine license is for a "reasonably priced neighborhood wine bar specializing in New York State products" in a mixed-use building on Hudson St. at the corner of Dominick Street between Dominick and Spring Streets (block 579/lot 1); a roughly 1,200 sq. ft premise with 9 tables and 18 table seats and 1 stand-up bar with 8 seats for total interior seating of 26; and,

iii. Whereas, the hours of operation for the interior restaurant remain 12PM to 12AM Sundays, 4PM to 12AM Mondays, Tuesdays, and Wednesdays, 4PM to 2AM Thursdays, and 12PM to 2AM Fridays and Saturdays (all patrons will be cleared from the ground floor of the premises and no patrons will remain after stated closing time), all doors and windows will be closed by 10PM daily, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. Whereas, the sidewalk café will close by 10PM Sunday through Thursday and 11PM on Friday and Saturday (all tables and chairs will be removed at this hour).

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

1. Premise will be advertised and operated as a Wine Bar.
2. The hours of operation will be 12PM to 12AM Sundays, 4PM to 12AM Mondays, Tuesdays, and Wednesdays, 4PM to 2AM Thursdays, and 12PM to 2AM Fridays and Saturdays 10AM to 4AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge,” tavern, or sports bar.
4. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
5. The operate a sidewalk café no later than 10PM Sundays through Thursdays, and 11PM on Fridays and Saturdays. All tables and chairs will be removed at this hour.
6. The premises will play quiet ambient-recorded background music only on the interior. All music levels and volumes will at all times comply with all New York City Laws and Regulations and will not be audible in adjacent residences at anytime.
7. The premises will not have DJ’s, live music, cover charges or promoted events.
8. The premises will close all doors & windows at 10PM every night and anytime there is amplified music.
9. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
10. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
11. All other previously existing stipulations remain in place except where they specifically concern a sidewalk café.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an alteration for the existing restaurant wine license for **Local & Vine, Inc. d/b/a Local & Vine, 282 Hudson St. 10013** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 13 Executive Committee members in favor.

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Dear Sir/Madam:

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

3. BL 55 Greenwich NY LLC d/b/a Bluestone Lane, 55 Greenwich Ave. 10014 (RW – Corporate Change SN#1278134)

i. Whereas, the attorney for the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present a corporate change application to the Liquor Authority for an existing Restaurant Wine License SN#1278134 to continue to operate a full service restaurant/café specializing in coffee (Australian style) with an existing sidewalk café; the corporate change will result in Bluestone Lane Holdings, LLC with 100% interest in BL 55 Greenwich NY LLC; and,

ii. Whereas, the current license is for an existing Restaurant Wine License SN#1278134; the premises is in a mixed use commercial/residential building in a mixed-use residential district located on the ground floor on the Southeast corner of Greenwich Ave and Perry St. for a roughly 1,032 sq. ft. premise (ground floor only) with a diagram indicating 14 tables and 48 seats, one window counter with 8 seats and one bar with 7 seats for a total of 63 interior seats; the premises also includes a licensed New York City Department of Consumer Affairs sidewalk café which has 9 tables and 24 Chairs; (there is another outdoor side/backyard area with access from the interior premises but there is no current permit or certificate that permits use of that outdoor side/backyard area for eating and drinking and the applicant has agreed not to use the exterior side/backyard for any purpose until the proper permits and certificates are granted and until he has properly notified and presented to CB2, Man. and the SLA a future alteration application to use this side/backyard outdoor area – CB2 has made no representations that it will make any affirmative recommendations as this is an interior courtyard style space surrounded by residential units); there is an existing certificate of occupancy; and,

iii. Whereas, the hours of operation of the interior of the premises will be no earlier or later than 8 am to 12 am (midnight) 7 days a week, the sidewalk café will close at 10 pm each night and all tables and chairs will be removed at that time, there are no other outdoor areas included in this application, all doors and windows will be closed by 9 pm daily on the Perry St. side of the premises and at 10 pm on the Greenwich Ave side of the premises, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. Whereas, there will be no change in the method of operation and there is an existing stipulations agreement in place, all existing stipulations to remain in place and the applicant also executed a new stipulations agreement with CB2 reaffirming the prior stipulations and further agreeing the existing stipulations would continue to be attached and incorporated into the method of operation on the existing restaurant wine SLA license reflecting the corporate change stating that:

1. Premise will be advertised and operated as a full service restaurant/café with specialty coffee (Australian Style).
2. The hours of operation will no earlier or later than 8AM to 12AM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times. The premise currently closes earlier than their stipulated hours.
3. The premises will operate as a full service restaurant/café with specialty coffee (Australian Style), a full food menu will be available at all times and the kitchen will remain open at all hours of operation.
4. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
5. The premise will not have televisions.
6. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
7. The premises will operate their sidewalk café no later than 10 PM 7 days a week (no patrons will remain in sidewalk café after sidewalk café closing hour). The Sidewalk café will not open on Sundays until 12PM. The current application includes a sidewalk café with 9 tables and 24 Seats as the only outdoor seating.
8. The premises will play quiet ambient-recorded background music only. All music levels and volumes will at all times comply with all New York City Laws and Regulations and will not be audible in adjacent residences at anytime.
9. The premises will not have DJ's, live music, cover charges or promoted events.
10. All doors and windows on the Perry St. side of the premises will be closed at 9 pm every night; The Perry St. Door will be for emergency egress only; All doors and windows on the Greenwich Ave side of the premises will be closed at 10 pm every night; doors will not be propped open after those hours.
11. Rear terrace outdoor area is not included in this application and is not for patron use. There is no backyard garden, side yard or rear terrace included in this application.
12. The Sidewalk Café will always be set up to plans on file with the New York City Department of Consumer Affairs and specifically will not obstruct the Perry St. side sidewalk walkway.

iv. Whereas, there were concerns voiced by a member of the Committee that the applicant was not abiding by their prior stipulations in that the sidewalk café and seating for patrons extended too far out onto the public sidewalk, blocking pedestrian traffic and failing to provide a proper corridor width for pedestrians, especially older pedestrians traveling upon the sidewalk; and

v. **Whereas**, because no manager or principal appeared on behalf of the applicant to address those concerns, this failure to appear for that purpose also raised concerns even though the lawyer who appeared indicated that he would bring up and address those concerns with the applicant and business management;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the corporate change application for the existing restaurant wine license, SN#1278134 for **BL 55 Greenwich NY LLC d/b/a Bluestone Lane, 55 Greenwich Ave. 10014** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine license.

Vote: Unanimous, with 13 Executive Committee members in favor.

