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COMMUNITY BOARD NO. 2, MANHATTAN

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NEW YORK, NY 10012-1899

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October 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee:

AUGUST

1. The Juke Group, LLC, 170 Mott St. 10013 – New Beer and Wine

Whereas, the principals appeared before the committee; and,

Whereas, this application is for a new Beer and Wine license in a mixed-use building located on the corner of Mott and Broome Street (Block #470/lot #9), with a 795 sq. ft. premise with 9 tables and 30 seats, 2 bars (1 stand up bar and 1 raw bar) with 10 seats for a total inside seating of 40 seats and the applicant presented an exterior café they state is within the property line with an additional 9 tables and 18 seats; the maximum interior occupancy is 60 people, there is no “official” NYC DCA sidewalk café included in this application and there is no backyard garden; and

Whereas, the applicant states that the hours of operation will be Sunday through Wednesday from 7:00 a.m. to 12:00 a.m. and Thursday through Saturday from 7:00 a.m. to 1:00 a.m.; the establishment is a full service Restaurant operating as a café during the day, serving Asian influenced fare with an emphasis on seafood and Raw Bar, there will be quiet background music only, there will be no scheduled performances or events with a cover charge, private parties or promoted events, there are no TV’s; and

Whereas, absent evidence to the contrary, CB#2, Man. believes the 9 tables and 18 seats in the outdoor “café” presented in the application that the applicant states is within the building property line on a raised concrete platform surrounded by a fence are most likely not within the building property line and as such would require a NYC Department of Consumer Affairs Sidewalk Café License to operate, if allowed; and

Whereas, CB#2, Man. requests and the applicant has agreed that prior to licensing the outdoor seating which the applicants states is within the property line that the applicant “prove” the outdoor seating area is within the property line by providing to both CB2 and the Liquor Authority a certified land survey which will prove the outdoor café is on private property with an image of the restaurant and a clearly labeled property line or provide some sort of official correspondence from a NYC Agency that indicates that this raised outdoor platform with fence is allowed under some “grandfathered” situation; and

Whereas, this is another location within CB#2, Man. that has never been license by the SLA and CB2 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, though the 500 ft. Rule does not apply to Beer and Wine licenses, it should be noted by the SLA that there are already 21 full On-Premise licenses within 500 feet of the previously unlicensed location and the application offers no unique addition to the neighborhood and the operators have never owned their own restaurant and their work history includes managing several locations that have historically been “problem” locations with CB#2 Man.; and

Whereas, the applicant did submit a petition with 57 signatures in support (none from the surrounding residential buildings) and though they attempted to reach out by email to the Little Italy Chamber of Commerce and other associations, they did not reach out to the key groups in this area such as the Petrosino Square Association and the Chinatown Headstart; and

Whereas, the applicant agreed to the following stipulations which they agreed to have incorporated into the “method of operation” on their restaurant wine license:

1. Hours of operation are from Sunday through Wednesday from 7:00 a.m. to 12:00 a.m. and Thursday through Saturday from 7:00 a.m. to 1:00 a.m.
2. Will operate a full service restaurant only with a focus on Asian influenced food and Raw Bar.
3. Will close all doors and windows by 9:00 p.m. daily.
4. Will not have D.J.’s, live music, promoted events, or events with a cover charge or performances.
5. Will have background music only.
6. Will “prove” to CB2 and the Liquor Authority prior to licensure via an officially stamped survey (a certified land survey) that the *outdoor seating* as described above is within the building property line, including an image of the restaurant and a clear labeled property line, or they will show proof that the outdoor platform space is allowed under some other exemption via correspondence from a NYC Agency.
7. Will obtain a letter of No Objection from the NYC Dept. of Buildings for the interior of the premises.
8. WILL NEVER APPLY FOR A FULL ON-PREMISE LIQUOR LICENSE.

THEREFORE BE IT RESOLVED that CB#2, Man. Recommends denial of the new Restaurant Wine license for **The Juke Group, LLC, 170 Mott St. 10013** unless those conditions and stipulations agreed to by the applicant relating to the 5th and 9th “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*
Jo Hamilton, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
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October 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee:

2. Home for Contemporary Theatre & Art, Ltd. d/b/a Here Arts Center, 145 Avenue of Americas –New Beer and Wine

Whereas, the principals appeared before the committee; and,

Whereas, this application is for a new Beer and Wine license in a mixed-use building located between Dominick and Spring Street (Block #491/lot #7502), with a 1,200 sq. ft. premise plus theater which has 6 tables and 16 seats, 1 bar with 4 seats and includes 186 seats in the theater but the **maximum occupancy is 175 people**, there is no sidewalk café and no backyard garden; and,

Whereas, the applicant states that the hours of operation will be Monday through Friday from 6:00 p.m. – 11:00 p.m. and Saturday and Sunday from 1:00 p.m. to 11:00 p.m.; the establishment is a performance theater with lobby café, there will be quiet background music only; and,

Whereas, the applicant agreed to the following stipulations:

1. Hours of operation are from Monday through Friday from 6:00 p.m. – 11:00 p.m. and Saturday and Sunday from 1:00 p.m. to 11:00 p.m.
2. Will not operate a nightclub/ disco as defined under NY State Alcohol Beverage Consumption Law guidelines.
3. Will not have D.J.'s, live music, promoted events in the café.
4. Will have background music only.
5. Alcohol will be sold from counter service only – no wait staff in café or theater

6. Patrons are to bring their own drinks into the theater – absolutely no service to seated patrons inside the theater.
7. All doors and windows will be closed at 9:00 p.m. nightly.

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to the new Beer and Wine license for **Home for Contemporary Theatre & Art, Ltd. d/b/a Here Arts Center, 145 Avenue of Americas** unless those conditions and stipulations agreed to by the applicant relating to 4th “whereas” clause above are incorporated into the “Method of Operation” on the SLA license.

Vote: Unanimous, with 38 Board members in favor.

David Gruber, Chair
Bo Riccobono, First Vice Chair
Jo Hamilton, Second Vice Chair
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Dear Mr. Christian:

At its Full Board meeting on September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee:

3. Joanne Moniot on behalf of entity TBD d/b/a Ham & Jam, 30 Carmine St. 10014– New Beer and Wine

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new Beer and Wine license in a mixed-use building, located on Carmine Street between Bleecker and Bedford St. (Block #527/lot #28), for a 962 sq. ft. premise, there would be 11 tables 24 seats and 1 bar with 7 seats, and a maximum occupancy of 74; there is no sidewalk café and no backyard use; and,

Whereas, the hours of operation are Sunday from 9:00 a.m. to 10:00 p.m. and Monday through Thursday from 7:00 a.m. to 11:30 p.m. and Friday and Saturday from 7:00 a.m. to 12:30 a.m.; this is a boutique retail food operation providing restaurant quality food to-go and will be full service restaurant in the evening focused on a limited, seasonally driven menu; 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, this is another location within CB#2, Man. that has never been licensed by the SLA; and

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

Whereas, CB#2, Man. has some concerns as to whether a full kitchen will be permitted by the Department of Buildings and if not would require this applicant to change the floor plans; and,

Whereas, the applicant agreed to the following stipulations:

1. Hours of operation are Sunday from 9:00 a.m. to 10:00 p.m. and Monday through Thursday from 7:00 a.m. to 11:30 p.m. and Friday and Saturday from 7:00 a.m. to 12:30 a.m.
2. Will operate a full service restaurant and retail only.
3. Will not have D.J.'s, live music, promoted events, events with a cover charge or performances.
4. Will have background music only.
5. Will obtain a Letter of No Objection.
6. Will not have a sidewalk café and no backyard garden.
7. Will have all garbage pick-up during morning hours only (not overnight).
8. Will return to CB2 Manhattan if kitchen is not permitted in basement to represent floor plans.
9. Will close all doors and windows by 9:00 p.m. every night.
10. Will not be a disco or night club and will not apply for a Cabaret License.
11. There will be no patrons in the basement; staff only use.

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

Whereas, The Carmine Street Block Association communicated by email that they recommended support with this application with conditioned stipulations;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the new Beer and Wine license for **Joanne Moniot on behalf of entity TBD d/b/a Ham & Jam, 30 Carmine St. 10014** unless those conditions and stipulations agreed to by the applicant relating to 7th “whereas” clause above are incorporated into the “Method of Operation” on the SLA license.

Vote: Unanimous, with 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee:

4.The Grey Dog Carmine, Inc. d/b/a Grey Dog, 49 Carmine St. 10014 – New Beer and Wine

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new Beer and Wine license in a mixed-use building, located on Carmine Street between Bowery and Lafayette (Block #586/lot #42), for a 1,000 sq. ft. premise with 24 tables and 48 seats and no bar and a maximum occupancy of 674; there is no sidewalk café and no backyard use; and,

Whereas, the hours of operation are from 7:00 a.m. to 11:30p.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, there were no community members in opposition to this application; and,

Whereas, the applicant agreed to the following stipulations:

1. The hours of operation will be 7:00 a.m. to 11:30 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. There will be counter service only.
4. There will never be a backyard garden.
5. Operators will install any necessary soundproofing.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the new Beer and Wine license for **The Grey Dog Carmine, Inc. d/b/a Grey Dog, 49 Carmine St. 10014** unless those conditions and stipulations agreed to by the applicant relating to 5th “whereas” clause above are incorporated into the “Method of Operation” on the SLA license.

Vote: Unanimous, with 38 Board members in favor.

David Gruber, *Chair*
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Dear Mr. Christian:

At its Full Board meeting on September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee:

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

5. 226 Arbor Bistro, Inc., 226 West Houston St. 10014

Whereas, the applicant failed to appear at this month's CB2 SLA Licensing Committee meeting on August 13th, 2013; and,

Whereas, this application is for a Corporate Change;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** the proposed Corporate Change for **226 Arbor Bistro, Inc., 226 West Houston 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*
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Dear Mr. Christian:

At its Full Board meeting on September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee:

6. Kings 55 Group, Inc. d/b/a Le Pilosophe, 55 Bond Street 10012

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on August 13th, 2013, the attorney requested to layover the application from consideration; and,

Whereas, this application is for the alteration of the Beer and Wine or On Premise license to include a sidewalk cafe;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny the proposed alteration to the Beer and Wine license for **Kings 55 Group, Inc. d/b/a Le Pilosophe, 55 Bond Street 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.

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Dear Mr. Christian:

At its Full Board meeting on September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee:

7. 192 Mercer Street Corporation d/b/a/ Gonzalez y Gonzalez, 192 Mercer St.

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on August 13th, 2013, the attorney requested to withdraw the application from consideration; and,

Whereas, this application is for the alteration of the On Premise license to extend hours of operation by 1 hour each day;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny the proposed alteration to the On Premise license for **192 Mercer Street Corporation d/b/a/ Gonzalez y Gonzalez, 192 Mercer St.** 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*
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Dear Mr. Christian:

At its Full Board meeting on September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee:

8. II Giglio NY CTM Corp. d/b/a Susanna, 182 Bleecker St. 10012

Whereas, the applicant failed to appear at this month's CB2 SLA Licensing Committee meeting on August 13th, 2013; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed Beer and Wine license for **II Giglio NY CTM Corp. d/b/a Susanna, 182 Bleecker St. 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

David Gruber, *Chair*
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Jo Hamilton, *Second Vice Chair*
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Dear Mr. Christian:

At its Full Board meeting on September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee:

9. PPF Holdings, LLC, d/b/a McCoy's, 89 MacDougal St. 10012

Whereas, during this month's CB2 SLA Licensing Committee meeting on August 13th, 2013, the committee requested that the applicant layover this application from consideration until further outreach to the community and specifically to BAMRA (Bleecker Area Merchant and Residents Association); and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed On Premise license to **PPF Holdings, LLC, d/b/a McCoy's, 89 MacDougal 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*



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Dear Mr. Christian:

At its Full Board meeting on September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee:

10. Housings Works Food Service Corp. d/b/a Housing Works Used Book Café, 2126 Crosby St 10012

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on August 13th, 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 any proposed Beer and Wine license for **Housings Works Food Service Corp. d/b/a Housing Works Used Book Café, 2126 Crosby 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*
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Dear Mr. Christian:

At its Full Board meeting on September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee:

11. Quimera Restaurant Group, LLC d/b/a Barraca & Melibea, 81 Greenwich Ave. 10014 (existing OP SN#1255317 - to include sidewalk café)

Whereas, the applicant and his architect appeared before the committee to incorporate a licensed NYC Department of Consumer Affairs Sidewalk Café with 17 Tables and 34 Seats located on the Greenwich Ave. side of the establishment into their existing Restaurant On-Premise License (SN#1255317), and,

Whereas, the applicant originally appeared before CB#2, Man. in March 2011 at which time the applicant agreed to an extensive list of stipulations which are outlined in CB2's March 2011 Full Board Minutes and which were copied to the Liquor Authority, there are no other changes to the premises, and the original stipulations are still a part of the Method of Operation; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **approval** of the alteration application to the existing On Premise license for **Quimera Restaurant Group, LLC d/b/a Barraca & Melibea, 81 Greenwich Ave. 10014 (existing OP SN#1255317)**, to incorporate the above referenced sidewalk café and specifically notes that all other previously agreed to stipulations remain in effect.

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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee:

12. Hornblower New York, LLC d/b/a John James Audubon Vessel, Pier 40, 353 West St. 10014 (Vessel Liquor License)

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new Vessel Liquor license for a 102 foot long vessel for chartered Hudson River cruises periodically docked at Pier 40 when this license will be utilized, but generally in New Jersey, with 33 tables, 265 table seats, there are three decks (Main, 2nd, 3rd) and 1 bar with no bar seats with a maximum legal capacity of 600 persons, the vessel is currently holds all USCG permits; and,

Whereas, the applicant stated the hours of operation are 12:00 p.m. to 1:00 a.m. 7 days a week; there will be open air decks; music will be Live DJ only at private parties, otherwise from ipod/cd's, all music volumes will be at background levels; and,

Whereas, the applicant has been approved and authorized by the Hudson River Park Trust; and,

Whereas, the applicant has agreed to the following stipulations:

1. The applicant will return to Community Board 2 Manhattan, if requested, to discuss traffic issues as it relates to patrons arriving and departing Pier 40.
2. The applicant will have a designated parking facility at Pier 40 for every event

Whereas, the no one appeared in opposition; and,

Whereas, CB#2, Man. continues to have some concerns that the high volume of patrons proposed to arrive by vehicles in a very small window of time (less than one hour prior to sailing) could create issues as most cruises depart at peak hours for usage of the Hudson River Park, and there is a concern that this could impact pedestrians, bicyclists and runners in the heavily trafficked Park because vehicles would have to cross over the park pedestrian, runner and bicyclists paths in order to reach the designated parking area and CB2 has concerns as to how this might impact the safety of users of Hudson River Park and would like to revisit this issue should any problems arise and the operator agrees that they will return to CB2 should this become an issues; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of a Vessel Liquor license for **Hornblower New York, LLC d/b/a John James Audubon Vessel, Pier 40, 353 West St. 10014**, unless the statements the applicant has presented are accurate and complete, and that all those conditions and stipulations agreed to by the applicant relating to the 5th “whereas” clause above are incorporated into the “Method of Operation” on the SLA Vessel 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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee:

13. BKBC, LLC, d/b/a Bee's Knee Baking Company, 113 West 10th St. 10011 (new RW)

Whereas, the applicants and their attorney appeared before the Committee to present an application for a “wedding cake and dessert company with a retail bakery/café that opened in December 2012” which is a “quiet neighborhood spot for coffee and deserts. At the suggestion of our customers, we’d like to serve wine and beers that complement our deserts”; and,

Whereas, this application is for restaurant wine license in a previously unlicensed location in a mixed use building located on West 10th St. between Greenwich Ave and Sixth Ave for a roughly 1,130 sq. ft. premise on two floors (600 sq. ft. ground floor 530 sq. ft. basement) with accessory use in the basement (no patrons) with 9 tables and 14 seats, 8-10 “other seats” and 1 bar with no seats for a grand total of 22-24 seats, there is no sidewalk café and no outdoor areas for patrons, there is no Certificate of Occupancy, but the applicant will obtain a “letter of no objection” and they will present the letter of no objection to the Liquor Authority prior to operating the premises as a eating and drinking establishment; and,

Whereas, the hours of operation will be Sunday through Thursday from 7:00AM until 11:00PM and on Friday and Saturday from 8:00AM until midnight (no patrons will remain in the establishment after those hours), music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there are no operable French doors, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no T.V.'s; and,

Whereas, prior to this use the store front was previously operated as a retail establishment; and,

Whereas, in addition to 5 speakers who spoke in support, the applicant presented a petition with 20 residential signatures in support, some were from immediate neighbors and also reached out to residential organizations, but did not perform direct outreach to all their immediate neighbors on immediately adjacent Patchin Place, a unique historic street in Greenwich Village; and,

Whereas, CB#2, Man. received approximately 13 individual emails in opposition to this proposed establishment from immediate Neighbors and 6 speakers spoke against the application; and,

Whereas, those in opposition to the issuance of this license indicated that there was no need for a “cupcake” shop to have a beer and wine license, that this is a previously unlicensed location and licensing this location with late hours of operation would have a dramatic effect on quality of life issues in the immediate area, including Patchin Place, that there is already an existing problem with public urination and patron garbage, litter, noise and smoking on Patchin Place which this applicant would only serve to exacerbate, the applicant performed limited outreach to those most directly impacted by the issuance of this license, there are 32 licenses already in place within 500 ft of this location, the current operation closes at 8 pm which is more in keeping with the previously retail use at this location, that the current operation will alter significantly with the addition of beer and wine and that is directly evidenced in the expanded hours of operation and that a bakery is not a wine bar, the continued proliferation of licenses in the immediate area and area at large is beyond acceptable and there is a direct correlation of this proliferation on quality of life issues specifically including noise and traffic; and,

Whereas, the Mid West 10th Street Block Association had been in the process of negotiating stipulations with this applicant prior to CB2’s SLA Licensing Committee Meeting but had stopped negotiating after it became apparent that there was significant community opposition and that both parties would not likely be able to come to an agreement; and,

Whereas, at CB2’s SLA Licensing Committee, the Mid West 10th Street Block Association and the Applicant were asked after the applicant agreed to some changes if they would renegotiate the stipulations they had previously been discussing, which they both agreed to do along with several residents in Patchin Place, and the applicant and Block Association spent some time to draft a new agreement at the meeting; 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 hours of operation will be Sunday through Thursday from 7:00AM until 11:00PM and on Friday and Saturday from 8:00AM until midnight (no patrons will remain in the establishment after those hours)
2. The applicant would adhere to all stipulations executed with the Mid West 10th Street Block Association.
3. The applicant agreed that they would **not ever** seek to upgrade the license to a full on-premise liquor license.

