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Bob Gormley, *District Manager*



Erin Roeder, *Treasurer*  
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## COMMUNITY BOARD No. 2, MANHATTAN

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NEW YORK, NY 10012-1899

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May 27, 2010

Mr. Dane 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 May 20, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

### **1. New Organico, Inc., d/b/a Café Organico, 89 7<sup>th</sup> Ave. So. (Barrow and Grove Streets), NYC**

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

**Whereas**, this application is for an upgrade from a Beer and Wine license to an On Premise license in a mixed use building on 7<sup>th</sup> Avenue South between Barrow and Grove streets for a 500 s.f. Italian restaurant with 14 table seats, 1 bar with 6 seats, and a maximum legal capacity of 20 persons; and,

**Whereas**, the applicant stated there are no plans to change the existing method of operation; the hours of operation for the restaurant are Sunday – Thursday from 8:00 a.m. – 1:00 a.m. and Friday and Saturday from 8:00 a.m. – 2:00 a.m.; there is a sidewalk café (30 table seats) but no backyard garden; music is background only; and,

**Whereas**, the applicant has been operating with a Beer and Wine license for 11 months; and,

**Whereas**, some members of the Committee expressed concerns with the sidewalk (outdoor) seating being disproportionate with the indoor seating; and,

**Whereas**, the applicant has provided a petition with over 100 signatures in support; and,

**Whereas**, a few members of the community appeared to express their support; and,

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

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends approval to the proposed On Premise license for **New Organico, Inc., d/b/a Café Organico, 89 7<sup>th</sup> Ave. So.**

Vote: Passed, with 32 Board members in favor, 5 in opposition (C. Booth, S. Feinberg, A. Hearn, K.W. Ma, J. Solomon), and 2 abstentions (L. Rakoff, S. Secunda).

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Dear Mr. Christian:

At its Full Board meeting on May 20, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

### **2. LBPR, LLC, 33 W. 8<sup>th</sup> St. (MacDougal and 6<sup>th</sup> Avenue), 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 8<sup>th</sup> Street between MacDougal and 6<sup>th</sup> Avenue for a 2,000 s.f. restaurant with 57 table seats, 1 bar with 10 bar seats, and a maximum legal capacity of 67 persons; and,

**Whereas**, the applicant stated the hours of operation are Sunday – Tuesday from 10:00 a.m. – 1:00 a.m. and Wednesday – Saturday from 10:00 a.m. – 2:00 a.m.; there will not be a sidewalk café application and no backyard garden; music is background only; and,

**Whereas**, the applicant has reached out to West 8<sup>th</sup> Street Block Association; and,

**Whereas**, the applicant has agreed to install the ventilation system through the roof of the building; and

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

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of the proposed On Premise license for **LBPR, LLC, 33 W. 8<sup>th</sup> St.** unless the condition agreed to by applicant relating to the fifth “whereas” clause is incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 40 Board members in favor.

Jo Hamilton, *Chair*  
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May 27, 2010

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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 20, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

### **3. SoHo Bistro, Inc., or New Corp. to be formed, d/b/a TBD, 69 Thompson St. (Spring and Broome), NYC**

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

**Whereas**, this application is for an alteration (open up the kitchen) and upgrade from a Beer and Wine license to an On Premise license for a French restaurant located in a 800 s.f. premise in a residential building located on Thompson Street between Spring and Broome Streets with 35 table seats, 1 bar with 7 bar seats and a maximum legal capacity of 42 persons; and,

**Whereas**, the applicant stated there are no plans to change the existing operation; the applicant stated the hours are Sunday – Thursday from 5:00 p.m. – 12:00 a.m. and Saturday and Sunday from 10:00 a.m. – 12:00 a.m.; there is no sidewalk café and no backyard garden; music is background only; and,

**Whereas**, the operator has been operating with a Beer and Wine license for 13 years; and,

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

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends approval of the proposed alteration and upgrade to an On Premise license for **SoHo Bistro, Inc., or New Corp. to be formed, d/b/a TBD, 69 Thompson St.**

Vote: Unanimous, with 40 Board members in favor.

