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COMMUNITY BOARD NO. 2, MANHATTAN

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June 7, 2013

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

Dear Mr. Christian:

At its Full Board meeting on May 23, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

1. Juicerie, LLC d/b/a The Butcher's Daughter, 19 Kenmare St 10012 – Alteration to add sidewalk café

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the alteration of their Beer and Wine license (#1268130) in a mixed-use building located on the corner of Elizabeth Street and Kenmare (Block #478/lot #12), with a 1,500 sq. ft premise with 1 table and 14 seats and 1 bar with 6 seats and two food counters with 14 seats and the maximum occupancy is 74 people, the sidewalk which would be included in this alteration will have 15 tables and 30 seats; and,

Whereas, the applicant states that the hours of operation for the entire cafe will continue to be Sunday from 8:00 a.m. to 10:00 p.m. and Monday to Saturday from 8:00 a.m. to 11:00 p.m. and the sidewalk café will be Sunday to Thursday from 8:00 a.m. to 10:00 p.m. and Friday and Saturday from 8:00 a.m. to 11:00 p.m.; with quiet background music in the interior consisting of background music from ipod, no music in the exterior area; there will be no scheduled performances and private parties; and,

Whereas, CB#2, Man, had requested a review by City Council for this application to the Department of Consumer Affairs due to the size and location of this sidewalk café which the area's City Council Person supported to reduce the number of seats and tables but was unable to be heard due to Hurricane Sandy's disruption of scheduling and the limited time under which the City Council is authorized to act; and,

Whereas, the operator moved forward with the application with a request for 20 tables and 40 seats, which was significantly more seating outside than inside the café which is a serious concern for CB#2, Man.; and,

Whereas, CB2's Sidewalks Committee had requested that they substantially reduce their request down to 13 tables and 30 seats and CB2's full board reduced the request even further down to 10 tables and 20 seats; and,

Whereas, the operator presented to the CB2 SLA committee a layout of the sidewalk café with 20 tables and 40 seats but reduced the plan to 15 tables and 30 seats during the CB2's SLA hearing; and,

Whereas, the operator should submit a corrected sidewalk plan to reflect these changes to CB2 and to the SLA; and,

Whereas, there were 8 speakers from the community who spoke in regards to this application - 6 in support, 2 in opposition but 2 of the speakers in support were employees; and,

Whereas, CB#2, Man. has significant concerns regarding this application and at the request of members of the community **requests that the matter be placed before the Commissioners of the New York State Liquor Authority for consideration at a regularly scheduled Full Board Meeting** to consider the objections presented by members of the community; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the request to alter a Beer and Wine license for **Juicerie, LLC d/b/a The Butcher's Daughter, 19 Kenmare St 10012** to include the sidewalk cafe; and

THEREFORE BE IT FURTHER RESOLVED that CB#2, Man. recommends that should the Liquor Authority consider approving this sidewalk, that it should not be any larger than 10 tables and 20 seats.

Vote: Unanimous, with 39 Board members in favor.

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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 23, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

2. 18 Front, Inc., 18 Spring St 10012 - Alteration to add sidewalk still pending a signed stip agreement

Whereas, all three principals appeared before the committee; and,

Whereas, this application is for the alteration of their On Premise license (#1151199) in a mixed-use building located on Spring Street between Elizabeth Street and Mott Street (Block #479 / lot #19), with a 1,200 sq. ft premise with 7 tables and 28 seats and 1 bar with 8 seats and the maximum occupancy is 74 people, the sidewalk which would be included in this alteration will have 2 tables and 4 seats with the condition that the tables be no wider than 1'8" (20"); and,

Whereas, the applicant states that the hours of operation will continue to be Sunday through Saturday 11:00 a.m. – 4:00 a.m. even though these hours differ from what was originally presented to CB2; the establishment is a bar/restaurant, music will be background only, there will be no scheduled performances or events with a cover charge, private parties or promoted events; and,

Whereas, the hours of operation for the sidewalk café will be Sunday from 12:00 p.m. to 10:00 p.m. and Monday through Saturday from 11:00 a.m. to 10:00 p.m.; and,

Whereas, a stipulation agreement was given to the operator, which included the hours of operation for both restaurant and the sidewalk café and included that all windows and doors were to be closed by 10:00 p.m. but no signed agreement was returned to CB2; and,

Whereas, the current operations do not represent the original application to CB#2, Man. or the Liquor Authority in regards to the method of operation of this entity/corporation and a change of ownership/principals under the same corporate entity seems to have also occurred without any notification to CB2 perhaps after this requirement was placed in effect with assertions by the licensee's attorney that the changes are in fact legitimate and not out of line even though there are significant deviations from what was originally presented to both CB2 and to the Liquor Authority ; and,

Whereas, 2 community members and a community member that is also a board member of CB2 spoke against this application stating the lack of management to the crowds that hang outside this establishment that are noisy and unruly and that management was disrespectful to any request to control the crowds or noise and that the operation is primarily a bar and drinking establishment and not a restaurant from outward appearances; and,

Whereas, CB#2, Man. has significant concerns regarding this application and at the request of members of the community **requests that the matter be placed before the Commissioners of the New York State Liquor Authority for consideration at a regularly scheduled Full Board Meeting** to consider the objections presented by members of the community and to assess the character of current establishment and whether it conforms to its mandated method of operation prior to considering the alteration application; and,

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** to the alteration to include a sidewalk café to the On Premise license for **18 Front, Inc., 18 Spring St.**

Vote: Unanimous, with 39 Board members in favor.

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
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317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on May 23, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

3. Brown Stew, LLC d/b/a Miss Lilly's Variety & Melvin's Juice Bar, 168 Sullivan St 10012 – alteration to Beer and Wine

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the alteration to the current Beer and Wine license (#1265793) in a mixed-use building, located on the corner of Houston and Sullivan (Block #526/lot #75), for a 1,000 sq. ft premise with currently 12 tables 18 seats and no bar, and a maximum occupancy of 74; there is no sidewalk café and no backyard use; and,

Whereas, this application is to increase the table seating to one additional or 19 table seats in the original location and add 7 tables and 14 seats to the front area for a total of 19 tables and 33 seats; and

Whereas, a change in the hours of operation have also been requested to reflect the following: Sunday from 8:30 a.m. to 11:30 p.m. and Monday to Wednesday from 7:30 a.m. – 11:30 p.m., Thursday and Friday from 7:30 a.m. to 12:30 a.m. and Saturday from 8:30 a.m. to 12:30 a.m.; music will be background only, there is a d.j., but the primary purpose of the d.j. is to broadcast music to an online internet streaming music station and music will be at background levels only, there will be no scheduled performances or events with a cover charge; and,

Whereas, the applicant has agreed to continue to follow the previous stipulations that is had with CB2 and to include these changes:

1. The applicant has agreed to closing hours to 11:30 p.m. from Sunday through Wednesday and to 12:30 p.m. from Thursday through Saturday

2. The applicant has agreed to close all window facing Sullivan Street by 9:00 p.m. daily
3. The applicant has agreed to use the guest entry/exit to the space on the West Houston street side after 9:00 p.m. daily
4. The applicant has agreed to move lines, if any, to the variety store downstairs
5. The applicant has agreed to post signage in the store that request patrons to respect the surrounding neighbors

Whereas, the applicant did provide a petition in support with 116 signatures; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to the renewal of the On Premise license for **Brown Stew, LLC d/b/a Miss Lilly's Variety & Melvin's Juice Bar, 168 Sullivan St 10012** **unless** those conditions and stipulations agreed to by the applicant relating to 5th "whereas" clause above are incorporated into the "Method of Operation" on the SLA license.

