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COMMUNITY BOARD No. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

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January 31, 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 January 24, 2013, Community Board #2, Manhattan (CB2) adopted the following resolution:

1. Subculture No Ho, LLC, 45 Bleeker St. – New Beer and Wine

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new Beer and Wine in a basement space located on Bleeker Street between Mott and Mulberry Street (Block #529/lot #62), for a 4,500 sq. ft premise with two possible seating arrangements; one for theater seating which will have 167 seats and no tables and 1 bar with 12 seats and one for a catering hall that will have 15 tables with 96 seats with 1 bar with 12 seats and the maximum occupancy is 180 people, there will be a sidewalk café but no backyard use; and,

Whereas, the applicant states that the hours of operation will be Sunday to Wednesday from 8:00 a.m. to 12:30 a.m. and Thursday to Saturday from 8:00 a.m. to 2:00 a.m.; the establishment will be a performance space with live music, amplified music as well as quiet background consisting of music from ipod/; there will be scheduled performances and private parties with the potential use of projectors and movie screens and televisions but there will not be any outside promoters allowed to use this space; and,

Whereas, stipulations regarding the method of operation have been established and executed with the NoHo Bowery Stakeholders and have also been executed with CB2 through a separate stipulations agreement; and,

Whereas, those stipulations are organized in a “Memorandum of Agreement “ which are as follows:

Memorandum of Agreement

This AGREEMENT is made as of January 8th, 2013 (the "Agreement") by and between SubCulture, LLC, a NY State corporation with an address at 45 Bleecker Street New York, NY 10012 doing business as SubCulture, and NoHo-Bowery Stakeholders, Inc. with an address at 17 Bleecker St., New York, NY 10012 ("NBS").

WHEREAS, Marc Kaplan and Steven Kaplan holder/applicant of a Tavern Beer and Wine SLA license for an establishment located in the cellar units at 45 Bleecker Street; are applicants to the New York State Liquor Authority ("SLA") Wine and Beer license within a new 4500 sq. ft. space identified on the DOB Plans set forth below pursuant to an application filed with the SLA on or about January 30, 2013;

WHEREAS, SubCulture, LLC represents that it is the applicant to the NYC Department of Buildings ("DOB") to complete the currently incomplete renovations on the site (the "Building") for use as a Theater and Catering Hall Establishment (Use Group 9) as described in plans at 45 Bleecker (the "Property") filed in connection with DOB Job #103819209, (the "DOB Plans"), reduced images of which are attached to this Agreement as **Exhibit A or B** and incorporated hereto;

WHEREAS, Fred Rogers represents and affirms (i) that, as of the date of this Agreement, is sole owner of the Property and the Building; (ii) SubCulture, LLC as sole operator has full legal right, title and authority to enter into this Agreement, make all of the promises it has made to NBS in this Agreement, and undertake to all of the legal obligations it has agreed to accept in this Agreement; and,

WHEREAS, NBS and the Community Members have expressed their objections to SubCulture, LLC with regard to certain aspects of the SLA application, including but not limited to (i) the locations of permitted food and liquor service inside the Building, (ii) the capacities and hours of operation of the food and liquor venues shown in the DOB Plans and requested in the SLA Application, and (iii) the manner by which SubCulture, LLC would conduct food and liquor operations in and around the Building; and

WHEREAS, Community Members and additionally both residential and commercial members of the community, including many represented by NBS appeared prepared to testify in opposition to the SLA Application at a duly calendared public hearing of the SLA Committee of Manhattan Community Planning Board No. 2 ("CB 2") on January 8, 2013; and,

WHEREAS, SubCulture, LLC expressed a willingness to address many of the concerns raised by the community, and to enter into a written agreement with the Community Members and NBS to memorialize its intentions in exchange for expressions of support from those present, that CB 2 should recommend approval of the SLA Application; and,

WHEREAS, after direct negotiations with SubCulture, LLC, NBS and the Community Owners, who represent the overwhelming majority of residents of the affected blocks of Lafayette, Bleecker and Bond Sts., agreed to provide support for the SLA Application as modified by the terms of this Agreement throughout the remaining review of the SLA Application by CB 2 and the SLA, affirmed herein, provided that SubCulture, LLC agreed that (i) they would agree to the terms in this Agreement, (ii) they would take all necessary

steps to modify its DOB Plans and SLA application in accordance with the terms of this Agreement, and (iii) they would agree to permit a copy of this Agreement to be attached to any CB 2 resolution BPCGGC and (iv) they would commit to the SLA that this Agreement is binding on the method of operation recorded with the SLA license, and,

WHEREAS, the Parties now wish to memorialize their mutual agreements in writing through this Agreement.

NOW THEREFORE, based on the mutual promises and covenants contained herein, it is AGREED by each of the Parties that:

1. SubCulture, LLC will not seek to transfer this license to a third party without seeking consent through hearing at the SLA Committee of CB#2 Manhattan.
2. SubCulture, LLC will also seek review through CB#2 Manhattan should the principals of the corporation change.
3. SubCulture, LLC will include the following in their Method of Operation attached to this On-Premise License application to the State Liquor Authority:
 - a. The establishment will close at 12:30 a.m. Sunday through Wednesday, and 2:00 a.m. on days of operation beginning on Thursdays, Fridays and Saturdays.
 - b. The inside capacity and Public Assembly Permit attached to this license will reflect the following maximum usage: 170 ~~table~~ seats; 1 bar with 10 seats with no more than 180 patrons on the premises. This number is not to be substituted by DOB capacity which may be greater than the above stated and agreed capacity of the venue.
 - c. There will be no sidewalk café.
 - d. The establishment will provide for dedicated entrance personnel to manage patron street activity (entering, leaving, congregating or smoking) on the sidewalk in front, Thursday through Saturday from 10:00 p.m. to closing.
 - e. The establishment will actively engage in all efforts to keep the sidewalk and gutters free of debris and waste at all times, including the provision of metal containers in which to store garbage until third-party pick up and that all effort will be made to avoid garbage pick-ups between the hours of 2 am and 6 am, seven days a week.
 - f. Abide by all the regulations of the Dept of Buildings and the Landmark Preservation Commission in the operation of their business at this address, including, but not limited to the Certificate of Occupancy, the Public Assembly Permit and exterior signage, modifications and design.
- 4) Commitments regarding Special Events. Special Events will be defined as any of the following: (a) a group consisting of 50 or more people who will be using the restaurant during normal hours of operation or (b) any group, including SubCulture, LLC management, which has reserved the exclusive use of the restaurant for a private function. Special Events will be subject to the following restrictions:
 - (i) SubCulture, LLC will limit the number of guests attending Special Events to no more than the total permitted Public Assembly named on the venue's license per day at any given time.
 - (ii) SubCulture, LLC will require that any Special Event for 50 or more guests will require the responsible party (and if it is SubCulture, LLC that is holding the Special Event, they will be equally bound) to enter into an Events Contract stipulating:
 - (a) that any special event will end by the daily hours of operation

- (b) that dedicated Special Events personnel will be required for the entire period of the event to ensure that guests congregating or smoking on the Street be directed away from any other residential or merchant building entrances; that vehicles associated with the Special Event do not block the street, and that drivers are made aware of the special parking arrangements at nearby lots or garages,
 - (c) that there will be no post-event removal of rented equipment after 12 a.m. or before 7 am, and,
 - (d) SubCulture, LLC will manage all sound equipment and levels for all events.
- 5. Commitments to Appoint Community Liaison. SubCulture, LLC will assign at least one person (“Community Liaison”) who will be available to speak with NBS officers or directors during normal weekday business hours concerning any matter related to compliance with the terms of this Agreement. In addition, during non-business hours, the Manager on Duty will serve in this capacity with full authority to enforce the terms of this Agreement in the event emergency contact is required.
- 6) Commitments to Contain Sounds. SubCulture, LLC agrees to design and operate the venue so as to comply with all NYC Noise Code standards. Should reasonable complaint be made to NBS and presented to SubCulture, LLC, and should any measures taken by SubCulture, LLC to answer such complaint(s) not be sufficient to abate such sound, SubCulture, LLC agrees to, at their own expense, conduct sound testing to assure that any amplified, non-amplified sound or HVAC system sound is not present or audible outside or inside the contiguous residences beyond NYC noise control code levels.