Jo Hamilton, *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 20, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

#### **4. Scott Sartiano & Richard Akiva or Corp. to be formed, d/b/a TBD 446 W. 14<sup>th</sup> St., (Washington and 10 Avenue), NYC**

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

**Whereas**, this application is for On Premise license for an upscale restaurant, lounge and enclosed rooftop café collectively 11,000 s.f. (restaurant is 4,750 s.f., lounge is 4,750 s.f. and café is 1,500 s.f.) in a commercial building located on West 14<sup>th</sup> Street between Washington and 10<sup>th</sup> Avenue with 608 table seats, 3 bars with 30 bar seats and a maximum legal capacity of 793 persons; and,

**Whereas**, the applicant stated the hours of operation for the entire establishment is Seven Days a Week from 11:00 a.m. – 4:00 a.m.; there won't be a sidewalk café application and no backyard garden; music is background and D.J. only; and,

**Whereas**, the applicant has a clean and successful track record with operating another establishment in our district for over 9 years; and,

**Whereas**, the restaurant and café will be operated and managed by an award winning, notable chef; the chef expressed her ongoing support of local, small businesses including but not limited to local produce markets; and,

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

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

1. The applicant has agreed to obtain all required certificates, permits and related documents, including but not limited to a new Certificate of Occupancy, Public Assembly Permit and approvals from the Landmarks Commission.
2. The applicant has agreed to provide menu items available up until 1 hr prior to closing.
3. The applicant has agreed to implement security measures while designating staff members to control traffic in front of the establishment.
4. The applicant has agreed to prohibit any type music on the enclosed rooftop café.
5. The applicant has agreed to close the rooftop café ceiling by 11pm daily.
6. The applicant has agreed to fully soundproof the entire establishment.
7. The applicant has agreed to reach out to the Friends of Highline prior to opening the establishment.

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

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of an On Premise license for **Scott Sartiano & Richard Akiva or Corp. to be formed, d/b/a TBD 446 W. 14<sup>th</sup> St.** unless those conditions agreed to by applicant relating to and outlined in the seventh “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license; and,

Vote: Unanimous, with 40 Board members in favor.

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Mr. Dane E. Christian, Acting Director  
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317 Lenox Avenue  
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on May 20, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

### **5. RRFB, LLC d/b/a Rock Bar, 185 Christopher St. (Washington and West Street), NYC**

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

**Whereas**, this application is for a transfer to an existing On Premise license for a bar located in 3,500 s.f. premise in a mixed use building located on Christopher between Washington and West Streets with 12 table seats and 1 bar with 5 bar seats and a maximum legal capacity of 72 persons; **and to alter their method of operation to include live music; and**,

**Whereas**, the applicant stated there are no plans to change the previously approved hours of operation; the applicant stated the bar hours are Monday – Friday from 12:00 p.m. – 4:00 a.m.; Saturday from 1:00 p.m. – 4:00 a.m. and Sunday from 1:00 p.m. – 2:00 a.m.; and,

**Whereas**, the applicant stated that their original application included live music and claimed that it had been accidentally omitted by the SLA Licensing Committee; and,

**Whereas**, a member of this committee has since verified that the original application did not include live music; and,

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

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of the proposed transfer of an On Premise license for **RRFB, LLC d/b/a Rock Bar, 185 Christopher St.**

Vote: Unanimous, with 40 Board members in favor.

Jo Hamilton, *Chair*  
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Dear Mr. Christian:

At its Full Board meeting on May 20, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

### **6. Chris Estey Food, Inc. d/b/a Pieces, 127 W. 10<sup>th</sup> St. (Charles and 6<sup>th</sup> Avenue), NYC**

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

**Whereas**, this application is for an On Premise license for a 1,300 s.f. bar located in a commercial building on Christopher between Charles Street and 6<sup>th</sup> Avenue with 49 table seats and 1 bar with 13 bar seats; and a maximum legal capacity of 100 persons; and,

**Whereas**, the applicant stated the hours of operation for the establishment is Seven Days a Week from 2:00 p.m. – 4:00 a.m.; there won't be a sidewalk café application and no backyard garden; music will be background, D.J. and Karaoke type music only; and,

**Whereas**, several members of the community (including members of the West 10 Street Block Association) appeared to express concerns with the proposed license; citing concerns with over saturation on this block; and,

**Whereas**, over 15 emails have been submitted to the Community Board 2, Manhattan in opposition of the proposed establishment; and,

**Whereas**, over 30 licensed establishments exists within 500 feet of the proposed location; and,

**Whereas**, this Committee could not establish the public benefit of this bar only application on this highly residential block; this Committee also expressed issues with the Certificate of Occupancy, which maximum occupancy for this use group at this building has already been designated; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of the proposed On Premise license for **Chris Estey Food, Inc. d/b/a Pieces, 127 W. 10<sup>th</sup> St.**

Vote: Unanimous, with 40 Board members in favor.

