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COMMUNITY BOARD No. 2, MANHATTAN

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December 1, 2011

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 November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

1. Strip House NY Restaurant, TBD 11 East 12th St., NYC 10003

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

Whereas, this application is for a new Full On Premise Bar/Tavern license, in a mixed-use building (block 570 / lot 40) on 12th Street between Fifth Avenue and University Place for a 1,060 s.f. bar/tavern which has 16 tables and 36 seats and 1 bar with 14 seats, there will be no sidewalk café and no back yard garden, music will be background only and a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation are Sunday through Saturday from 11:00 a.m. to 2:00 a.m.; and,

Whereas, the applicants acquired this space because it was included in the lease through the purchase of the adjacent restaurant, The Strip House, located at 13 East 12th Street (License Serial Number 1256887); and,

Whereas, the applicant explained that among other reasons, this space was not going to be included under the license for 13 East 12th Street through an expansion of that licensed premise even though the locations are already connected through a pass thru doorway connected to the kitchen, because they cannot reasonably join the adjacent spaces because of significant elevation differences and joining the spaces would necessitate the creation of a large ADA accessible ramp for accessibility between the two spaces for patrons; and,

Whereas, according to the applicant, this location could be operated as a separate entity from the location at 13 East 12th Street next door because it is a separate independent license and owned under a separate entity and potentially in the future could transfer ownership independent of the 13 East 12th Street location; and,

Whereas, this application was presented as an “annex” establishment of The Strip House next door at 13 East 12th Street, which has been in business for over 10 years; this location would not have a kitchen in the premise, but would utilize the kitchen of the adjacent restaurant at 13 East 12th Street and access to the kitchen would be through an existing interior door that would be utilized only by staff; and,

Whereas, this location, while not applying for a license as a restaurant because the location has no kitchen, was presented with a consistent method of operation as the adjoining location, as an establishment serving a full menu, prepared in a full service kitchen supervised by a chef, serving the full/comparable menu available at the adjacent restaurant, The Strip House at 13 East 12th street, but would also include signature dishes for this location that would be available at a lower price point; and,

Whereas, this applicant currently holds 19 Liquor Licenses in New York City, 6 of which are within the confines of CB#2, Man. and has been a principal in the hospitality industry for over 25 years, and according to the applicant none have ever received an SLA violation; and,

Whereas, this applicant submitted letters by both the New York Police Department’s 6th Precinct and Speaker Christine Quinn of the Council of the City of New York offices; and,

Whereas, the applicant stated for the record that he did not request that anyone come and speak in favor of his application and no one appeared in favor of the application as originally presented; and,

Whereas, there was much opposition from the community with 24 letters or emails submitted, a petition with 243 signatures against and 13 people who attended the hearing and spoke against this application; and,

Whereas, the opposition was focused primarily on (1) the issues of hours of operation until 4:00 am, which was presented originally by the applicant, (2) in regards to a new location that has never been licensed before by the SLA, (3) the large number of existing licenses in the area, a list was presented indicating 29 licensed premises within 500 ft, (4) the largely disproportionate burden that this community has to bear for licensed establishments, this zip code 10003 has the most SLA licenses in all of Manhattan with a current total of 474 licenses, (5) the existing vehicular traffic is already very heavy and congested at many times due to the number of establishments on this block, double parking and the impending use by North Shore LIJ Ambulances crossing from the west side from the new stand alone Emergency Care Facility that will be opened in a portion of the old St. Vincent’s Campus is of great concern, (6) that adding to existing pedestrian traffic in the area at late hours is simply not acceptable in this largely residential community, (7) that despite the existence of a commercial overlay on the ground floors of this block, this is a side street, not a commercial thoroughfare or avenue and is largely residential, and (8) the hours of operation until 4:00 am for a Bar/Tavern License are simply unacceptable in this location for the aforementioned reasons; and,

Whereas, members of the community who spoke in opposition very clearly stated that their opposition was not to the operator, who was identified as a “good operator”, “law abiding” and “one of the best operators NY has to offer,” but to the proposed method of operation, specifically hours that extend beyond 2:00 am and the concern that the location because of this type of license, a bar/tavern license, could potentially operate without the presented food component; and because the applicant was not willing to relinquish this license if the adjacent business, Strip House at 13 East 12th Street were sold (because there would then be no Kitchen), or if this business were to be sold and no longer operate in conjunction with the kitchen at 13 East 12th Street (it would be a bar only); and,

Whereas, the applicant said he would most likely appear in the future to request an extension of hours beyond 2:00 am for this location, but regardless of the potential request which CB#2, Man. will hear as it hears all requests, CB#2, Man. concurs with the local community that it cannot see a change in the foreseeable future that would warrant support at any level for an extension of hours beyond 2:00 am for the reasons indicated; and,

Whereas, the applicant presented and agreed to the following stipulations:

- 1. Hours of operation:** Sunday through Saturday from 11: a.m. to 2:00 a.m.
- 2. Soundproofing:** The Operator shall use its best efforts to soundproof the Establishment to ensure that noise does not emanate from the Establishment, in any direction and meets or exceeds New York City noise code.
- 3. Exterior Equipment:** The Operator shall use its best efforts to soundproof the Exterior Equipment to ensure that all noise produced by any external equipment installed and operated by the Operator meets or exceeds New York City noise code.
- 4. Windows:** The Operator shall use its best efforts to ensure that noise does not emanate from the windows. The Operator shall not permit any doors or windows to be purposely left open. If any windows are to be replaced they are to be replaced with non-operable windows.
- 5. Security:** The Operator shall cause a communicative manager to be present at the Establishment during all hours of operation.
- 6. Music:** The Operator shall not permit DJs or live music in the Establishment. Only background music at a reasonable level shall be permitted.
- 7. Promoters:** The Operator shall not use outside “promoters” or allow third “promoter” party events at the Establishment.
- 8. Dancing:** The Operator shall not permit dancing in the Establishment.
- 9. Sanitation:** The Operator shall not store garbage or garbage dumpsters outside of the Establishment. Operator shall use same garbage collector and same procedures as Strip House restaurant at 13 E. 12th Street.
- 10. Lighting:** The Operator shall not install any banner up-lighting on the exterior of the Establishment.
- 11. Steering:** The Operator shall not attempt to “steer” the public from the sidewalk into the Establishment. The Operator shall not distribute any fliers on the sidewalk or street.
- 12. Signage:** The Operator shall not install anything above the first story. The Operator will make every reasonable attempt to install signage, which would conform to landmarks district standards and/or be similar to existing Strip House signage.
- 13. Quarterly Meetings:** Upon request, the Operator shall make available the general manager to attend quarterly meetings with representatives of the community.
- 14. Basement:** The Establishment's basement shall not be used to seat or serve patrons.