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

Dear Sir/Madam:

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

4. BL 30 Carmine NY LLC, d/b/a Bluestone Lane, 30 Carmine St. 10014 (RW – Corporate Change SN#1292707)

i. Whereas, the attorney for the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present a corporate change application to the Liquor Authority for an existing Restaurant Wine License to continue to operate a full-service restaurant/café specializing in coffee (Australian style) with an existing sidewalk café; the corporate change will result in Bluestone Lane Holdings, LLC with 100% interest in BL 30 Carmine NY LLC; and,

ii. Whereas, there are no other changes to the existing restaurant wine license which is for a restaurant in a mixed-use building located on Carmine St between Bedford St. and Bleecker St. for a roughly 1,250 sq. ft. premise located on the ground floor and basement (750 sq. ft. ground floor, 500 sq. ft. basement, patron use of ground floor only) with 7 tables and 31 table seats, 1 standup bar with no bar seats and a licensed sidewalk café with 6 tables and 12 seats; there is an existing letter of no objection; and,

iii. Whereas, the hours of operation are from 7:30AM to 11PM seven days a week, the sidewalk café will close on all nights at 9PM, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 9PM except for patron ingress and egress, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. Whereas, there is an existing stipulations agreement in place, all existing stipulations to remain in place, and the applicant also executed a new stipulations agreement with CB2 reaffirming the prior stipulations and further agreeing the existing stipulations would continue to be attached and incorporated into the method of operation on the existing restaurant wine SLA license reflecting the corporate change stating that:

1. The premises will be advertised and operated as an Australian Coffee Shop/Café serving breakfast, lunch and dinner.
2. The interior hours of operation will be from 7:30AM to 11PM seven days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions or projectors.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The Premises will not have French doors, operable windows or open facades and will close all doors and windows at 9 PM except for patron ingress and egress.
10. There will be no patron use of basement.
11. Applicant will obtain a letter of no objection from the NYC Department of Buildings.
12. Applicant will obtain and keep current all required certificates and permits.
13. The applicant has added to their diagramed premises for their existing restaurant wine license a newly DCA licensed sidewalk café with 6 tables and 12 seats.
14. The sidewalk café will close at 9PM on all days without exception.

v. Whereas, there were concerns voiced by a member of the Committee that the applicant was not abiding by their prior stipulations in that the business had scheduled a live band playing live music on the public sidewalk in front of the premises the prior weekend in derogation of their prior stipulations agreement; and

vi. Whereas, because no manager or principal appeared on behalf of the applicant to address those concerns, this failure to appear for that purpose also raised concerns even though the lawyer who appeared indicated that he would bring up and address those concerns with the applicant and business management;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the corporate change application for the existing restaurant wine license, SN#1292707 for **BL 30 Carmine NY LLC, d/b/a Bluestone Lane, 30 Carmine St. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine license.

Vote: Unanimous, with 13 Executive Committee members in favor.

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September 8, 2017

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

Dear Sir/Madam:

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

5. GeeBee, LLC, d/b/a N/A, 35 W. 8th St. 10011 (OP – Restaurant w/ customer bar)

- i. Whereas**, the Applicant and representative appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a “transfer application” of an existing on-premise liquor license SN#1230107 (Exp: 12/13/2017) for a restaurant “that has a very old New York feel”; and,
- ii. Whereas**, the first-floor store front premises is located in a five-story mixed-use building (c1910) in both a designated historic district and a NYC Special Zoning District on West 8th St. between MacDougal St. and the Ave. of the Americas (6th Avenue) (block 572/lot 61). For a roughly 3,700 sq. ft. premise (ground floor 2,200 sq. ft., basement 1,500 sq. ft.); there are 17 tables and 78 table seats proposed and 1 standup bar with 13 seats, for a total patron capacity of 91 seats; there is no outdoor seating and a Certificate of Occupancy was presented; and,
- iii. Whereas**, there is a long and troubled history with the existing licensee at these premises, with Garrity Walsh Corp. d/b/a Pour George a/k/a Whiskey Social having obtained their existing OP license in 2009 on false pretenses and misrepresentations to the Community and to the Community Board that it would be a food driven full service Irish restaurant supporting Celtic cultural events such as poetry readings and supplemental art exhibits at the time of its initial application process but instead morphed into an alcohol driven sports bar with 14 TVs until 2 AM on Thursdays and 3 AM on Fridays and Saturdays; and,

iv. Whereas, the current applicant in this transfer application is seeking to benefit from those prior misrepresentations by the existing licensee stating that they are entitled to those same late hours simply because this is a transfer application while ignoring all the years of complaints stemming from licensee’s misrepresentations to the Community in the first place; and

v. Whereas, the approval of the license in 2009 with late-night hours was based solely the misrepresentation of the current licensee that it would be a full-service restaurant and they never indicated they would be a late night sports bar with 14 televisions as they did; and

vi. Whereas, the current Applicant has alternatively and inconsistently described their project as a restaurant, in that it also seeks to operate an alcohol-driven and a late-night oriented craft cocktail bar, the concept of a cocktail bar being entirely inconsistent with the community’s interests but a concept which could reasonably be expected to increase the negative impacts and quality of life for the surrounding residential neighbors; and,

vii. Whereas, the unusually late hours, granted on the basis of aforementioned false representations, are also out of character with the surrounding streets and neighborhood and have been an ongoing source of negative impacts on community quality of life; and that residents, local business groups, the community board and elected officials have made a particular point of resisting late Thursday hours on West 8th St. in light of the social and economic characteristics of the neighborhood; and,

viii. Whereas, SLA 500-foot rule decisions have previously provided the guidance that appropriate restaurant hours for the area in question are typically 11PM and 12PM; and most restaurants in the vicinity do, in fact, close by around 12PM, and Bar/Restaurants by 12PM on Thursdays and 2PM on Friday and Saturday; and that some establishments don’t even fully use their originally granted hours out of respect for the community; and,

ix. Whereas, despite the established negative impacts on the community of the current hours, and the significant increase in those impacts likely from the differences between the applicant’s proposal and previous operators, the applicant seeks the currently licensed for 12PM Sunday through Wednesday, 2AM Thursday, and 3AM Friday and Saturday; and further, the applicant specifically testified that any reduction in hours, no matter how slight, would make their business model unviable; and,

x. Whereas, the CB2 Man. would not support a new application for such late hours at this location given the conditions in the neighborhood at this time, and does not believe that the concept of transferring hours is somehow grandfathered into a location is appropriate simply because it existed previously, and especially in this case as those late night hours were approved on false statement made to obtain the original license and the significant divergence between a restaurant and a late night sports bar; and,

xi. Whereas, the applicant presenting a petition in support but other residents sent in letters opposing the late night hours and still others appeared in opposition, as well as the West 8th Street Block Association, with the Applicant declining an offer by the West 8th Street Block Association to facilitate a compromise which clearly included a reduction in the late night hours being requested; and,

xii. Whereas, CB2 Man. would provide a more favorable recommendation if the applicant stipulated to more the reasonable closing hours of 12 PM Sunday through Thursday, and 1 AM Friday and Saturday; and

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to GeeBee, LLC, d/b/a N/A, 35 W. 8 th St. 10011 on its application seeking a “transfer application” of on-premise liquor license SN#1230107 (Exp: 12/13/2017); and

THEREFORE BE IT FURTHER RESOLVED that if this application is considered by the SLA, despite CB2, Manhattan's recommendation to deny this application, CB2 requests that the SLA conduct a 500 foot hearing

THEREFORE BE IT FURTHER RESOLVED that should this application be considered by the SLA, CB#2, Man, respectfully requests that this item be Calendared to appear before the Full Board of the SLA.