Jo Hamilton, *Chair*  
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Dear Mr. Christian:

At its Full Board meeting on May 20, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

### **7. JM Williams, LLC, Buvetta, 42-44 Grove St. (Bedford and Bleecker), NYC**

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

**Whereas**, this application is for an On Premise license for an upscale restaurant d/b/a Buvetta in a residential building located on Grove Street between Bedford and Bleecker Streets with 32 table seats, 1 bar with 15 bar seats and a maximum legal capacity of 75 persons; and,

**Whereas**, the applicant stated the hours of operation for the establishment are Seven Days a Week from 8:00 a.m. – 2:00 a.m.; there will be a sidewalk café application but no backyard garden; music will be background only; and,

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

1. The applicant has agreed to obtain all required certificates, permits and related documents, including an amended Certificate of Occupancy or Letter of No Objection.
2. The applicant has agreed to operate as a restaurant only.
3. The applicant has agreed to soundproof the establishment.
4. The applicant has agreed to install ventilation to the roof of the building.
5. The applicant has agreed to install odor barriers in the establishment.
6. The applicant has agreed to address all structural issues inside the establishment.
7. The applicant has agreed to community outreach to residents in the building.

**Whereas**, a member of the community appeared to express her concerns with the proposed establishment; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial to the proposed On Premise license for **JM Williams, LLC, Buvetta, 42-44 Grove St.** unless all conditions agreed to by applicant relating to the fourth “whereas” clause are incorporated into the “Method of Operation” on the SLA On Premise license; and,

Vote: Unanimous, with 40 Board members in favor.

Jo Hamilton, *Chair*  
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Dear Mr. Christian:

At its Full Board meeting on May 20, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

### **8. Greenwich Village Bistro, 13 Carmine St. (Bleecker and 6<sup>th</sup> Avenue), NYC**

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

**Whereas**, this application is for an alteration to an existing Beer and Wine license in a mixed use building on Carmine between Bleecker Street and 6<sup>th</sup> Avenue for a 125 s.f. cafe with 18 table seats and no bar, and a maximum legal capacity of 18 persons; **to license an existing unenclosed sidewalk café consisting of 6 tables and 12 seats; and,**

**Whereas**, the applicant stated there are no plans to change the previously approved method of operation; the applicant stated the restaurant hours are Seven Days a Week from 10:00 a.m. – 12:00 a.m.; there is no backyard garden; music is currently live only; and,

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

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends approval of the proposed alteration to an existing On Premise license for **Greenwich Village Bistro, 13 Carmine St.**

Vote: Unanimous, with 40 Board members in favor.

Jo Hamilton, *Chair*  
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Dear Mr. Christian:

At its Full Board meeting on May 20, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

### **9. Brio Bar Corp., d/b/a Brio, 26 Astor Pl. (Lafayette and Cooper Square), NYC**

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

**Whereas**, this application is for a Beer and Wine license in a mixed use building on Astor Place between Lafayette Street and Cooper Square for a 1,019 s.f. for a wine/dessert bar with 49 table seats, 1 bar with 15 bar seats, and a maximum legal capacity of 64 persons; and,

**Whereas**, the applicant stated the hours of operation are Sunday – Wednesday from 9:00 p.m. – 12:00 a.m. and Thursday - Saturday from 10:00 a.m. – 2:00 a.m.; there won't be a sidewalk café application and no backyard garden; music is soft background only; and,

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

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends approval of a Beer and Wine license for **Brio Bar Corp., d/b/a Brio, 26 Astor Place**.

Vote: Unanimous, with 40 Board members in favor.

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Dear Mr. Christian:

At its Full Board meeting on May 20, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

### **10. Extra Virgin, 259 W. 4<sup>th</sup> St., NYC**

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

**Whereas**, this application is for a renewal of an On Premise license for a Mediterranean Restaurant located in a 1,200 s.f. premise in a residential building located on West 4<sup>th</sup> between Charles and Perry Streets, with 60 table seats, 1 bar with 10 seats and a maximum legal capacity of 80 persons; and,

**Whereas**, the operator stated the hours of operation are 11:00 a.m. – 2:00 a.m. seven days a week; there is no backyard garden; music is background only; and,

**Whereas**, the operator is currently operating an illegal sidewalk café with 3 tables and 6 seats; the establishment is located in a R6 zone prohibiting the use of the existing sidewalk café and,

**Whereas**, the State Liquor Authority had accidentally licensed the sidewalk café area without advance knowledge that the sidewalk café is not permitted under Department of Consumer Affairs standards, and

**Whereas**, the original resolution with the sidewalk café was mistakenly approved by the Sidewalks Committee, Business Committee and Full Board, Community Board, Manhattan in August 2004; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of an On Premise license renewal for Extra Virgin, 259 W. 4<sup>th</sup> St., unless the applicant immediately terminates the operation of their sidewalk café; and

**BE IT FURTHER RESOLVED** that CB#2, Man. calls on the State Liquor Authority to alter the On Premise License by removing the sidewalk café area.

