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COMMUNITY BOARD No. 2, MANHATTAN

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January 3, 2010

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

Dear Mr. Christian:

At its Full Board meeting on December 16, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

1. Andrew K. Breslin, 159 Bleecker St. LLC, 159 Bleecker St., NYC

Whereas, the applicant appeared before the committee for a second time; and,

Whereas, this application is for a new On Premise license in a mixed use building on Bleecker Street between Thompson and Sullivan Streets for a 8,500 s.f. restaurant and bar with 48 tables and 174 seats, 2 bars with 18 seats, and a maximum legal capacity of 295 persons; music will be background, live and applicant emphatically stated no D.J.; and,

Whereas, the applicant stated the hours of operation are Sunday to Wednesday 5:00 p.m. – 2:00 a.m. and Thursday and Friday from 5:00 p.m. – 4:00 a.m. and Saturday from 11:00 a.m. – 4:00 a.m.; there is no sidewalk café and no backyard garden; and,

Whereas, the applicant has agreed to end all live performances by 11:00 pm on weekdays and by 12:00 am on weekends; and,

Whereas, the applicant will continue to serve from the kitchen up to one hour before closing; and,

Whereas, the applicant agreed to maintaining adequate security staff both inside and outside of the establishment and will provide interior soundproofing and also agrees that all windows and doors to remain closed at all time; and,

Whereas, this application is for a new OP in a location that was never previously licensed; and,

Whereas, there are already 52 locations within 500 ft. with either Full On Premise Liquor Licenses or Beer and Wine Licenses; and,

Whereas, the Bleecker Area Merchants' & Residents' Association (BAMRA) originally wrote a letter in support of the applicant, but has subsequently withdrawn their support; and,

Whereas, a nightclub that has a legal capacity of about 700 already exists directly across the street from this application which has caused many problems for this very residential neighborhood; and,

Whereas, a petition in support of the applicant was presented with 140 signatures but it should be noted that only 58 of those signatures were from people who lived within a 10 block radius of this applicant's location and only 24 were within the actual neighborhood (within a 5 block radius); and,

Whereas, 3 community members came to the hearing in support and 7 spoke against this applicant; and,

Whereas, the community members who spoke against this applicant wanted it to be pointed out that THEY also pay taxes and feel in this "highly residential neighborhood" that this area is beyond saturated, that traffic on this portion of Bleecker Street is already overwhelming in nature during the proposed hours of operation and that a "quality of life" issue must become a priority; and,

Whereas, members of this committee expressed their strong concerns with a large, late night, live music venue in a oversaturated residential block; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of a NEW On Premise license for Andrew K. Breslin, 159 Bleecker St. LLC, 159 Bleecker St., NYC;

THEREFORE BE IT FURTHER RESOLVED that CB#2, Man. recommends that the SLA evoke the 500 ft. ruling.

Vote: Passed, with 40 Board members in favor, and 1 recusal (L. Rakoff).

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Dear Mr. Christian:

At its Full Board meeting on December 16, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

2. The Smile, 26 Bond Street, NYC

Whereas, the applicant appeared before the committee upon the request of CB2; and,

Whereas, this request to appear is in regards to the renewal of a Beer and Wine License serial number 1222062, which has already been approved by the SLA; and,

Whereas, this Beer and Wine license was originally granted in 2008 with a method of operations that described this business as a "Retail Dry Goods Store" wishing to serve wine to their customers in 10 seats with 1 bar with no seats"

Whereas, the applicant agreed to the hours of operation being Sunday to Wednesday 8:00 a.m. –11:00 p.m. and Thursday to Saturday 8:00 a.m. – 12:00 a.m.; they would not apply for a sidewalk café in the future and there will be no backyard garden, music would be background only; and,

Whereas, the applicant had agreed to operate primarily as a retail establishment at all times; and

Whereas, this applicant still claims that they are a retail store that now serves breakfast, lunch and dinner to 44 seats and a bar with 6 seats and a current license that states their hours of operation are from 8:00 a.m. to 2:00 a.m.; and,

Whereas, CB2 and the community feel the method of operation has greatly changed and are concerned that a very important step in the renewal process has been overlooked; and,

Whereas, renewal of a Beer and Wine license with such great changes to the method of operation, unchallenged without the review or approval from this community board could set a disturbing precedent that will have considerable negative ramifications in other license applications that will come before the SLA; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of the all ready approved renewal of a Beer and Wine license to **The Smile, 26 Bond Street, NYC** and request that the SLA require a new application be submitted which better reflects the CURRENT method of operation; and,

BE IT FURTHER RESOLVED that the SLA request the applicant to follow necessary procedure and present the changes to their method of operation to the CB#2, Man. SLA Committee and CB2's full board.

