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

## Community Board No. 2, Manhattan

3 Washington Square Village

New York, NY 10012-1899

[www.cb2manhattan.org](http://www.cb2manhattan.org)

P: 212-979-2272 F: 212-254-5102 E: [info@cb2manhattan.org](mailto:info@cb2manhattan.org)

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

August 31, 2015

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 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**1. York Food Corp., d/b/a Falucka, 162 Bleecker St. 10012** (Alteration to Extend Hours until 4AM and operate with DJs/Live Music and Dancing).

**A. Whereas**, the applicant and current licensee appeared before CB2, Man. for an alteration of an existing on-premise license (lic. # 1100628) and the applicant has been an operator of a Hookah Lounge located in a storefront ground floor premises of an eleven story mixed use building within a Historic District on Bleecker Street between Sullivan and Thompson Streets; and

**B. Whereas**, the premises on Bleecker Street is located in a densely populated, mixed-use (Com./Res.) area that has is highly congested during evening and late night/early morning hours, heavily saturated with liquor licenses and late night eating and drinking establishments and there are 38 existing On Premise licenses, an additional 5 licenses pending review by the SLA and an additional 16 existing Beer and Wine licenses all within 500 feet of the premises; and

**C. Whereas**, when the applicant first appeared before CB#2 Man. for its current restaurant wine and liquor license in December/1999, they obtained approval of this license **after affirming under oath in their application** to the NYS Liquor Authority ("SLA") that they would operate as a new Middle Eastern/Moroccan Restaurant with a full service kitchen, full dinner menu, 15 tables and 48 seats employing one manager, a chef, five kitchen staff, four waiters, two dishwashers and one hostess, that **it would not permit dancing, live music or entertainment but would instead operate with background/quiet music only and with hours of operation from noon until 1 AM seven days a week**; and

**D. Whereas**, that shortly after the operator and licensee was issued a liquor license from the SLA and without notice to CB2 Man. or by application to the SLA to alter its license, **the operator conceded that they started operating until 4 AM seven nights a week without permission or approval from the SLA and operated as a Hookah Bar with live/DJ music at entertainment levels, smoking with Hookah pipes and belly dancers;** and

**E. Whereas**, in 2015 there have been over 30 late night complaints to NYC 311 operators at the premises due to loud music/parties coming from the premises in question during the months of March, April and May causing the police to respond to the premises on seven separate occasions; and

**F. Whereas**, the NYC Fire Department also responded to the premises and to certain residential apartments located directly above the Hookah Bar due to complaints of excessive smoke and toxic levels of exhaust coming from the Bar and infiltrating the residential apartments located thereat; and

**G. Whereas**, when the NYC Fire Department responded to the premises at 4:01 AM on September 10, 2014, it measured and documented toxic levels of carbon dioxide within the residential apartments located directly above the premises resulting in certain residential dwellers to be hospitalized, and constructively evicted from their home; and

**H. Whereas**, thereafter the licensee was also investigated by the NYC Dept. of Health and Mental Hygiene, which after an investigation and sting operation determined that the premises facilitated the unlawfully smoking of tobacco in the Hookah pipes supplied by the establishment, that the establishment did not have a commercial grade ventilation system to provide a proper ventilation for the late night smoking, the premises was not operating the kitchen for food services but rather was using an electrical oven to heat charcoal briquettes that were being used in the Hookahs exacerbating the insufficient ventilations systems; and

**I. Whereas**, after learning about the numerous quality of life and noise complaints and the health and fire code violations, CB2, Man. requested the licensee and applicant appear for its renewal license (exp. July/2015) and at the meeting the licensee acknowledged that they have had no food services within the premises for years, no kitchen operation, that they were bringing food into the location from another Restaurant located a block away and that they are operating a bar until 4 AM with live music, dancing, DJs and amplified entertainment level music; and

**J. Whereas**, after confronting the applicant about their failure to give notice to CB2, Man. or their failure to apply for an alteration to their license before making those changes on their own and without the requisite notice or permission to do so, in July/2015 the applicant requested additional time to provide CB2, Man. with a new notice to apply for an alteration to its existing license in an attempt to conform to the ABC laws and proposed to operate again as a Restaurant; and

**K. Whereas**, after the applicant gave notice to CB2, Man., it reappeared this Month on August 11, 2015 to request an alteration to expand its hours of operation to 4 AM from 1 AM seven days a week, to operate as a bar with food and to operate with DJs, live music and entertainment despite its prior digressions, causing a significant number of 311 noise complaints this year and last year (2014), despite its multiple infractions for repeatedly failing to follow the law and despite its reckless conduct in permitting toxic levels of carbon dioxide to invade the residential apartments and homes of its neighbors for an extended period of time; and

**L. Whereas**, the main excuse given by the applicant for causing such disorder at its premises in the past and for failing to follow the ABC laws of the State of New York was to blame its former lawyer, who regularly appears before the Liquor Authority, who was not present to explain any or all of the applicant's prior digressions, statements or explain the prior violations of law; and

**M. Whereas**, at the August 11, 2015 meeting, the manager of the establishment, Sameh Yakob, appeared and represented the application before CB2, Man. along with one of the two Principals, Happy Fahmy; the other principal Marcus Andrews was in attendance at the meeting as well, but did not present himself; the current manager Sameh Yakob was the original principal of the establishment until April/2013 at which time his interest was replaced by Happy Fahmy; there is an adverse disciplinary history at this location and at other locations currently and previously licensed by the manager and principals (one location #1150002 currently licensed within CB2 and one #1109448 previously licensed within CB3 Man.); and

**N. Whereas**, the current manager of the Premises is an Officer (Merchant Chair) and Member of the Bleecker Area Merchants' & Residents' Association ("BAMRA") and one of the two Principals is a Member of BAMRA and a current/past Officer of the 6th Precinct Community Council; and

**O. Whereas**, as a current member of BAMRA and long-standing business owner in the CB2 Community it was felt that the applicant should be taking a much greater responsibility for their prior actions within their own neighborhood, and that instead of setting an example for other businesses to follow in a mixed use neighborhood already over-saturated with late night bars and entertainment establishments, this applicant has consistently and repeatedly violated the law and unreasonably infringed on its neighbors in too many ways; and

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends **denial** for **York Food Corp., d/b/a Falucka, 162 Bleecker St. 10012** on its application seeking to alter its existing Restaurant On-Premise liquor license; and

**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; and

**THEREFORE BE IT FURTHER RESOLVED** that CB#2 Man. also respectfully requests that the Liquor Authority review the conduct of the Licensee for violations of their approved "method of operation" and representations presented to the SLA and conduct appropriate enforcement.

Vote, Passed with 14 Executive Committee members in favor, and 2 recusals (C. Booth, T. Cude).

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



Antony Wong, *Treasurer*  
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August 31, 2015

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 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**2. SoHo Hotel Owner LLC, 138 Lafayette 10012** (Alteration to add service to outdoor rooftop terraces and reconfigure second floor from existing restaurant into bar with Live DJs and entertainment level music events).