Vote: Unanimous, with 13 Executive Committee members in favor.

Terri Cude, *Chair*
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Dear Sir/Madam:

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

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

6. Boxing Chicken Soho, LLC, d/b/a N/A, 529 Broome St. (RW - Restaurant) (withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 8, 2017, the Applicant requested to withdraw its application from further consideration; and

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Boxing Chicken Soho, LLC, d/b/a N/A, 529 Broome St. until** the Applicant has properly presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 13 Executive Committee members in favor.

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Dear Sir/Madam:

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

7. 9 Crosby, LLC & Interstate Management Company LLC, d/b/a Nomo Soho, 9 Crosby St. 10013 (OP Alteration Hotel—Withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 8, 2017, the Applicant requested to withdraw its application from further consideration;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **9 Crosby, LLC & Interstate Management Company LLC, d/b/a Nomo Soho, 9 Crosby St. 10013** **until** the Applicant has properly presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 13 Executive Committee members in favor.

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

Dear Sir/Madam:

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

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

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 8, 2017, the Applicant and his counsel requested to withdraw this application from further consideration, there being no patron bathroom accessible within the premises as previously presented; and

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

Vote: Unanimous, with 13 Executive Committee members in favor.

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



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

Community Board No. 2, Manhattan

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September 8, 2017

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

Dear Sir/Madam:

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

9. YN Winebar, LLC, d/b/a N/A, 227 Mott St. 10012 (OP – Pub/Tavern) (Transfer OP—laid over at request of Applicant).

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 8, 2017, the Applicant requested to lay over this application for an on premise license to September/2017; and

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **YN Winebar, LLC, d/b/a N/A, 227 Mott 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 13 Executive Committee members in favor.

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



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

Dear Sir/Madam:

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

10. YS Pastry, LLC, d/b/a Patisserie Fouet, 15 E. 13th St. 10003 (OP – Restaurant) (Laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 8, 2017, the Applicant requested to lay over this application for an on premise license to September/2017; and

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **YS Pastry, LLC, d/b/a Patisserie Fouet, 15 E. 13th St. 10003** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 13 Executive Committee members in favor.

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



Antony Wong, *Treasurer*
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September 8, 2017

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

Dear Sir/Madam:

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

11. Sugar Beets, Inc., d/b/a Maman, 237-239 Centre St. 10013 (OP – Restaurant/Bakery Café) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 8, 2017, the Applicant requested to lay over this application for an on-premise license to September/2017;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Sugar Beets, Inc., d/b/a Maman, 237-239 Centre 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 13 Executive Committee members in favor.

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



Antony Wong, *Treasurer*
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September 8, 2017

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

Dear Sir/Madam:

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

12. Entity to be formed by Gerard Doyle, d/b/a The Home Place, 228 Thompson St. 10012 (OP - Tavern) (laid over)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 8, 2017, the Applicant requested to lay over this application for an on premise license to September/2017; and

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Entity to be formed by Gerard Doyle, d/b/a The Home Place, 228 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.

Vote: Unanimous with 13 Executive Committee members favor.

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



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

Dear Sir/Madam:

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

13. Great Jones Distillers, LLC, d/b/a Great Jones Distiller, 686 Broadway 10012 (OP – Restaurant) (Live Music & DJs for private events only) (laid over).

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 8, 2017, the Applicant requested to lay over this application for an on premise license to September/2017;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Great Jones Distillers, LLC, d/b/a Great Jones Distiller, 686 Broadway 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 13 Executive Committee members in favor.

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



Antony Wong, *Treasurer*
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Dear Sir/Madam:

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

13. Village Restaurant Group, LLC, d/b/a Hudson Clearwater, 447 Hudson St. 10014 (OP – alteration/change in method of operation - extension of hours for sidewalk café SN#1272425)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an alteration application to extend their late night outdoor hours of operation for the existing sidewalk café which operates under restricted hours through a stipulations agreement; the premises currently holds an on-premise liquor license SN#1272425 for a “neighborhood restaurant serving seasonally & locally sourced New American Fare” that has been in operation for approximately 7 years; and

ii. Whereas, the proposed change in method of addressed by this application is to extend the hours of operation for the Department of Consumer Affairs licensed sidewalk café with 6 tables and 12 seats along Hudson Street from 8AM to 10PM Sunday to Thursday and 8AM to 11PM Friday and Saturday to new operating hours from 8AM to 11PM Sunday to Thursday and 8AM to 12AM Friday and Saturday; and,

iii. Whereas, there exists an adverse history with the use of outdoor space at this location, specifically the use of the rear yard which has created significant quality of life issues for immediate residents; this premise was previously unlicensed prior to opening and there was never any commercial use of the backyard and as part of the process of demonstrating public interest for this location which was previously operated as an insurance agency the Licensee willingly entered in to stipulations which

were incorporated into the Liquor License including limited hours of operation in the rear yard garden until 10PM because of the impacts this would have on immediate residents, the specific stipulation from 2009 is “The applicant has agreed to cease operations in the backyard garden by 10:00 p.m. daily”, and

iv. Whereas, (1) at the time of the original application, the Licensee indicated that there would be a future sidewalk café application, but the sidewalk café application was not presented in 2009 as part of the 2009 application, **(2)** the sidewalk cafe was subsequently presented by the Licensee to CB2, Man. in August 2015 after it was submitted to the NYC Department of Consumer Affairs at the time for 6 tables and 12 seats and closing hours were stipulated with CB2, Man. for the sidewalk café to be 10PM Sunday to Thursday and 11PM Friday and Saturday - the Licensee was advised by CB2 at that time that they would need to notice CB2 and submit an alteration application for their liquor license to add the sidewalk café and appear before CB2’s SLA Licensing Committee; **(3)** 6 years has elapsed from the original issuance of the liquor license and no 30-day notice has ever been submitted to CB2 to date for any changes or alterations to the existing liquor license that were filed with the Liquor Authority to add the sidewalk café nor has CB2 ever submitted a resolution to the Liquor Authority regarding the addition of sidewalk cafe; and,

v. Whereas, this Licensee and premises has been the subject of a number of CB2, Man. resolutions over the years and disciplinary proceeding(s) before the Liquor Authority and CB2 respectfully requests that those materials be reviewed for further background to opposition to the change in hours of operation for the sidewalk café; the premises operated as a speakeasy with their operation hidden, operating within what appeared to be a derelict and abandoned storefront with papered over windows with their front door locked during hours of regular operation until 2015, and instead using the rear yard hidden entrance and backyard as the main entrance until 2 am 7 days a week despite the stipulations originally agreed to significantly impacting immediate residents and their quality of life in violation of their existing stipulations, with no signage at all, and which was the subject of protracted proceedings with several weeks of testimony before the Authority; and,

