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Bo Riccobono, First Vice Chair  
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Bob Gormley, District Manager



Antony Wong, Treasurer  
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**COMMUNITY BOARD No. 2, MANHATTAN**

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June 15, 2012

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 May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**1. An entity in which Jennifer Vitagliano is a Principal (dba The Musket Room), 265 Elizabeth St.**

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

**Whereas**, this application is for a new on-premise license for a full service restaurant serving lunch and dinner in a previously licensed location for a 2,600 sq ft premise (1,500 sq ft ground floor and 1,100 sq ft basement) occupying the ground floor and basement (basement to be used for kitchen, public bathrooms and storage only) on Elizabeth Street between Prince and Houston Street, there will be no sidewalk café and no use of the backyard (except for planting a flower garden), there will be 26 tables and 56 seats and 1 bar with 9 seats for a total of 65 seats with a proposed occupancy of 74 and the maximum occupancy for the premise is 74; and,

**Whereas**, the applicant indicate that the premise would be operated as a full service restaurant only, that the hours of operation would be Sunday from 11 a.m. to 11 p.m., Monday to Thursday from 11 a.m. to 12:00 a.m., and Friday to Saturday from 11 a.m. to 1:00 a.m., all windows and doors would be closed at 8 p.m. daily, additional sound proofing will be added, music will be quiet background only generated from ipod's/c.d.'s; and,

**Whereas**, consistent with a full service restaurant operation there will be no promoted events, no scheduled performances, no outside promoters, no events for which a cover fee is charged, and no private parties, no velvet ropes or movable barriers will be utilized; and,

**Whereas**, the applicant executed a stipulations agreement that they agreed would be attached and incorporated in to their method of operation on their SLA license stating that:

1. The hours of operation are Sunday from 11 a.m. to 11 p.m., Monday to Thursday from 11 a.m. to 12:00 a.m., and Friday to Saturday from 11 a.m. to 1:00 a.m.
2. The premise will be operated as a full service restaurant only.

3. The kitchen will be open until the premise is closed.
4. All doors and windows will be closed at 8 p.m. every night of the week.
5. There will be no D.J.'s and No Live Music.
6. Doors and windows will be part of the sound proofing to be completed.
7. There will never be any expansion to the backyard area, the backyard area is not part of the leased premise and there will be no use by staff or patrons of the backyard area.
8. Existing doors at the rear of the premise in the patron area will be replaced with windows.
9. The applicant has agreed to try and use a commercial carting service that already services existing business located on the same block.

**Whereas**, there are at least 16 licensed premises within 500 ft, a petition with 160 signatures in support and 4 community members spoke in support and 3 against; and,

**THEREFORE BE IT RESOLVED** that CB2, Manhattan recommends denial of an on-premise liquor license for **An entity in which Jennifer Vitagliano is a Principal, 265 Elizabeth St.** unless those conditions and stipulations agreed to by the applicant relating to the 5<sup>th</sup> “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 43 Board members in favor.

Brad Hoylman, Chair  
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Antony Wong, Treasurer  
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Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**2. Jobs Landing, Inc. (dba The Little Fox Café), 62 Kenmare St. 10012**

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

**Whereas**, this application is for a new Beer and Wine License for a full service cafe serving breakfast, lunch, dinner and later evening food (at a location that has never been licensed by the SLA and was previously a print shop for the last 10 years) for a 600 sq ft premise occupying the ground floor on Kenmare Street between Mott and Mulberry Street (Lot# 480 / Block #33), there will be no sidewalk café and no backyard garden use, there will be 6 tables and 16 seats and 1 bar with no seats for a total of 16 seats with a proposed occupancy of 20 and a “Letter of No Objection” in lieu of a certificate of occupancy; and,

**Whereas**, the applicant stated the hours are 8:00 a.m. – 11:00 p.m. Sunday to Wednesday and 8:00 a.m. – 12:00 a.m. Thursday to Saturday, music is quiet background only generated from ipod/c.d.’s, there is existing sound proofing; and,

**Whereas**, though CB2 recognizes that the 500 ft rule does not apply to Beer and Wine license this application is for a location that has never been licensed before in an already heavily saturated area with over 30 existing licenses within 500 ft. and 5 licenses pending before the SLA within 500 feet; and

**Whereas**, there were 5 residents who spoke against this application stating concerns about the loss of retail stores that support the daily needs of the residents and a growing concern that every location on this street has or will become licensed and overwhelming traffic issues and other quality of life issues that only continue to grow with each newly licensed location; and,

**Whereas**, there were no residents or community speakers in support of this application; and,

**Whereas**, in exchange for CB#2, Man.'s support, the applicant agreed to execute a stipulations agreement with CB2 that they agreed would be attached and incorporated in to their method of operation on their SLA license to address community concerns stating that they will:

1. The hours of operation are 8:00 a.m. – 11:00 p.m. Sunday to Wednesday and 8:00 a.m. – 12:00 a.m. Thursday to Saturday.
2. There will be no benches outside on the sidewalk.
3. They will not have a sidewalk cafe.
4. They will not apply for Full OP license.
5. They will assist in maintaining a clean sidewalk and street.
6. There will not be any promoted events, including art openings.

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of a Beer and Wine license for **Jobs Landing, Inc., 62 Kenmare St. 10012.**

Vote: Unanimous, with 43 Board members in favor.

Brad Hoylman, Chair  
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NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**3. 218 LLC d/b/a Osteria Morini, 218 Lafayette St., 10013**

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

**Whereas**, this application is for the alteration of an existing on premise liquor license at 218 Lafayette to expand into the 2nd floor only of the adjacent building at 216 Lafayette which has never been licensed before; and,

**Whereas**, this is an Italian restaurant which currently is located in an approximately 2,424 sq. ft. premise at 218 Lafayette between Broome and Spring Streets. This original location has 97 seats and 1 bar with 15 seats, for a total of 112 seats, the proposed occupancy is 112, the maximum occupancy is 116; and,

**Whereas**, the alteration for this applicant will be adding approximately 1,081 sq. ft. premise at 216 Lafayette's 2nd floor with 4 tables and 40 seats and 1 service bar, the purposed occupancy is 40 persons but the maximum occupancy is currently unknown; and,

**Whereas**, if approved, this alteration would now be licensing a total of 3,506 sq. ft. with 137 seats and 1 bar with 15 seats and 1 service bar; and,

**Whereas**, the applicant stated the hours of operation for the entire space will be 11:30 a.m. – 11:00 p.m. Sunday to Wednesday and 11:30 a.m. – 1:00 a.m. Thursday through Saturday, there will still be no sidewalk café and no backyard use, music is quiet background only generated from ipod/c.d.'s, there is an existing sound proofing plan; and,

**Whereas**, the applicant's operations exceeded the maximum occupancy in the existing space illegally for nearly a year before securing their Public Assembly Permit #120606013 which was issued on March 13, 2012 allowing for occupancy for more than 74 persons and as recently as January 6, 2012 was issued an Environmental Control Board Violation #34924394N which remains noted as "no compliance recorded" which indicates "Occupancy contrary to that allowed by the cert of occupancy. illegal occupancy noted: cellar occupied as food preparation accessory kitchen to the first floor kitchen, restaurant office walk in refrigerator with"; and,

**Whereas**, the Certificate of Occupancy in the proposed expansion area has not been corrected to show the increase in occupancy and should be done before any alteration to the existing license is approved; and,