Vote: Unanimous, with 39 Board members in favor.

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Dear Mr. Christian:

At its Full Board meeting on May 23, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

4. 267 Lafayette, LLC d/b/a Bottega Falai, 267 Lafayette St. 10012 - new Beer and Wine

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new Beer and Wine license in a mixed-use building, located on Street between Prince and Spring Street (Block #495/lot #11), for a 750 sq. ft premise with 3 tables and 13 seats 1 counter with 4 seats and no bar and a maximum occupancy of 50; there is no sidewalk café and no backyard use; and,

Whereas, the hours of operation will be Sunday to Thursday from 8:00 a.m. – 9:00 p.m., Friday and Saturday from 8:00 a.m. to 10:00 p.m.; music will be background only, there will be no scheduled performances or events with a cover charge, no outside promoters and no use of any televisions; and,

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

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

Whereas, the applicant submitted a petition with 186 signatures in support but CB#2, Man. asks that it is noted that many of these signatures are not from within the neighborhood; and,

Whereas, the applicant agreed to the following stipulations:

1. Basement space will be for storage only, no patron use.

2. The operators will NEVER apply for an upgrade to a full On Premise License.

3. The hours of operation will be Sunday to Thursday from 8:00 a.m. – 9:00 p.m., Friday and Saturday from 8:00 a.m. to 10:00 p.m.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to a Beer and Wine license for **267 Lafayette, LLC d/b/a Bottega Falai, 267 Lafayette St. 10012 unless** those conditions and stipulations agreed to by the applicant relating to 7th “whereas” clause above are incorporated into the “Method of Operation” on the SLA license.

Vote: Unanimous, with 39 Board members in favor.

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Dear Mr. Christian:

At its Full Board meeting on May 23, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

5. Sayan Media corp. d/b/a City Grit, 38 Prince St. aka 233 Mott St. 10012 - Seasonal Beer and Wine

Whereas, the applicant appeared before the committee; and,

Whereas, this application is a Chef/Owner operated “Culinary Salon” which offers food and culture events anchored by dinners that feature pre-actualized tasting menus around a particular theme or ingredient; and,

Whereas, this application is for a seasonal Beer and Wine license from April 2013 through October 2013 in a commercial building located on the corner of Prince and Mott Street (Block #494 / lot #21), for a 1,750 sq. ft premise with 9 tables with 70 seats and 1 service bar with no seats; the maximum occupancy is 74 people, there will be no sidewalk café and no backyard use; no proper building use permits were presented in this location which was formerly a school and not permitted for eating and drinking establishments under zoning use group 6, but the applicant’s attorney stated that appropriate documentation would be presented from the NYC Department of Buildings; and,

Whereas, the hours of operation for the restaurant are Sunday to Saturday from 7:00 p.m. to 11:30 p.m.; music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be no outside promoters, no velvet ropes, no movable barriers and there will be no TV’s; and,

Whereas, this operation has existed for 18 months with temporary one time event SLA licenses and the attorney stated that the SLA suggested they apply for a seasonal license; and,

Whereas, the applicant uses the kitchen located in the basement for a catering business throughout the year, but has only hosted events on the first floor on a limited basis receiving one time event licenses; and

Whereas, CB#2, Man. supports this suggestion for one (1) season only and suggest that the operator find a more appropriate location for a more permanent program; and,

Whereas, the applicant submitted a petition with 20 signatures in support of this seasonal license; and,

Whereas, there were 3 community members who spoke against this application and specifically indicated that seasonal licenses in a building that has no proper certifications for this use and for which other portions are rented on an ad-hock basis for large events is against the spirit of a stable community and the public interest in NYC at large; and,

Whereas, there is concern by some members of CB#2, Man. and members of the community that the applicant does not have exclusive use of the entire premises presented because it is shared with another retail business during day time hours and that a seasonal license is really not appropriate for an interior location simply to suit the needs of the applicant who has not been able to find an appropriate long term solution for her very unique operation and that the precedent of the use of seasonal licenses in interior normal retail spaces in areas such as this is a poor precedent to set when the community seeks stable operators who want to become a part of the community; and,

Whereas, the applicant agreed to the following stipulations:

1. Hours of operation are 7:00 p.m. to 11:30 p.m. 7 days a week
2. The location will be closed no later than midnight – meaning all patrons and staff have left the building by midnight.
3. There will be absolutely no use of the backyard or courtyard area, which was not included in this application by patrons or staff.
4. This will be the only application for a seasonal license – operator agrees not to apply again.
5. Cellar is for staff only – no patrons are to be allowed.

Whereas, CB#2, Man. recognizes that supporting good operators and recognized chefs who have innovative concepts is keeping in the spirit of our community and is willing to support this application but emphatically reiterates that this is not the norm and that CB#2, Man. will not give any benefit to any future applicants for seasonal licenses based on any position taken with this applicant and that this is not a precedent but a unique set of circumstances for this applicant only;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to the seasonal Beer and Wine license for **Sayan Media corp. d/b/a City Grit, 38 Prince St. aka 233 Mott St. 10012** **unless** those conditions and stipulations agreed to by the applicant relating to 9th “whereas” clause above are incorporated into the “Method of Operation” on the SLA license.

Vote: Unanimous, with 39 Board members in favor.

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Dear Mr. Christian:

At its Full Board meeting on May 23, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

6. La Vecindad Corp., 116 MacDougal St. – New OP

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

Whereas, this application is for a new On Premise license in a mixed-use building, located on MacDougal Street (Block #540 / lot #07), for a 1,300 sq. ft premise with 10 tables and 40 seats and 1 bar with 8 seats and a maximum occupancy of 74; there is no sidewalk café and no backyard use; and,

Whereas, the hours of operation will be Sunday through Saturday from 5:00 p.m. – 4:00 a.m., music will be background, DJ and live music, there will be scheduled performances and there will be outside promoters and private parties; and,

Whereas, this application is for a bar/tavern which will have a “craft cocktail lounge and mixology bar with a focus on classic and vintage style Latin cocktails, a small tapas and piqueo menu, a Latin centric spirit selection and a small but expertly curretted selection of Latin American and Spanish wines”; and,

Whereas, the BAMRA (Bleecker Area Merchants’ & Residents’ Association) previously reviewed this application and voted to deny this application stating “ this is an underground space, with a history of problems with noise from music emanating from the space and loud and unruly customers outside. The Two previous owners had live music and DJ’s, contrary to their SLA license stipulation of “background music only” and contrary to their “method of operation” and that music was the primary source of noise complaints both from residents across the street and residents from apartments above and adjacent to the establishment. The applicant stated that the DJ and live music that he proposes would be “ background” and that there would be no dancing.

