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COMMUNITY BOARD NO. 2, MANHATTAN

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October 31, 2013

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

Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

1. 5oz. Factory 24 West 8th St., LLC, d/b/a 5oz. Factory, 24 West 8th St. 10011 – New B/W

Whereas, the applicant appeared before the CB2 SLA hearing committee; and,

Whereas, this is a quick service restaurant focused on serving unique Wisconsin frozen custard and grilled cheese sandwiches using all Wisconsin Dairy; and,

Whereas, this application is for a new Beer and Wine license in a mixed-use building located on W.8th Street between 6th Avenue and MacDougal Street (Block #551/lot #22), with a 1,900 sq. ft. premise (1,000 sq. ft. on ground floor and 900 sq. ft. in basement – no patron use of basement) which has 3 tables and 12 seats and no bar, service is counter service only and the maximum occupancy is 50 people, there is no sidewalk café and no backyard garden; and,

Whereas, the applicant states that the hours of operation will be Sunday from 12:00 p.m. to 10:00 p.m. and Monday through Wednesday from 11:30 a.m. to 11:00 p.m. and Thursday and Friday from 11:30 a.m. to 12:00 a.m. and Saturday from 12:00 p.m. to 12:00 a.m.; there will be quiet background music only; and 1 42" T.V to be used for televised Wisconsin related events including sports; and,

Whereas, this location at one time did have an ABC license as a Wine Store but has never been licensed to serve beer and wine as part of a retail restaurant operation; and,

Whereas, this is just one of four SLA applications for CB#2, Man. for this date of October 8th, 2013 on this block of West 8th Street between 5th Ave and 6th Ave and there are already 10 licenses within 500 ft., many issued just within the last number of years and there are several currently pending OP licenses on this block alone; and,

Whereas, the West 8th Street Association sent correspondence that does not support this application and states:

“The operators of 5 Oz. Factory are known to us and have excellent community relationships. Their shop is primarily a custard shop that also sells sandwiches. We do not think that this menu supports the granting of a license, particularly as it means expanding the roster of licensed locations.

Out of our desire to support the existing business, and recognizing that alcohol was incidental to their regional cuisine concept and not central to their business plan, we sought to come to terms with 5 OZ. Factory, but could not reach agreement on televisions and hours. The management would like to preserve the option of expanding hours, whereas we believe that early morning hours for an alcohol- serving custard shop would be inappropriate for the block and that televisions in serving locations risk degeneration into sports bars.” and,

Whereas, at CB2’s SLA Licensing Committee meeting on October 8th, 2013, in light of the West 8th Street Block Association’s concerns, the applicant agreed to the hours of operation that were suggested by the West 8th Street Block Association and also agreed to having one TV only limited to 42” that would be utilized to only show directly related Wisconsin programming in support of their “Wisconsin” theme; and,

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

Whereas, CB#2, Man. and the community have great concerns that applicants are using the Beer and Wine license as a ploy to be licensed by the SLA and change the status of an unlicensed location where there is great community opposition, often with the plans to quickly upgrade to a full On-Premise license; and,

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

1. The hours of operation will be from Sunday from 12:00 p.m. to 10:00 p.m. and Monday through Wednesday from 11:30 a.m. to 11:00 p.m. and Thursday and Friday from 11:30 a.m. to 12:00 a.m. and Saturday from 12:00 p.m. to 12:00 a.m.
2. The premises will be operated as a “gourmet quick service restaurant serving unique Wisconsin frozen custard and grilled cheese sandwiches using all Wisconsin dairy”
3. Music will be background only.
4. The applicant will not seek a DCA Cabaret License.
5. There will be no live music, dj’s, promoted events, scheduled performances or any events for which a cover fee is charged
6. There will be no backyard garden.
7. There will only be 1 television 42 inches in size or smaller which will only be used to show Wisconsin related programming, occasionally including sports, the TV Volume will be either be off or at a very low background level.
8. There will be no “stand up bar”, only a service bar.
9. The applicant agrees to waive their right to ever upgrade to a full on-premise liquor license at anytime in the future.

10. The applicant will also agree to all stipulations discussed and agreed to with the West 8th Street Block Association as follows (excluding with one exception the provision of no Televisions:

1. Method of Operation

- a. *The establishment is a sandwich and custard shop selling Wisconsin themed food specialties. It is seeking a beer and wine license solely for the purpose of featuring **Wisconsin produced craft beers and wines only** in furtherance of its concept.*
- b. *The establishment is not a bar, will have no physical bar; the main purpose of the business is not the sale of alcoholic beverages and they will not sell alcoholic products not related to their Wisconsin theme.*
- c. *There will not be televisions in the space.*
- d. *There will be no rope-lines, bouncers, or outside holding are for patrons.*
- e. *Any alteration in the character of concept of the establishment will be brought to the community board for approval.*

2. Hours

The establishment will continue to close by 11:00 p.m. Sunday through Wednesday, and by Midnight other nights.

3. Windows

The establishment will not have operable windows facing the street.

4. Patron Noise

The operator will use persuasion, reminders, etc. to encourage patrons keep their voices down on the street as they come and go, smoke, etc. and respect the residents' right to quiet homes.

5. Music

The operator stipulates that there will be no live music, DJ or DJ booth and that background music will be played at a soft level so as not to permeate into adjoining apartments and spaces.

6. Garbage

- a. *The operator will work with the Village Alliance BID to coordinate the carter and the time of daily trash pick-up to minimize the number of noisy garbage trucks on the block.*
- b. *The operator will take steps to reduce as much as possible the clanking of discarded bottles in the handling of trash.*
- c. *The operator will store trash prior to pick-up in an appropriate manner to prevent vermin and odor problems for the residents.*

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** for a new tavern wine license to **5oz. Factory 24 West 8th St., LLC, d/b/a 5oz. Factory, 24 West 8th St. 10011, unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 11th “whereas” clause above are incorporated into the “Method of Operation” on the SLA Tavern Wine License.

Vote: Passed, with 37 Board members in favor, and 1 abstention (S. Secunda).

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
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October 31, 2013

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

Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

2. Laksa, Inc., 25 West 8th Street 10011– Transfer of an OP

Whereas, the applicant appeared before the committee to present a transfer from Sushi Yawa, Inc. to Laksa, Inc.; and,

Whereas, this application is for a transfer of an On Premise license (#1208127) in a mixed-use building, located on West 8th Street between 5th Avenue and MacDougal Street (Block #572/lot #54), for a 1,400 sq. ft. premise with 20 tables and 46 seats and 1 sushi bar with 2 seats and 1 bar with 6 seats and the current maximum occupancy is 74; there is no sidewalk café and no backyard use; and,

Whereas, the hours of operation are Sunday from 1:00 p.m. to 11:00 p.m. and Monday to Thursday from 11:30 a.m. to 11:00 p.m. and Friday from 11:30 a.m. to 11:30 p.m. and Saturday from 1:00 p.m. to 11:30 p.m.; music will be background only, there will be no scheduled performances or events with a cover charge, no live music and no DJ's, no outside promoters and only 1 television; and,

Whereas, the West 8th Street Association submitted a letter in support of this transfer with the stipulations that the method of operation and character of the restaurant will remain as it has been, that they will close by 11:00 p.m. Sunday through Thursday and by 11:30 p.m. Friday and Saturday nights and that they will not install opening or operable windows in the front, or ever use them if they exist.

Whereas, the applicant also submitted a petition with 14 signatures in support; and,

Whereas, there were no community members in opposition of this transfer; and,

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

1. The Method of Operation and character of the restaurant will remain as it has been, a quiet sushi restaurant.
2. The hours of operation will be Sunday from 1:00 p.m. to 11:00 p.m and Monday to Thursday from 11:30 a.m. to 11:00 p.m. and Friday from 11:30 a.m. to 11:30 p.m. and Saturday from 1:00 p.m. to 11:30 p.m.
3. They will not install opening or operable windows in the front, or ever use them if they exist.
4. There will be no scheduled performances or events with a cover charge, no live music and no DJ's, no outside promoters.
5. Music will be quiet background only.

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial of the transfer of an On Premise license for **Laksa, Inc., 25 West 8th Street 10011** unless the conditions agreed to by applicant relating to the 7th “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 38 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 October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

3. Slice & Co. Brick Oven Pizza, 95 MacDougal St – Renewal of Beer and Wine

Whereas, the applicant appeared before the committee due to multiple request from the community; and

Whereas, this application is for the renewal of a Beer and Wine license (1265731) in a mixed-use building (block #542/lot #53) on MacDougal Street for a 650 s.f. restaurant with 3 tables and 7 seats and 1 food counter with 4 seats, and a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation are from Sunday through Wednesday from 10:00 a.m. to 2:00 a.m. and Thursday from 10:00 a.m. to 3:00 a.m. and Friday and Saturday from 10:00 a.m. to 5:00 a.m.; there is no sidewalk, no backyard garden and music will be background only; and,

Whereas, there have been significant issues with this location since the new operators took over with \$2 beers and \$1 pizza slices being sold and taken out to the streets to eat and drink, the applicant has changed their menu, prices and method of operation since opening the establishment including changing the sign on the front of the establishment to include a brightly lighted awning which advertises in large block print over 1.5 feet in height "\$1 Pizza, \$2 Beer"; and,

Whereas, there have been complaints and observations by committee members that beer has been taken out in plastic cups from the premises (beer is only served in bottles and plastic cups – no actual glassware) and not in closed containers and the staff has not been managing the clients illegal removal of beer from the premises because they are unable to closely view and monitor the door from the rear of the premises where the order counter is located; and,