Whereas, the stipulations agreed to with the Mid West 10th St. Block Association which the applicant executed a stipulations agreement outlined above with CB2 that would also be adhered to are as follows:

1. **Hours of Operation:** The Establishment shall be open from 7:00AM until 11:00PM from Sunday through Thursday and from 8:00AM 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 has agreed to waive the right to set up a sidewalk café as indicated on his application for a beer and/or wine license.
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.
16. **Outdoor Furniture:** The Operator will adhere to all New York City ordinances with respect to sandwich boards and benches. The Operator will remove the bench and sandwich board at 6:00PM on all days.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of a restaurant wine license for **BKBC, LLC, d/b/a Bee’s Knee Baking Company, 113 West 10th St. 10011, unless** the statements the applicant has presented are accurate and complete, and that all those conditions and stipulations agreed to by the applicant relating to the 10th and 11th “whereas” clause above are incorporated into the “Method of Operation” on the SLA Restaurant 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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee:

14. Moon Blu, Inc. d/b/a Joy Burger Bar, 361 6th Ave. 10014 (transfer of RW)

Whereas, the applicant appeared before CB2's SLA Licensing committee to present a "transfer" application for an existing restaurant wine license (existing license SN1248357) for a hamburger restaurant, "Burgers by design where the sauces make the difference"; and,

Whereas, this "transfer" application is for a previously licensed restaurant wine location in a mixed use building located on Sixth Avenue on the corner of Washington Place for a roughly 1,300 sq. ft. premise, with 14 tables and 28 seats on the interior, 1 stand up bar with no seats and 1 food counter with 3 seats, for a total of 31 seats on the interior, there is an existing sidewalk café that is properly licensed for and additional 14 tables and 29 seats that is included in this application, there is an existing Certificate of Occupancy; and,

Whereas, the hours of operation will be Sunday to Thursday from 11 a.m. to 11 p.m. and Friday to Saturday from 11 a.m. to 12 a.m. (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 is existing sound proofing, 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 no T.V.'s; and

Whereas, the location has been operated under the same concept and name for a number of years and the applicant represented that there will be no other changes to the establishment and that the will continue to use the existing name "Joy Burger"

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 restaurant wine license and the stipulations are as follows:

1. The hours of operation will be Sunday to Thursday from 11 a.m. to 11 p.m. and Friday to Saturday from 11 a.m. to 12 a.m. (midnight). After closing hours, all patrons will have exited the premises and sidewalk café.
2. The premise will be advertised and operated as a hamburger restaurant, “Burgers by design where the sauces make the difference”
3. There will be no live music, dj’s, promoted events, scheduled performances or any events for which a cover fee is charged
4. Music will be quiet background only from an ipod dock, applicant stated there are no plans for music at this time.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of a “transfer” of the existing restaurant wine license to **Moon Blu, Inc. d/b/a Joy Burger Bar, 361 6th Ave. 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 SLA Restaurant Wine license.

Vote: Passed, with 37 Board members in favor, and 1 in opposition (D. Diether).

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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee:

15. 69 Gans Restaurant, LLC, tbd, 69 Gansevoort St. 10014 (transfer)

Whereas, the applicant appeared before CB2's SLA Licensing committee to present a "transfer" for a new restaurant on-premise liquor license for a previously licensed location for a "full service restaurant featuring modern American, rustic farm to table food"; and,

Whereas, this application is for a previously licensed restaurant on-premise liquor license located in a mixed use building located on Gansevoort St. between Greenwich St. and Washington St. for a roughly 3,823 sq. ft premise (Ground Floor: 2,023 sq. ft.; Cellar 1,800 sq ft. accessory use only – no patrons), with 28 tables and 62 seats on the interior, 1 stand up bar with 12 seats, for a total of 74 seats on the interior, there is an outdoor area in front of the location within the building property line which will have 4 tables and 10 seats, that is also a part of this application, but there is no DCA sidewalk café area that is included in this application, there is an existing Certificate of Occupancy; and,

Whereas, the hours of operation will be from 8 a.m. to 1 a.m. 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 is existing sound proofing, there will be no d.j., no promoted events, there will be private parties on occasion, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no T.V.'s; and,

Whereas, the applicant met with local neighborhood residents and discussed the concept and came to agreement on a number of stipulations that they would agree to with CB#2, Man.; 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 restaurant on-premise liquor license and the stipulations are as follows:

1. The premise will be advertised and operated as a Restaurant – Modern American – Rustic Farm to Table.
2. The hours of operation will be from 8 a.m. to 1 a.m. seven days a week. After closing hours, all patrons will have exited the premises.
3. There will be no backyard garden.
4. The applicant will not seek a DCA Cabaret License.
5. All outdoor areas will be closed at 10 p.m. (licensed outdoor area in front of premises).
6. Any future DCA Sidewalk Café will be closed at 10 pm, but no such areas are included in this application.
7. There will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged
8. Music will be quiet background only from an ipod dock (i.e. no active manipulation of music – only passive prearranged music).
9. Music will not be audible more than 15 ft from the building at all times.
10. There will be no operable French doors.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of a “transfer” for a new restaurant on-premise liquor license to **69 Gans Restaurant, LLC, tbd, 69 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 5th “whereas” clause above are incorporated into the “Method of Operation” on the SLA Restaurant 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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee:

16. 643 Broadway Holdings, LLC, d/b/a TBD, 643 Broadway 10012 (transfer)

Whereas, the applicant appeared before CB2's SLA Licensing committee to present a "transfer" for an existing on premise liquor license, which they indicated would have no substantive changes from the currently licensed premise and which they described as "The restaurant at street level will serve a healthy rustic American style cuisine from breakfast through dinner. The downstairs space will feature a bar offering high end hand crafted cocktails in addition to our food menu"; and,

Whereas, the previous entity from which this applicant is "transferring" this license from, Corner Shop LLC, SN#1243820, negotiated extensive stipulations with CB2 and local residents as described in previous CB2 Resolutions presented to the Liquor Authority and which the current applicant has agreed to which are outlined below; and,

Whereas, this application is for a full On Premise Liquor license in a mixed use building on the corner of Broadway and Bleecker for a roughly 4,310 s.f. restaurant and bar/lounge with 1,350 square feet on the ground floor and 2,760 square feet in the cellar, In the basement there will be 19 tables and 82 seats (some configured as couch seating) and 1 stand up bar with 11 seats, and on the ground floor there will be 20 tables and 48 seats and 1 stand up bar with 7 seats for a grand total of 2 stand up bars, 39 tables and 148 table seats and a maximum legal capacity of 299 persons (the maximum occupancy for operation will be reduced via MOU outlined below which is stipulated with CB2); and,

Whereas, the applicant stated the hours of operation are: Restaurant (1st Floor) Monday – Wednesday from 7:00 a.m. to 11:00 p.m., Thursday and Friday 7:00 a.m. to 12:00 a.m. (midnight), Saturday from 7:00 a.m. to 12:00 a.m. (midnight), and Sunday from 7:00 a.m. to 10:00 p.m. and Lounge (Basement) 7 Days a week from 6:00 p.m. to 2:00 a.m.; and,

Whereas, the current applicant has performed outreach and presented an online petition with 267 Signatures, approximately 85 which the applicant identified as from CB2, but the description provided in the petition was lacking in some details, the applicant also provided several letters of support; and

Whereas, the current applicant did meet with representatives of an adjoining building representing 77 Bleecker Street Corp., a residential co-op building contiguous to the applicant with 240 residential units, and presented an executed Memorandum of Understanding similar to that reach with the same organization by the prior applicant; and,

Whereas, 4-5 individuals spoke with concerns relating to this application, and one email was received, including residents of 75 Bleecker St (aka 643 Broadway) and 88 Bleecker St, the main concerns were in regards to music volumes in 75 Bleecker St, Patrons Loitering on the stoop on 75 Bleecker St, Noise generated from clean up activities on Bleecker Street including kitchen staff of the current licensee washing rubber mats on the street and keeping the kitchen door open while playing music audible by 88 Bleecker St; there seemed to be some mollification of these concerns when it was learned that the applicant would be signing the same/similar MOU as entered into by the previous operator; and,

Whereas, additional concerns regarding the location were outlined as well regarding past operators before Corner Shop LLC, including history of drug arrests, fires, cabaret operations, noise and other quality of life issues which have were outlined in past CB2 resolutions for Cornershop LLC, but for which there was no recent immediate history, certainly not while Cornershop LLC operated at the premises; and,

Whereas, several people spoke with regards to concerns over what they had “heard” regarding the current applicants who are also principals at another venue located at 389 Broome St. with late night operating hours and velvet ropes, but no specific information was provided that could be properly addressed by the applicants; 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 hours of operation will be Restaurant (1st Floor) Monday – Wednesday from 7:00 a.m. to 11:00 p.m., Thursday and Friday 7:00 a.m. to 12:00 a.m. (midnight), Saturday from 7:00 a.m. to 12:00 a.m. (midnight), and Sunday from 7:00 a.m. to 10:00 p.m. and Lounge (Basement) 7 Days a week from 6:00 p.m. to 2:00 a.m. (no patrons will remain on either floor after the indicated closing hours).
2. The applicant will adhere to all details and stipulations as outlined in an executed Memorandum of Understanding (MOU) by and between 77 Bleecker Street Corp. and 643 Broadway Holdings LLC (see below) dated 8/15/2013.
3. The applicant agreed that in addition to the agreements represent in the MOU described in #2 they would also include in relation to item #6 in MOU that they would also have regular meetings as needed with residents of 75 Bleecker St and 88 Bleecker St.
4. The applicants agreed that there would be no more than two 40 inch TV’s in the premises, specifically, the 2 40” TV’s would be located in the basement premises.

Whereas, the details and stipulations as outlined in an executed Memorandum of Understanding (MOU) by and between 77 Bleecker Street Corp. and 643 Broadway Holdings LLC (see below) dated 8/15/2013, which the applicant executed a stipulations agreement outlined above with CB2 that the applicant agrees to have attached and incorporated into their method of operation on the SLA license are as follows:

Memorandum of Understanding

By and Between 77 Bleecker Street Corp. and 643 Broadway Holdings LLC

643 Broadway Holdings LLC and 77 Bleecker Street Corp. entered into that certain Memorandum of Understanding dated August 15, 2013 (the "MOU").

The restaurant and Bar (to be named) will be in operation upon the issuance of a Liquor License by the State Liquor Authority.

NOW, THEREFORE, in consideration of the foregoing premises, 77 Bleecker Street Corp. and 643 Broadway Holdings LLC agree on the following MOU:

1. Hours of Operation:
 - The Restaurant (to be named) (ground floor) will be open Monday to Wednesday from 7am to 11pm, Thursday and Friday from 7am to Midnight, Saturday from 7am to Midnight and Sunday from 7am to 10pm.
 - The Bar (to be named) (basement) will be open every day from 6pm to 2am.
2. Additional Stipulations:
 - We agree that the kitchen located on the ground floor will remain open until one hour prior to closing of the entire establishment to provide food for the basement location.
 - We agree that all kitchen venting will comply with all rules and regulations as set forth by the New York City Department of Buildings.
 - We will not apply for a sidewalk café license at present or at any time in the future.
 - We will only use ipods for music throughout the premise, will never use D.J.'s, host or allow 'live' music of any kind, will never use 'Outside Promoters', and all music volume levels will be background only and kept at or below a decibel level consistent with background only and that complies with relevant New York City rules and regulations, as set forth by the New York City Department of Environmental Protection.
 - We agree to not permit dancing in any portion of the premises at any time and agree to never apply to the New York City Department of Consumer Affairs for a Cabaret License for the premises.
 - We agree that all outside doors and windows will be closed promptly at 10 pm, no speakers will face out toward the street at any time and speaker volume will be maintained at all times at or below a decibel level consistent with background only and that complies with relevant New York City rules and regulations, as set forth by the New York City Department of Environmental Protection.

- We agree that any changes to the floor plans, hours of operation, or other changes to the method of operation as presented to Community Board 2 Manhattan's SLA Committee on May 12, 2010, will be submitted and reviewed for approval by Community Board 2 Manhattan's SLA Committee and be contingent on the approval of the full board of Community Board 2 Manhattan prior to being submitted to the New York State Liquor Authority (the "SLA"), notwithstanding any requirements or lack thereof of the SLA. Proper notice will be made by 643 Broadway Holdings LLC to 77 Bleecker Street Corp. prior to any hearing.
 - We will not transfer this license to a third party without obtaining consent through a hearing with the SLA Committee of Community Board 2 Manhattan.
 - We will submit to review by Manhattan Community Board 2 should any of the principals of the limited liability company change.
3. Garbage:
- We will store all restaurant and lounge garbage inside the premises until no sooner than one hour prior to scheduled pick-up. We will not have a dumpster located outside the premises.
 - The restaurant and lounge garbage will be placed outside the premises no earlier than one hour prior to the scheduled pick-up time. The garbage will be picked up at 2pm each day Monday through Sunday.
4. Seating:
- We will have 55 seats in the ground floor restaurant (consisting of 7 bar stools and 48 table seats) and 93 seats in the basement lounge (consisting of 11 bar stools and 82 table seats).
 - We will allow a maximum of only 150 people (including employees) in the basement lounge at a time.
 - We will post signs that are clearly visible to patrons in the basement lounge stating that the maximum capacity is 150.
 - Customers who are not able to sit in the 93 seats in the basement lounge will be able to wait at the bar until seats are available.
 - If the lounge reaches the operational capacity of 150, patrons will be told that they should come back another time, and will be discouraged by the staff from waiting outside the premises.
5. Exits, Smoking & Noise:
- The Bleecker Street door and stairway will not serve as a patron entrance or exit (except in emergencies).
 - The Bleecker Street door and stairway will be used for service and deliveries only between the hours of 6am and 6pm daily.
 - We will post signs inside the lounge stating that the Bleecker Street door and stairway is solely to be used as an emergency exit.
 - We will equip the Bleecker Street door with an alarm that will be active every night from 6pm until 6am.
 - We will place signs outside on the Bleecker Street side of the premises stating: "No Smoking," "No Loitering," and "Emergency Exit Only".
 - Lounge personnel will ask patrons to comply with the signs and will remain for one hour after closing to ask patrons to clear the area to allow for closing and in consideration of the lounge's neighbors.