vi. Whereas, a petition in support of changes to the sidewalk café hours of operation was presented and letters of support were presented by the applicant; few of the signatures are from residential tenants who would be impacted; and,

vii. Whereas, a number of people directly impacted appeared in opposition to the change in method of operation and alteration and a number of letters in opposition were received, those who appeared and wrote letters are directly impacted residents living in immediate proximity with windows overlooking the subject premises and whose residence and residential entrance is immediately adjacent to the sidewalk café; and,

viii. Whereas, the following objections were raised to extending the hours of operation for the sidewalk cafe **(1)** the existing hours of operation represent a delicate balance between the residential neighbors directly impacted and the operation of the sidewalk café by the restaurant; **(2)** the current sidewalk café operation does create quality of life issues on a regular basis and does have an immediate and direct impact on the quality of life of the immediate neighbors; the neighbors in the spirit of moving forward despite the significant impacts associated with the creation of this licensed premises where none existed before have accepted the current hours of operation of the sidewalk café as a compromise; **(3)** the stipulated hours of operation for the sidewalk cafe were entered into again because of opposition to the application to find a balance; **(4)** the applicant was illegally serving alcohol in the sidewalk café because CB2, Man. was never notified by 30 day-notice of the intent to alter the existing license to add the sidewalk café for alcohol service; **(5)** immediately abutting

neighbors including children still overlook the premises and should not be subject to unreasonable noise after 10PM during the week when many work at early hours and go to school (6) the current sidewalk café immediately abuts the residential entrance to the adjoining residential building and the restaurant overlooks and/or allows patrons to hang things on the low metal fence on the adjacent property which has resulted in broken finials and tying dogs to the fence and allowing patrons to smoke at the tables immediately next to the residential entrance to the adjoining building, this issue has been raised before and no corrective step have been taken; (7) applications from the operators of this premises to alter the method of operation and hours of operation have become an almost annual process of requiring immediate residential neighbors to respond to the operators trying to expand their impact on those immediately impacted residential tenants which is almost bullying in nature and to somehow imply that those tenants should somehow be glad to have this operator who has transformed a once quiet rear yard and sidewalk into an outdoor eating and drinking extension which has repeatedly been used as an argument is insulting; (8) that the impacted residents who have invested in the community, in schools and in raising children in the community should not have to be further impacted by restaurateurs who are not making the same investment across the community; (9) that the original trade off of stipulated outdoor hours of operation for the rear yard and the subsequent agreement on hours of operation for the sidewalk café with CB2, Man. was fair enough even in light of opposition from residential neighbors and that existing Quality of Life impacts should not be extended into later hours of operation; (10) that this operation is far from being a neighborhood destination for local residents as is repeatedly implied and is in fact a destination location which marketed heavily to tourists and out-of-towners through heavy press and marketing; (11) that the immediate local residents being subject to the violations of the original stipulations for operation in the rear yard garden after 10PM for years more than negate any argument for extending any outdoor hours of operation including the sidewalk cafe because it is already clear that operations past 10PM heavily impact the Quality of Life of those residents who overlook this r operation; and,

ix. Whereas, photographic evidence was presented and the Licensee admitted that they have placed additional large benches on a regular basis outside of their licensed sidewalk café along the street facing the sidewalk café further obstructing the sidewalk; the Licensee states no alcohol is served at those benches but pled ignorance to the law that placing additional street furniture on the sidewalk in addition to the 6 tables and 12 seats in front of their sidewalk café was illegal; they stated they have no license for those benches and pay no fees for their use; and,

x. Whereas, CB2, Man. feels the basis of the operators request to extend the hours of operation is flawed and that an extension of hours of operation of the sidewalk café will create an impact on the quality of life where none existed before; the operator relies on the fact that because the operator is currently following their agreed upon hours of operation of the sidewalk café, which represents a compromise between residents and the operator to in essence “keep the peace” and move forward, that they should be able to extend their hours of operation of the sidewalk café because they have no complaints; the impacted residents have made very clear that they did not make complaints in the spirit of keeping to the agreed upon hours of operation, but easily showed and explained the ongoing impacts from the operation of the sidewalk café; and,

xi. Whereas, CB2, Man. cannot support the alteration application for the foregoing reasons;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the alteration application and change in method of operation to extend the hours of operation for the sidewalk cafe for the existing restaurant on-premise liquor license for **Village Restaurant Group, LLC, d/b/a Hudson Clearwater, 447 Hudson St. 10014, SN# 1272425;** and,

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

Vote: Unanimous, with 13 Executive Committee members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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September 8, 2017

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

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

14. FT 328C, LLC, d/b/a Bar Veloce, 328 W. 12th St. 10014 (RW – Tavern Wine)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new tavern wine license for a neighborhood and community oriented wine bar in a five story townhouse (circa 1900) located on the corner of West 12th and Greenwich Streets in a grandfathered commercial space in a historic residentially zoned area; and,

ii. Whereas, this application is for a new Tavern Wine License in a location that was previously licensed and operated as a restaurant Recette (though not currently licensed), the premises is approximately stated to be approximately 700 sq. ft. with 7 tables and 28 seats, 1 stand up bar with 11 seats and window counters with no seats along the west 12th St. facade; there is an existing certificate of occupancy which indicates “eating and drinking space” with a maximum occupancy of 55; and,

iii. Whereas, the hours of operation will be from 3PM to 12AM, 7 days a week (no patrons shall remain at closing), music will be ambient quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. Whereas, the applicant had the previous month in July/2017 presented to CB2, Man. an application for an On-premise License for a tavern, but subsequently withdrew that application in light of overwhelming community opposition and a negative recommendation from CB2; and,

iv. Whereas, the applicant executed a stipulations agreement with CB2, Man. that they agreed would be attached and incorporated in to the method of operation on the new Tavern Wine License stating that:

1. Premise will be advertised and operated as a neighborhood and community oriented wine bar.
2. The premise is located in a residentially zoned area and the operator will at all times be respectful of their residential neighbors.
3. The hours of operation will be from 3PM to 12AM, 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
4. The food preparation area will remain open and food menu items will be available until closing every night.
5. The premises, or any portion of the premises will not operate as a “lounge” or sports bar.
6. The premise will not have televisions that play any type of broadcast shows. There may be 1 TV screen which show only old Italian “black and white” movies without sound at any time.
7. The premises will not operate a backyard garden or any outdoor area for commercial purposes.
8. There will be no outdoor seating including benches.
9. The premises will play quiet ambient-recorded background music only. All music levels and volumes will at all times comply with all New York City Laws and Regulations and will not be audible in adjacent residences at anytime. Licensee will use best efforts to soundproof the premises to ensure noise does not emanate in any direction in violation of the NYC Noise Code. If any windows are open, no music will be audible from outside the premises.
10. The operator will install additional soundproofing along any walls abutting residential premises and offer to all immediately abutting residences including those above to conduct a sound-test prior to opening the establishment and prior to finishing work on walls and ceilings to ensure there will be no sound issues. A sound limiter shall be properly calibrated and installed so that those levels are never exceeded. The invitation to participate in any sound test to neighbors will be extended by email with CB2 copied and also by certified mail.
11. The premises will never have DJ’s, live music, cover charges or promoted events.
12. The windows in the premises along West 12th Street will never be opened at anytime for any reason. In consideration of the residential community, the windows along Greenwich St. will open no earlier than 3PM and will close no later than 7PM and anytime there is music. There will be no French doors, or open facades.
13. The Operator shall hang a sign outside the premises, which shall be legible from 20 feet away, instructing patrons to keep the noise down and to respect the neighbors.
14. Any waiting Patrons will either wait inside the premises or be alerted through a remote messaging system. There will never be any patron lines or patrons waiting outside for entry.
15. Should it be requested, the premises will designate a staff member to ensure that patrons outside are not creating a disturbance and that all patrons smoking outside the premises remain quiet and not disrupt the residential neighbors.
16. There will be no neon signage used either inside or outside the premises.
17. Applicant will not apply for any alteration to the method of operation agreed to by this stipulation without first coming before CB2.
18. With their Attorney present, the Applicant stated that they would never apply for any type of on-premise liquor license.
19. A copy of the executed stipulations will be attached to the liquor license in such a fashion as to be available for review along with the Liquor License.
20. Residents may contact Owner at the phone number listed below. Any complaints will be addressed immediately.

v. Whereas, the applicant met with the local block associations and residents over the course of several months and was available to discuss the many concerns regarding his application and after much discussion and response to the significant concerns from residents agreed to a large number of stipulations with CB2, Man. in order to strike a balance of operating a wine bar/tavern style operation in the heart of a residential community where no such tavern style operation has previously existed; and

vi. Whereas, despite the applicant's history of operating other licensed premises operating with roughly the same concept albeit with on-premise liquor licenses in other areas, including two locations within CB2, Man. , one of which currently operates, there were still great concerns regarding this operation at this location because his other operations have all been on major Cross-town Streets or Avenues in as of right commercial districts and while they may have no impacts there would certainly have adverse impacts at this location; and,

vii. Whereas, CB2, Man. received a significant number of letters in opposition and petitions in opposition and residents appeared in opposition all explaining in detail how the issuance of a tavern wine license at this location would significantly impact on them directly, most letters and those who appeared live in immediate proximity and would be directly impacted including next door neighbors sharing party walls, neighbors directly across the street and on the same blocks;

viii. Whereas, some of the main complaints were that a wine bar/tavern operation at this location was wholly inappropriate; that the applicants other locations are not in purely residential areas such as this and that a wine bar/tavern as opposed to a restaurant operates in an entirely different fashion and that there would be no question that quality of life would be impacted; the applicant originally presented hours of operation past 2AM and proposed keeping all windows and doors open until 11PM and that even with these reduced hours of operation and closing windows earlier would still create noise impacts; that it was entirely inappropriate to have an operable windows open at this location for a primarily drinking operation at that previous operators of restaurants at this location did not use the windows; a resident who shares a party wall between his home and the proposed premises explained how these two abutting historic buildings have not been adequately soundproofed and for this and other reasons he had been in litigation with the proposed applicants landlord; most residents stated they would not oppose earlier hours of operation such as 10:30 during the week and 11 on weekends, there were concerns that acquiescing to this style of operation would only lead to a future application to upgrade the license and extend the hours of operation; illustrative diagrams were presented showing how licensing a tavern at this location which is known to be a destination location chain of wine bars in lower Manhattan would serve to attract clients who would move through the surround residential area to get to this premises; that property owners in this immediate area had purchased their properties because this immediate area is a residential oasis amid the hustle and bustle of the city with no history of bar and tavern operations at this location and that this type of use would negatively impact their property values; that there are many families in this immediate block and children and that late operating hours in a landmarked residential district would have an adverse impact on those families as a result of ensuing noise from patrons; there was also an significant concern from residents regarding patrons outside the premises either smoking or waiting to come in, it was pointed out that a wine bar/tavern operation has many more standing patrons and therefore a larger capacity which would result in more people on the street out

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Tavern Wine License for **FT 328C, LLC, d/b/a Bar Veloce, 328 W. 12th St. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the "Method of Operation" on the SLA Tavern Wine License.

Vote: Unanimous, with 13 Executive Committee members in favor.

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



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September 8, 2017

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

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

15. Mirtos Restaurant, Inc., d/b/a Village Den Restaurant, 225 W. 12th St. 10011 (RW – Restaurant – alteration to extend hours of operation and Class Change to OP)

i. Whereas, a representative of the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for an alteration to the existing method of operation and a class change to a full on premises liquor license for an existing restaurant wine license SN#1282600; the Principal was traveling out of the country and unable to attend and the proposed new manager who was going to operate the location was unable to attend; the premises has been operating for 30 years at this location as the Village Den Restaurant but the representative stated that the current operation would be unable to continue operating unless they dramatically changed the operation and that they had brought on a new manger to run the business and make changes; in addition to the class change to a full on-premise liquor license, the representative indicated that they would like to increase the hours of operation to 2AM Sunday to Wednesday and 4AM Thursday to Saturday, install a new bar with 12 seats, change the food menu and perform interior alterations and reconfigure the seating; and,

ii. Whereas, the proposed alterations would result in a premise located in a mixed-use building on the ground floor on West 12th St. between Greenwich Ave and 7th Ave for a 900 sq. ft. restaurant, which currently has 23 tables and 66 seats and 1 service bar which under this proposed change would now have 16 tables and 54 seats and 1 bar with 12 seats; there would continue to be a sidewalk café with 7 tables and 14 seats which will be assigned; there is an existing certificate of occupancy; and,

iii. Whereas, the hours of operation are currently 6AM to Midnight Sunday to Wednesday and 6AM to 1AM Thursday to Saturday;(with no patrons remaining after close and are proposed to now be from 8AM to 2AM Sunday to Wednesday and 8AM to 4AM Thursday to Saturday, all patrons will be cleared and no patrons will remain after stated closing times, music will continue to be quiet background only consisting of music from ipod/cd'scd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 10PM ever night and any time there is music, there will be no d.j., no promoted events, no live music, no private parties, no scheduled performances or cover fees, there will be no TV's, there will be no use by patrons of the basement; and

iv. Whereas, the representative was unable to articulate many aspects of the application, was unable to address why there needed to be changes to the existing stipulations agreement, and was unable to offer reasons for upgrading the liquor license other than that the current business model was no longer viable, he made it clear that the Principal was relying on the hired manager to transform the business and would not be involved in the day to day operation of the establishment; without the owner available or the manager available, CB2, Man. was unable establish any public interest or benefit for the changes presented as no explanations were provided as to whether there would be impacts on quality of life, noise, traffic etc., and if so what if any steps would be taken to help mitigate those impacts; the representative was unable to even articulate what the food menu would be in detail and provided examples that were clearly not viable in the manner suggested in this area; this premises is currently operated as an unassuming neighborhood bistro/diner; and,

vi. Whereas, while the representative presented both the class change application and alteration application, it was noted that CB2 was improperly notified through a defective 30 Day notice and as a result of the defective notice, CB2's calendar did not contain accurate information regarding what was to be considered and as a result the public was unaware of the extent of the changes proposed; and,

viii. Whereas, there are currently approximately 12 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of **Mirtos Restaurant, Inc., d/b/a Village Den Restaurant, 225 W. 12th St. 10011** on its application seeking an alteration application and a class change to full on-premise liquor; and