Whereas, CB#2, Man. respectfully request a 500 ft. rule hearing on this application; and,

Whereas, CB#2, Man. supports high-quality operators such as ***BR Guest***, which already has 6 locations within CB#2, Man. that are open until 4:00 am in good standing, but has great concerns allowing 4:00 a.m. closings on any residential side street and even more so in locations that have not been previously licensed; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends the **denial** of the Full OP License for **Strip House NY Restaurant, TBD 11 East 12th St., NYC 10003** **unless** all the stipulations agreed to in this resolution in the 15th Whereas clause are incorporated into the “Method of Operation”; and,

THEREFORE BE IT FURTHER RESOLVED that though CB#2, Man. supports this high quality operator in most endeavors, we do not support any increase in closing hours beyond 2:00 am in the foreseeable future at this location and would like this location to remain under one corporation and not be allowed to separate from the Strip House located next door at 13 East 12th Street.

Vote: Passed, with 39 Board members in favor, and 1 recusal (W. Schlazer).

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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 November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

2. Drinking With Good Dough, LLC, 85 Washington Plc., NYC 10011

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new Full On Premise license for a , in a mixed use building on Washington Place between 6th Avenue and McDougal Street (Block # 552 and Lot # 71), for a 1,700 s.f. Tavern which has 11 tables and 22 seats and 1 bar with 23 seats and 1 side counter with 4 stools, there will be no sidewalk café and no back yard garden, music will be background only with a juke box and a maximum legal capacity of less than 75 persons; and,

Whereas, the applicant states that the hours of operation are Sunday from 12:00 p.m. to 2:00 a.m. and Monday through Thursday from 4:00 p.m. to 2:00 a.m. and Friday and Saturday from 4:00 p.m. to 4:00 a.m.; and,

Whereas, the applicant submitted a menu that the applicant stated closely resembles the food that will be served for this “bar with a full kitchen and table service” which includes appetizers, soups, salads, burgers, sandwiches and entrees as well as a separate selection of side orders; and,

Whereas, this applicant agreed to the following stipulations:

1. The Hours of Operation are Sunday from 12:00 p.m. to 2:00 a.m. and Monday through Thursday from 4:00 p.m. to 2:00 a.m. and Friday and Saturday from 4:00 p.m. to 4:00 a.m.
2. The Applicant will never exercise the option of applying for a Cabaret License with the NYC DCA that is currently an allowable use at this location on the DOB Certificate of Occupancy via “use group 12” .
3. The Applicant will have the maximum occupancy on the Certificate of Occupancy reduced to less than 75 persons.
4. The Applicant will change the use group for the basement location to use group 6.

Whereas, CB#2, Man. respectfully requests a 500 ft. rule hearing on this application; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to the new On Premise license for **Drinking With Good Dough, LLC, 85 Washington Plc., NYC 10011** unless all the stipulations agreed to in this resolution in the 5th Whereas clause is incorporated into the “Method of Operation”.

Vote: Unanimous, with 40 Board members in favor.

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Dear Mr. Christian:

At its Full Board meeting on November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

3. High Heat Blecker LLC, d/b/a High Heat Oven Grill Tap, 154 Blecker St./184 Thompson St., NYC 10012

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a Beer and Wine license, in a mixed use building on Blecker Street between Thompson St and LaGuardia Place (Block # 525 and Lot # 1601), for a 1,600 s.f. restaurant which has 10 tables and 30 seats and 1 bar with 4 seats, there will be no sidewalk café and no back yard garden, music will be background only, and a maximum legal capacity of 68 persons; and,

Whereas, the applicant states that the hours of operation are Sunday through Thursday from 11:00 a.m. to 11:00 p.m. and Friday and Saturday from 11:00 a.m. to 12:00 a.m.; and,

Whereas, this location has never been licensed before but the Blecker Area Merchants' & Residents' Association (BAMRA) has established an agreed set of stipulations; and,

Whereas, CB#2, Man. supports the following stipulations:

1. The restaurant will close by 12:00 midnight on Friday and Saturday nights and by 11:00 p.m. all other nights.
2. Exterior doors and windows will be closed by 10:00 p.m.
3. No music will be played while any exterior windows or doors are open.
4. No promoters will be used.
5. Signage will be appropriate, not neon or animated.
6. No Pizza will be sold "by the slice"

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to the new Full OP license for **High Heat Bleecker LLC, d/b/a High Heat Oven Grill Tap, 154 Bleecker St./184 Thompson St., NYC 10012** unless all the stipulations agreed to in this resolution in the 5th Whereas clause is incorporated into the “Method of Operation”.

Vote: Unanimous, with 40 Board members in favor.