- We will post signs asking patrons to please be considerate of the neighbors near the primary entrance.
6. Meetings with 77 Bleecker Street Corp. Board:
 - We will have quarterly meetings with the board of 77 Bleecker Street Corp., or more frequently as needed, to discuss any concerns that arise regarding our operations.
 7. Contact Numbers:
 - We will provide contact numbers for the Managing Members Shann Rose and Josh Berkowitz, and the general manager, Udi Vaknin, to every member of the 77 Bleecker Street Corp. Board. In addition, we will provide those numbers to 77 Bleecker Street Corp. Management for use by 77 Bleecker front desk personnel.
 8. Community Board and SLA Submission:
 - We agree that the Changes will be submitted for approval by Community Board 2 Manhattan's SLA Committee and be contingent on the approval of the full board of Community Board 2 Manhattan prior to being submitted to the SLA, notwithstanding any requirements or lack thereof of the SLA. Proper notice will be made by 643 Broadway Holdings LLC to 77 Bleecker Street Corp. prior to any hearing.

We appreciate 77 Bleecker Street Corp.'s agreement and are committed to satisfying and respecting the wishes of the residents of 77 Bleecker and our community. We agree to be bound in all respects by this MOU for the period of any On-Premises Liquor License (a "license") issued to the premises by the SLA. We agree that we will request that all the restrictions in this Agreement be made a condition of any license or the renewal of any license issued by the SLA in connection with the SLA Application to the maximum extent allowed by the SLA. The parties agree that in the event the SLA denies this SLA Application this Agreement will terminate and be of no force and effect. We are entering into this MOU that the Board of 77 Bleecker Street Corp. will not appear in opposition upon agreeing to this document. Please confirm your agreement to the points addressed in this MOU by signing on the next page and returning it to me as promptly as practical.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of a "transfer" for a on-premise liquor license to **643 Broadway Holdings, LLC, d/b/a TBD, 643 Broadway 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 10th and 11th "whereas" clause above are incorporated into the "Method of Operation" on the SLA Restaurant 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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee:

17. Mona NYC, Inc., 549 Greenwich St. 10013 (transfer OP)

Whereas, the applicant appeared before CB2's SLA Licensing committee to present a "transfer" application for an existing restaurant on-premise liquor license (existing license SN1025332) for a "restaurant/bar which will feature rock and 80s music and a full menu including Italian and eclectic dishes. There will be a focus on organic, locally grown and gluten free items"; and,

Whereas, this "transfer" application is for a previously licensed restaurant on-premise license in a mixed use building located on Greenwich St. on the corner of Charlton St. for a roughly 2,850 sq. ft premise (1,600 sq. ft on ground floor and 1,250 sq ft in basement – accessory use only, no patron use), with 10 tables and 40 seats and 1 stand up bar with 12, for a total of 52 seats, there is no sidewalk café in this application and no sidewalk café is planned, there is an existing Certificate of Occupancy which states a maximum occupancy of 60 people; and,

Whereas, the hours of operation will be 7 days a week from 5 pm to 4 am, there will also be brunch service on Saturday and Sunday from 11:30 am to 4 pm and there may be occasional corporate lunch events and there maybe regular lunches in the future (an alteration application will be filed), music will be quiet background only consisting of music from d.j.'s, and ipod/cd's, there may be occasional live unamplified music performances with no schedule set, performances for less than 30 minutes on any given evening, there is existing sound proofing consisting of two layers of sheet rock which the applicant emphatically insisted was sufficient and would block all music from residential units, there will be no promoted events, there may be private parties, there will be no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no T.V.'s; and,

Whereas, this location has been continuously licensed prior to 1993 by one operator/principal (over 30 years) who is also a principal in the new entity applying for this new license; and,

Whereas, according to the applicant there are less than 3 licensed on-premise liquor licenses within 500 ft., however CB#2, Man. believes that a proper survey would probably show that there are actually more than 3 licenses within 500 feet; and,

Whereas, the applicant's representative stated that while it may appear that there are some changes to the current method of operation with this application, the current licensee is not subject to restrictions other than operating as a restaurant within the hours provided by law where no stipulations exist and the applicant is entitled to operate within the proposed hours at this location and need not demonstrate public benefit/interest as it is not subject to the 500 ft. rule as a result of being continuously licensed since prior to 1993 and additional that they believe there are less than 3 on-premise licenses within 500 ft.; and,

Whereas, the location was describe as predominantly commercial, pictures were shown of the street view in all directions which showed many truck loading bays, a UPS facility and an area generally of a commercial character; and,

Whereas, a previous alteration application presented to CB2 in April 2008 to include a sidewalk café included in the CB2 Questionnaire a description of the method of operation as a restaurant with background music only, no live music or d.j.'s with hours of hours of operation Monday to Friday from 11 am to 11 pm and closed on Saturday and Sunday; the current website for the existing licensed establishment, www.pjcharlton.com and/or www.pjcharltons.com both indicate operating hours of Monday to Friday from 11:30 am to 10:00 p.m., closed Saturdays and Sundays (one of the sites indicates Saturdays from Noon to 10 p.m. as of May 4th); and,

Whereas, one of the principals in the application, Noel Ashman, is well known within the nightlife industry, is a self described nightclub owner, has been written about in articles with titles such as "New York Never Sleeps Because Noel Ashman Won't Let It!" and there was some concern expressed by the committee that a person with a nightclub background seemed out of place operating a restaurant, but he explained that his vision was a contemporary downtown "Elaine's" which necessitated late operating hours in order to be financially viable given the location and he stated that this would not be a nightclub but would be a restaurant operation; and,

Whereas, one of the other principles, Philip Mouquinho, also the landlord on premises, explained that this operation would not be a nightclub, but would be a restaurant only and that provisions within the lease and his participation in the new venture as a principal would allow him to "shut down" the operation should the establishment operate as a nightclub or cause any disturbances to residential neighbors; he also stated that he has been the current sole operator of the existing licensed establishment for 30 years and that he is also Vice President of the existing Cooperative in which this premises is located, he indicated that he is retiring and that bringing on these new partners in a new venture at this location would allow this location to continue to operate, which has had a difficult experience given its location in a primarily industrial/commercial location whose use has changed several times over the course of his tenure there from printing businesses, to tech companies, to back office operations etc.

Whereas, no one appeared in opposition; and,

Whereas, two current CB2 Members spoke in support of the new applicant and did not feel that the proposed method of operation would have any impact on residential tenants in the area; and,

Whereas, the applicant performed community outreach and held several meetings for residents including one in the existing premises; ten letters were received from the few nearby residential residents and others indicating support; and a letter from the Charlton Cooperative Corporation in which the premises is located was provided signed by their President indicating that Mr. Mouquinho had conducted outreach of the surrounding residential buildings, that a meeting was held where all were invited and that “there was no opposition at this meeting to his business plan or his associates”; and

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

1. The hours of operation will be from 5 pm to 4 am 7 Days a week and on Saturday and Sunday from 11:30 am to 4 pm (After closing hours, all patrons will have exited the premises).
2. The premise will be advertised and operated as a full service restaurant, specifically, a restaurant serving Italian and eclectic dishes.
3. The applicant will not operate as a nightclub or disco.
4. The applicant will not seek a New York City Department of Consumer Affairs Cabaret License
5. There will be no backyard garden or other outdoor areas.
6. According to the applicant, there is sufficient existing soundproofing for this operation.
7. All doors and windows will be closed at 10 pm every night without exception.
8. There will be no promoted events, scheduled performances, or any events for which a cover fee is charged.
9. The licensee will adhere to all provisions in the lease with their landlord.
10. There will be 3 security personnel each night the premises are open.
11. For occasional live music performances, there will be no more than 30 minutes of live performance on any evening, there will be no scheduled performances, and there will be no amplified live music.
12. All music in the premises will be background only.
13. There will be no smoking in front of the premises. All smokers will be sent across the street to smoke in front of the commercial loading docks.
14. This application does not include a sidewalk café area.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of a “transfer” of the existing on-premise liquor license to **Mona NYC, Inc., 549 Greenwich 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 14th “whereas” clause above are incorporated into the “Method of Operation” on the SLA Restaurant 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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee:

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

18. PJ150, LLC, 150 Varick St. 10013 (New OP)

Whereas, at this months CB2, Manhattan's SLA Licensing Committee Meeting #2 on August 15th, 2013, the applicant requested to **layover** this application for a new on-premise liquor license application in order to conduct additional community outreach and respond to community concerns 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 **PJ150, LLC, 150 Varick 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*
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October 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee:

19. Le Gans Restaurant, Inc., d/b/a Ryu, 46 Gansevoort St. 10014 (attorney/Carter agreed to layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting #2 on August 15th, 2013, the applicant's representative requested to **layover** this application for a corporate change 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 **Le Gans Restaurant, Inc., d/b/a Ryu, 46 Gansevoort St. 10014, aka 842 Greenwich St. – SN 1025594** 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*
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October 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee:

20. Village Academy Bar, Inc. d/b/a The Hangar, 115 Christopher St. 10014 (attorney requested layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting #2 on July 11th, 2013, the applicant's representative requested to **layover** this application for a corporate change 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 **Village Academy Bar, Inc. d/b/a The Hangar, 115 Christopher 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*
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October 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee:

21. Artifakt 54, Inc., 54 Watts St. 10013 (OP Alteration)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting #2 on August 15th, 2013, the applicant's representative requested to **layover** this application for an alteration application for an on-premise 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 **Artifakt 54, Inc., 54 Watts 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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee:

22. Slice & Co. Fine Gourmet Brick Oven Pizza, Inc., 527 6th Ave. 10011 (New RW)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting #2 on August 15th, 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; 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 **Slice & Co. Fine Gourmet Brick Oven Pizza, Inc., 527 6th Ave. 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*
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October 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee:

23. Rapha Racing, LLC, 64 Gansevoort St. 10014 (new B&W)

Whereas, prior this months CB2, Manhattan's SLA Licensing Committee Meeting #2 on August 15th, 2013, the applicant requested to **layover** this application for a new beer and wine license application in this previously unlicensed location in order to conduct additional community outreach and will resubmit the application for consideration in September 2013; and,

Whereas, CB#2, Man. is aware and has no objection to the applicant in this specific case filing an application directly with the Liquor Authority prior to appearing before CB2, Manhattan, but respectfully requests and understands that the applicant will also request that the Liquor Authority make no final determination until CB2 forwards a recommendation following CB2's September 2013 Calendared meetings;

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 **Rapha Racing, LLC, 64 Gansevoort 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, 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*
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Dana E. Christian, Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee:

24. 230 Bleecker Corp. d/b/a Ombra, 21 Bedford St. 10014 (New OP)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting #2 on August 15th, 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 **230 Bleecker Corp. d/b/a Ombra, 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*
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Dana E. Christian, Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee:

25. Forks & Parrot, LLC, 517-519 Broome St. 10013 (new OP – Previously Unlicensed)

Whereas, at this months CB2, Manhattan's SLA Licensing Committee Meeting #2 on August 15th, 2013, the applicant requested to **layover** this application for a new on-premise liquor license application in this previously unlicensed location in order to conduct additional community outreach and respond to the Committee's concerns 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 **Forks & Parrot, LLC, 517-519 Broome 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*
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October 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee:

26. Pacific 4, LLC, d/b/a The Broome, 431 Broome St., 10013 (New OP)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting #2 on August 15th, 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; 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 **Pacific 4, LLC, d/b/a The Broome, 431 Broome St.** 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*
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October 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee:

27. PHIL3PO, LLC, d/b/a Taureau La Sirene, 558 Broome St. 10013 (New OP)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting #2 on August 15th, 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; 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 **PHIL3PO, LLC, d/b/a Taureau La Sirene, 558 Broome 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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

SEPTEMBER

28. Il Buco Alimentari/Vineria LLC, 53 Great Jones St. (Lafayette and Bowery), NYC - Renewal

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the renewal of the Full OP license in a mixed-use building (block #530 and lot #31) on Great Jones Street between Bowery and Lafayette Street for a 6,400 s.f. restaurant and shop with 28 tables and 89 seats, 2 bars with 24 seats and a food counter with 12 seats, and a maximum legal capacity of 155 persons; and,

Whereas, the applicant stated the hours of operation are from Sunday from 9:00 a.m. to 12:00 a.m., Monday through Thursday from 7:30 a.m. to 12:00 a.m. and Friday from 7:30 a.m. to 1:00 a.m. and Saturday from 9:00 a.m. to 1:00 a.m.; there is a sidewalk café with 16 seats, no roof top use by patrons, no backyard garden and music will be background only; and,

Whereas, 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 a new Certificate of Occupancy or Letter of No Objection from the New York City Department of Buildings to support such use; 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:

1. Commitments to Prohibit Outdoor Assembly. iB/V agrees that it will not permit food or liquor service on any rooftop surface of the Building at this time, but reserves the right at a future date to request that the Community Owners agree in written form to modify this Agreement to allow daytime or early evening dining on the rooftop and Community Owners agree to consider same in good faith, provided that iB/V acknowledges that such consideration may include iB/V's performance with regard to the other provisions of this Agreement, included but not limited to controls of odors and noise emanating from the rooftop mechanical equipment. For the avoidance of doubt, Community Owners expect that, until such time as this Agreement may be modified at some future point, no patrons will have rooftop access for any purpose or function, except as may be necessary to provide egress from the second floor restaurant area to the stair bulkhead on the lower roof. iB/V agrees that its employees will be permitted rooftop access to maintain rooftop landscaping and mechanical equipment as necessary on the rooftops and will be permitted access for routine breaks during the course of the workday from 9:00 am until 10:00 pm, provided iB/V will take measures to assure that staff will respect the privacy and quiet enjoyment of adjacent neighbors, which shall include that staff will not (i) smoke, (ii) congregate more than six (6) at any one time, (iii) play instruments or recorded music.

2. Commitments to Landscape Rooftops. iB/V agrees to landscape the rooftops of the Building prior to the restaurant opening.

3. iB/V agrees to design and operate the Building so as to comply with all NYC Noise Code standards. All music in the building will comply with NYC noise code standards. Any music played in iB/V will be background music only, with the single exception of a private event requesting live music, which live music will revert to background music at 12 am Fridays and Saturdays and 11 pm Sundays through Thursdays. Sound testing will be performed within thirty (30) days after the opening of the restaurant to patrons to assure that any amplified or nonamplified sound from the interior of the building is not present or audible outside or in the contiguous residences beyond NYC noise control code levels. Such testing will establish a permitted maximum volume and such volume will be made part of any Special Events contract as set forth in paragraph 5. Those Community Owners with property contiguous to the Building agree to make available and provide access to at least one unit for the installation and monitoring or sound meter device(s).

4. All doors, skylights and windows of the Building other than the restaurant entrance and the sidewalk-level windows Great Jones Street will be closed by 10 pm every night.

5. All waste bins will be maintained inside the building and all waste will remain inside the building until no more than 30 minutes prior to the scheduled time of pick-up. All organic waste will be brought outside in sealed bins rather than brought curbside and left in bags.

6. iB/V will make reasonable best efforts to contract for waste carting for morning pick-up as to avoid arrival between the hours of 2am and 6 am. iB/V agrees it will make best efforts to limit garbage pick up to one pick-up per day.

7. iB/V commits to take all reasonable measures to assure that no vehicles related to operation of the restaurant will park or double-park on on Great Jones Street and to assure that all trucks with refrigeration will shut off their motors while standing on Great Jones Street.

8. iB/V will not permit, nor will it permit any third party to establish, any presence on Great Jones Street other than customary restaurant services. No rope lines, checkpoints, check-in tents will be established at any time outside the Building.

9. iB/V will make every effort to ensure that large numbers of vans, limousines, SUV's, taxicabs are not waiting at any given time. Arrivals will be informed of the availability of parking agreements with nearby parking lots and garages.

10. Employees, visitors and contractors of iB/V will be expressly prohibited from congregating on the Great Jones Street sidewalk.

11. iB/V will make every effort to keep sidewalk noise to a minimum. iB/V will install a plaque that will be posted so as to be visible from the sidewalk advising "Please respect the peace and quiet of our neighbors." (or similar language).