No DJ or live music in this space with prior owners (even played contrary to stipulations) has been background and was a regular disturbance and dancing was a regular activity”; and,

Whereas, BAMRA also points out that approving a license that allows Live Music at the very location that has not allowed it before would only make matters worse; and,

Whereas, the applicant submitted a petition with 20 signatures in support but CB#2, Man. asks that it is noted that the petition does not state hours of operation which are until 4 a.m. every day in this highly residential neighborhood; and,

Whereas, the proposed operation which the applicant has not been able to describe thoroughly is located in a long and narrow space with minimal street frontage and a narrow sidewalk which is often blocked by garbage in the evenings making it even narrower for the surrounding residential and commercial establishments and the establishment is located in a below ground location; as a consequence, there is minimal space for signage to attract customers, any music inside the establishment must be amplified throughout the establishment due to the long and narrow configuration, the manner in which the applicant states that “live music” would be incorporated into the establishment is difficult to imagine without amplification and there is cause for significant concern that even though the live music may be unamplified there will be brass instruments and percussion instruments which by their very nature are loud and in order to be heard throughout the establishment, the music would have to be played above levels at what other locations might be somewhat acceptable if they were non-tenement sound-proofed locations; and

Whereas, this is a tenement building with limited or no existing soundproofing according to the current applicants and according to previous licensees was fully soundproofed, but there have over the years been repeated complaints of loud music emanating from the premises in all directions, it may be considered that part of the issue is that tenement buildings are notoriously difficult to sound proof if even possible with vast resources, but it is inherently irresponsible allow live music, dj’s and dancing in these types of buildings despite what any sound engineer might state given the repeated complaints in similar buildings throughout CB#2, Man. and despite what this applicant states that they may be able to accomplish in the space because the risk to the community is even more quality of life concerns in an already overburdened area, particularly this block of MacDougal St; the applicants plan to install a sound lock vestibule which only allows one door to be open at a time before allowing the other door to open seems impractical at best in this particular location as there is no space for patrons to waiting to enter or exit except on the sidewalk which is already overburdened; and,

Whereas, the applicant was unable to produce any business model or plans or track record to indicate how they will attract premium clients to an upscale mixology bar with no street frontage and located in a basement on a street known for different types of establishments, other than saying they have a following, even though this area that is better known for happy hour specials and inexpensive drinks on a block that as the evenings progress become teeming with young revelers already blocking sidewalks and creating commotions which this higher end clientele would have to wade through for some distance, which most of the target clientele seemingly try to avoid at all costs, and while there are a few similar higher end drink mixology establishments in the extended area, they do not utilize live dj’s, live music, promoted events and private parties and are for the most part on the periphery of the immediate Greenwich Village area where their customers are generally more comfortable in avoiding the chaos that exists on MacDougal St. because that atmosphere does not complement high end mixology establishments and those that enjoy those types of establishments; and,

Whereas, there is concern that the idea of having outside promoted events, scheduled performances and private parties will create an even more chaotic situation as there is virtually no sidewalk space in front of this establishment and there is no way to properly handle the influx and outflow of patrons who typically come and go together for these types of events, and who enter and exit to smoke in large groups, should any lines form, the area will be impassible; additionally, there is a history at this location of having private parties that go on late until the early hours at this location on Sunday, Monday and Tuesday nights which are to some extent the only times this particular community can escape the significant influx of people into this neighborhood and these types of events regularly result in large numbers of people exiting the establishment at 4 am causing disturbances to the residential community through the quality of life issues they cause;

Whereas, the applicant was unable to produce any indication on how they might lessen the impact of vehicular traffic in this area; the lane in front of their establishment is a bike lane in which no stopping or standing is allowed and already the 6th Precinct is unable to keep the bike lane clear on the East side of the street or the no parking lane on the West side of the street clear which creates pandemonium and a cacophony of car horns and yelling on regular basis as the streets become clogged with vehicular traffic and in particular for hire and taxi services that patrons of higher end establishments regularly utilize and the long stretch vehicles that are utilized by others; and,

Whereas, this location was most recently used contrary to the approved “method of operation” as a private part venue only open on select days of the week and was not routinely kept open; and,

Whereas, while the applicant has shifted their presentation and method of operation to suit the questions of the neighborhood organizations and CB#2, Man., it is still a concept that is primarily based solely around dj’s and live music as a bar tavern concept, which they then said were not really dj’s and that the music would be background only, but in CB2’s experience we know of no establishments that have dj music at what CB#2, Man. considers quiet background levels and CB#2, Man. knows of no venues that have live music at what CB#2, Man. considers quiet background levels, and there are simply no establishments in the immediate area where this is the case and there is absolutely no public benefit in allowing a use which has never been allowed and which in fact was conducted contrary to previous approved method’s of operations for previous licensees and that these uses in this location have caused many ongoing and longstanding issues and quality of life concerns; and

Whereas, until pressed by CB#2, Man. and the local neighborhood association, the applicant emphatically stated that they would not have security because it wasn’t that type of establishment which CB#2, Man. feels that it shows a lack of research into this community as there are no businesses which serve alcohol that do not have licensed and bonded security on this block that are open at even remotely later hours due to the history of issues related to late night revelry in the area whether or not they are related to any one establishment and this alone seems to indicate a lack of experience in running a bar business; and,

Whereas, the last liquor license at this location expired on February 28, 2013 and was not renewed by the Liquor Authority; and,

Whereas, there are over 37 full on-premise liquor licenses located within 500 feet, not including several that are operating under SAPA which are not included within the Liquor Authority Lamp system yet which remain open for business, including a location across the street, and there additionally are probably close to 20 beer and wine licenses if not more within 500 feet; and,

Whereas, CB#2, Man. respectfully requests that a 500 ft. rule hearing be conducted; and,

Whereas, CB#2, Man. has significant concerns regarding this application and at the request of members of the community **requests that the matter be placed before the Commissioners of the New York State Liquor Authority for consideration at a regularly scheduled Full Board Meeting** to consider the objections presented by members of the community;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to a new On Premise liquor license for **La Vecindad Corp., 116 MacDougal St, 10012.**

Vote: Unanimous, with 39 Board members in favor.

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
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Dear Mr. Christian:

At its Full Board meeting on May 23, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

7. West Houston MacDougal LLC d/b/a Bar Veloce, 146 W. Houston St. 10012 – upgrade to OP

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a the upgrade from a Beer and Wine (#804445) to an On Premise license in a **RESIDENTIAL** building, located on the corner of Houston and MacDougal Street, for a 700 sq. ft. premise with 5 tables and 20 seats and 1 bar with 17 seats and an outside COUNTER with 5 seats that stands within the property line and a maximum occupancy of 74; there is no sidewalk café and no backyard use; and,

Whereas, the hours of operation will be Sunday through Saturday from 5:00 p.m. – 3:00 a.m., music will be background only, there will not be outside promoters and private parties; and,

Whereas, the BAMRA (Bleecker Area Merchants' & Residents' Association) previously reviewed this application and voted to deny unless the applicant agreed to stipulations which were written up and given to CB#2, Man. **WITHOUT** the applicants signature; and,

Whereas, BAMRA had requested that the operator close his outside space at 11:00 p.m. and reduce the closing hours of operation earlier in the week in which the operator would not agree with while operating in a **RESIDENTIAL** building; and,

Whereas, members of CB#2, Man. have personally witnessed the illegal use of this outdoor counter space by having patrons drinking while standing on the public sidewalk on the outside of this outdoor counter; and

Whereas, the applicant submitted a petition with 34 signatures in support but CB#2, Man. asks that it is noted that the petition does not state hours of operation which are until 3 a.m. every night in this highly residential neighborhood and building; and,

Whereas, the applicant did sign a stipulation agreement with CB#2, Man. which is as follows:

1. To close the outdoor counter space by 11:00 pm 7 days a week

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to the upgrade of the Beer and Wine license to a full On Premise license for **West Houston MacDougal LLC d/b/a Bar Veloce, 146 W. Houston St. 10012** unless those conditions and stipulations agreed to by the applicant relating to 8th “whereas” clause above are incorporated into the “Method of Operation” on the SLA license.

Vote: Unanimous, with 39 Board members in favor.