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Dear Mr. Christian:

At its Full Board meeting on November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

4. Meta Company, LLC d/b/a Hung Ry America, 55 Bond St., NYC 10012

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the upgrade from a Beer and Wine license to a Full OP, in a mixed use building on Bond Street between Lafayette and Bowery (Block # 529 and Lot # 35,36), for a 1,680 s.f. restaurant which has 12 tables and 39 seats and 1 bar with 8 seats, there is no sidewalk café and no back yard garden, music will be background only, and a maximum legal capacity of 75 persons; and,

Whereas, the applicant states that the hours of operation are Sunday through Saturday from 12:00 p.m. to 11:00 p.m.; and,

Whereas, CB#2, Man. originally recommended denial of the original Beer and Wine application for this location for reasons including that it was a location that was never licensed before for any type of license having formerly been operated as a lumber and hardware store and was concerned that it would become another full OP in an overly saturated neighborhood; and,

Whereas, there continue to be a high density of existing licenses (35 licenses) within 500 ft of this location; and,

Whereas, the community, consisting of residents, property owners, businesses and developers continues to object to additional licenses in the area of NoHo and members appeared in June 2010 when the original beer and wine license was presented to CB#2, Man., citing quality of life concerns such as noise and traffic that already exist in this neighborhood; and,

Whereas, NoHo Manhattan met with the applicant when they originally presented their beer and wine license in June 2010 to discuss their method of operation and consider other available options within the neighborhood; and,

Whereas, the applicant after speaking with NoHo Manhattan in June 2010 still went forward and signed a lease at 55 Bond Street and continued to pursue a beer and wine license which was ultimately issued by the SLA; and

Whereas, there is still overwhelming community opposition from the Noho neighborhood with a petition presented with 125 signatures from 77 households in the immediate area and there were 5 community members who attended in opposition of the applicant; and,

Whereas, the Noho Neighborhood Association continues to oppose any more licenses including upgrades for addresses that have not previously been licensed; and,

Whereas, the applicant has filed chapter 11 which also creates concern for CB#2, Man. and feels that it would not be prudent to support the upgrade request when the corporation seems to have some distress; and,

Whereas, CB#2, Man. is concerned with the growing request for upgrades from beer and wine license to full on premise licenses and the impact this is creating on the surrounding businesses, community and the overall character of the area; and,

Whereas, CB#2, Man. respectfully request a 500 ft. rule hearing on this application;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends the **denial** of the upgrade of a Beer and Wine to a Full OP license for **Meta Company, LLC d/b/a Hung Ry America, 55 Bond St., NYC 10012**".

Vote: Unanimous, with 40 Board members in favor.

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NY State Liquor Authority
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Dear Mr. Christian:

At its Full Board meeting on November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

5. Jomelo, LLC, TBD, 284 Mulberry St. South Store NYC 10012

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a Beer and Wine License, in a mixed use building on Mulberry Street between Jersey and East Houston (Block # 509 and Lot # 16), for a 300 s.f. dessert bar which has 5 tables and 16 seats and no bar, there is no sidewalk café and no back yard garden, music is background only, and a maximum legal capacity of 24 persons; and,

Whereas, the applicant states that the hours of operation will be Sunday through Wednesday from 8:00 a.m. to 12:00 a.m. and Thursday through Saturday from 8:00 a.m. to 1:00 a.m.; and,

Whereas, the principal currently owns and operates the space next door at the same address which has a current restaurant wine license, Serial Number 1242687 but will not be connected to this location; and,

Whereas, this location will operate as a “small family dessert bar that will focus primarily on freshly baked churros and other small delectable Spanish desserts” in which desserts would be the primary focus; and,

Whereas, the applicant agreed to the following stipulations:

1. The hours of operation will be Sunday through Wednesday from 8:00 a.m. to 12:00 a.m. and Thursday through Saturday from 8:00 a.m. to 1:00 a.m.
2. All doors and windows will be closed by 10:00 p.m. nightly.

Whereas, this location is within 200 ft. of a Church and will never be able to upgrade to a full OP license;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to the new Full OP license for **Jomelo, LLC, TBD, 284 Mulberry St. South Store NYC 10012** unless all the stipulations agreed to in this resolution in the 6th Whereas clause is incorporated into the “Method of Operation”.

Vote: Unanimous, with 40 Board members in favor.

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Dear Mr. Christian:

At its Full Board meeting on November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

6. The Best Chocolate Cake in NY, Inc., or entity to be determined, 55 Spring St., NYC 10012

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new Beer and Wine license, in a mixed use building on Sprint Street between Lafayette/Cleveland and Mulberry Street (Block # 495 and Lot # 44), for an existing boutique dessert café which has a total of 4 tables and 10 seats and no bar, there will be no sidewalk café and no back yard garden, music will be background only and a proposed maximum legal capacity of 20 persons; and,

Whereas, the applicant states that the hours of operation are Sunday 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,

Whereas, this location has never been licensed before and even though this is a beer and wine request, there are still over 24 liquor licenses with 500 ft; and,

Whereas, an additional license in this specific location, particularly on this specific block, even a beer and wine license, will add to a streetscape that has deteriorated in direct relation to the number and particularly the character of the existing licensed premises and would add more burden to this very residential neighborhood;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to the new Beer and Wine license for **The Best Chocolate Cake in NY, Inc., or entity to be determined, 55 Spring St., NYC 10012**.

Vote: Unanimous, with 40 Board members in favor.

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Dear Mr. Christian:

At its Full Board meeting on November 17, 2011, 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:

7. Scott Conant Management LLC, d/b/a SCM Culinary Suite, 598 Broadway – 9th Flr., NYC 10012

Whereas, the applicant requested to withdraw from consideration of the application to the CB2 SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed liquor license **Scott Conant Management LLC, d/b/a SCM Culinary Suite, 598 Broadway – 9th Flr., NYC 10012** until the applicant has presented their application in front of the SLA Licensing Committee 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 40 Board members in favor.

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Dear Mr. Christian:

At its Full Board meeting on November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

8. Solita SoHo Hotel, LLC, 159 Grand St. aka 157 Lafayette St., NYC 10013

Whereas, the applicant has requested a layover of the application to CB2 SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends **denial** of any proposed liquor license to **Solita SoHo Hotel, LLC, 159 Grand St. aka 157 Lafayette St., NYC 10013** 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 40 Board members in favor.

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Dear Mr. Christian:

At its Full Board meeting on November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

9. Bowery Ale House, d/b/a TBD, 168 Bowery, NYC 10013

Whereas, the applicant has withdrawn from consideration of the application to CB2 SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license **Bowery Ale House, d/b/a TBD, 168 Bowery, NYC 10013** the applicant has presented their application in front of the SLA Licensing Committee 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 40 Board members in favor.