**Whereas**, the "Use Group" for the 2nd floor at 216 Lafayette needs to be clarified; and,

**Whereas**, this applicant is still attempting to increase the operations again by also acquiring a NYC Board of Standards and Appeals Variance for the ground floor of 216 Lafayette but the ground floor of 216 Lafayette is not included as a part of this application; CB#2, Man. also recommended denial to the NYC BSA for the variance request; and,

**Whereas**, members of the community expressed concerns that this alteration application was an effort by the applicant to circumvent zoning laws by expanding into an adjacent building through the use of currently non-existing openings into an adjacent location through stairwells to access space that otherwise would not be available to them and furthermore expressed significant concerns that the expansion via circuitous routes is contrary to the public interest and benefit because while there are some existing licensed premises that are housed in multiple connected buildings, this is not the norm and the result is licensed premises that are beyond the scope, size and scale of what neighborhoods were designed to accommodate and the vision of what the existing zoning laws anticipated and furthermore the increase in size was comparable to adding another licensed establishment without meeting the same requirements that a "new" licensee would have to meet in regards to establishing the public interest and benefit as outlined in the "500 ft. rule"; and,

**Whereas**, this is an applicant who continues to ignore the requests of the community and antagonizes their neighbors who have collected a petition with 221 residents all in opposition to this huge expansion in a heavily saturated neighborhood; and,

**Whereas**, during this hearing there were 10 community members who spoke in opposition of this expansion, 21 letters in opposition were submitted, and a petition with 221 signatures in opposition was presented, there were no community members who spoke in support; and,

**Whereas**, the applicant submitted a petition in support of this expansion with 75 signatures without addresses or contact information and is dated August 2011; and,

**Whereas**, this alteration application would result in an area that would often be used for private functions and as a result would impact significantly the already existing traffic issues in the immediate vicinity by servicing large numbers of guest arriving and departing at the same time, including the high likelihood of idling private for hire vehicles; and,

**Whereas**, CB#2, Man. respectfully request that this alteration application be heard at a 500 ft rule hearing because this alteration includes expansion into an adjoining building which has not previously been licensed and because it will be in effect be a new license in a separate building in an area with at least 19 existing licensed premises and several pending licenses; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends **denial** to the alteration of an on-premise liquor license for **218 LLC d/b/a Osteria Morini, 218 Lafayette St., 10013.**

Vote: Passed, with 32 Board members in favor, and 11 in opposition (W. Bray, D. Collins, C. Dawson, M. Derr, S. Greene, R. Lee, E. Ma, F. Morellet, J. Paul, R. Sanz, W. Schlazer).

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June 15, 2012

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 May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**4. Corner Shop, LLC d/b/a Corner Shop Café/ The Vault at Pfaff's, 643 Broadway 10012**

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

**Whereas**, this application is to request a change in the hours of operation; and,

**Whereas**, this application is for the alteration of their full On Premise Liquor licenses #1243820 and #1243821 in a mixed use building (Block# 00532 / Lot# 25) on the corner of Broadway and Bleecker for a 4,325 s.f. restaurant and bar/lounge with a total between the ground floor and basement of 39 tables and 130 seats, 2 bars and 18 seats and a maximum legal capacity of 299 persons; and,

**Whereas**, the applicant stated the hours of operation are:

Restaurant (1<sup>st</sup> Floor)

Monday – Wednesday from 11:00 a.m. to 11:00 p.m.

Thursday and Friday 11:00 a.m. to 12:00 a.m.

Saturday from 10:00 a.m. to 12:00 a.m.

Sunday from 10:00 a.m. to 10:00 p.m.

Lounge (Basement)

Sunday – Thursday from 6:00 p.m. to 12:00 a.m.

Friday and Saturday from 6:00 p.m. to 2:00 a.m.

**Whereas**, the new proposed hours of operation would be:

Restaurant (1st Floor)

Monday – Wednesday from 7:00 a.m. to 11:00 p.m.

Thursday and Friday 7:00 a.m. to 12:00 a.m.



Saturday from 7:00 a.m. to 12:00 a.m.

Sunday from 7:00 a.m. to 10:00 p.m.

Lounge (Basement)

Sunday – Thursday from 6:00 p.m. to 2:00 a.m.

Friday and Saturday from 6:00 p.m. to 2:00 a.m.

**Whereas**, the applicant has signed a Stipulation Agreement with CB#2, Man. that there are no other changes to the daily operations of this establishment and that changes of the hours of operation are amended in the Memorandum of Understanding that was signed by the applicant and the community and that all previous stipulations within the Memorandum of Understanding are still active;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial to the alteration of the full on-premise licenses for **Corner Shop, LLC d/b/a Corner Shop Café/ The Vault at Pfaff's, 643 Broadway 10012** unless the statements the applicant has presented are accurate and that those conditions and stipulations agreed to by the applicant relating to the 6<sup>th</sup> “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 43 Board members in favor.

Brad Hoylman, Chair  
Bo Riccobono, First Vice Chair  
Alison Greenberg, Second Vice Chair  
Bob Gormley, District Manager



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

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June 11, 2012

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 May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**5. Lignoranti, LLC d/b/a Oficina Latina, 24 Prince St., 10012**

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

**Whereas**, this is an application for the alteration to the full service Pan-South American restaurant to add a sidewalk café with 2 tables and 4 seats; and,

**Whereas**, this application is for the alteration of a Full OP license in a mixed-use building (block #493 and lot #16) on Prince Street between Elizabeth and Mott Street for a 1,500 s.f. restaurant with 22 tables and 44 seats, 1 dinning counter with 10 seats, 1 banquette with 16 seats, 1 bar with 9 seats, and a maximum legal capacity of 103 persons (after all permits are received from the NYC DOB); and to add a sidewalk café that includes 2 tables and 4 chairs, there is no use of the backyard garden; background music only; and,

**Whereas**, the applicant stated the hours of operation are Sunday through Saturday from 11:00 a.m. to 1:00 a.m. 7 days a week; and,

**Whereas**, the following stipulations are still active with this license:

1. Hours of operation will now be 11:00 a.m. to 1:00 a.m. 7 days a week and NO LATER.
2. They will run this establishment as a restaurant.
3. They will not operate as a Disco/Nightclub/Bar.
4. They will not apply for a Cabaret License and no dancing will be allowed.
5. They will never be any use of the backyard for any reasons at all.
6. They will close all doors and windows by 10:00 p.m.
7. There will be no live music, no DJ's, no promoted events, no performances.
8. There will be no signs on the sidewalk.
9. The applicant will not allow occupancy of over 74 people until all the proper building department permits and certificates of occupancy and public assembly permits are in place.

**Whereas**, the community did agree to these stipulations but are very concerned about the enforcement of these stipulations;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends the **approval** to the alteration of the Full OP license for **Lignoranti, LLC d/b/a Oficina Latina, 24 Prince St, NYC** provided that all the stipulations agreed to in this resolution in the 5th Whereas clauses are incorporated into the “Method of Operation”;

**THEREFORE BE IT FURTHER RESOLVED** that CB#2, Man. request that the SLA attempt to keep a strict enforcement of the stipulations.

Vote: Unanimous, with 43 Board members in favor.