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



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

COMMUNITY BOARD NO. 2, MANHATTAN

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June 7, 2013

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

Dear Mr. Christian:

At its Full Board meeting on May 23, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

8. HSP Partners, LLC d/b/a The Cleveland Restaurant, 25 Cleveland Pl. 10012 – upgrade to OP

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the upgrade from the Beer and Wine license (#1266269) to a full On Premise license in a mixed-use building located on Cleveland Place between Spring and Kenmare Street (Block #481 / lot #21), for a 800 sq. ft interior and 1,300 sq. ft. in the exterior backyard with 23 tables with 70 seats and no bar; the maximum occupancy is 74 people, there will be no sidewalk café; and

Whereas, the hours of operation for the restaurant are Sunday and Monday from 9:00 a.m. to 10:00 p.m. and Tuesday through Thursday from 9:00 a.m. to 12:00 a.m. and Friday and Saturday from 9:00 a.m. to 1:00 a.m. and the backyard closing hours will be Sunday to Wednesday at 10:00 p.m. and Thursday to Saturday to 11:00 p.m.; music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no outside promoters, no velvet ropes, no movable barriers and there will be no TV's; and,

Whereas, this applicant has been operating with a restaurant wine license for less than 6 months; and,

Whereas, this operator agreed to stipulations with CB#2, Man. back in June of 2012 which included midnight closing hours 7 days a week which is not the same as reported on this application; and,

Whereas, according to community members who came to speak at this hearing, the operator originally stated at the time of their original restaurant wine application that they did not need a full On Premise license and only wanted a Beer and Wine license even though the previous operators did have a full OP that was *revoked* by the Liquor Authority; and,

Whereas, there is still no document provided that specifically states that the use of the backyard is legal which was a requirement placed in the stipulations in June 2012, the only documentation provided, a letter of no objection refers to the interior of the premises and does not include the rear yard which has no alternate means of egress; and,

Whereas, when asked what benefit to the community would this serve the applicant just stated that it was their right to request this upgrade; and,

Whereas, the applicant submitted a petition with 200 signatures in support of a full OP license; and,

Whereas, there were 3 community members who spoke against this application; and,

Whereas, it was clear to CB#2, Man. that the main concerns with this operation where the rear yard use which have been only operated on a limited basis and for which there is no track record of responsible management and no public benefit was stated as a reason for requesting an upgrade and the previous on-premise liquor license was revoked by the liquor authority;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the upgrade from the Beer and Wine license (#1266269) to a full On Premise license for **HSP Partners, LLC d/b/a The Cleveland Restaurant, 25 Cleveland Pl.**

Vote: Unanimous, with 39 Board members in favor.

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



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

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June 7, 2013

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

Dear Mr. Christian:

At its Full Board meeting on May 23, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

9. LLC to be formed by David Finnegan d/b/a R Bar, 218-220 Bowery 10012 – transfer of OP

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a transfer of the OP license (#1119873) in a mixed-use building, located on Bowery between Prince and Spring Street (Block #492 / lot #25), for a 3,000 sq. ft. premise with 8 tables and 69 seats and 2 bars with 27 seats and a maximum occupancy of 152; there is no sidewalk café and no backyard use; and,

Whereas, the hours of operation will be Sunday to Thursday from 6:00 p.m. – 4:00 a.m., Friday and Saturday from 8:00 p.m. to 4:00 a.m.; music will be amplified, there will be no scheduled performances or events with a cover charge, no outside promoters; and,

Whereas, the operator states there will be no change in the method of operation and will continue to follow what is currently on file with the SLA; and,

Whereas, the operator submitted a petition in support with 23 signatures; and,

Whereas, a community member representing a local neighborhood association stated support for this transfer and there was no one in opposition;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to the transfer of the OP license for **LLC to be formed by David Finnegan d/b/a R Bar, 218-220 Bowery 10012** **unless** those conditions and agreed to by the applicant relating to 4th “whereas” clause above are incorporated into the “Method of Operation” on the SLA license. **Vote: Unanimous, with 39 Board members in favor.**

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



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

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June 7, 2013

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

Dear Mr. Christian:

At its Full Board meeting on May 23, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

10. Victor Sigoura/Brian Crawford d/b/a 100 Montaditos/100 EM Franchisee LLC, 176 Bleecker St. 10012 – transfer of Beer and Wine

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a transfer of the Beer and Wine license (#1154756) originally Garden Pizza, Inc.; in a mixed-use building, located on Bleecker between MacDougal and Sullivan Street (Block #526/lot #61), for a 2,500 sq. ft. premise including backyard with 15 tables and 50 seats and 1 bar with 4 seats inside and 8 tables and 20 seats in the backyard and a maximum occupancy of 74; there is no sidewalk café; and,

Whereas, the hours of operation for the interior will be Sunday to Thursday from 11:00 a.m. – 2:00 a.m., Friday and Saturday from 11:00 a.m. to 4:00 a.m. and the backyard will be Sunday to Saturday from 11:00 a.m. to 11:00 p.m.; music will be background only in the interior restaurant, there will be no scheduled performances or events with a cover charge, no outside promoters; and,

Whereas, the operator states that the only changes will be a change in the menu and some cosmetic interior work and better soundproofing but that the method of operation will continue to follow what is currently on file with the SLA; and,

Whereas, there will be plans in the future to add an addition to the back of the building which will decrease some of the outdoor garden space pending the Department of Buildings approval; and,

Whereas, the following stipulations were established with BAMRA (Bleecker Area Merchants' and Residents' Association) and the applicant signed a stipulations agreement with CB#2, Man. stating that they would agree that the same stipulations would be attached and incorporated in to their method of operation on their SLA license which are as follows:

1. **Hours of Operation:** The Establishment shall operate from **11:00 AM to 2:00 AM Mondays through Thursdays** and from **11:00 AM to 4:00 AM Saturday and Sunday**. **Garden hours are to be from 11:00 a.m. to 11:00 p.m. 7 days a week.**
2. **Certificates, Permits and Related Documents:** The Operators shall obtain all required certificates, permits and related documents. *Currently, no permit or certificate of occupancy exists for the backyard garden, the noise from which caused by the illegal use of the garden by the previous operator, was a disturbance for the residents of the MacDougal/Sullivan street gardens. Operator stipulates that he will not operate in the backyard unless and until use of the garden is permitted by the DOB in writing and any landmark issues are resolved. If backyard use is eventually permitted, Operator will use sound attenuation measures, like a canopy if legal, to keep backyard noise from disturbing surrounding residents.*
3. **Traffic:** The Operators will use reasonable efforts to remedy any traffic issues brought to its attention, to the extent that it can. The Operators shall direct staff to monitor the patrons of the Establishment who are gathered outside the Establishment and the staff shall direct such persons or traffic going to and from the Establishment to keep the area clear and passable by pedestrians. The Operators will clean any debris left by its patrons (ie: cigarette butts, etc.) from the area in front of the Establishment and surrounding areas.
4. **Manager:** The Operators shall have an English-speaking manager on duty, capable of adequately communicating with residents of the community, to be present at the Establishment during all hours of operation. All Managers and staff will operate under these stipulations as well. Any complaints made about the Establishment to BAMRA will be relayed to the Operators and the Operators will make their phone numbers available to complainant and will work with both the complainant and BAMRA to reasonably resolve any issues.
5. **Music:** The Operators shall play quiet, background level music inside the Establishment and shall not play any music whatsoever outside the Establishment, nor deliberately direct music from within the Establishment to be heard outside the Establishment. The Operators shall not permit DJs, live music or outside promoters in the Establishment.
6. **Television:** The Operator shall have one television in the Establishment played without sound.
7. **Sidewalk Cafe:** The Operators waive the right to apply for a sidewalk café license.
8. **Sanitation:** The Operator shall not place refuse at the curb except as close to pick up as possible.
9. **Lighting:** The Operator shall not install illuminated signage or lighting on or within the Establishment that would adversely and unreasonably disturbs residents living near the Establishment. The Operators agree to leave downward-directed security lighting on after the Establishment has closed.
10. **Windows & Doors:** Operator will not install French doors, nor change the windows to open to the street. All doors and windows are to remain closed at all times, including those that open to the backyard garden.