Whereas, there have been complaints of loud music because the windows of the establishment are kept open during all hours of operation including up until 5 am on weekends and that the music is beyond city noise code allowance and also inconsiderate considering there are ‘tenement’ style residential units above every single establishment on the block; and,

Whereas, there is question as to the availability or legal setup of a public bathroom at this location which is only accessible through the kitchen area but is required with any SLA license; NYC requirements only require establishments to have a bathroom if there are 20 or more seats which this establishment does not have, but because the SLA requires a public bathroom – the licensee states patrons may use the bathroom at the rear of the Kitchen area, however in order to access this bathroom patrons must walk through the kitchen, prep area and food storage area which violates NYC Health/DCA regulations for a public bathroom for purposes of public use (it appears this single bathroom is in actuality an employee bathroom and in order to access the bathroom the staff of the establishment must raise a service counter in order for the public to pass behind the food service counter); and

Whereas, CB#2, Man. and the community have been working hard to find a balance for both operators and residences in this neighborhood with very little support from the bar operators, particularly in consideration of loud music which is easily remedied by simply closing open doors and windows at a minimum; and,

Whereas, the applicant had originally agreed to a set of stipulations in negotiation with the community and agrees to continue to follow those stipulations which are:

Whereas, the licensee agreed to executed a stipulations agreement with CB#2, Man. in the interest of being a good “neighbor” that they agreed would be attached and incorporated in to their existing method of operation on their SLA Beer and Wine Restaurant license and the stipulations are as follows:

1. Hours of operation are Sunday through Wednesday from 10:00 a.m. to 2:00 a.m. and Thursday from 10:00 a.m. to 3:00 a.m. and Friday and Saturday from 10:00 a.m. to 5:00 a.m.
2. Alcohol service MUST stop at 4 a.m. on Friday and Saturday.
3. A doorman/security person will be in place Thursday to Saturday to monitor customers trying to leave with open containers of beer (i.e. a staff member or “security” will be placed at the entrance of the establishment).
4. All windows will be closed by 10 p.m. every night.
5. There will be no music on Friday and Saturday nights.
6. Speakers in front will be turned to face inward and reduce music being sent out into the streets.
7. Music will be QUIET BACKGROUND music only.
8. Will not exceed New York City noise codes.

Whereas, these concerns such as noise and open containers of beer have existed for a long time and CB#2, Man. respectfully request that the SLA consider the renewal contingent on every stipulation being strictly adhere to in the future;

THEREFORE, BE IT RESOLVED that CB2, Man. recommends denial of the renewal of an On Premise license for **Slice & Co. Brick Oven Pizza, 95 MacDougal St** unless the conditions agreed to by applicant relating to the 10th “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license; and

THEREFORE, BE IT FURTHER RESOLVED that CB2 Man. requests that the Liquor Authority verify that this restroom in fact meets the require of a public bathroom in conjunction with the appropriate New York City agency which oversees “public bathroom” requirements, or require the Licensee to verify with correspondence from a NYC City Agency that the available bathroom complies with requirements for a “public bathroom”

Vote: Unanimous, with 38 Board members in favor.

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NY State Liquor Authority
317 Lenox Avenue
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Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

4. DoJo Restaurant, inc., 14 W. 4th Street 10012 – alteration to license

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

Whereas, the alteration to this license is to add a bar to the existing space downstairs; and,

Whereas, this application is for the alteration of the On Premise license (#1025074) for a premise located in a commercial use building located on 4th Street between West 4th and Mercer Street (Block #535/lot #7501), for a 2,400 sq. ft premise (700 sq. ft. in basement) with 47 tables with 77 seats and 1 bar with 10 seats on the first floor and 10 tables and 28 seats and 1 bar with 14 seats in the basement floor and a sidewalk café with 10 tables and 28 seats; the proposed occupancy will be 140 and the maximum occupancy is currently 128 people; and,

Whereas, the hours of operation for the restaurant are Sunday from 10:00 a.m. to 12:00 a.m. and Monday to Thursday from 12:00 p.m. to 1:00 a.m. and Friday from 12:00 p.m. to 2:00 a.m. and Saturday from 10:00 a.m. to 2:00 a.m., the establishment is a full service Japanese restaurant, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no scheduled performances or cover fees, no private parties, no velvet ropes, no movable barriers and there will be no TV's; and,

Whereas, CB#2, Man. requests that documents be presented to the SLA which include but are not limited to a corrected Public Assembly Permit as well as a new Certificate of Occupancy both of which were not submitted or updated to CB2; and,

Whereas, the applicant executed a stipulations agreement with CB#2, Man. that they agreed would be attached and incorporated in to their existing method of operation on their SLA On-Premise Restaurant license and the stipulations are as follows:

1. Hours of operation are from Sunday from 10:00 a.m. to 12:00 a.m. and Monday to Thursday from 12:00 p.m. to 1:00 a.m. and Friday from 12:00 p.m. to 2:00 a.m. and Saturday from 10:00 a.m. to 2:00 a.m.
2. Applicants will operate and advertise as a full service “Japanese Restaurant” only.
3. There will be no nightclub or after hours events, no cabaret or cabaret license.
4. There will be the same food service available in the basement that exist on the ground floor.
5. There will be background music only.
6. There will be no D.J.s, live music or promoted events.
7. The applicant will obtain a revised Certificate of Occupancy to include patron use in the basement and will obtain a new or revised Place of Assembly Permit for the total occupancy of the premises.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to the alteration of the existing On Premise license for **DoJo Restaurant, inc., 14 W. 4th Street 10012**. unless the conditions agreed to by applicant relating to the 6th “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 38 Board members in favor.

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Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

5. Gotham Rose, LLC, d/b/a Ariana, 138-142 W. Houston St. 10012 – New OP

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new On Premise license in a mixed-use building, located on West Houston between Sullivan and MacDougal Street (Block #526/lot #79), for a 2600 sq. ft. premise 2,100 on ground floor and 600 in cellar), there will be 31 tables 78 seats and 1 bar with 10 seats and outside within the property line are 3 tables with 6 seats, and a maximum proposed occupancy of 115; there is no sidewalk café and no backyard patron use but there will be doors that open to a backyard that is part of the MacDougal/Sullivan Gardens; and,

Whereas, the hours of operation are Sunday to Wednesday from 8:00 a.m. to 12:00 a.m. and Thursday to Saturday from 8:00 a.m. to 2:00 a.m. however the outside seating will be closed and removed at 10:00 p.m. daily; this will be a quiet Russian restaurant; music will be background only, there is no d.j., there will be no scheduled performances or events with a cover charge and use of TV's; and,

Whereas, the applicant must amend the Certificate of Occupancy to reflect proposed occupancy and get a Place of Assembly Permit; and,

Whereas, the applicant submitted a petition with 27 signatures in support; and,

Whereas, the local neighborhood association known as the Bleecker Area Merchants' & Residents' Association met with the applicant and together agreed to a series of stipulations; and,

Whereas, the applicant executed a stipulations agreement with CB#2, Man. that they agreed would be attached and incorporated in to their existing method of operation on their SLA On-Premise Restaurant license including stipulations agreed to with the Bleecker Area Merchants' and Residents' Association and the stipulations are as follows:

1. The restaurant will be advertised and operated as a quiet Russian restaurant.
2. The hours of operation will be Sunday to Wednesday from 8 am to 12 am (midnight) and Thursday to Sunday from 8 am to 2 am. At closing all patrons will have left the premises.
3. The existing rear yard will not be for patron use and there will be no patrons in this area at anytime.
4. All doors and windows will be closed at 9 pm every night. The only rear doors that will be opened in the rear area facing the rear yard are the doors on the east side of the restaurant. The center rear doors and doors on the west will never remain open.
5. There will be no dj's, live music, promoted events, events for which a cover fee is charged or scheduled performances.
6. There will be no televisions.
7. All outdoor tables in the front of the establishment within the property line will be promptly removed at 10 pm each night and the area closed to patrons.
8. There will be an amended Certificate of Occupancy to reflect the increase in number of patrons.
9. There will be a new Place of Assembly Permit in place prior to operating.
10. All stipulations agreed to with Bleecker Area Merchants' and Residents' Association will be incorporated into this stipulations agreement and adhered to.

Whereas, the stipulations agreed to with the Bleecker Area Merchants' and Residents' Association are as follows:

1. **Hours of Operation:** The Establishment shall operate from **8:00 AM to 12:00 AM Sundays through Wednesdays** and from **8:00 AM to 2:00 AM Thursdays through Saturdays**.
2. **Certificates, Permits and Related Documents:** The Operators shall obtain all required certificates, permits and related documents necessary for legal operation.
3. **Traffic:** The Operators will use reasonable efforts to remedy any traffic issues brought to its attention, to the extent that it can. The Operators shall direct staff to monitor the patrons of the Establishment who are gathered outside the Establishment and the staff (including a host, and if necessary, a security person) shall direct such persons or traffic going to and from the Establishment to keep the area clear and passable by pedestrians. The Operators will clean any debris left by its patrons (ie: cigarette butts, etc.) from the area in front of the Establishment and surrounding areas.
4. **Manager:** The Operators shall have an English-speaking manager on duty, capable of adequately communicating with residents of the community, to be present at the Establishment during all hours of operation. All Managers and staff will operate under these stipulations as well. Any complaints made about the Establishment to BAMRA will be relayed to the Operators and the Operators will make their phone numbers available to complainant and will work with both the complainant and BAMRA to reasonably resolve any issues.
5. **Music:** The Operators shall play quiet, background level music inside the Establishment and shall not play any music whatsoever outside the Establishment, nor deliberately direct music from within the Establishment to be heard outside the Establishment. The Operators shall not permit DJs or live music. The doors will be closed when music is playing.

