

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



Amanda Kahn Fried, *Treasurer*  
Susan Kent, *Secretary*  
Elaine Young, *Assistant Secretary*

## COMMUNITY BOARD No. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

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

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November 4, 2009

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

Dear Mr. Christian:

At its Full Board meeting on October 22, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**1. Femme Fatale, Inc., d/b/a The Mott/Lucky's 11, 173 Mott St. (on the corner of Mott and Broome), NYC 10013**

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

**Whereas**, this application is for On Premise license in a mixed use building on Mott St. on the corner of Mott and Broome Streets for a 3,000 s.f. bar/restaurant with 36 tables with 141 seats, 1 bar with 4 seats, and a maximum legal capacity of 150 persons; and,

**Whereas**, the applicant stated the hours of operation are 6:00 p.m. – 2:00 a.m. Sunday - Saturday; there will not be a sidewalk café application and no backyard garden; music is background only; and,

**Whereas**, the applicant has already installed proper sound proofing in the establishment; and,

**Whereas**, the applicant has been before this committee twice and has agreed to the following stipulations:

1. The entire space will be a full service restaurant; there will be no lounge.
2. There will be only 1 bar.
3. There will be no live music or D.J.
4. They will exhaust all kitchen fumes from above rooftop.
5. They will submit a "Final" copy of plans to CB2.
6. There will be crowd control in front of the establishment.
7. They will submit new C of O.
8. All windows and doors will remain closed at all times.
9. Food will be served up to one hour before closing.

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

**Whereas**, the applicant agrees to sign and notarize an agreement supporting the stipulations included in the 5<sup>th</sup> “Whereas” (attached), and

**Whereas**, the community has repeatedly explained that this area is over saturated with bars and restaurants; and,

**Whereas**, the community has shown many concerns regarding structural issues and egress issues for this building; and,

**Whereas**, the community has submitted copies of building violations; and,

**Whereas**, the community has submitted a petition of signatures in opposition of this license;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial to the proposed On Premise license for **Femme Fatale, Inc., d/b/a The Mott/Lucky’s 11, 173 Mott St.** unless the conditions agreed to by the applicant relating to the fifth “whereas” clause is incorporated into the “Method of Operation” on the SLA On Premise license; and,

**BE IT FURTHER RESOLVED** that CB#2, Man. recommends that the SLA verify that this establishment does not violate the 200 ft. rule (the prohibition of issuing an On Premise License to an establishment located within 200 feet of a school or place of worship) and calls on the SLA to review the 500 ft. ruling, and with particular attention to the number of current and pending liquor licenses with the 500-ft. area; and

**BE IT FURTHER RESOLVED** that CB#2, Man. recommends that the SLA verify that all Fire and Building codes are in order and the Public Assembly Permit is valid.

Vote: Unanimous, with 39 Board members in favor.

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Dear Mr. Christian:

At its Full Board meeting on October 22, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

### **2. 1 West 3<sup>rd</sup> St. Restaurant Associates, 1 West 3<sup>rd</sup> St., NYC 10012**

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

**Whereas**, this application is for the transfer of an existing On Premise license in a mixed use building at 1 West 3<sup>rd</sup> Street between West 3<sup>rd</sup> and Broadway for a 1,720 s.f. restaurant / bar with 27 table and 94 seats, 1 bar with 13 seats, and a maximum legal capacity of 200 persons; and,

**Whereas**, the applicant stated the hours of operation are Monday – Thursday 4pm to 2am and Friday from 4pm to 4am and Saturday from 11am to 4am and Sunday from 11am to 2am; there is no sidewalk café and no backyard garden; music is juke box and background; and,

**Whereas**, the applicant has agreed to provide menu and food items up until 1 hour prior to closing and,

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

**Whereas**, the applicant has submitted a petition with 39 signatures in support of the proposed establishment; and,

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval to the proposed transfer of an On Premise license for **1 West 3<sup>rd</sup> St. Restaurant Associates, 1 West 3<sup>rd</sup> St., NYC 10012.**

Vote: Unanimous, with 39 Board members in favor.