Vote: Unanimous, with 41 Board members in favor.

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Dear Mr. Christian:

At its Full Board meeting on December 16, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

3. 9GJ d/b/a Acme, 9 Great Jones Street, NY

Whereas, the applicant appeared before the committee upon the request of CB2; and,

Whereas, this application is for the renewal of a full On Premise license in a mixed use building on Great Jones Street between Broadway and Lafayette for a 2000 s.f. restaurant with 21 tables and 68 seats, 1 bar with 17 seats and a total capacity of 127 persons and a 1500 s.f. performance space in basement with 1 bar and 4 seats and a total capacity of 74 persons, there is no sidewalk café and no backyard garden; and,

Whereas, this applicant was called before the CB#2, Man. SLA committee due to complaints by the community of excessive noise; and

Whereas, the premise of the noise issues were discovered to apparently originate from another unlicensed establishment, operating on the floors above the applicant and NOT from this applicant; and

Whereas, there was a request by the community that the applicant control the lines of people on the sidewalk that are waiting to go into the basement for the live events held legally by this applicant; and,

Whereas, the applicant agreed to position an employee outside prior to these live events;

THEREFORE BE IT RESOLVED that CB#2, Man. approves of the renewal of a full On Premise license to **9GJ d/b/a Acme, 9 Great Jones Street, NY**.

Vote: Unanimous, with 41 Board members in favor.

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Dear Mr. Christian:

At its Full Board meeting on December 16, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

4. Oscar's Café, 50 MacDougal Street, NY

Whereas, the applicant appeared before the committee upon the request of CB2 in regards to numerous complaints from neighborhood residents; and,

Whereas, this request to appear is in regards to the renewal of a Beer and Wine license; and,

Whereas, CB#2, Man. questions the validity of the sidewalk café and whether this applicant has a license to serve alcohol to the sidewalk café because the applicant was unable to produce a valid Sidewalk Café license from the NYC Department of Consumer Affairs and was unable to demonstrate that the sidewalk café was located on property that is rightfully under their control, and furthermore was unable to show that the area was included on plans provided to the SLA when they applied for their original license; and

Whereas, the applicant has been operating a sidewalk café in front of this establishment and allowing patrons to remove open containers from the premise and consume alcohol in the sidewalk, including beyond the area they have set up as a sidewalk café; and

Whereas, the applicant claims the sidewalk café is within the property line and does not require approval from DCA; and

Whereas, the Borough President's property maps show this sidewalk café to be outside of property lines; and

Whereas, there are many concerns from the community regarding this operator ignoring legal operating hours for serving alcohol within the sidewalk café; and,

Whereas, the community has submitted pictures of people all over the front of this location with “drinks in hand” extending beyond the sidewalk café and even into the street; and,

Whereas, the community has also submitted a petition with 33 signatures from residents of one building on King Street alone, protesting the noise and late hours; and,

Whereas, the community claims to observe seating and serving to customers in the unenclosed sidewalk café as late as 2:00 a.m. and 3:00 a.m.; and

Whereas, the community registered numerous complaints to 311 from noise generated from the sidewalk café well after legal closing time; and,

Whereas, the applicant was asked directly, at the CB#2, Man. SLA Licensing committee meeting, if he had a survey that proved his sidewalk café was legal and the applicants response was “I don’t know”; and,

Whereas, the applicant was asked directly at this meeting if he knew what the legal hours for serving alcohol within the sidewalk café and the applicant’s response was “ I don’t know the hours”;

THEREFORE BE IT RESOLVED that CB#2, Man. request the denial of the Beer and Wine license to **Oscar’s Café, 50 MacDougal Street, NY;** and,

BE IT FURTHER RESOLVED that CB#2, Man. calls upon the SLA and the NYC Department of Consumer Affairs to verify that the applicant has a right to operate the sidewalk café in front of this location and that the area is included as part of the licensed premise.