6. **Television:** The Operator shall have no televisions or projection screens in the Establishment.
7. **Outside Tables:** The Operators may have tables outside without a sidewalk license in the space immediately in front of their establishment which is part of the setback to their building. The Operators will remove any tables they may use in that area by 10:00 PM.
8. **Cellar:** The cellar will be used for storage only and no customers will be allowed in it.
9. **Backyard:** The backyard will not be used by customers or staff and the Operators shall reach out again to the Sullivan Gardens block association to discuss the times the back door is open and to set a sound limit. The back doors shall close no later than 9:00 PM.
10. **Full Menu:** The Establishment's full restaurant dinner menu shall be available in the evenings until closing and no other tapas-style or "bar food" style menu shall be offered.
11. **Sanitation:** The Operator shall not place refuse at the curb except as close to pick up as possible.
12. **Lighting:** The Operator shall not install illuminated signage or lighting on or within the Establishment that would adversely and unreasonably disturbs residents living near the Establishment. The Operators agree that any neon signage will be muted.
13. **Windows & Doors:** All windows and doors will be closed by 9:00 PM.
14. **Notification Of Change Of Ownership:** The Operator shall notify Manhattan Community Board 2 in the event of a change of ownership as required by law.
15. **Events:** The Operator shall not host third party private events, meaning an activity by a non-affiliated group or individual where the Operator has no responsibility or staff involved.
16. **License Renewal:** The Operator will appear before BAMRA and Manhattan Community Board 2 before renewing this liquor license, to determine if the stipulations are working and are being adhered to.
17. Any noise complaints by the MacDougal/Sullivan Gardens Association regarding open doors to the garden space will result in permanently keeping all doors closed at all times.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to the new On Premise license for **Gotham Rose, LLC, d/b/a Ariana, 138-142 W. Houston St. unless** those conditions and stipulations agreed to by the applicant relating to 7th & 8th "whereas" clauses above are incorporated into the "Method of Operation" on the SLA license.

Vote: Unanimous, with 38 Board members in favor.

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

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

6. Chipotle Mexican Grill, 88 University Pl. aka 24 E. 12th St. 10001 - New OP

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

Whereas, this application is for a new On Premise license in a commercial building, located on 12th Street between 5th Ave. and University Pl. (Block #569/lot #24), for a 2,630 sq. ft. premise with 10 tables and 31 seats 20 counter seats and no bar and a maximum occupancy of 74; there is no sidewalk café and no backyard use; and,

Whereas, the hours of operation are from 11:00 a.m. to 10:00 p.m. 7 days a week; music will be background only, there will be no scheduled performances or events with a cover charge, no live music and no DJ's, no outside promoters and no use of any televisions; and,

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

Whereas, the applicant's representative did meet with the neighborhood associations but is not authorized to sign any agreements with those associations; and,

Whereas, the entrance to this establishment is on 12th Street, which is a mixed use commercial/residential community which has been organized against the spreading of liquor licenses in this area along with its' sister organization the 13th Street Block Association who also have been submitting unprecedented charting of the outrageous increase of SLA's newly licensed location in the last number of years in this area; and,

Whereas, chain store corporations, in particular this one, have overwhelmed Greenwich Village and immediate nearby areas with over a dozen On Premise licensed locations, many of which have never had on-premise licenses at those locations, let alone beer and wine licenses before, all in the name of corporate consistency which runs counter to hearing each location and application as a unique scenario in regards to the 500 ft. rule; and,

Whereas, the only reason why this applicant applies for the full On Premise license is to be able to sell bottles of beer and canned Margaritas with their take out Mexican food; and,

Whereas, there are already 3 similar style restaurants within blocks of this location rendering this application to serve absolutely no public interest not to mention the 3 Chipotle restaurants that already exist within blocks of this application; and,

Whereas, CB#2, Man. wonders if McDonald's or Taco Bell deems the need to serve some similar concoction in a can will the Liquor Authority will see fit to support their liquor licenses at all their locations within New York City and the state; and,

Whereas, CB#2, Man. is very concerned that precedent has been set with Chipotle, that may be irreversible if we are so deluged with fast food chains and their potential to sell Liquor at their take out window (!); and,

Whereas, the applicant executed a stipulations agreement with CB#2, Man. that they agreed would be attached and incorporated in to their existing method of operation on their SLA On-Premise Restaurant license, the stipulations are as follows:

1. The hours of operation will be 11:00 a.m. to 10:00 p.m. 7 days a week
2. Music will be background only, there will be no scheduled performances or events with a cover charge, no outside promoters. no live music and no DJ's or need for a Cabaret license..
3. All doors and windows will be closed at all times.
4. Will not use any backyard garden space or sidewalk café

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to the new On Premise license for **Chipotle Mexican Grill, 88 University Pl. aka 24 E. 12th St. 10001** **unless** those conditions and stipulations agreed to by the applicant relating to 13th "whereas" clause above are incorporated into the "Method of Operation" on the SLA license.

Vote: Passed, with 27 Board members in favor, 10 in opposition (S. Aarons, K. Berger, T. Bergman, H. Campbell, D. Diether, C. Dwyer, R. Ely, J. Frost, A. Kriemelman, S. Sweeney) and 1 abstention (S. Secunda).

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



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

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October 31, 2013

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

Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

7. Mr. Jonesing, LLC, (fka 9 GJ Bar & Restaurant Inc.), d/b/a Acme Bar & Grill, 9 Great Jones St. 10012 – Transfer OP

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the transfer of an On Premise license in a mixed-use building, located on Great Jones Street between Lafayette and Broadway (Block #530/lot #12), for a 3,800 sq. ft. premise with 25 tables and 72 seats and 1 bar with 16 seats on the ground floor and 30 tables with 61 seats and 1 bar with 10 seats in the basement and a maximum occupancy of 201; there is no sidewalk café and no backyard use; and,

Whereas, the hours of operation are Sunday from 10:00 a.m. to 2:00 a.m. and Monday and Tuesday from 11:00 a.m. to 2:00 a.m. Wednesday to Friday from 11:00 a.m. to 4:00 a.m. and Saturday from 10:00 a.m. to 4:00 a.m.; music will be background only, there will be no scheduled performances or events with a cover charge, no live music and no DJ's, no outside promoters and no use of any televisions; and,

Whereas, there were no community members in opposition to this application; and

Whereas, the NoHo Bowery Stakeholders has a Memorandum of Agreement which has been signed by this operator; and

Whereas, the applicant executed a stipulations agreement with CB2 that they agreed would be attached and incorporated in to their method of operation on their SLA On-Premise Restaurant license, which states that all previously agreed to stipulations by **9 GJ Bar & Restaurant, Inc.** the previous licensee, will be incorporated in to the method of operation on this license and all stipulations agreed to with the Noho Bowery Stake Holders via a Memorandum of Understanding will also be incorporated into the Method of Operation; and,

Whereas, the stipulations agreed to with the Noho Bowery Stakeholders via a Memorandum of Understanding are as follows:

Whereas, the parties are desirous of a continued method of operation for the restaurant which will allow Acme's business to succeed without causing inconvenience or nuisance to the neighbors and residents of the surrounding area. Towards that end, certain points have been agreed upon and continue with the new license and revised corporate ownership, which are as follows:

1. *That today the parties exchanged contact information as well as the phone numbers for the General Manager of ACME, as the contact accessible, at any time during the operation of the premises from opening to 4:00 a.m. Monday through Sunday. The person or persons connected with these phone numbers-will, take immediate responsibility for neighbor/neighborhood issues that arise, including but not limited to: crowd control associated with the restaurant and its patrons and disorderly conduct by patrons on the public right of way fronting the premises. Non-emergency issues such as garbage and sanitation will be resolved within 48 hours of notice.*

This contact information will also be utilized to exchange information regarding any special events planned either by the neighborhood or operator that will impact the normal conditions of business, residency or living.

Should these contacts or their phone numbers change, both parties agree to immediately notify each other with substituting information.

2. *ACME agrees to provide, at its own expense, a means and protocol for garbage storage and collection that:*

- 1) *Prevents vermin access*

- 2) *Will not cause refuse to escape from its container - solid or liquid-or be left on the street'*

- 3) *Will be picked up before 3 AM when restaurant personnel are available to speedily assist in its*

removal by a carting company and to clean up any residual garbage; or after 6 AM when restaurant personnel will soon be available to collect solid containers left on the street (should this be the storage option utilized), and sweep and wash down the sidewalks by 8AM daily.

3. *ACME agrees to maintain an exterior video camera for the purpose of monitoring sidewalk traffic, conditions, and patron activity for all hours of operation. Acme further agrees to provide personnel whose principal function it is to regularly monitor said video camera'*

At any time that the premises reaches or anticipates reaching a capacity of 125 persons or greater, dedicated security personnel will be employed at a ratio of one per 75 persons present' such security personnel will be employed between the hours of 10: PM to 4: 15 AM (or until the last patron has left Wednesday through 4:15 AM Sunday morning.

The use of velvet ropes or outside waiting lines will be discouraged at all times. In the event of the need for outside congregation of patrons -by virtue of a planned or spontaneous events or circumstance, said security personnel will be physically present on the sidewalk to manage and oversee said congregation to assure that residential neighbors and other pedestrians have right of way as well as relief from extraordinary noise or other environmental or physical hazards that may arise as a result of Acme's operation of the business'

4. ACME warrants that the restaurant is legally configured for restaurant use, and will remain for the full period of this license and any subsequent renewals by these corporate owners, set-up in the following manner.