Brad Hoylman, *Chair*  
Bo Riccobono, *First Vice Chair*  
Alison Greenberg, *Second Vice Chair*  
Bob Gormley, *District Manager*



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

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June 15, 2012

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 May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**6. Shinon, Inc., 37 Kenmare St. 10012**

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

**Whereas**, this application is for a new beer and wine license for a location that has never been licensed before to the new owners that will be running a very small family style Japanese restaurant serving traditional Japanese Soba; and,

**Whereas**, this application for the a Beer and Wine License is in a mixed-use building (block #479 and lot #26) on Kenmare Street between Mott and Elizabeth Street for a 1,280 s.f. restaurant ( 640 sq. ft. on ground floor and 640 sq. ft. in basement which will not have customer service) with 8 tables and 29 seats, 1 bar with 13 seats, for a total occupancy of 42 and a maximum legal capacity of 74 persons; there will be no sidewalk café and no use of a backyard garden; background music only; and,

**Whereas**, 6 community members spoke against this application stating again that this is a highly saturated neighborhood who is loosing all their businesses that support the residents in this neighborhood to yet another location with a SLA license; and,

**Whereas**, the applicant submitted a petition with over a 100 signatures in support, but it should be noted that the petition had no other information other than the fact that it would be a Japanese restaurant similar to their existing location at 61 Delancey St. and that many of the signatures were not from within the neighborhood where this restaurant would be located; and,

**Whereas**, the applicant runs a similar establishment located at 61 Delancey St. which is licensed for Restaurant Wine, SLA Serial Number 1251442; and,

**Whereas**, the applicant executed a stipulations agreement that they agreed would be attached and incorporated in to their method of operation on their existing SLA license stating that:

1. The hours of operation for are Sunday through Saturday from 12:00 p.m. to 11:00 p.m. The premise will be closed and no customers present at the end of the hours of operation.
2. The applicant will not operate a backyard garden or sidewalk café nor seek a DCA sidewalk café license.
3. The applicant will operate a full service restaurant only.
4. The applicant will not operate as a Night Club or Disco.
5. The applicant waives all rights to seek a full on-premise license at any future date.
6. The applicant will not seek extended hours of operation.
7. The applicant will not place any benches outside in front of the establishment.
8. There will be no customer use of the basement.

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends **denial** to a Beer and Wine license for **Shinon, Inc., 37 Kenmare St. 10012**, **unless** those conditions and stipulations agreed to by the applicant relating to the 6<sup>th</sup> “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 43 Board members in favor.

Brad Hoylman, Chair  
Bo Riccobono, First Vice Chair  
Alison Greenberg, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, Treasurer  
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Dear Mr. Christian:

At its Full Board meeting on May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**7. Uncle Boons, LLC, 7 Spring Street 10012**

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

**Whereas**, this application is for the transfer of an existing beer and wine license SLA serial number 1245028 to the applicant who will be running a neighborhood restaurant that focuses on authentic Thai Cuisine and street cart specialties; and,

**Whereas**, this application for the transfer of a Beer and Wine License is in a mixed-use building (block #492 and lot #42) on Spring Street between Bowery and Elizabeth Street for a 2,000 s.f. restaurant with 18 tables and 60 seats, 1 bar with 8 seats, and currently a maximum legal capacity of 35 persons (applicants have filed with the DOB to increase occupancy to 68); there will be no sidewalk café and no use of a backyard garden; background music only; and,

**Whereas**, this application is also for an increase in occupancy of the existing license from 35 persons to at least 68 persons proposed after the transfer of the license to this applicant; and,

**Whereas**, the applicant executed a stipulations agreement that they agreed would be attached and incorporated in to their method of operation on their existing SLA license stating that:

1. The hours of operation are Sunday to Thursday from 11:00 a.m. to 11:00 p.m. and Friday to Saturday from 11:00 a.m. to 1:00 a.m. The premise will be closed and no customers present at the end of the hours of operation.
2. The applicant will not operate a backyard garden or sidewalk café.
3. The applicant will operate a full service restaurant only.
4. All windows and doors will be closed at 9:00 pm.
5. Applicant will obtain all necessary permits including but not limited to a revised Certificate of Occupancy.

**Whereas**, CB#2 Man. specifically requests that the NY SLA not issue any license until the applicant is able to demonstrate through providing the NY SLA with appropriate documentation of either a Certificate of Occupancy or a Letter of No Objection from the NYC DOB indicating occupancy of at least 68 persons.

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends **denial** to the proposed transfer of the licensed premise for **Uncle Boons, LLC, 7 Spring Street 10012 (SLA Serial # 819887)**, **unless** those conditions and stipulations agreed to by the applicant relating to the 5<sup>th</sup> “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 43 Board members in favor.

Brad Hoylman, Chair  
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Dear Mr. Christian:

At its Full Board meeting on May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**8. Temple Bar, Inc. d/b/a Temple Bar, 332 Lafayette St. 10012**

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

**Whereas**, this application is for the Corporate Change of an existing Full On Premise license number 1025106 for a cocktail lounge serving food that has been operating since the 1980's; and,

**Whereas**, this application is located in a mixed-use building (block #522 and lot #7501) on Bleecker Street aka 330-332 Lafayette for a 1,970 s.f. lounge ( 1,735 sq. ft. on ground floor and 235 sq. ft. on the mezzanine) with 19 tables and 47 seats, 1 bar with 12 seats, for a total occupancy of 59 and a maximum legal capacity of 135 persons; there is no sidewalk café and no use of a backyard garden; background music only; and,

**Whereas**, the applicant stated the hours of operation are Monday through Thursday from 5:00 p.m. to 1:00 a.m. and Friday to Saturday from 5:00 p.m. to 2:00 a.m. and closed on Sunday; and,

**Whereas**, the applicant was owner of 80% of the business and will now own 100%; and,

**Whereas**, the applicant states there have been no changes in the method of operation; and,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends **approval** to the Corporate Change of the Full On Premise license for **Temple Bar, Inc. d/b/a Temple Bar, 332 Lafayette St. 10012**.

Vote: Unanimous, with 43 Board members in favor.



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Dear Mr. Christian:

At its Full Board meeting on May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

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

**9. Corp, to be formed/Nikhil Jain, TBD, 128 Elizabeth St. 10013**

**Whereas**, prior to this months CB2 SLA Licensing Committee meeting on May 8th, 2012, the applicant's attorney requested a layover and will resubmit the application at a future CB2 SLA Licensing Committee meeting; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **Corp, to be formed/Nikhil Jain, TBD, 128 Elizabeth St. 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.

Brad Hoylman, Chair  
Bo Riccobono, First Vice Chair  
Alison Greenberg, Second Vice Chair  
Bob Gormley, District Manager



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

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June 15, 2012

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 May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**10. 161 Mulberry St. Restaurant, LLC, TBD, 161 Mulberry St. 100013**

**Whereas**, prior to this months CB2 SLA Licensing Committee meeting on May 8th, 2012, the applicant's attorney requested a layover and will resubmit the application at a future CB2 SLA Licensing Committee meeting;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **161 Mulberry St. Restaurant, LLC, TBD, 161 Mulberry St. 100013** 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.

Brad Hoylman, Chair  
Bo Riccobono, First Vice Chair  
Alison Greenberg, Second Vice Chair  
Bob Gormley, District Manager



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

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June 15, 2012

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 May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**11. Eytan Sugarman or Corp. to be formed, TBD 157 Bleecker St. 10012**

**Whereas**, prior to this months CB2 SLA Licensing Committee meeting on May 8th, 2012, the applicant's attorney requested to withdraw the application from consideration; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **Eytan Sugarman or Corp. to be formed, TBD 157 Bleecker 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.