12. All rooftop mechanical equipment will be installed and maintained so as to remain in compliance with all relevant NYC noise codes. iB/V agrees to test noise levels for a one-month period after the opening of the restaurant using a competent consultant acceptable to Community Owners and to share the test results with the Community Owners. Community Owners with property contiguous to the Building agree to cooperate with regard to this testing by permitting access to their buildings as necessary for the installation and monitoring or sound meter device(s). If the results indicate that the noise levels within the neighboring buildings or on balconies exceed code, or if any future similar testing by any of the Community Owners indicates code exceedances, iB/V agrees to either repair or replace the equipment producing the exceedances or install sound attenuating material sufficient to remediate the code exceedances, within thirty (30) days or as soon as practicable after receipt of the report.

13. iB/V agrees to install and maintain in good working order prior to the opening of the restaurant a state-of-the-art UV hood to control kitchen exhausts and odors. In the event such equipment proves ineffective, as evidenced by [insert standard], iB/V agrees to either immediately modify its baking and/or cooking plan or promptly take the additional steps of installing and maintaining in good working order a precipitator on the upper roof.

14. Commitments regarding "Special Events". A "Special Event" is defined as any of the following: (a) a group consisting of 50 or more people who will be using the restaurant during normal hours of operation or (b) any group, including iB/V, which has reserved the exclusive use of the restaurant for a private function. Special Events will be subject to the following restrictions:

(i) iB/V will limit the number of guests attending Special Events in the Building to no more than 125 persons per day at any given time.

(ii) iB/V will require that any Special Event for 50 or more guests will require the responsible party (and if it is the iB/V that is holding the Special Event, then iB/V itself will be equally bound) to enter into an Events Contract stipulating:

(a) that the event will be primarily food service oriented with incidental liquor service,

(b) that the event will end one hour before licensed closure,

(c) iB/V management will ensure that vehicles associated with the Special Event do not block the street, and that drivers are made aware of the special parking arrangements at nearby lots or garages,

- (d) that there will be no post-event removal of rented equipment after midnight and before 6am, and,
- (e) that in the event an outside party will use its own sound amplification devices, the time limits and volumes will be consistent with this Agreement.
- (iii) iB/V agrees that will not enter into Special Events contacts with “promoters,” i.e., third party booking agents advertising events to the public.

15. Commitments to Appoint Community Liaison. iB/V agrees to assign at least one person (“Community Liaison”) who will be available to speak with the Parties during normal weekday business hours concerning any matter related to compliance with the terms of this Agreement. In addition, during non-business hours, the Manager on Duty will serve in this capacity with full authority to enforce the terms of this Agreement in the event emergency contact is required.

16. Commitments to Contain Sounds to within the Building. iB/V agrees to design and operate the Building so as to comply with all NYC Noise Code standards. Sound testing will be performed to assure that any amplified or non-amplified sound from the interior of the building is not present or audible outside or in the contiguous residences beyond NYC noise control code levels. Such testing will establish a permitted maximum volume and such volume will be made part of any Special Events contract as set forth in paragraph 5. A testing period will be established for not less than one month at the opening of the restaurant. Those Community Owners with property contiguous to the Building agree to make available and provide access to at least one unit for the installation and monitoring of sound meter device(s).

Whereas, the applicant has been diligently working towards complying with the community requests and CB2 stipulations but has still not been able to complete all sound abatement; and,

Whereas, a representative from the community who has been working with the operator believes they may have finally approved a design on the roof top that will control the noise and odors that would place this operator in compliance; and,

Whereas, there are concerns that any alterations to this space or any increase in capacity could possibly change this compliancy; and

Whereas, if there are any alterations to this application that the operator come before CB2 with an Alteration Application for review of any changes;

THEREFORE, BE IT RESOLVED that CB2, Man. recommends denial of the renewal of an On Premise license for Il Buco Alimentari/Vineria LLC, 53 Great Jones St. unless the conditions agreed to by applicant relating to the fifth “whereas” clauses 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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

29. 202 Centre Corp. d/b/a Red Egg, 202 Centre St. 10013 – Corporate Change (License #1206246)

Whereas, this applicant appeared before the committee; and,

Whereas, this application is for the Corporate Change of the On Premise license (#1206246) for a premise located in a commercial use building located on Centre Street between Hester and Grand Street (Block #235/lot #1), for a two story 6,374 sq. ft. premise (no patron use of basement) with 40 tables with 120 seats and 1 bar with 5 seats; the maximum occupancy is 127 people, there will be no sidewalk café and there is no backyard use; and,

Whereas, the hours of operation for the restaurant is Sunday to Saturday from 10:00 a.m. to 11:00 p.m.; establishment is a full service Hong Kong style 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, originally there was a transfer change of the principals from Darren Wan to his parents David and Renee Wan and now Renee Wan is transferring her shares of the business to David Wan who will be the single owner of this establishment; and,

Whereas, during the time that Darren Wan was controlling management, he ignored regulations and stipulations agreed to with CB2 and the SLA and ran operations recklessly creating an unlicensed illegal night club which received violations and was the source of neighborhood complaints and created safety hazards in the premise and quality of life issues (refer to past CB2 resolutions); and,

Whereas, David and Renee Wan took control of running the full service restaurant with hours of operation and method of operation to concur with the original CB2 and SLA applications for this license which they have done without any SLA violations; and,

Whereas, the applicant still agrees to the following stipulations:

1. Hours of operation are from 10:00 am to 11:00 pm only. (which will be changing in an alteration application to follow)
2. Applicants will operate and advertise as a full service “Hong Kong Style Restaurant” only.
3. There will be no nightclub or after hours events and the licensee will not continue previous unapproved method of operations.
4. There will be no promoted events.
5. There will be background music only.
6. There will be no D.J.s, live music or promoted events.
7. Previous stipulations agreements will still be adhered to.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **approval** of the Corporate Change of the existing On Premise license for **202 Centre Corp. d/b/a Red Egg, 202 Centre St. 10013** to the sole owner David Wan.

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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

30. 202 Centre Corp. d/b/a Red Egg, 202 Centre St. 10013 – Alteration to OP (License #1206246)

Whereas, this applicant appeared before the committee; and,

Whereas, this application is for the alteration of the On Premise license (#1206246) for a premise located in a commercial use building located on Centre Street between Hester and Grand Street (Block #235/lot #1), for a two story 6,374 sq. ft. premise (no patron use of basement) with 40 tables with 120 seats and 1 bar with 5 seats; the maximum occupancy is 127 people, there will be no sidewalk café and there is no backyard use; and,

Whereas, the hours of operation for the restaurant were Sunday to Saturday from 10:00 a.m. to 11:00 p.m. but the applicant is **now requesting an extension to those hours of operation to be Sunday to Wednesday from 10:00 a.m. to 12:00 a.m. and Thursday to Saturday from 10:00 a.m. to 1:00 a.m.**; establishment is a full service Hong Kong style 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, originally there was a transfer change of the principals from Darren Wan to his parents David and Renee Wan and now Renee Wan is transferring her shares of the business to David Wan who will be the single owner of this establishment; and,

Whereas, during the time that Darren Wan was controlling management, he ignored regulations and stipulations agreed to with CB2 and the SLA and ran operations recklessly creating an unlicensed illegal night club which received violations and was the source of neighborhood complaints and created safety hazards in the premise and quality of life issues (refer to past CB2 resolutions); and,

Whereas, David and Renee Wan took control of running a full service restaurant with hours of operation and method of operation to concur with the original CB2 and SLA applications for this license which they have been currently doing but are now requesting an extension of the hours of operation; and,

Whereas, the applicant still agrees to the following stipulations:

1. Hours of operation are from **Sunday to Wednesday from 10:00 a.m. to 12:00 a.m. and Thursday to Saturday from 10:00 a.m. to 1:00 a.m**
2. Applicants will operate and advertise as a full service “Hong Kong Style Restaurant” only.
3. There will be no nightclub or after hours events and the licensee will not continue previous unapproved method of operations.
4. There will be no promoted events.
5. There will be background music only.
6. There will be no D.J.s, live music or promoted events.
7. Previous stipulations agreements will still be adhered to.

Whereas, there is great concern that the extended hours will propagate old bad habits with this location;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to the alteration of the existing On Premise license for **202 Centre Corp. d/b/a Red Egg, 202 Centre St. 10013.**

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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

31. Can Carlos NYC, LLC, d/b/a Can Carlos, 5 Bleecker St – New Beer and Wine

Whereas, the principals appeared before the committee; and,

Whereas, this application is for a new Beer and Wine license in a mixed-use building located on Bleecker between Bowery Elizabeth Street (Block #529 / lot #144), with a 720 sq. ft premise which has 18 tables and 45 seats, 1 bar with no seats and the maximum occupancy is 49 people, there is no sidewalk café and no backyard garden; and,

Whereas, the applicant states that the hours of operation will be Sunday through Wednesday from 5:00 p.m. – 11:00 p.m. and Thursday to Saturday from 5:00 p.m. to 12:00 a.m.; the establishment is a full service restaurant, there will be quiet background music only; and,

Whereas, there were no community members in opposition to this application but a community member spoke of their discontent in regards to losing the past operator due to rent increases; and,

Whereas, the applicant agreed to the following stipulations:

1. Can Carlos will not seek to transfer this license to a third party without seeking consent through hearing at the SLA Committee of CB#2, Man.
2. Can Carlos will also seek review through CB#2, Man. should the principals of the corporation change.

3. Can Carlos will send the following in their Method of Operation attached to this wine and beer License application to the State Liquor Authority:
 - a. The establishment will open at 5pm and close at 11pm from Sunday through Wednesday; and open at 5pm and close at 12am on Thursdays, Fridays and Saturdays. The applicant does not intend to open at lunch time upon the opening of the restaurant, but it reserves the right to do so in the future.
 - b. The inside capacity and Public Assembly Permit attached to this license will reflect the following maximum usage: 18 tables and 45 table seats; This number is not to be substituted by DOB capacity which may be greater than the above stated and agreed capacity of the venue.
 - c. There will be no sidewalk café or backyard garden.
 - d. The establishment will provide for dedicated entrance personnel to manage patron street activity (entering, leaving, congregating or smoking) on the sidewalk in front, Thursday through Saturday from 10:00 p.m. to closing. All doors and windows will be closed by 10:00 p.m. 7 days a week.
 - e. The establishment will actively engage in all efforts to keep the sidewalk and gutters free of debris and waste at all times, including the provision of metal containers in which to store garbage until third-party pick up and that all effort will be made to avoid garbage pick-ups between the hours of 2:00 am and 7:00 am, seven days a week.
 - f. Abide by all the regulations of the Dept of Buildings and the Landmark Preservation Commission in the operation of their business at this address, including, but not limited to the Certificate of Occupancy, the Public Assembly Permit and exterior signage, modifications and design.
4. Commitments regarding Special Events. Special Events will be defined as any of the following: (a) a group consisting of 45 or more people who will be using the restaurant during normal hours of operation or (b) any group or entity, which has reserved the exclusive use of the restaurant for a private function. Special Events will be subject to the following restrictions:
 - (i) Can Carlos will limit the number of guests attending Special Events to no more than the total permitted Public Assembly named on the venue's license per day at any given time.
 - (ii) Can Carlos will require that any Special Event for 45 or more guests will require the responsible party to enter into an Events Contract stipulating:
 - (a) that the event will be primarily food service oriented with incidental liquor service,
 - (b) that any special event will end by the hours specified above in normal operation and not, in any case later than 2:00 am, should normal hours be later.

- (c) that dedicated Special Events personnel will be required for the entire period of the event to ensure that guests congregating or smoking on the Street be directed away from any other residential or merchant building entrances; that vehicles associated with the Special Event do not block the street, and that drivers are made aware of the special parking arrangements at nearby lots or garages,
- (d) that there will be no post-event removal of rented equipment after midnight and before 7 am, and,
- (e) that in the event an outside group or entity will use its own sound amplification devices, the maximum permitted volume established for sound system pursuant to paragraph 6 of this Agreement will apply to those devices.

5. Commitments to Appoint Community Liaison. Can Carlos will assign at least one person (“Community Liaison”) who will be available to speak with NoHoBoweryStakeholders’ officers or directors during normal business hours concerning any matter related to compliance with the terms of this Agreement. In addition, during non-business hours, the Manager on Duty will serve in this capacity with full authority to enforce the terms of this Agreement in the event emergency contact is required.

5. Commitments to Contain Sounds. Can Carlos agrees to design and operate the venue so as to comply with all NYC Noise Code standards. Should reasonable complaint be made to NBS and presented to Can Carlos , and should any measures taken by Can Carlos to answer such complaint(s) not be sufficient to abate such sound, Can Carlos agrees to conduct sound testing to assure that any amplified, non-amplified sound or HVAC system sound is not present or audible outside or inside the contiguous residences beyond NYC noise control code levels, at their own expense.

Such testing will establish a permitted maximum volume and or levels for the venue’s interior sound systems and such volume and or levels will be made part of any Special Events contract.

In the event of exterior HVAC system sound, a testing period will be established for not less than one week during normal hours of daytime and evening operation. Those affected NBS members with property contiguous to the Building agree to make available and provide access to at least one directly affected unit/building for the installation and monitoring or sound meter device(s).

If the results indicate that the noise levels within the neighboring buildings or on balconies exceed code, or if any future similar testing by any of the Community Owners indicates code exceedances, Can Carlos agrees to either repair or replace the equipment producing the exceedances or install sound attenuating material sufficient to remediate the code exceedances, as soon as practicable after receipt of the report, but not to exceed 120 days..

7. Commitments to Prevent Odors and Restrict Locations of Mechanical Systems. Can Carlos agrees to install and maintain its mechanical systems to provide industry standard venting and equipment that will minimize kitchen-related venting sound and odors. The location of all roof-top mechanical equipment is indicated in the DOB Plans attached hereto.

Upon installation of kitchen venting and HVAC systems, Can Carlos agrees to a sound and odor testing period of not less than one week of full operation during evening service hours. Those affected NBS members with property contiguous to the Building or Unit agree to make available and provide access to at least one unit/building for the installation and monitoring of sound meter device(s).

Should additional equipment be added Can Carlos agrees no vents or hoods will be placed at sidewalk level or within 15 feet of a window of a contiguous building; that they upon conference with affected building owners/residencies will install sound equipment, including but not limited to electrostatic precipitator(s) sufficient to contain such sound or odors within an agreed upon period between all parties but installed and functional no longer than 120 days.

Whereas, Can Carlos, whose principal is Jean-Francois Marchand, agrees that any change in the method of operation, notwithstanding any requirements or lack thereof of the **State Liquor Authority**, will be submitted and reviewed for approval through **CB#2, Man.**, and will include NBS as representatives of the community and be contingent upon a similar agreement subject to review, approval and attachment to the new or altered license.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the new Beer and Wine license for **Can Carlos NYC, LLC, d/b/a Can Carlos, 5 Bleecker St** unless those conditions and stipulations agreed to by the applicant relating to 5th “whereas” clause above are incorporated into the “Method of Operation” on the SLA license.