**A. Whereas**, the applicant appeared before CB2, Man. for an alteration of an existing on-premise license (lic. 11279933, exp. 10/31/2016) to operate a full service transient Hotel in a 14 story building (circa 1966) located in a M1-5B Zoning District with entrances on Crosby and Lafayette Streets but is also located between Howard and Grand Streets; and

**B. Whereas**, the building was converted to Hotel uses in 1992 and was previously operated as a Holliday Inn for many years but was recently purchased by RFR Holdings and undergoing renovations to convert into a boutique style hotel with more uses of its existing retail spaces; and

**C. Whereas**, more specifically the applicant seeks to alter its method of operations on its second floor, which was previously used primarily for hotel patron dining with background level music and a lobby, and the new owners now seeks to transform the same second floor premises primarily into a bar, adding a 15 seat stand-up bar and adding entertainment level music to the space, including live DJs and music while also increasing the numbers of tables and seats in its library/lobby area with for a total of an additional 32 tables with 120 seats; and

**D. Whereas**, the applicant sought to extend its hours of operation until 4 AM seven nights a week and refused to reduce or even compromise on those hours of operation despite significant opposition by residential neighbors living on the same block and directly across the street from the Hotel who appeared and requested a reduction in operating hours to midnight during the week and 1 AM on the weekends; and

**E. Whereas**, while the applicant attempted to give assurances that its operations would not include a nightclub or a nightclub like atmosphere with its patrons spilling out into the street between midnight and 4 AM, the applicant also was unable to provide any coherent details nor willing to certain limitations to its method of operation which would prevent its operations from transforming into such a late night, nightclub like atmosphere in the future; and

**F. Whereas**, the applicant also seeks to renovate and increase the size of certain guest spaces on the 12<sup>th</sup> floor to add outdoor terraces that were never previously used or operated by the former Hotel and for which there is no permit or certificate of occupancy that permits such use, there being a current and existing certificate of occupancy which limits occupancy to 26 for the entire hotel floor with an existing 13 rooms; and

**G. Whereas**, there was significant opposition from existing residents living on Crosby, Howard and on Lafayette Streets, particularly in opposition to the outdoor drinking venues; citing quality of life concerns with a large hotel establishment; the failure to produce a proper certificate of occupancy to use and/or occupy the proposed outdoor terraces and **questioning the number of seats found in the applicant's terrace diagrams, which number exceeded the entire occupancy for the Hotel's 12<sup>th</sup> Floor** and specifically the corner unit on the 12<sup>th</sup> floor is particularly large and is configured for entertaining a larger number of people with separate catering facilities which far exceed the reasonable expectation of visiting guests given the double occupancy nature of the connected hotel room; local residents also cited public interest issues in regard to the 500-foot rule law; citing noise, traffic and overcrowding issues on a very quiet residential block; and its close proximity of many other licensed establishments; and

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** for **SoHo Hotel Owner LLC, 138 Lafayette 10012** on its application seeking to alter its existing Hotel OP license; 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.

Vote: Unanimous, with 16 Executive Committee members in favor.

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317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Executive Committee meeting on August 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**3. Ogawa Sushi, Inc. d/b/a Ogawa Cafe, 36 E 4th St. 10003** (Beer Wine license, previously licensed location).

**A. Whereas**, the applicant appeared before CB2's SLA Licensing committee to present an application for a new restaurant wine license to operate a sushi restaurant on East 4<sup>th</sup> street within a mixed use six story building (Circa 1910); and

**B. Whereas**, the location was previously operated as the Ogawa Café, a Sushi restaurant with a Beer and Wine license and new owners are taking over the operation of the same business and it will continue to operate as the Ogawa Cafe; and

**C. Whereas**, the storefront premises is approximately 350 SF, with an additional 350 SF basement cellar with a storage room, walk-in cooler and some food preparation areas but not for patrons, with 5 tables with 14 seats, one sushi display case without seats for a total number of interior patron seats at 14, no stand up bar, there will be no TVs and music will be background only; and

**D. Whereas**, the hours of operation for the Restaurant will be from 10:30 AM to 11:30 PM Monday through Friday and from 1 PM to 11:30 PM on Saturdays and Sundays, and the premises will operate as a full service sushi restaurant but there will be no sidewalk café, there will be no d.j. or live music, no private parties, there will be no scheduled performances or events with a cover charge; and; and

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

1. The premises will be advertised and operated as a sushi restaurant.
2. The hours of operation for the restaurant will be from 10:30 AM to 11:30 PM Monday through Friday and from 1 PM to 11:30 PM on Saturdays and Sundays seven days per week.
3. There will no outdoor space and no sidewalk café.
4. No French or accordion style doors will be installed at the premises and the applicant will close all exterior doors or windows by 9 PM every night.
5. Music will be quiet, background level inside the restaurant and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged
6. There will be no televisions and the premises will not operate as a Bar, Tavern or Sports Bar.
7. There will be no pitchers of Beer or all you eat/all you can drink specials.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of a Beer and Wine license to **Ogawa Sushi, Inc. d/b/a Ogawa Cafe, 36 E 4th St. 10003** unless the statements of the applicant as presented to CB2, Man. are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on the Beer and Wine License.

Vote: Unanimous, with 16 Executive Committee members in favor.

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



Antony Wong, *Treasurer*  
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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 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**4. UBC LLC d/b/a t/b/a, 203 Mott St. Store #1 10012** (New Beer Wine License, previously unlicensed location)

**A. Whereas**, the applicant appeared before CB2's SLA Licensing committee to present an application for a Beer Wine license to operate a diner serving simple home-cooked meals and neighborhood take out within a mixed use five story building (Circa 1900) on Mott Street between Spring and Kenmare Streets; and

**B. Whereas**, the location has never operated with a license for the service of alcohol and was most recently used as an extension of the Lombardo's Restaurant but such use was not permitted and before that as an ice cream parlor; and

**C. Whereas**, the storefront premises is approximately 550 SF, the applicant will be renovating the space to add a full service kitchen with a bathroom, with 4 tables and 10 seats, there will be one food counter with 6 seats for a total number of interior patron seats at 16, there will be no stand up bar, there will be no TVs and music will be background only; and

**D. Whereas**, the hours of operation for the Restaurant will be from 11 AM to 11 PM seven days a week, the premises will operate as a full service, food-driven restaurant with take-out service to the neighborhood, the sidewalk café will close by 11 PM every night, there will be no d.j. or live music, no private parties, there will be no scheduled performances or events with a cover charge; and; and

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



1. The premises will be advertised and operated as a Diner serving home cooked meals and take out to the local neighborhood.
2. The hours of operation for the restaurant will be from 11 AM to 11 PM seven days a week.
3. Sidewalk café will close by 11 every night.
4. No French or accordion style doors will be installed at the premises and the applicant will close all exterior doors or windows by 10 PM every night.
5. Music will be quiet, background level inside the restaurant and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged
6. There will be no televisions and the premises will not operate as a Bar, Tavern or Sports Bar.
7. There will be no pitchers of Beer or all you eat/all you can drink specials.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a Beer and Wine license to **UBC LLC d/b/a t/b/a, 203 Mott St. Store #1 10012** **unless** the statements of the applicant as presented to CB2, Man. are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on the Beer and Wine License.

Vote: Unanimous, with 16 Executive Committee members in favor.