Vote: Unanimous, with 41 Board members in favor.

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December 289, 2010

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

Dear Mr. Christian:

At its Full Board meeting on December 16, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

5. L'Orange Bleue Restaurant, 430 Broome Street, NY

Whereas, the applicant appeared before the committee upon the request of CB2; and,

Whereas, this application is for the renewal of an On Premise license in a mixed use building on the corner of Broome Street and Crosby Street for a 1,900 s.f. restaurant and bar with 22 tables and 59 seats, 1 bars with 9 seats, and a maximum legal capacity of 72 persons; , music will be background, live and D.J.; and,

Whereas, the applicant stated the hours of operation are Monday – Thursday from 11:00 a.m. to 12:00 a.m., Friday - Saturday from 11:00 a.m. – 2:00 a.m. and Sunday from 11:00 a.m. – 12:00 a.m.; they currently have a sidewalk café and no backyard garden; and,

Whereas, CB#2, Man. questions whether the applicant has the right to operate the sidewalk café as there is currently no Sidewalk Café license issued by the NYC Department of Consumer Affairs and the applicant was unable to demonstrate that they have the right to this area through some other means, and the area is not zoned for a sidewalk café; and,

Whereas, CB#2, Man. questions whether the applicant has the right to serve alcohol in the area the applicant operates as a sidewalk café because no evidence exists that this area was ever included in a description of the licensed premise and furthermore the applicant did not include this area in the premise floor plans for the licensed area provided to CB#2, Man. at this meeting; and,

Whereas, the community has complained about excessive noise from this location as a result of live music performances in conjunction with the applicant leaving windows and doors open during live performances; and

Whereas, the applicant has stated that he has not received direct complaints regarding the noise issues, but is willing to keep all windows and doors closed during all live performances; and,

Whereas, the applicant agrees to close all windows and doors no later than 10:00 p.m.; and,

Whereas, this applicant agrees to stop the sidewalk café, meaning no chairs or tables or service; and,

Whereas, the community complained about excessive noise from this location, no one appeared in opposition and 3 appeared in support; and,

Whereas, the applicant agrees that all live events, which is only on Mondays, will stop by 12:00 a.m.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the renewal of the On Premise license for **L'Orange Bleue Restaurant, 430 Broome Street, NY** unless all conditions within the 5th, 7th and 8th “Whereas” clauses are agreed to by applicant and are incorporated into the “Method of Operation” on the SLA’s On Premise license.

BE IT FURTHER RESOLVED that CB#2, Man. calls upon the SLA and the New York City Department of Consumer affairs to further verify the situation regarding the applicants right to operate the sidewalk café in front of this location and whether the area is included as part of the licensed premise.

Vote: Unanimous, with 41 Board members in favor.

Jo Hamilton, *Chair*
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January 3, 2010

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

Dear Mr. Christian:

At its Full Board meeting on December 16, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

6. Sada LLC, d/b/a Empellon, 230 W. 4th St., NYC 10014

Whereas, the applicant appeared before the committee for the third time ; and,

Whereas, this application is for the transfer of a Full On Premise license in a mixed use building on the corner of West 4th Street and West 10th Street for a 2,500 s.f. restaurant with 23 tables and 90 seats, 1 bar and 15 seats and a maximum legal capacity of 150 persons; and,

Whereas, the applicant stated the hours of operation are 10:00 a.m. to 2:00 a.m. 7 days a week; there will be no sidewalk café and no backyard garden; and,

Whereas, the community realizes that this location was previously licensed to be open until 4:00 a.m., but points out that the previous operator only operated Monday to Thursday until 11pm, Friday and Saturday until 2 am and Sunday until 10pm; and,

Whereas, the community presented a petition with 43 signatures stating their opposition to this application in regards to experience of the operators, over-saturation of late-night venues in this highly residential area, and hours of operation, particularly during weekdays; and

Whereas, the community is concerned that the neighborhood is over saturated with 37 licenses within 500 ft and several new licenses have been added since this original license was issue; and,