Vote: Unanimous, with 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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

32. Slice & Co. Fine Gourmet Brick Oven Pizza, Inc., 527 6th Ave. 10011 – New Beer and Wine

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new Beer and Wine license in a commercial building, located on the corner of 6th Avenue between 13th and 14th Streets (Block #609/lot #38), for a 1093 sq. ft. premise, there would be 7 tables 14 seats and 1 bar with no seats, and a maximum occupancy of 20; there is no sidewalk café and no backyard use; and,

Whereas, the hours of operation are Sunday to Tuesday from 11:00 a.m. to 12:00 a.m. and Wednesday from 11:00 a.m. to 2:00 a.m. and Thursday from 11:00 a.m. to 4:00 a.m. and Friday and Saturday from 11:00 a.m. to 5:00 a.m. **however all alcohol service will STOP on Sunday to Tuesday at 12:00 a.m. Wednesday at 1:00 a.m. and Thursday to Saturday at 2:00 a.m.**; this is a retail pizza operation; 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, this is **another** location within CB2 that has **never been licensed by the SLA**; and,

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

Whereas, this location is on a corner with doors that open most of the space to the public; and,

Whereas, there are great concerns as to how the staff will control open containers of alcohol from moving out into the sidewalk since there will be no sidewalk café; and,

Whereas, there are also concerns regarding the difference in the hours of operation and the hours that beer and wine will be served and the ability to enforce those differences; and,

Whereas, there were community members against this application due to “control” of open containers and there were community members in support of late night food and that the lighting around this corner added security to this area; and,

Whereas, the applicant agreed to the following stipulations:

1. Hours of operation are Sunday to Tuesday from 11:00 a.m. to 12:00 a.m. and Wednesday from 11:00 a.m. to 2:00 a.m. and Thursday from 11:00 a.m. to 4:00 a.m. and Friday and Saturday from 11:00 a.m. to 5:00 a.m. **however all alcohol service will STOP on Sunday to Tuesday at 12:00 a.m. Wednesday at 1:00 a.m. and Thursday to Saturday at 2:00 a.m.**
2. Will operate a retail Pizzeria only.
3. Will not have D.J.’s, live music, promoted events, events with a cover charge or performances.
4. Will have background music only but will have no music when doors/ façades are open.
5. Will not operate as nightclub or disco.
6. Will not have a sidewalk café and no backyard garden.
7. Will have security or staff member on customer side of counter while façade is open to street.
8. Will place barriers in open door areas to contain alcohol from moving out into the sidewalk.
9. Will place clear signage that NO open containers of alcohol are to leave the premise.
10. Will never upgrade to a Full On Premise license.
11. Any opened beer and wine will be served in glass containers so that patrons would not leave the premise.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to the new Beer and Wine license for **Slice & Co. Fine Gourmet Brick Oven Pizza, Inc., 527 6th Ave. 10011** **unless** those conditions and stipulations agreed to by the applicant relating to 8th “whereas” clause above are incorporated into the “Method of Operation” on the SLA license.

Vote: Unanimous, with 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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

33. SOH Peace, Inc., d/b/a Tora, 70 Kenmare St.– New Beer and Wine

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new Beer and Wine license in a mixed-use building, located on Kenmare between Mott and Mulberry Street (Block #480 / lot #4), for a 600 sq. ft. premise with 4 tables and 26 seats and no bar and a maximum occupancy of 26; there is no sidewalk café and no backyard use; and,

Whereas, the hours of operation are from 5:00 p.m. to 12:00 a.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, there were 3 community members in opposition to this application stating over saturation, noise and traffic issues and a lack of community outreach and that there was already a Japanese restaurant in the neighborhood and that this would be the 5th location within one block to apply for a license within the last year or two; and,

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

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

Whereas, there were also 3 community members in support of the applicant, stating that they were great operators and chefs at their other location who respected the neighborhood; and,

Whereas, a petition in support of this application was submitted with 138 signatures and 108 of those signatures were in the immediate area; and,

Whereas, the applicant does not have a Certificate of Occupancy but has applied for a Letter of No Objection; and,

Whereas, the applicant agreed to the following stipulations:

6. The hours of operation will be 5:00 p.m. to 12:00 a.m. 7 days a week.
7. 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.
8. There will be no Karaoke.
9. All doors and windows will be closed by 9:00 p.m. daily.
10. Will not use any backyard garden space or sidewalk café
11. Will not have or install French Doors.
12. Will not operate as a Nightclub or Disco.
13. Will operate as family style Japanese BBQ restaurant only.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to the new Beer and Wine license for **SOH Peace, Inc., d/b/a Tora, 70 Kenmare St** **unless** those conditions and stipulations agreed to by the applicant relating to 10th "whereas" clause above are incorporated into the "Method of Operation" on the SLA license.

Vote: Passed, with 37 Board members in favor, and 1 in opposition (R. Ely).

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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

34. PPF Holdings, LLC, d/b/a McCoy's, 89 MacDougal St. 10012 – Transfer of an OP

Whereas, the applicant appeared for a second time before the committee to present a transfer from Tosbsk LLC, d/b/a McCoy's to PPF Holdings, LLC, d/b/a McCoy's; and,

Whereas, this application is for a transfer of an On Premise license (#1262874) in a mixed-use building, located on MacDougal between Houston and Bleecker Street (Block #526/lot #25), for a 1,800 sq. ft premise (1,200 sq. ft. on first floor and 600 sq. ft. in basement) with 20 tables and 58 seats and 2 bars with 10 seats (**the basement is not included until Certificate of Occupancy reflects available use of space and a Place of Assembly permit is issued**) and the **current** maximum occupancy is 74; there is a sidewalk café with 17 tables and 34 seats which is included in this transfer but no backyard use; and,

Whereas, the hours of operation are from 11:00 a.m. to 2:00 a.m. 7 days a week and the sidewalk café will close no later than 11:00 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 or projectors; and,

Whereas, agreements were made with Chairman Rosen on 12/7/12 and Sean Killarney at TOBSK's SLA Board hearing, which will still apply to this transfer and are the following:

- 1) Outside door to basement on MacDougal St, will only be used for emergency egress. Only access to cellar space is through the interior stairwell.
- 2) No celebrity entrances.
- 3) No live music (acoustic or amplified)
- 4) No use of cellar until they have a certificate of occupancy for commercial use.

- 5) No DJ's.
- 6) Background light jazz music only.
- 6) No outside lines for cellar lounge
- 7) Doors & Windows closed at 10:00 PM

Whereas, the basement will eventually be a small “Jazz” lounge but there will be NO live music; and

Whereas, the new applicant has agreed to not operate the cellar/basement level space until it has been fully reviewed by the Department of Buildings and the Certificate of Occupancy reflects available use of the space and a Place of Assembly permit is issued; and,

Whereas, the new applicant reached out to neighboring residents prior to the hearing including BAMRA; and,

Whereas, the applicant agreed to the following stipulations to CB2 and BAMRA:

1. **Hours of Operation:** The Establishment shall operate from **11:00 AM to 2:00 AM Seven Days.**
2. **Certificates, Permits and Related Documents:** The Operators shall obtain all required certificates, permits and related documents. *Currently, no permit or certificate of occupancy exists for commercial use of the basement/cellar and Operator stipulates, pursuant to a previous agreement made by Sean Killarney (present operator) with Dennis Rosen, Chairman of the New York State Liquor Authority, that Operators shall not use the basement/cellar unless and until a certificate of occupancy is issued which permits commercial use.*
3. **Traffic:** The Operators will use reasonable efforts to remedy any traffic issues brought to its attention, to the extent that it can. The Operators shall direct staff to monitor the patrons of the Establishment who are gathered outside the Establishment and the staff shall direct such persons or traffic going to and from the Establishment to keep the area clear and passable by pedestrians. The Operators will clean any debris left by its patrons (ie: cigarette butts, etc.) from the area in front of the Establishment and surrounding areas.
4. **Manager:** The Operators shall have an English-speaking manager on duty, capable of adequately communicating with residents of the community, to be present at the Establishment during all hours of operation. All Managers and staff will operate under these stipulations as well. Any complaints made about the Establishment to BAMRA will be relayed to the Operators and the Operators will make their phone numbers available to complainant and will work with both the complainant and BAMRA to reasonably resolve any issues.
5. **Music:** The Operators shall play quiet, background level music inside the Establishment and shall not play any music whatsoever outside the Establishment, nor deliberately direct music from within the Establishment to be heard outside the Establishment. The Operators shall not permit DJs, live music or outside promoters in the Establishment.
6. **Television:** The Operator shall have no televisions or projectors in the Establishment.

7. **Sanitation:** The Operator shall not place refuse at the curb except as close to pick up as possible and will make best efforts to coordinate garbage pick up times with other establishments.
8. **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.
9. **Windows & Doors:** All windows and doors shall be closed by 10:00 PM and Operators agree that they will meet or exceed the NYC Noise Codes standards while the windows and doors are open.
10. **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.
11. **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.

12. Will adhere to previous agreement with Chairman Rosen of the SLA

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the transfer of the On Premise license for **PPF Holdings, LLC, d/b/a McCoy's, 89 MacDougal St. 10012** unless those conditions and stipulations agreed to by the applicant relating to 4th and 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*
Jo Hamilton, *Second Vice Chair*
Bob Gormley, *District Manager*



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

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October 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

35. 24 5th Avenue, LLC, 24 5th Ave. 10013 – 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 Fifth Avenue between 9th and 10th Street (Block #573 / lot #43), for a 4,500 sq. ft premise (first floor for patrons, basement for kitchen and staff) with 22 tables and 87 seats and 1 bar with 14 seats and a maximum occupancy of 155; there is no sidewalk café (current enclosed sidewalk café will be removed) and no backyard use; and,

Whereas, the hours of operation are Sunday from 11:00 a.m. to 12:00 a.m. and Monday to Wednesday from 11:00 a.m. to 1:00 a.m. and Thursday to Saturday from 11:00 a.m. to 2:00 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 applicant agreed to the following stipulations:

1. The hours of operation will be Sunday from 11:00 a.m. to 12:00 a.m. and Monday to Wednesday from 11:00 a.m. to 1:00 a.m. and Thursday to Saturday from 11:00 a.m. to 2:00 a.m.
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. Reconstruction of front façade will comply with all Landmark regulations.
4. All doors and windows will be closed by 10:00 p.m. daily.
5. Will not use any backyard garden space or sidewalk café.
6. Will not operate as a Nightclub or Disco.
7. Will operate as a full service restaurant only.
8. Will not use any TV's or projectors.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to the new On Premise license for **24 5th Avenue, LLC, 24 5th Ave. 10013** **unless** those conditions and stipulations agreed to by the applicant relating to 5th “whereas” clause above are incorporated into the “Method of Operation” on the SLA license.

Vote: Unanimous, with 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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

33. Restaurant Marketing Associates, 557 Broadway, 11th Floor 10012 – New Catering License

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a catering license only in a commercial building for a catering facility, located on Broadway between Prince and Spring Street (Block #498/lot #11), for a 5,000 sq. ft. premise on the 11th Floor with seating for 150 and 250 for events without seats and no permanent bar but will have varied service or stand-up bars according to each event and a maximum occupancy of 293; there is no sidewalk café and no backyard use but there is an outside terrace on the 11th floor that will be used; and,

Whereas, 557 Broadway is located in an M1-5B Zoning District; and

Whereas, the NYC Zoning Resolution clearly includes catering among uses that are NOT permitted in M1-5B zones; and

Whereas, the hours of operation will vary but will never go beyond Sunday through Saturday from 8:00 a.m. to 12:00 a.m.; music will be background only, there will be no events with a cover charge, no live music and no DJ's, no outside promoters; and,

Whereas, there was 1 community members in opposition to this application with concerns on the use of the terrace; and,

Whereas, this catering business is located in the Scholastic's Building on Broadway and they will be their only customer, which will service a cafeteria for staff and special events that are put on by the Scholastic's company; and,

Whereas, the applicant agreed to the following stipulations:

1. 1 The hours of operation will be Sunday through Saturday from 8:00 a.m. to 12:00 a.m. only.
2. Music will be background only, there will be no events with a cover charge, no outside promoters. no live music and no DJ's.
3. There will be no music on the exterior terrace area.
4. All doors and windows will be closed by 10:00 p.m. daily.
5. Will not use any backyard garden space or sidewalk café.
6. Will not operate as a Nightclub or Disco.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial unless the applicant is able to provide a letter from the Department of City Planning that this is a permitted use; and

THEREFORE BE IT FURTHER RESOLVED that CB#2, Man. recommends denial to the new Catering license for **Restaurant Marketing Associates, 557 Broadway, 11th Floor 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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

34. Uncle Boons, LLC, 7 Spring St. 10012 – Up Grade to full OP

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the upgrade of a Beer and Wine (#1265355) to a full On Premise license in a mixed-use building, located on Spring between Bowery and Elizabeth Street (Block #492/lot #42), for a 2,000 sq. ft. premise with 18 tables and 48 seats and 1 bar with 10 seats and a maximum occupancy of 74; there is no sidewalk café and no backyard use; and,

Whereas, the hours of operation are Sunday to Thursday from 11:00 a.m. to 11:00 p.m. and Friday and Saturday from 11:00 a.m. to 1:00 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, this operator has only been open for 6 months and is already requesting an upgrade to a full On Premise license in an already heavily saturated neighborhood in which 19 On Premise licenses already exist within 500 feet of this location; and,

Whereas, there was 1 community members in opposition to this application stating over saturation; and,

Whereas, there was 1 community member in support of this application and a petition in support of this application was submitted with 53 signatures; and,

Whereas, the applicant agreed to the following stipulations:

1. The hours of operation will be Sunday to Thursday from 11:00 a.m. to 11:00 p.m. and Friday and Saturday from 11:00 a.m. to 1:00 a.m.
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 by 9:00 p.m. daily.
4. Will not have a sidewalk café or use any backyard garden.
5. Will not operate as a Nightclub or Disco.
6. Will not have French Doors in the façade facing the street.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to the upgrade to an On Premise license for **Uncle Boons, LLC, 7 Spring St. 10012** **unless** those conditions and stipulations agreed to by the applicant relating to 7th “whereas” clause above are incorporated into the “Method of Operation” on the SLA license.

Vote: Unanimous, with 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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

35. OM 216, Inc. d/b/a/ Caffee Morini & Enoteca, 216 Lafayette St – New OP

Whereas, the applicant appeared before the committee to present an application for an establishment that “will offer a unique, high quality, affordable warm and friendly meeting place where friends, family and neighbors can gather to enjoy small plates of delicious food, along with wine, a cocktail, some coffee or another type of beverage;” and,

Whereas, this application is for a new On Premise License in a previously unlicensed location in a Joint Living Work Quarters for Artists (JLWQA) building in an M1-5B district, located on Lafayette between Broome and Spring Street (Block #482/lot #28), for a 3,348sq. ft. premise (cellar has 945 sq. ft. and no patron use, the 1st floor is 1,206 sq. ft. and the 2nd floor is 1,188 sq. ft.) with 10 tables and 30 seats and 1 bar with 15 seats on the first floor and 4 tables and 40 seats and 1 service bar on the second floor and a maximum occupancy is currently pending; there is no sidewalk café and no backyard use; and,

Whereas, the hours of operation are Sunday to Thursday from 7:00 a.m. to 11:00 p.m. and Friday and Saturday from 7:00 a.m. to 12:00 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 only 1 television; and,

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

Whereas, the issuance of an on-premise license at this location would raise to over 75% of the storefronts facing Petrosino Square Park holding liquor and/or beer and wine licenses, and would be the 6th liquor license on a block with only 8 buildings and those 5 existing licenses already support roughly 550 patrons at any given time on a very small block and this location would become one of the larger establishments facing Petrosino Square Park; and,

Whereas, there are 15 existing on-premise licenses with-in 500 ft. and 2 pending licenses, not including a number of beer and wine licenses; and,

Whereas, CB#2, Man. has concerns about the loss of retail stores that support the daily needs of 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, this applicant already operates Osteria Morini, an Italian restaurant at 218 Lafayette Street next door, in an approximately 2,424 sq. ft. premise, also between Spring and Kenmare Streets; Osteria Morini has a total of 112 seats: 97 seats at tables and 1 bar with 15 seats, with a maximum occupancy of 116; and,

Whereas, the building owner of 216 Lafayette and this applicant/operator as lessee applied to the NYC Board of Standards and Appeals (BSA) for a zoning variance in order to allow a use group 6 eating and drinking establishment below the 2nd floor; and,

Whereas, as a part of the process of applying to the BSA for a variance, CB2's recommendation to the BSA was to not grant the variance and as such the BSA took that into consideration along with community opposition and the applicants claims and granted a variance with various specific conditions attached; and,

Whereas, those in opposition pointed out that, regardless of how this applicant became to be involved in this location and whether or not they were a party to the BSA Application, this application should be treat as all other new applications subject to the "500 foot rule" and that the BSA's findings in no way opine on whether the subject location or the applicant should be granted anything more than the right to operate an eating and drinking establishment subject to some limitations imposed by the BSA and that no conclusion should be drawn as to whether an on-premise license should be issued to the applicant or if it be considered in the public interest; and,

Whereas, there were 5 community members in opposition including an attorney representing some residents who did live in this neighborhood that were present and a number of letters were submitted in opposition to this application stating over saturation, noise and traffic concerns and the density of somewhat similar operations which only exacerbate and expand quality of life issues with every additional license that is approved; and,

Whereas, the local community, which will be directly affected, is also concerned that adding an additional 85 Eaters and Drinkers per seating, an additional kitchen vent above a two-story building in a predominantly four-story or higher block, drawing for hire vehicles to drop off and pick up patrons from the second floor private dining room events, and a high turnover of eaters and drinkers in the ground floor "small plates" public dining area to an area that already struggles

with noise and exhaust pollution, pedestrian and traffic congestion, and significant environmental stress because of the proliferation of Eating and Drinking establishments in the immediate area would negatively impact the community and the newly expanded and renovated Petrosino Square Park; and

Whereas, a report was submitted on behalf of the community from Compliance Solutions Services, LLC; a company that performed a neighborhood character analysis of this proposed application and stated:

“It is our conclusion that the proposed expansion of Osteria Morini would result in the creation of a restaurant that is not in character with 23 of the 24 restaurants located within the immediate surrounding area and that it has the potential to be disruptive to the character and quality of life presently existing in the neighborhood”

Whereas, those in opposition also stated that the applicants reasoning of “public interest” for this application did not rise to public interest as the sheer density of licensed premises in the area negate any other factors in the public interest and they cited the lengths to which this applicant went to obtain this license when they were originally recommended for denial by CB2 when they tried to expand their existing operation at 218 Lafayette street next door into portions of this space, but were precluded from doing so by the NYC DOB; and,

Whereas, CB2 in March 2012 requested the NYC DOT to conduct a traffic study of the area in which this premises is located due to the overwhelming traffic concerns in the area; and,

Whereas, there were 9 speakers but not necessarily from the neighborhood and 2 letters were submitted in support of this application and a petition in support of this application was submitted with 53 signatures which generally stated the applicants were good operators and as such should be granted a license notwithstanding the concerns of those opposed to the over saturation of liquor licenses in the area; and,

Whereas, the applicant agreed to the following stipulations as a condition of the license, most of which are already a condition of using the location and were imposed by the BSA on use of the space and/or pertain to existing laws and regulations:

1. The hours of operation will be Sunday to Thursday from 7:00 a.m. to 11:00 p.m. and Friday and Saturday from 7:00 a.m. to 12:00 a.m.
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 customers are to be out of restaurant at closing time.
4. Will not have a sidewalk café or use any backyard garden.
5. Will not operate as a Nightclub or Disco.
6. Will adhere to NYC BSA determination as condition of license, which includes the hours of operation and no interior connection between 216 and 218 Lafayette.
7. Will comply with NYC noise code regulations.
8. Any rooftop and ventilation equipment related to the eating and drinking establishment will be directed away from the adjacent residential buildings.
9. Personnel will maintain security and monitor and manage traffic outside the restaurant Thursday to Saturday.

