



**COMMUNITY BOARD NO. 2, MANHATTAN**

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

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

June 26, 2009

Michael Sakovsky  
Deputy Commissioner of Licensing  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Commissioner Sakovsky:

At its Full Board meeting on June 18, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution

**1. Donal Brophy or entity to be formed, d/b/a Highlands, 150 W. 10<sup>th</sup> St. (Waverly St. and Greenwich Ave.) NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for a transfer of an existing On Premise license in a mixed use building on West 10<sup>th</sup> between Waverly and Greenwich Streets for a 2,100 s.f. bar/restaurant with 43 table seats, 1 bar with 12 seats, and a maximum legal capacity of 74 persons; and,

**Whereas**, the applicant stated the hours of operation are 12:00 p.m. – 2:00 a.m. Sunday - Thursday, 11:00 a.m. – 3:00 a.m. Friday and Saturday; there will not be a sidewalk café application and no backyard garden; music is background only; and,

**Whereas**, the applicant has agreed to install proper sound proofing in the establishment; and,

**Whereas**, the applicant has reached out to members of community prior to submitting this application; and,

**Whereas**, the applicant has submitted a petition with signatures supporting the proposed establishment; and,

**Whereas**, no one appeared in opposition from the community; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man, recommends denial to the proposed transfer of an On Premise license for **Donal Brophy or entity to be formed, d/b/a Highlands, 150 W. 10<sup>th</sup> St.** unless the condition agreed to by applicant relating to the fourth “whereas” clause is incorporated into the “Method of Operation” on the SLA On Premise license.

**Vote: Unanimous, with 34 Board members in favor.**



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Dear Commissioner Sakovsky:

At its Full Board meeting on June 18, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution

**2. 232 W. 14 Restaurant Corp. 232 W. 14<sup>th</sup> St. (7<sup>th</sup> and 8<sup>th</sup> Avenues) NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an On Premise license in a mixed use building on West 14<sup>th</sup> Street between 7<sup>th</sup> and 8<sup>th</sup> Avenues for a 1930 s.f. (1450 s.f. interior and 480 s.f. backyard garden) restaurant with 49 table seats (28 interior and 21 backyard), 1 bar with 14 seats, and a maximum legal capacity of 42 persons; and,

**Whereas**, the applicant stated the hours of operation for the establishment are 11:00 a.m. – 2:00 a.m. Sunday – Wednesday and 11:00 a.m. – 3:00 a.m. Thursday - Saturday; there will not be a sidewalk café application and the applicant is proposing a backyard garden; music will be background only; and,

**Whereas**, the applicant has agreed to provide menu and food items up until 1 hour prior to closing (menu and food items will be available until 1:00 a.m. Sunday – Wednesday and 2:00 a.m. Thursday – Saturday)

**Whereas**, the SLA Licensing Committee has strong concerns with the backyard garden space in a residential block; this Committee strongly recommends that the applicant exclude the backyard garden from their application; and,

**Whereas**, several residents stated their support for the proposed establishment; and,

**Whereas**, no one appeared in opposition from the community; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man, recommends denial to the proposed On Premise license for **232 W. 14 Restaurant Corp. 232 W. 14<sup>th</sup> St.** unless those conditions agreed to by applicant relating to fourth and fifth (exclusion of the backyard garden) “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 34 Board members in favor.



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Dear Commissioner Sakovsky:

At its Full Board meeting on June 18, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution

**3. The New York Center for Sketch Comedy d/b/a Manhattan Theater Performance, Inc. 168 Thompson St. (Kenmare and Spring Streets) NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an On Premise license for a comedy theater located in 1,300 s.f. premise on Thompson Street between Houston and Bleecker Streets with 64 table seats, 1 bar and 6 bar seats and a maximum legal capacity of 94 persons; and,

**Whereas**, the applicant stated the hours of operation will vary but align with performance hours and close by 1:00 a.m. Sunday – Wednesday and 2:00 a.m. Thursday – Saturday; and the applicant stated that beverage service will cease by 12:00 a.m. Sunday – Wednesday and 1:00 a.m. Thursday - Saturday; there will be no sidewalk café application and no backyard garden; music will be live and background only; and,

**Whereas**, the applicant has reached out to local residents and organizations including but not limited to Bleecker Area Merchants & Residents Association (BAMRA); and,

**Whereas**, the applicant has agreed to maintain the aforementioned closing hours during private functions; and,

**Whereas**, the applicant has agreed to register the organization as a 501c3 and Use Group 4; and,

**Whereas**, the applicant has agreed to operate as a performance theater only; and,

**Whereas**, the SLA Licensing Committee strongly recommends that the applicant prohibits alcoholic beverage consumption and service in the theater limiting consumption and service to the bar/lobby only; and,

**Whereas**, a member of the community and Community Board appeared in support of the applicant; and,

**Whereas**, a member of BAMRA appeared expressing no objection with the applicant; and,

**Whereas**, no one appeared in opposition from the community; and,

**Whereas**, Thompson Street is a fragile and primarily a residential street, CB#2, Man. requires that the applicant and the establishment be responsible for good noise, crowd, and patron pedestrian traffic control in and out of the theater's egress and exit; and

**Whereas**, the applicant and management wanting to be good neighbors, will provide optimum safety and security which will prevent the theater's presence from becoming a burden to the harmony and a negative influence on the Quality of Life for the residents and other businesses on Thompson Street;

**THEREFORE, BE IT RESOLVED** that CB#2, Man, recommends denial to the proposed On Premise license for **The New York Center for Sketch Comedy d/b/a Manhattan Theater Performance, Inc. 168 Thompson St.** unless those conditions agreed to by applicant relating to the third, fourth, fifth, sixth, seventh and eighth (the reference to limiting alcoholic beverage consumption and service) “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Passed, with 25 Board members in favor, 8 in opposition, and 1 recusal (L. Rakoff).