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



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

Dear Sir/Madam:

At its Executive Committee meeting on August 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**5. Indorama, Inc. d/b/a Mirch Masala, 95 McDougal St. 10012** (Beer Wine License, previously licensed location)

**A. Whereas**, the applicant appeared before CB2's SLA Licensing committee to present an application for a Beer Wine license to operate a Indian food restaurant with neighborhood take out within a mixed use five story building (Circa 1900) in a Historic District on McDougal Street between West 3rd and Bleecker Streets; and

**B. Whereas**, the current business has been operating in the current storefront location for 10 months and now seeks a license to serve beer and wine to their patrons; and

**C. Whereas**, the storefront location was previously operated as a Chinese Restaurant (Yummy Village) with a Beer Wine license; and

**D. Whereas**, the storefront premises is approximately 600 SF, a full service kitchen, one bathroom, with 9 tables and 18 seats for a total number of interior patron seats at 18, there will be no stand up bar, there will be no TVs and music will be background only; and

**D. Whereas**, the hours of operation for the Restaurant will be from 11 AM to 12 AM Sunday through Thursday and from 11 AM to 2 AM Fridays and Saturdays, the premises will operate as a full service, food-driven restaurant with take-out service to the neighborhood, there will be no sidewalk café, there will be no d.j. or live music, no private parties, there will be no scheduled performances or events with a cover charge; and

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

1. The premises will be advertised and operated as a small Indian restaurant with take out to the local neighborhood.
2. The hours of operation for the restaurant will be from 11 AM to 12 AM Sunday through Thursday and from 11 AM to 2 AM Fridays and Saturdays.
3. There will be no Sidewalk café or other outdoor use or service.
4. No French or accordion style doors will be installed at the premises and the applicant will close all exterior doors or windows by 9 PM every night.
5. Music will be quiet, background level inside the restaurant and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged
6. There will be no televisions and the premises will not operate as a Bar, Tavern or Sports Bar.
7. There will be no pitchers of Beer or all you eat/all you can drink specials.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a Beer and Wine license to **Indorama, Inc. d/b/a Mirch Masala, 95 McDougal St. 10012** unless the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on the Beer and Wine License.

Vote: Unanimous, with 16 Executive Committee members in favor.

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



Antony Wong, *Treasurer*  
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Director  
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317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Executive Committee meeting on August 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**6. NYCPF, Inc., d/b/a Pommes Frites, 128 MacDougal St. 10012** (Beer Wine License, previously licensed location)

**A. Whereas**, the applicant appeared before CB2's SLA Licensing committee to present an application for a Beer Wine license to operate a fast service restaurant specializing in French Fries or Belgium Pomme Frites within a mixed use six story building (Circa 1941) in a Historic District on McDougal Street between West 3rd and Bleecker Streets; and

**B. Whereas**, the storefront location was previously operated as the Luxor Lounge Hookah Bar with a Beer Wine license; and

**C. Whereas**, the storefront premises is approximately 800 SF, there is no full service kitchen but there is a plan to install three deep friars with the proper ventilation, there will be one bathroom, there will be a new window installed on the front façade, albeit with landmark approval that will be closed every night by 10 PM, there will be 4 interior tables and 8 seats, there will be one food counter with no seats for a total number of interior patron seats at 8, there will be no stand up bar, there will be no TVs and music will be background only; and

**D. Whereas**, the hours of operation for the Restaurant will be from 11 AM to 2 AM Sunday through Wednesday (excluding certain holiday weekends) and from 11 AM to 4 AM Thursday through Saturday, the premises will operate as a fast service, food-driven restaurant with take-out service to the neighborhood, there will be no sidewalk café, there will be no d.j. or live music, no private parties, there will be no scheduled performances or events with a cover charge; and

**E. Whereas**, the applicant requested the Beer Wine license because it seeks to serve types of beer imported from Belgium to enhance the patron experience but agreed that it would stop all alcoholic service by 1 AM every night, seven nights a week and thereafter executed a stipulations agreement with CB2 Man. that they agreed would be attached and incorporated in to their method of operation on their BW license and the stipulations are as follows:

1. The premises will be advertised and operated as a fast service restaurant specializing in French Fries.
2. All alcoholic sales will end promptly at 1 AM every night, seven nights per week.
3. The hours of operation for the restaurant will be from 11 AM to 2 AM Sunday through Wednesday (excluding certain holiday weekends) and from 11 AM to 4 AM Thursday through Saturday.
4. There will be no Sidewalk café or other outdoor use, seating or service.
5. No French or accordion style doors will be installed at the premises and the applicant will close all exterior doors or windows by 10 PM every night.
6. There will be no take out window for serving patrons on the outside/exterior of premises.
7. Music will be quiet, background level inside the restaurant and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
8. There will be no televisions and the premises will not operate as a Bar, Tavern or Sports Bar.
9. There will be no upgrade to a full on premise license at the premises in the future.
10. In good faith, operator will provide all service to patrons within the premises and makes all reason efforts to prohibit wait lines from extending to the exterior of the premises.
11. Trash will be removed and outside of premises by closing.
12. Entire premises will operate under one d/b/a name.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of a Beer and Wine license to **NYCPF, Inc., d/b/a Pommes Frites, 128 MacDougal St. 10012** unless the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on the Beer and Wine License.

Vote: Passed, with 15 Executive Committee members in favor, and 1 in opposition (D. Diether).

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



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Dear Sir/Madam:

At its Executive Committee meeting on August 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**7. 135 Tart LLC d/b/a Once Upon a Tart, 135 Sullivan St. (South Storefront only) 10012**  
(New Beer & Wine application, previously unlicensed location).

**A. Whereas**, the applicant presented before CB2, Man. for a Beer Wine license and seeks to operate a bakery café in the North Storefront and a small café restaurant in the South Storefront simultaneously in two separate, unconnected and distinct “North” and “South” storefronts on the ground floor of a 6 story residential building (circa 1900) located on Sullivan Street between West Houston and Prince Streets; and

**B. Whereas**, the two storefronts were previously operated for many years as a small café and catering business known as “Once Upon a Tart” by a different operator serving pastries during daytime hours only and closing by 6 pm daily; and

**C. Whereas**, this is the 6th application for a liquor license at these same premises (with previous applications heard in July & August/2014, January/2015, May/2015 and July/2015) and all prior applications with the exception of the July/2015 have resulted in a deny recommendation by Community Board 2, Man.; and

**D. Whereas**, the July/2015 application was formerly withdrawn by the applicant at the applicant’s request and not presented to the SLA so that the applicant could return once again to CB2 Man.’s SLA Committee and submit the instant application instead of and as a replacement for the July/2015 application; and

**E. Whereas**, neither the north or south storefronts have ever been licensed for the sale of beer, wine or liquor nor has either operated as an eating and drinking establishment; these two storefronts are located within a Landmarked residentially zoned block (no commercial overlays) and the commercial use on this ground floor is a grandfathered use and past uses have directly served the immediate needs of the community; and

**F. Whereas**, pursuant to City Zoning Regulations, all use changes to eating and drinking in such locations must be enclosed within the building and there can be no outdoor uses; and

**G. Whereas**, the current applicants are husband and wife, whose plan and stated intention is to continue the bakery café and catering business with the prior menu until 6PM in the North and South Storefronts but also intend to change its method of operation in the South Storefront **only** to operate a small restaurant at night offering boutique wines from around the world with imported, micro-brewed and handcrafted artisanal beer with new hours of operation from 6PM to 11 PM Sunday through Thursday and from 6 PM to 12 AM Fridays and Saturdays; and

**H. Whereas**, the South storefront is a 1200 sf space, including 16 tables with 36 seats, no stand up bar, one bathroom, a full service kitchen, music will be background only, there will be live acoustical music by local musicians but such music will be limited to one or two nights a week, non-amplified and will cease by 10:30 PM and there will be no outdoor areas or sidewalk café; and