Brad Hoylman, *Chair*  
Bo Riccobono, *First Vice Chair*  
Alison Greenberg, *Second Vice Chair*  
Bob Gormley, *District Manager*



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

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June 15, 2012

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 May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**12. 151 Bleecker, LLC d/b/a Red Lion, 151-153 Bleecker St. 10012**

**Whereas**, prior to this months CB2 SLA Licensing Committee meeting on May 8th, 2012, the applicant's attorney requested a layover and will resubmit the application at a future CB2 SLA Licensing Committee meeting; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **151 Bleecker, LLC d/b/a Red Lion, 151-153 Bleecker 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.

Brad Hoylman, Chair  
Bo Riccobono, First Vice Chair  
Alison Greenberg, Second Vice Chair  
Bob Gormley, District Manager



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

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June 15, 2012

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 May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**13. Pear Tree Café Corp. d/b/a Buskers, 92 W. Houston St.**

**Whereas**, prior to this month's CB2 SLA Licensing Committee meeting on May 8th, 2012, the applicant's attorney requested to withdraw the application from consideration; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **Pear Tree Café Corp. d/b/a Buskers, 92 W. Houston St.** 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.

Brad Hoylman, Chair  
Bo Riccobono, First Vice Chair  
Alison Greenberg, Second Vice Chair  
Bob Gormley, District Manager



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

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June 15, 2012

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 May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**14. Moo Kambika, Inc. d/b/a Marsala Times, 194 Bleecker St. 10012**

**Whereas**, prior to this months CB2 SLA Licensing Committee meeting on May 8th, 2012, the applicant's attorney requested a layover and will resubmit the application at a future CB2 SLA Licensing Committee meeting;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **Moo Kambika, Inc. d/b/a Marsala Times, 194 Bleecker 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.

Brad Hoylman, Chair  
Bo Riccobono, First Vice Chair  
Alison Greenberg, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, Treasurer  
Susan Kent, Secretary  
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June 15, 2012

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 May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**15. David Ruggerio or Bomboloni, 337 W. Broadway 10013**

**Whereas**, prior to this months CB2 SLA Licensing Committee meeting on May 8th, 2012, the applicant's attorney requested a layover and will resubmit the application at a future CB2 SLA Licensing Committee meeting;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **David Ruggerio or Bomboloni, 337 W. Broadway 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.

Brad Hoylman, Chair  
Bo Riccobono, First Vice Chair  
Alison Greenberg, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, Treasurer  
Susan Kent, Secretary  
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June 15, 2012

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 May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**16. Entity to be formed by Michael Touchard, TBD, 369 Broome St. 10013**

**Whereas**, at this months CB2 SLA Licensing Committee meeting on May 8th, 2012, the applicant and the applicant's attorney requested a layover for this new beer and/or wine license and will resubmit the application at a future CB2 SLA Licensing Committee meeting;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **Entity to be formed by Michael Touchard, TBD, 369 Broome St. 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.



Brad Hoylman, Chair  
Bo Riccobono, First Vice Chair  
Alison Greenberg, Second Vice Chair  
Bob Gormley, District Manager



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

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June 15, 2012

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 May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**17. New Tu Do Restaurant Corp. d/b/a New Tu Do Restaurant, 102 Bowery**

**Whereas**, prior to this months CB2 SLA Licensing Committee meeting on May 8th, 2012, the applicant's attorney requested a layover and will resubmit the application at a future CB2 SLA Licensing Committee meeting;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **New Tu Do Restaurant Corp. d/b/a New Tu Do Restaurant, 102 Bowery** 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.

Brad Hoylman, Chair  
Bo Riccobono, First Vice Chair  
Alison Greenberg, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, Treasurer  
Susan Kent, Secretary  
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June 15, 2012

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 May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**18. Ambleside Partners, LLC d/b/a Pravda, 281 Lafayette St. (Prince and Jersey Lane), NYC**

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

**Whereas**, this application is for an alteration to an existing On Premise license in a mixed use building on Lafayette Street between Prince Street and Jersey Lane for a 2,400 s.f. Russian bar/restaurant with 85 table seats and 2 bars with 20 bar seats with a maximum legal capacity of 117 persons; **to expand into the adjacent ground floor retail space adding 54 table seats and 1 bar with 20 bar seats; and,**

**Whereas**, the applicant stated the proposed hours of operation for the ground floor space are Sunday through Wednesday from 12:00 p.m. to 1:00 a.m., Thursday from 12:00 p.m. to 2:00 a.m. and Friday and Saturday from 12:00 p.m. to 3:00 a.m.; there will not be a sidewalk café application and no backyard garden; music is iPod/CDs at background levels only; and,

**Whereas**, the applicant has agreed to the following stipulations:

1. The applicant has agreed to reduce its operating hours to 1:00 a.m. closing from Sunday through Wednesday, 2:00 a.m. on Thursdays and 3:00 a.m. closing from Fridays and Saturdays.
2. The applicant will obtain all required certificates, permits and related documents including a Place of Assembly Permit from NYC Department of Buildings prior to opening the establishment.
3. The applicant has agreed to operate the combined spaces under one DBA, Pravda.
4. The applicant has agreed to play background music only.

**Whereas**, the applicant had reached out to members of the community; and,

**Whereas**, the committee requested the applicant to reach out to its nearby residents but only received 1 letter of support from a resident; and,

**Whereas**, the committee recognized the good intentions of the principals but voiced strong concerns with licensing a storefront, which has never carried an On Premise liquor license without residential support and the lack of some operational details which did not clearly indicate whether or not a focus of the newly acquired space would have a significant later evening component; and,

**Whereas**, the committee also expressed concerns that one of the focuses of the existing basement space is on later evening business with a d.j. which has minimal impact in its current location out of view of the street in the basement but would now be brought to the street level accompanied by moving a bar that only sat several people in the past which would now become a 21 seat bar that runs the length of the newly acquired space with seating located in the front ground floor level window which would create a significant street presence in later evening hours; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends **DENIAL** of the Alteration to an existing On Premise license for **Ambleside Partners, LLC d/b/a Pravda, 281 Lafayette St.**

Vote: Unanimous, with 43 Board members in favor.

Brad Hoylman, *Chair*  
Bo Riccobono, *First Vice Chair*  
Alison Greenberg, *Second Vice Chair*  
Bob Gormley, *District Manager*



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

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June 15, 2012

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 May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**19. Mascalzone NYC, LLC, Il Mascalzone, 33 Greenwich Ave. (at West 10<sup>th</sup> Street), NYC**

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

**Whereas**, this application is for a new On Premise license in a mixed use building at the corner of Greenwich Avenue and West 10<sup>th</sup> Street in a 2,500 s.f. restaurant with 60 table seats and 1 bar with 4 bar seats with a maximum legal capacity of 74 persons; and,

**Whereas**, the applicant stated the hours of operation are Sunday through Thursday from 11:00 a.m. to 12:00 a.m. and Friday and Saturday from 11:00 a.m. to 2:00 a.m.; there will be a sidewalk café application but no backyard garden; music will be iPod/CDs at background levels; and,

**Whereas**, the applicant has agreed to the following stipulations:

1. The applicant will limit its hours of operation by closing at 1:00 a.m. Sundays and Mondays, 2:00 a.m. on Tuesdays and Wednesdays and 3:00 a.m. Thursdays through Saturdays.
2. The applicant will obtain all required certificates, permits and related documents including a revised Certificate of Occupancy.
3. The applicant will direct staff to monitor the patrons of the establishment who are gathered outside the establishment. Staff will direct such persons or traffic going to and from the establishment.
4. The applicant will have a General Manager on duty at all times.
5. The applicant will play quiet, background level music inside the establishment. The applicant shall not permit DJs, live music or outside promoters in the establishment except by permit.
6. The applicant shall hire a certified acoustical consultant to make recommendations such that the establishment will meet or exceed the current NYC noise code guidelines for residential areas.
7. The applicant agrees to waive the right to set up a sidewalk café prior to March, 2013.