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Dear Commissioner Sakovsky:

At its Full Board meeting on June 18, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution

**4. Village Restaurant Group, LLC, 322 W. 11<sup>th</sup> St. (Greenwich and Washington) NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an On Premise license in a mixed use building on West 11<sup>th</sup> Street between Greenwich and Washington Streets for a 1,700 s.f. restaurant with 56 table seats, 1 bar with 8 seats, and a maximum legal capacity of 74 persons; and,

**Whereas**, the applicant stated the hours of operation are 8:00 a.m. – 2:00 a.m. seven days a week; there is no sidewalk café but will include a backyard garden with 2 tables with 4 seats; music is background only; and,

**Whereas**, the applicant has agreed to receive a Letter of No Objection or revised Certificate of Occupancy from the New York City Department of Buildings prior to operating the restaurant; and,

**Whereas**, the applicant has agreed to operate as a full service restaurant only; and

**Whereas**, the applicant has agreed to the following set of stipulations for the backyard garden

1. No music in the backyard garden
2. Backyard garden will be used for dining purposed only with no smoking allowed
3. Capacity for the backyard garden will be limited to the 4 dining patrons
4. The closing hour for the backyard garden will be 11:00 p.m. daily
5. No private functions in the backyard garden

**Whereas**, the applicant has submitted a petition with 41 signatures in support of the proposed establishment; and

**Whereas**, no one appeared in opposition from the community; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man, recommends denial of an On Premise license for **Village Restaurant Group, LLC, 322 W. 11<sup>th</sup> St.** unless the backyard garden is excluded, and all conditions agreed to by applicant relating to the fourth, fifth and sixth “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Passed, with 33 Board members in favor, and 1 in opposition.

Brad Hoylman, *Chair*  
Jo Hamilton, *First Vice Chair*  
Bo Riccobono, *Second Vice Chair*  
Bob Gormley, *District Manager*



Sheelah Feinberg, *Treasurer*  
Susan Kent, *Secretary*  
Elaine Young, *Assistant Secretary*

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Dear Commissioner Sakovsky:

At its Full Board meeting on June 18, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution

**5. Sark Holdings LLC, 230 W. 4<sup>th</sup> St. (West 10<sup>th</sup> Street)**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for a transfer of an existing On Premise license for a restaurant located in a 2,700 s.f. premise in a mixed use building on the corner of West 4<sup>th</sup> and West 10<sup>th</sup> Streets with 100 table seats with 1 bar and 15 seats; and a maximum legal capacity of 140 persons; and,

**Whereas**, the applicant stated the hours are 5:00 p.m. – 2:00 a.m. Monday – Friday and 11:00 a.m. – 2:00 a.m. Saturday and Sunday; there will be a sidewalk café but no backyard garden; music is background only; and,

**Whereas**, the applicant has agreed to keep windows closed at all times; and,

**Whereas**, the applicant has agreed to receive a revised Certificate of Occupancy and Public Assembly Permit prior to operating the restaurant; and,

**Whereas**, no one appeared in opposition from the community; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man, recommends denial to the proposed transfer of an On Premise license for **Sark Holdings LLC, 230 W. 4<sup>th</sup> St.** unless those conditions agreed to by applicant relating to the fourth and fifth “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 34 Board members in favor.



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Dear Commissioner Sakovsky:

At its Full Board meeting on June 18, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution

**6. 212 Lafayette Associates, LLC, 212 Lafayette St. (Kenmare and Spring) NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an alteration to an existing On Premise license for a café/restaurant located in a mixed use building located on Lafayette Street between Kenmare and Spring Streets with a maximum legal capacity of 74 persons; **to add 4 tables with 10 seats in an unenclosed sidewalk cafe; and,**

**Whereas**, the applicant stated there are no plans to change the previously approved method of operation; the applicant stated the restaurant hours are 8:00 a.m. – 1:00 a.m. Monday - Wednesday and 8:00 a.m. – 2:00 a.m. Thursday – Saturday and 8:00 a.m. – 1:00 a.m. Sunday; music is background only; and,

**Whereas**, the applicant has agreed to close the sidewalk café by 11:00 p.m. daily; and,

**Whereas**, the applicant had indicated in their original application to not seek a sidewalk café; and,

**Whereas**, the SLA Licensing Committee has strong concerns with the saturation of sidewalk cafes in this residential area;

**Whereas**, several members of the community appeared in opposition of the proposed alteration; and,

**Whereas**, a few residents in the building appeared expressing no objection to the proposed alteration application; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man, recommends denial of the proposed alteration to an On Premise license for **212 Lafayette Associates, LLC, 212 Lafayette St.**

Vote: Unanimous, with 34 Board members in favor.