**I. Whereas**, the North storefront is a 360 s.f. space, including 3 tables with 15 seats, no stand up bar, one bathroom but does not have a full service kitchen but will not be included or any part of the current application, will close daily at 6PM and where the sale of alcohol will be prohibited and not permitted; and

**J. Whereas**, the two storefronts are not connected to each other but each one does have a doorway that leads directly to an interior common hallway used by the 22 residential apartment dwellers in the same building; and

**K. Whereas**, the two storefronts are divided by this residential hallway which the current operator and proposed licensee does not have exclusive possession and control over and will never have exclusive possession and control over, this Hallway representing the only means of egress into and out of the building for the residential dwellers living in the building and where their mail is delivered; and

**L. Whereas**, residents from the same building where the subject premises is located appeared each and every time an application was presented for these combined storefronts in opposition to the applications, explaining that the prior operator and current operator/applicant of the two storefront premises previously used the two doorways from each storefront leading into the common residential hallway on a daily basis to operate the combined business in the two storefronts, providing photos to demonstrate how the business operates in the residential hallway to gain access to **1)** its cold storage facilities located elsewhere in a basement area, **2)** garbage disposal and **3)** a third exterior egress/ingress that leads to a cemented passageway, which leads completely around the building in the rear and down one side of the building adjacent to residential terraces and residential windows of neighbors in two residential buildings and which ultimately leads to a basement gate leading to the sidewalk and Sullivan Street, a gate which residents indicated is often left unlocked, creating significant foreseeable security concerns for the existing residents of the building, not to mention quality of life concerns for the existing tenants; and

**M. Whereas**, the same tenants appeared for the instant application and indicated that the current operator and applicants have over the last 30 days finally stopped using the common residential hallway in question and is operating the combined business without using any portion of said hallway in anticipation of the instant beer wine application and were pleased to see the operator now committed to not using the residential common hallway for any purposes, the applicant's posting of signage prohibiting the use of such internal doorways leading into the hallway; but despite the change and operator's commitment to not use the hallway were still very uneasy and concerned about the applicants past use of the hallway and the credibility of the operator's current promise to not use the hallway into the future; and

**N. Whereas**, in the past members of CB2, Man.'s SLA Committee were permitted to inspect the premises to review the concerns of the residents from inside and around the exterior of the building relating to the existing cold storage facilities, the exterior passageway and to determine whether the two storefronts could be operated jointly by one operator without any use of the interior common hallway used by the residential tenants in the building; and

**O. Whereas**, while CB2, Man. once again has considerable concerns with how the operators will operate both storefronts serving alcohol as an eating and drinking establishment in the South storefront only and without using the interior common residential hallway in the same building, the current operator and applicants agreed and promised to never use the interior residential hallway to operate their business in either storefront, that the cold storage facilities in the rear and basement underneath the North Shorefront could and would now be exclusively accessed from a hatch at the front exterior of the north storefront premises and via an exterior passageway that reaches around the building from Sullivan Street, that any food prepared earlier in the day in the South storefront would be transferred to the north storefront from exiting the main entrances of each storefront and without any use of the interior hallway doorways, that trash would be taken out via the front entrances to the sidewalk, that the interior doorways leading to the interior residential hallway would be locked and that signage would be posted on the interior doorways into the future to prohibit their use by patrons, employees or anyone else; and

**P. Whereas**, the applicant also agreed to stop any and all use of a sidewalk platform in front of each storefront for eating and drinking because there is currently no permit or sidewalk café license to do so and the residential zoning not only prohibits sidewalk cafes for both premises but specifically states all use of the premises must be enclosed within the interior of the premises, and the applicant agreed to prohibit the outdoor seating in both storefronts as a part of his future method of operation incorporated into his beer/wine license for the South storefront; and

**Q. Whereas**, 25 residents from the immediate area appeared before CB2's SLA Committee in July/2014 in opposition to the proposed licensing of the premises, 12 residents from the immediate area again appeared in August/2014 in opposition to the proposed licensing of the premises, 7 residents appeared in opposition in January/2015, 6 more appeared in opposition in May/2015 and 8 more residents appeared in opposition for the instant application, providing the committee over time with petitions, photographs demonstrating large crowds on the sidewalk in front of another existing restaurant on the same block and outlining their concerns as to the proliferation and over-saturation of liquor licenses on this particular block, establishing that prior to 2009 there was only one licensed premises on this one block but as of 2015 there are six such licensed premises, with concerns about future and additional applications at other potential locations within the same block, a significant increase in noise levels from the use of additional storefronts being operated with late night hours that did not previously exist and the poor layout of the premises in multiple but separate storefronts that the operators have consistently and inappropriately accessed and operated through the common hallway used by residents in the same building; and



**R. Whereas**, residents in prior applications also appeared in support of the current license, some of whom lived on the block and some of whom did not, promoting the character of the applicant, the character of the business and worried about chain stores that could potentially replace the existing cafe; and

**S. Whereas**, like the prior July/2015 application for a license to serve alcohol at these premises, the current operators and applicants agreed to significantly limit and change its method of operation to establish a coherent plan **to operate in the future** in both the North and South storefronts simultaneously but **without using and relying upon the use of the common residential hallway separating the two storefronts to operate as one business**, agreed to limit his hours of operation for the service of beer and wine to only within the confines of the South Storefront until 11 PM Sunday through Thursday and until 12 AM Fridays and Saturdays, agreed to stop operating and using the outdoor tables and chairs in front of the premises, agreed to not seek to license for the service of alcohol in the North Shorefront and further agreed to not seek to upgrade the license to an on-premise license at any point in the future to alleviate the concerns of CB2's SLA Committee, the residents of the same building and its immediate neighbors who consistently appeared over a number of years in opposition to any licensed establishment at these premises located on a narrow residential block which was not appropriately designed to house these types of uses; and

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

1. The premises will be advertised and operated as a coffee, pastry shop and small restaurant during the day and with the service of boutique wines from around the world with imported, micro-brewed and handcrafted artisanal beer during the evenings Sunday to Thursday until 11 PM and Fridays/Saturdays until 12 AM. All patrons will be cleared and no patrons will remain after stated closing times.
2. Will operate with a Beer Wine license only in the South Storefront and not in the North Storefront of 135 Sullivan Street.
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. There will be one entrance from the sidewalk and any and all access, use or egress of hallway doors leading to the residential hallway will be strictly prohibited and signage will be posted to prevent such access, egress or use.
5. There will be no commercial use of the residential hallway located between the north and south storefronts of 135 Sullivan Street.
6. There will be no service of alcohol in the North storefront at any time.
7. The premises will not have televisions.
8. The premises will not permit dancing.
9. The premises will play quiet ambient, recorded background music at all times except when live acoustical performances by local musicians occur.
10. The live acoustical music will be without amplification and will be limited to one or two nights per week, will end by 10:30 PM and will include the use of a piano, guitar, bass and vocals only and will not include percussion or drums.
11. The premises will not have DJ's, live music, promoted events or any event where a cover fee is charged.
12. The Premises will close all doors and windows at 9PM every night.
13. The operator will not install French doors or windows that open out to the sidewalk.
14. Will not operate in any outdoor space and will not operate a sidewalk café.

15. Any and all outdoor chairs or benches in front of either storefront will be removed by 6PM daily.
16. There will be no upgrade to a full on premise license at the premises in the future.
17. The North Storefront will not be licensed for the sale of alcohol in the future.