Vote: Unanimous, with 40 Board members in favor.

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Dear Mr. Christian:

At its Full Board meeting on May 20, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

### **11. T. Hospitality Inc. d/b/a Sea, 835 Washington St. (Little West 12<sup>th</sup> and 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 mixed use building on Washington Street between Little West 12<sup>th</sup> and West 13<sup>th</sup> Streets for a 5,622 s.f. Thai restaurant with 27 table seats and 1 bar with 14 bar seats, and a maximum legal capacity of 97 persons; **to license an existing unenclosed sidewalk café consisting of 29 tables with 58 seats; and,**

**Whereas**, the applicant stated there are no plans to change the previously approved method of operation; the applicant stated the restaurant hours are Sunday - Thursday from 11:30 a.m. – 11:30 p.m. and Friday and Saturday from 11:30 a.m. – 12:30 a.m.; there is no backyard garden; music is currently background only; and,

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

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends approval of the proposed alteration to an existing On Premise license for **T. Hospitality Inc. d/b/a Sea, 835 Washington St.**

Vote: Unanimous, with 40 Board members in favor.

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Dear Mr. Christian:

At its Full Board meeting on May 20, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

### **12. W13 Pizza LLC, 140 W. 13 St. NYC 10011**

**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; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends denial of an On Premise liquor license to W13 Pizza LLC, 140 W. 13 St. NYC 10011 **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 40 Board members in favor.

Jo Hamilton, *Chair*  
Bo Riccobono, *First Vice Chair*  
Sheelah Feinberg, *Second Vice Chair*  
Bob Gormley, *District Manager*



Erin Roeder, *Treasurer*  
Susan Kent, *Secretary*  
Elaine Young, *Assistant Secretary*

## COMMUNITY BOARD No. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

[www.cb2manhattan.org](http://www.cb2manhattan.org)

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

May 27, 2010

Mr. Dane 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 May 20, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

### **13. Val City Lounge LLC, d/b/a, Lair, 201 Lafayette St., NYC 10012**

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

**Whereas**, this application is for the transfer of an On Premise license in a mixed use building on Lafayette between Kenmare and Broome Street for a 2,800 s.f. restaurant and bar/ lounge with 7 tables and 47 seats, 1 bar with 19 seats, and a maximum legal capacity of 175 persons; , music will be background only with occasional/limited DJ for special events; and,

**Whereas**, the applicant stated the hours of operation are Sunday to Wednesday 10:00 a.m. – 2:00 a.m. and Thursday to Saturday 10:00 a.m. – 4:00 a.m.; there is no sidewalk café and no backyard garden; and

**Whereas**, this applicant has agreed to use the Lafayette side as the main entrance, will only use the Cleveland Place entrance as an exit only and will station security outside for crowd and traffic control; and

**Whereas**, the applicant has agreed to offer a 24 hour contact number to the community and placing signs outside both entrances asking patrons to be courteous of their neighbors; and,

**Whereas**, the applicant has agreed to offer a 24 hour contact number to the community; and,

**Whereas**, the applicant will continue to serve from the kitchen up to 1 hour before closing; and,

**Whereas**, the applicant has agreed not to have any outside promoters and not allow private events to bring in outside promoters; and

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

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of the transfer of an On Premise license for **Val City Lounge, d/b/a TBD, 201 Lafayette St., NYC 10012** unless all conditions agreed to by applicant are incorporated into the “Method of Operation” on the SLA’s On Premise license.

Vote: Unanimous, with 40 Board members in favor.

Jo Hamilton, *Chair*  
Bo Riccobono, *First Vice Chair*  
Sheelah Feinberg, *Second Vice Chair*  
Bob Gormley, *District Manager*



Erin Roeder, *Treasurer*  
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May 27, 2010

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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 20, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

### **14. Michael Sinensky or Corp., to be formed d/b/a The Village Pourhouse, 174 Bleecker St., NYC**

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

**Whereas**, this application is for the transfer of an On Premise license in a mixed use building on Bleecker Street between MacDougal and Sullivan Street for a 1,800 s.f. restaurant and 1 bar with 25 tables and 68 seats, 1 bar with 6 seats, and a maximum legal capacity of 74 persons; and,

**Whereas**, the applicant stated the hours of operation are Sunday to Wednesday 11:00 a.m. –1:00 a.m. and Thursday to Saturday 11:00 a.m. – 3:00 a.m.; they will apply for a sidewalk café in the future and there will be a backyard garden; and,