8. The applicant will construct a double door vestibule to reduce the amount of noise that may escape onto the sidewalk.
9. The applicant will not permit any doors or windows to remain open prior to the opening of the establishment.
10. The applicant will store all garbage at the establishment inside closed garbage containers which will be kept in the backyard of the establishment.
11. The applicant will not install signage on or within the establishment that will be lit by neon lighting.
12. The applicant will not attempt to steer the public from the sidewalk into the establishment.
13. The applicant will notify CB2 Manhattan in the event of a change of ownership.
14. The applicant will make available a General Manager or Manager to attend monthly meetings as requested with representatives of the community during the first six months of operation and quarterly thereafter.

**Whereas**, the applicant has executed a stipulations agreement with CB2, which all stipulations will be incorporated into their Method of Operation; and,

**Whereas**, the applicant reached out to neighboring residents prior to the hearing involving detailed discussions regarding the method of operation and other areas of concern and executed a stipulations agreement with the community as indicated above; and,

**Whereas**, the applicant submitted a petition with over 60 signatures in support; and,

**Whereas**, a few residents appeared in support of the application subject to the applicant agreeing to all the stipulations; a

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends **DENIAL** of an On Premise license for **Mascalzone NYC, LLC, II Mascalzone, 33 Greenwich Ave. UNLESS ALL** conditions agreed to by applicant relating to the fourth “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 43 Board members in favor.

Brad Hoylman, Chair  
Bo Riccobono, First Vice Chair  
Alison Greenberg, Second Vice Chair  
Bob Gormley, District Manager



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

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June 15, 2012

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 May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**20. Lucky 13 Associates, LLC, d/b/a Catch, 21-27 Ninth Avenue (at West 13<sup>th</sup>), NYC**

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

**Whereas**, this application is for an alteration to an existing On Premise license in a commercial building on the corner of Ninth Avenue and West 13<sup>th</sup> streets for a 12,000 s.f. Seafood restaurant d/b/a Catch with 293 table seats and 3 bars with 39 bar seats with a maximum legal capacity of 332 persons; **to add 50 table seats in an outdoor dining terrace, removing 30 table seats inside the lounge while converting the 4<sup>th</sup> Floor into a Sushi driven establishment;** and,

**Whereas**, the applicant stated the current hours of operation for the 4<sup>th</sup> Floor only are seven days a week from 5:00 p.m. to 4:00 a.m.; there is no sidewalk café and no backyard garden; music is DJ and iPod/CDs at background levels only; the proposed closing for the outdoor dining terrace is 11:00 p.m. Sunday to Wednesday and 12:00 a.m. from Thursday to Saturday with no music.

**Whereas**, the applicant has been operating for over 8 months without any issues; and,

**Whereas**, the applicant was previously approved by this Community Board by a vote of 19 to 17 for this previously unlicensed space while agreeing to over 15 stipulations; All stipulations have been satisfied by the applicants since operating this establishment; and,

**Whereas**, the applicant had agreed as one of the initial original stipulations, #5, that “there will be no service whatsoever to the outdoor space/terrace on the 4th floor. The applicant has agreed to eliminate the proposed 4th floor terrace from the proposed establishment” but did not waiver their rights to operate the outdoor terrace in the to not incorporate the outdoor terrace and rooftop in its original application but did not waive their rights to operate the outdoor terrace in the future; and,

**Whereas**, the applicant had reached out to members of the community including walking them through the proposed outdoor space; and,

**Whereas**, the several members of the community voice strong concerns with the proposed outdoor dining terrace; citing concerns that it would create the wrong precedent with outdoor spaces in a saturated neighborhood; stating that the applicant was supported by the Community Board including a very close vote with the understanding that the outdoor space would not be used and that 8 months after opening was premature to discuss adding an outdoor component to this location when the operator has not run the establishment through at least one full year of operation to assess the impact of this new large restaurant in an area that already suffers from significant quality of life issues and the resulting impact on the surrounding residential community; and,

**Whereas**, the applicant had hired a professional, licensed Acoustician to run sound test emanating from the proposed 4<sup>th</sup> Floor outdoor dining terrace; the study/test (with loudspeaker to reproduce 50 patrons) indicated that the noise could not be heard on the street while complying with NYC Noise Code standards; and,

**Whereas**, the applicant has agreed to the following stipulations:

1. The applicant will reduce its operating hours by closing the dining terrace at 11:00 p.m. from Sunday to Wednesday and 12:00 a.m. from Thursday to Saturday.
2. The applicant will operate the outdoor space as a dining terrace only. Patrons will only be allowed to dine in the proposed area.
3. The applicant will continue to keep all doors and windows closed at all times while installing a vestibule for the door leading into the outdoor dining terrace.
4. The applicant will allow private events take place in the dining terrace.
5. The applicant will not allow any music played in the outdoor space.
6. The applicant will eliminate 30 seats from the interior lounge area.

**Whereas**, over 12 persons appeared to support the applicant including a few staff members and 3 appeared to oppose the application, over 8 individual emails were received in support and over 40 individual emails were received in opposition;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends **DENIAL** to the alteration of an On Premise license for **Lucky 13 Associates, LLC, d/b/a Catch, 21-27 Ninth Avenue**.

Vote: Passed, with 31 Board members in favor, and 12 in opposition (S. Aarons, W. Bray, R. Caccapolo, H. Campbell, C. Dawson, M. Derr, J. Kiely, R. Lee, F. Morellet, R. Sanz, W. Schlazer, R. Stewart).

Brad Hoylman, *Chair*  
Bo Riccobono, *First Vice Chair*  
Alison Greenberg, *Second Vice Chair*  
Bob Gormley, *District Manager*



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

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June 15, 2012

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 May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**21. Brass Monkey LLC, d/b/a Brass Monkey, 55 Little West 12<sup>th</sup> St. (10<sup>th</sup> Avenue and Washington St), NYC**

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

**Whereas**, this application is for an alteration to an existing On Premise license in a commercial building on Little West 12<sup>th</sup> Street between 10<sup>th</sup> Avenue and Washington Street with 97 table seats and 2 bars with 60 bar seats with a maximum legal capacity of 269 persons; **to expand into the adjacent building adding 52 table seats, 1 bar with 10 bar seats inside the establishment, 27 table seats in the proposed outdoor terrace and 6 table seats in the sidewalk cafe;** and,

**Whereas**, the applicant stated the current hours of operation in the existing building are seven days a week from 12:00 p.m. to 4:00 a.m.; music is iPod/CDs with no DJ's at background levels only with single musician live performances on Sundays from 5:00 p.m. to 8:00 p.m. only; the closing hours for the proposed alteration into the adjacent building is 4:00 a.m. seven days a week for the interior; 1:00 a.m. Sunday through Wednesday and 2:00 a.m. from Thursday to Saturday for the outdoor terrace; and 9:00 p.m. for the sidewalk café; and,

**Whereas**, the applicant had hired a professional, licensed Acoustician to run sound test emanating from the proposed outdoor terrace; the study/test (with loudspeaker to reproduce 75 patrons) indicated that the little noise could be heard from Highline Park but would comply with NYC Noise Code standards and additionally, the outdoor area is not in any sightline direct or indirect of residential units and furthermore the new Whitney Museum that is being built creates a significant barrier in the direction of the majority residential units in the area; and,

Whereas, the applicant has agreed to the following stipulations:

1. The applicant will reduce its operating hours for the outdoor terrace by closing at 1:00 a.m. from Sunday to Wednesday and 2:00 a.m. from Thursday to Saturday.