THEREFORE BE IT FURTHER RESOLVED that if this application is pursued by the Applicant, despite CB2, Manhattan's recommendation to deny this application, CB2 requests that the SLA conduct a 500 foot hearing; and,

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

Vote: Unanimous, with 13 Executive Committee members in favor.

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



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

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September 8, 2017

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

Dear Sir/Madam:

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

16. La Maison de Makoto, LLC, d/b/a La Maison de Makoto, 74-76 Seventh Ave. South aka 35-37 Barrow St. 10014 (OP – Restaurant)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new on-premise liquor license for a restaurant where “The Michelin starred Richard Farnabe and top pastry chef Philippe Conticini will bring French menu items, cooked in a Japanese style, where the sophistication and elegance of French cuisine will be combined with the simplicity and freshness of Japanese food ingredients, focused dishes, refined presentation and healthful emphasis; [They] will serve bite-sized Mochi pastries that are prepared with gelato and wrapped by a sweet thin rice flour dough.”; and,

ii. Whereas, this application is for a new Restaurant On-Premise Liquor License in a previously licensed location (though not currently licensed) located on the corner of 7th Avenue South and Barrow St. with the entrance directly on the corner in a 2 story commercial building on the ground floor and second floor (with accessory use of basement), the building is also known as 74-76 7th Avenue South, the premises is stated to be approximately 2,668 sq. ft. (1,076 sq. ft. ground floor, 736 sq. ft. 2nd floor and 736 sq. ft. cellar) with 12 tables and 26 seats throughout the premises, 1 stand up bar with 10 seats on the ground floor and 1 service bar on the 2nd floor and 1 food counter on the ground floor; there is an existing certificate of occupancy which indicates “eating and drinking use”; there is an existing enclosed sidewalk café to be licensed by the NYC Department of Consumer Affairs which is included in the square footage of the ground floor previously indicated and is included in the total seating; and,

iii. Whereas, the hours of operation will be from Sunday to Thursday from 10AM to 12AM and Friday to Saturday from 10AM to 1AM (no patrons shall remain at closing), music will be ambient quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. Whereas, the applicant executed a stipulations agreement with CB2, Man. that they agreed would be attached and incorporated in to the method of operation on the new Restaurant On-Premise Liquor License stating that:

1. Premise will be advertised and operated as a French/Japanese restaurant.
2. The hours of operation will be Sunday to Thursday from 10AM to 12AM and Friday to Saturday from 10AM to 1AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only on the interior. All music levels and volumes will at all times comply with all New York City Laws and Regulations and will not be audible in adjacent residences at anytime.
8. The premises will not have DJ's, live music, cover charges or promoted events.
9. All doors and windows will be closed at 10PM every night and anytime there is amplified music. All doors will remain closed after 10 pm except for patron ingress and egress. The 2nd floor windows will remain closed at all times.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
12. The Barrow Street Door will not be used by patrons. It will be used for deliveries only.
13. The advertised address for the business will be 74 7th Ave South. It will not be 35-37 Barrow Street.
14. The bulkhead doors in the sidewalk will remain closed at all times except for deliveries.
15. Employees and Patrons will not smoke on Barrow St. Signage will be posted.
16. There will be no speakers in the enclosed sidewalk café (DCA regulations)
17. v. Whereas, the applicant met with the local block association; CB2 received correspondence from the 7th Avenue South Alliance who met with the applicant and wrote that the tables and chair layout were a concern as these seem more conducive to lounge-type drinking/snacking than eating, a business model which poses greater risk to their quality of life if not expertly managed, but they were assured by the applicants that this would be a very high end restaurant operation and as such they would not be opposed if the applicant adhered to the stipulations the applicant agreed to with the exception that the 7th Avenue South Alliance preferred that the applicant close at midnight on the weekends; and,

vi. Whereas, there are currently approximately 32 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a new Restaurant On-Premise Liquor License for **La Maison de Makoto, LLC, d/b/a La Maison de Makoto, 74-76 Seventh Ave. South aka 35-37 Barrow St. 10014** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On-Premise Liquor License.

Vote: Unanimous, with 13 Executive Committee members in favor.

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



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

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September 8, 2017

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

Dear Sir/Madam:

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

17. Ichiban Nom Nom, LLC, d/b/a Shuraku, 47 8th Ave. 10014 (OP – Restaurant)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for an on-premise liquor license for a traditional Japanese style grilling restaurant (Sumibiyaki); and,

ii. Whereas, this application is for a new restaurant on-premise liquor license in a previously licensed premise (though not currently licensed) located in a mixed use building on the ground floor and basement on 8th Avenue between Horatio Street and Jane Street for a roughly 1,000 sq. ft. premise with 5 tables and 24 seats and 1 bar with 6 seats, there is no sidewalk café and there are no other outdoor areas for patrons, the applicant provided a Certificate of Occupancy; and,

iii. Whereas, the hours of operation will be 11AM to 12AM 7 days a week, all patrons will be cleared and no patrons will remain after stated closing times, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 10PM as stipulated, there will be no d.j., no promoted events, no live music, no private parties, no scheduled performances or cover fees, there will be no TV's; and,

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

1. Premise will be advertised and operated as a traditional Japanese-style grilling restaurant.

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

vi. Whereas, local residents and the Jane Street Block Association appeared in opposition to the application stating that the applicant had not conducted sufficient community outreach to area residents including the very easy to find Jane Street Block Association which was of particular note as the applicant appeared in August, that the hours of operation originally presented until 2AM during the week and 4AM on the weekends were completely out of touch with the area and demonstrated that the applicant had no knowledge of the area, that residents had not had time to consider the applicant, meet with him or review his application and despite the applicants quick willingness to reduce the hours of operation to 12AM, 7 days a week, wanted to layover the application to meet with the applicant; and,

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

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant On-Premise Liquor License for **Ichiban Nom Nom, LLC, d/b/a Shuraku, 47 8th Ave. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On-Premise Liquor License.

Vote: Unanimous, with 13 Executive Committee members in favor.

