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COMMUNITY BOARD NO. 2, MANHATTAN

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December 20, 2013

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

Dear Mr. Christian:

At its Full Board meeting on December 19, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

1. La Popular Nolita LLC d/b/a Antojeria La Popular, 50 Spring Street 10013 (existing beer and wine license (RW SN1265577) seeking alteration to extend operating hours and add live unamplified music)

Whereas, the applicant appeared before the committee; and,

Whereas, the applicant operates a family style Mexican restaurant at 50 Spring Street between Mulberry and Lafayette Streets in a subterranean storefront with an existing beer and wine license and who appeared before CB2's SLA Licensing committee to present an application to extend its existing operating hours and add live unamplified music for its patrons from Wednesday through Saturday; and

Whereas, the applicant currently operates from Monday through Sunday from 12 pm through 11 pm but now seeks to extend its operating hours and add live music, albeit unamplified and acoustical only between the hours of 8pm and 11 pm from Wednesday through Saturday and with ½ hour breaks every hour; and

Whereas, there is no sidewalk café and no outdoor dining, the premises currently operates with 12 tables, one bar with 6 seats and 32 total seats and operates as a full service restaurant; and

Whereas, the applicant has been operating the business with a sidewalk take-out window without approval that was never presented to CB2 or to the Liquor Authority, but has agreed to remove and seal the window in the immediate future and further agrees never to operate a take-out window at the premises again; and,

Whereas, the new hours of operation will continue to be from 12 pm to 11pm Sunday through Wednesday and from 12 pm to 1 am Thursday through Saturday (extension of hours Thursday to Sunday), music will be background only when there is no live music being played, there will be no promoted events, DJs, no scheduled performances, no cover fees, no velvet ropes, no outside area or sidewalk café used for the sale or consumption of alcoholic beverages, food will be served at all hours of operation, there will no TVs and all doors and windows will be closed at all times seven days a week; and

Whereas, two members of the public appeared in opposition to the extension of hours at the premises, citing an oversaturation of liquor licenses in the neighborhood and excessive late night noise and also pointed out that the applicant had been violating their existing stipulations agreement by operating with doors and windows open when they had agreed to keep doors and windows closed at all times; and

Whereas, the applicant previously agreed and continues to agreed never to seek to upgrade to a full OP license at any time in the future at these premises; and

Whereas, the applicant executed an additional stipulations agreement with CB2 that they agreed would be attached and incorporated in to their method of operation on their SLA restaurant wine license in addition to any existing stipulations as follows:

1. Hours of operation will be from 12 am to 11 pm Monday through Wednesday and from 12 am to 1 am Thursday through Saturday.
2. Music will be from ipod/cd's at background levels only.
3. Live music with be unamplified and acoustical limited to the hours of 8 pm through 11 pm Wednesday through Saturday with ½ hour breaks every hour.
4. There will be no promoted events or scheduled performances.
5. The take out window will be removed immediately and all storefront windows will be sealed at all times in the future;
6. There will be no outside area or sidewalk café used for the sale or consumption of alcoholic beverages.
7. There will no TVs.
8. Will not add cooking that requires venting.
9. Will not expand beyond the proposed premises.
10. There will no future application for an upgrade to a full OP license at these premises.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the beer and wine license for **La Popular Nolita LLC d/b/a Antojeria La Popular, 50 Spring Street 10013** unless the statements the applicant presented are both accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 8th “whereas” clause above are incorporated into the “Method of Operation” on the beer and wine license.

Vote: Unanimous, with 36 Board members in favor.