Whereas, the fact that there are so many licenses within 500 ft should not automatically allow for a transfer to occur and that a liquor license is a privilege and that the city of New York is not obligated to approve a transferred license; and,

Whereas, the communities greatest concern is the hours of operation, specifically regarding the weekdays; and,

Whereas, the applicants have reached out to the community and agreed to the following stipulations:

1. Applicant will complete all necessary soundproofing.
2. All doors and windows will be closed at all times.
3. Hours of operation will be 10:00 a.m. to 2:00 a.m., 7 days a week.
4. Host will monitor sidewalks and traffic problems resulting from their establishment.
5. Applicant will post signs reminding patrons to respect the residents and to be quiet.
6. The kitchen will remain open up to one hour before closing.
7. Garbage pick-up will be coordinated with other restaurants.
8. They will not apply for a sidewalk café for at least one year from time of opening.
9. Applicant agrees that they will not permit DJs, live music or third party promoters and music will be background only.
10. Applicant agreed to operate as a full service restaurant only and at all times.

Whereas, there were 7 community members at the hearing in support of this applicant and 8 who opposed; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the transfer of a Full On Premise license for Sada LLC, d/b/a Empellon, 230 W. 4th St., NYC 10014, unless all conditions in the 9th “Whereas” clause are agreed to by the applicant and are incorporated into the “Method of Operation” on the SLA’s On Premise license.

Vote: Passed, with 38 Board members in favor, and 3 in opposition (C. Booth, R. Ely, A. Meadows).

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Dear Mr. Christian:

At its Full Board meeting on December 16, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

7. Lucky 13 Associates, LLC, 21 – 27 9th Ave., NYC 10014

Whereas, this applicant came before CB2 for a second time; and,

Whereas, this application is for a new On Premise license in a newly developed commercial building on the corner of 9th Avenue and 13th Street for a 11,100 s.f. restaurant with 99 tables and 261 seats, 3 bars with 39 seats, and a maximum legal capacity of 442 persons; , music will be background on the 2nd and 3rd floors and and D.J. on the 4th floor; and,

Whereas, the applicant stated the hours of operation for this three story location are the 2nd and 3rd floors from 5:00 p.m. – 2:00 a.m., 7 days a week and the 4th floor from 5:00 p.m. – 4:00 a.m., 7 days a week; there is no sidewalk café and no backyard garden; and,

Whereas, the operators for this application currently run three other businesses with liquor licenses and have proven to be responsible and respectful operators with no violations in the 5 years of existence; and,

Whereas, the applicant clearly states that this is to be a restaurant on the 2nd and 3rd floor and a lounge on the 4th floor; and,

Whereas, the applicant agreed to the following stipulations:

1. They would never apply for a Cabaret License.
2. They reduced the hours of operation on the 2nd and 3rd floor from a 4 a.m. closing to a 2 a.m. closing.

3. They will station a doorman to help control street and pedestrian traffic.
4. All windows and doors will be closed at all time, including all doors and windows from the 4th floor terrace.
5. There will be no service whatsoever to the outdoor space/ terrace on the 4th floor. The applicant has agreed to eliminate the proposed 4th floor terrace from the proposed establishment which also decreases the number of seats from 293 to 261.
6. They will not apply for any use of the 4th floor rooftop.
7. There will never be any “live” music events and there will never be any cover charges.
8. There will be no music in the outdoor terrace.

Whereas, this location is newly rebuilt and was never previously licensed by the SLA; and,

Whereas, the applicant has made extensive efforts to reach out to the community; and,

Whereas, there are already over 38 liquor licenses within 500 feet of this establishment in a heavily saturated nightlife area; and,

Whereas, community members are concerned about the size of the proposed establishment and the outdoor space of this application and the negative impact it could have in an area already overwhelmed with crowding, traffic and noise issues, where these impacts spill out into the surrounding residential neighborhoods; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the proposed On Premise liquor license to Lucky 13 Associates, LLC, 21 – 27 9th Ave., NYC 10014; unless all conditions within the clauses within the stipulation agreement are agreed to by the applicant and are incorporated into the “Method of Operation” on the SLA’s On-Premise license.