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Dear Mr. Christian:

At its Full Board meeting on November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

10. The Bowery Kitchen, LLC, 220 Bowery, NYC 10012

Whereas, the applicant requested a layover of the application to the next CB2 SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license **The Bowery Kitchen, LLC, 220 Bowery, NYC 10012** until the applicant has presented their application in front of the SLA Licensing Committee 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 40 Board members in favor.

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

COMMUNITY BOARD No. 2, MANHATTAN

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December 1, 2011

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 November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

11. 181 Thompson Restaurant, LLC, 181 Thompson St., NYC 10012

Whereas, the applicant requested a layover of the application to the next CB2 SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license **181 Thompson Restaurant, LLC, 181 Thompson St., NYC 10012** until the applicant has presented their application in front of the SLA Licensing Committee 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 40 Board members in favor.

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



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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December 1, 2011

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 November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

12. Pop Underground, LLC d/b/a Pop Burger, 41 E.11th St., NYC 10003

Whereas, the applicant requested a layover of the application to the next CB2 SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license **Pop Underground, LLC d/b/a Pop Burger, 41 E.11th St., NYC 10003** until the applicant has presented their application in front of the SLA Licensing Committee 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 40 Board members in favor.

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



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

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December 1, 2011

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 November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

13. ALN Restaurant Inc., d/b/a Giovanna's, 128 Mulberry St., NYC (sidewalk café)

Whereas, the applicant requested a layover of consideration of the application to the next CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any proposed liquor license **ALN Restaurant Inc., d/b/a Giovanna's, 128 Mulberry St., NYC (sidewalk café)** **the applicant has presented their application in front of the SLA Licensing Committee 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 40 Board members in favor.

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



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

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December 1, 2011

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 November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

14. 153 Elizabeth Hotel, LLC & Blue Bell Restaurant Manager, 153 Elizabeth St. aka 40 Kenmare St., NYC 10012

Whereas, the applicant requested a layover of consideration of the application to the next CB2 SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed liquor license **153 Elizabeth Hotel, LLC & Blue Bell Restaurant Manager, 153 Elizabeth St. aka 40 Kenmare St., NYC 10012** the applicant has presented their application in front of the SLA Licensing Committee 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 40 Board members in favor.

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



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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December 1, 2011

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 November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

15. MacDougal G Corp., 116 MacDougal St., NYC 10012

Whereas, the applicant requested to withdraw from consideration of the application for a corporate change to this CB#2, Man. SLA Licensing Committee meeting; and,

Whereas, this applicant recently appeared before CB2, Manhattan regarding a renewal application in which there were community complaints; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license **MacDougal G Corp., 116 MacDougal St., NYC 10012** the applicant has presented their application in front of the SLA Licensing Committee 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 40 Board members in favor.

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



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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December 1, 2011

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 November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

16. B B Ho, Inc, d/b/a Tokyo Ramen, 90-92 University Pl., NYC 10003

Whereas, the applicant requested a layover of consideration of the application to the next CB2 SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license **B B Ho, Inc, d/b/a Tokyo Ramen, 90-92 University Pl., NYC 10003** the applicant has presented their application in front of the SLA Licensing Committee 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 40 Board members in favor.

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



Antony Wong, Treasurer
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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 November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

17. 9 GJ Bar & Restaurant, Inc., d/b/a Acme, 9 Great Jones ST., NYC 10012

Whereas, the applicant requested a layover of consideration of the application to the next CB2 SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license **9 GJ Bar & Restaurant, Inc., d/b/a Acme, 9 Great Jones ST., NYC 10012** **the applicant has presented their application in front of the SLA Licensing Committee 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 40 Board members in favor.

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



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

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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 November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

18. EB2 Gourmet, Inc. d/b/a Turkiss 104 MacDougal St., NYC

Whereas, the applicant requested a layover of consideration of the application to the next CB2 SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed liquor license **EB2 Gourmet, Inc. d/b/a Turkiss 104 MacDougal St., NYC** the applicant has presented their application in front of the SLA Licensing Committee 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 40 Board members in favor.

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



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

Dear Mr. Christian:

At its Full Board meeting on November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

19. Mile End Sandwich, LLC, 53 Bond St., NYC 10012

Whereas, the applicant requested a layover of consideration of the application to the next CB2 SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license **Mile End Sandwich, LLC, 53 Bond St., NYC 10012** the applicant has presented their application in front of the SLA Licensing Committee 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 40 Board members in favor.

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



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

Dear Mr. Christian:

At its Full Board meeting on November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

20. Café Angelique, Inc., d/b/a Café Angelique, 317 Bleecker St., NYC 10014

Whereas, the applicant requested a layover of consideration of the application to the next CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license **Café Angelique, Inc., d/b/a Café Angelique, 317 Bleecker St., NYC 10014** **the applicant has presented their application in front of the SLA Licensing Committee 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 40 Board members in favor.

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



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

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December 1, 2011

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 November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

21. McNally Robinson Book Seller's LLC, d/b/a McNally Jackson Books, 52 Prince St., NYC 10012

Whereas, the applicant requested a layover of consideration of the application to the next CB2 SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license **McNally Robinson Book Seller's LLC, d/b/a McNally Jackson Books, 52 Prince St., NYC 10012** the applicant has presented their application in front of the SLA Licensing Committee 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 40 Board members in favor.