Whereas, all the stipulations presented except for #9 are matters the applicant would have to adhere to regardless of whether they are made a condition of any license; and,

Whereas, CB#2, Man. requests that the SLA conduct a 500 ft. rule hearing;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the new On Premise license for **OM 216, Inc. d/b/a/ Caffee Morini & Enoteca, 216 Lafayette St.**

Vote: Passed, with 25 Board members in favor and 11 in opposition (D. Ballen, R. Caccapolo, L. Cannistraci, T. Connor, M.P. Derr, C. Dwyer, S. Greene, D. Landesman, J. Paul, R. Sanz, R. Stewart.

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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

36. Housing Works Food Service Corp. d/b/a Housing Works Used Book Café, 126 Crosby St 10012 - upgrade to full OP

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

Whereas, this application is for the upgrade of a Beer and Wine (#1029187) to a full On Premise license in a commercial building, located on Crosby between Prince and Jersey Street (Block #511/lot #12), for a 10,345 sq. ft. premise (ground floor is 3,250 sq. ft., Mezzanine is 510 sq. ft. and cellar is 2,530 sq. ft. and Sub-Cellar is 4,055 sq. ft.) with 24 tables and 88 seats and 2 bars with no seats and a maximum occupancy of 94; there is no sidewalk café and no backyard use; and

Whereas, the hours of operation are Sunday through Saturday from 10:00 a.m. to 9:00 p.m. except when there are special events which will close no later than 1:00 a.m.; music will be live and background only, there will be occasionally scheduled performances or events with a cover charge but no DJ's, no outside promoters and no use of any televisions; and,

Whereas, this operator submitted a petition with 75 signatures in support of this application; and,

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

Whereas, the applicant agreed to the following stipulations:

1. The hours of operation will be Sunday through Saturday from 10:00 a.m. to 9:00 p.m. except when there are special events, which will close no later than 1:00 a.m.

2. Music will be background only; there will be live music only at 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. Will not have a sidewalk café or use any backyard garden.
4. Will not operate as a Nightclub or Disco.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to the upgrade to an On Premise license for **Housing Works Food Service Corp. d/b/a Housing Works Used Book Café, 126 Crosby St** 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 16, 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 September 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:

37. DoJo Restaurant, Inc., 14 W. 14th St. 10012

Whereas, during this month's CB2 SLA Licensing Committee meeting on September 11th, 2013, the committee requested that the applicant layover this application from consideration until further outreach to the community had been completed; 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 **DoJo Restaurant, Inc., 14 W. 14th St. 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 38 Board members in favor.

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



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

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October 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

38. Corkbuzz, LLC d/b/a Corkbuzz Wine Studio, 13 E. 13th St

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on September 11th, 2013, the attorney requested to withdraw the application from consideration; and,

Whereas, this application is for the alteration of the On Premise license to extend hours of operation;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny the proposed alteration to the On Premise license for **Corkbuzz, LLC d/b/a Corkbuzz Wine Studio, 13 E. 13th St** 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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

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

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on September 11th, 2013, the attorney requested to layover 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 **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*
Keen Berger, *Assistant Secretary*

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October 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

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

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on September 11th, 2013, the attorney requested to layover 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 **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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Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

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

41. Contented World, LLC, 227 Bleecker St. 10012

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on September 11th, 2013, the attorney requested to withdraw the application from consideration; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** the proposed new Beer and Wine license for **Contented World, LLC, 227 Bleecker St. 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board members in favor.

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



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

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October 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

42. Gotham Rose, LLC, d/b/a Ariana, 138-142 W. Houston

Whereas, during this month's CB2 SLA Licensing Committee meeting on September 11th, 2013, the committee requested that the applicant layover this application from consideration until further outreach to the community had been 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 **Gotham Rose, LLC, d/b/a Ariana, 138-142 W. Houston** 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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

43. Chipotle Mexican Grill, 88 University Pl. aka 24 E. 12th St. 10003

Whereas, during this month's CB2 SLA Licensing Committee meeting on September 11th, 2013, the committee requested that the applicant layover this application from consideration until further outreach to the community had been 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 **Chipotle Mexican Grill, 88 University Pl. aka 24 E. 12th St. 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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Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

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

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

Whereas, prior to this month’s CB2 SLA Licensing Committee meeting on September 11th, 2013, the attorney requested to layover the application from consideration; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** 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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

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

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on September 11th, 2013, the attorney requested to layover the application from consideration; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** 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*
Keen Berger, *Assistant Secretary*

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October 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

46. Entity to be formed by Scott Sartiano, 415 Lafayette St .

Whereas, during this month's CB2 SLA Licensing Committee meeting on September 11th, 2013, the committee requested that the applicant layover this application from consideration until further outreach to the community had been completed; and,

Whereas, this application is for the transfer of an On Premise license;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny the proposed transfer of the On Premise license to **Entity to be formed by Scott Sartiano, 415 Lafayette St** 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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

47. Slice West Village LTD, dba Wild (fka Slice, the Perfect Food), 535 Hudson St. (RW Renewal) (SN1229971)

Whereas, CB#2, Man. requested this Licensee to appear before the CB2 SLA committee yet again **for the third year in a row due to complaints** which the Principle and owner promised and stipulated in the last two years would be resolved “immediately” each time, but still have yet to be resolved; and,

Whereas, the principle did not appear at this month’s SLA Committee Meeting #2 on September 13th and instead the manager of this location, Walid Hammami, who has worked at the location for several weeks appeared to address concerns directly; and,

Whereas, 3 members of the Community spoke directly to the issues of noise at this location, specifically that the applicant has yet to soundproof or add noise abatement to the rooftop exhaust system which is often left on 24 hours a day creating noise disturbances through all hours and creating vibration issues in the apartments below; one neighbor in particular cited a long list of detailed notes with dates and times that the exhaust fan was not turned off, stated that he often calls to try and remind the staff to turn of the ventilation system as promised in previous years, he also cited that absolutely no soundproofing attempts have been made in the previous 2 years as have been previously promised and stipulated to and he described in detail the vibrations and noises caused by the improperly installed, operated or calibrated exhaust system; and,

Whereas, Mr. Hammami spoke to the concerns outlined above and stated that he was not aware of the problem but did state there were discussions with the Landlord in regards to moving the ventilation system and the rooftop exhaust fan, he was also willing to explore the idea of installing the ventilation fan inside the building within the premises instead of at the end of the exhaust system on the roof; and,

Whereas, Mr. Hammami furthermore stated that now that he was aware of the noise issues that he would immediately rectify the situation and work directly with affected neighbors to remedy the issues; and,

Whereas, on behalf of Slice West Village LTD, which Mr. Hammami stated he was authorized to represent, Mr. Hammami agreed to the following stipulations agreement with CB#2, Man. that he agreed would be attached and incorporated in to their method of operation on their existing SLA restaurant wine license in addition to any other stipulations which may exist and the stipulations are as follows:

1. The Licensee will immediately install a timer on the kitchen exhaust ventilation fan to ensure that the ventilation system is off at 11 p.m. each night without exception.
2. The Licensee will immediately soundproof the exhaust vent and complete the required sound abatement steps.
3. The above stipulations #1 and #2 will be completed by 9/30/2013 and copies of all receipts will be forwarded to the Community Board 2 Office.
4. The Licensee will adhere to all previously agreed to stipulations

Whereas, as illustration of CB#2, Man.'s lack of faith in this establishment below are the resolutions passed by CB2 in October 2012 and September 2011:

CB2 Resolution from October 2012:

4. Slice West Village, LTD, d/b/a Slice, The Perfect Food, 535 Hudson Street – renewal B&W

Whereas, CB2 requested this applicant appear before the SLA committee due to the number of complaints in the immediate neighborhood regarding noise; and,

Whereas, the owner, Miki Agrawal, appeared before the CB2 SLA committee; and,

Whereas, this application is for the renewal of an existing beer and wine license (#1229971) in a mixed-use building located on Hudson between Perry and Charles Street (block #632/ lot #55), for a 765sq. ft premise which has 10 tables with 25 seats, 1 bar with 4 seats, and the maximum occupancy is 50 people, there is an existing unenclosed sidewalk café with 20 seats but no backyard use; and,

Whereas, the hours of operation are Sunday to Thursday from 12:00 p.m. to 11:00 p.m. and Friday and Saturday from 12:00 p.m. to 12:00 a.m.; music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

Whereas, community complaints include noisy exhaust fan that never gets truly fixed or soundproofed and often left on all night though the location is closed by midnight; and a sidewalk café that is poorly maintained and never removed after closing, as required by the Department of Consumer Affairs; garbage left in front of the neighboring residential building and staff and patrons smoking on neighboring private residential steps; and,

Whereas, the applicant agreed to the following stipulations:

- 1. The exhaust fan on rooftop will be maintained and soundproofing will be completed.*
- 2. A timer will be installed on the exhaust fan switch so it does not continue to run after midnight.*
- 3. All sidewalk café furniture and plantings will be brought in up against the building at closing.*
- 4. Employees must smoke out in street parking area and not in front of residential buildings.*
- 5. Hours of operation will strictly adhere to the hours stated on the application which are Sunday to Thursday from 12:00 p.m. to 11:00 p.m. and Friday and Saturday from 12:00 p.m. to 12:00 a.m.*

THEREFORE BE IT RESOLVED that CB#2, Man. recommends ***denial*** to the renewal of the beer and wine license for ***Slice West Village, LTD, d/b/a Slice, The Perfect Food, 535 Hudson Street*** ***unless*** those conditions and stipulations agreed to by the applicant relating to the 6th “whereas” clauses above are incorporated into the “Method of Operation” on the SLA On-Premise license.

Vote: Unanimous in favor

CB2 Resolution from September 2011:

6. Slice, the perfect food, 535 Hudson St.

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

Whereas, a member of the community appeared to express concerns with the establishment; citing issues with their noisy hood system which allegedly is left on throughout the night; and,

Whereas the operator has agreed to take proper measures to turn off the hood system each and every night at closing; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends ***denial*** to the renewal of an On Premise license for ***Slice, the perfect food, 535 Hudson St.*** ***unless*** those conditions agreed to by applicant relating to the third “whereas” clause above are incorporated into the “Method of Operation” on the SLA Beer and Wine license.

Vote: Unanimous In Favor

Whereas, in light of the Principle of this establishment's inability to live up to agreements and for making false representations of efforts to address these issues as they specifically relate to the kitchen ventilation system, CB#2, Man. requests that the Liquor Authority take particular note of the egregious situation for immediate residents that could easily be rectified or addressed by the Licensee if they simply took steps to address these issues with their neighbors and CB#2, Man. in this particular case requests that the Liquor Authority not renew this license until these steps are taken; and,

Whereas, it also appears that this Licensee is utilizing an unauthorized Trade name "Wild" without properly notifying the Liquor Authority;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the renewal application for an existing beer and wine license for **Slice West Village LTD, dba Wild (fka Slice, the Perfect Food), 535 Hudson St. (SN1229971); and,**

THEREFORE BE IT FURTHER RESOLVED that should the Licensee comply with Stipulations 1 & 2 as outlined in the 6th Whereas Clause, CB#2, Man. will withdraw our objection to the renewal of this license, SN1229971.

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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

48. Piacere Enterprises, LLC, d/b/a Piacere, 351 Broome St. 10013 (add sidewalk café existing SN#1268740)

Whereas, the applicant appeared before the committee to incorporate a 170 sq. ft. licensed NYC Department of Consumer Affairs Sidewalk Café and add 8 Tables and 24 Seats located in front of their premises into their existing Restaurant On-Premise License (SN#1268740), and,

Whereas, the existing operation is for an Italian Pizzeria Restaurant with a restaurant wine license located in a hotel but with no direct access to the hotel located on Broome Street between Bowery and Elizabeth Street for a 1,900 sq. ft premise (950 s.f. for ground and 950 s.f. for ancillary uses in the basement) with 10 tables with 35 seats, 1 bar with 11 seats and the maximum occupancy is less than 74 people; and,

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

1. The premises will be advertised and operated as a Restaurant – specifically an Italian Pizzeria Restaurant.
2. The hours of operation will be Sunday to Thursday from 12 pm to 2 am and Friday to Saturday from 12 pm to 3 am. At closing no patrons will remain in the premises.
3. There will be no backyard garden.
4. The applicant will not seek a DCA Cabaret License.
5. The sidewalk Café will be operated no later than DCA regulated hours of operation.