Vote: Passed, with 21 Board members in favor, and 18 in opposition (T. Bergman, C. Booth, S. Burton, T. Cude, D. Diether, R. Ely, S. Feinberg, E. Gilmore, A. Greene, J. Hamilton, B. Hoylman, A. Krielmelman, R. Lee, R. Rakoff, R. Riccobono, R. Rothstein, M. Schott, S. Sweeney).

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Dear Mr. Christian:

At its Full Board meeting on December 16, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

8. Sam Bahri's Steakhouse, Inc., 10 Downing St., NYC 10014

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new full On Premise Liquor license in a mixed use building on 6th Avenue between Downing and Bedford Street for a restaurant with 38 tables and 120 seats, 1 bar and 12 seats and a maximum legal capacity of 132 persons; and,

Whereas, the applicant stated the hours of operation are Sunday to Thursday from 11:00 a.m. to 12:00 a.m. and Friday and Saturday from 11:00 a.m. to 2:00 a.m. there will currently be a sidewalk café but no backyard garden and no use of the side courtyard; and,

Whereas, the 10 Downing Street Tenants Association has established the following stipulations in which the applicant has agreed to follow:

1. Closing times are no later than 12:00 a.m., Sunday through Thursday and 2:00 a.m. on Friday and Saturday nights.
2. They will retain the existing awning or install a new noise-mitigating awning, to be kept in place all year.
3. All French doors facing the sidewalk will be closed no later than 10 p.m., Sunday through Thursday and 11:00 p.m. on Friday and Saturday.
4. Operator will provide noise monitoring by a sound engineer in second story apartments during the first month of operation to establish an acceptable base line.
5. There will be no use of the courtyard or backyard garden.
6. No benches placed out on the sidewalk

7. Signs requesting no smoking and to keep noise levels low.
8. Courtyard on the south side of the building cannot be blocked or used at any time.
9. There is to be no access to bathrooms in the basement or residential areas of 10 Downing.
10. Garbage and trash should be carted away during daytime hours.
11. All garbage must be stored in vermin-proof containers until carted away.
12. Operator agrees to quarterly meetings if requested by the Association.

Whereas, there was no opposition from the community; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the proposed On Premise liquor license to **Sam Bahri's Steakhouse, Inc., 10 Downing St., NYC 10014** unless all conditions in the 4th "Whereas" clause are agreed to by the applicant and are incorporated into the "Method of Operation" on the SLA's On Premise license.

Vote: Unanimous, with 41 Board members in favor.

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Dear Mr. Christian:

At its Full Board meeting on December 16, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

9. Entity to be formed by Romeo Palmisano, TBD, 24 Minetta Lane, NYC 10012

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new full On Premise Liquor license in a mixed use building on the corner of 6th Avenue and Minetta Lane for a 2,100 s.f. restaurant with 15 tables and 62 seats, 1 bar and 9 seats and a maximum legal capacity of 71 persons; and

Whereas, the applicant stated the hours of operation are 7:00 a.m. – 1:00 a.m., 7 days a week; there will be no sidewalk café and no backyard garden; and

Whereas, this location has been a restaurant for over 30 years; and

Whereas, the applicant stated that the rear pizza bar will be used for food service only; and,

Whereas, there was no opposition in regards to the application;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of the proposed On Premise liquor license to **Entity to be formed by Romeo Palmisano, TBD, 24 Minetta Lane, NYC 10012.**

Vote: Unanimous, with 41 Board members in favor.

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Dear Mr. Christian:

At its Full Board meeting on December 16, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

10. Grillade, LLC, d/b/a Mas (La Grillade), 28 7th Ave. S0., NYC 10014

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new full On Premise Liquor license in a mixed use building on 7th Avenue South between St. Luke's Place and Morton Street for a 3,500 s.f. restaurant with 21 tables and 78 seats, 1 bar and 6 seats and a maximum legal capacity of 100 persons; and,

Whereas, the applicant stated the hours of operation are from 11:00 a.m. – 11:30 p.m., 7 days a week; there will be a sidewalk café but no backyard garden; and,

Whereas, the applicant stated that this will be a full service “white table cloth” restaurant; and,

Whereas, there was 1 letter from the St. Luke's Block Association with concerns regarding the history of this location and request that the applicant reach out to them so they may share their concerns; and,

Whereas, there were 2 letters in support from community members; and,

Whereas, the applicant will provide an updated Certificate of Occupancy to reflect the current use and all other necessary paperwork as required by the City of New York to operate the premise;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of the proposed On Premise liquor license to **Grillade, LLC, d/b/a Mas (La Grillade), 28 7th Ave. S0., NYC 10014.**

Vote: Unanimous, with 41 Board members in favor.