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Dear Mr. Christian:

At its Full Board meeting on December 19, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

2. 128 Billiard, Inc. d/b/a Tropical 128, 128 Elizabeth Street 10013. (existing OP SN 1252940 – seeking alteration to expand OP license for Billiards Hall into basement of premises)

Whereas, the applicant appeared before the committee; and,

Whereas, the applicant is seeking an alteration of an existing on premise liquor license that is currently operating as a Pool/Billiards Hall and accessory Lounge on the first floor and plans to expand the OP license and business into the basement premises; and

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

Whereas, the premises currently utilize six billiard tables, one bar seating 20 people, 15 tables with 56 seats in a 2570 SF space (original plans on file indicate 8 Billiards tables);

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

Whereas, the plan for the basement included only two billiard tables (removing 2 of 6 billiards tables on the ground floor and moving the two to basement) with one bar with 16 seats and 20 tables with 80 seats in a 1920 SF space;

Whereas, the applicant performed no community outreach, failed to fully complete the CB2 questionnaire, including the operator's stated hours of operations, the applicants plan for the type of music/entertainment or promoted events; and

Whereas, the applicant had no plans for security at the premises but was purposing to alter his method of operation to operate as a restaurant and night club/cabaret in the basement and requested hours of operation until 4am seven days a week during his presentation; and

Whereas, the applicant admitted during questioning by members of this Committee that his current business operation was open, at times, until 4am on certain nights in violation of the current method of operation for the premises, which requires the operator to close at 2am and to which there is a signed and notarized stipulations agreement; and

Whereas, members of the Committee and members of the Public in attendance were very concerned about (a) the proposed dramatic increase in occupancy proposed for the premises (1st floor from 74 to 133 and Basement from 0 to 135 for a total occupancy of 268 – an increase of 194 persons or more than an addition of 2.5 times the existing occupancy), (b) the addition of only two billiard tables in the basement for what is supposed to be a Billiards hall with accessory use with a proposed occupancy of 135 in this new basement space – the billiards tables would be moved from another part of the existing establishment representing no increase in pool tables, (c) the proposed use of only six billiard tables total in the whole premises, in contradiction of the applicants current occupancy and use as a billiard parlor which is their method of operation, (d) the failure to address security for a location with occupancy of 268 operating until 4 am, (e) the extreme saturation of late night bars, night clubs, multi-floor venues and OP licenses in the surrounding area (f) the admissions of the applicant the licensee was currently operating until 4am in violation of the current hours of operation permitted at the premises by the SLA via a stipulations agreement, (g) that there are already a total of 4 (Four) licensed premises within this building, 3 of which are On Premises Licenses and which all already clearly support the neighborhood and hotel's needs – the premises is located within a hotel (h) the impact on vehicular traffic and parking in this area throughout the hours of operation of the establishment (i) the impact on noise and quality of life issues in general as a result of this method of operation and hours of operation (j) the use of the basement as a “cabaret” as indicated on NYC Department of Buildings filing in the basement which was not clearly presented nor explained when this should be a billiards hall (k) the clear and distinct separate entrances to the basement which appears will be operated separately (l) the concerns of long ongoing opposition of CB2 regarding this operation under the current principle which have been documented in resolutions to the Liquor Authority regarding various license applications over time notwithstanding the previous recommendation for approval with stipulations to the Liquor Authority, the stipulations which are currently being violated (m) it does not appear that the licensee has established or presented any public interest or benefit; and

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

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

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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 19, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

3. Toby's Public House II LLC d/b/a Tobi's Public House, 86 Kenmare St.10012 (existing beer and wine – seeking alteration for extended hours)

Whereas, the applicant appeared before the committee; and,

Whereas, the applicant appeared before CB2 Manhattan's SLA Licensing Committee for an alteration to extend hours for an existing beer and wine license at 81 Kenmare Street located at the corner with Mulberry Street; and

Whereas, the applicant operates a 2200 SF brick oven Restaurant, having 12 tables with 28 seats, 1 bar with 11 seats and 7 window/ledge seats, windows that open out to the sidewalk, two TVs, with background music only, serving craft beers, operating a sidewalk café but located in a mixed use building with 30 residential units located above; and

Whereas, the applicant currently operates from Monday through Wednesday from 12 pm through 12 pm and from Thursday to Saturday from 12 pm until 1 am, but now seeks to extend its operating hours to 2 am seven days per week; and