11. **Notification Of Change Of Ownership:** The Operator shall notify Manhattan Community Board 2 in the event of a change of ownership as required by SLA regulations.
12. **Events:** The Operator shall not host third party private events, meaning an activity by a non-affiliated group or individual where the Operator has no responsibility or staff involved.
13. **License Renewal:** The Operator will appear before BAMRA and Manhattan Community Board 2 before renewing this liquor license, to determine if the stipulations are working and are being adhered to.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the transfer of the Beer and Wine license for **Victor Sigoura/Brian Crawford d/b/a 100 Montaditos/100 EM Franchisee LLC, 176 Bleecker St. 10012** unless those conditions and agreed to by the applicant relating to 6th “whereas” clause above are incorporated into the “Method of Operation” on the SLA license.

Vote: Unanimous, with 39 Board members in favor.

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



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

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June 7, 2013

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

Dear Mr. Christian:

At its Full Board meeting on May 23, 2013, 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:

11. ZRC Operations Company, Inc. d/b/a Qdoba Mexican Grill, 184 Bleecker St. 10012

Whereas, after this month's CB2 SLA Licensing Committee meeting of May 14th, 2013, the applicant realized that the application was completed incorrectly and requested a layover to the following month; and

Whereas, this application is for a Corporate Change;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** the proposed Corporate Change for **ZRC Operations Company, Inc. d/b/a Qdoba Mexican Grill, 184 Bleecker St. 10012** until the applicant has presented their application in front of CB2, Man.'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 39 Board members in favor.

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



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

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June 7, 2013

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

Dear Mr. Christian:

At its Full Board meeting on May 23, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

12. Doozo Restaurant, Inc., 216 Thompson St. 10012

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on May 14th, 2013, the applicant's attorney requested to withdraw the application from consideration; and,

Whereas, this application is for a Corporate Change;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** the proposed Corporate Change for **Doozo Restaurant, Inc., 216 Thompson 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 39 Board members in favor.

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



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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June 7, 2013

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

Dear Mr. Christian:

At its Full Board meeting on May 23, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

13. James Hudolfston or Entity to be formed, 173 Mott St. 10013

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on May 14th, 2013, the applicant's attorney requested to layover the application from consideration; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny the proposed On Premise license for **James Hudolfston or Entity to be formed, 173 Mott 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 39 Board members in favor.

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



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

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June 7, 2013

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

Dear Mr. Christian:

At its Full Board meeting on May 23, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

14. Lobster Smack, LLC, 90 W. Houston St. 10012

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on May 14th, 2013, the applicant's attorney requested to withdraw the application from consideration; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed Beer and Wine license for **Lobster Smack, LLC, 90 W. Houston 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 39 Board members in favor.

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



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

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June 7, 2013

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

Dear Mr. Christian:

At its Full Board meeting on May 23, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

15. RV Partners, 190 Bleecker St. 10012

Whereas, during this month's CB2 SLA Licensing Committee meeting on May 14th, 2013, the committee requested that the applicant layover the application from consideration and do further community outreach to which the applicant agreed; and,

Whereas, this application is for a new Beer and Wine; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed Beer and Wine for **RV Partners, 190 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 39 Board members in favor.

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



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

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June 7, 2013

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

Dear Mr. Christian:

At its Full Board meeting on May 23, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

16. Manhattan Maharaja, TBD, 138 W. Houston St. 10012

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on May 14th, 2013, the applicant's attorney requested to layover the application from consideration; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed On Premise license to **Manhattan Maharaja, TBD, 138 W. Houston 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 39 Board members in favor.

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



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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June 7, 2013

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

Dear Mr. Christian:

At its Full Board meeting on May 23, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

17. Michael Orecchio d/b/a Baby Grand, 161 Lafayette St. 10013

Whereas, at this months CB2 SLA Licensing Committee meeting on May 14th, 2013, the attorney requested to layover the application from consideration; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed On Premise license to **Michael Orecchio d/b/a Baby Grand, 161 Lafayette 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 39 Board members in favor.

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



Antony Wong, *Treasurer*
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June 7, 2013

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

Dear Mr. Christian:

At its Full Board meeting on May 23, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

18. Ryan Chadwick d/b/a Norman's Group, LLC, 173 Mott St.

Whereas, after this month's CB2 SLA Licensing Committee meeting on May 14th, 2013 at which CB2's SLA Licensing Committee recommended unanimously to the full board of CB2 that the application be denied, the applicant contacted the CB2 district office and requested that the application be withdrawn from consideration;

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** the proposed On Premise license for **S Ryan Chadwick d/b/a Norman's Group, LLC, 173 Mott St. or any other license 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 39 Board members in favor.

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



Antony Wong, *Treasurer*
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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 23, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

19. Fosea LLC, Ella Hospitality, LLC d/b/a TBD, 264 Elizabeth St. 10012

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on May 14th, 2013, the applicant's attorney requested to withdraw the application from consideration; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny the proposed On Premise license for **Fosea LLC, Ella Hospitality, LLC d/b/a TBD, 264 Elizabeth 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 39 Board members in favor.

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



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

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June 7, 2013

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

Dear Mr. Christian:

At its Full Board meeting on May 23, 2013, 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 13th), 10014 (SN# 1254224 OP Alteration to add outdoor space)

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 13th Streets for 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 40 table seats and 14-16 tables in an outdoor dining terrace, and possibly converting the 4th Floor into a Sushi driven establishment although complete information was not provided;** and

Whereas, the applicant stated the current hours of operation for the 4th 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 beginning after the outdoor space is closed; 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 and the terrace “dark” at closing time; and,

Whereas, the applicant has been operating for over 20 months without any known issues; and,

Whereas, the applicant was previously initially approved for this operation by this Community Board in December 2010 by a controversial vote of 21 to 18 for this previously unlicensed space while agreeing to over 15 stipulations including #5 which eliminated use of the outdoor terrace which was very controversial at the time of the original application and remains controversial today and much of

the original support for the original application came from those who were satisfied that the stipulations created an establishment in the public interest specifically because no outdoor space would be utilized; All stipulations have been satisfied by the applicants since operating this establishment; and

Whereas, the applicant had agreed as one of the 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”; and,

Whereas, it was pointed out that the exchange of approving the original license which added a new establishment in a previously unlicensed location on the upper floors of a building and the impacts of the size of this operation on the area, (in fact one of the largest establishments in the Meat Packing District), was passed narrowly precisely because of the elimination of the outdoor area which to many CB2 members and block association members was thought to be permanent, but which the licensees seems to believe was only temporary; and,

Whereas, the outdoor terrace area only exists because of the unique form of Landmark regulations in the meatpacking district which requires setbacks for visual sight lines from the street level if additional stories are added to existing buildings as they were in this case and the intention was not to add usable outdoor space for eating and drinking establishment use and while that use may be permitted, the intention of the setbacks was strictly for landmarking purposes; and,