The current configuration of the restaurant is as follows:

| | |
|---------------------------------|---|
| <i>Ground floor</i> | <i>25 Tables 72 Seats 16 Bar Stools</i> |
| <i>Below Grade Cellar Space</i> | <i>30 Tables 61 Seats 10 Bar Stools</i> |

ACME further warrants that at no time will there be less seating except for the private party requiring less seating (ground floor) and that the public assembly stated for this and subsequent liquor license renewals will be for no more than 159 patrons. Any changes in patron capacity, seating and/or use will be duly set forth in an Alteration Application for review by the Community Board and submitted as prescribed by the New York State Liquor Authority.

If during the period covered by the SLA license, Acme shall substantially abide by the above provisions and shall not cause undue inconvenience or discomfort to residents and businesses in the area, NoHo-Bowery Stakeholders, Inc agrees not to oppose renewal of said SLA license. Both parties agree to continue a dialogue and continue to work together to insure a mutually harmonious existence for all and have affixed their signatures on page 3 of this document,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to the transfer of an On Premise license for **Mr. Jonesing, LLC, fka 9 GJ Bar & Restaurant Inc., d/b/a Acme Bar & Grill, 9 Great Jones St. 10012** **unless** those conditions and stipulations agreed to by the applicant relating to 6th “whereas” clause above are incorporated into the “Method of Operation” on the SLA license.

Vote: Unanimous, with 38 Board members in favor.

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



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

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October 31, 2013

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

Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

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

8. An Entity to be formed by Starr Restaurant Group, 222 Bowery 10012 - New OP

Whereas, the applicant appeared before CB2's SLA Licensing Committee on October 8th, 2013; and,

Whereas, this application is for a new On Premise license in a previously unlicensed location for an approachable take on a Manhattan steak house combining classic warmth and charm with a contemporary and affordable menu; and

Whereas, after CB2's SLA Licensing Committee had voted on a recommendation to present to the Full Board of CB#2, Man. recommending denial, but prior to CB2, Manhattan's October Full Board meeting, the applicant's attorney requested to **withdraw the application** and should they choose to do so will return to CB#2, Man. in the future with a "substantively" revised application after performing additional community outreach;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, alteration, transfer, upgrade or changes to any existing license for **An Entity to be formed by Starr Restaurant Group, 222 Bowery 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

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



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

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October 31, 2013

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

Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

9. 161 Mulberry Restaurant, LLC, d/b/a Italian Food Center, 161 Mulberry ST. 10013 – Alteration

Whereas, during this month's CB2 SLA Licensing Committee meeting on October 8th, 2013, the committee requested that the applicant layover this application from consideration until an application and all necessary paperwork was ready for review; and,

Whereas, this application is for the alteration to the Beer and Wine or On-Premise license;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed alteration to the Beer and Wine or On Premise license to **161 Mulberry Restaurant, LLC, d/b/a Italian Food Center, 161 Mulberry ST. 10013** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

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



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

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October 31, 2013

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

Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

10. LLC to be formed/ Donny Chao, 88 University Pl 10013

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on October 8th, 2013, the attorney requested to withdraw the application from consideration; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** the proposed alteration to a new Beer and Wine license for **LLC to be formed/ Donny Chao, 88 University Pl 10013** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

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



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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October 31, 2013

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

Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

11. Don Borelli, on behalf of entity, 26 West 8th St., Basement Store 10011

Whereas, during this months CB2 SLA Licensing Committee meeting on October 8th, 2013, the committee requested that the applicant layover this application from consideration until further defined plans on the method of operation are completed; and

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny the proposed new Beer and Wine license for **Don Borelli, on behalf of entity, 26 West 8th St., Basement Store 10011** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

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



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

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October 31, 2013

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

Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

12. Meteor Goods, Inc. d/b/a Café Mercado, 648 Broadway 10012

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on October 8th, 2013, the attorney requested to withdraw the application from consideration; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny the proposed new Beer and Wine license for **Meteor Goods, Inc. d/b/a Café Mercado, 648 Broadway 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

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



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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October 31, 2013

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

Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

13. Taqueria y Cafeteria “La Universitaria” 815 Broadway 10003

Whereas, prior to this months CB2 SLA Licensing Committee meeting on October 8th, 2013, the attorney requested to layover/ withdraw the application from consideration; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** the proposed new On Premise license for **Taqueria y Cafeteria “La Universitaria” 815 Broadway 10003** until the applicant has presented their application in front of CB2’s SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

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



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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October 31, 2013

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

Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

14. Chef Club NY, Inc., d/b/a Chef's Club by Food & Wine, 295 Lafayette St. 10012

Whereas, during this month's CB2 SLA Licensing Committee meeting on October 8th, 2013, the committee requested that the applicant layover this application from consideration until further defined plans on the method of operation are completed; and

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny the proposed new On Premise license for **Chef Club NY, Inc., d/b/a Chef's Club by Food & Wine, 295 Lafayette St. 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

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



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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October 31, 2013

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

Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

15. ESS US1, LLC, d/b/a Heimat, 188 Bowery a/k/a 2-4 Spring St. 10012

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on October 8th, 2013, the attorney requested to layover/ withdraw the application from consideration; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** the new On Premise license to **ESS US1, LLC, d/b/a Heimat, 188 Bowery a/k/a 2-4 Spring St. 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

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



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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October 31, 2013

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

Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

16. Sagardi USA, LLC, d/b/a Sagardi, 222 Bowery 10012

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on October 8th, 2013, the attorney requested to layover/ withdraw the application from consideration; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** the new On Premise license to **Sagardi USA, LLC, d/b/a Sagardi, 222 Bowery 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

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



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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October 31, 2013

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

Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

17. JEC II, LLC dba Bagatelle, 2-8 9th Ave. aka 1 Little W. 12th St. (OP license renewal SN#1143611)

Whereas, the applicant was requested to appear before CB2's SLA Licensing Committee in regards to the renewal of their liquor license, Serial Number 1143611; and,

Whereas, a number of residents in the immediate area spoke to concerns that had also been raised the last time the licensee appeared before CB#2, Man. for an alteration application and spoke of issues related to noise, loud music, loud brunch parties, congregating issues in front of the premises, and many phone calls to the operators to reduce the music levels and address other issues; and,

Whereas, there was a general acknowledgement from residents that the licensee has been improving their operation and the effects on quality of life issues had been reduced; and,

Whereas, the Operators representative and manager of the premises gave an update on their progress to installing double sound proofed windows and explained the challenges they were working around in order to complete the installation and discussed the progress on the installation of a sound mitigating vestibule that is being installed; and,

Whereas, the applicant executed an additional stipulations agreement with CB2 that they agreed would be attached and incorporated in to their existing method of operation on their SLA on-premise license through this renewal application, which is in addition to any and all existing stipulations, the additional stipulations are as follows:

1. The premises will be advertised and operated as a sophisticated French restaurant

2. The hours of operation for the interior of the premises will be from 11 am to 2 am seven days a week. No Patrons will remain in premises after closing.
3. The hours of operation for the exterior outdoor area (sidewalk café) will be from 11 am to 12 am seven days a week. No patrons will remain in area after closing.
4. The sidewalk café will be operated no later than 12 am – seven days a week.
5. The Licensee will install soundproofing as discussed and previously agreed to.
6. All doors and windows will be closed by 10 pm every night – no exceptions.
7. The Licensee will continue to and adhere to and reiterate stipulations executed on February 13, 2013 and all other existing stipulations.
8. The Licensee will maintain exterior security at all times.
9. The Licensee will continue sound mitigation efforts, which are greatly appreciated by the community.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the renewal application for **JEC II, LLC dba Bagatelle, 2-8 9th Ave. aka 1 Little W. 12th St. (OP license renewal SN#1143611)**, unless the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 5th “whereas” clause above are incorporated into the existing “Method of Operation” on the existing on premise restaurant liquor license.

Vote: Passed, with 35 Board members in favor, and 3 in opposition (S. Aarons, A. Meadows, R. Sanz).