2. The applicant will reduce its operating hours for the sidewalk café by closing at 9:00 p.m. daily
3. The applicant will operate under one DBA, Brass Monkey.
4. The applicant will not allow any music played in the outdoor terrace

**Whereas,** the applicant had reached out to members of the community and had extensive conversations with those who were concerned about the expansion; and,

**Whereas,** the applicant submitted copies of over 250 individual emails in support from residents residing in the immediate area; and,

**Whereas,** over 50 persons from the immediate residential community appeared to support the applicant;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends **DENIAL** to an alteration of an On Premise license for **Brass Monkey LLC, d/b/a Brass Monkey, 55 Little West 12<sup>th</sup> St. UNLESS** ALL conditions agreed to by applicant relating to the fifth “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 43 Board members in favor.

Brad Hoylman, *Chair*  
Bo Riccobono, *First Vice Chair*  
Alison Greenberg, *Second Vice Chair*  
Bob Gormley, *District Manager*



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

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June 15, 2012

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 May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**22. Hamilton Road, LLC, 115 Greenwich Ave. (at Jane Street), NYC**

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

**Whereas**, this application is for an On Premise license in a mixed use building on Greenwich Avenue at Jane Street for a casual restaurant/café with 24 table seats and 1 bar with 12 bar seats and a maximum legal capacity of 74 persons; and,

**Whereas**, the applicant stated the hours of operation are Sunday through Wednesday from 7:00 a.m. to 1:00 a.m. and Thursday through Saturday from 7:00 a.m. to 2:00 a.m.; there will not be a sidewalk café application and no backyard garden; music is iPod/CDs at background and entertainment levels; and,

**Whereas**, the applicant had reached out to members of the community and submitted over 30 signatures in support; and,

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

**Whereas**, this committee has strong concerns with licensing a space that has never been licensed before for an informal café/bar concept which does not appear to qualify as a restaurant under ABC laws in a highly residential area, with a small electric convection kitchen located in a very small space at the end of the bar which would be very difficult to prepare foods as required for a restaurant, serving a very light food menu when many similar type businesses already exist in the area and as a result there are significant concerns that this will result in an alcohol driven concept and not a food driven concept and there were also concerns that the applicant lacked experience running a food driven restaurant; and,

**Whereas**, there are over 22 licensed full on-premise establishments within 500 feet and two pending licenses and a number of restaurant wine/beer licenses; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends **DENIAL** of an On Premise license for **Hamilton Road, LLC, 115 Greenwich Ave.**

Vote: Unanimous, with 43 Board members in favor.

Brad Hoylman, Chair  
Bo Riccobono, First Vice Chair  
Alison Greenberg, Second Vice Chair  
Bob Gormley, District Manager



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

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June 15, 2012

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 May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**23. Sway Lounge, LLC, 305 Spring St. (Hudson and Greenwich Streets), NYC**

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

**Whereas**, this application is for an alteration to an existing On Premise license for an upscale lounge in a mixed use building on Spring Street between Hudson and Greenwich Street for a 1,720 s.f. lounge with 110 table seats and 1 bar with no bar seats with a maximum legal capacity of 110 persons; **to enclose the backyard of the building with a permanent roof structure and add a service bar; and,**

**Whereas**, the applicant stated the current hours of operation are Thursday to Sunday from 10:00 p.m. to 4:00 a.m., there will not be a sidewalk café application and no backyard garden; music is Live DJ at entertainment levels only; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. has no objection to the alteration of an existing On Premise license for **Sway Lounge, LLC, 305 Spring St.**

Vote: Unanimous, with 43 Board members in favor.

Brad Hoylman, Chair  
Bo Riccobono, First Vice Chair  
Alison Greenberg, Second Vice Chair  
Bob Gormley, District Manager



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

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June 15, 2012

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 May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**24. VAP Union Square, LLC 113 University Pl. (West 13<sup>th</sup> Street), NYC**

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

**Whereas**, this application is for a Corporate Change filing with the SLA in a mixed use building at the corner of University Place at West 13<sup>th</sup> Street for a casual Italian restaurant; **to transfer 80% of ownership to from the current owner to the Franchise, Vapiano's; and,**

**Whereas**, the applicant stated no changes will be made to the previously approved Method of Operation; and,

**Whereas**, the applicant will abide to all the previously negotiated and agreed upon stipulations; and,

**Whereas**, the applicant has agreed to finish any ventilation work in order to correct outstanding Department of Buildings violations which have caused and continue to cause significant quality of life conditions for surrounding residential tenants;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends **DENIAL** of the Corporate Change to an existing On Premise license for **VAP Union Square, LLC 113 University Pl. UNLESS** the condition agreed to by applicant relating to the third through fifth "whereas" clauses above are incorporated into the "Method of Operation" on the SLA On Premise license.

Vote: Unanimous, with 43 Board members in favor.

Brad Hoylman, Chair  
Bo Riccobono, First Vice Chair  
Alison Greenberg, Second Vice Chair  
Bob Gormley, District Manager



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

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June 15, 2012

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 May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**25. Il Buco Vineria, LLC d/b/a Il Buco Alimentari & Vineria, 53 Great Jones St. (Bowery and Lafayette), NYC**

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

**Whereas**, this application is for an alteration to an existing On Premise license for an Italian restaurant located in a commercial building located on Great Jones between Bowery and Lafayette Street with 89 table seats and 2 bars with 24 bar seats and a maximum legal capacity of 125 persons; **to include 6 tables and 12 table seats for an unenclosed sidewalk cafe; and,**

**Whereas**, the applicant stated there are no plans to change the previously approved operation; the applicant stated the hours for the proposed sidewalk café are Sunday from 12:00 p.m. – 12:00 a.m., Monday through Thursday from 8:00 a.m. to 12:00 a.m. and Friday from 8:00 a.m. to 1:00 a.m. and Saturday from 9:00 a.m. to 1:00 a.m.; and,

**Whereas**, the applicant has agreed to the following stipulations:

1. The applicant will continue to patrol cars from idling in front of the establishment in order to provide proper clearance for the nearby Fire Station located across the street.
2. The applicant will not operate the sidewalk café until it has been approved by City Council.
3. The applicant will **not** exceed the previously approved seating capacity and plan by placing additional outdoor seats within the property line.

**Whereas**, several nearby residents appeared to express their concerns with the establishment; citing that the applicant hasn't satisfied the agreed upon stipulations from the original application/resolution; and

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial to the alteration of an On Premise license for **Il Buco Vineria, LLC d/b/a Il Buco Alimentari & Vineria, 53 Great Jones St.** unless those conditions agreed to by applicant relating to the fourth “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 (A. Hearn).