Whereas, the applicant presented a substantively similar application to add the outdoor terrace space to CB2 in May of 2012, a resolution which was submitted to the SLA recommending denial with 31 votes in favor and 12 in opposition but which the applicant chose not to pursue with the Liquor Authority; and,

Whereas, prior to the May 2012 application, the applicant had reached out to members of the community including walking them through the proposed outdoor space; and,

Whereas, at the time, several members of the community voiced strong concerns with the proposed outdoor dining terrace; citing concerns that it would create the wrong precedent with outdoor spaces in a saturated neighborhood with required landmark setbacks that were never intended for outdoor eating and drinking use; 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 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 tests emanating from the proposed 4th 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, but tests were not conducted in residential units that are within direct line of sight on elevated floors which is one of the primary sources of concern; and,

Whereas, this application in May 2013 did not include what appeared to be a final floor plan and no additional outreach to the community was conducted as the licensee felt that those who were interested in the neighborhood had had ample time over the course of the last application to view and discuss the space and they indicated that they would proceed to the Liquor Authority with this application; and,

Whereas, the applicant agreed to execute an additional stipulations agreement with CB2 that they agreed would be attached and incorporated in to their method of operation on their SLA license stating that:

1. The original stipulations will remain in effect.
2. The hours of operation for the outdoor terrace will be Sunday to Wednesday closing at 11 pm and Thursday to Saturday closing at 12 a.m. At closing, the terrace would be dark and all activities will have ended.
3. The licensee will only use the door on the North side of the establishment located to the West of the Standup bar on the upper floor for all non-emergency ingress and egress to the terrace area. The other doors on the eastern side of the building will remain closed at all times.
4. The licensee will erect on the North Side entrance to the terrace a sound vestibule arrangement for the doors so that noise does not escape the establishment from the interior to the exterior.
5. The outdoor area will be for dining only; Only a dining configuration for seating will be utilized in the outdoor area i.e. regular height two and four top tables, there will be no lounge configuration or use of lounge style furniture such as couches or banquette style seating or seats not conducive to sitting at a table for dining purposes.
6. The licensee will not have more than 14-16 tables or 40 seats in the outdoor terrace area.
7. There will not be music outside on the terrace.
8. There will be no speakers in the outdoor terrace.
9. There will be no stand up or service bars in the outdoor terrace.

Whereas, in May 2013, 17 letters in opposition were received and one speaker spoke in opposition; and

Whereas, in May 2012, 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;

Whereas, CB#2, Man. feels that the original stipulation eliminating rooftop dining in exchange for the support of CB#2, Man. for the original license for what is one of the largest venues in the meatpacking district in a previously unlicensed space still stands today despite the operators history of no complaints and the impact of adding new outdoor seating on upper floors of this size within direct line of sight of residential units which has never existed before has the potential to significantly impact quality of life even beyond the impact of adding this licensed premise to the neighborhood despite the significant number of large multi-license venues in the area and other licensed premises and furthermore that adding this space goes against what was agreed to at the time of the original application and even though sound tests were conducted at street level, none were conducted in the many buildings which have residential units with direct line of sight unobstructed views to the outdoor terrace and who are already affected directly by noise from this area; and,

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: Unanimous, with 39 Board members in favor.

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



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

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June 7, 2013

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

Dear Mr. Christian:

At its Full Board meeting on May 23, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

21. ViGu Inc., 628 Hudson Street, 10014 (new RW, previously unlicensed)

Whereas, the applicant appeared before CB#2, Man.'s SLA Licensing Committee to present an application to the Liquor Authority for a new restaurant wine license for a "Casual Family/café style coffee and sandwich" shop; and

Whereas, this application is for a previously unlicensed for retail consumption location in a mixed use building located on Hudson Street between Horatio Street and Jane Street for a roughly 1,359 sq. ft premise on two floors with 459 sq ft. on the ground floor and 900 sq. ft. in the basement with accessory use in the basement including customer bathrooms and convection ovens and there will be 11 tables and 22 seats and 1 bar with 5 seats on the ground floor, there will only be 1 standup bar on the ground floor, for a grand total of 27 seats, there is no sidewalk café included with this application but one may be applied for in the future, and no other outdoor areas for patrons, there is no certificate of occupancy for the building and no "letter of no objection" was provided showing eating and drinking use on the ground floor or use of the basement for bathrooms and convection ovens which have not existed prior; and

Whereas, the hours of operation will be Sunday to Thursday from 7 a.m. to 10 p.m. and Friday to Saturday from 7 am to 11 pm, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there are no operable French doors, there will be no d.j, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no T.V.'s; and,

Whereas, for illustration there are 26 licensed premises with 500 ft. and 2 additional licenses pending including one next door; and

Whereas, the applicant presented a petition with 86 residential signatures in support, many of which were not from the immediate surrounding buildings, and

Whereas, 14 emails in opposition were received from immediate residential neighbors and several speakers spoke against the applicant; and

Whereas, the main concerns of those in opposition were that this establishment has **no kitchen** but yet says they will be a café serving a menu with “restaurant” wine license and instead will use only simple implements to prepare the most basic of food using Panini presses and convection ovens which do not seem to match the presentation of the method of operation, that there is concern that the applicant’s other licensed premises just two doors away will be used for the preparation of food at this establishment effectively creating an extension of an existing business which the applicant had mentioned to several members of the community, there is significant concern that yet another non eating and drinking location that formerly served the community is being taken over with a poorly conceived business model for eating and drinking use which will most likely never revert should this business fail, that there are simply too many licensed premises in the area both full op and beer/wine, that the applicants have a hostile relationship with neighbors with their other venue two doors away and with other businesses and have threatened some and not kept to their word thereby creating a significant distrust with members of the local community that the principals will not operate in the manner they state, that their current establishment two doors away and outdoor sidewalk café are run poorly and contribute to lower quality of life in the neighborhood through noise and unruly patrons; and

Whereas, the applicant executed a stipulations agreement with CB#2, Man. that they agreed would be attached and incorporated in to their method of operation on their SLA license stating that:

1. The premise will be advertised and operated as a “coffee shop/Café/sandwich shop”.
2. The hour of operation will be Sunday to Thursday from 7 a.m. to 10 p.m. and Friday to Saturday from 7 am to 11 pm.
3. All doors and windows will be closed at all times and specifically will not be propped open .
4. There will be no live music, dj’s, promoted events, scheduled performances or any events for which a cover fee is charged
5. Music will be quiet background only from an ipod dock.
6. **The Licensee agrees to never apply for an on-premise liquor license or to upgrade this license to full liquor at this location.**
7. Licensee agrees that there will be patron use of basement.
8. Licensee agrees that there will be no kitchen in basement, but there will be a bathroom.

Whereas, CB#2 Man. has significant concerns regarding this application and at the request of members of the community **requests that the matter be placed before the Commissioners of the New York State Liquor Authority for consideration at a regularly scheduled Full Board Meeting** to consider the objections presented by members of the community;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of a new restaurant wine license for **ViGu Inc., 628 Hudson Street, 10014.**

Vote: Unanimous, with 39 Board members in favor.