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



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

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October 31, 2013

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

Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

18. 13th Street Entertainment, LLC d/b/a Kiss & Fly (fc – Gotham, Beaumarchais, VIP Room), 409 W. 13th St. (alteration to include cellar with additional bar)

Whereas, the applicant appeared before CB2's SLA Licensing committee to present an alteration to an existing on-premise cabaret liquor license SN#1151802 for an "existing multi-use establishment (restaurant, bar)" to (1) change the DBA name of the establishment (2) change the configuration of tables and chairs on the ground floor and basement (3) convert one service bar in the rear ground floor area to a "stand up" bar with no seats (resulting in 3 'stand up' bars total)(4) reduce the total occupancy to 545 persons from 800+/-; and,

Whereas, this application is for an alteration to a currently licensed location located in a commercial use building on 13th Street between Washington St. and 9th Avenue on the ground floor and basement for an 10,000 sq. ft. premise (5,000 sq. ft. per floor, patron use throughout) the new configuration would continue to have 44 tables and 187 seats located on both floors, there would now be 3 'stand up bars' and 12 bar seats for a total of 199 interior seats distributed throughout the premises as indicated on the seating diagram presented, there will continue to be a sidewalk café with 18 seats, there is an existing Certificate of Occupancy and total occupancy of the premises will be reduced to 545 persons and there will be changes to the existing Place of Assembly Permit; and,

Whereas, the hours of operation will continue to be from 11 am to 4 am seven days a week, music will be continue to be from dj and ipod/cd's at background and entertainment levels, there is existing soundproofing and sound mitigation in place, there will be no promoted events, no scheduled performances, no cover fees, no velvet ropes, no movable barriers, the traffic and crowd control measures will be maintained; and,

Whereas, the applicants performed community outreach and an agreement on additional stipulations was reached during the meeting which ameliorated some of the community concerns but not all; and,

Whereas, there were specific concerns raised by residential members of the community which related to (1) noise and music emanating from the premises (2) that this location in particular was on of the “top 3” creators of quality of life issues in the Meatpacking area and specifically is a direct contributor to drunk patrons, screaming, other noise, well dressed women walking shoeless later in the evenings stumbling along the cobblestone streets, public urination, intoxicated disoriented patrons wandering residential areas after exiting the premises well into the late hours and early morning hours (3) that this location by virtue of it’s size is a major contributor to existing traffic issues which the City DOT and NYPD continue to try to mitigate by experimenting with different solutions, the problems which are ultimately simply result of too many licensed premises in an area not designed to handle the traffic flow (4) that while this establishment is 2 blocks away from residential areas, it is a major contributor to quality of life complaints and issues and has been for some time (5) this location has a high crime rate as evidence by being tied for first place for licensed premises for the first quarter of 2013 for grand larcenies in the 6th Precinct (6) that not withstanding the quality of life issues that are created by the premises, the high number of thefts at the premises ties up NYPD resources when the establishment could and should take significant measures to reduce the incidents of theft within their location through proactive measures; and,

Whereas, the applicant executed a stipulations agreement with CB#2, Man. that they agreed would be attached and incorporated in to their method of operation on their SLA on-premise license through this alteration application and in addition to any and all existing stipulations, the additional stipulations are as follows:

1. The hours of operation will be from 11 am to 4 am seven days a week.
2. There will be 17 security staff persons working Thursday to Saturday.
3. Music will not be audible beyond 15 feet of the exterior space.
4. All doors and windows will be closed at all times when music is playing and regardless of music, doors and windows will always be closed by 9 pm seven days a week – no exceptions.
5. The restaurant in the front half of the upper floor will always be closed by 2 am seven days a week (see premises diagrams).
6. The outdoor space (sidewalk café) will be closed at midnight (12 am) seven days a week.
7. The operator will use best practices to manage all outdoor areas and sidewalks at closing hours so as to produce as minimal as possible an impact on the surrounding community.

Whereas, there are 35 on-premise liquor licenses within 500 feet and 3 pending licenses, many of which like this location are multi-floor multi venue locations; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the alteration application for **13th Street Entertainment, LLC d/b/a Kiss & Fly (fc – Gotham, Beaumarchais, VIP Room), 409 W. 13th St., unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 6th “whereas” clause above are incorporated into the “Method of Operation” on the on-premise cabaret liquor license.

Vote: Unanimous, with 38 Board members in favor.

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



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

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October 31, 2013

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

Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

19. Rapha Racing, LLC, 64 Gansevoort St. 10014 (new TW – previously unlicensed location)

Whereas, the applicant appeared before CB2's SLA Licensing committee to present an application for a new tavern wine license for a previously unlicensed location for a "small cycling clothing brand which will operate a mixed use café/clothing store" which will "air live bicycle races in the mornings"; and

Whereas, this application is for a previously unlicensed location located in a commercial use building on Gansevoort St. between Greenwich St. and Washington St. on the ground floor for an 2,900 sq. ft. premise (1,700 sq. ft. for patron use on ground floor and 1,200 sq ft. on second floor – no patron use – offices only) with 5 tables and 24 seats and 1 stand up bar with 0 seats, there is no outdoor area or sidewalk café or any outdoor seating, there is a Certificate of Occupancy but it is unclear if this "use group 6" retail and eating and drinking use is allowable at this location because of a restrictive declaration on this property and is addressed in the stipulations; and,

Whereas, the hours of operation will be 7 am to 8 pm seven days a week, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be a small sound system consisting of 6 speakers, 4 located in the café area and 2 in the retail area, amplification will be from a "home stereo" type amplifier and there will be no sub woofers, there will be no d.j., no promoted events, there will be no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be 3 T.V.'s, 1 of which will be a projection television against the back wall of the location, and two smaller televisions, one of which will be in the café area and one in the retail area, the televisions will only be used to showcase bicycle races and bicycle related events; and,

Whereas, the applicants performed community outreach, met with local residents and have contacted local neighborhood organizations and there were discussions of stipulations which the applicant and community presented at CB2's SLA Licensing Committee meeting and agreement was reached during the meeting; and,

Whereas, there were specific concerns raised by residential members of the community which related to (1) noise and music emanating from the premises, especially from the rear of the premises through the existing brick walls which forms a part of a interior "donut" which is bordered on the southern side by residential neighbors who have experienced noise related issues from previous uses at this locations (2) concerns that there be absolutely no use of any outdoor terraces, rooftops and that the skylight remained closed at all times (3) that there is insufficient soundproofing or noise abatement measures in the premises (4) that this use is in direct violation of a restrictive land use declaration for this property and any purported allowable uses have not been properly recorded with the city (5) there have been no filings with the NYC Department of Buildings for any changes to the building since the mid 1990's (6) the existing Certificate of Occupancy states there is a maximum occupancy of 15 persons and because of the existing restrictive use declaration any use of up to 74 persons as is generally the case for these uses is in question because this use is specifically not currently allowed or registered with the city (7) there were concerns also that there may be a sidewalk café or benches on the exterior (8) there were concerns that because of the time difference of most European bicycling events that like world cup events large crowds would gather at nontraditional times creating significant quality of life issues from cheering and congregating at nontraditional hours (9) there were concerns that by incorporating a beer and wine licensed venue into a retail space that the success of this venture may be determined by revenues generated from eating and drinking uses and not the main venture which is the retail cycling clothing aspect of the business (10) there were concerns expressed that the applicant could not guarantee that the premises would be completely soundproofed (11) that licensing a mixed use retail and café location is a terrible precedent for this immediate area that is overrun with large licensed venues; and,

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

1. The premises will be advertised and operated as a small retail cycling clothing store with very small café.
2. The hours of operation will be 7 am to 8 pm seven days a week – hours will never be later. At closing no patrons will remain on the premises.
3. There will be no backyard garden.
4. The applicant will never seek a DCA Cabaret License.
5. There will be no more than 5 tables and 24 seats in interior of premises.
6. There will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged
7. There will be no use of the 2nd floor for patrons.
8. There will be no use of the terrace space ever.
9. Skylight will remain closed at all times.
10. There will be a sound test conducted with immediate abutting neighbors and high levels set so as to never create an impact to residential tenants.
11. There will be no special events or events after 8 pm.
12. There will be no outdoor seating (i.e. no benches, chairs or sidewalk café)
13. There will be no subwoofers in the premises – only 6 speakers, 4 in rear area and 2 in retail area all set to same volume.

14. There will be three televisions, one of which will be a projection tv against the rear wall and two smaller televisions, one located in the retail area and one in the café area.
15. The “restrictive declaration” will be reviewed by New York City Council Land Use staff and they will confirm 2003 Amendments are valid and Landlord/Applicant will properly record the Restrictive Declaration and/or 2003 Amendments with proper City Agency.
16. Music will be quiet background only from an ipod dock (i.e. no active manipulation of music – only passive prearranged music).

Whereas, by means of illustrating this area, there are 32 on-premise liquor licenses within 500 ft. and several pending licenses; many of those licenses are for multi floor and multi venue locations; and,

Whereas, CB#2 Man. cannot stress enough that unless this use at this location is actively confirmed by registering a change in the “restrictive declaration” which should appear on the Certificate of Occupancy or on other properly recorded city documents which are presented to the Liquor Authority and ***dated in the year 2013 that this license should be denied;*** and,

Whereas, CB#2, Man. requests that should this recommendation be used by this applicant or any future applicant at this locations for any changes to this application or other use than the specific use outlined here and specific parameters and stipulations that the Liquor Authority give no weight to the concept that this location has been “previously licensed” or is “currently licensed” as this recommendation is based on a very specific and unique set of circumstances; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of a new tavern wine license to **Rapha Racing, LLC, 64 Gansevoort St. 10014**, **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 6th “whereas” clause above are incorporated into the “Method of Operation” on the Tavern Wine License.

Vote: Unanimous, with 38 Board members in favor.

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



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

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October 31, 2013

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

Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

20. PHIL3PO, LLC, d/b/a Taureau La Sirene, 558 Broome St. 10013 (new OP – previously unlicensed location)

Whereas, the applicant reappeared before CB2 Manhattan’s SLA Licensing Committee after having been requested to perform additional outreach to surrounding residential tenants; and,

Whereas, this application is for an on-premise restaurant liquor license for an existing restaurant that has been operating for a number of years, but which has not been previously licensed, for a restaurant that’s “focus is on French Homemade Styles and Quality Ingredients paired with friendly, professional service; [The Menu] specializes in cuisine from the South of France as well as a large variety of Fondues”; and,

Whereas, this application is for a previously licensed restaurant wine location (portion of the premises) located in a mixed use commercial/residential building on Broome St. between Varick St. and 6th Avenue on the ground floor and cellar for a 1,200 sq. ft. premise with 27 tables and 64 seats and no stand up bar and 1 service bar only, there is no sidewalk café or rear yard or other outdoor area, there is an existing Certificate of Occupancy; and,

Whereas, the hours of operation will be Sunday to Thursday from 5 pm to 12 am, and Saturday to Sunday from 11 am to 3:30 pm and then 5 pm to 1 am, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, there will be no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, no televisions; and,

Whereas, the applicant performed community outreach and presented a petition in support with 30 signatures from immediately abutting buildings and the building in which the premises is located, no one appear in support or opposition; and,

Whereas, the applicant executed a stipulations agreement with CB2 that they agreed would be attached and incorporated in to their method of operation on their SLA on-premise restaurant liquor license and the stipulations are as follows:

1. The premises will be operated and advertised as a French restaurant.
2. The hours of operation will be Sunday to Thursday from 5 pm to 12 am, and Saturday to Sunday from 11 am to 3:30 pm and then 5 pm to 1 am. No patrons shall remain after closing.
3. There will be no backyard garden.
4. The applicant will never seek a DCA Cabaret License.
5. There will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
6. Music will be background only.
7. At stated closing hours – no patrons shall remain in the premises.
8. The applicant states one exception to hours of operation, which will be on New Years Eve only, and on that day the hours of operation will be from 6 pm to 2 am.