Such testing will establish a permitted maximum volume for the venue’s interior sound systems and such volume will be made part of any Special Events contract as set forth in paragraph 5.

In the event of exterior HVAC system sound, a testing period will be established for not less than one week during normal hours of daytime and evening operation. Those affected NBS members with property contiguous to the Building agree to make available and provide access to at least one unit/building for the installation and monitoring of sound meter device(s). Upon signing this application there are already existing HVAC units outside of the theater that correspond with the ground floor. SubCulture, LLC will not be adding any new HVAC units to the exterior of the space.

If the results indicate that the noise levels within the neighboring buildings or on balconies exceed code, or if any future similar testing by any of the Community Owners indicates code exceedances, SubCulture, LLC agrees to either repair or replace the equipment producing the exceedances or install sound attenuating material sufficient to remediate the code exceedances, within thirty (30) days or as soon as practicable after receipt of the report.

7) Commitments regarding Public Support and Cooperation.

Provided the SLA Application and the DOB Plans remain consistent with the terms and intent of this Agreement, and the terms of any license approved by the SLA pursuant to the SLA Application are consistent with the terms and intent of this Agreement, NBS agrees that no Party to this Agreement shall appear, either directly, through a representative or proxy or through cooperation with any association in opposition to the SLA Application nor shall any Party to this Agreement subsequently commence or assist in any legal, administrative, or any other public proceedings which seeks to overturn approval of the SLA Application.

SubCulture, LLC whose principals are: Marc Kaplan and Steven Kaplan agree that any change in the method of operation, notwithstanding any requirements or lack thereof of the State Liquor Authority, will be submitted and reviewed for approval through CB#2 Manhattan, and will include NBS. as representatives of the community and be contingent upon a similar agreement subject to review and attachment to the new or altered license.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the new Beer and Wine license for **Subculture NoHo, LLC, 45 Bleecker St** unless the statements the applicant has presented are accurate and that those conditions and stipulations agreed to by the applicant relating to the 5th “whereas” clause above are incorporated into the “Method of Operation” on the SLA Beer and Wine license.

Vote: Unanimous, with 43 Board members in favor.

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



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January 31, 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 January 24, 2013, Community Board #2, Manhattan (CB2) adopted the following resolution:

2. Entity to be formed by Stephanie Markowitz, TBD (Caticho Inc. dba Il Corallo), 176 Prince St. 10012 –Beer and Wine Transfer

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the “transfer” of a Beer and Wine license (#1029237) in a mixed use building, located on Prince Street between Sullivan and Thompson Street (Block #503/lot #20), for a 1,700 sq. ft premise (800 sq. ft. on ground floor and 900 sq. ft. in basement – no patron use of basement) with 24 tables with 62 seats, 1 service bar with 0 seats, and the maximum occupancy is 100 people, there is no sidewalk café and no backyard use; and,

Whereas, there is no change in the hours of operation and the hours of operation will continue to be Sunday to Saturday from 12:00 p.m. to 11:30 p.m.; the establishment is a family Italian restaurant, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music) from 4 small ceiling mounted speakers, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

Whereas, the applicant has agreed to the following stipulation:

1. All doors and windows will be closed no later than 10:00 p.m., 7 days a week.
2. Hours of operation will be Sunday to Saturday from 12:00 p.m. to 11:30 p.m.
3. There will be no change to the Method of Operation.
4. There will be no patron use of the basement.
5. There will not be a sidewalk café.

6. There will be no more than 4 small ceiling speakers for the sound system.

Whereas, there were no community members or letters against this application; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the transfer of the Beer and Wine license for **Entity to be formed by Stephanie Markowitz, TBD (Caticho, Inc. dba Il Corallo), 176 Prince St. 10012** unless the statements the applicant has presented are accurate and that those conditions and stipulations agreed to by the applicant relating to the 4th “whereas” clause above are incorporated into the “Method of Operation” on the SLA Beer and Wine license.

Vote: Unanimous, with 43 Board members in favor.

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
Jo Hamilton, *Second Vice Chair*
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January 31, 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 January 24, 2013, Community Board #2, Manhattan (CB2) adopted the following resolution:

3. Robert Meller or Corp. to be formed d/b/a TBD (Formerly Mussel Pot), 174 Bleecker St. – New OP

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new On Premise license in a mixed-use building located on Bleecker Street between Sullivan and MacDougal Street (Block #526/lot #62), for a 3,000sq. ft premise (1,800 s.f. for ground and 1,200 s.f. for the basement) with 25 tables with 54 seats, 1 bar with 6 seats for a total of 60 interior seats and the maximum occupancy is less than 74 people, there will be a sidewalk café (89 sq. ft.) which is not included in this application (no diagram was presented and the applicant stipulated that they would reapply to the Department of Consumer Affairs for a sidewalk café and appear in front of CB2's Sidewalks and Street Activities Committee for a recommendation) and a backyard garden (400 sq. ft.) consisting of 7 tables and 18 seats; and,

Whereas, the hours of operation will be Sunday to Wednesday from 11:00 a.m. to 1:00 a.m. and Thursday to Saturday from 11:00 a.m. to 2:00 a.m.; the establishment will be a seafood restaurant specifically described as a “small neighborhood restaurant with a 4 star world renowned celebrity Chef Madison Cowan” who is “an Iron Chef winner and Chopped Grand Master Champion” who will “design a menu consisting of mussels, exotic meats incorporating international flavors”, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music) which will also have a limiter/ suppresser control, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

Whereas, several of the applicants were part of another corporation at this location and were principals on the previous license at this location but did not have controlling interest and this application is part of the resolution of ongoing issues at the establishment; and,

Whereas, the partners with controlling interest (SLA license # B783706) ran the operation without consideration to their agreement with CB2 regarding their Method of Operation and displayed complete disrespect for the local residents and residents in the building in which this operation is located; and,

Whereas, during that period violation and fines were written which are still outstanding and some of these violations must be cleared up with the Department of Buildings with regards to partial vacate notice and illegal prep kitchen use in basement space which has not yet been resolved and should be cleared prior to the issuance of any new license to ensure compliance with all local ordinances; and,

Whereas, the new applicants which consist of two of the original principals and 4 new principals did reach out to the Bleecker Area Merchants' and Residents' Association (BAMRA, the local neighborhood/merchant association) and other community members and established and executed a stipulation agreement with the association; and,

Whereas, the applicants have executed a CB2 stipulations agreement agreeing to abide by the same agreement that they have entered into with BAMRA to be attached to the method of operation of the license they are applying for at the Liquor Authority; and,

Whereas, the stipulations are as follows:

STIPULATIONS FOR 174 Bleecker St, NY, NY 10012

The undersigned, **Robert Meller**, hereby agrees on behalf of the hereinafter defined Operators, that an approval of an on-premises liquor license by the New York State Liquor Authority shall be subject to compliance by **Robert Meller or Corporation to be formed d/b/a TBD** ("the Operators") with respect to its operation of a premises located at **174 Bleecker St** (the "Establishment") with the following stipulations:

1. **Hours of Operation:** The Establishment shall operate from **11:00 AM to 1:00 AM each Sunday through Wednesday** and from **11:00 AM to 2:00 AM each Thursday through Saturday** and the kitchen will be open until closing time each day of the week.
2. **Certificates, Permits and Related Documents:** The Operators shall obtain all required certificates, permits and related documents and resolve all building department fines. BAMRA's support of this applicant is conditioned upon the resolution of all permit, certificate and any related document issues that currently exist.
3. **Method Of Operation:** The Establishment shall operate only as a full time restaurant and not as a pub or tavern, which would require a change in the SLA license.