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



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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December 1, 2011

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 November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

22. Kio Restaurant LLC, d/b/a Kio, 45 Mercer St. NYC 10013

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license in a mixed use building on Mercer St. between Grand St. and Broome St. for a one (1) story 1800 sq. ft. high-end full service Loation neighborhood restaurant focusing on local and sustainable cuisine with 33 tables and 66 seats and 1 bar with 6 seats for a total of 72 seats with a maximum legal capacity of 72 persons; and,

Whereas, this location is currently license for on premise liquor under Serial # 1235107, Spain Taste New York Corp., dba Lizarran which expires on 2/28/12; and,

Whereas, the applicant stated the hours are Sunday to Wednesday 10:00 am to 11:00 pm and Thursday to Saturday from 10:00 am to 12:00 am; there will not be a sidewalk café application and no backyard garden; music will be background only; and,

Whereas, no one appeared in opposition from the community and the local neighborhood association, the Soho Alliance, provided a letter with community input and were not in opposition and the applicant presented a petition in support with 37 signatures (the petition did not include a description of the method of operation, hours, printed names or addresses of signers); and,

Whereas, the applicant has agreed to the following stipulations, which they agree will be incorporated into their method of operation on their liquor license:

1. The applicant will limit its hours of operation by closing at 11:00 pm Sunday to Wednesday and 12:00 am Thursday to Saturday.
2. The applicant will remove the stage that the prior licensee had erected in the premise.
3. The applicant has agreed specifically that all music will be “quiet ambient music” at all times.

4. The applicant will keep the front doors and windows closed at all times, meaning the doors will never be propped open at any time.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise liquor license for **Kio Restaurant LLC, d/b/a Kio, 45 Mercer St. NYC 10013** unless 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 40 Board members in favor.

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



Antony Wong, *Treasurer*
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December 1, 2011

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 November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

23. Mccbren Corp. d/b/a Triona's, 237 Sullivan St., NYC

Whereas, the applicant appeared before the committee; and,

Whereas, the applicant was requested to appear before the committee in regards to the renewal of the their existing on premise license, Serial # 1227779, in response to concerns raised by members of the community; and,

Whereas, the original application was heard by CB#2, Man. in May 2009 and which time the applicant requested a transfer of an existing On Premise license in a mixed use building on the corner of Sullivan and West 3rd Streets for a 1,200 s.f. bar/restaurant with 30 table seats, 1 bar with 12 seats, and a maximum legal capacity of 70 persons; and,

Whereas, in May 2009, the applicant stated there were no plans to change the previously approved operation; the applicant stated the current hours of operation are 11:00 a.m. – 4:00 a.m. seven days a week; there will be a sidewalk café application but no backyard garden; music is background only; and,

Whereas, in May 2009 the applicant submitted a floor plan which specifically included an area on the ground floor in the rear of the establishment that was designated as a kitchen, which included on the diagram individually marked a grill, stove, fridge, freezer, sinks and a prep table, and on a separate floor plan for the basement a walk in cooler; and,

Whereas, in May 2009, the applicant included along with their application a detailed food menu which was for the previous establishment Pinch Bar & Grill that they were “transferring” the license from that they stated they would not change, which included 2 Soups, 5 Appetizers, 3 Salads, 4 Burgers and Sandwiches and 3 entrees; and,

Whereas, in May 2009 CB#2 Man. recommended approval of the proposed transfer as described above, and,

Whereas, at CB2's SLA Committee meeting held on November 10th, 2011 Five (5) members of the community spoke against the renewal of the license and two (2) letters were submitted in opposition, and one (1) person spoke in support of the applicant; and,

Whereas, a letter from the Bleecker Area Merchant's and Residents' Association (BAMRA), the local community group, was submitted that describes persistent problems with the establishment from loud music the bar plays at night and noise from patrons watching sports at other hours, from employees outside smoking "in the middle of the night and having loud conversations," and from the behavior of patrons in the outdoor café area which is operated solely as a drinking area with no food served primarily during happy hour from 4:00 pm to 7:00 pm/8:00 pm despite members of the community having met with the applicant directly and obtaining their phone numbers and directly contacting the owners with requests to turn the music down on a frequent basis; and,

Whereas, a letter was submitted from a neighbor describing an ongoing situation that began when the applicant took over the existing location, in which he states that he has repeatedly requested directly to Michael Brennan and Triona McCloskey, the principals, to lower the bass volume of the their music in person, via text message and by telephone calls, he describes the applicants as "easy to deal with and personable, however the music always seems to end back up at an inescapable volume within a few weeks." The letter writer is a teacher and works on Saturday mornings and describes having to regularly sleep on Friday nights by closing his windows, turning a fan on to high for white noise, and putting earplugs in and even doing the aforementioned does not stop his ability from hearing the "upbeat, thudding" bass from the bar; and,

Whereas, five members of the community, including representatives from BAMRA, appeared not in favor of renewing the license and specifically noted in addition to the issues outlined in the written correspondence that: the applicant when they applied for the license at this location in May 2009 said they would have a restaurant component, but they have never served food, that their sidewalk café is in fact a sidewalk bar because of the lack of food service, that there was a constant noise problem from the establishment whether it be from open windows at their sidewalk café, loud patrons standing outside, loud music being played inside the establishment which is audible inside people's homes across the street and in the building despite the applicants claim that their music is "background only", that the door to the establishment is regularly held open at late hours by staff members and patrons allowing even more loud music to spill out of the establishment, mentioned that their seems to be a disconnect between what the owners of the establishment view as "background" music and what the community feels is background music and what is played by the DJ's in the establishment and the volume at which it is played and that despite numerous 311 complaints made in 2010, most residents had given up with 311 complaints because of a lack of enforcement or resolution of the ongoing issues; and,

Whereas, one (1) member of the community, a resident who lived in an adjacent building who was also the building's superintendent, appeared and stated that the applicants were extremely respectful, had always done what's asked for, that their were no recent complaints and a few issues in the past were resolved immediately; and,

Whereas, the applicants acknowledged an ongoing dialogue regarding the above issues including meeting with neighbors at the 6th Precinct Community Council Meetings and were aware of most of the issues with the exception of the service of food, which they stated was complicated as their was no longer a kitchen, but they did serve chili four days a week; and,