Whereas, there are 6 on-premise liquor licenses within 500 feet; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of a new on-premise restaurant liquor license for **PHIL3PO, LLC, d/b/a Taureau La Sirene, 558 Broome St. 10013**, **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 6th “whereas” clause above are incorporated into the “Method of Operation” on the on-premise restaurant liquor license.

Vote: Unanimous, with 38 Board members in favor.

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



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

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October 31, 2013

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

Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

21. Adoro Lei, LLC, 287 Hudson St. 10013 (New OP – Previously licensed location)

Whereas, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a "transfer" of an on premise liquor license for an "Italian American Bistro specializing in Napolitano style pizza"; and,

Whereas, this application is for a currently licensed location in a mixed use building located on Hudson St. between Spring St. and Dominick Street for a roughly 3,450 sq. ft premise (Ground Floor 1,889 sq ft and basement 1,561 sq ft – no patron use except bathrooms) with 20 tables and 52 seats and 1 stand up bar with 8 seats for a grand total of 60 interior seats, there is no backyard garden and there is no sidewalk cafe, there is an existing Certificate of Occupancy which states the maximum occupancy is 74; and,

Whereas, the hours of operation will be Sunday from 11 am to 10 pm, Monday to Thursday from 11 am to 1 am, and Friday to Saturday from 11 am to 4 am, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), the current applicant will also upgrade and expand the existing soundproofing, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be one television sized 40 inches or smaller (no projection tv or other types of tv's); and,

Whereas, the applicant performed community outreach and presented a petition with 180 signatures, but the petition did not provide an address or hours of operation and many signatures appeared to be from those who work in the area; and,

Whereas, the head of a local community organization appeared in support of the application; and,

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

1. The premises will be advertised and operated as an Italian Restaurant specializing in Pizza.
2. The hours of operation will be Sunday from 11 am to 10 pm, Monday to Thursday from 11 am to 1 am, and Friday to Saturday from 11 am to 4 am.
3. There will be no backyard garden.
4. The applicant will never seek a DCA Cabaret License.
5. There will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
6. Music will be background only.
7. All doors and windows will be closed at 10 pm seven days a week – no exceptions.
8. Soundproofing will be updated and improved over existing soundproofing.
9. There will only be 1 television, which will be no larger than 40 inches in size.
10. There will be no patron use of basement except for restrooms.

Whereas, there are 11 on-premise liquor licenses with 500 feet of this location; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of a transfer of an existing on-premise restaurant liquor license for **Adoro Lei, LLC, 287 Hudson St. 10013** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 6th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 38 Board members in favor.

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



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

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October 31, 2013

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

Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

22. International Hospitality Concepts, LLC, d/b/a Loteria, 84 7th Ave. South 10014

Whereas, the applicant appeared before CB2's SLA Licensing committee to present an application to the Liquor Authority for a new on premise liquor license for an "upscale, casual Mexican restaurant with a strong focus on Chef-driven cuisine"; and,

Whereas, this application is for a previously licensed location in a mixed use building located on 7th Avenue South between Grove St. and Barrow St. for a roughly 2,400 sq. ft. premise on two floors (1,200 sq. ft. on the ground floor which includes an approximately 250 sq ft. enclosed sidewalk café and 1,200 sq. ft. in the basement for accessory use storage use) with 22 tables and 44 seats (of which 11 tables and 22 seats are in the enclosed sidewalk café) and 1 bar with 5 seats for a grand total of 49 seats, there will be one stand-up bar only, there is only an enclosed sidewalk café and no other outdoor areas for patrons, the Certificate of Occupancy indicates there is a maximum allowable occupancy of 49; and

Whereas, the hours of operation will be 8 a.m. to 2 a.m. 7 days a week, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), a Bose system with multiple small speakers will be utilized, there will be no music in the enclosed sidewalk cafe, there are operable sliding glass doors around the enclosed sidewalk café which will be closed by 10 p.m. every night, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no T.V.'s; and,

Whereas, the applicant performed limited community outreach but the owner of the building in which the applicant will be located appeared and stated she lived directly above the premises, and,

Whereas, one of the principals is also a principal in a restaurant located in Chelsea; and,

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

1. The premises will be advertised and operated as an upscale casual Mexican restaurant.
2. The hours of operation will be from 8 am to 2 am seven days a week. No patrons shall remain at closing.
3. There will be no backyard garden.
4. The applicant will never seek a DCA Cabaret License.
5. There will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
6. Music will be background only.
7. All doors and windows will be closed at 10 pm seven days a week including all enclosed sidewalk café windows – no exceptions.
8. There will be no speakers within the enclosed sidewalk café.
9. There will be no outdoor benches.
10. The rear door will remain closed at all times.

Whereas, there are 35 on-premise liquor licenses with 500 feet of this location;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of a new restaurant wine license for **International Hospitality Concepts, LLC, d/b/a Loteria, 84 7th Ave. South 10014** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 6th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 38 Board members in favor.

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



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

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October 31, 2013

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

Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

23. Doppio Hudson Street, LLC, 581 Hudson St. 10014

Whereas, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a "transfer" of an on premise liquor license for a "Italian Bistro Pizzeria that will focus on gourmet pizzas and traditional Southern Italian cuisine"; and,

Whereas, this application is for a currently licensed location in a mixed use building located on Hudson St. on the corner of Bank St. for a roughly 850 sq. ft. premise with 10 tables and 20 seats and 1 stand up bar with 4 seats for a grand total of 24 interior seats, this application also includes a currently licensed sidewalk café which has 9 tables and 20 seats, there is an existing Temporary Certificate of Occupancy which continues to be kept current; and,

Whereas, the hours of operation will be from 11 am to 12 am (midnight) seven days a week, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no music in the sidewalk cafe, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be one television sized 42 inches or smaller (no projection tv or other types of tv's); and,

Whereas, the applicant performed community outreach and presented a petition with signatures from the surrounding area; and,

Whereas, the principles are also principles in several licensed establishments located in Connecticut and New York; and,

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

1. The premises will be advertised and operated as Italian Bistro Pizzeria.
2. The hours of operation will be from 11 am to 12 am (midnight) seven days a week. No patrons shall remain at closing.
3. There will be no backyard garden.
4. The applicant will never seek a DCA Cabaret License.
5. There will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
6. Music will be background only.
7. The sidewalk café will close Sunday to Thursday at 10 pm and Friday and Saturday at 11 pm. No patrons will remain in area after closing.
8. There will only be one television 42 inches or smaller.

Whereas, there are 15 on-premise liquor licenses with 500 feet of this location; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of a transfer of an existing on-premise restaurant liquor license for **Doppio Hudson Street, LLC, 581 Hudson St. 10014** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 6th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 38 Board members in favor.

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



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

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October 31, 2013

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

Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

24. Entity to be formed by Jody Williams (Fifty One Merchants LLC), 49-51 Grove St. 10014

Whereas, the applicant appeared before CB2's SLA Licensing committee to present a "transfer" application for an on-premise restaurant liquor license for a "neighborhood restaurant focusing on lunch and dinner"; and

Whereas, this application is for a previously licensed location located in a mixed use commercial/residential building on Grove St. between Bleecker St. and 7th Avenue South.. on the ground floor and cellar for a 1,892 sq. ft. premise (1,400 sq. ft. for patron use on ground floor and 492 sq. ft. in cellar – no patron use) with 17 tables and 55 seats and 1 stand up bar with 10 seats for a total of 65 interior seats, this application also includes a sidewalk café with 9 tables and 16 seats, there is no Certificate of Occupancy for this location, but there seems to be an existing Letter of No Objection for this location that was issued to a previously licensed entity; and,

Whereas, the hours of operation will be Sunday from 12 pm to 12 am and Monday to Saturday from 12 pm to 2 am, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be a small sound system consisting of 4 Bose speakers, and there an existing professionally installed spring board ceiling, there will be no d.j., no promoted events, there will be no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, no televisions, there are 6 existing French doors which will be closed by 10 pm each night; and,

Whereas, the applicants performed community outreach and a letter in strong support was received from the Grove Street Block Association; and,

Whereas, both principals own and operate other Restaurants within CB2 Manhattan with no known problems, one of which is located in close proximity to this establishment, and one of the principals lives in the immediate neighborhood; and,

Whereas, the applicant executed a stipulations agreement with CB2 that they agreed would be attached and incorporated in to their method of operation on their SLA on-premise restaurant liquor license and the stipulations are as follows:

1. The premises will be advertised and operated as a neighborhood restaurant focused on lunch and dinner
2. The hours of operation will be Sunday from 12 pm to 12 am and Monday to Saturday from 12 pm to 2 am.
3. The premises will not be operated as a nightclub or disco; the applicant will never seek a DCA Cabaret License.
4. There will be no backyard garden.
5. There will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
6. All doors and windows will be closed by 10 pm every night without exception.
7. Music will be Quiet Background Only.