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



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

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June 7, 2013

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

Dear Mr. Christian:

At its Full Board meeting on May 23, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

22. Even Plate Corp. 82 Christopher St. 10014 (new RW)

Whereas, the applicant appeared before CB#2, Man.'s SLA Licensing committee to present an application to the Liquor Authority for a new restaurant wine license for an "Café with focus on Northern European cuisine"; and,

Whereas, this application is for a previously unlicensed location in a mixed use building located on Christopher Street between 7th Ave and Blecker St. for a roughly 1,200 sq. ft premise on one floor with accessory use in the basement with 8 tables and 16 seats in the interior and 5 counter seats, for a grand total of 21 seats, there will be one service bar only, there is no sidewalk café and no outdoor areas for patrons, the Certificate of Occupancy indicates there is a maximum allowable occupancy of 27; and

Whereas, the hours of operation will be 11 a.m. to 12 a.m. (midnight) 7 days a week, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there are no operable French doors, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no T.V.'s; and,

Whereas, the applicant presented a petition with 14 residential signatures in support, none of which were from the building, and,

Whereas, the connection between the accessory area in the basement is via an outdoor entrance in the rear and the applicant said she would take all steps to minimize noise to residential tenants including not allowing employees to loiter or smoke outside, that a door dampening system would be installed to

minimize sounds from closing doors and should any problems arise, she would address them immediately; and

Whereas, the applicant executed a stipulations agreement with CB2 that they agreed would be attached and incorporated in to their method of operation on their SLA license stating that:

9. The premise will be advertised and operated as Café with Northern European Cuisine operating as a full service restaurant only.
10. The hour of operation will be 11 a.m. to 12 a.m. (midnight) 7 days a week.
11. All front and rear doors and windows will be closed at all times and specifically will not be propped open.
12. There will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged
13. Music will be quiet background only from an ipod dock.
14. Licensee will install door dampening system on rear doors (non-slamming door)
15. Licensee will not allow employees loitering or smoking in rear outdoor service area.

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends denial of a new restaurant wine license for **Even Plate Corp. 82 Christopher St. 10014** unless the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 6th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 39 Board members in favor.

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



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

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June 7, 2013

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

Dear Mr. Christian:

At its Full Board meeting on May 23, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

23. Indie Fork Hospitality, 170 Mercer St. 10012 (New OP – prev licensed location – not transfer)

Whereas, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new on premise liquor license (not a transfer) application for a "a Japanese Sushi and Izakaya restaurant"; and,

Whereas, this application is for a previously licensed location in a mixed use building located on Mercer St. between Prince St. and Houston St. for a roughly 1,929 sq. ft premise on the 2nd floor with 15 tables and 58 seats and 1 bar with 17 seats for a grand total of 75 seats, there will be one stand-up bar only and one sushi bar, there is no sidewalk café included in this application, there is no rear yard and no other outdoor areas for patrons, the Certificate of Occupancy indicates there is a maximum allowable occupancy of 152 persons and any use of occupancy above 74 persons will require a place of assembly permit; and,

Whereas, the hours of operation will be Sunday to Wednesday from 11 a.m. to 12 a.m., Thursday-Saturday from 11 a.m. to 2 a.m., music will be quiet background only from a very basic sound system consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, there maybe private dining parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no T.V.'s; and,

Whereas, the applicant presented a petition with 167 signatures in support, there were 4 speakers in support and 8 letters in support and the applicant spoke with the local neighborhood association, and,

Whereas, the principal is also a principal in 4 other licensed premises in New York City; and,

Whereas, the applicant executed a stipulations agreement with CB2 that they agreed would be attached and incorporated in to their method of operation on their SLA license stating that:

1. The premise will be advertised and operated as a full service restaurant only, a Japanese Sushi and Izakaya restaurant.
2. The hour of operation will be will be Sunday to Wednesday from 11 a.m. to 12 a.m., Thursday-Saturday from 11 a.m. to 2 a.m.
3. All doors and windows will be closed at all times.
4. There will be no French doors or French windows.
5. There will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged
6. Music will be quiet background only from an ipod dock.
7. Sound curtains will be installed on all windows and soundproofing ceiling tiles will be installed.
8. If there is an issue with traffic and patron drop-offs, it will be addressed immediately
9. There will be no sidewalk café.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of a new on-premise liquor license for **Indie Fork Hospitality, 170 Mercer St. 10012. unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 6th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 39 Board members in favor.

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



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

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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 23, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

24. Step Forward Restaurant, LLC d/b/a Piora, 430 Hudson St. (New OP via transfer)

Whereas, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new on premise liquor license via "transfer" application for a "modern American Restaurant with French, Italian and Korean influences"; and,

Whereas, this application is for a previously licensed location in a mixed use building located on Hudson St. between Leroy St. and Morton St. for a roughly 1,400 sq. ft premise on the ground floor with accessory basement use for staff only with 19 tables and 47 seats and 1 bar with 10 seats for a grand total of 57 seats, there will be one stand-up bar only, there is a sidewalk café included in this application which consists of 5 additional tables and 10 additional seats, there is no rear yard and no other outdoor areas for patrons, the Certificate of Occupancy indicates there is a maximum allowable occupancy of 74; and,

Whereas, the hours of operation will be Sunday from 12 p.m. to 12 a.m., Mon-Wednesday from 11 a.m. to 12 a.m. and Thursday to Saturday from 11 a.m. to 2 a.m., music will be quiet background only from a very basic sound system consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, there may be private dining parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no T.V.'s; and,

Whereas, the applicant presented a petition with 13 signatures in support and the landlord lives in the building, and,

Whereas, the applicant executed a stipulations agreement with CB2 that they agreed would be attached and incorporated in to their method of operation on their SLA license stating that:

10. The premise will be advertised and operated as a full service restaurant only, a modern American restaurant with French, Italian and Korean influences.
11. The hour of operation will be will be Sunday from 12 p.m. to 12 a.m., Mon-Wednesday from 11 a.m. to 12 a.m. and Thursday to Saturday from 11 a.m. to 2 a.m.
12. All doors and windows will be closed at all times.
13. There will be no French doors or French windows.
14. There will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged
15. Music will be quiet background only from an ipod dock.
16. The kitchen will be open at all times the premises is operating and a full menu will be served at all times (i.e. no simplified late night dining menu)

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of a new on-premise liquor license for **Step Forward Restaurant, LLC d/b/a Piora, 430 Hudson St. unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 5th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 39 Board members in favor.

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



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

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June 7, 2013

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

Dear Mr. Christian:

At its Full Board meeting on May 23, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

25. Augusto Cardona or Entity to be formed, TBD, 84 7th Ave. South, 10014 (new OP – prev lic)

Whereas, the applicant appeared before CB#2, Man.'s SLA Licensing committee to present an application to the Liquor Authority for a new on premise liquor license for a "full service restaurant serving elevated Tex-Mex cuisine" that "will serve breakfast, lunch and dinner and also offer takeout and delivery," "there will be an extensive selection of artisan tequilas and mescals offered at the bar as well as a list of proprietary cocktails and non alcoholic beverages [;] the atmosphere will be similar to restaurants we own and operate in the West Village which is a fun, upbeat and warm welcoming atmosphere with a hint of West Village sophistications"; and,

Whereas, this application is for a previously licensed location in a mixed use building located on 7th Avenue South between Grove St. and Barrow St. for a roughly 1,700 sq. ft premise on two floors with 1,200 sq. ft. on the ground floor which includes 250 sq ft. in an enclosed sidewalk café and 700 sq ft in the basement for accessory use storage use with 22 tables and 46 seats (of which 10 tables and 20 seats are in the enclosed sidewalk café) and 1 bar with 3 seats for a grand total of 46 seats, there will be one stand-up bar only, there is only an enclosed sidewalk café and no other outdoor areas for patrons, the Certificate of Occupancy indicates there is a maximum allowable occupancy of 49; and,