Whereas, the applicant was advised that CB#2, Man. would not recommend renewing their license due to the reasons outlined above, specifically for (1) operating with music that is at entertainment level and not “background” music contrary to what was stated in their original application, (2) for operating contrary to what was stated in their original application by operating without a food component, (3) for operating without a kitchen as described in their original floor plans, (4) for having nothing at all reflecting the original food menu with the exception of Chili prepared off-premises and served Thursday to Sunday (5) for not adequately handling the outdoor noise situation occurring in the sidewalk café area because the sidewalk café is exclusively used for alcohol consumption and not for food service as described; and,

Whereas, the applicant agreed to stipulate with CB#2, Man. and to incorporate into their method of operation on their liquor license with the SLA (despite CB2’s recommendation to not recommend approval for the renewal of their license) that:

1. The applicant/license holder will install a sound limiter on their sound system and maintain it with proper calibration going forward.
2. The applicant will work with a sound engineer to address the sound issues and place speakers in the establishment in a manner to reduce and eliminate bass music that is currently audible beyond their premises
3. The applicant/license holder will share their cell phone numbers with any interested members of the community for immediate access.
4. The applicant/license holder will not have a D.J. on any nights, nor would they allow anyone to bypass the sound limiter on the sound system.
5. The applicant/license holder will place a sign in the window appropriately visible to their patrons requesting them to please be courteous to their neighbors etc.
6. The applicant/license holder will going forward close all their windows and doors at 9:00 p.m. Sunday to Thursday and at 10:00 p.m. Fridays and Saturdays.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the renewal of **Mccbren Corp. d/b/a Triona’s, 237 Sullivan St., NYC** existing liquor license Serial Number 1227779 ; and,

THEREFORE BE IT FURTHER RESOLVED that with the consent and at the request of the principals of Mccbren Corp. d/b/a Triona’s, 237 Sullivan St., NYC that the stipulations outlined in the last whereas clause be incorporated into the existing method of operation with the SLA (regardless of CB#2, Man.’s recommendation); and,

THEREFORE BE IT FURTHER RESOLVED that CB#2, Man. requests that the SLA address with the applicant and find an appropriate remedy for the discrepancies noted above in the current operation specifically regarding the food component and what was submitted to both CB#2, Man. and to the SLA at the inception of license serial number 1227779 and furthermore ascertain whether the applicant has properly incorporated the outdoor café into the licensed premise on file with the SLA as this was never presented before CB#2, Man.

Vote: Unanimous, with 44 Board members in favor.

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



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

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December 1, 2011

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 November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

24. Highlands Restaurant NYC, LP d/b/a Highlands, 150 W. 10th St., NYC

Whereas, the applicant appeared before the committee; and,

Whereas, the applicant was requested to appear before the committee in regards to the renewal of the their existing on premise license, Serial # 1229603, in response to concerns raised by members of the community; and,

Whereas, no members of the community appeared to explain why they had requested the applicant to appear; and,

Whereas, the applicant and their attorney explained that the licensee had been in negotiations with the local block association, the Mid-West 10th St. Block Association, to formulate a list of stipulations that the licensee/applicant was willing to incorporate into their method of operation and have attached to their existing on premise license; and,

Whereas, an executed copy of the agreement with the local block association, the Mid-West 10th St. Block Association, was presented to CB#2, Man. prior to CB2's full board hearing and the applicant/licensee submitted a copy to CB#2, Man. and will forward a copy to the SLA; and,

Whereas, the applicant has agreed to the following stipulations with the Mid-West 10th St. Block Association, which they agree will be incorporated into the "method of operation" of their liquor license:

1. Hours of Operation will be Sun-Mon 5:30pm–12:00am, Tue-Thurs 5:30pm-2:00am, Fri-Sat 5:00pm-2:30am. The Operator of the Establishment agrees that every patron must be out of the Establishment within thirty minutes of the closing. Security personnel will be in place until such time as all customers have left in a quiet and orderly fashion.

2. The Operator has obtained all required certificates, permits and related documents including a revised Certificate of Occupancy.
3. During all hours of operation of the Establishment, the Operator will ensure that there will be one staff manager on duty, a floor manager, the kitchen manager/chef, and a general manager of the restaurant. There will be 10 staff members on duty on Thursdays, Fridays and Saturdays, and at least 7 staff members on duty on the remaining evenings.
4. The Operator shall have a general manager and/or a manager on duty, capable of adequately communicating with residents of the community, to be present at the Establishment during all hours of operation. The Operator shall have security personnel at the entrance to the Establishment on at least Wednesday, Thursday, Friday and Saturday evenings until the premises has been entirely vacated of customers in a quiet and orderly manner. The Operator shall be notified in writing or by email by the aforementioned community should security personnel be needed on other days of operation of the Establishment and the Operator agrees, upon request by the Block Association, that security personnel will be added immediately.
5. The Operator will hire a certified acoustical consultant within thirty (30) days to make recommendations such that HIGHLANDS will meet or exceed the current New York City Noise Code guidelines for residential areas. The Operator shall use its best efforts to soundproof the Establishment according to said recommendations to ensure that noise does not emanate from the Establishment, or its equipment, in any direction and meets or exceeds New York City noise code. Subsequent to any necessary soundproofing, the Operator shall hire a certified acoustical consultant to perform a "Commissioning Test" to ensure that such measures are installed correctly. The Operator shall provide proof of a successful "Commissioning Test" to the Community Board and the State Liquor Authority as soon as a report is available.
6. Should the Operator of the Establishment need to install any additional commercial equipment (such as HVAC equipment, air handlers, compressors and fans, etc.) the Operator will shall also hire a certified acoustical consultant to perform a "Commissioning Test" to ensure that such equipment is installed correctly and meets or exceeds New York City noise code. The Operator shall provide proof of a successful "Commissioning Test" of any additional equipment to the Community Board and the State Liquor Authority.
7. At all times, the operator will keep the music playing at a level that can not be heard by neighbors in surrounding buildings. All staff and especially nightly management will be aware of this level and held responsible if it is not adhered to.
8. The Operator shall not permit any doors or windows of the Establishment to be open prior to the opening of the Establishment as specified in "Hours of Operation" and after 8:00PM on each day of operation. Doors and windows will be of double paned glass so as to ensure the mitigation of noise from within the Establishment.
9. The Operator shall not permit DJs, live music (including bag pipers), or outside promoters in the Establishment except by permit and with prior notification to the Block Association. Notwithstanding the foregoing, the Operator shall be permitted to have a bagpiper to play one (1) time per year, for Burns night, which music shall be limited to dinner seatings at 7 p.m. and at 9 p.m. only. Piper must play indoors and there must not be any doors or windows open.
10. The Operator shall not post signage on discounted drink promotions of any kind by the windows or doors of the Establishment or on the exterior of the Establishment or attempt to steer the public from the sidewalk into the Establishment. The Operator shall not distribute any fliers on the sidewalk or street. The Operator will not put A Framed sign boards, or signs of any kind on the sidewalk in front of the Establishment or on the doorstep of the Establishment. The Operator shall not install signage on or within the Establishment that will be lit by neon lighting so as to not disturb residents living across from the Establishment and residents adjacent to and across the street. The Operator agrees not to apply for a sidewalk café permit.

