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COMMUNITY BOARD No. 2, MANHATTAN

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March 28, 2011

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

Dear Mr. Christian:

At its Full Board meeting on March 24, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

PGM Restaurant Corp. d/b/a What Happens When (formerly Le Jardin Bistro), 25 Cleveland Pl. (Kenmare and Spring Street), NYC

Whereas, this application is for a renewal to an On Premise license for a Pop-up restaurant; and,

Whereas, the new principals acquired the On Premise license via stock transfer of the existing licensed establishment, d/b/a Le Jardin Bistro after having opened under the name “What Happens When” and did not file the change with the SLA until questions were raised by members of the community after having already operated for a number of weeks and also bypassing Community Board 2, Manhattan input; and,

Whereas, the current method of operation for this Pop-up restaurant remains unclear and could not be articulated properly by its representatives; and,

Whereas, the applicant stated that their hours of operation were from 12 pm to 4 am 7 days a week, including the outdoor rear garden, but they do not operate at those hours; and,

Whereas, the principals are operating the establishment beyond the previously approved hours of operation; and,

Whereas, after CB#2, Man.’s regularly scheduled SLA Committee meeting at which the applicant was represented by their attorney and bookkeeper, members of the community presented the original application for PGM Restaurant Corp. dated January 1996, which was obtained through a FOIL request from the SLA which stated that the hours of operation that were originally stated for this corporation were 11 am to 12 pm 7 days a week, including the out door garden, and which contained different floor plans for both the interior and exterior including different seating arrangements and

different number of tables and chairs, included a 12 ft stand up bar which no longer exists and included a description of the type of food served as French Cuisine; and,

Whereas, the principals allegedly have not complied with all certificates and permit requirements; and,

Whereas, several members of the community appeared in strong concerns with the establishment; citing lack of clarity with their method of operation; and,

Whereas, members of this Committee expressed their concerns with the large backyard space, which is being contemplated for late night use by the principals; lack of clarity with its method of operation; operating beyond its approved closing hours;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the renewal of an On Premise license for **PGM Restaurant Corp. d/b/a What Happens When (formerly Le Jardin Bistro), 25 Cleveland Pl.**

Vote: Passed, with 39 Board members in favor, and 1 abstention (I. Dutton).

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

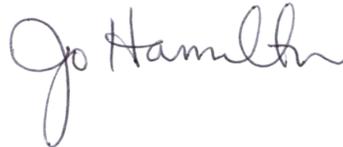
Sincerely,



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



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



Jo Hamilton, Chair
Community Board #2, Manhattan

JH/fa

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