Whereas, the hours of operation will be 7 a.m. to 2 a.m. 7 days a week, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), a Sonos system with four speakers with music from an ipod will be used in the premises, there are operable sliding glass doors around the enclosed sidewalk café which will be closed by 10 p.m. every night, there is a plan in place that should patrons waiting be seated congregate,

the operator will take their cell phone numbers and contact them when their table is ready, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no T.V.'s; and,

Whereas, the applicant presented a petition with 103 signatures in support although it was unclear where many of the signatories resided and several letters of support, and,

Whereas, many of the principals are also principals in 4 other licensed establishments located within CB#2, Man. with no complaints that we are aware of; and,

Whereas, the applicant executed a stipulations agreement with CB2 that they agreed would be attached and incorporated in to their method of operation on their SLA license stating that:

17. The premise will be advertised and operated as an “elevated Tex-Mex” full service restaurant only.
18. The hour of operation will be 7 a.m. to 2 a.m. 7 days a week.
19. All windows will be closed at 10 p.m. without exception.
20. There will be no live music, dj’s, promoted events, scheduled performances or any events for which a cover fee is charged
21. Music will be quiet background only from an ipod dock.
22. There will be no speakers in the enclosed sidewalk café.
23. Licensee will not have any outdoor benches.
24. The rear door will remain closed at all times.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of a new restaurant wine license for **Augusto Cardona or Entity to be formed, TBD, 84 7th Ave. South, 10014** unless the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 6th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 39 Board members in favor.

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



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

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June 7, 2013

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

Dear Mr. Christian:

At its Full Board meeting on May 23, 2013, 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:

26. 45 Bond Street, LLC d/b/a Circolo, 45 Bond St. 10012 (Corporate Change Application & Alteration Application – Serial # 1266901)

Whereas, at this month's CB#2, Man.'s SLA Licensing Committee Meeting #2 on May 16th, 2013, the applicant requested to **layover** this application for a Corporate Change Application and an Alteration Application because they were not prepared to make a presentation to CB2 and they will resubmit the application(s) for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, alteration, upgrade or changes to any existing license for **45 Bond Street, LLC d/b/a Circolo, 45 Bond 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 38 Board members in favor.

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



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

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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 23, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

27. Laduree SoHo, LLC d/b/a Laduree, 396-398 West Broadway, 10012 (Layover – New OP)

Whereas, prior to this month's CB#2, Man.'s SLA Licensing Committee Meeting #2 on May 16th, 2013, the applicant's representative requested to **layover** this application for a new on premise liquor license and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, alteration, upgrade or changes to any existing license for **Laduree SoHo, LLC d/b/a Laduree, 396-398 West Broadway, 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 39 Board members in favor.

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



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

COMMUNITY BOARD NO. 2, MANHATTAN

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June 7, 2013

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

Dear Mr. Christian:

At its Full Board meeting on May 23, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

28. Robert Molinar d/b/a Bar Magoo, 11 Abingdon Square, 10014 (Layover – New OP)

Whereas, prior to this month's CB#2, Man.'s SLA Licensing Committee Meeting #2 on May 16th, 2013, the applicant's representative requested to **layover** this application for a new on premise liquor license and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, alteration, upgrade or changes to any existing license for **Robert Molinar d/b/a Bar Magoo, 11 Abingdon Square, 10014** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board members in favor.

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



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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June 7, 2013

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

Dear Mr. Christian:

At its Full Board meeting on May 23, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

29. Sushi Nakazawa, LLC, 23 Commerce St. 10014 (Layover - New RW)

Whereas, at this month's CB#2, Man.'s SLA Licensing Committee Meeting #2 on May 16th, 2013, the applicant requested to **layover** this application for a new on premise liquor license which they said would now be a new application for a Restaurant Wine license because they were not prepared to make a presentation to CB2 and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, alteration, upgrade or changes to any existing license for **Sushi Nakazawa, LLC, 23 Commerce St. 10014** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board members in favor.

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



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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June 7, 2013

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

Dear Mr. Christian:

At its Full Board meeting on May 23, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

30. Can Carlos NYC LLC, 5 Bleecker St. 10012 (Layover – New RW)

Whereas, prior to this month's CB#2, Man.'s SLA Licensing Committee Meeting #2 on May 16th, 2013, the applicant's representative requested to change the 30 day notification from a new on-premise liquor license to a restaurant wine application and to **layover** this application and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, alteration, transfer, upgrade or changes to any existing license for **Can Carlos NYC LLC, 5 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 39 Board members in favor.

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



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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June 7, 2013

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

Dear Mr. Christian:

At its Full Board meeting on May 23, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

31. 199 Prince Chod, LLC, TBD 199 Prince St. 10012 (“Transfer” Application)

Whereas, at this month’s CB#2, Man.’s SLA Licensing Committee Meeting #2 on May 16th, 2013, the applicant requested to **layover** this application for a New on Premise Liquor License via a “transfer” in order to perform additional community outreach to the local community organization whom they had not contacted, to determine whether or not outdoor space on a raised concrete platform in front of the premises where they wish to place seating was within the property lines or on the public sidewalk, to provided an updated seating plan reflecting information presented in CB2’s SLA Questionnaire and on their application to the Liquor Authority, and to review whether they would accept stipulations on the previous two licensees which specifically included an agreement that two of the three exterior front doors would be closed at all times and they will resubmit the application(s) for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, alteration, upgrade or changes to any existing license for **199 Prince Chod, LLC, TBD 199 Prince 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 39 Board members in favor.

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



Antony Wong, *Treasurer*
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June 7, 2013

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

Dear Mr. Christian:

At its Full Board meeting on May 23, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

32. Entity in which Brian Shehairo is Principal d/b/a Crif Dogs, Corner of Houston & Elizabeth Sts., 10012-(via truck & Portable Bathrooms-Empty lot) (New License)

Whereas, prior to this month's CB#2, Man.'s SLA Licensing Committee Meeting #2 on May 16th, 2013, the applicant's representative requested to **withdraw** this application for a new on premise liquor license or beer and wine seasonal license;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, alteration, upgrade or changes to any existing license for **Entity in which Brian Shehairo is Principal d/b/a Crif Dogs, Corner of Houston & Elizabeth Sts., 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 39 Board members in favor.

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



Antony Wong, *Treasurer*
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June 7, 2013

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

Dear Mr. Christian:

At its Full Board meeting on May 23, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

33. Adam Rosatti on behalf of entity d/b/a Burgerfi, 704 Broadway (new rw)

Whereas, at this months CB#2, Man.'s SLA Licensing Committee Meeting #2 on May 16th, 2013, the applicant agreed to **layover** this application for what is now a new restaurant wine license in a previously unlicensed location but which they originally notified CB2 was a new on Premise Liquor License in order to complete a new CB2 SLA Questionnaire with proper details outlining their application to the SLA and to indicate that this application is now for a restaurant wine license and not an on-premise license; additionally the applicant and the building co-op board in which they are located needed additional time to finalize an agreement for which the details and language were not complete at the time of this hearing and the applicant will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, alteration, upgrade or changes to any existing license for **Adam Rosatti on behalf of entity d/b/a Burgerfi, 704 Broadway** 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 39 Board members in favor.

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

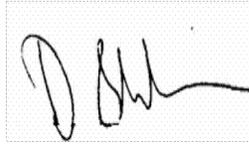
Sincerely,



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



Carter Booth Co- Chair
SLA Licensing Committee
Community Board #2, Manhattan



David Gruber, Chair
Community Board #2, Manhattan

DG/fa

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