**U. Whereas,** there are currently 14 licensed premises and three pending licenses within 500 ft. of the premises (including beer and wine) and 36 within 750 ft. (including beer and wine) of the premises;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a new Restaurant Beer/Wine License for **135 Tart LLC d/b/a Once Upon a Tart, 135 Sullivan St. (South Storefront only) 10012** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Beer/Wine License.

Vote: Unanimous, with 16 Executive Committee members in favor.

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



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

## Community Board No. 2, Manhattan

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New York, NY 10012-1899

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August 31, 2015

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 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**8. 496 LaGuardia Restaurant, Inc., d/b/a Mocha Burger, 496 LaGuardia Pl. 10012** (New OP license, previously unlicensed location).

**A. Whereas**, the applicant appeared before CB2, Manhattan's SLA Licensing Committee for a new on premise liquor license to operate a `Kosher Restaurant within a six story mixed use building (Circa 1954) in a Historic District on LaGuardia Place between West Houston and Bleecker Streets; and

**B. Whereas**, the premises was previously operated as a fast food, Five Guys Hamburger location and before that, a Japanese Sushi Restaurant but has never been licensed for the service of alcohol; and

**C. Whereas**, the premises is located in a 1600 SF ground floor space and will have 4 tables and 24 seats, 11 tables and banquette with 28 seats, 1 stand up bar with 8 seats for a total seating occupancy of 60, there will be a full service kitchen, one bathroom and one entrance/exit for patrons, no sidewalk café or outdoor space but there is a large roll down garage-style door that opens the entire front façade to the sidewalk; and

**D. Whereas**, the hours of operation will be from 11:30 AM to 12 AM Sunday through Wednesday and from 11:30 AM to 2 AM Thursday through Saturday, all doors and windows will be closed all times except for patron egress, music will be quiet background consisting of music from ipod/cd's; there will be no d.j.s, no promoted events, no scheduled performances or cover fees, no velvet ropes and no movable barriers; and

**E. Whereas**, the applicant lacks any experience operating a restaurant, has never done so before and has never held a liquor license at any point in the past; and

**F. Whereas**, the applicant's menu specializes in hamburgers with some sushi, satay and salads and the applicant has provided no public interest statement which distinguishes the instant application from the other already existing 37 licensed (not including beer and wine licenses) eating and drinking establishments within 500 ft. of the premises or by providing any coherent reasons why a full on-premise license was needed for a "family friendly restaurant" specializing in hamburgers; and

**G. Whereas**, the premises has never previously been licensed for the service of alcohol and in the past operated for years as a small fast food, take out location for the neighborhood closing by 11 PM every night, that the conversion of the premises to a full on-premise liquor license is unnecessary in a neighborhood already significantly saturated with liquor licenses and late night bars; and

**H. Whereas**, the immediate area is a focal point of quality of life and traffic issues directly related to eating and drinking establishments and the service of alcohol and there is no public interest for adding yet another On Premise license and Bar in a historic district with no compelling reasons and the conversion of yet another premises to a full on-premise liquor license will also have a significant impact and greatly affect the quiet enjoyment of surrounding residential neighbors and will infringe upon and/or change the quality of life of neighbors by adding yet another such a licensed premises to the existing neighborhood; and

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial for **496 Laguardia Restaurant, Inc., d/b/a Mocha Burger, 496 LaGuardia Pl. 10012** on its application for a full restaurant on premises liquor license; and,

**THEREFORE BE IT FURTHER RESOLVED** that CB2, Man. requests that the SLA conduct a 500 foot hearing because there has never been a full on premise liquor license at these premises at any point in the past; and

**THEREFORE BE IT FURTHER RESOLVED** that CB2, Man. respectfully requests that Liquor Authority place this matter before the Full Board of the New York State Liquor Authority for consideration at a regularly scheduled meeting should this application be presented to the Liquor Authority so that the Commissioners may review the recommendation of CB2 Man.

Vote: Unanimous, with 16 Executive Committee members in favor.

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



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

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August 31, 2015

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 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**9. Moe Larry Cheese, LLC. d/b/a t/b/a, 138 Lafayette St. 10012** (New OP license, previously unlicensed location).

**A. Whereas**, the applicant appeared before CB2, Manhattan's SLA Licensing Committee for a new on premise liquor license to operate a full service French Restaurant serving breakfast, brunch, lunch and dinner on the ground floor of an eleven story hotel (Circa 1961) on Lafayette Street between Howard and Canal Streets; and

**B. Whereas**, the premises was previously vacant retail space and has never been licensed for the service of alcohol or operated as an eating and drinking establishment, the Hotel being previously operated as the Holiday Inn Downtown since 2005 but recently having been sold and changed to new ownership as the Soho Hotel; and

**C. Whereas**, the ground floor premises is located in a 4900 SF ground floor space (3900 SF ground floor and 1000 SF 2<sup>nd</sup> floor Storage) with 39 tables and 108 seats, 1 stand up bar with 4 seats for a total seating occupancy of 112, a full service kitchen, two bathrooms and one exterior entrance/exit for patrons on Howard Street, no sidewalk café or outdoor space; and

**D. Whereas**, the hours of operation will be from 7 AM to 1 AM Sunday through Tuesday and from 7 AM to 2 AM Wednesday through Saturday, all doors and windows will be closed by 9 PM every evening except for patron egress, music will be quiet background consisting of music from ipod/cd's; there will be no d.j.s, no promoted events, no scheduled performances or cover fees, no velvet ropes and no movable barriers; and

**E. Whereas**, the applicant performed outreach with his immediate neighbors and a number of those immediate neighbors appeared in opposition to the proposed restaurant, but such opposition was in conjunction with the additional, albeit separate changes and alteration application by the new Soho Hotel at the same location and were generally concerned with the late night hours until 2 AM; and

**F. Whereas**, the applicant has extensive experience operating restaurants in NYC and other Cities on the East Coast and produced a public interest statement evidencing a Certificate of Occupancy use group 6 permitting eating and drinking, demonstrating that it will not install any windows or doors that open out to the outside in the future, will keep its operations to the interior of the premises and agreed not to unreasonably increase the existing noise levels in the neighborhood; and

**G. Whereas**, there are 7 other licensed locations (not including beer and wine licenses) within 500 ft. of the premises; and

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

1. The premises will be advertised and operated as a French Restaurant with a full service kitchen.
2. The hours of operation will be from 7 AM to 1 AM Sunday through Tuesday and from 7 AM to 2 AM Wednesday through Saturday.
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. There will be 1 stand up bar with four seats.
6. The premises will not permit dancing.
7. The premises will play quiet ambient, recorded background music only.
8. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The Premises will close all doors and windows at 9PM every night and anytime there is amplified music.
10. The operator will not install French doors or windows that open out to the sidewalk.
11. Will not permit wait lines to form on sidewalk, no velvet ropes, no movable barriers and will not operate sidewalk café.
12. Will operate the entire premises under one d/b/a (doing business as) name.
13. There will be only one exterior entrance/exit for patrons on Howard Street.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a Restaurant On Premise Liquor License for **Moe Larry Cheese, LLC. d/b/a t/b/a, 138 Lafayette St. 10012** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on its Restaurant On Premise Liquor License.

Vote: Unanimous, with 16 Executive Committee members in favor.

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



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

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August 31, 2015

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 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

**10. Ambleside Partners, LLC d/b/a Pravda, 281 Lafayette St. 10012** (alteration to existing on-premise license) (laid over)

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

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

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any proposed Beer and Wine or On Premise license to **Ambleside Partners, LLC d/b/a Pravda, 281 Lafayette 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 16 Executive Committee members in favor.