4. **CB2, Manhattan Mussel Pot Stipulations:** The Operators re-stipulate to the original stipulations for the SLA license application approved by CB2, Manhattan for their former restaurant, The Mussel Pot.
5. **Backyard:** There will be no speakers or music played in the backyard garden at any time and Operators will keep noise from patrons in the garden from disturbing residents. The Operators shall reach out to the Sullivan Gardens community organization to assure that the activity in the backyard is not a disturbance and that the stipulations regarding the backyard reached by the Operators and BAMRA satisfy Sullivan Garden residents concerns. BAMRA's support is conditioned upon Sullivan Gardens Block Association review of this stipulation. Doors to the backyard Garden will be closed by 10:00 PM.
6. **Community Outreach:** The Operators have met with BAMRA and will reach out to the Sullivan Gardens Block Association.
7. **Legal Dissolution of Former Partnership:** The Operators are currently involved in a legal case to dissolve the partnership between themselves and Seahawk Capital, which owned a 51% share in The Mussel Pot Restaurant at 174 Bleecker Street. Robert Meller and the partners of Seahawk Capital are currently two of the principals of the op license active for this location. New York County Supreme Court case number 651719-2012 is still an active case and no partnership dissolution agreement has been filed as of January 7, 2012. The Operators assure BAMRA that the dissolution of this partnership is imminent and that the partners of Seahawk Capital will have no stake in and take no part in the operation of this new Establishment in any way, financial, operational or otherwise. BAMRA's support of this applicant is conditioned upon a legal dissolution of this partnership.
8. **Traffic:** The Operators will use reasonable efforts to remedy any traffic issues brought to its attention, to the extent that it can. The Operators shall direct staff to monitor the patrons of the Establishment who are gathered outside the Establishment and the staff shall direct such persons or traffic going to and from the Establishment to keep the area clear and passable by pedestrians. The Operators will clean any debris left by its patrons (ie: cigarette butts, etc.) from the area in front of the Establishment and surrounding areas. All employees will be instructed to leave the area quietly after the Establishment has closed.
9. **Manager:** One of the six principals will be available to address any community issues at any time during business hours and at any time staff is still present on premises. At least one of the principals will be present during all business hours. All management and staff will uphold the stipulations agreed to between BAMRA and the principals. Any complaints made about the Establishment to BAMRA will be relayed to the Operators and the Operators will make their phone numbers available to complainant and will work with both the complainant and BAMRA to reasonably resolve any issues.
10. **Music:** The Operators shall play soft, low background level music inside the Establishment and shall not play any music whatsoever outside the Establishment, nor deliberately direct music from within the Establishment to be heard outside the Establishment. The Operators shall not permit DJs, live music or outside promoters in the Establishment.

11. **Television:** The Operators shall have one television played without sound in the Establishment.
12. **Soundproofing:** Because of noise complaints by residents against the Operator's former business at this location, The Mussel Pot, the Operators agree to conduct sound level tests in upstairs resident, Margaret Collins', apartment by January 31, 2013. These will not be determined solely by a basic sound meter (which would not measure bass octaves), but will be determined by whether any music is audible or palpable in Ms. Collins' apartment. Once an acceptable level is set, limiters, compressors and any other sound abatement equipment (including replacing speakers, if necessary) shall be installed to ensure that no music from the restaurant can be heard or felt in Ms. Collins' or any other resident's apartment. No new speakers will be added. Only the six principals will have control of the sound system and will not allow any staff to change the levels once they have been set. All principals will be responsible for any noise issues. Should any noise generated by sound reproduction equipment, by patrons and staff, and by commercial equipment such as HVAC equipment, air handlers, compressors and fans become an issue for neighboring residents, Operators will use best efforts to remedy the issue to make sure that noise does not emanate from the Establishment, or its equipment, in any direction and meets or exceeds New York City noise code.
13. **Windows:** The Operators shall close doors and windows in the front of restaurant by 10:00 PM.
14. **Sidewalk Cafe:** The Operators will reapply for a sidewalk cafe license.
15. **Sanitation:** The Operator shall not place refuse at the curb except as close to pick up as possible and will coordinate pick-up with surrounding businesses to minimize the disturbance of garbage truck noise in the community.
16. **Lighting:** The Operator shall not install illuminated signage or lighting on or within the Establishment that would adversely and unreasonably disturbs residents living near the Establishment and will install no neon lighting whatsoever. The Operators agree to leave downward-directed security lighting on after the Establishment has closed.
17. **Advertising:** The Operators shall not advertise using flyers in front or near restaurant, nor have any staff try to direct passersby into the restaurant.
18. **Notification Of Change Of Ownership or Alteration in Method of Operation:** The Operator shall notify Manhattan Community Board 2 in the event of a change of ownership or alteration in method of operation as required by law.
19. **Transfer of License:** If the Operators transfer this license, the new operators will appear before BAMRA and CB2, Manhattan
20. **Events:** The Operator shall not host third party private events, meaning an activity by a non-affiliated group or individual where the Operator has no responsibility or staff involved.

21. **Temporary Liquor License Hours Extension Permits:** The Operators agree to apply for no more than 4 hours extension permits per calendar year.
22. **License Renewal:** The Operator will appear before BAMRA and Manhattan Community Board 2 before renewing this liquor license, to determine if the stipulations are working and are being adhered to.

Whereas, given the issues which have recently occurred at this location with the previous licensee, CB#2, Man. is solely relying on the representations by the current applicants that they will adhere with the agreements above and will operate exclusively as a restaurant and will not impact quality of life issues in the immediate area through their operation and will strive to correct all outstanding issues prior to operation and adhere to all stipulations for the previous entity as well; and

Whereas, at the time of the presentation of this application before CB2's SLA Licensing Committee in January 2013 over \$60,000 in fines were currently pending with the New York City Department of Buildings, including several violations for failing to comply with "Commissioners Order" and no resolution had been provided in regards to illegal/un-permitted use of basement for a prep kitchen, office and patron bathrooms for the previous licensed entity, in which two of the current applicants were principals, and *CB2, Manhattan cannot stress enough that the Liquor Authority review appropriate documents provided by the applicants prior to issuing the license to verify that in fact the current applicants have ensured that all violations have been cured in regards to the use of the basement* and note that a letter of no objection for the first floor only dated 1/13/2004 is not sufficient in regards to legal use of the basement which is not included in that letter of no objection which is for the 1st floor only; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the new On Premise license for **Robert Meller or Corp. to be formed d/b/a TBD (Formerly Mussel Pot), 174 Bleecker St. unless** the statements the applicant has presented are accurate and that those conditions and stipulations agreed to by the applicant relating to the 9th "whereas" clause above are incorporated into the "Method of Operation" on the SLA On-Premise license.

Vote Passed, with 42 Board members in favor, and 1 in opposition (D. Diether).