Whereas, this applicant originally appeared before CB#2, Man. with a request for a Full On Premise License and also a 4:00 a.m. closing and was recommended for denial to the SLA by CB#2, Man., and thereafter the SLA subsequently denied the full on-premise license for these premises; and,

Whereas, the community previously submitted a petition against the original application with 84 signatures of which 26 were from the same building representing 22 of the 27 apartments in the building, 22 were from the building across the street and 15 from the adjacent building; and,

Whereas, the community clearly stated that they were opposed to any license at this location and cited overwhelming saturation in this neighborhood and the proliferation of late night venues; and

Whereas, despite overwhelming opposition the applicant continued pursuing this location and built out the space without having received a liquor license and thereafter applied in January 2012 for a beer and wine license before CB#2 Man.; and,

Whereas, previously this location had never operated as a eating and drinking establish and previously operated as a dry cleaner and desert business, there was continuing opposition by the residents living in the building and surrounding area to the beer and wine license at a location where already there are 37 licensed establishments within 500 feet of 86 Kenmare Street; and

Whereas, this applicant previously told CB#2 Man. that there would be no sidewalk café in January 2012 but has since opened a sidewalk café with six tables and four seats;

Whereas, this applicant provided CB#2 Man. with a petition in favor of the current application with 48 signatures but from no one living in the immediate area;

Whereas, CB#2 Man. adopted a resolution at its full board meeting on January 19, 2012 to this applicant denying the beer and wine license unless the applicant agreed to certain stipulations, including:

1. Hours of operation are Sunday through Wednesday from 12:00 p.m. to 12:00 a.m. and Thursday through Saturday from 12:00 p.m. to 1:00 a.m.
2. All garbage will be collected before midnight or after 8 a.m.
3. No food or other deliveries before 8 a.m.
4. Applicant agrees that their license is non-transferable without prior written consent from CB#2, Man. and the SLA.
5. All soundproofing completed and filed with Department of Buildings.
6. Signage requesting customers to not smoke in front of location and to respect the neighbors by keeping noise down will be posted outside.
7. Operator agrees to keep the sidewalks clear and clean up to 6 inches into the street.
8. Operator agrees to maintain quarterly meetings with any interested parties during the first year of operations. General Manager will be contact person during hours of operation and can be contacted by phone or email in case of complaint or emergency.
9. Air conditioners and cooking vents will be properly installed and up to code by D.O.B. standards or better.
10. Operator will cooperate with the neighbors of 86 Kenmare and take all reasonable steps to continue the quality of life on that block.
11. Operator agrees to appear before CB#2, Man.'s SLA committee at any time per their request.
12. Will offer stroller locks for outdoor parking and indoor and also have canine hitches attached to building.
13. All doors and windows will be closed no later than 9:00 p.m.
14. Operator agrees to NOT participate if the Mulberry Mall becomes extended.

Whereas, two members of the surrounding community, including one representative from the residential building directly above the premises, voiced their continuing concerns about the extension of hours until 2 am seven days a week for a pizza restaurant and spoke in opposition;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial for **Toby's Public House II LLC d/b/a Tobi's Public House** on its application seeking an alteration of its existing method of operation to extend its hours to 2am seven days a week.

Vote: Unanimous, with 36 Board members in favor.

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Dear Mr. Christian:

At its Full Board meeting on December 19, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

4. NY Barbuchi Indian Restaurant, Inc., 90 West 3rd Street 10012 (application for beer and wine license as previously licensed location)

Whereas, the applicant appeared before the committee; and,

Whereas, the applicant appeared before CB2's SLA Licensing committee to present an application for a new beer and wine license at a previously licensed location for an family restaurant serving Indian food at 90 West 3rd Street between Sullivan and Thompson Streets in a mixed use building; and

Whereas, the space is 800 SF, there are currently 12 tables and 36 seats, no TVs and no Bars, music will be background only and the method of operation will remain the same as it currently exists;

Whereas, there are no known complaints regarding the operation of these premises as a restaurant and no one from the public appeared in opposition to the application; and

Whereas, the hours of operation will continue to be from 12pm to 11 pm from Sunday through Thursday and from 12 pm to 12 am Friday and Saturday and will continue to operate as a full service restaurant with no sidewalk café; and

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

1. The premises will be advertised and operated as an Indian Restaurant.
2. The hours of operation will be 12 pm to 11 pm Sunday through Thursday and 12 pm to 12 am Friday and Saturday.
3. There will be no backyard garden or sidewalk café.