**Whereas**, the applicant has agreed to the following stipulations that will be included in their “Method of Operation” established by “BAMRA” or the Bleecker Area Merchants’ & Residents’ Association and this committee:

1. All doors and windows will be closed at 8:00 p.m., 7 days a week.
2. There will be a 24-hour contact number available to the community.
3. They will adhere to the above mentioned hours of operation.
4. There will be no use of the backyard until the completion of their backyard enclosure.
5. They will, with a sound engineer, sound proof the entire front and rear usable space, including ceilings and minimize vibrations prior to opening.
6. There will be no use of neon or electric signage, but a wooden sign as proposed by owner.
7. They will have ample security to maintain order at all times.
8. They will offer outreach to the establishment’s immediate neighbors.

9. They will provide proper and legal receptacles for cigarette butts.
10. The applicant will coordinate garbage scheduled pick-ups with other neighboring businesses.

**Whereas**, "The outdoor area of the property immediately joins the gardens of the MacDougal-Sullivan Gardens Historic District which was designated by the Landmarks Preservation Commission August 2, 1967 based on "careful consideration of the history, architecture and other features of this area"; and,

**Whereas**, the Landmarks Preservation Commission found preservation of both the preexisting buildings and communal gardens "revolutionary in concept" and "destined to have far-reaching, beneficial effects on the development of our City," and,

**Whereas**, the proposed enclosure would have a negative impact on the communal gardens and the special qualities that led to the designation, and,

**Whereas**, the Landmarks Preservation Commission and the CB#2, Man. Landmarks and Aesthetics Committee appreciate the importance of preserving the open area, typically green space, in the center of designated blocks (the "donut"), to protect and foster both air and light as well as views, which would be compromised by the proposed enclosure; and,

**Whereas**, there is a petition with 38 signatures against this applicant and 26 people came to the hearing to protest against this applicant and 9 came in support;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of the transfer of an On Premise license for **Michael Sinensky or Corp., to be formed d/b/a The Village Pourhouse, 174 Bleecker St., NYC.**

Vote: Passed, with 38 Board members in favor, 1 in opposition (E. Young), and 1 abstention (D. Collins).

Jo Hamilton, *Chair*  
Bo Riccobono, *First Vice Chair*  
Sheelah Feinberg, *Second Vice Chair*  
Bob Gormley, *District Manager*



Erin Roeder, *Treasurer*  
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May 27, 2010

Mr. Dane 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 May 20, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

### **15. NYC Motorcycle Federation, 257-263 6<sup>th</sup> Ave. (b&w)**

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

**Whereas**, this application is for the renewal of a Beer and Wine License in a mixed use building on 6<sup>th</sup> Avenue between Houston and Bleecker Street for an 820 s.f. RETAIL STORE with an outside café that has 4 tables and 8 seats, and a maximum legal capacity of 73 persons; and,

**Whereas**, the applicant stated the hours of operation are Monday to Saturday 11:00 a.m. to 7:00 p.m. except for Friday 11:00 a.m. – 12:00 a.m. and Sunday 12:00 p.m. – 6:00 p.m.; they currently have a sidewalk café but no backyard garden; and,

**Whereas**, this applicant is a retail store and there is no actual food menu which is essential for a Beer and Wine license; and,

**Whereas**, this location has no contiguous bathroom available for their customers; and,

**Whereas**, the applicant has an agreement with the landlord of 10 Downing that these customers must go to the buildings entrance, speak with 10 Downing Street doorman and show I.D. to get a pass and be let into the building unattended to locate a bathroom in the basement which has access to the entire building; and,

**Whereas**, the residents of 10 Downing Street were not aware that the landlord established this agreement with the applicant and will be challenging this with the landlord based on security risks; and

**Whereas**, the applicant has had 10 EVENTS at their location since they have opened that has been attended by large groups and occasionally accompanied by live music; and,

**Whereas**, the sidewalk café that seats only 8 people has become a part of the spaced used for their events and is not limited to the seating arrangement of 8 seats; and,

**Whereas**, the applicant was advertising a live music event from 8:00 p.m. to 12:00 p.m. on a Saturday night which is not allowed in their hours of operation; and,

**Whereas**, the community has complained about noise outside the building and vibrations from music disturbing the tenants above this establishment; and,

**Whereas**, there were 12 people that appeared against this applicant at the CB#2, Man. hearing and only 1 in support; and,

**Whereas**, there is no physical separation between the retail and food areas, which is in violation of State Liquor Authority (“SLA”) regulation; and

**Whereas**, the primary business of the NYCMF is a tavern eating and drinking establishment as per SLA requirements for a tavern beer and wine license; and

**Whereas**, this committee has reminded the applicant that a tavern Beer and Wine license is a privilege and not a right;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly recommends denial of the renewal of a tavern license to **NYC Motorcycle Federation, 257-263 6<sup>th</sup> Ave., NYC** and believes that this license must have been issued in error originally.