Whereas, there are 33 licensed on-premises liquor licenses within 500 ft of this location;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of a “transfer” of an on-premise restaurant liquor license for an **Entity to be formed by Jody Williams (Fifty One Merchants LLC), 49-51 Grove St. 10014, unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 6th “whereas” clause above are incorporated into the “Method of Operation” on the on-premise restaurant liquor license.

Vote: Unanimous, with 38 Board members in favor.

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



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

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October 31, 2013

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

Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

25. Spunto, Inc. d/b/a Spunto, 65 Carmine St. 10014

Whereas, the applicant appeared before CB2's SLA Licensing committee to present an "upgrade" application to an on-premise restaurant liquor license for a "family style Italian restaurant at the location since 2/2009"; and,

Whereas, this application is for a current licensed restaurant wine location located in a mixed use commercial/residential building on Carmine St. between Bedford St. and Bleecker St. on the ground floor and cellar for a 3,800 sq. ft. premise (1,900 sq ft for patron use on ground floor and 1,900 sq. ft. in cellar – no patron use) with 18 tables and 38 seats and 1 stand up bar with 12 seats for a total of 50 interior seats, this application also includes a sidewalk café with 14 tables and 28 seats, there is an existing Certificate of Occupancy for this location; and,

Whereas, the hours of operation will be Sunday to Thursday from 11 am to 11 pm and Friday to Saturday from 11 am to 12 am (midnight), music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, there will be no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, no televisions; and,

Whereas, the applicants performed community outreach and no opposition was recorded; and,

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

1. The premises will be advertised and operated as a family style Italian restaurant.
2. The hours of operation will be Sunday to Thursday from 11 am to 11 pm and Friday to Saturday from 11 am to 12 am (midnight). No patrons will remain after closing.
3. The premises will not be operated as a nightclub or disco; the applicant will never seek a DCA Cabaret License.
4. There will be no backyard garden.
5. There will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
6. There will be no French doors or windows.
7. All doors and windows will be closed all times.
8. Music will be Quiet Background Only.
9. There will be no music in any exterior area.
10. The sidewalk café will be closed at 10pm 7 days a week. No patrons shall remain in area after closing.

Whereas, there are 29 on-premise liquor licenses within 500 feet of this location;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of an “upgrade” to an on-premise restaurant liquor license for **Spunto, Inc. d/b/a Spunto, 65 Carmine St. 10014**, unless the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 5th “whereas” clause above are incorporated into the “Method of Operation” on the on-premise restaurant liquor license.

Vote: Unanimous, with 38 Board members in favor.

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



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

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October 30, 2013

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

Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

26. Momo Caffè, Inc., 150-152 West 10th St. 10012

Whereas, the applicant appeared before CB2 Manhattan's SLA Licensing Committee; and,

Whereas, this application is for a "family restaurant that focuses on Italian/Mediterranean food"; and,

Whereas, this application is for a beer and wine restaurant license in a previously licensed location for an approx. 756 sq. ft. premise (396 sq. ft. ground fl., 360 sq. ft. basement – no patron use) located on the first floor of a five story mixed use building located on the corner of West 10th St. and Waverly place with 9 tables and 18 seats, 3 window seats, and 1 bar with 7 seats for a total of 28 seats and a maximum legal capacity of 40 as described on the Certificate of Occupancy, there is no sidewalk café or outdoor seating area; and,

Whereas, the hours of operation will be Sunday to Thursday from 7 am to 11 pm and Friday to Saturday from 7 am to 12 am, music will be quiet background only consisting of music from a jukebox (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, there will be no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be one television no larger than 46 inches; and,

Whereas, the applicant performed community outreach and reached an agreement with the Mid West 10th Street Block Association dated 9/16/2013; and,

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

1. The premises will be advertised and operated as a family restaurant.
2. The hours of operation will be Sunday to Thursday from 7 am to 11 pm and Friday to Saturday from 7 am to 12 am. No patrons will remain after closing.
3. The premises will not be operated as a nightclub or disco; the applicant will never seek a DCA Cabaret License.
4. There will be no backyard garden.
5. There will be no sidewalk café.
6. There will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
7. **The applicant/licensee agrees to waive the right to upgrade to a full on-premise license at anytime in the future.**
8. The applicant/licensee agrees to incorporate all stipulations agreed to with the Mid West 10th Street Block Association dated 9/16/2013 in their stipulations agreement with CB2 Manhattan.
9. There will be only one tv, which will be no larger than 46 inches. There will be no other tv's.

Whereas, the stipulations agreed to with the Mid West 10th St. Block Association dated 9/16/2013 are as follows:

STIPULATIONS FOR MOMO CAFFE, INC.
AT 150-152 WEST 10TH STREET

The undersigned, Tom Martini, hereby agrees on behalf of the hereinafter defined Operator, that an approval of an on-premises beer and wine license by the New York State Liquor Authority shall be subject to compliance by Momo Caffe West Village Corporation ("the Operator") with respect to its operation of a premises located at 150-152 West 10th Street (the "Establishment") with the following stipulations. These stipulations are subject to and conditioned upon the recommendation of Manhattan Community Board 2 to approve this application:

1. ***Hours of Operation:*** *The Establishment shall be open from 12:00PM until 11:00PM from Sunday through Thursday and from 12:00PM until midnight on Friday and Saturday.*
2. ***Certificates, Permits and Related Documents:*** *The Operator shall obtain all required certificates, permits and related documents including a revised Certificate of Occupancy, or in lieu thereof a letter of no objection from the Department of Buildings.*
3. ***Traffic:*** *The Operator will use reasonable efforts to remedy any traffic issues brought to its attention, to the extent that it can. The Operator will direct staff to monitor the patrons of the Establishment who are gathered outside the Establishment and the staff will direct such persons or traffic going to and from the Establishment to keep the area clear.*
4. ***Manager:*** *The Operator shall have an English-speaking general manager or manager on duty, capable of adequately communicating with residents of the community, to be present at the Establishment during all hours of operation. After three (3) months of operation, the Operator will meet with local residents and the Manhattan Community Board 2, if requested, to determine if a security guard is necessary.*

5. **Music:** *The Operator shall play quiet, background level music inside the Establishment and shall not play any music whatsoever outside the Establishment. The Operator shall not permit DJs, live music or outside promoters in the Establishment except by permit.*
6. **Soundproofing:** *The Operator shall hire a certified acoustical consultant to make recommendations such that the Establishment will meet or exceed the current New York City Noise Code guidelines for residential areas. The Operator shall use reasonable efforts to soundproof the Establishment, according to said recommendations so that excessive noise (including, but not limited to, noise generated by sound reproduction equipment, by patrons and staff, and by commercial equipment such as HVAC equipment, air handlers, compressors and fans) 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." The Operator shall provide a copy of the Commissioning Test to Manhattan Community Board 2. The Operator also agrees to extend an awning in the rear of the building over the area in which its employees work and its trash receptacles are stored so as to mitigate any noise emanating from this area.*
7. **Sidewalk Café:** *The Operator agrees to waive the right to set up a sidewalk café for one year after which the Operator will only be able to apply for a sidewalk café should there be no objections from the Mid-West 10th Street Block Association Board members. Should a sidewalk café permit be consented to by the Mid-West 10th Street Block Association Board members, approved by Manhattan Community Board 2 and granted by the Division of Consumer Affairs, the Operator also agrees that reasonable efforts will be made to attenuate sound coming from the sidewalk café area including the placement of a retractable awning over the sidewalk café, the employment of a full-time manager to supervise the sidewalk café operation so that the operation runs effectively and noise is kept at a minimum (which may be the same manager referred to in para. 4) and the posting of signage easily seen by patrons to be respectful of the residents of the building by keeping noise at a minimum. Prior to any permit for a Sidewalk Café being issued for the Establishment, the Operator agrees that it will appear before Manhattan Community Board 2 to address any questions, comments or concerns. Operator's agreement to have a retractable awning is expressly conditioned upon and subject to Operator first obtaining any and all consents, approvals and permits therefore, including of its Landlord and any City agency or department having jurisdiction thereof. The Operator may retract the awning during all hours of operation prior to 6PM, at which time the awning is to be opened.*
8. **Front Door:** *The Operator shall take steps to mitigate noise emanating from the restaurant. Should the Mid-West 10th Street Block Association register complaints about noise emanating from the restaurant then the Operator shall install a double door vestibule to reduce the amount of noise that may escape onto the sidewalk. If installing this double door vestibule proves to be impossible within the legal constraints of the NYC buildings code or otherwise impracticable, the Operator agrees to take other comparable noise reducing measures. The Operator shall cause the doors and windows to remain in a*

closed position when not in use. The Operator shall not operate any outdoor speakers or sound amplification and shall not deliberately direct any sound outside of the Establishment.