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



Antony Wong, Treasurer  
Keen Berger, Secretary  
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August 31, 2015

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 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**11. 22 Howard Street F&B LLC, d/b/a Smile To Go, 22 Howard St. 10013** (RW laid over at request of applicant, previously unlicensed location)

**Whereas**, prior to this month's CB2 SLA Licensing Committee meeting on August 11<sup>th</sup>, 2015, the principal/applicant requested to **lay over** this application from consideration and did not appear before CB2 regarding its application; and,

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

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any proposed Beer and Wine or On Premise license to **22 Howard Street F&B LLC, d/b/a Smile To Go, 22 Howard St. 10013** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 16 Executive Committee members in favor.



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



Antony Wong, Treasurer  
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Susan Wittenberg, Assistant Secretary

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August 31, 2015

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 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **12. Greek Natural Foods, d/b/a Greecologies, 379 Broome St. 10013 (New Beer & Wine – withdrawn)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 11<sup>th</sup>, 2015, the Applicant's attorney requested **to withdraw** this application for a new beer & wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Greek Natural Foods, d/b/a Greecologies, 379 Broome St. 10013** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 16 Executive Committee members in favor.

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



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

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August 31, 2015

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 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**13. La Frite Corp., d/b/a La Frite, 99 MacDougal St. Upper South Store 10012 (Beer Only)**  
(No Show and did not appear)

**Whereas**, the Applicant **failed to appear** before CB2, Manhattan's SLA Licensing Committee Meeting on August 11<sup>th</sup>, 2015 after having submitted a "30 Day Notice" to CB2 for a New Restaurant Wine License and having been placed on CB2's SLA Licensing Committee's Agenda;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **LYH Hospitality LLC, d/b/a Da Marcella, 142 W. Houston St. 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 16 Executive Committee members in favor.

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



Antony Wong, Treasurer  
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August 31, 2015

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 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**14. Mookambika Group, Inc., d/b/a Masala Times, 194 Bleecker St. 10012** (Beer Wine, withdrawn)

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

**Whereas**, this application is for a Beer/Wine license;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any Beer and Wine or On Premise license to **Mookambika Group, Inc., d/b/a Masala Times, 194 Bleecker St. 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 16 Executive Committee members in favor.

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



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

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August 31, 2015

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 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **15. Saigon Project, Inc. d/b/a Saigon Shack, 17 Waverly Pl. 10003 (New OP – Lay Over)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 11<sup>th</sup>, 2015, the Applicant's attorney requested to **lay over** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

**THEREFORE BE IT RESOLVED** that 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 **Saigon Project, Inc. d/b/a Saigon Shack, 17 Waverly Pl. 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 16 Executive Committee members in favor.

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



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

## Community Board No. 2, Manhattan

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August 31, 2015

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 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**16. Corp. to be formed: Pietro Wuaglin, Aleim Johnson, d/b/a Pietro's, 238 Lafayette St. 10012 (New OP – Withdrawn)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 11<sup>th</sup>, 2015, the Applicant's attorney requested to **withdraw** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

**THEREFORE BE IT RESOLVED** that 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 **Corp. to be formed: Pietro Wuaglin, Aleim Johnson, d/b/a Pietro's, 238 Lafayette 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 16 Executive Committee members in favor.

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



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

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August 31, 2015

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 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**17. Spring Soho, Inc. d/b/a Spring St. Natural Restaurant & Bar, 98 Kenmare St. 10012** (New OP – Withdrawn)

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 11<sup>th</sup>, 2015, the Applicant's attorney requested **to withdraw** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Spring Soho, Inc. d/b/a Spring St. Natural Restaurant & Bar, 98 Kenmare 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 16 Executive Committee members in favor.

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



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

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August 31, 2015

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 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**18. HHLP Union Square, LLC, Hersha Hospitality Mgmt. LP as Mgr. & 132 4th Ave. Restaurant LLC as Mgr, d/b/a Hyatt Union Square, 73 E. 13th St. 10003 (OP alteration – add additional sidewalk café)**

**i. Whereas**, the Licensee appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an “alteration” application to the Liquor Authority for their existing On-Premise Liquor License SN#1264972 to expand on 13<sup>th</sup> Street by adding a NYC Department of Consumer Affairs Licensed Sidewalk Café consisting of 14 tables and 32 seats to the Licensed Premises; and,

**ii. Whereas**, the “alteration” application will reflect only the addition of a NYC Department of Consumer Affairs Licensed Sidewalk Café on 13<sup>th</sup> Street consisting of 14 tables and 32 seats to the premises as presented to CB2’s Sidewalks & Street Activities Committee in June/2015 and CB2’s SLA Licensing Committee and indicated in provided diagrams and plans; and,

**iii. Whereas**, the Licensee executed a stipulations agreement with CB2, Man. that they agreed to submit to the SLA along with their current “Alteration” application and agreed that they would be additionally attached and incorporated in to the method of operation on the current restaurant on-premise liquor license SN#1264972 stating that:

1. The hours of operation for the sidewalk café being added will be from 7AM to 10PM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing time in sidewalk café.
2. The sidewalk café will be operated no later than 10PM 7 days a week. All tables and chairs will be removed at this hour.

3. All existing stipulations will remain in effect. This alteration application is to add a DCA Licensed sidewalk café with 14 tables and 32 chairs on 13<sup>th</sup> St.

**iv. Whereas,** the Licensee submitted a petition with signatures from area residents in support;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of the Alteration Application for the existing Restaurant On-Premise Liquor License SN#1264972 for **HHLP Union Square, LLC, Hersha Hospitality Mgmt. LP as Mgr. & 132 4th Ave. Restaurant LLC as Mgr., d/b/a Hyatt Union Square, 73 E. 13th St. 10003** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are further incorporated into the “Method of Operation” on the SLA Restaurant On-Premise Liquor License.

Vote: Unanimous, with 16 Executive Committee members in favor.



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



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

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August 31, 2015

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 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **19. Bar Belle, LLC, d/b/a Henrietta Hudson, 438 Hudson St. 10014 (New OP)**

**i. Whereas**, the Applicants 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 neighborhood bar; the two principals in this application are principals in the currently licensed establishment (West End Kids, Inc.) at this location; the reasons for a new OP liquor license were to resolve ongoing litigation between principals in the current/previous licensed premise (West End Kids, Inc.); other than some minimal cosmetic changes there will be no changes to the method of operation as it currently exists; and

**ii. Whereas**, this application is for a new on-premise liquor license for a location in a mixed use building located on the Northeast corner of Hudson St. and Morton St. for a roughly 1,209 sq. ft. premise with 3 tables and 6 seats and 2 stand up bars with 19 seats (6 seats at Bar 1 and 13 seats at Bar 2) for a grand total of 57 interior seats, there is an existing Certificate of Occupancy and Place of Assembly Permit which states a maximum occupancy of 118 persons; and,

**iii. Whereas**, the hours of operation will be Sunday from 2PM to 2AM, Monday to Tuesday from 5PM to 2AM, Wednesday to Saturday from 4PM to 4AM (No patrons shall remain after the closing hour), music will be by DJ and at entertainment levels, all doors and windows will be closed at 10PM every night and anytime there is amplified music, there will be a d.j., in house promoted events (no outside promoters), there will be cover fees only on Fridays and Saturdays, there will be no velvet ropes, no movable barriers, there will be 2 TV's no larger than 46 inches; and,

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

1. The premises will be advertised and operated as a neighborhood bar.
2. The hours of operation will be Sunday from 2PM to 2AM, Monday to Tuesday from 5PM to 2AM, Wednesday to Saturday from 4PM to 4AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will have no more than 2 televisions, no larger than 46 inches (there will be no projectors).
4. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
5. The premises will employ a doorman/security personnel 7 days a week.
6. The Premises will not have French doors, operable windows or open facades and will close all doors by 10PM every night.
7. There will be no outside promoters ever.
8. There will only be cover charges on Friday and Saturday Nights only.
9. There is no sidewalk café included in this application.