11. The Operator of the Establishment will work with the community and local FDNY Squad 18 firehouse to determine and address traffic congestion and noise issues that are identified.
12. With regard to deliveries, the Operator will take use best efforts to control when and how deliveries to Highlands are made. Suppliers are not permitted to park on the north side of the street, which is a ‘no parking’ and ‘no standing’ zone. Furthermore, suppliers are not permitted to park their trucks and leave refrigerators turned on as the noise is a source of frustration for the residents. The Operator will also ask delivery company to turn off engine when making a delivery.
13. The Operator shall not host third party private events. Should the Operator have private events at the Establishment, additional security personnel shall be provided at the Establishment in order to mitigate any noise and ensure crowd control.
14. The Operator shall not store garbage or garbage dumpsters outside of the Establishment. The Operator shall not place refuse at the curb. The Operator shall arrange trash pick up with a nearby merchant to try to limit the noise from trucks that collect trash on the block. The operator will request that the garbage be picked up as close to 7am as possible so as not to wake the neighbors in the early hours.
15. The Operator of the Establishment and the General Manager of the Establishment will hold monthly meetings with representatives of the community during each of the next six months and quarterly thereafter to address any issues raised by the community.
16. The Operator shall notify the Community Board in the event of a change of ownership.
17. The above mentioned agreement is to be added to Brian McGrory’s SLA renewal application for an on-premise liquor license for Highlands Restaurant NYC, LP d/b/a Highlands at 150 West 10th Street.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the renewal of **Highlands Restaurant NYC, LP d/b/a Highlands, 150 W. 10th St., NYC**’s existing on premise liquor license, serial # 1229603, **unless** the stipulations outlined in the 6th “Whereas” clause above are incorporated into the existing “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 40 Board members in favor.

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



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

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December 1, 2011

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 November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

25. Café Wha, 115 MacDougal St.

Whereas, a representative for the applicant appeared before the committee; and,

Whereas, the applicant was requested to appear before the committee in regards to the renewal of the their existing on premise license, Serial # 1170873, in response to concerns raised by members of the community; and,

Whereas, a representative of the local community association, the Bleecker Area Merchants and Residents' Association, and a member of the public appeared to express concerns with the applicant/licensee's current operation; and,

Whereas, the concerns expressed were that the applicant was lining patrons up on Minetta lane, which borders this corner location, as far as 100 feet from the entrance for comedy shows six days a week, that the applicant was not supervising the exiting of patrons through the egress located on Minetta Lane after evening performances on the weekends and that the patrons were very loud and lingered in the area, and that the garbage carting service utilized by the applicant was backing up onto Minetta Lane from MacDougal St and regularly backed up over the curb and over the tree pits damaging the sidewalk and tree pits and trees and was leaving garbage slicks in the street from improper handling of refuse; and,

Whereas, the applicant's representative responded to the concerns outlined above stating that the line of patrons was from a different establishment, a local comedy club, that they were not aware of the problem caused by patrons using the egress on Minetta lane, and that they were not aware of the problems caused by their carting service; and,

Whereas, the applicant agreed to sign stipulations to be incorporated into their on premise liquor license agreeing that:

1. The applicant will place a staff member/security guard at the top the stairs of the egress to Minetta Lane to encourage patrons to be respectful of the neighbors when exiting and to encourage them to not linger on Minetta lane whenever that egress is used by patrons exiting the performance space.
2. The applicant will use their “best efforts” on an ongoing basis to address the concerns outlined above regarding damage caused by their carting service and the improper handling of the garbage by working with their carting company to resolve the above issues.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the renewal of **Café Wha, 115 MacDougal St.**’s existing on premise liquor license, serial # 1170873, **unless** the stipulations outlined in the 6th “Whereas” clause above are incorporated into the existing “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 40 Board members in favor.

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



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

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December 1, 2011

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 November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

26. Raro, Inc., 29 7th Avenue South, NYC 10014

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license for a 1,400 s.f. “full service, fine contemporary and authentic Italian cuisine with Neapolitan and other regional influences” restaurant located in a mixed use building on 7th Avenue between Bedford and Morton streets with 17 tables, 46 table seats, 1 bar with 15 seats and 8 seats at a wood-burning pizza oven for a total of 69 seats and a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation for the establishment are Sunday through Wednesday from 11:00 a.m. to 1:00 a.m. and Thursday through Saturday from 11:00 a.m. to 2:00 a.m.; there will be a sidewalk café application that applicant will apply to be included in the licensed premise at a future date after it has been approved by the NYC DCA; there will be no backyard garden; music will be background only; and,

Whereas, the applicant has agreed to the following set of stipulations to be incorporated into their on premise liquor license:

1. The applicant has agreed to obtain all required certificates, permits and related documents, including but not limited to a new Certificate of Occupancy, if required.
2. The applicant has agreed to not permit DJs or live music.
3. The applicant has agreed to keep the kitchen open and serve food at all times.
4. The applicant has agreed to limit their hours of operation by closing at 1:00 a.m. from Sunday through Wednesday and 2:00 a.m. from Thursday through Saturday.
5. The applicant has agreed to notify the Community Board in the event of a change of ownership.
6. The applicant has agreed to operate a Family oriented restaurant.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise liquor license for **Raro, Inc., 29 7th Avenue South, NYC 10014** unless those conditions and stipulations agreed to by the applicant relating to the 4th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 44 Board members in favor.