- 9. Doors and Windows:** *The Operator shall not permit any doors or windows to remain open prior to the opening of the Establishment as specified in “Hours of Operation,” except for cleaning the sidewalk and the placement and removal of tables and chairs for the sidewalk café which will occur no more than one hour before opening or no later than hour after closing. Should the Operator wish to pursue the alteration of the configuration of the doors and windows, the stipulations listed in “Soundproofing” will apply and all doors or windows will be closed by 9:00PM. If there is a change to the doors or windows, any replacement will be of double paned glass so as to aid the mitigation of noise from within the Establishment. The Operator agrees that it will appear before Manhattan Community Board 2 to address any questions, comments or concerns.*
- 10. Sanitation:** *The Operator will store all garbage at the Establishment inside closed garbage containers which will be kept in the backyard of the Establishment. The Operator shall not place refuse at the curb except as close to pick up as possible. The Operator shall use reasonable efforts to arrange or coordinate trash pick up with a nearby merchant to try to limit the number of trucks that collect trash on the block.*
- 11. Lighting:** *The Operator shall not install signage on or within the Establishment that will be lit by neon lighting or any lighting that adversely and unreasonably disturbs residents living across from the Establishment and residents adjacent to and across the street.*
- 12. Advertising:** *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.*
- 13. Notification Of Change Of Ownership:** *The Operator shall notify Manhattan Community Board 2 in the event of a change of ownership as required by law.*
- 14. Monthly And Quarterly Meetings:** *The Operator shall make available a general manager or manager to attend monthly meetings as requested with representatives of the community during the first six months of operation and quarterly thereafter.*
- 15. Events:** *The Operator shall not host third party private events, meaning an activity by a non-affiliated group or individual where the Operator has no responsibility or staff involved. Nothing herein shall prohibit the Operator from having private events run by Operator.*

The above mentioned terms of this agreement are to be added to the stipulations of Manhattan Community Board 2 if it approves the SLA application for a restaurant wine license at 150-152 West 10th Street filed by the Operator.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of a “transfer” for a restaurant wine license for **Momo Caffe, Inc., 150-152 West 10th St. 10012**, unless the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the 6th and 7th “whereas” clause above are incorporated into the “Method of Operation” on the on-premise restaurant liquor license.

Vote: Unanimous, with 38 Board members in favor.

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



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

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October 30, 2013

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

Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

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

27. God Save The King, LLC dba Provocateur Night Club, 18 Ninth Ave., Store #2 (on-premise Renewal SN1234694)

Whereas, the licensee was requested by CB#2, Man. to appear before CB2's SLA Licensing Committee on October 10th, 2013 to address concerns in regards to the renewal of their existing on-premises liquor license Serial Number 1234694 and,

Whereas, the licensee failed to appear before the committee; and,

Whereas, there is an existing adverse licensing history as evidenced by a number of violations and charges that have issued and upheld by the Liquor Authority; and

Whereas, there are a number of violations that have been issued by the New York City Department of Buildings including violations related to maintaining a current "Place of Assembly" Permit which is of significant concern given the direct impact on public safety should procedures relating to that permit not be in place and maintained; and,

Whereas, members of the community brought up specific concerns regarding the Licensee stating and presenting evidence that they are not adhering to stipulations agreed to with the Liquor Authority at the issuance of this license and which are on file as conditions in the “method of operation” and specifically that the **Licensee is actively violating the 5th, 6th and 7th stipulations** by not maintaining a “sound proofed” premises, by operating with retractable roof in an open position and by operating over an extended period without all NYC permits and certificates in place; and,

Whereas, the existing stipulations as agreed to by the applicant in December 2008 and which are on file with the Liquor Authority and are listed as a condition of their license are as follows:

1. The applicant has agreed to install a double door entrance to reduce volume and noise levels.
2. The applicant has agreed to not install or place a dedicated dance floor in the establishment.
3. The applicant has agreed to implement proper crowd control and security measures that are distinctly separate from the current licensed establishment’s entry station.
4. The applicant has agreed to community outreach, including but not limited to six monthly meetings with neighboring residents following its opening.
5. The applicant has agreed to fully enclose and properly sound proof the entire licensed establishment prior to the use of the On Premise license; the current operation will cease during this period.
6. The applicant has agreed to keep the ceiling closed at all times unless authorized by CB#2, Man.
7. The applicant has agreed to abide by the regulations associated with all New York City Departments and safety organizations and will obtain all required certificates, permits and related documents, including but not limited to a new Certificate of Occupancy and Public Assembly Permit; all certificates, permits and related documents will be provided to CB#2, Man. prior to the use of the On Premise license; and,

Whereas, a number of residents raised the complaint that they had been directly contacting the establishment and members of the staff and manager as has been suggested by the Liquor Authority and yet the licensee *failed to correct the blatant violations of their stipulations agreement and failed to act as a “good neighbor” and furthermore despite a recent meeting in the past month directly with the principle of this establishment Michael Satsky and a manager Michael Kenny and 3 members of the community, the Licensee continues to operate on a regular basis with their retractable roof in an open position between the hours of 10 pm and 4 am which the licensee is fully aware is a violation of their agreed upon stipulations* and that this causes a tremendous impact on the quality of life of area residents including those who live directly across the street and those who look down on the premises; and,

Whereas, the Licensee has not appeared before CB2’s SLA Licensing Committee to discuss or request to change the existing stipulations regarding operation of the retractable roof in any position other than closed; and,

Whereas, members of the community appeared and expressed these significant concerns and felt that this matter should be (1) further investigated, (2) the Licensee fined for each separate occurrence on each night that these violations have occurred in regards to operations with the retractable roof in an “open” position (3) steps should be implemented to ensure that these violations do not continue to occur (4) that it should be reiterated that if these stipulations were not in place the establishment would not have met the public interest or public benefit and the licensee would not have been issued from the inception; and,

Whereas, CB2 Manhattan agrees with members of the community; and,

Whereas, the Licensee should also present to CB#2, Man. and the Liquor Authority all permits, certificates and licenses prior to the renewal of this License to demonstrate that they are in place and current and should present procedures to show that they will maintain complete compliance with all stipulations going forward; and,

Whereas, the licensee appears to be operating without a NYC DCA Cabaret License and yet promotes dancing within the establishment; and,

Whereas, CB#2, Man. and members of the community will provide evidence directly to the Liquor Authority showing violations of the existing stipulations agreement;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny the renewal application for **God Save The King, LLC dba Provocatuer Night Club, 18 Ninth Ave., Store #2 SN1234694** until such time that the aforementioned issues are thoroughly investigated, properly resolved and all charges and fines addressed, and furthermore that it is determined that these ongoing violations are not a reason for permanent non-renewal or revocation of the on-premise liquor license.

Vote: Unanimous, with 38 Board members in favor.

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



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

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October 30, 2013

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

Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

28. The Vagabond Tapas Café, LLC, d/b/a Vagabond Tapas Café, 7 Cornelia St. 10014 (b&w - withdrawn by applicant-will resubmit at a later date)

Whereas, prior to this month's CB2's SLA Licensing Committee Meeting #2 on October 10th, 2013, the applicant's representative requested to **withdraw** this application for a new beer and wine license and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, alteration, transfer, upgrade or changes to any existing license for **The Vagabond Tapas Café, LLC, d/b/a Vagabond Tapas Café, 7 Cornelia St. 10014** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

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



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

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October 30, 2013

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

Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

29. 230 Bleecker Corp. d/b/a Cotenna, 21 Bedford St. 10014 (b&w - attorney requested layover)

Whereas, prior to this months CB2's SLA Licensing Committee Meeting #2 on October 10th, 2013, the applicant's representative requested to **layover** this application for a new beer and wine license and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, alteration, transfer, upgrade or changes to any existing license for **230 Bleecker Corp. d/b/a Cotenna, 21 Bedford St. 10014** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

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



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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October 30, 2013

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

Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

30. Ten Westside Corp., 10 Hudson Sq. 10013 (b&w – attorney requested layover)

Whereas, prior to this months CB2's SLA Licensing Committee Meeting #2 on October 10th, 2013, the applicant's representative requested to layover this application for a new beer and wine license and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any type of proposed on premise liquor license, beer and wine license, corporate change, alteration, transfer, upgrade or changes to any existing license for **Ten Westside Corp., 10 Hudson Sq. 10013** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

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



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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October 30, 2013

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

Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

31. Fortuna Realty Hotel SoHo, LLC, 523-525 Greenwich St. 10013 (Layover – Hotel License with Rooftop)

Whereas, at this month's CB2's SLA Licensing Committee Meeting #2 on October 10th, 2013, the applicant's requested to **layover** this application for a new on-premise liquor license and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed after having performed additional community outreach and clarifying their hours of operation and method of operation;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, alteration, transfer, upgrade or changes to any existing license for **Fortuna Realty Hotel SoHo, LLC, 523-525 Greenwich St. 10013** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

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



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

COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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

October 30, 2013

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

Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

32. MHA d/b/a Matty's NYC, 135 7th Ave. South 10014 (attorney requested layover)

Whereas, prior to this month's CB2's SLA Licensing Committee Meeting #2 on October 10th, 2013, the applicant's representative requested to **layover** this application for a new on-premise liquor license and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, alteration, transfer, upgrade or changes to any existing license for **MHA d/b/a Matty's NYC, 135 7th Ave. South 10014** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

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



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
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October 30, 2013

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

Dear Mr. Christian:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

33. Entity to be formed by Dario Wolos, 59 Charlton St. 10014

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting #2 on October 10th, 2013, the applicant's representative requested to layover this application for a new on-premise liquor license and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, alteration, transfer, upgrade or changes to any existing license for **Entity to be formed by Dario Wolos, 59 Charlton St. 10014** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

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

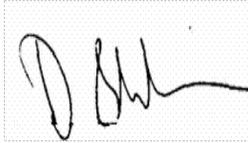
Sincerely,



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



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



David Gruber, Chair
Community Board #2, Manhattan

DG/fa

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