**v. Whereas,** the application is consistent with the currently licensed premises and there are no known open issues with the currently licensed establishment in which the two principals are also principals; the applicant submitted a petition with signatures from area residents in support; and,

**vi. Whereas,** there are currently approximately 11 On Premise Liquor Licenses within 500 ft of the premises and an unknown number of beer and wine licenses;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a new On Premise Liquor License for **Bar Belle, LLC, db/a Henrietta Hudson, 438 Hudson St. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA On Premise Liquor License.

Vote: Passed, with 15 Executive Committee members in favor, and 1 in opposition (D. Diether).

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



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

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August 31, 2015

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 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **20. Patlar Corp. d/b/a Barrow's Pub, 93 Barrow St. 10014 (renewal of OP License SN1025629)**

**i. Whereas**, at the request of members of the community in order to address specific complaints, the renewal application for Patlar Corp. d/b/a Barrow's Pub, 93 Barrow St. 10014 was placed on the agenda of both the July and August CB2, Manhattan's SLA Licensing Committee Meetings; and

**ii. Whereas**, the *Licensee failed to appear in both July/2015 and August/2015* after being requested to appear and also did not send a representative to this meeting to address these concerns; and,

**iii. Whereas**, CB2, Man. received correspondence outlining the specific problem resulting in significant quality of life issues with local resident(s) which the Licensee was having trouble addressing on a final basis, which is a failure to remove speakers which are mounted to a party wall/ceiling with residential neighbors between 459 and 463 Hudson St. and to maintain a volume of other speakers such that there is no sound leakage above NYC Noise Codes; and,

**iv. Whereas**, the Licensee had told a representative of former Councilmember Christine Quinn's Office who was assisting in this matter that she had removed the offending speakers from the party wall (this was several years ago), but this was not the case according to the local resident and he also stated that the Community Affairs Detective from the 6<sup>th</sup> Precinct and members of the Cabaret Unit had also recently seen that the speakers have not yet been removed; it is also quite obvious to the residential neighbors that their continues to be an issue because during irregular special events/parties the music volume is excessive and easily audible in adjoining apartments well into the night; and,

**v. Whereas,** a local resident spoke and stated that he had sent a registered letter to the Licensee in February/2015 which outlined long running complaints dating to 2010 which the Licensee was choosing to ignore, specifically the issue as it pertained to the speakers on the party wall and to excessive noise levels; and,

**vi. Whereas,** additional complaints include doors being left open past 10PM which results in music audible at night outside the establishment and groups of patrons from the establishment loitering and sitting on adjacent residential steps; it was also stated that the Pub did not have appropriate security monitoring the outside conditions; and,

**vii. Whereas,** when Licensees fail to appear before CB2, Man. when requested to do so in order to resolve issues with local members of the community, the perception and reality is that the Licensee is simply not willing to address reasonable requests or to professionally manage their establishment and comply with the law and it brings the question of whether they should be able to continue the privilege of maintaining a liquor license;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any current or future renewals of the existing on-premise liquor license for **Patlar Corp. d/b/a Barrows Pub, 93 Barrow St. 10014** until the Licensee fully resolves the above stated concerns and re-appears before CB2 Manhattan to resolve any additional issues.

Vote: Unanimous, with 16 Executive Committee members in favor.

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



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

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August 31, 2015

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 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **21. 305 Bleecker Food Market, LLC, d/b/a TBD, 305 Bleecker St. a/k/a 88 7<sup>th</sup> Ave South 10014**

- 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 restaurant on-premise liquor license in a location that is not currently licensed, but that has been licensed in the past, for a gourmet food market, restaurant with small plates and gourmet food wine and cocktail bar as presented; and,
- ii. Whereas**, this application is for a new restaurant on-premise liquor license for a location in a mixed use building with entrances at both 305 Bleecker St. and 188 7<sup>th</sup> Ave South (it diagonally crosses the block but it is not the corner location) for a roughly 1171 sq. ft. premise (with accessory basement – no patron use except for bathrooms) with 12 tables and 49 seats (32 of seats are located in enclosed sidewalk café) and 1 stand up bar with 14 seats for a grand total of 63 seats, this application also includes a currently licensed DCA enclosed sidewalk café which has 8 tables and 32 seats which will be assigned to the current applicant, there is an existing Certificate of Occupancy; and,
- iii. Whereas**, the hours of operation will be from 10AM to 12AM 7 days a week (No patrons shall remain after the closing hour), music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no speakers in the enclosed sidewalk café, all doors and windows will be closed at 9PM every night and anytime there is amplified music, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no TV's; and,

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

1. The premises will be advertised and operated as a gourmet food market, restaurant with small plates and gourmet food wine and cocktail bar as presented to CB2.
2. The hours of operation will be from 10AM to 12AM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The Premises will not have French Doors, Operable Windows or open facades and all doors will be closed at 9PM except for patron ingress and egress and anytime there is amplified music.
10. This will be an entirely food driven operation.
11. The whole space will be operated under one business name (d/b/a name).
12. The licensee will not reduce the food menu/style/kitchen or depth of the presented menu.
13. The market place area will occupy at least 30% of the floor space.
14. This application includes an enclosed DCA licensed sidewalk café.

**v. Whereas,** the Applicant presented a petition, attempted to reach out to several block associations and met with 1 block association, a representative of that block association appeared and stated their concerns in particular that there was some concern that this establishment would morph into a bar, but they stated that the stipulated hours of operation alleviated this concern along with the other agreed to stipulations; of the 3 principals, 2 have previously been principals of licensed premises, including 1 principal who held a restaurant wine license within the confines of CB2, Man. and the principals have experience running various aspects of previous businesses which complements this method of operation; and,

**vi. Whereas,** there are currently approximately 31 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 via a “transfer” application for **305 Bleecker Food Market, LLC, d/b/a TBD, 305 Bleecker St. a/k/a 88 7<sup>th</sup> Ave South 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 16 Executive Committee members in favor.