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



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January 31, 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 January 24, 2013, Community Board #2, Manhattan (CB2) adopted the following resolution:

4. Café Habana Inc., 17 Prince St. dba Café Habana (Formerly of 229 Elizabeth St. Corp.) – Corporate Name Change (License #1107399)

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

Whereas, this application is for a Corporate Name Change of a Full On Premise license (#1107399) and tax id number for tax purposes in a mixed use building, located on Prince Street (Block #508 / lot #46), for a casual dining restaurant with 15 tables with 36 seats, 1 service bar with 7 seats, and the maximum occupancy is 74 people, there is no sidewalk café and no backyard use; and,

Whereas, the hours of operation will continue to be Sunday to Saturday from 9:00 a.m. to 12:00 a.m.; the establishment is a family restaurant, music will be quiet background only from “4 small speakers playing music loud enough to hear while people talk and enjoy a meal” consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

Whereas, the applicant has agreed to the following stipulation:

1. There will be no change to the Method of Operation.
2. The hours of operation are Sunday to Saturday from 9 am to 12 am.
3. This is a Corporate Change only.
4. The applicant agrees that the information submitted in the CB2 Questionnaire is accurate and is the manner in which the premise will operate and continue to operate.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the transfer of the Beer and Wine license for **Café Habana, Inc., 17 Prince St. (Formerly of 229 Elizabeth St. Corp.)** **unless** the statements the applicant has presented are accurate and that those conditions and stipulations agreed to by the applicant relating to the 4th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On-Premise license.

Vote: Unanimous, with 43 Board members in favor.

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



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

Dear Mr. Christian:

At its Full Board meeting on January 24, 2013, Community Board #2, Manhattan (CB2) adopted the following resolution:

5. 202 Centre Corp. d/b/a Red Egg, 202 Centre St. 10013 – transfer (License #1206246)

Whereas, this applicant appeared before the committee; and,

Whereas, this application is for the transfer of the On Premise license (#1206246) and an alteration for a premise located in a commercial use building located on Centre Street between Hester and Grand Street (Block #235/lot #1), for a two story 6,374 sq. ft premise (no patron use of basement) with 40 tables with 120 seats and 1 bar with 5 seats; the maximum occupancy is 127 people, there will be no sidewalk café and there is no backyard use; and,

Whereas, the hours of operation for the restaurant is Sunday to Saturday from 10:00 a.m. to 11:00 p.m.; establishment is a full service Hong Kong style restaurant, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no scheduled performances or cover fees, no private parties, no velvet ropes, no movable barriers and there will be no TV's; and,

Whereas, the alteration portion of the application is to reduce the size of the stand up bar to 11 feet as originally existed and as shown on plans provided to CB#2, Man.; and,

Whereas, this transfer changes the principals from Darren Wan to his parents David and Renee Wan; and,

Whereas, during the time that Darren Wan was controlling management, he ignored regulations and stipulations agreed to with CB2 and the SLA and ran operations recklessly creating an unlicensed illegal night club which received violations and was the source of neighborhood complaints and created safety hazards in the premise and quality of life issues (refer to past CB2 resolutions); and,

Whereas, David and Renee Wan have now taken control and plan on running a full service restaurant with hours of operation and method of operation to concur with the original CB2 and SLA applications for this license; and,

Whereas, the applicant agreed to the following stipulations:

1. Hours of operation are from 10:00 am to 11:00 pm only.
2. Applicants will operate and advertise as a full service “Hong Kong Style Restaurant” only.
3. There will be no nightclub or after hours events and the licensee will not continue previous unapproved method of operations.
4. There will be no promoted events.
5. There will be background music only.
6. There will be no D.J.s, live music or promoted events.
7. Previous stipulations agreements will still be adhered to.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the transfer of the existing On Premise license for **202 Centre Corp. d/b/a Red Egg, 202 Centre St. 10013** unless the statements the applicant has presented are accurate 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 SLA On-Premise license.

Vote: Unanimous, with 43 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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January 31, 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 January 24, 2013, Community Board #2, Manhattan (CB2) adopted the following resolution:

6. Galata, Inc. d/b/a I Tre Merli, 463 W. Broadway 10012 – Alteration (License #1025086)

Whereas, the applicant appeared before the committee for a second time since August of 2012; and,

Whereas, there have been no significant changes since this alteration application was heard in August of 2012 with the exception of an increase in hours of operation on certain nights and the applicant has still not performed community outreach or held discussions with the community which was part of a stipulations agreement in September 2010 in which the licensee agreed to host monthly meetings with the community; and,

Whereas, CB#2, Man. passed a resolution in September 2012 recommending denial for this alteration application which was very similar; and,

Whereas, this application is for the alteration of the On Premise license in a commercial use building located on West Broadway between Houston and Prince Street (Block #515 / lot #07), for a 2,500 sq. ft premise with 19 tables with 77 seats and 1 bar with currently 12 seats but with this alteration will become 15 seats; the maximum occupancy is 100 people, there is a sidewalk café but there is no backyard use; and,

Whereas, the hours of operation for the restaurant is Sunday to Saturday from 12:00 p.m. to 2:00 a.m.; the establishment is a full service Italian restaurant, music will be quiet background and entertainment level consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers and there will be no TV's; and,

Whereas, in August of 2012 the applicant had presented much more reduced hours of operation than in this application; and,

Whereas, this location has had many issues with the community regarding noise in the past and as a consequence moved the bar to the back of the establishment and decreased the size by three seats in 2010 which helped decrease the noise issue for the residents and improved the deteriorating quality of life issues previously caused by this location, specifically as they relate to noise; and,

Whereas, the applicant wanted it stated that he has had no problems in the last couple of years with the neighbors and outlined:

1. Since they stopped throwing special events there have been no problems; and, Opposition to the alteration come only from a few resident who have told us that they will oppose no matter what. The residents in favor have expressed their views at previous hearings.
2. The residents who opposed the application admitted that the restaurant abides by the law and by the terms of the stipulations.
3. In the previous hearing of July 2012 the applicant refused a further stipulation that would have had the restaurant closing the French doors at 10 PM. and is now willing to accept it, in consideration of possible noise spilling in the neighborhood.

Whereas, this application wants to move the bar back to the front of the premise and increase the seating back to 15 seats similar to the way it was originally because the applicant states the current layout is not working; and,

Whereas, once again a number of members of the community from surrounding residential buildings appeared before CB2 against this alteration stating that it will only bring back the unwanted noise out onto the street and to the residents next door whose bedrooms are all adjacent to the connecting wall where the applicant wants to relocate the bar, and the bar will now be located under skylights which have no soundproofing and they pointed out that moving the bar to its current location in the rear specifically resulted in a substantially improved quality of life for neighboring residents and that moving the bar back to the front of the premises as described in this alteration would bring back the issues that have plagued residents for many years including noise and quality of life issues that have been well documented and they also pointed out that the licensee has never made any overtures to discuss the impact his business has on the immediate residential community despite promise to do so; and,

Whereas, CB#2, Man. encourages the Liquor Authority to review CB2's previous recommendations submitted in September 2010 and in September 2012 for further details on the history of issues at this location; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the alteration of the On Premise license for **Galata, Inc. d/b/a I Tre Merli, 463 W. Broadway 10012.**

Vote: Unanimous, with 43 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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January 31, 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 January 24, 2013, Community Board #2, Manhattan (CB2) adopted the following resolution:

7. Corp. to be formed by Jared Gordon, d/b/a Analogue, 41 E. 11th St 10003 – New OP

Whereas, the applicants appeared before the committee; and,

Whereas, subsequent to CB2's SLA Licensing Committee meeting and prior to CB2's Full Board meeting, the Liquor Authority ruled that this location is subject to the 200 Ft. Rule and as such, a full on-premise liquor license cannot be issued for this location; and,