Brad Hoylman, Chair  
Bo Riccobono, First Vice Chair  
Alison Greenberg, Second Vice Chair  
Bob Gormley, District Manager



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

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June 15, 2012

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 May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**26. Corp. to be formed by Robert Kaufelt, TBD, 264 Bleecker St. (Leroy and Cornelia), NYC**

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

**Whereas**, this application is for a New Beer and Wine license in a mixed use building on Morton Street between Leroy and Cornelia Street for a 1,600 s.f. restaurant with 34 table seats and 1 bar with 14 bar seats with a maximum legal capacity of 74 persons; and,

**Whereas**, the applicant stated the hours of operation are seven days a week from 8:00 a.m. to 1:00 a.m.; there will not be a sidewalk café application and no backyard garden; music will be iPod/CDs at background levels; and,

**Whereas**, the applicant has agreed to the following stipulations:

1. The applicant will limit its hours of operation by closing by 1:00 a.m. seven days a week
2. The applicant will install proper soundproofing
3. The applicant will post a respect the neighbors type signage
4. The applicant will have a no smoking policy
5. The applicant will close all doors and windows by 10:00 p.m. daily or at all times when music is being played
6. The applicant will keep all refuse inside the establishment
7. The applicant will soundproof or baffle the ventilation system

**Whereas**, the applicant had reached out to members of the community; a petition was submitted with over 20 signatures; and,

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



**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends **DENIAL** of a Beer and Wine license for **Corp. to be formed by Robert Kaufelt, TBD, 264 Bleecker St.** **UNLESS ALL** conditions agreed to by applicant relating to the fourth “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Brad Hoylman, Chair  
Bo Riccobono, First Vice Chair  
Alison Greenberg, Second Vice Chair  
Bob Gormley, District Manager



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

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June 15, 2012

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 May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**27. Marie Arun Teas, Inc. d/b/a Bosie, 10 Morton St. (Bleecker St. and West 12<sup>th</sup> St.), NYC**

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

**Whereas**, this application is for a renewal of a Beer and Wine license in a mixed use building on Morton Street between Bleecker St. and 7th Ave. South for a 800 s.f. for an Italian restaurant with 30 table seats and 1 bar with 5 bar seats with a maximum legal capacity of 74 persons; and,

**Whereas**, the applicant stated the hours of operation are seven days a week from 12:00 p.m. to 12:30 a.m.; there will not be a sidewalk café application and no backyard garden; music is iPod/CDs at background levels only; and,

**Whereas**, a few members appeared in opposition from the community; citing noise issues emanating from employees walking on the metal staircase and,

**Whereas**, the applicant will install sound dampening materials on the metal staircase and will continue to monitor employees creating noise in the airshaft; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends **DENIAL** of a renewal to an existing Beer and Wine license for **Marie Arun Teas, Inc. d/b/a Bosie, 10 Morton St. UNLESS ALL** conditions agreed to by applicant relating to the fifth “whereas” clause above is incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 43 Board members in favor.

Brad Hoylman, Chair  
Bo Riccobono, First Vice Chair  
Alison Greenberg, Second Vice Chair  
Bob Gormley, District Manager



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

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June 15, 2012

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 May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**28. Mappamondo LLC d/b/a Mappamondo, 11 Abingdon Square, NYC.**

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

**Whereas**, this application is for a Corporate Change filing with the SLA in a mixed use building at the corner of Blecker St. and West 13<sup>th</sup> St. for a casual Italian restaurant; **to transfer 50% ownership to the current partner; and,**

**Whereas**, the applicant stated no changes will be made to the previously approved Method of Operation; and,

**Whereas**, the applicant will abide to all the previously negotiated and agreed upon stipulations;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends **APPROVAL** of the Corporate Change to an existing On Premise license for **Mappamondo LLC d/b/a Mappamondo, 11 Abingdon Square, NYC.**

Vote: Unanimous, with 43 Board members in favor.

Brad Hoylman, Chair  
Bo Riccobono, First Vice Chair  
Alison Greenberg, Second Vice Chair  
Bob Gormley, District Manager



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

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June 15, 2012

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 May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

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

**29. Nikoll Vataj or Entity to be formed, TBD, 59 5<sup>th</sup> Avenue**

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

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

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends **DENIAL** of an On Premise liquor license **Nikoll Vataj or Entity to be formed, TBD, 59 5<sup>th</sup> Avenue and requests that the SLA send this applicant back to CB2 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 43 Board members in favor.

Brad Hoylman, Chair  
Bo Riccobono, First Vice Chair  
Alison Greenberg, Second Vice Chair  
Bob Gormley, District Manager



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

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June 15, 2012

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 May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**30. Brio Bar Corp. d/b/a Bahr Che, 26 Astor Place**

**Whereas**, the applicant did not appear before the committee but withdrew their application; and,

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

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends **DENIAL** of any proposed liquor license to . **Brio Bar Corp. d/b/a Bahr Che, 26 Astor Place** until the applicant has presented their application in front of the CB2, Manhattan SLA Licensing Committee; and requests that the SLA send this applicant back to CB2, Manhattan should this application proceed directly to the SLA, in order that this important step not be avoided and the concerns of the community be fully heard.

Vote: Unanimous, with 43 Board members in favor.

Brad Hoylman, Chair  
Bo Riccobono, First Vice Chair  
Alison Greenberg, Second Vice Chair  
Bob Gormley, District Manager



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

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June 15, 2012

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 May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**31. 450 Hudson St. LLC, 450 Hudson St. 10014**

**Whereas**, the applicant did not appear before the committee but withdrew their application; and,

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

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends **DENIAL** of any proposed beer and wine license to **450 Hudson St. LLC, 450 Hudson St. 10014** until the applicant has presented their application in front of the CB2, Manhattan SLA Licensing Committee; and requests that the SLA send this applicant back to CB2, Manhattan should this application proceed directly to the SLA, in order that this important step not be avoided and the concerns of the community be fully heard.

Vote: Unanimous, with 43 Board members in favor.

Brad Hoylman, Chair  
Bo Riccobono, First Vice Chair  
Alison Greenberg, Second Vice Chair  
Bob Gormley, District Manager



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

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June 15, 2012

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 May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**32. JM Williams LLC, Buvette, 42-44 Grove St. 10014**

**Whereas**, the applicant did not appear before the committee but laid over their application; and,

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

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends **DENIAL** of any proposed alteration to a liquor license to **JM Williams LLC, Buvette, 42-44 Grove St. until the applicant has presented their application in front of the CB2, Manhattan SLA Licensing Committee; and requests that the SLA send this applicant back to CB2, Manhattan should this application proceed directly to the SLA, in order that this important step not be avoided and the concerns of the community be fully heard.**

Vote: Unanimous, with 43 Board members in favor.

Brad Hoylman, Chair  
Bo Riccobono, First Vice Chair  
Alison Greenberg, Second Vice Chair  
Bob Gormley, District Manager



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

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June 15, 2012

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 May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**33. Tokana Café Bar Restaurant, Inc. TBD, 163 Elizabeth St.**

**Whereas**, the applicant did appear before the committee but laid over their application; and,

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

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends **DENIAL** of a Beer and Wine license to **Tokana Café Bar Restaurant, Inc. TBD, 163 Elizabeth St. until the applicant has presented their application in front of the CB2, Manhattan SLA Licensing Committee; and requests that the SLA send this applicant back to CB2, Manhattan should this application proceed directly to the SLA, in order that this important step not be avoided and the concerns of the community be fully heard.**

Vote: Unanimous, with 43 Board members in favor.