6. All Doors and Windows will be closed by 10 pm 7 days a week without exception.
7. There will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged
8. Music will be quiet background only from an ipod dock (i.e. no active manipulation of music – only passive prearranged music).
9. The Licensee will adhere to all NYC Department of Consumer Affairs Sidewalk Café Regulations and all NYC Department of Buildings Regulations.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the alteration application to add a sidewalk café to the existing restaurant wine license for **Piacere Enterprises, LLC, d/b/a Piacere, 351 Broome St. 10013 (SN#1268740)**, **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 3rd “whereas” clause above are incorporated into the “Method of Operation” on the SLA Restaurant 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*

COMMUNITY BOARD NO. 2, MANHATTAN

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October 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

49. Bubby's MP, LLC d/b/a Bubby's MP, 73 Gansevoort St. 10014 (alteration to add sidewalk café to pending on-premise license SN1271954)

Whereas, the applicant's representative appeared before the committee to incorporate a licensed NYC Department of Consumer Affairs Sidewalk Café with 30 Tables and 74 Seats located on the corner of Gansevoort St. and Washington St. into their existing Restaurant On-Premise License (SN#1271954), and,

Whereas, the applicant originally appeared before CB#2, Man. in June 2013 at which time the applicant agreed to an extensive list of stipulations which are outlined in CB2 Manhattan's June 2013 Full Board Minutes in the form of a resolution recommending "deny unless" and which were copied to the Liquor Authority, there are no other changes to the premises, and the original stipulations are still a part of the Method of Operation; and,

Whereas, the applicant will execute a stipulations agreement with CB#2, Man. that they agree will be attached and incorporated in to their method of operation on their SLA on-premise license as a condition to CB#2 Manhattan's support stating that:

1. The establishment will be operated as a full service restaurant only.
2. The establishment will be operated similarly to the Principles "sister" restaurant Bubby's at 120 Hudson St.
3. Service of all alcohol will stop at 1:00 AM every night without any exception.
4. Food Service hours will be from 6 a.m. until 4 a.m.
5. The Premises will be closed from 4 a.m. to 6 a.m. seven days a week without exception (from 1:00 a.m. to 4 a.m. there will be no alcohol service)

6. All doors and windows (including French Doors) will be closed no later than 10 p.m. seven days a week.
7. No music will be audible from more than 25 feet from the premises at any time.
8. Music will be background only.
9. There will be no live music, dj's (active manipulation of music), promoted events or promoters, scheduled performances or any events for which a cover fee is charged and there will be no dancing.
10. There will be no velvet ropes and no exterior patron waiting. Patrons will either wait inside or be notified when a table is available by remote messaging system in order to prevent congregating outside the premises.
11. If there is an ownership change of greater than 40%, the licensee agrees to present the Corporate Change Application to the Liquor Authority in front of CB2's SLA Licensing Committee prior to submitting the Corporate Change Application to the Liquor Authority.
12. CB2 and residents have no objection after 1 year of operation to discussing the extension of food service hours (not alcohol service which will continue to end at 1 a.m.) from 4 a.m. to 5 a.m. on Friday, Saturday, and Sunday mornings in conjunction with an opening time of 7 a.m. on those same days. There is no representation that CB2 or members of the community will support such a change to the stipulations at that time.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of the alteration application to the existing On Premise license for **Bubby's MP, LLC d/b/a Bubby's MP, 73 Gansevoort St. 10014 (pending OP SN#1271954)** to include the sidewalk cafe, **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 3rd "whereas" clause above are incorporated into the "Method of Operation" on the SLA Restaurant 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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

50. 244 West 14th LLC, d/b/a The Darby, 244 W. 14th St. 10014 (on-premise alteration - SN1234820)

Whereas, the applicant appeared before CB2's SLA Licensing committee to present an alteration application for an existing cabaret liquor license, SN1234820, to remove the stage on the ground floor, to reconfigure the seating on the basement and ground floors, to remove a stand up bar in the basement, to add a service bar to the ground floor, to shorten an existing standup bar on the ground floor and to alter the food menu to offer food at a lower price point for an existing "nightlife restaurant/lounge serving food with a cabaret; and,

Whereas, this application is for an alteration to an existing licensed premise in a commercial building located on 14th St. between Seventh and Eighth Aves. for a roughly 8,500 sq. ft. premise equally divided between the Ground Floor and Basement with patron use on both floors, which will now have 38 tables and 140 seats, 2 stand up bars with 20 seats and 1 service bar as outlined of the plans provided to CB2 Manhattan, there is no DCA sidewalk café or other outdoor area, there is an existing Certificate of Occupancy; and,

Whereas, the hours of operation are from 11 a.m. to 4 a.m. seven days a week, music will be from live DJ at entertainment levels and there may be occasional live music performances as there have been in the past, there is existing sound proofing, there will be promoted events, events for which a cover fee is charged and private parties, there is an existing traffic management plan in place and the licensee utilizes ropes and movable barriers for crowd control; and,

Whereas, the applicant reached out to local residents prior to appearing and also submitted petitions in support; and,

Whereas, there are no known complaints regarding this establishment which has been operating for a number of years at this location under the current ownership structure; 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 on-premise liquor license and the stipulations are as follows:

1. The Licensee will continue to maintain their existing security plan.
2. The Licensee will continue to maintain their high quality operation.
3. All other stipulations agreed to in the past shall remain in effect.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of an “alteration” application for the existing on-premise cabaret license SN1234820 for **244 West 14th LLC, d/b/a The Darby, 244 W. 14th 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 SLA Restaurant 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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

51. Clarus Partners, LLC, 131 Christopher Street 10014 (Transfer/New TW)

Whereas, the applicant appeared before CB2's SLA Licensing committee to present a "transfer" application for a new tavern wine license for a previously licensed location for a "neighborhood café that will focus on a simple menu of salads, sandwiches, & dessert [that] will also have live acoustic music entertainment, with a focus on supporting local talent"; and,

Whereas, this application is for a previously licensed tavern wine license for which there will be no changes located in a mixed use building Christopher St. between Hudson St. and Greenwich St. with 6 tables and 14 seats and 1 stand up bar with 7 seats, and 4 other seats at a counter along the wall for a total of 25 seats, there is no outdoor area or sidewalk café, there is an existing Certificate of Occupancy; and,

Whereas, the hours of operation will be Monday to Thursday from 7 a.m. to 12 a.m. and Saturday and Sunday from 8 a.m. to 12 a.m., music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music) and live acoustic music only, there is existing sound proofing, 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 no T.V.'s; and,

Whereas, the applicant contacted local neighborhood residents and presented a petition in support; 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 tavern wine license and the stipulations are as follows:

1. The premise will be advertised and operated as a Cafe – Specifically a Neighborhood Café.
2. The hours of operation will be Monday to Thursday from 7 a.m. to 12 a.m. and Saturday and Sunday from 8 a.m. to 12 a.m.. After closing hours, all patrons will have exited the premises.
3. There will be no backyard garden, outdoor area or sidewalk café.
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. Music will be quiet background only from an ipod dock (i.e. no active manipulation of music – only passive prearranged music) and live acoustic music
7. Live acoustic music will be unamplified and at background levels only.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of a “transfer” for a new tavern wine license to **Clarus Partners, LLC, 131 Christopher Street 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 SLA Tavern Wine License.

Vote: Passed, with 37 Board members in favor, and 1 recusal (R. Woodworth).

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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

52. Baker N Co., Inc. d/b/a Baker N Co., 263 Bleecker St. 10014 (Transfer/New RW)

Whereas, the applicant appeared before CB2's SLA Licensing committee to present a "transfer" application for a new restaurant wine license for a previously licensed location for a "small family style Italian restaurant with a quiet atmosphere in the same style as the [principle's] other restaurants";

Whereas, this application is for a previously licensed restaurant wine license located in a mixed use building on Bleecker St between Cornelia St. and Morton St. for a 3,800 sq ft premise evenly split between the ground floor and accessory use in the basement (no patrons) with 16 tables and 42 seats and 1 stand up bar with 12 seats, for a total of 54 seats, there are no outdoor areas (backyard garden) or sidewalk café's included in this application, there is an existing Letter of No Objection from the NYC Department of Buildings; and,

Whereas, the hours of operation will be from 8 a.m. to 12 a.m. 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 is existing sound proofing, 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 no T.V.'s; and,

Whereas, the principle owns and operates 3 other licensed premises that are operated as restaurants, 2 of which are located within CB#2, Man. and the applicants representative reached out to the local neighborhood Block Association and negotiated a stipulations agreement on behalf of the principle which she agreed to execute; and,

Whereas, there are future plans to potentially add to this establishment an outdoor rear dining area, but no plans were submitted to CB2 at the meeting and the applicant agreed were not part of this application and would be potentially presented at a future date and CB2 specifically noted that all outdoor rear dining areas are the subject of great concern to neighboring residents due to the impacts on quality of life and as such CB2 indicated there are no assurances that any positive recommendation could be made as to including those areas into this license at a future date given the lack of community outreach to the immediately adjoining residential units that might be impacted; 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 license and the stipulations are as follows:

1. The premise will be advertised and operated as a Restaurant – Specifically a family style Italian restaurant.
2. The hours of operation will be from 8:00 a.m. until 12:00 p.m. seven days a week. After closing hours, all patrons will have exited the premises.
3. There will be no backyard garden, outdoor area or sidewalk café.
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. Music will be quiet background only from an ipod dock (i.e. no active manipulation of music – only passive prearranged music).
7. All doors and windows will be closed at 10 p.m. and remain closed every night without exception.
8. The applicant will adhere to all stipulations agreed to with the Central Village Block Association.
9. The applicant will execute “Agreement of Intention” with Central Village Block Association as the agreement had not yet been executed prior to CB2’s SLA Committee Meeting on Sept. 12th, 2013.
10. No music will be played when doors and windows are open.
11. This application includes **no outdoor areas**. Any outdoor areas will require the applicant to return to CB2 after providing appropriate notice of their intent to file an alteration application should this license be issued.

Whereas, the stipulations agreed to via execution of a “Agreement of Intention” with the Central Village Block Association which the applicant stipulated with CB#2, Man. that would be executed and also attached and incorporated in to their method of operation on their SLA restaurant wine license are as follows:

1. Baker N Co will operate daily until 12 midnight.
2. Baker N Co staff will keep music at an "ambient" level and patron noise from the establishment will not be heard by residential occupants, whether tenants or owners, of Baker N Co or neighboring buildings on Bleecker or Cornelia Streets. The garden area will close at 10:00 p.m. during the week and at 11:00 p.m. on Friday and Saturday.
3. The principal of Baker N Co shall make clear to its staff and patrons that being a quiet operation in a residential neighborhood is a high priority. Adequate staff will be assigned the responsibility for supervising quiet patron exit and entrance and to discourage loitering and excessively rowdy and noisy behavior both immediately outside the establishment and on surrounding streets.

4. Baker N Co will post legible signs on interior and exterior walls of the establishment that are easily read by entering and exiting patrons, stating that patrons are requested to be considerate of 263's neighbors and to keep noise and litter to a minimum.
5. Baker N Co shall ensure that air conditioning units, exhaust fans and any other mechanical devices do not produce disturbing noise, vibration or odors in excess of standards set by New York City agencies and that operation of these devices shall be monitored on a continuing basis.
6. Baker N Co agrees to comply with all existing sanitation laws in the handling and disposal of all food, waste, litter, recyclables and garbage. Specifically Baker N Co shall inform all its carters that noise is to be kept to a minimum. Baker N Co cleaning staff will be vigilant in clearing debris from the sidewalk and 18 inches into the street surface as required by regulations. Trash pickups will be scheduled for the early morning.
7. This agreement shall be filed with Community Board 2 Manhattan and the State Liquor Committee of Community Board 2.
8. In due consideration of cooperation extended by the principal of Baker N Co, the Central Village Block Association will not raise objections to Baker N Co's application to the New York State Liquor Authority for a wine and beer license.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of a "transfer" for a new restaurant wine license to **Baker N Co., Inc. d/b/a Baker N Co., 263 Bleecker 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 SLA 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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

53. Odasay, Inc. d/b/a Injera Restaurant, 11 Abingdon Sq. 10014 (Transfer/New OP)

Whereas, the applicant appeared before CB2's SLA Licensing committee to present a "transfer" application for a new on-premise restaurant liquor license for a previously licensed location for a "family restaurant featuring Ethiopian food" in what was previously an Italian restaurant; and,

Whereas, this application is for a previously licensed on-premise restaurant liquor license location located in a mixed use building on Abingdon Square between Bleecker St. and West 12th St. on the ground floor for an 800 sq. ft. premise (there is also a basement of unknown size which will be used ancillary uses and no patron use) with 15 tables and 30 seats and 1 stand up bar with 6 seats, for a total of 36 seats, there is no outdoor area or sidewalk café (it has previously been determined by NYC DCA that the sidewalk is not wide enough), there is an existing Certificate of Occupancy; and,

Whereas, the hours of operation will be Monday to Friday from 5 p.m. to 12 a.m. and Saturday and Sunday from 12 p.m. a.m. to 12 a.m., music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there is existing sound proofing and music will be generated form 1 amplifier and 4 small speakers, 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 no T.V.'s; and,

Whereas, the applicant's have not been principles on previous licenses but have served in managerial capacities at other licensed premises; and,

Whereas, the applicants performed community outreach and have contacted local neighborhood organizations and presented a petition in support and a letter in support; 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 liquor license and the stipulations are as follows:

1. The premise will be advertised and operated as an Ethiopian restaurant only.
2. The hours of operation will be Monday to Friday from 5 p.m. to 12 a.m. and Saturday and Sunday from 12 p.m. to 12 a.m. At closing, all patrons will have exited the premises.
3. There will be no backyard garden, outdoor area or sidewalk café.
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. Music will be quiet background only from an ipod dock (i.e. no active manipulation of music – only passive prearranged music).
7. Specifically, music will be quiet background music only.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of a “transfer” for a new on-premise restaurant liquor license to **Odasay, Inc. d/b/a Injera Restaurant, 11 Abingdon Sq. 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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

54. Forks & Parrot, LLC, 517-519 Broome St. 10013 (New OP – Previously Unlicensed)

Whereas, the applicants and their representative previously appeared in August 2013 at which time they were asked to review their application and reach out to the local neighborhood association(s) and explain why this application would be in the public interest because it is subject to the 500 ft. rule and would be located in a previously unlicensed location with late operating hours; and,

Whereas, the applicants appeared again in September 2013 without their representative, but with an additional person who they stated would be a principle but was not listed on CB2 Manhattan's Questionnaire; and,

Whereas, the CB#2, Man. Questionnaire states that this will be a "family restaurant that will focus on home-made authentic flavor of French-Russian Cuisine"; and,

Whereas, this application is for a restaurant on-premise liquor license in a previously unlicensed location (previously a Laundromat) in a commercial building located on Broome Street between Sullivan St. and Thompson St. for a roughly 900 sq. ft. premise on the ground floor with 8 tables and 40 seats and 1 bar with 7 seats for a grand total of 47 seats, there is no sidewalk café and no outdoor areas for patron use; and,

Whereas, the applicant produced a Certificate of Occupancy for the premises, but that the Certificate of Occupancy indicates a "use group 16" for a commercial Laundromat; and,

Whereas, prior to this use, the store front was previously operated as a commercial Laundromat; and

Whereas, there is a significant change of occupancy and use for these premises that requires a change in the Certificate of Occupancy for the premises; and,

Whereas, the current Certificate of Occupancy does not permit the premises to be used as a eating and drinking establishment; and,

Whereas, the applicant claimed that they would be seeking a “letter of no objection” from the NYC Buildings Department; and,

Whereas, it was learned subsequent to the applicants statement to Community Bd. 2 that the applicant actually applied in August 2013 for a “letter of no objection” from the NYC Dept. of Buildings for an eating and drinking establishment “use group 6” but was denied on August 8, 2013; and,

Whereas, the hours of operation will be Sunday from 10 a.m. to 12 a.m., Monday through Thursday from 7:00 a.m. until 2:00 a.m. and on Friday and Saturday from 7:00 a.m. until 4:00 a.m., music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there are no plans to install soundproofing, there are no “French” doors, accordion doors or windows that open, 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, there are 24 On-Premise Liquor Licenses within 500 ft.; and,

Whereas, the applicant stated that they would provide patron parking in a small adjoining vacant lot which they stated was part of their premises, but no details were provided on how much parking or if this was even relevant as this area is often very difficult to approach due to Holland Tunnel Traffic, and,

Whereas, this location immediately abuts two of the most congested intersections of Watts St. and Sullivan St. and Watts St., Broome St. and West Broadway, due to this being a major route to the Holland Tunnel which is often gridlocked throughout the day and night; and,

Whereas, one local resident spoke in opposition in particular because this immediate area where this premise is located has been a “disaster” for restaurants and cited as a an example on the same block a location which has been 4 different restaurants in a very few years and that this is not a nightlife area and late operating hours would have a deleterious effect on the residential streets (Sullivan and Thompson); and,

Whereas, the SoHo Alliance, a neighborhood organization to which the applicant did reach out responded directly to CB#2, Man. and stated that from their conversation with the applicant they had no idea what the hours of operation would be, closing at 2 a.m.? 4 a.m.? 24 hours? the type of restaurant it would be and found it nonsensical that their target audience was people in the advertising business as there are few advertising business in the area and they did not believe this or any industry in the area would generate late night diners as there are few businesses in which people work until midnight in the area and generally they need to return to work early the next morning and that any of those areas were not appropriate for an area that already has 24 licensed premises within 500 ft; and,

Whereas, the applicants are also principals in 3 other licensed premises in Brooklyn and Manhattan; and,

Whereas, the applicant did present two petitions, one with 2 signatures in support and one with 15 signatures in support mostly from residents of a new rental development, and a letter from a local condominium association was also presented, but the petitions and letter did not provide the signatories with the hours of operation on the petition; and,

Whereas, CB#2, Man. is very concerned regarding this application for many reasons, including but not limited to (1) on CB2's SLA Questionnaire the applicant states this will be a "family restaurant that will focus on home-made authentic flavor of French-Russian Cuisine" and yet on copies of letters/notices that the applicant stated they posted in the area it states the restaurant "will feature a new American cuisine menu, created by celebrity chef 'Julian Alonzo'"; (2) the applicant also stated that the hours of operation will be for a "24 hours fine dining restaurant" differing greatly from the information provided to CB#2, Man. in its application; (3) in supporting materials for this new location it states that "The star of the lineup is alcohol" including "Infused vodkas-including apricot, black currant, and lychee [which] can be ordered as shots or in carafes that come in big (16 oz.) or small (8 oz.) sizes"; (4) this is a previously unlicensed location in a saturated area and alcohol is the primary driver of this establishment; (5) the principals operate other establishments include a live music component and the described method of operation seems very similar to those other establishments, but it was hard to understand exactly what was being presented to CB#2, Man.; (6) the applicant could not decide what method of operation exactly was being presented; (7) CB#2, Man. has trouble understanding why either a "family restaurant" or a celebrity driven "fine dining establishment" would need hours of operation as presented by the applicant as those hours of operation are more reflective of late night revelry which is certainly plentiful in the area and not consistent with a restaurant operation and the sale of proofed alcohol in 16 oz quantities is of concern as well; (8) this operation as described will have a significant impact on traffic in the area; (9) late night hours would have a significant impact on the quality of life through drunken patrons leaving the premises (10); the CB#2, Man. SLA Questionnaire was "inconsistent and facially inaccurate" compared to other materials presented by the applicant; and,

Whereas, this premises is in an area zoned M1-5B and the current Certificate of Occupancy reflects conforming use for the district with "Use Group 16" on the ground floor which does not include retail or restaurants; the conforming use group for a restaurant is generally "Use Group 6" and "Use Group 6" is not allowed on the ground floor as of right in an M1-5B district and generally in order for that use to be allowed, a variance or special permit would need to be obtained from the Board of Standards and Appeals or City Planning; and,

Whereas, the applicant applied in August 2013 for a "letter of no objection" for an eating and drinking establishment "use group 6" from the NYC Dept. of Buildings which was denied on August 8, 2013 and an application filed by the building owner to change the Certificate of Occupancy for the ground floor to "use group 6" which was denied on June 18, 2013; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of a new on-premise liquor license for **Forks & Parrot, LLC, 517-519 Broome St. 10013**.