Whereas, this application is for the new On-Premise license in a commercial building located on 11th Street between University Place and Broadway (block # 563/ lot #1), for a 2,950 sq. ft premise (kitchen is 100 sq. ft., bathrooms are 100 sq. ft. and ground floor is 2,050 sq. ft and basement is 900 sq. ft.) which will have 6 tables with 48 seats and 1 bar with 12 seats for a total capacity of 60 and a maximum occupancy of 75, there is no sidewalk café and no backyard use; and,

Whereas, the hours of operation will be Sunday to Wednesday from 4:30 p.m. to 12:30 a.m. and Thursday to Saturday from 4:30 p.m. to 2:30 a.m.; music will be live acoustical unamplified and quiet background only consisting of music from a vintage record player, there will be no d.j., no promoted events, no cover fees, no velvet ropes, no movable barriers and there will be no TV's; and,

Whereas, the applicant will be installing sound proofing, sound proof windows, acoustical paneling, and drapery; and,

Whereas, the applicant did do extreme diligence in reaching out to the local community; and,

Whereas, there were numerous speakers both for and against the application; and,

Whereas, the applicant submitted a petition in support with 270 signatures on a petition form which does not state any hours of operation; and,

Whereas, CB2 did receive 8 letters in support of this application and many speakers at the meeting attested to the good character of the applicants, including former employers and employees and that they believed the applicants would execute their plan as presented and would be a benefit to the community by providing an alternate venue for an older demographic; and,

Whereas, there is some question as to whether or not the neighbor within 200 ft., the Baha'i Faith Center, is a recognized religious center by the SLA and will be determined by an SLA hearing on January 16th, 2013; and,

Whereas, regardless of the ruling by the SLA on this religious center, CB2 feels that other concerns must also be seriously considered; and,

Whereas, the applicant was unable to get support from any of the neighborhood associations which include:

- East 12th & 13th Street Block Association, Davide Gentile, Acting-President
- East 11th Street Block Association, Thomas G. Brown, President
- East 10th Street Block Association, Thelma Barry, President
- 16 East 11th Street Corporation, Richard Dodd, President
- 21 East 10th Street Owners Corp, Claire Martheleur, President
- University Place Residents Association

Whereas, these association combined, did submit a petition against this application with 93 local signatures from the immediate surrounding area; and,

Whereas, the principals have no experience owning an establishment serving alcohol or operating a jazz venue; and,

Whereas, this is another location within CB2 that has never been licensed by the SLA; and,

Whereas, CB#2, Man. has concerns about the loss of retail stores that support the daily needs of the residents and a growing concern that too many locations have or will become licensed which is causing overwhelming traffic issues and other quality of life issues that only continue to grow with each newly licensed location; and,

Whereas, there are at least 15 SLA OP licenses within 500 ft of this location; and,

Whereas, this application is for a bar playing live jazz and not a restaurant which is also not unique in this neighborhood in Greenwich Village and offers no new public interest and would instead be a theme bar which still brings with it the many quality of life issues with which the Liquor Authority is well acquainted for bars into a predominantly residential area even though there is a commercial overlay; and,

Whereas, some of the concerns outlined by those in opposition included that the applicant stated that live jazz would initially only be incorporated for two nights a week only, that this particular block while having commercial businesses is not a part of the University Place bar scene and

extending the “bar” scene to cross streets which do have residential buildings would exacerbate quality of life issues which the area is already having issues with, that the area does not need another destination bar location and the associated noise and traffic impacts, that another licensed venue would serve to drive down residential values, that there is no such thing as “quiet” jazz and that there are plenty of jazz venues in the area and many have struggled to maintain this type of operation and that these applicants have no experience doing so and that the Village as a whole is on an upswing but jazz venues have not benefited from this and are struggling, that the linear progression of saturation and the many newly licensed locations in the immediate area is simply unsustainable and that the applicant would be better suited for a previously licensed location, in response to questions to the applicant there was some questioning as to how a high end jazz venue would pay the musicians if there were no cover charges or set times and there was concern that the applicant stated they would consider having high school students playing or professional jazz musicians playing pro bono until they were able to fill there bookings, there was also some concern that not paying professional musicians was not a sustainable model as professional musicians do try to make a living as jazz musicians and this brought into question the sustainability of the Jazz Music portion of the method of operation and that ultimately this would simply be another bar; and,

Whereas, CB#2, Man. recommends that the SLA verify that this establishment does not violate the 200 ft. rule (the prohibition of issuing an On Premise License to an establishment located within 200 feet of a school or place of worship) and respectfully request that the SLA conduct a 500 ft. ruling, and

Whereas, CB#2 Man. would also like to note that this application is for an on-premise liquor license and not a tavern wine license or other beer/wine license and as such, the applicant would be requested to reappear before CB#2, Man. and re-present this application should they pursue any type of beer/wine license at this location;

THEREFORE BE IT RESOLVED that regardless of the SLA ruling on the religious center located adjacent to this location, CB#2, Man. recommends **denial** of the new On Premise license for **Corp. to be formed by Jared Gordon, d/b/a Analogue, 41 E. 11th St 10003.**

Vote: Unanimous, with 43 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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January 31, 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 January 24, 2013, Community Board #2, Manhattan (CB2) adopted the following resolution:

8. Juicerie, LLC d/b/a The Butcher's Daughter, 19 Kenmare St. 10012 – New Beer and Wine

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

Whereas, this application is for the new Beer and Wine license in a mixed-use building located on the corner of Kenmare and Elizabeth Street (block # 478/lot #12), for a 1,500 sq. ft. premise (ground floor is 600 sq. ft., and basement is 900 sq. ft. but for employees only – no patron use of basement) which will have 1 table with 13 seats, 1 bar with 6 seats and 2 window food counters with 10 seats, for a total capacity of 29 seats and a maximum occupancy of 74, there will be sidewalk café which is specifically not included in this application and the applicant stated clearly that they will return to CB#2's SLA Licensing Committee in the future to present inclusion of the sidewalk café and there is no backyard use; and,

Whereas, the hours of operation will be Sunday from 8:00 a.m. to 10:00 p.m. and Monday to Saturday from 8:00 a.m. to 11:00 p.m.; music will be quiet background only consisting of music from a vintage record player, there will be no d.j., no promoted events, no cover fees, no velvet ropes, no movable barriers and there will be no TV's; and,

Whereas, this is another location within CB2 that has never been licensed by the SLA; and,

Whereas, CB2 has concerns about the loss of retail stores that support the daily needs of the residents and a growing concern that too many locations have or will become licensed which is causing overwhelming traffic issues and other quality of life issues that only continue to grow with each newly licensed location; and,

Whereas, the applicant appeared before CB2 having addressed two main concerns which was to complete more community outreach which was done and to obtain a Certificate of Occupancy in which the applicant did receive a Letter of No Objection from the Department of Building in lieu of a Certificate of Occupancy; and,

Whereas, there were 2 community members in attendance that supported this application and 1 against and at previous presentations others in support and opposition have appeared; and,

Whereas, the applicant agreed to the following stipulations with CB2:

1. Hours of operation are Sunday from 8:00 a.m. to 10:00 p.m. and Monday to Saturday from 8:00 a.m. to 11:00 p.m.
2. All doors and windows are to be closed at all times.
3. There will be no French doors.
4. The applicant will return before CB2 to present the sidewalk café and that for this application the sidewalk café will not be included.
5. The applicant agrees to waive their right and will not attempt to upgrade to a full On Premise license at this location.
6. The applicant agrees that they will not utilize a “Take Out Window” for service so as to keep the sidewalk clear of congestion and to eliminate patrons from standing in line outside the premises.
7. The premise will be advertised only as a juice bar and vegetarian café.
8. The applicant will not mix juices with beer or wine.