Jo Hamilton, *Chair*
Bo Riccobono, *First Vice Chair*
Sheelah Feinberg, *Second Vice Chair*
Bob Gormley, *District Manager*



Erin Roeder, *Treasurer*
Susan Kent, *Secretary*
Elaine Young, *Assistant Secretary*

COMMUNITY BOARD No. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

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January 3, 2010

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

Dear Mr. Christian:

At its Full Board meeting on December 16, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

11. Matthew Oliver Maddy, d/b/a Hot Talk, LLC, 168 Elizabeth St., NYC 10012

Whereas, the applicant appeared before the committee for the third time; CB#2, Man. recommended denial of a full on premise license in June 2010; and,

Whereas, this application is for a new Beer and Wine license in a mixed use building on Elizabeth Street between Kenmare and Spring Street for a 1,200 s.f. restaurant with 11 tables and 25 seats, 1 bar and 4 seats and a maximum legal capacity of 50 persons; and,

Whereas, the applicant stated the hours of operation are Monday through Friday from 6:00 p.m. – 1:00 a.m. and Saturday and Sunday from 11:00 a.m. – 1:00 a.m.; there will be no sidewalk café and no backyard garden; and,

Whereas, the applicant has now agreed to not use the garden space at all though they have already created a disturbing “mess” for all the residents around the backyard (see images included); and,

Whereas, the community and CB#2, Man. has great concern about the noise in the courtyard/backyard garden if this applicant is given a license to use this space; and,

Whereas, the current “Certificate of Occupancy” dated Dec. 27, 1989, does not show permissible use of basement space nor does it offer a legal capacity; and,

Whereas, this location does not currently have a certificate of occupancy and the proposed premise is in what is currently accessory cellar space to a Laundromat located on the ground floor; and,

Whereas, CB#2, Man. received testimony both written and verbally that there is great concern regarding the NYC Department of Buildings permits to “allow repair of damaged concrete slab and steps and a new block wall for boiler room enclosure but no enlargement proposed”; compared to the actual work that is taking place in basement; and,

Whereas, there is no record of applications to the NYC DOB to alter use of the proposed premise from accessory cellar use therefore requiring an updated “C of O”; and,

Whereas, the current entrance to this establishment is a hatch in the sidewalk in front of a Laundromat that would certainly not comply with the American Disability Act if changes are made since it would be considered a new location and not grandfathered in; and,

Whereas, this basement space has never had an SLA License before; and,

Whereas, this applicant has still not addressed the issue of soundproofing or garbage pick-up; and,

Whereas, this applicant is within 200 ft. of the Lashing Shuneikai Church; and,

Whereas, this applicant has chosen a location that has just received 6 new SLA licenses in the last 365 days within 500 ft. and more specifically is within 500 ft of 25 licensed premises, 11 Restaurants with OP license, 6 Bars with OP licenses and 8 Restaurants with Beer and Wine Licenses; and

Whereas, the applicant STILL has done insufficient community outreach and must reach out to local residents and organizations to thoroughly explain and address their concerns; and,

Whereas, the applicants assertion that the premises use of tile work, specialty finishes, turn of the century motif, and their intent to provide an elevated level of cuisine, family style fine dining in an innovative “New American” style is not sufficient to meet the public interest benefit; and,

Whereas, a representative for the newly formed “Northern Little Italy Neighborhood Association” opposes this application; and,

Whereas, the community submitted a petition against the applicant with 76 signatures: and,

THEREFORE, BE IT RESOVED that CB#2, Man. recommends denial of the new Beer and Wine license for Matthew Oliver Maddy d/b/a Hot Talk, LLC, 168 Elizabeth St., NYC 10012; and,

Vote: Unanimous, with 41 Board members in favor.