Vote: Unanimous, with 40 Board members in favor.

#### **16. Restaurant Corp. of 55 E. Houston St. d/b/a Ballato’s, 55 East Houston St., NYC**

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

**Whereas**, this application is for the alteration of an On Premise license in a commercial building on the corner of Houston and Mott for a 2,223 s.f. restaurant with 27 tables and 90 seats, 1 bar and 5 seats and a maximum legal capacity of 95 persons; and,

**Whereas**, the applicant stated there is no change in the hours of operation which are Monday to Friday from 12:00 p.m. to 11:00 p.m., Saturday from 4:00 p.m. – 12:00 a.m. and Sunday from 4:00 p.m. – 11:00 p.m.; they currently have no sidewalk café and no backyard garden; and,

**Whereas**, this applicant is increasing the interior of the restaurant from 1,038 s.f. to 2,223 s.f. and an increase in total capacity from 39 persons to 84 persons; and,

**Whereas**, this increase in total capacity now requires that the applicant get a Public Assembly permit; and,

**Whereas**, this applicant must get an updated Certificate of Occupancy; and,

**Whereas**, the applicant agrees to close all windows and doors by 9:00 p.m. 7 days a week; and,

**Whereas**, the applicant agrees to only use the Mott Street entrance while there is construction on the Houston side of the building and will revert to using the Houston Street entrance when construction ends; and,

**Whereas**, there were 3 people at this hearing in support of the applicant and no one against; and,

**THEREFORE BE IT RESOLVED** that CB2, Manhattan recommends denial of the alteration of an On Premise license for Restaurant Corp. of 55 E. Houston St. d/b/a Ballato's, 55 East Houston St., NYC unless all conditions agreed to by applicant are incorporated into the "Method of Operation" on the SLA's On Premise license.

#### **5. Iridium Restaurant Corp. d/b/a Bread, 20 Spring St., NYC**

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

**Whereas**, this application is for the alteration of a Beer and Wine license in a commercial building on Spring Street between Mott and Elizabeth for a 3,300 s.f. restaurant with 28 tables and 68 seats, 2 bars and 17 seats and a maximum legal capacity of 85 persons; and,

**Whereas**, the applicant stated the hours of operation are Sunday – Wednesday from 10:30 a.m. to 12:00 a.m., Thursday - Saturday from 10:30 a.m. – 1:00; they currently have a sidewalk café and no backyard garden; and,

**Whereas**, this applicant is applying for a full On Premise license but has incorrectly stated the number of bars on the original Beer and Wine license and needs to amend this from 1 bar to 2 bars in order to proceed with the full On Premise license; and,

**Whereas**, there was 1 community member at the hearing to speak regarding noise issues; and,

**Whereas**, the applicant agreed to offer a 24 hour contact number for any neighbor; and,

**THEREFORE BE IT RESOLVED** that CB2, Manhattan recommends denial of the alteration/ amendment of the Beer and Wine license for Iridium Restaurant Corp. d/b/a Bread, 20 Spring St., NYC unless all conditions agreed to by applicant are incorporated into the "Method of Operation" on the SLA's On Premise license.

#### **6. Bin on Blecker, LLC, 264 Blecker St., NYC 10014**

**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 Blecker Street between Morton and Cornelia for an 1,000 s.f. restaurant with 14 tables and 45 seats, 1 bar and 15 seats and a maximum legal capacity of 65 persons; and,

**Whereas**, the applicant stated the hours of operation are 10:00 a.m. to 1:00 a.m. 7 days a week; there will be no sidewalk café and no backyard garden; and,

**Whereas**, this application's location has never had a Beer and Wine or full OP license before; and,

**Whereas**, this committee usually is not in favor of applicants adding new liquor licenses, even Beer and Wine, to NEW addresses in an already over saturated neighborhood, but we recognize that this applicant has a long and positive history within this community and consider him to be a favorable candidate; and,

**Whereas**, there were several community members at the hearing in support of this applicant and none to oppose; and,

**Whereas**, there are 3 letters in support of this applicant by other local merchants; and,

**Whereas**, there is a “ Letter of No Objection” for this address

**THEREFORE BE IT RESOLVED** that CB2, Manhattan recommends approval of the Beer and Wine license for Bin on Bleecker, LLC, 264 Bleecker St., NYC 10014.