Whereas, the applicant should follow their agreement with City Council Margaret Chin’s office regarding the sidewalk café which will be presented at a later date; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the new Beer and Wine license for **Juicerie, LLC d/b/a The Butcher’s Daughter, 19 Kenmare St. 10012** unless the statements the applicant has presented are accurate 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 SLA Beer and Wine license.

Vote: Passed, with 23 Board members in favor, and 15 in opposition (H. Campbell, C. Dwyer, R. Ely, J. Frost, R. Goldberg, D. Gruber, S. Kent, A. Kriemelman, B. Riccobono, R. Rothstein, M. Schott, F. Sigel, S. Sweeney, S. Wittenberg, and R. Woodworth).

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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January 31, 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 January 24, 2013, Community Board #2, Manhattan (CB2) adopted the following resolution:

9. David Kay d/b/a Love, 446 W. 14th St., 10014 - New OP for Previously Unlicensed Location

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the new On Premise license in a commercial building located on West 14th Street between 10th Avenue and Washington Street (block # 646/ lot #14), for a 4,000 sq. ft. tavern/bar (basement only) which will have 20 tables with 120 seats and 1 bar with 18 seats for a total capacity of 225 and a maximum occupancy of 290, there will be no sidewalk café and no backyard use; and,

Whereas, the hours of operation will be Sunday and Monday from 6:00 p.m. to 2:00 a.m. and Tuesday to Saturday from 6:00 p.m. to 4:00 a.m.; there will be D.J.'s and but no live music and, there will no promoted events, no events with cover fees, there will be use of velvet ropes; and,

Whereas, the applicant has experience in the hospitality business and was a principle/owner in another state (Los Angeles, CA) operating a restaurant but not as a principle in New York City operating a lounge/bar/tavern; and,

Whereas, this premise is located in the basement only and the applicant will be sound proofing the space; and,

Whereas, the applicant submitted a signed and executed CB2 stipulations form which they agreed would be incorporated into the method of operation on their SLA license stating that:

1. Hours of operation will be Sunday and Monday from 6:00 p.m. to 2:00 a.m. and Tuesday to Saturday from 6:00 p.m. to 4:00 a.m.
2. There will be no live music, no promoted events and no events for which a cover fee is charged or any scheduled performances but there will be dj's.
3. There will be licensed and bonded security staff
4. There will be staff assigned to traffic control for vehicles and pedestrians.
5. A 24 hour contact number for the applicant will be provided to the community.
6. The principle will manage and be on premise.
7. There will be no dancing and the applicant will not seek a Cabaret License.
8. There will be no sidewalk café or backyard garden

Whereas, even though the applicant submitted the above executed stipulations agreement, CB2 Manhattan does not believe the issuance of this license would be in the public interest; and,

Whereas, this is another location within CB2 that has never been licensed by the SLA; and

Whereas, there are at least 10 full on premise licenses within 500 feet and 35 within 750 feet and many of those venues are large multi floor locations with significant capacities; and,

Whereas, CB2's SLA Committee notes that the applicant, while providing a food menu, floor plans did not present a complete presentation or additional materials which would address the known issues in the area and that the applicant did not provide a copy of the SLA application as requested or satisfactorily address issues as they relate directly to the 500 ft. rule in regards to traffic, existing noise levels, vehicular parking and quality of life concerns among others; and,

Whereas, the concept as presented by the applicant of a "Cocktail Lounge serving small dishes focusing on innovative recipes using all natural ingredients for mixology" is not a unique concept for CB2 or for this area and many similar types of "lounges" operate in the area of the meat packing district in which this premise is located and the applicant did not provide any supporting materials and was not able to explain or show or illustrate why this concept would be unique or somehow add to the public interest and benefit; and,

Whereas, the applicant is willing like all other similar type establishments in the area to maintain license and bonded security, will be utilizing velvet ropes and will assign staff to manage vehicular and pedestrian traffic, but CB2 does not feel that simply complying with the law or standard practices rises to the level of meeting public interest or benefit; and,

Whereas, this establishment does not serve the neighborhood or public interest for an area already inundated beyond its capacity or the capacity of the city to properly provide adequate policing presence, traffic control and other measures to address the impact on quality and safety of life; and,

Whereas, CB2 and members of the public have repeatedly submitted illustrations and testified at the Liquor Authority regarding the extreme effects of vehicular traffic and pedestrian traffic and parking issues and double parking issues in the meat packing district, and while this venue is located on 14th St., it is in the Meatpacking district and furthermore east and west bound traffic movement on 14th Street at peak late evening/early morning hours is absolutely critical to allowing traffic to enter and leave the meat packing district efficiently in order to alleviate traffic congestion and the effects of yet another lounge/tavern/bar with a large occupancy and high turnover with many patrons arriving by taxi, hired cars and/or private vehicles (which require parking) due to the limited public transportation in the area at evening, late evening and early morning hours would

further exacerbate an already tenuous and deplorable traffic situation which directly impacts the surrounding residential community due to the fluid nature of traffic movement and simply having staff dedicated to ameliorate any traffic situations directly in front of the venue does address the new volume specifically attributable to this new venue in a previously unlicensed location in an area that is know to have significant traffic issues; and,

Whereas, adding another large establishment operating as a bar/lounge/tavern with a high occupancy and turnover in this area would exacerbate the existing noise level in the area, not necessarily from music emanating from a soundproofed basement venue, but from the large number of new patrons that would be drawn to this location and because of the use of velvet ropes which suggests patrons would be waiting outside and the increased number of patrons that would be traversing through the area being loud at late hours of the evening and early morning creating quality of life issues, which while each licensee in the area says they do not contribute to this problem, is often obvious to any casual observer who ventures into the meat packing district during late evening or early morning hours, particularly in the fall and spring during warmer weather where the noise can be heard from a significant distance; and,

Whereas, CB2 has concerns about the loss of retail stores and promoting diverse business uses in the area which lead to healthy mixed used communities which the meat packing district is becoming with the addition of new retail stores, museums and a new park and that having too many on premise licensed locations is causing overwhelming traffic issues and other quality of life issues that only continue to grow with each newly licensed location; and,

Whereas, there were concerns from the community regarding this application and several letters in opposition were submitted in particular addressing the saturation of loud nightlife in the Meat Packing District late at night, non uniqueness of another lounge and overwhelming traffic concerns in the immediate area; and,

Whereas, those in opposition to the issuance of this license were very concerned specifically about the impact on traffic, parking and quality of life in this area, which is a topic very familiar to CB2 Manhattan and to which no solutions have been implemented despite years of complaints and meetings with City officials and in particular the existing traffic conditions in the evenings and during late night hours are already deplorable and have a direct impact on the quality of life in the immediately adjacent residential communities which result in traffic jams, honking horns, loud patrons arguing about taxi's and livery cars, drunk patrons wandering quiet residential cross streets and screaming as they exit the area at late hours; and,

Whereas, those in opposition wonder how this could possibly be in the public interest given all the concerns and also questioned the applicant's ability to address the impact to the existing traffic and parking conditions and quality of life issues when no other licensee has been able to address these issues successfully as a whole in this community; and,

Whereas, the community did acknowledge that the applicant was open about his plans for the location but expressed additional concerns regarding a lack of any illustration of how the concept would be executed or what would make it unique or how it would serve the public interest or benefit; and,

Whereas, those in opposition also stated that there needs to be a line when there are so many licensed venues in the Meat Packing District and that new licenses for late night premises just exacerbate existing conditions beyond a tolerable level and that enough is enough and the area does not need another new late night lounge/bar/tavern; and,

Whereas, a new license here will in effect grandfather a location through “build out” to forever be a licensed premise; and,

Whereas, the stance taken by local residents is not anti-business, but rather a clear argument that it is just too much for this particular area to incorporate more of these types of establishments; and,