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



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

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September 8, 2017

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

Dear Sir/Madam:

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

18. LES Bleecker, Inc., d/b/a N/A, 89 Greenwich Ave. 10014 (OP – Restaurant w/ customer bar)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for an on-premise liquor license for “a very friendly and relaxed atmosphere restaurant and bar serving up burgers, sandwiches [that] pride [themselves] on good food and drinks at a great price”; and,

ii. Whereas, this application is for a new restaurant on-premise liquor license in a previously licensed premise (though not currently licensed) located in a mixed- use building on the ground floor and basement on 8th Avenue between Horatio Street and Jane Street for a roughly 2,400 sq. ft. premise (1,500 sq. ft. ground floor and 900 sq. ft. basement – no patron use of basement) with 8 tables and 53 seats and 1 bar with 16 seats for a total of 69 interior seats, there will be a forthcoming sidewalk café application for no more than 8 tables and 16 seats (previously existed); there are no other outdoor areas for patrons, the applicant provided a Certificate of Occupancy; and,

iii. Whereas, the hours of operation will be Sunday to Wednesday from 10AM to 12AM, Thursday from 10AM to 1AM and Friday to Saturday from 10AM to 2AM, all patrons will be cleared and no patrons will remain after stated closing times, the Sidewalk Café will close at 10PM Sunday to Wednesday, and 11PM Thursday to Saturday, no patrons will remain in the sidewalk café after the closing time; music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 10PM as stipulated, there will be no d.j., no promoted events, no live music, no private parties, no scheduled performances or cover fees, there will be no TV’s; and,

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

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

vi. Whereas, the applicant contacted the local block associations in the area and received no response, a petition in support was presented; and,

viii. Whereas, there are currently approximately 15 On Premise Liquor Licenses within 500 ft of the premises and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant On-Premise Liquor License for **LES Bleecker, Inc., d/b/a N/A, 89 Greenwich Ave. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On-Premise Liquor License.

Vote: Unanimous, with 13 Executive Committee members in favor.

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



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

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September 8, 2017

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

Dear Sir/Madam:

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

19. Alfred B., LLC, d/b/a N/A, 531 Hudson St. 10014 (OP – Restaurant w/ customer bar)

i. Whereas, the Applicant and Attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new restaurant on premise liquor license via an asset purchase for a neighborhood restaurant and bar that is inspired by the casual spots in Japan known as Izakayas, there will be a major focus on hospitality and it will be the type of place that people want to come to multiple times a week; and,

ii. Whereas, the two story premises is located in a mixed-use building (c1901) in a designated historic district on Hudson Street between West 10th Street and Charles Street for a roughly 2,000 sq. ft. premise (ground floor & basement 1,000 sq. ft. each); there are 12 tables and 36 table seats and 1 standup bar with 12 seats, for a total of 48 interior seats; the applicant states a letter of no objection exists which provides for no more than 25 persons in the basement and 30 persons on the ground floor at any time; the applicant also states there is a small outdoor area in front with 4 seats that it believes to be within their property line, but was unable to provide any proof or documentation establishing this fact except stating they were told this is the case, no previous license holders at this location have indicated that this is the case and the adjoining business holds a license from the NYC DCA to operate a sidewalk café in the comparable space in front of their establishment; and,

iii. Whereas, the proposed hours of operation are Sunday to Thursday from 12PM to 2AM and Friday to Saturday from 12PM to 4AM, all patrons will be cleared and no patrons will remain after stated closing times; music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 10PM as stipulated, there will be no d.j., no promoted events, no live music, no private parties, no scheduled performances or cover fees, there will be no TV's; and,

iv. Whereas, a number of local residents appeared in opposition to the application as presented, specifically the late hours of operation during the week and especially the weekends; they stated that neighborhood restaurants in the area do not operate until 2AM during the week and 4AM on the weekends, they stated that operating until those hours to serve other chefs after those chefs get off work is not reason enough to support those later hours of operation that result in dramatic impacts on quality of life, they expressed that no matter the experience of the operators or their backgrounds, late night hours of operation bring associated impacts from noise, rowdy patrons, patrons loitering outside smoking and impacts on traffic as they result from taxis and for hire vehicles circling and stopping in front the premises to solicit patrons among other impacts; the local residents suggested hours of operation until 12AM and 1AM on the weekends; and,

v. Whereas, the proposed principals do have experience in operating or managing or working in other establishments; and,

vi. Whereas, the applicant was willing to agree to certain stipulations, but would not agree to reduced hours of operation and removal of the outdoor area from the mapped premises; and,

vii. Whereas, CB2, Man. shares similar concerns to the local residents in opposition and shares their concerns for impacts on quality of life with operating hours past 2AM; and,

viii. Whereas, CB2, Man. would remove their recommendation to deny the issuance of this on-premise liquor license if the applicant entered into a stipulations agreement and agreed to submit to the SLA and agreed would be attached and incorporated in to the method of operation on the restaurant on-premise liquor license stating that:

1. Premise will be advertised and operated as a neighborhood restaurant and bar/Japanese style Izakaya.
2. The hours of operation will be from 12PM to 2AM 7 days a week.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes. (not including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only. All music levels and volumes will at all times comply with all New York City Laws and Regulations.
8. The premises will not have DJ's, live music, cover charges or promoted events.
9. All doors and windows will be closed at 10PM every night and anytime there is amplified music. All doors will remain closed after 10 pm except for patron ingress and egress.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.

12. Both floors of the premises will be operated in the same style and manner and there will only be one business name.
13. Pursuant to the letter of no objection, there will be no more than 25 persons in the basement and 30 persons on the ground floor at any time.
14. The full dinner menu will be available until closing.
15. If the applicant is able to prove that there is an outdoor area in front of their property within the property line, they may return to CB2 to include that outdoor area into the licensed premises and that outdoor area may be used by patrons until 10PM. The burden is on the applicant to show that this area is within the property line. (In order to use the same space, the immediately abutting neighboring business has revocable consent from DCA to operate a sidewalk café).
16. Contact information for a manager will be available to residents at all times.
17. Applicant will not apply for any alteration to the method of operation agreed to by this stipulation without first coming before CB2.
18. A copy of the executed stipulations will be physically attached to the liquor license on the premises in such a fashion as to be available for review along with the Liquor License.

ix. Whereas, the applicant contacted the local block associations in the area and they appeared in opposition as indicated above; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of **Alfred B., LLC, d/b/a N/A, 531 Hudson St. 10014** on its application seeking an on-premise liquor license; and

THEREFORE BE IT FURTHER RESOLVED that if this application is pursued by the Applicant, despite CB2, Manhattan's recommendation to deny this application, CB2, Man. requests that the SLA conduct a 500 foot hearing; and,

THEREFORE BE IT FURTHER RESOLVED that should this application be considered by the SLA, CB2, Man, respectfully requests that this item be Calendared to appear before the Full Board of the SLA for determination and that those stipulations indicated above be imposed on the license.

Vote: Unanimous, with 13 Executive Committee members in favor.