4. The applicant will not operate a disco, nightclub or seek a DCA Cabaret License.
5. The applicant will close all exterior doors or windows at all times except of ingress and egress.
6. There will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged
7. There will be no televisions.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of a Beer and Wine license to **NY Barbuchi Indian Restaurant, Inc., 90 West 3rd Street 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 36 Board members in favor.

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Dear Mr. Christian:

At its Full Board meeting on December 19, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

5. Potatopia 6th Avenue LLC d/b/a Potatopia at 378 Sixth Avenue 10014 (New Beer and Wine License, previously unlicensed).

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new Beer and Wine license for a fast food restaurant with a potato based product at a previously unlicensed location in a commercial building on Sixth Avenue near the intersection of Waverly Place for a total of 770 SF with one table with 10 seats and one food bar with two seats in a proposed occupancy of 35; and,

Whereas, the applicant stated the hours of operation on Sunday from 11am to 11 pm, Monday through Wednesday from 11 am through 12 am, Thursday from 11am to 1am and Friday and Saturday from 11 am until 2 am, there will be no sidewalk café and no backyard garden; music will be background only; and,

Whereas, the applicant agreed to never seek a full OP license at the premises, that there will be no TVs, conducted community outreach and provided the Committee with a petition with 91 signatures and approximately 30 signatures from people living in the general vicinity of the location: and

Whereas, the applicant sought the beer and wine license for the stated purpose of serving four draft beers and a limited choice of wine by the glass; and

Whereas, the premises were previously operated as a Supercuts Store;

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 SLA Beer and Wine license and the stipulations are as follows:

1. The premises will be advertised as a restaurant with a potato based concept.
2. The hours of operation will be Sunday from 11am to 11 pm, Monday through Wednesday from 11 am through 12 am, Thursday from 11am to 1am and Friday and Saturday from 11 am until 2 am.
3. There will be no backyard garden or sidewalk café.
4. Only glassware and no paper cups will be used.
5. Will never seek to upgrade to full OP license.
6. The applicant will not operate a disco, nightclub or seek a DCA Cabaret License.
7. The applicant will close all exterior doors or windows at all times except of ingress and egress.
8. There will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
9. There will be no televisions.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of a Beer and Wine license to **Potatopia 6th Avenue LLC d/b/a Potatopia at 378 Sixth Avenue 10014** 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 36 Board members in favor.

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Dear Mr. Christian:

At its Full Board meeting on December 19, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

6. Ramen Lab Holdings LLC. d/b/a Raman Lab New York, 70 Kenmare Street 10012 (New Beer and Wine License, previously unlicensed).

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new Beer and Wine license at a previously unlicensed location to create a Raman Noodle Shop with counter service only in a mixed use six-story building on Kenmare Street between Mulberry and Mott Streets; and

Whereas, the location was previously occupied by a Chinese Restaurant which was later subdivided and expected to be renovated into a 225 SF space with one counter with 12 seats in a proposed occupancy of 20; and,

Whereas, the hours of operation will be from 11 am to 12 am Monday through Thursday and from 11 am to 1 am Friday and Saturday, music will be from ipod/cd's at background levels only, there will be no sidewalk café, there will no TVs and all doors and windows will be closed at all times except for egress and ingress; and

Whereas, the applicant agreed not to seek to upgrade to a full OP license at any time in the future at these premises; and

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

1. Hours of operation will be from 11 am to Midnight Monday through Thursday and from 11 am to 1 am Friday and Saturday.

2. Music will be from ipod/cd's at quiet background levels only.
3. There will be no sidewalk café.
4. There will no TVs.
5. Will not seek to upgrade to a full OP license in the future.
6. Will operate as Ramen Noodle Shop only.
7. Will manage any service lines into the Shop from the sidewalk.
8. Will not place benches or sandwich boards on the public sidewalk.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the beer and wine license for **Ramen Lab Holdings LLC. d/b/a Raman Lab New York, 70 Kenmare Street 10012** **unless** the statements the applicant presented are both accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 6th “whereas” clause above are incorporated into the “Method of Operation” on the beer and wine license.