Whereas, CB#2, Man. respectfully request that the SLA hold a 500 ft. rule hearing for this application;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the new On Premise license for **David Kay d/b/a Love, 446 W. 14th St., 10014.**

Vote: Unanimous, with 43 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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January 31, 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 January 24, 2013, Community Board #2, Manhattan (CB2) adopted the following resolution:

10. Double Dip, LLC d/b/a TBD, 611 Hudson St. 10014 – New OP

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the new On Premise license in a mixed-use building located on the corner of Hudson Street and West 12th Street (block # 625/ lot #15), for a 1,379 sq. ft. Restaurant only (ground floor is 1110 sq. ft. and 269 sq. ft. in the basement) which will have 20 tables with 60 seats (of which 1 table and 14 seats will be in basement) and 1 bar with 8 seats for a total capacity of 68 and a maximum occupancy of 74, there will be no unenclosed sidewalk café and no backyard use; and the seating counts include seating in the existing enclosed sidewalk café; and,

Whereas, the hours of operation will be Sunday from 11:00 a.m. to 12:00 a.m., Monday to Thursday from 5:30 p.m. to 12:00 a.m. and Friday from 5:30 p.m. to 12:30 a.m. and Saturday from 11:00 a.m. to 12:30 a.m.; music will be quiet background only consisting of music from ipod, there will be no d.j., no promoted events, no cover fees, no velvet ropes, no movable barriers and there will be no TV's; and,

Whereas, this location did have a previous SLA license (#1025729) for the 1st floor only – there was no patron use of the basement; and,

Whereas, there is currently no dining use for the basement and is approved for storage only by the NYC Department of Buildings, but the applicant is applying to change the use and will not operate the basement portion of the premises until a new Certificate of Occupancy is issued by the Department of Buildings at the completion of the work required to alter the basement space; and,

Whereas, the applicant submitted 2 letters and a petition with 129 signatures in support of this application; and,

Whereas, the applicant operates other restaurants in CB2 both with and without licenses issued by the Liquor Authority; and,

Whereas, the applicant agreed to the following stipulations and executed a stipulations agreement with CB2 and will submit these stipulations to be incorporated as a part of the method of operations on their Liquor Authority license:

1. The premises will be advertised and operated as a full service “Mediterranean Food Restaurant” only
2. All windows and doors to be closed by 10 p.m.
3. The hours of operation will be Sunday from 11:00 a.m. to 12:00 a.m., Monday to Thursday from 5:30 p.m. to 12:00 a.m. and Friday from 5:30 p.m. to 12:30 a.m. and Saturday from 11:00 a.m. to 12:30 a.m.
4. Basement will be for sit down dining only.
5. Both floors will operate under the same hours of operation.
6. No patron use of the basement at all until a new Certificate of Occupancy has been issued by the Department of Buildings – it is not currently approved for patron dining uses.
7. No speakers in the enclosed sidewalk area.
8. Applicant will install soundproofing.

Whereas, there were no community members in opposition of this application; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the new On Premise license for **Double Dip, LLC TBD, 611 Hudson St. 10014** **unless** the statements the applicant has presented are accurate 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 SLA On-Premise license.

Vote: Unanimous, with 43 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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January 31, 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 January 24, 2013, Community Board #2, Manhattan (CB2) adopted the following resolution:

11. COS206 LLC d/b/a Costata, 206 Spring St. – New OP

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the new On Premise license in a previously licensed building located on Spring Street between 6th Avenue and Sullivan Street (block # 490/ lot #23), for a 7,791 sq. ft. “white-clothed restaurant of the highest quality”, specifically an Italian steak restaurant (Cellar is 1284 sq ft, 1st floor is 2200 sq ft, 2nd floor is 2200 sq ft and 3rd floor is 2107 sq ft – no patron use of cellar) which will have a total of 54 tables with 201 seats and 2 bars with 16 seats for a total capacity of 217 and a maximum occupancy of 281, there will be no sidewalk café and no backyard use; and,

Whereas, the first floor will have 17 tables and 46 seats, second floor will have 30 tables and 95 seats and the third floor will have 7 tables and 60 seats. There will be a bar on the first floor with 7 seats and a bar on the 2nd floor with 9 seats; and,

Whereas, the hours of operation will be Sunday from 11:00 a.m. to 12:00 a.m., Monday to Wednesday from 11:30 a.m. to 12:00 a.m. and Thursday and Friday from 11:30 p.m. to 1:00 a.m. and Saturday from 11:00 a.m. to 1:00 a.m.; music will be quiet background only consisting of music from ipod, there will be no d.j., no promoted events, no cover fees, no velvet ropes, no movable barriers and there will be one TV located in the third floor private dining room only; and,

Whereas, a petition with 81 signatures was submitted in support of this application; and,

Whereas, 6 community members appeared before the committee and spoke in support of this application; and,

Whereas, the applicant signed and notarized a stipulations agreement with CB2 which are the following:

1. This will be advertised and operated as a full service “Italian Steak Restaurant” only.
2. The hours of operation will be Sunday from 11:00 a.m. to 12:00 a.m., Monday to Wednesday from 11:30 a.m. to 12:00 a.m. and Thursday and Friday from 11:30 p.m. to 1:00 a.m. and Saturday from 11:00 a.m. to 1:00 a.m.
3. This location will not operate as a disco or nightclub and will not seek a Cabaret License.
4. There will be no sidewalk café or backyard use.
5. Music will be quiet background only consisting of music from ipod, there will be no d.j., no promoted events, no cover fees, no velvet ropes, no movable barriers.
6. Staff will be provided to manage outside pedestrian and vehicle traffic.
7. There will be no rooftop access for patrons or staff.

Whereas, there were no community members in opposition of this application; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the new On Premise license for **COS206 LLC d/b/a Costata, 206 Spring St. unless** the statements the applicant has presented are accurate and that those conditions and stipulations agreed to by the applicant relating to the 7th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On-Premise license.

Vote: Unanimous, with 43 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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January 31, 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 January 24, 2013, Community Board #2, Manhattan (CB2) adopted the following resolution:

**12. Silver Spurs¹ Family Limited Partnership, d/b/a Silver Spurs, 771 Broadway 10003–
Upgrade to OP (License #1174085)**

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the upgrade of a beer and wine license to an on premise restaurant license (beer wine license#1174085) in a mixed-use building located on Broadway between 9th Street and 10th Street (block # 561/ lot #7501), for a 2,200 sq. ft. family restaurant which will have 38 tables with 84 seats, 1 standup bar with 13 seats and one eating counter with 8 seats for a total capacity of 105 and a maximum occupancy of 150, there will be no sidewalk café and no backyard use; and,

Whereas, the hours of operation will be Sunday to Saturday from 7:00 a.m. to 12:00 a.m.; music will be quiet background only consisting of music from ipod/cd's, there will be no d.j., no promoted events, no cover fees, no velvet ropes, no movable barriers, there are 3 existing tv's; and,

Whereas, this is a neighborhood restaurant which has been in business for 32 years and has maintained a beer and wine license since 1982 and there will be no other changes to the current method of operation or trade name; and,

Whereas, a petition with 39 signatures was submitted in support of this application; and,

Whereas, the applicant signed and notarized a stipulations agreement with CB#2, Man. which are the following:

1. This will be a full service restaurant only.
2. The hours of operation will be Sunday to Saturday from 7:00 a.m. to 12:00 a.m.
3. This location will not operate as a lounge, bar, disco or nightclub and will not seek a Cabaret License.
4. There will be no sidewalk café or backyard use.
5. Music will be quiet background only consisting of music from ipod, there will be no d.j., no promoted events, no cover fees, no velvet ropes, no movable barriers.
6. The trade name "Silver Spurs" will be maintained.
7. There will be no changes to the current Method of Operation.