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



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

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August 31, 2015

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 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **22. Juicerie 3, LLC, d/b/a The Butcher's Daughter, 581 Hudson St. 1001**

**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 restaurant on-premise liquor license via a "transfer" application for a full service vegetarian restaurant café and juice bar serving breakfast, lunch and dinner; and,

**ii. Whereas**, this application is for a new restaurant on-premise liquor license via a "transfer" application for a currently licensed location in a mixed use building located on Hudson St. on the Southwest corner of Bank St. for a roughly 1,920 sq. ft. premise (1,020 sq. ft. first floor patron use, 900 sq. ft. basement no patron use) with 10 tables and 26 seats and 1 stand up bar with 8 seats for a grand total of 34 interior seats, there is also an accessory basement with no patron use, this application also includes a currently DCA licensed sidewalk café which has 9 tables and 18 seats which will be assigned to the current applicant, there is an existing Temporary Certificate of Occupancy which continues to be kept current; and,

**iii. Whereas**, the hours of operation for the interior of the premises will be Sunday to Wednesday from 8AM to 11PM and Thursday to Saturday from 8AM to 12AM (No patrons shall remain after the closing hour), the Sidewalk Café will close no later than 11PM 7 days a week (there will be no patrons in the sidewalk café after 11PM 7 days a week) 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 music in the sidewalk café, all doors and windows will be closed at 10PM every night and anytime there is amplified music, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no TV's; and,

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

1. The premises will be advertised and operated as a full service vegetarian restaurant café and juice bar serving breakfast, lunch and dinner.
2. The hours of operation will be Sunday to Wednesday from 8AM to 11PM and Thursday to Saturday from 8AM to 12AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
7. The premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The Premises will close all doors and windows at 10PM every night and anytime there is amplified music except for patron ingress and egress.
10. Sidewalk Café will close no later than 11PM 7 days a week. There will be no patrons in the sidewalk café after sidewalk café closing at 11PM.
11. This application includes a DCA approved sidewalk café that will be applied to be assigned to the applicant from the current operator (18 seats & 9 tables).

**v. Whereas,** the application is consistent with the currently licensed premises and the Applicant presented a petition with a mix of signatures, some from local residents; the Applicant also currently operates a similar establishment within CB2 at another location with a restaurant wine license; and,

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

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a new Restaurant On Premise Liquor License via a “transfer” application for **Juicerie 3, LLC, d/b/a The Butcher’s Daughter, 581 Hudson St. 1001** **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 16 Executive Committee members in favor.



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



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

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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 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

**23. 62 Greenwich, LLC, d/b/a Greenwich Steak House FG, 62 Greenwich Ave. 10011 (new Restaurant OP)**

**Whereas**, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 13<sup>th</sup>, 2015, the Applicant's attorney requested to withdraw this application for a new on-premise liquor license at this time and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed; and

**Whereas**, there is community opposition and a number of community members submitted testimony in opposition and also appeared and spoke in opposition; there are also a number of issues and questions in regards to Department of Buildings filings (or lack thereof), occupancy issues and unapproved construction work, landmark violations and concerns regarding outdoor areas and ventilation in addition to other issues,

**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 **62 Greenwich, LLC, d/b/a Greenwich Steak House FG, 62 Greenwich Ave.**

**10011** until the Applicant has presented their revised 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 16 Executive Committee members in favor.

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



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

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August 31, 2015

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 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **24. VC Chef, LLC, d/b/a TBD, 306 W. 13th St. 10014 (New Restaurant OP)**

**Whereas**, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 13<sup>th</sup>, 2015, the Applicant requested to **withdraw** this application for a new restaurant on-premise liquor license and will provide proper notice to CB2 Manhattan and submit a new application for consideration at a future CB2 SLA Licensing Committee meeting for a restaurant wine license; and

**Whereas**, there is community opposition;

**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 **VC Chef, LLC, d/b/a TBD, 306 W. 13th 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 16 Executive Committee members in favor.

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



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

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August 31, 2015

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 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **25. Himi NY Corporation, d/b/a Hakata Ton Ton, 61 Grove St. 10014 (Restaurant OP Alteration – expansion of premises)**

**Whereas**, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 13<sup>th</sup>, 2015, the Applicant requested to **layover** this application for an alteration application for an existing restaurant on-premise liquor license to expand the existing premises and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed alteration to any existing on premise liquor license, corporate change, class change, transfer, or changes to any existing license for **Himi NY Corporation, d/b/a Hakata Ton Ton, 61 Grove St. 10014 until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 16 Executive Committee members in favor.

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



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

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August 31, 2015

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 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **26. Zouk Ltd., d/b/a Palma, 28½ Cornelia St. 10014 (Restaurant OP alteration - expansion of premises)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 13<sup>th</sup>, 2015, the Applicant's attorney requested to **withdraw** this application for an alteration application for an existing restaurant on-premise liquor license to expand the existing premises and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed alteration to any existing on premise liquor license, corporate change, class change, transfer, or changes to any existing license for **Zouk Ltd., d/b/a Palma, 28½ Cornelia 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 16 Executive Committee members in favor.

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



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

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August 31, 2015

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

Dear Sir/Madam:

At its Executive Committee meeting on August 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **27. Highline Restaurant, LLC d/b/a Santina, 820 Washington St. 10014 (Restaurant OP alteration - to expand existing outdoor seating area)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 13<sup>th</sup>, 2015, the Applicant's attorney requested to **withdraw** this application for an alteration application for an existing restaurant on-premise liquor license to expand the existing outdoor seating area and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed alteration to any existing on premise liquor license, corporate change, class change, transfer, or changes to any existing license for **Highline Restaurant, LLC d/b/a Santina, 820 Washington St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 16 Executive Committee members in favor.

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



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

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August 31, 2015

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

Dear Sir/Madam:

At its Executive Committee meeting on August 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **28. Food Love 125, Inc. d/b/a Ramen Torii, 4 Union Square South 10003 (New RW)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 13<sup>th</sup>, 2015, the Applicant's attorney requested to **layover** this application for a new restaurant wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

**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 **Food Love 125, Inc. d/b/a Ramen Torii, 4 Union Square South 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 16 Executive Committee members in favor.

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



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

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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 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **29. Tapestry LLC, 60 Greenwich Ave. 10011 (new Restaurant OP)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 13<sup>th</sup>, 2015, the Applicant's attorney requested to **withdraw** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

**THEREFORE BE IT RESOLVED** that 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 **Tapestry LLC, 60 Greenwich Ave. 10011** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 16 Executive Committee members in favor.



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



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

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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 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **30. Nix LLC, 72 University Pl. 10003 (transfer – Restaurant OP)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 13<sup>th</sup>, 2015, the Applicant's attorney requested to **withdraw** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

**THEREFORE BE IT RESOLVED** that 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 **Nix LLC, 72 University Pl. 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 16 Executive Committee members in favor.

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



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

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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 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **31. 13th Street Holdings LLC, 409 W. 13th St. 10014 (transfer OP)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 13<sup>th</sup>, 2015, the Applicant's attorney requested to **withdraw** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

**THEREFORE BE IT RESOLVED** that 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 **13th Street Holdings LLC, 409 W. 13th 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 16 Executive Committee members in favor.

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



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

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August 31, 2015

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 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **32. Prime 135 NYC, LLC d/b/a Prime 135, 135 7th Ave. So. 10014 (Upgrade RW to Restaurant OP)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 13<sup>th</sup>, 2015, the Applicant's attorney requested to **layover** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed; and

**Whereas**, there is community opposition;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed upgrade from a restaurant wine license to an on-premise liquor license, corporate change, any other class change, alteration, transfer, or changes to any existing license for **Prime 135 NYC, LLC d/b/a Prime 135, 135 7th Ave. So. 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 16 Executive Committee members in favor.

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



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

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August 31, 2015

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 20, 2015, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **16. BKUK 5 Corp, d/b/a TBD, 57 7th Ave. So. 10014 (withdrawn – new Restaurant OP)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 13<sup>th</sup>, 2015, the Applicant's attorney requested to **withdraw** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed; and

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **BKUK 5 Corp, d/b/a TBD, 57 7th Ave. So. 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 16 Executive Committee members in favor.

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

Sincerely,



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



Tobi Bergman, Chair  
Community Board #2, Manhattan



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

TB/fa

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