### **7. 359 Restaurant, LLC, d/b/a August, 359 Bleecker St., NYC 10014 (upgrade)**

**Whereas**, this application is for the upgrade of an existing 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,

**THEREFORE BE IT RESOLVED** that CB2, Manhattan strongly recommends denial of the proposed upgrade of a liquor license to 359 Restaurant, LLC, d/b/a August, 359 Bleecker St., NYC 10014 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.

### **8. SoHo Garden & Grill, Inc., 224 Lafayette St., NYC 10012**

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

**Whereas**, this application is for a new full On Premise Liquor license in a mixed use building on Lafayette Street between Spring and Kenmare Streets for a 750 s.f. restaurant with 14 tables and 40 seats, 1 bar and 2 seats and a maximum legal capacity of 42 persons; and

**Whereas**, the applicant stated the hours of operation are Monday – Saturday 7:00 a.m. to 12:00 a.m. and Sunday from 7:00 a.m. to 10:00 p.m.; there will currently be no sidewalk café and no backyard garden; and,

**Whereas**, this committee is aware that the applicant, Raul Velazquez has been a resident of this address for 30 years; and,

**Whereas**, there was a Beer and Wine license at this address that expired 10/31/2009; and,

**Whereas**, this address is in a very saturated neighborhood with over 11 licenses within 500 feet, and the neighborhood has a long standing history of community opposition to new licenses and numerous complaints regarding quality of life in the area as a whole ; and,

**Whereas**, this committee suggests that the applicant apply for a Beer and Wine license; and,

**THEREFORE BE IT RESOLVED** that CB2, Manhattan recommends denial of the proposed On Premise liquor license to SoHo Garden & Grill, Inc., 224 Lafayette St., NYC 10012.

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

Whereas, the applicant appeared again for the second time before the committee after a request to meet directly with members of the community; and,

Whereas, this application is for a new full On Premise Liquor license in a mixed use building 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 applicant has done extensive community outreach for several months; and,

Whereas, the applicant Corner Shop, L.L.C. has executed a “Memorandum of Understanding” with 77 Bleecker Street Corp., a residential co-op building contiguous to the applicant with 240 residential units, that includes 28 stipulations (see attached copy of executed agreement) which addresses concerns of residents; for purposes of attachment to the Method of Operation of this license and,

Whereas this committee has accepted that Corner Shop, L.L.C. has agreed to be bound in all respects by the aforementioned Memorandum in all respects for the period of any On-Premises Liquor License issued to the applicant at this premise and further that they agree that they will request that all the restrictions in the “Memorandum of Understanding” be made a condition of any license and/or the renewal of any license issued by the SLA in connection with this Application to the SLA to the maximum extent allowed by the SLA.

Whereas, the following list highlights some of the stipulations the applicant has agreed to in the aforementioned “Memorandum of Understanding” but is not inclusive (please refer directly to the attached copy of executed agreement): the kitchen on the ground floor will remain open until one hour of closing of the entire premise; there will never be a sidewalk café application; music will be background only through the use of ipods and will be kept at a level consistent with background only and will comply with all New York City rules and regulations and that no speakers will point toward the street on the ground floor; dancing will not be permitted in any portion of the premise and there will not ever be an application to the NYC Department of Consumer Affairs for a cabaret license even though the location is zoned for cabaret use by the

**NYC Department of Buildings; all doors and windows will be closed promptly at 10 pm; any changes to the method of operation will be presented to Community Board 2 for approval prior to being submitted to the SLA; the applicant will return to CB2 Manhattan for consent prior to any transfer of the license or change in principals; Garbage will stored inside and not placed outside until no earlier than 1 hour prior to scheduled pickup at 2pm; the ground floor will have 55 seats (7 bar stools and 48 table seats); the basement lounge will have 93 seats (11 bar stools and 82 table seats); the applicant has agreed that there will be a maximum of 150 people (including employees) in the basement lounge at any time, which is 70 people less than the allowed occupancy by the New York City Department of Buildings as stated on the buildings Certificate of Occupancy, a sign will be posted stating maximum occupancy is 150; customers in the basement lounge not able to be seated will be asked to wait in the bar area until seats are available; in consideration of concerns of neighbors regarding people waiting on the street for entrance, if the basement lounge reaches operational capacity of 150, patrons will be told at the door that they should come back at another time and will be discouraged from waiting outside; the Bleeker Street entrance will not serve as a patron entrance or exit and will only be used for emergency egress and for service and deliveries between 6am and 6pm daily. Signs will be posted inside the basement lounge stating that it is for emergency exit only and the applicant agrees to equip the door with an alarm that will be active every night from 6pm until 6am; signs will be posted outside the Bleeker Street door for the basement stating no smoking, no loitering and emergency exit only; lounge personnel will ask patrons to comply with all signs and will remain for one hour after closing to ask patrons to clear the area for closing in consideration of the neighbors adjacent to the entrance on Broadway; the applicant agrees to have quarterly meetings with 77 Bleeker Street Corp. Board or more frequently as needed and will provide contact numbers for the applicant and general manager; and**