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



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

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September 8, 2017

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

Dear Sir/Madam:

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

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

20. KUT Operating Corp., d/b/a N/A, 301 Sixth Ave. 10014 (RW – Restaurant)

Whereas, after this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on August 10th, 2017, the Applicant requested to **layover** this application for a new restaurant wine license until September in order to continue to meet with members of the community and to further show how they intend to incorporate mechanicals in this landmarked building and they will reappear at CB2's September SLA Licensing Committee meeting if needed and prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **KUT Operating Corp., d/b/a N/A, 301 Sixth Ave. 10014 until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and shared all plans 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 13 Committee members in favor.

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



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

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September 8, 2017

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

Dear Sir/Madam:

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

21. 1 Perry LLC, d/b/a Rosemary's Pizza, 1 Perry St. 10014 (OP – Restaurant - Layover)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on August 10th, 2017, the Applicant agreed to **layover** this application for a new on-premise liquor license presented in August for which limited to no community outreach was performed to immediate residential tenants in order to properly inform and meet with those residential neighbors due to the extensive and significant physical changes which be occurring at this location and the operators plans to extend the hours of operation from the previous operators hours; specifically the entire façade of this location will now be changed to accordion doors and operable facades where none previously existed along with future plans for a sidewalk café on both sides of the premises;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **1 Perry LLC, d/b/a Rosemary's Pizza, 1 Perry St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 13 Executive Committee members in favor.

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



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

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September 8, 2017

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

Dear Sir/Madam:

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

22. PAALI Enterprises, Inc., d/b/a Nisi, 298-300-302 Bleecker St. 10014 (OP Alteration SN#1280172 – Withdrawn, will re-notice and resubmit)

Whereas, prior to CB2, Manhattan's SLA Licensing Committee #2 Meeting on August 10th, 2017, Applicant requested to withdraw this application and renotice and resubmit the application in September or some other future date; the application had previously been **laid over** at CB2, Manhattan's SLA Licensing Committee #2's Meeting on July 13th, 2017, this application is an alteration application for an existing on-premise liquor license SN# 1280172 to add an additional storefront, an additional rear yard and an additional bar in a separate building connected only through an open rear yard outdoor pathway, the application was laid over in order to among other things demonstrate that their existing use of the current rear yard is properly permitted and to explain how they intend to secure the proper DOB building paperwork for the newly acquired space and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **PAALI Enterprises, Inc., d/b/a Nisi, 298-300-302 Bleecker St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 13 Executive Committee members in favor.

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



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

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September 8, 2017

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

Dear Sir/Madam:

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

23. Embe Restaurant Corp., d/b/a 57 Osteria, 57 W. 10th St. 10011 (RW – Restaurant) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on August 10th, 2017, the Applicant requested to **layover** this application for a new restaurant wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Embe Restaurant Corp., d/b/a 57 Osteria, 57 W. 10th St. 1001** **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 13 Executive Committee members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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September 8, 2017

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

Dear Sir/Madam:

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

24. St. Tropez Wine Bar, LLC, d/b/a St. Tropez Wine Bar, 120 Christopher St. 10014 (OP – Restaurant) (withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on August 10th, 2017, the Applicant requested to **withdraw** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **St. Tropez Wine Bar, LLC, d/b/a St. Tropez Wine Bar, 120 Christopher St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 13 Executive Committee in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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September 8, 2017

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

Dear Sir/Madam:

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

25. Entity to be formed by Alessandro Borgonone, d/b/a TBD, 13 Barrow St. 10014 (OP – Restaurant - laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on August 10th, 2017, the Applicant requested to **layover** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for an **Entity to be formed by Alessandro Borgonone, d/b/a TBD, 13 Barrow 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 13 Executive Committee members in favor.

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



Antony Wong, *Treasurer*
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September 8, 2017

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

Dear Sir/Madam:

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

26. 1 Perry LLC, d/b/a Rosemary's Pizza, 1 Perry St. 10014 (OP – Restaurant - Layover)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on August 10th, 2017, the Applicant agreed to **layover** this application for a new on-premise liquor license presented in August for which limited to no community outreach was performed to immediate residential tenants in order to properly inform and meet with those residential neighbors due to the extensive and significant physical changes which be occurring at this location and the operators plans to extend the hours of operation from the previous operators hours; specifically the entire façade of this location will now be changed to accordion doors and operable facades where none previously existed along with future plans for a sidewalk café on both sides of the premises;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **1 Perry LLC, d/b/a Rosemary's Pizza, 1 Perry St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 13 Executive Committee members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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September 8, 2017

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

Dear Sir/Madam:

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

27. PAALI Enterprises, Inc., d/b/a Nisi, 298-300-302 Bleecker St. 10014 (OP Alteration SN#1280172 – Withdrawn, will re-notice and resubmit)

Whereas, prior to CB2, Manhattan's SLA Licensing Committee #2 Meeting on August 10th, 2017, Applicant requested to withdraw this application and renotice and resubmit the application in September or some other future date; the application had previously been **laid over** at CB2, Manhattan's SLA Licensing Committee #2's Meeting on July 13th, 2017, this application is an alteration application for an existing on-premise liquor license SN# 1280172 to add an additional storefront, an additional rear yard and an additional bar in a separate building connected only through an open rear yard outdoor pathway, the application was laid over in order to among other things demonstrate that their existing use of the current rear yard is properly permitted and to explain how they intend to secure the proper DOB building paperwork for the newly acquired space and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **PAALI Enterprises, Inc., d/b/a Nisi, 298-300-302 Bleecker St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote:

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



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

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September 8, 2017

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

Dear Sir/Madam:

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

28. Embe Restaurant Corp., d/b/a 57 Osteria, 57 W. 10th St. 10011 (RW – Restaurant) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on August 10th, 2017, the Applicant requested to **layover** this application for a new restaurant wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Embe Restaurant Corp., d/b/a 57 Osteria, 57 W. 10th St. 1001** **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 13 Executive Committee members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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September 8, 2017

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

Dear Sir/Madam:

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

29. St. Tropez Wine Bar, LLC, d/b/a St. Tropez Wine Bar, 120 Christopher St. 10014 (OP – Restaurant) (withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on August 10th, 2017, the Applicant requested to **withdraw** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **St. Tropez Wine Bar, LLC, d/b/a St. Tropez Wine Bar, 120 Christopher St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 13 Executive Committee members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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September 8, 2017

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

Dear Sir/Madam:

At its Executive Committee meeting on August 22, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution, which will be ratified at the September Full Board meeting:

30. Entity to be formed by Alessandro Borgonone, d/b/a TBD, 13 Barrow St. 10014 (OP – Restaurant - laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on August 10th, 2017, the Applicant requested to **layover** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for an Entity to be formed by Alessandro Borgonone, d/b/a TBD, 13 Barrow 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 13 Executive Committee members in favor.

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

Sincerely,



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



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



Terri Cude, Chair
Community Board #2, Manhattan

TC/fa

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