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317 Lenox Avenue  
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Dear Mr. Christian:

At its Full Board meeting on October 22, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

### **3. Chumley's 86, LLC, 86 Bedford St., NYC 10014**

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

**Whereas**, this application is for an On Premise license for a restaurant located in a 1,300 s.f. premise in a mixed use building on Bedford St. between Barrow and Grove Streets with 17 tables and 50 seats and with 1 bar and 5 seats; and a maximum legal capacity of 74 persons; and,

**Whereas**, the applicant stated the hours are; Sunday through Wednesday from 11am to 1am and Thursday through Saturday from 11am to 2am; there will be no sidewalk café and no backyard garden; music is background and Juke Box only; and,

**Whereas**, the applicant has agreed to keep windows closed at all times; and,

**Whereas**, the applicant has agreed to provide menu and food items up until 1 hour prior to closing and,

**Whereas**, applicant agrees to maintain security in front of the establishment and a doorman inside; and,

**Whereas**, the applicant will provide an approved C of O on completion of the renovations; and,

**Whereas**, one person appeared in opposition from the community; and,

**Whereas**, the President of the Bedford-Barrow-Commerce Block Association submitted a letter in support of this applicant; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial to the proposed On Premise license for **Chumley's 86, LLC, 86 Bedford St., NYC 10014** unless those conditions agreed to by applicant relating to the second through the fifth "whereas" clauses are incorporated into the "Method of Operation" on the SLA On Premise license.

Vote: Unanimous, with 39 Board members in favor.

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Dear Mr. Christian:

At its Full Board meeting on October 22, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

#### **4. Corp. to be formed, 103 Greenwich Ave., NYC**

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

**Whereas**, this application is for an On Premise license in a mixed use building on Greenwich Avenue on the corner of Greenwich and West 12<sup>th</sup> St. for a 2200 s.f. restaurant with 27 tables and 58 seats, 1 bar with 7 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 11am to 1am and Thursday through Saturday from 11am to 3:30 am; there will currently not be a sidewalk café application and no backyard garden; music will be background only; and,

**Whereas**, the applicant has agreed to provide menu and food items up until 1 hour prior to closing and,

**Whereas**, the applicant agrees to maintain these hours of operation for one year and if there is no community opposition they may return to this committee to request a change in said hours of operation; and,

**Whereas**, the applicant will obtain a "Letter of No Objection" or valid "C of O" prior to opening the establishment; and,

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial to the proposed On Premise license for **Corp. to be formed, 103 Greenwich Ave., NYC**, unless those conditions agreed to by applicant relating to fourth through sixth “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 39 Board members in favor.

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317 Lenox Avenue  
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on October 22, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

### **5. 235 Mulberry Street Rest., LLC, 235 Mulberry St.**

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

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

**Whereas**, the applicant had illegal benches in front of the establishment; and,

**Whereas**, the community has multiple complaints regarding, sound proofing, vibrations throughout the building due to loud music; and,

**Whereas**, the community has requested that the industrial fan/exhaust be sound proofed; and,

**Whereas**, the community has requested that all windows and doors be kept shut; and,

**Whereas**, the applicant has agreed to try and correct all community request; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial to the renewal of the On Premise license of **235 Mulberry Street Rest., LLC, 235 Mulberry St.** unless those conditions agreed to by applicant are corrected.

Vote: Unanimous, with 39 Board members in favor.

Jo Hamilton, *Chair*  
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Dear Mr. Christian:

At its Full Board meeting on October 22, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

### **6. Moomia, 157 Lafayette St., NYC**

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

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

**Whereas**, the applicant appears to be in violation of their original approved SLA application regarding the allowance of dancing, and D.J. 'd music events; and,

**Whereas**, this applicant is in violation of their application that states they are restaurant when in fact they are actually a bar/lounge; and,

**Whereas**, the Department of Consumer Affairs has confirmed that the applicant is operating without a cabaret license; and

**Whereas**, the applicant states on their own website that they can offer "seating capacity of 300 guests" while the actual application states a maximum capacity of 175; and

**Whereas**, the community has submitted advertisement showing D.J.'d events and images from the applicant's own website showing dancing and bar-like activity; and,

**Whereas**, this applicant has had 78 – 311 calls regarding noise since 2006; and,

**Whereas**, the community has submitted a book with documents and images that clearly show multiple violations; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. strongly recommends denial of an On Premise liquor license to Moomia, 157 Lafayette St., NYC and requests that the SLA investigate these grievous violations.

Vote: Unanimous, with 39 Board members in favor.

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

Sincerely,

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

Jo Hamilton, Chair  
Community Board #2, Manhattan

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

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

JH/fa

cc: Hon. Jerrold Nadler, Congressman  
Hon. Thomas Duane, NY State Senator  
Hon. Deborah Glick, Assembly Member  
Hon. Scott Stringer, Man. Borough President  
Hon. Christine Quinn, Council Speaker  
Hon. Alan Jay Gerson, Council Member  
Hon. Rosie Mendez, Council Member  
Sandy Myers, CB2 liaison, Man. Borough President's office  
Lolita Jackson, Manhattan Director, Commissioner, CAU  
Thomas J. O'Connor, Deputy Commissioner for Government Affairs, NYS Liquor Authority  
Applicant