Vote: Unanimous, with 36 Board members in favor.

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Dear Mr. Christian:

At its Full Board meeting on December 19, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

7. Starr Rest. & Joseph Carroll, 222 Bowery 10012, an entity to be formed later (New OP in previously unlicensed space)

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new On Premise license in a previously unlicensed location to operate a steak house restaurant on ground floor and cellar space in a mixed use five story 1884 Landmark building at 222 Bowery between Prince and Rivington Streets; and

Whereas, the building was the first modern branch of the YMCA and later a redoubt of New York bohemians, is located next door to the Pearl and Ash Restaurant which currently has a beer and wine license and there are already 29 licensed establishments within 500 feet of 222 Bowery; and

Whereas, the applicant will also be making changes to the facades of the building and will be submitting those changes to NYC Landmark Preservation Commission; and

Whereas, the space is currently occupied and used by Green Depot, an environmentally friendly retail supply store for building products and kitchen equipment; and

Whereas, the applicant provided the SLA Committee with a letter of intent from the Landlord which identifies a space with 3,875 SF on the ground floor and 4,945 SF on the basement level for a combined space of 8,820 SF; and

Whereas, the applicant and its landlord will be applying for a Public Assembly permit and for a change in the Certificate of Occupancy due to a change in use and increase in occupancy to approximately 160; and

Whereas, the applicant will be performing a full renovation of the space to add a full kitchen and new HVAC systems, bathrooms and new natural gas lines; and

Whereas, the applicant agreed to install sound proof using a sound engineer for sound attenuation of the restaurant space from the upstairs spaces, is planning on installing a sub ceiling with isolation hangers and insulation; and

Whereas, the applicant pledges to design a restaurant to maintain the original history, character and charm of the building and interiors of the Landmarked building; and

Whereas, the applicant(s) are experienced Restaurateurs and one is the founder of Starr Restaurants, who have opened many restaurants in Florida, Philadelphia, New Jersey and New York over the last 19 years, including the Café Storicco located in the New York Historical Society; and

Whereas, there will be 37 tables and 126 seats, 1 bar with 12 seats and 1 food counter with 8 seats for a total of 146 seats, no sidewalk café, no French doors or windows, no backyard garden, music will be ambient background only using surface mounted speakers independently fastened to non-structural building components and there will be no TVs; and

Whereas, the hours of operation will be Sunday through Wednesday from 11 am to 1 am and Thursday through Saturday from 11 am to 2am and the operator agreed to close all doors and windows except for ingress and egress at all times, there will be chef and assistant chefs will be present all hours of operation; and

Whereas, the applicant conducted a traffic study for existing traffic volumes on Bowery between Rivington and Prince Street over five days in October/November 2013 and estimated peak hour trips generated by another 80 seat restaurant located nearby at 218 Lafayette Street (Osteria Morini) and concluded that the proposed project would not have any noticeable effect on traffic patterns on the Bowery at this location; and

Whereas, the applicant did perform outreach, submitted a petition in favor of the Restaurant with 64 signatures, most of who reside near the location and where the applicant submitted a NYS Liquor License Application with a "Public Interest/ 500' Rule Statement"; and

Whereas, there was a representative from the Bowery Block Association and four long-time residents who live in the area, including those directly across the street and one that lived in the Residential Cooperative directly above the premises, who voiced concerns about congestion, the over-saturation of liquor licenses on this block, that the proposed Restaurant will not provide any Public Interest to the surrounding community where there is an on-going erosion of day time businesses but where new night clubs have recently opened (Finale and The General at 199 Bowery and Katra at 217 Bowery) creating existing concerns of late night congestion and late night noise in the area; and