**Whereas, there is also opposition to this application due to previous licensees and their operational history, including operating in the basement as a legal nightclub and cabaret, a fire in the basement with numerous fatalities over 35 years ago and many noise complaints against previous licensees, as well as an incident of drug arrests; and,**

**THEREFORE BE IT RESOLVED that CB2, Manhattan recommends denial of the alteration of an On Premise license for Corner Shop, LLC d/b/a Corner Shop Café/The Vault at Pfaff's, 643 Broadway, NYC 10012 unless all conditions agreed to by applicant in the "Memorandum of Understanding" are incorporated into the "Method of Operation" on the SLA's On Premise license.**

**Vote: Unanimous In Favor**

**10. 202 Centre Corp., d/b/a Red Egg, 202 Centre St., NYC 10013-(Sidewalk Café & Additional seating inside)**

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

**Whereas, this application is for the alteration of an existing full On Premise Liquor license in a commercial building on Centre Street between Hester and Grand Streets for a 1,600 s.f. restaurant with 39 tables and 98 seats, 1 bars and 21 seats and a maximum legal capacity of 150 persons; and,**

**Whereas, the applicant stated the hours of operation are 8:00 a.m. to 11:00 p.m. 7 days a week; they are requesting in this application for a sidewalk café but no backyard garden; and,**

**Whereas, this applicant's alteration is to include a sidewalk café with 6 tables and 12 chairs; and additional seating inside of**

**Whereas, the applicant agrees to stop service to the sidewalk café at 10:00 p.m. 7 days a week; and,**

**Whereas, it is not the standard practice of this committee to approve a liquor license for a sidewalk café that has not been previously approved by the CB2 sidewalks committee; and,**

**Whereas, we request that this applicant go before the CB2 sidewalks committee for approval; and,**

**Whereas, the applicant must return before this committee regarding this alteration if the applicant does not get approval from the Department of Consumer Affairs (DCA); and,**

**THEREFORE BE IT RESOLVED that CB2, Manhattan recommends denial of the alteration of an On Premise license for 202 Centre Corp., d/b/a Red Egg, 202 Centre St., NYC 10013- (Sidewalk Café & Additional seating inside) unless all conditions agreed to by applicant are incorporated into the "Method of Operation" on the SLA's On Premise license.**

**Vote: Unanimous In Favor**

## **12. Le Souk Harem, 510 LaGuardia Pl. (on-premise)**

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

**Whereas, this application is for the renewal of an existing full On Premise Liquor license in a mixed use building on LaGuardia Place between Bleecker and Houston for a 4,000 s.f. restaurant with 45 tables and 94 seats, 2 bars and 12 seats and a maximum legal capacity of 170 persons; and,**

**Whereas, the applicant stated the hours of operation are 4:00 p.m. to 4:00 a.m. 7 days a week; they will have a sidewalk café but no backyard garden; and,**

**Whereas, this applicant was requested to come before this committee due to a large number of complaints by the community; and,**

**Whereas, the community and the applicant seem to have resolved their issues; and,**

**Whereas, there was a strong show of support, now, from the community at the hearing; and,**

**THEREFORE BE IT RESOLVED that CB2, Manhattan recommends approval for the renewal of an On Premise license for Le Souk Harem, 510 LaGuardia Pl.**

**ATTACH MOU FOR CORNER SHOP FROM BARBARA KWON'S E-MAIL**

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

Sincerely,

A handwritten signature in blue ink that reads "Jo Hamilton". The signature is written in a cursive style and is set against a light blue rectangular background.

Jo Hamilton, Chair  
Community Board #2, Manhattan

A handwritten signature in black ink that reads "Raymond Lee". The signature is written in a cursive style.

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

JH/fa

cc: Hon. Jerrold L. Nadler, Congressman  
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  
Sandy Myers, CB2 Liaison, Man. Borough President's office  
Lolita Jackson, Manhattan Director, CAU  
Kerri O'Brien, NY State Liquor Authority  
Mike Jones, NY State Liquor Authority