Brad Hoylman, *Chair*  
Jo Hamilton, *First Vice Chair*  
Bo Riccobono, *Second Vice Chair*  
Bob Gormley, *District Manager*



Sheelah Feinberg, *Treasurer*  
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Dear Commissioner Sakovsky:

At its Full Board meeting on June 18, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution

**7. Santa Ana Rest., 344 Bowery d/b/a Sala**

**Whereas**, this application is for a renewal to an On Premise liquor license; and,

**Whereas**, the applicant failed to appear before the committee or request a layover of consideration of the application to the next hearing; and,

**Whereas**, the applicant is currently in litigation with the upstairs tenant due to excessive loud music; and,

**Whereas**, the applicant has allegedly been violating the 24-231 DEP Administrative Code of the City of New York; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man, strongly objects to the renewal of the On Premise license of **Santa Ana Rest., 344 Bowery d/b/a Sala** and calls on the State Liquor Authority to verify that the establishment is not operating in violation of the DEP 24-231 noise code.

Vote: Unanimous, with 34 Board members in favor.

Brad Hoylman, *Chair*  
Jo Hamilton, *First Vice Chair*  
Bo Riccobono, *Second Vice Chair*  
Bob Gormley, *District Manager*



Sheelah Feinberg, *Treasurer*  
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Dear Commissioner Sakovsky:

At its Full Board meeting on June 18, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution

**8. R&G SoHo, LLC, 184 Prince St. NYC 10012**

**Whereas**, this application is for an On Premise liquor license; and,

**Whereas**, the applicant failed to appear before the committee or request a layover of consideration of the application to the next hearing; and,

**Whereas**, the applicant has made no attempts to notify this committee or members of the community of layovers or postponements for the 2<sup>nd</sup> time; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man, strongly recommends denial of an On Premise liquor license to **R&G SoHo, LLC, 184 Prince St. NYC 10012** **and requests that the SLA send this applicant back to CB#2, Man. should this application proceed in order that this important step not be avoided and that the concerns of the Community be fully heard.**

Vote: Unanimous, with 34 Board members in favor.

Brad Hoylman, *Chair*  
Jo Hamilton, *First Vice Chair*  
Bo Riccobono, *Second Vice Chair*  
Bob Gormley, *District Manager*



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Dear Commissioner Sakovsky:

At its Full Board meeting on June 18, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution

**9. Village Trattoria, LLC, 135 W. 3rs St. NYC 10012**

**Whereas**, this application is for an On Premise liquor license; and,

**Whereas**, the applicant failed to appear before the committee or request a layover of consideration of the application to the next hearing; and,

**Whereas**, the applicant has made no attempts to notify this committee or members of the community of layovers or postponements for the 2<sup>nd</sup> time; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man, strongly recommends denial of an On Premise liquor license to **Village Trattoria, LLC, 135 W. 3rs St. NYC 10012** **and requests that the SLA send this applicant back to CB#2, Man. should this application proceed in order that this important step not be avoided and that the concerns of the Community be fully heard.**

Vote: Unanimous, with 34 Board members in favor.

Brad Hoylman, *Chair*  
Jo Hamilton, *First Vice Chair*  
Bo Riccobono, *Second Vice Chair*  
Bob Gormley, *District Manager*



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Dear Commissioner Sakovsky:

At its Full Board meeting on June 18, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution

**10. RRBV Associates, LLC, 290 Hudson St. NYC 10013**

**Whereas**, this application is for an alteration to an existing On Premise liquor license; and,

**Whereas**, the applicant failed to appear before the committee or request a layover of consideration of the application to the next hearing; and,

**Whereas**, the applicant has made no attempts to notify this committee or members of the community of layovers or postponements for the 2<sup>nd</sup> time; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man, strongly recommends denial of the proposed alteration to an On Premise liquor license to **RRBV Associates, LLC, 290 Hudson St. NYC 10013** **and requests that the SLA send this applicant back to CB#2, Man. should this application proceed in order that this important step not be avoided and that the concerns of the Community be fully heard.**

Vote: Unanimous, with 34 Board members in favor.

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

Sincerely,



Brad Hoylman, Chair  
Community Board #2, Manhattan



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

BH/fa

cc: Hon. Jerrold Nadler, Congressman  
Hon. Thomas Duane, NY State Senator  
Hon. Deborah Glick, Assembly Member  
Hon. Scott Stringer, Man. Borough President  
Hon. Christine Quinn, Council Speaker  
Hon. Alan Jay Gerson, Council Member  
Hon. Rosie Mendez, Council Member  
Angelica Crane, CB2 liaison,, Man. Borough President's office  
Lolita Jackson, Manhattan Director, Commissioner, CAU  
Thomas J. O'Connor, Deputy Commissioner for Government Affairs, NYS Liquor Authority  
Applicant