Brad Hoylman, Chair  
Bo Riccobono, First Vice Chair  
Alison Greenberg, Second Vice Chair  
Bob Gormley, District Manager



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

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June 15, 2012

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 May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**34. Milan Licul/Corp to be formed d/b/a Delmonico's Café, 300 Spring St. 10013**

**Whereas**, the applicant did not appear before the committee but laid over their application; and,

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

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends **DENIAL** of a liquor license to **Milan Licul/Corp to be formed d/b/a Delmonico's Café, 300 Spring St. 10013** until the applicant has presented their application in front of the CB2, Manhattan SLA Licensing Committee; and requests that the SLA send this applicant back to CB2, Manhattan should this application proceed directly to the SLA, in order that this important step not be avoided and 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



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



Brad Hoylman, Chair  
Community Board #2, Manhattan

BH/fa

cc: Hon. Jerrold L. Nadler, Congressman  
Hon. Sheldon Silver, NY 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  
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

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COMMUNITY BOARD No. 2, MANHATTAN

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May 25, 2012

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 May 24, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**TOBSK, LLC, d/b/a McCoy, 89 MacDougal St., 10012 (Pending - SLA Serial Number: 1262874)**

**Whereas**, the applicant re-appeared for the third time before CB#2, Man.'s SLA Licensing Committee and did not present for the third time a completed CB#2, Man. questionnaire with supporting materials as required by CB#2, Man.; and,

**Whereas**, this application is for the transfer of an existing on-premise liquor license (previously MacDougal Bleecker Corp. Serial # 1147007) for the ground floor and basement of a mixed-use building located on MacDougal Street between Bleecker and W. Houston; for a 3,600 (1800 per floor) square foot premise with 22 tables and 58 seats (16 tables and 40 seats on ground floor and 6 tables and 18 seats in basement) and two bars with 16 seats ( 1 bar and 10 seats on ground floor and 1 bar and 6 seats in basement) for a total of 74 seats, the proposed occupancy for the premise is 74 people and the maximum legal occupancy which is undetermined because there was no supporting document such as a Certificate of Occupancy that specifically includes the basement space; there is no backyard use, but there will be a sidewalk café which is not included in this application; and,

**Whereas**, the hours of operation will be Sunday through Saturday from 10 a.m. to 2:00 a.m., music will be quiet **and** entertainment levels generated by an iPod system as well as live music in the basement which will also be connected to the sound system for both the basement and the ground floor, there will be no D.J. there will be no promoted events, no outside promoters, but **will have events for which a cover fee is charged in the basement area only** and there may be private parties; and,

**Whereas**, this applicant originally appeared in March of 2012 and was unprepared and CB#2, Man.'s SLA Committee requested they lay over until the next month. There was little to no community outreach and the operation was unclear and poorly formulated. In April 2012 the applicant appeared with a similar application but still not prepared to explain the use of the basement space and how the additional entrance/exit for the basement space would be used, the applicant subsequently verbally

agreed not to use the basement space and would come before CB#2, Man. when they could present a better formulated plan for the basement and provide completed floor plans and related materials that would be filed with the NYC Department of Buildings indicating the proposed occupancy as well as a specific and complete method of operation for the basement area and proof that they had also discussed this with the community and neighborhood associations. CB#2, Man. still recommended denial. Now this applicant is applying again **with** use of basement space which will include live musical performances even though CB#2, Man. has already recommended the denial of this transfer and,

**Whereas**, this applicant owns and operates a beach bar style establishment in Long Beach, NY which does not appear to be run as a true restaurant. The concern of the community is that this application, which is in a highly residential and over-saturated neighborhood, has principals with NO history of running an upscale restaurant which includes a live music component for which a cover charge may be utilized and has changed the business plan each time they have come before CB#2, Man. and have yet to provide a complete and thorough business plan including a detailed method of operation, indicating that they are unprepared to operate responsibly in a residential neighborhood; and,

**Whereas**, there is significant concern that the applicant will have a live music component in a basement lounge area which the applicant stated there may be a cover charge for, would be limited to a maximum of three musicians, but on the basement floor plans/layout the applicant was unable to show where three musicians could be accommodated, there is no dedicated stage or other area and the area indicated at the meeting at best could accommodate one musician in what appears to be an egress corridor; and,

**Whereas**, several members of the local neighborhood association, the Bleecker Area Merchants' and Residents' Association (BAMRA), appeared at the meeting and indicated that while there was a resolution in support of the applicant from their group, a few members indicated that they were concerned and no longer supported the resolution because there appeared to be significant changes in some of the components of the presentation made to their group and because the applicant was still not clear on the method of operation of the basement and indicated that they may charge a cover fee which would be a very different style of establishment than was originally understood when the applicant presented to BAMRA, however, no alternate resolution was presented and it was unclear if the position of BAMRA had changed; and,

**Whereas**, several members of the public highlighted several violations at the venue which the applicant also appears to be a principal, TRK Pub, Inc., SLA Serial #1200992, and raised concerns in relation to those violations, the applicant's attorney indicated that the applicant was not a principal at the time the violations were issued, but it remained unclear when he became a principal; and,

**Whereas**, the applicant was prepared to execute a stipulations agreement that they agreed would be attached and incorporated into their method of operation on their SLA license stating that:

1. The hours of operation will be Sunday through Saturday from 10 a.m. to 2:00 a.m. and will be closed at 2:00 a.m.
2. The applicant will not seek a sidewalk café until CB#2, Man. and its Sidewalks Committee has approved the proposed plans including seating arrangements.
3. The applicant will obtain all required certificates, permits and related documents including a letter of no objection or Certificate of Occupancy from NYC Department of Buildings covering the entire premise prior to opening the establishment.
4. The applicant will not operate any Televisions or Projectors
5. The applicant has agreed to operate as a Restaurant Only.
6. The applicant has agreed to keep the kitchen open until closing.
7. The applicant has agreed to hire a security person every night.

8. The applicant has agreed that they will have only live jazz music in the basement and music at all other times would be at quiet background levels only.
9. The applicant has agreed that they will operate the entire establishment under one name only – McCoy.

**Whereas**, there are **41 licensed premises** within 500 ft. of the proposed premise and CB#2, Man. is aware that this location has been previously licensed but does not feel an application such as this warrants approval and request a 500 ft ruling; and,

**Whereas**, CB#2, Man. also requests that the NY State Liquor Authority also review and verify whether this location complies with the “200 ft. rule” in relation to the Little Red School House ([www.lrei.org](http://www.lrei.org)) located at 272 Sixth Avenue at the corner of Bleecker St. which occupies more than one building including 196-198 Bleecker Street and 272-276 Sixth Avenue aka 200-202 Bleecker St.

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends **denial** for the transfer of an on-premise liquor license to **TOBSK, LLC, d/b/a McCoy, 89 MacDougal St., 10012.**

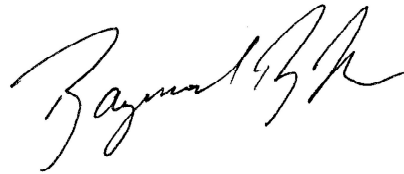
Vote: Unanimous, with 43 Board members in favor.

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



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



Brad Hoylman, Chair  
Community Board #2, Manhattan

BH/fa

cc: Hon. Jerrold L. Nadler, Congressman  
Hon. Sheldon Silver, NY 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  
Pauline Yu, CAU  
Kerri O'Brien, Deputy Commissioner of Licensing NY State Liquor Authority  
Michael Jones, Deputy Chief Executive Officer, NY State Liquor Authority  
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