Whereas, there were no community members in opposition of this application;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the upgrade to an On Premise license for **Silver Spurs1 Family Limited Partnership, d/b/a Silver Spurs, 771 Broadway 10003** **unless** the statements the applicant has presented are accurate 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 SLA On-Premise license.

Vote: Unanimous, with 43 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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January 31, 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 January 24, 2013, Community Board #2, Manhattan (CB2) adopted the following resolution:

13. Red Mulberry Ltd., d/b/a Sambuca's, 105 Mulberry St. – Upgrade to full OP (RW License #1144856)

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the upgrade of a beer and wine to an On Premise license (RW License #1144856) for a restaurant/café which has operated at this “premises since 1985 serving light Italian delicacies and sweets” in a mixed-use building located on Mulberry Street between Canal and Hester Streets (block # 206/ lot #26), for a 800 sq. ft., light Italian restaurant which will have 13 tables with 39 seats and no bar for a total capacity of 39 and a maximum occupancy of 74, there is a sidewalk café with 20 seats but no backyard use; and,

Whereas, there will be no changes to the current method of operation with the exception of being able to serve patron's cocktails; and,

Whereas, the hours of operation will be Sunday to Thursday from 9:00 a.m. to 2:00 a.m. and Friday and Saturday from 9:00 a.m. to 3:00 a.m.; music will be quiet background only consisting of music from ipod/cd's, there will be no d.j., no promoted events, no cover fees, no velvet ropes, no movable barriers; and,

Whereas, a petition with 58 signatures and 4 letters were submitted in support of this application and several members of the public appeared in support; and,

Whereas, there are at least 14 on premise licenses within 500 feet of this location and CB#2, Man. requests that the Liquor Authority conduct a 500 ft. hearing; and,

Whereas, CB#2, Man. believes that there is a church located within 200 ft of this location despite the applicant's claims to the contrary that would make this location subject to the 200 foot rule, specifically located next door, and respectfully requests that the SLA conduct a 200 ft. rule determination; and,

Whereas, specifically, the Church of the Most Precious Blood, which has it's main address at 113 Baxter Street is connected to the church Rectory located at 109 Mulberry Street and shares common ownership and is operated jointly and in conjunction with the Church; 109 Mulberry Street is immediately adjacent to the applicant; there are signs when entering through the gated entrance at 109 Mulberry Street, which is open regularly to the public, which direct members of the public to enter the Church through an open air walkway which does not cross any non-public areas that leads to a rear door of the Church and that this entrance is used and advertised as an alternative to the front door on Baxter Street and is regularly used by members of the public for ingress into the Church in addition to the front door located on Baxter Street; therefore CB2 Manhattan feels that using the center of the entrance at 109 Mulberry St. is an appropriate location from which to determine whether or not this location is subject to the 200 ft rule and would like the Liquor Authority to review this matter and make a determination; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the upgrade to an On Premise license for **Red Mulberry Ltd., d/b/a Sambuca's, 105 Mulberry St.**

Vote: Unanimous, with 43 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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January 31, 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 January 24, 2013, Community Board #2, Manhattan (CB2) adopted the following resolution:

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

14. 7th Ave. LandBrot, LLC, 137 7th Ave. So. 10114 (RW License #1252664)

Whereas, the applicant **did not appear** before CB2, Man.'s SLA Licensing Committee meeting on January 8, 2013 for a Corporate Change to an existing restaurant wine license at the above referenced address after being placed on the agenda and having been requested to appear;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of corporate change, any temporary licenses or changes to any existing license for **7th Ave. LandBrot, LLC, 137 7th Ave. So. 10114 (RW License #1252664)** 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 43 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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January 31, 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 January 24, 2013, Community Board #2, Manhattan (CB2) adopted the following resolution:

15. Zucca Trattoria, Inc. d/b/a Zucca Trattoria Restaurant, 95 7th Ave. So. 10014 (OP License #1223197)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on January 8th, 2013, the applicant's attorney requested to layover the application from consideration; and,

Whereas, this application is for a corporate change for an existing license;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** the proposed corporate change to the liquor license or any temporary license or changes to the existing license for **Zucca Trattoria, Inc. d/b/a Zucca Trattoria Restaurant, 95 7th Ave. So. 10014 (OP License #1223197)** 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 43 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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January 31, 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 January 24, 2013, Community Board #2, Manhattan (CB2) adopted the following resolution:

16. My Café, LLC d/b/a Kopi 2, 68 W. 3rd St, 10012

Whereas, the applicant **did not appear** before CB2, Man.'s SLA Licensing Committee meeting on January 8, 2013 for a new beer and wine license at the above referenced address after being placed on the agenda and having been requested to appear;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** the proposed beer and wine license, any transfers of any existing license to this entity or any temporary licenses for **My Café, LLC d/b/a Kopi 2, 68 W. 3rd 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 43 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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January 31, 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 January 24, 2013, Community Board #2, Manhattan (CB2) adopted the following resolution:

17. Thelewala Corp. 112 MacDougal Street 10012

Whereas, at this month's CB2 SLA Licensing Committee meeting on January 8th, 2013, the applicant agreed to layover this application until they have performed outreach to the local neighborhood association, the Bleecker Area Merchants' and Residents' Association (BAMRA) and allow them to have the opportunity to meet with the applicant and make a recommendation to CB2; 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 Beer and Wine license for **Thelewala Corp. 112 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 43 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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January 30, 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 January 24, 2013, Community Board #2, Manhattan (CB2) adopted the following resolution:

18. Sotto Casa NY, LLC, 167 7th Ave. South

Whereas, the applicant failed to appear before CB2's SLA Licensing Committee on January 8th, 2013 per the request of CB2 after being placed on the agenda and being notified; and,

Whereas, this application is for the transfer of a Beer and Wine license or for a new Beer and Wine License;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed transfer of any existing Beer and Wine license or the issuance of any new or temporary license to **Sotto Casa NY, LLC, 167 7th Ave. South** 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 43 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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January 30, 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 January 24, 2013, Community Board #2, Manhattan (CB2) adopted the following resolution:

19. Howard Project, LLC, 3 Howard Street, 10013

Whereas, the applicant **did not appear** before CB2's SLA Licensing Committee meeting on January 8, 2013 for a new on-premise liquor license at the above referenced address after being placed on the agenda and having been requested to appear;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **Howard Project, LLC, 3 Howard Street, 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 43 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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January 30, 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 January 24, 2013, Community Board #2, Manhattan (CB2) adopted the following resolution:

20. Oberon Hospitality Partners, LLC, d/b/a Rector's Café-Restaurant-Bar, 295 Lafayette St. 10012

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on January 8th, 2013, the applicant's attorney requested to layover the application from consideration; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny the proposed new On Premise license for **Oberon Hospitality Partners, LLC, d/b/a Rector's Café-Restaurant-Bar, 295 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 43 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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January 30, 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 January 24, 2013, Community Board #2, Manhattan (CB2) adopted the following resolution:

21. Entity to be formed by Jason Brunetti, TBD, 626 Hudson St. 10014

Whereas, at this month's CB2 SLA Licensing Committee meeting on January 8th, 2013, the applicant's attorney requested to layover the application from consideration in order to perform additional community outreach; and,

Whereas, this application is for the transfer of an existing beer and wine license;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** the proposed transfer of a beer and wine license or any new or temporary license of any kind for **Entity to be formed by Jason Brunetti, TBD, 626 Hudson 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 43 Board members in favor.

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

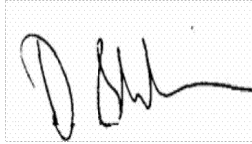
Sincerely,



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