Jo Hamilton, *Chair*
Bo Riccobono, *First Vice Chair*
Sheelah Feinberg, *Second Vice Chair*
Bob Gormley, *District Manager*



Erin Roeder, *Treasurer*
Susan Kent, *Secretary*
Elaine Young, *Assistant Secretary*

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January 3, 2010

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

Dear Mr. Christian:

At its Full Board meeting on December 16, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

12. Carlos Elias or Corp to be Formed, d/b/a La Destileria, 64 Downing St., NYC 10014

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new full On Premise Liquor license in a mixed use building on Downing Street between Bedford and Varick Street for a 1,196 s.f. restaurant with 17 tables and 42 seats, 1 bar and 10 seats and a maximum legal capacity of 52 persons; and,

Whereas, the applicant stated the hours of operation are 12:00 p.m. – 12:00 a.m., 7 days a week; there will be no sidewalk café and no backyard garden; and,

Whereas, there was no opposition from the community; and,

Whereas, there is no Certificate of Occupancy but the applicant is applying for a Letter of No Objection; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of the proposed On Premise liquor license to **Carlos Elias or Corp to be Formed, d/b/a La Destileria, 64 Downing St., NYC 10014.**

Vote: Unanimous, with 41 Board members in favor.

Jo Hamilton, *Chair*
Bo Riccobono, *First Vice Chair*
Sheelah Feinberg, *Second Vice Chair*
Bob Gormley, *District Manager*



Erin Roeder, *Treasurer*
Susan Kent, *Secretary*
Elaine Young, *Assistant Secretary*

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January 3, 2010

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

Dear Mr. Christian:

At its Full Board meeting on December 16, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

13. Bakehouse NYC Inc. d/b/a BakeHouse, 113 Horatio St., NYC 10012

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new full On Premise Liquor license in a mixed use building on Horatio Street between Washington Street and the West Side Highway for a 3,000 s.f. restaurant with 23 tables and 46 seats, 1 bar and 9 seats and a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation are Sunday to Wednesday from 7:00 a.m. – 12:00 a.m. and Thursday to Saturday from 7:00 a.m. to 2:00 a.m.; there will be no sidewalk café at this time and no backyard garden; and,

Whereas, this applicant is combining a bakery that will be operating 24 hours a day with a restaurant/café area that will be open to the public that will abide by the hours of operation; and

Whereas, the “Loading Dock” will be open to drink coffee in the morning but is within the property line and does not require a sidewalk café permit but the applicant has stated that this area will not be within the licensed portion of the premise; and,

Whereas, the applicant has stated that in the evening and late night hours there will be no “over the counter sale” of baked goods etc. and will operate as a “sit down” establishment with table service; and,

Whereas, there will never be alcohol served within the “Loading Dock” area; and,

Whereas, the applicant agrees to keep all doors and windows closed at all time; and

Whereas, there was no opposition from the community, however one resident did state concerns regarding late night hours and this location's history prior to the previous tenants when a nightclub was operated at this location; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the proposed On Premise liquor license **Bakehouse NYC Inc. d/b/a BakeHouse, 113 Horatio St., NYC 10013** unless all conditions in the 3rd, 4th, 5th, 6th, 7th and 8th "Whereas" clause are agreed to by the applicant and are incorporated into the "Method of Operation" on the SLA's On Premise license.

Vote: Unanimous, with 41 Board members in favor.

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

Sincerely,



Richard Stewart, Co-Chair
SLA Licensing Committee
Community Board #2, Manhattan

Raymond Lee, Co- SLA Licensing Committee Chair
SLA Licensing Committee
Community Board #2, Manhattan



Jo Hamilton, Chair
Community Board #2, Manhattan

JH/fa

cc: Hon. Jerrold L. Nadler, Congressman
Hon. Thomas K. Duane, NY State Senator
Hon. Daniel L. Squadron, NY State Senator
Hon. Deborah J. Glick, Assembly Member
Hon. Scott M. Stringer, Man. Borough President
Hon. Christine C. Quinn, Council Speaker
Hon. Margaret Chin, Council Member
Hon. Rosie Mendez, Council Member
Sandy Myers, CB2 Liaison, Man. Borough President's office
Lolita Jackson, Manhattan Director, CAU
Kerri O'Brien, Deputy Commissioner of Licensing NY State Liquor Authority
Michael Jones, Deputy Chief Executive Officer, NY State Liquor Authority