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

1. The premises will be advertised as a full service restaurant with a full kitchen and operated as a steak house restaurant.
2. The hours of operation will be from Sunday through Thursday 11 am to 1 am and Thursday through Saturday 11 am to 2 am Friday and Saturday.
3. There will be no dinning or alcoholic beverages served in the basement.
4. There will be no application for cabaret license at the premises.
5. Last Seating will be at 12 am seven days a week.

6. Host and Staff will monitor entrance and address any pedestrian or traffic congestion issues that may arise.
7. Food will be available during all hours of operation.
8. Will amend and/o obtain all necessary Certificates of Occupancy or letters of no objection for the proper use and occupancy of the premises as an eating and drinking establishment and obtain a Public Assembly permit before operating the business.
9. There will be no sidewalk café.
10. Will insure that all new HVAC or other installed mechanical systems supporting the new restaurant will be in full compliance with existing laws and further pledges to install silencers or build sound barriers as needed around such systems to reduce sound disturbances that may arise in the future.
11. Will install sound proof using a sound engineer for sound attenuation of the restaurant space for the benefit of the upstairs residents and neighbors and will install a sub ceiling with isolation hangers and insulation attenuate sound to the upstairs of the building.
12. Music will be ambient background only using surface mounted speakers independently fastened to non-structural building components.
13. There will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged and the premises will not be operated as a night club.
14. There will no TVs.
15. There will be no backyard garden
16. Will close all doors and windows at all times except for egress or ingress.
17. Upon request, will provide residents and CB2. Man. with a telephone number and will directly address any congestion or congregation issues or concerns.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the full OP license for **Starr Rest. & Joseph Carroll, 222 Bowery 10012, an entity to be formed later unless** the statements the applicant presented are both accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 17th “whereas” clause above are incorporated into the “Method of Operation” on the OP license.

Vote: Unanimous, with 36 Board members in favor.

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



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

COMMUNITY BOARD NO. 2, MANHATTAN

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December 20, 2013

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

Dear Mr. Christian:

At its Full Board meeting on December 19, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

8. Aisha Sharpe or Corp. to be formed, 18 King Street 10014 (New OP license in previously licensed space).

Whereas, the applicant appeared before the committee; and,

Whereas, this is a transfer of a neighborhood café/restaurant specializing in healthy comfort food and craft cocktails; and,

Whereas, this application is for the transfer of an On Premise license in a six story mixed-use building, located on King Street at the corner with 6th Avenue, for a 1,100 sq. ft premise with 21 tables and 53 seats, 1bar with 14 seats and a sidewalk café with 10 tables and 20 seats and a maximum occupancy of 73; there is no backyard use; and,

Whereas, the hours of operation are Sunday to Wednesday from 9:00 a.m. to 1:00 a.m. and Thursday to Saturday from 9:00 a.m. to 2:00 a.m.; music will be background only, there will be no scheduled performances or events with a cover charge, no live music and no DJ's, no outside promoters and no use of any televisions; and,

Whereas, the applicant submitted a petition with 43 signatures and 12 letters in support of this application and 1 community member who spoke in support as well; and,

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

1. The premises will be advertised and operated as a neighbor café/restaurant

2. The hours of operation will be from 9 am to 1 am from Sunday through Thursday and from 9 am to 2 am Friday and Saturday.
3. Music will be from ipod/cd's at quiet background levels only.
4. There will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
5. The sidewalk café will operate no later than 10 pm on weekdays and 11 pm on weekends.
6. There will no TVs.
7. Will install soundproofing.
8. Will close all doors and windows by 9 pm every night.
9. The kitchen will be open until closing and food available until closing.
10. Premises will open at 9 am, seven days a week and serve breakfast.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the beer and wine license for **Aisha Sharpe or Corp. to be formed, 18 King Street 10014** unless the statements the applicant presented are both accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 6th “whereas” clause above are incorporated into the “Method of Operation” on the beer and wine license.