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



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

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December 1, 2011

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 November 17, 2011, 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:

27. Franco American Restaurant Investment Group Inc. d/b/a The Tea Set, 235 W. 12th St. NYC

Whereas, at this month's Committee meeting, the applicant *requested a layover* of consideration of their application for the above referenced location to a future CB2 SLA Licensing Committee meeting and did not present a complete application package of the materials required by CB2; and,

Whereas, this application is for an alteration and upgrade to an existing beer and wine license to a full on-premise license; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for Franco American Restaurant Investment Group Inc. d/b/a The Tea Set, 235 W. 12th St. NYC **until the applicant has presented their application in front of the SLA Licensing Committee 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 40 Board members in favor.

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



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

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December 1, 2011

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 November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

28. Victor Nezu d/b/a Son Peace, Inc., 94 Greenwich Ave., NYC 10011

Whereas, prior to this months Committee meeting, the applicant *requested to withdraw* their application for consideration from CB2's SLA Licensing Committee for the above referenced location; and,

Whereas, this application is for a new on-premise liquor license; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for Victor Nezu d/b/a Son Peace, Inc., 94 Greenwich Ave., NYC 10011 **until the applicant has presented their application in front of the SLA Licensing Committee 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 40 Board members in favor.

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



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

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December 1, 2011

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 November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

29. 632 Below, LLC, 632 Hudson St. NYC 10014

Whereas, prior to this months Committee meeting, the applicant *requested a layover* of consideration of their application for the above referenced location to a future CB2 SLA Licensing Committee meeting; and,

Whereas, this application is for a new license at this location; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for 632 Below, LLC, 632 Hudson St. NYC 10014 **until the applicant has presented their application in front of the SLA Licensing Committee 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 40 Board members in favor.

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



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

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December 1, 2011

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 November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

30. Sbafo NYC LLC, 581 Hudson St. South Store, NYC 10014

Whereas, prior to this months Committee meeting, the applicant *requested a layover* of consideration of their application for the above referenced location to a future CB2 SLA Licensing Committee meeting; and,

Whereas, this application is for an upgrade from an existing beer and wine license to a full on premise liquor license; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for Sbafo NYC LLC, 581 Hudson St. South Store, NYC 10014 **until the applicant has presented their application in front of the SLA Licensing Committee 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 40 Board members in favor.

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



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

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December 1, 2011

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 November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

31. Danny Bensusan, 22 West Little West 12th St. NYC

Whereas, the applicant *failed to appear* at this month's CB2 SLA Licensing Committee meeting after having requested to be placed on the agenda for the above referenced location and failed to request a layover of consideration of this application or request to withdraw this application from consideration prior to the meeting; and,

Whereas, this is for a new on premise liquor license in a multi floor location with rooftop dining in a previously unlicensed location; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for Danny Bensusan, 22 West Little West 12th St. NYC **until the applicant has presented their application in front of the SLA Licensing Committee 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 40 Board members in favor.

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



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

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December 1, 2011

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 November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

32. JEC II LLC, d/b/a One, 2-8 9th Ave. aka 1 Little W. 12th St. NYC 10014

Whereas, prior to this months Committee meeting, the applicant *requested a layover* of consideration of their application for the above referenced location to a future CB2 SLA Licensing Committee meeting; and,

Whereas, this application is for an alteration to an existing on premise liquor license; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for JEC II LLC, d/b/a One, 2-8 9th Ave. aka 1 Little W. 12th St. NYC 10014 **until the applicant has presented their application in front of the SLA Licensing Committee 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 40 Board members in favor.

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



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

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December 1, 2011

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 November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

33. Cereli, Inc. d/b/a Mole, 57 Jane St. NYC 10014

Whereas, prior to this months Committee meeting, the applicant *requested a layover* of consideration of their application for the above referenced location to a future CB2 SLA Licensing Committee meeting; and,

Whereas, this application is for an alteration to an existing on-premise liquor license to include the existing sidewalk café, which is not currently part of the licensed premise.

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for Cereli Inc. d/b/a Mole, 57 Jane St. NYC 10014 **until the applicant has presented their application in front of the SLA Licensing Committee 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 40 Board members in favor.

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



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

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December 1, 2011

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 November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

34. ITM Garden, Inc. d/b/a Revel Garden, 10-12 Little W. 12th St. NYC

Whereas, the applicant *failed to appear* at this month's CB2 SLA Licensing Committee meeting after having requested to be placed on the agenda for the above referenced location and failed to request a layover of consideration of this application or request to withdraw this application from consideration prior to the meeting; and,

Whereas, this application is for an alteration for an existing on premise license to enlarge the bar area and other interior changes; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for ITM Garden, Inc. d/b/a Revel Garden, 10-12 Little W. 12th St. NYC **until the applicant has presented their application in front of the SLA Licensing Committee 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 40 Board members in favor.

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



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

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December 1, 2011

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 November 17, 2011, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

35. Bleecker & Grove Café Inc. d/b/a Café Angelique, 317 Bleecker St. NYC 10014

Whereas, prior to this months Committee meeting, the applicant *requested a layover* of consideration of their application for the above referenced location to a future CB2 SLA Licensing Committee meeting; and,

Whereas, this application is for a beer and wine license for a previously unlicensed location; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for Bleecker & Grove Café Inc. d/b/a Café Angelique, 317 Bleecker St. NYC 10014 **until the applicant has presented their application in front of the SLA Licensing Committee 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 40 Board members in favor.

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

Sincerely,



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



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



Brad Hoylman, Chair
Community Board #2, Manhattan

BH/fa

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