Vote: Unanimous, with 36 Board members in favor.

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



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

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December 20, 2013

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

Dear Mr. Christian:

At its Full Board meeting on December 19, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

9. Greene Street Enterprises Inc. d/b/a The “White Oak Tavern”, 21-23 Waverly Pl. 10003 (New OP license in previously licensed space)

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new OP license at a previously licensed location to operate a neighborhood focused restaurant and bar serving lunch, dinner and brunch in a six-story mixed use building at 21-23 Waverly Place at Greene Street; and

Whereas, the location was previously occupied by Murphy & Gonzalez, the interior furnishings will be upgraded but no change in occupancy, egress or use will be changed, there will be 24 tables and 72 seats with one bar with 22 seats, there will be new signage and the existing windows and sound system will remain, acoustic bait insulation to be installed in the ceiling, there will be three TVs; and

Whereas, the hours of operation will be from 11 am to 2 am Sunday through Tuesday and from 11 am to 3 am Wednesday through Saturday, music will be from ipod/cd's at background levels only, there will be no sidewalk café, all doors and windows will be closed by 9 pm every night; and

Whereas, there will be no live music, no promoted events, DJs, no scheduled performances, no cover fees, no velvet ropes, no outside area or sidewalk café used for the sale or consumption of alcoholic beverages, food will be served at all hours of operation, TVs will not exceed 50 inches in width and there will be security Thursday through Saturday from 10 pm to closing; and

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

1. Hours of operation will be from 11 am to through Saturday.

2. Music will be from ipod/cd's at quiet background levels only.
3. There will be no sidewalk café.
4. There will only be three TVs no greater than 50 inches in width.
5. Will operate as neighborhood restaurant and bar only.
6. Will have security Thursday through Saturday from 10 pm until closing.
10. There will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the full OP license for **Greene Street Enterprises Inc. d/b/a The "White Oak Tavern", 21-23 Waverly Pl. 10003** **unless** the statements the applicant presented are both accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 6th "whereas" clause above are incorporated into the "Method of Operation" on the beer and wine license.

Vote: Unanimous, with 36 Board members in favor.

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



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

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December 20, 2013

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

Dear Mr. Christian:

At its Full Board meeting on December 19, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

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

10. Ciao Stella Corp. d/b/a 206 Lounge, 206 Sullivan Street 10012

Whereas, during this month's CB2 SLA Licensing Committee meeting on December 10th, 2013, the committee requested that the applicant layover this application from consideration until an application and all necessary paperwork was ready for review; and,

Whereas, this application is for the alteration to the Beer and Wine or On-Premise license;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed alteration to the Beer and Wine or On Premise license to **Ciao Stella Corp. d/b/a 206 Lounge, 206 Sullivan Street 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



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

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December 20, 2013

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

Dear Mr. Christian:

At its Full Board meeting on December 19, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

11. ADSAD, LLC d/b/a Onegin, 391 Sixth Avenue 10014

Whereas, during this month's CB2 SLA Licensing Committee meeting on December 10th, 2013, the committee requested that the applicant layover this application from consideration until an application and all necessary paperwork was ready for review; and,

Whereas, this application is for the alteration to the Beer and Wine or On-Premise license;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed alteration to the Beer and Wine or On Premise license to **ADSAD, LLC d/b/a Onegin, 391 Sixth Avenue 10014** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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December 20, 2013

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

Dear Mr. Christian:

At its Full Board meeting on December 19, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

12. Job's Landing, Inc., d/b/a The Little Fox Café, 62 Kenmare St. 10012

Whereas, during this month's CB2 SLA Licensing Committee meeting on November 12th, 2013, the committee requested that the applicant layover this application from consideration until an application and all necessary paperwork was ready for review; and,

Whereas, this application is for the alteration to the Beer and Wine or On-Premise license;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed alteration to the Beer and Wine or On Premise license to **Job's Landing, Inc., d/b/a The Little Fox Café, 62 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 36 Board members in favor.

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



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

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December 20, 2013

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

Dear Mr. Christian:

At its Full Board meeting on December 19, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

13. FAL Foods USA Broadway, LLC d/b/a Brazilia, 684 Broadway 10012

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on December 10th, 2013, the attorney requested to layover the application from consideration; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny the proposed new Beer and Wine license for **FAL Foods USA Broadway, LLC d/b/a Brazilia, 684 Broadway 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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December 20, 2013

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

Dear Mr. Christian:

At its Full Board meeting on December 19, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

14. LLC to be formed/ Donny Chao, 88 University Pl 10013

Whereas, prior to this months CB2 SLA Licensing Committee meeting on December 10th, 2013, the attorney requested to withdraw the application from consideration; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny the proposed alteration to a new Beer and Wine license for **LLC to be formed/ Donny Chao, 88 University Pl 10013** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



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

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December 20, 2013

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

Dear Mr. Christian:

At its Full Board meeting on December 19, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

15. Paperplanes, LLC d/b/a Paperplanes Restaurant & Bar, 204 Elizabeth Street 10012

Whereas, prior to this months CB2 SLA Licensing Committee meeting on December 10th, 2013, the attorney requested to withdraw the application from consideration; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** the proposed application for an OP or Beer and Wine license for **Paperplanes, LLC d/b/a Paperplanes Restaurant & Bar, 204 Elizabeth Street 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



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

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December 20, 2013

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

Dear Mr. Christian:

At its Full Board meeting on December 19, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

16. The Coachmakers, LLC, 177 Mott Street 10012

Whereas, prior to this months CB2 SLA Licensing Committee meeting on December 10th, 2013, the attorney requested to withdraw the application from consideration; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** the proposed application for an OP or Beer and Wine license for **The Coachmakers, LLC, 177 Mott Street 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



Antony Wong, *Treasurer*
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December 20, 2013

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

Dear Mr. Christian:

At its Full Board meeting on December 19, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

17. WHANY, LLC d/b/a Café Wha, 115 MacDougal Street 10012

Whereas, prior to this months CB2 SLA Licensing Committee meeting on December 10th, 2013, the attorney requested to withdraw the application from consideration; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny the proposed application for an OP or Beer and Wine license for **WHANY, LLC d/b/a Café Wha, 115 MacDougal Street 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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December 20, 2013

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

Dear Mr. Christian:

At its Full Board meeting on December 19, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

18. English Road, LLC, 90 West Houston Street 10012

Whereas, prior to this months CB2 SLA Licensing Committee meeting on December 10th, 2013, the attorney requested to withdraw the application from consideration; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny the proposed application for an OP or Beer and Wine license for **WHANY, LLC d/b/a Café Wha, 115 MacDougal Street 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



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

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December 20, 2013

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

Dear Mr. Christian:

At its Full Board meeting on December 19, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

19. Black & Tan Restaurant Group LLC d/b/a Village Lantern, 167 Bleecker Street 10012

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on December 10th, 2013, the attorney requested to withdraw the application from consideration; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** the proposed application for an OP or Beer and Wine license for **Black & Tan Restaurant Group LLC d/b/a Village Lantern, 167 Bleecker Street 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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

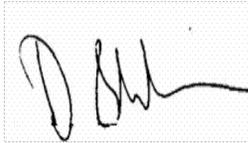
Sincerely,



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



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



David Gruber, Chair
Community Board #2, Manhattan

DG/fa

cc: Hon. Jerrold L. Nadler, Congressman
Hon. Sheldon Silver, NY State Assembly Speaker
Hon. Brad Hoylman, NY State Senator
Hon. Daniel L. Squadron, NY State Senator
Hon. Deborah J. Glick, Assembly Member
Hon. Scott M. Stringer, Man. Borough President
Hon. Christine C. Quinn, Council Speaker
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