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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

55. PJ150, LLC, dba haus, 150 Varick St. 10013 (New OP)

Whereas, the applicant and his attorney appeared before CB2's SLA Licensing committee for a second time on September 12th, 2013 after previously requesting to layover this application in August 2013 in order to perform community outreach to local neighborhood associations; and,

Whereas, this is a new application and not a "transfer" application for a currently licensed premises which has disciplinary actions pending against it for a "new venue [that] will be a European-style night club that will cater to a high-end clientele."; this new operation will revert the footprint of the currently licensed premises back to the size of the premises as it existed prior to expansion in approximately 2011; and,

Whereas, this application is for a previously licensed location for an on-premise liquor license located in a commercial building know as 150 Varick St. located on the corner of Southeast corner of Varick St. and Vandam St. for a 4,912 sq. ft. premises (2,161 sq. ft. on 1st floor and 2,751 sq. ft. cellar, patron use on both floors) with 41 tables and 153 table seats located throughout the premises on both floors and 2 stand up bars with no seats and 2 service bars, there is no outdoor area or sidewalk café, there will be an application for a NYC DCA Cabaret license, there is an existing Certificate of Occupancy in place and the proposed occupancy is 450 persons; and

Whereas, the hours of operation will be from 11 am to 4 am 7 days a week, music will that associated with a nightclub/cabaret operation consisting of live music, live dj and prearranged music at all levels including, entertainment level, background levels and amplified levels for live music, the premises currently has extensive soundproofing in place and a professional sound

engineer will not be utilized, there will be promoted events, scheduled performances, outside promoters, events for which cover fees are charged and private parties, there are plans to address vehicular traffic, and there are plans to utilize ropes and movable barriers in front of the premises for crowd control; and,

Whereas, initially in August the applicant retained a firm to collect petition signatures in support from area residents and those on the street which is how many area residents learned of potential changes to the existing licensed premises known as two venues “Greenhouse and WIP”, a number of residents pointed out that while whether the fault of the applicant or the firm retained, petition collectors were identifying the petition as a petition to “object to Greenhouse or Close Greenhouse” or similar statements, the applicant was to present those signatures to CB2 in August, but rightfully acknowledged that there was no way of knowing the pretenses on how the signatures were collected and discounted the validity of the petitions; and,

Whereas, as a consequence of petitioning efforts in August and area postings and emails notifying the Community of the new pending application, a large number of Community residents appeared at the August CB2 SLA Licensing Committee at which time it became apparent that no meetings with local Block Associations and residents had taken place yet with the applicant to discuss this new application; at the August meeting the Applicant was very forthcoming about existing issues with the current Licensee and Operation and described how the new operation would be different and was willing to meet with local residents to address the concerns raised and potentially create some stipulations that might address those concerns; the Applicant agreed to layover the agenda item to September and meet with local community residents; and,

Whereas, after CB2’s August SLA Licensing Committee meeting and prior to September’s SLA Licensing Committee meeting, the applicant met with and was in communication with local area residents and the Vandam St. Block Association and the Charlton St. Block Association, no agreement was reached between any of the parties, but as a result of those discussions, the applicant was able to create a list of stipulations which he was willing to adhere to as a condition of his license, but Community residents and the two block associations decided that they were in opposition to the issuance of a new license for this new operation; both sides felt that the discussions had been exhaustive and that further discussion would not result in any changes to their current positions, but the applicant was willing to continue taking additional concerns into consideration; and,

Whereas, at September’s CB2 SLA #2 Committee Meeting on September 12, 2013, the applicant outlined the basic details of the operation stating that the new venue would be a “European” style nightclub/cabaret operation operating primarily in the evenings into the early morning hours; much of the presentation by the applicant focused on how while this was a new application without any connection to the existing business, that it would be a better alternative to what currently exists at the location; the primary changes would be the elimination of a portion of the existing business in the basement currently operating as WIP which opened in 2011 through an alteration application, a change in style of music from primarily “hip-hop” to “dance/electonica” music, a strict enforcement of new dress code policies specifically eliminating things such as “timberland boots” and sagging pants etc., a revamp of security protocols and door admission policies; and,

Whereas, as a part of the presentation, the applicant proposed the following stipulations which he stated again as in August that they would adhere to regardless of whether they obtained the approval of CB#2, Man. and stated they would make these a condition of any license if issued by the Liquor Authority; they are as follows:

PROPOSED LIQUOR LICENSE STIPULATIONS

(1) *As it pertains to that portion of the premises in which the WiP nightclub presently operates, Applicant shall ensure through a non-competition clause in its lease agreement that said space will no longer operate as a nightclub, bar or any other venue that serves alcohol.*

(2) *The applicant shall actively engage in all efforts to keep the sidewalk and gutters reasonably free and clear of debris and waste at all times. Said efforts shall include a requirement that every day after closing, the applicant shall have one or more employees inspect the sidewalk and gutter areas in front of, and within sixty (60) feet beyond the boundaries of, the premises. Applicant shall further prevent all patrons from exiting the establishment with any glass containers.*

(3) *Applicant shall assign at least one person ("Community Liaison") who will be available to speak with community members including the Vandam and Charlton Street Block Associations and the First Precinct of the Police Department during normal weekday business hours concerning any matter related to compliance with the terms of this Agreement, or the general operations of the establishment. Further, Applicant shall provide a 24 hour access number for the Manager on Duty who shall be authorized to enforce the terms of these Stipulations. Applicant shall also participate in meetings with local Block Associations and the NYPD 1st Police Precinct on a monthly basis where requested, so as to address any concerns of the Community.*

(4) *Applicant shall use all reasonable efforts to remedy all pedestrian and vehicle traffic issues known or brought to its attention, to the extent that it can do so legally. Efforts shall require, at a minimum:*

(a) *Security personnel shall monitor vehicle and pedestrian traffic in front of the establishment and shall direct all patrons and vehicles to keep the areas clear and passable for pedestrians and other vehicles;*

(b) *Security shall attempt to prevent or otherwise limit, to the extent legally possible, vehicle operators from double parking in front of or near the establishment;*

(c) *Applicant to dedicate one security guard to be stationed in (near) Varick Street to limit double parking and ensure orderly pick up and drop off of guests;*

(d) *Applicant shall post a sign near its exit instructing all patrons to respect its neighbor's and leave the area quietly. Security shall repeat this message to departing patrons;*

(e) *Applicant shall instruct all employees to leave the area quietly after the establishment has closed;*

(f) *Applicant shall instruct both patrons and vehicle operators to limit their volume to a reasonable level, and shall, to the extent reasonably possible, dissuade honking.*

(5) *Applicant shall not distribute flyers on any vehicle in the community and shall actively discourage such practice by third-party promoters where utilized.*

(6) *Applicant shall identify and describe on its website the type of entertainment offered on a daily basis (e.g. DJ, live music, special events, private parties, etc.) and shall inform the Community Affairs Officer stationed within the NYPD 1st Police Precinct of all special events and big promotions in advance on a weekly basis.*

(7) *Applicant shall not permit patrons to enter into the premises through any door other than primary entrance located on Varick Street.*

(8) *Applicant shall develop and enforce a strict dress code for all patrons entering the establishment.*

(9) *Applicant shall, from the time venue opens for business, form an orderly line against the premises. Said line shall include sufficient rope barriers and stanchions in place for crowd control.*

(10) *Applicant shall ensure that food is available for purchase at all hours of operation, without exception.*

(11) *Applicant shall implement and utilize at all times that the establishment is open for business handheld counters at the entrance and exit doors so as to keep an accurate count of all patrons entering and exiting the premise. Applicant shall further implement and utilize an electronic age-verification and recording system. Applicant shall allow the NYPD full access to any and all scanners to review information recorded upon them at their request.*

(12) *Applicant shall implement and utilize a digital video surveillance system, which will monitor the entire inside of the establishment and said system shall be operational at all times in which the establishment is open for business.*

(13) *Applicant shall utilize the TIPS Program or similar program to train all current bartenders and wait staff in the sale of alcoholic beverages.*

(14) *Applicant shall create and implement an employee handbook. Said handbook shall include, but not be limited to, alcoholic beverage violations including sale to underage patrons and to intoxicated patrons, procedures regarding any sale and use of illegal drugs, violence, unruly and unacceptable behavior and other detrimental activities both inside and*

Whereas, members of the community and the Charlton St. Block Association (CBA) and the Vandam St. Block Association (VBA) appeared and thanked the applicant for taking the time to meet and discuss the issues at length, but stated that they could not agree to any stipulations or discuss them further as they were now adamantly opposed to any nightclub uses at this location, stating that “they had been down this road before” multiple times over the years and that despite believing that this applicant is sincere in his efforts, this location is simply not suitable for this type of use as has been clearly demonstrated over and over with premises with adverse licensing history’s dating back to the first licensed premise at this location, despite any stipulations negotiated or changes to method of operation, layout of the premises, and that the community is no longer willing to embrace support for this use as the resulting noise issues, traffic, violence, drug dealing and drug use, vomit, urination in the surrounding area and the morning aftermath of trash and litter on the streets and that this license was not in the public interest; and,

Whereas, CBA and VBA pointed out that CB#2, Man. along with the majority of stakeholders in the immediate area along with the city worked for many years on and have recently rezoned the entire area through the Hudson Square Rezoning and that the provisions of the rezoning, specifically the wording “eating or drinking establishments with entertainment and a capacity of

more than 200 persons, or establishments of any capacity with dancing, are permitted only by special permit of the Board of Standards and Appeals, pursuant to Section 73-244” made it clear that this type of use is not what is envisioned for the area and is incongruous with the goal of fostering residential development; and,

Whereas, CB#2, Man. urges the Liquor Authority to review the specifics of CBA and VBA’s opposition to the issuance of this license by reviewing correspondence from those Block Associations and local residents as a part of any consideration in the issuance of a license at this location as they detail with specifics the evolution of the community’s current opposition to nightclub operations at this location; and,

Whereas, CBA and VBA also detailed why they are specifically in opposition to the current application as well and cited (1) a lack of any relevant experience in the nightclub industry (2) minimal changes to the establishment itself, as evidence thorough a lack of financial investment as is not typical with most club rebrandings, which will ultimately not result in a successful rebranding of the location if the goal is to target high-end clientele in the 23 to 30 year old range, which they do not believe is a large enough demographic to encompass the “high-end clientele” they are seeking (3) Stipulations have proven to be unenforceable and do not lessen the impact of nightlife operations and in fact after stipulations were agreed to by past operators the impact of the clubs and violence only increased (4) a new 10 year lease at this location, contingent on the issuance of a liquor license, is of serious concern as the CBA and VBA “seriously question his ability to run a nightclub and successfully mitigate our afore mentioned issues during his 10 year lease” – the cyclical nature of nightclubs which ultimately result in increasingly desperate situations to attract new patrons and the accompanying lower standards is not worth repeating as the cyclical impact on the community is far to great; and,

Whereas, CB#2, Man. also has concerns in regards to this application, specifically CB#2, Man. has concerns regarding (1) the applicant’s lack of experience in this industry and in operating a large nightclub – simply hiring others to manage the location is no substitute for experience (2) from the inception of the first licensed premise at this location, there have been a succession of licensed premises with adverse history’s, violence, drugs, disorderly premises, impacts on quality of life and a significant drain of city resources, namely the New York City Police Department resources to address issues created by the licensee’s premises and these crimes are a measurable if not significant driver of reported crime statistics for the local precinct (3) the location of this venue has and continues to impact traffic on Varick St, a major route to the Holland Tunnel, because of the large number of patrons who have and will frequent this venue, these issues have never been properly addressed as from the original license at this premises to present day the number of patrons have steadily increased and traffic measures undertaken by the DOT have focused more direct traffic routes to the Holland Tunnel – of which this is one – and the solution of maintaining a lane of traffic for exclusive club use is a significant impact on all vehicular traffic moving through the area (4) the noise created in the surrounding area by late night club uses has an adverse impact on the long long standing immediate residential community and the recent rezoning of the area only further supports the goal to transition this area into a more residential community (5) eliminating a portion of the existing licensed premise is inconsequential in the overall scheme of things as the premise when it was only located on one floor created intolerable situations and no operator, however well intentioned has successfully operated with out significant impacts in all areas on the surrounding community and city resources, the problems at this location long predated the expansion into the WIP space in 2011 (6) there exist within CB2 and in this area a large number of “high end” dance/lounge/cabaret operations which have no where near the impact on the aforementioned issues and are well run and located in more appropriate areas with minimal or less impact on the community (7) the idea

of replacing a terrible club with a “proven adverse history” with a less terrible club is not in the public interest (8) this continuing use of the location as a club is no longer supported by the underlying zoning even if the use is allowed (9) in order to reach and leave this location, invariably patrons do impact the surrounding residential community because of the use of residential streets late in the evening and early morning hours; patrons leaving nightclubs generally do not do so quietly and whenever disorder emerges, no matter how sporadic, there is an adverse impact on the community (10) It is unsupported that simply changing dress codes, music and security procedures results in a club without or with minimal impacts (11) Stipulations at this location have proven to be ineffective and the applicants attorney readily admits that stipulations are difficult to create that are binding and enforceable or that have meaningful effect (12) the applicant himself indicated nightlife use at this location was not desirable or in the public interest, but it was in the public interest to approve this application to create a better situation than what currently exists; CB2 cannot support this position (13) CB2 approved without objection the initial current use of this location after a history of problems at the location, but time has proven that this location in particular is fraught with issues and in this case CB2 sees no changes that would significantly alter or lessen the impacts through the issuance of a new license (14) There are concerns that the proposed trade name “haus” is too similar to “Greenhouse” and that this is intentional (15) CB2 respectfully requests the Liquor Authority to thoroughly review the history of all licenses and operating history at this location prior to making a determination (16) CB2 would like to point out that cabaret use was not part of the first several operations at this location and those represent expanded uses (17) CB2 would like to point out that CB2 has not at times in the past been able to provide a recommendation to the Liquor Authority regarding changes in the method of operation at this location as those changes occurred after the licenses were issued. (18) there are concerns that approval of this license would absolve the current licensees of legal obligations and CB2 would like the Liquor Authority to determine if there is any and if so what is the connection between the current licensee and this applicant if any and if there are any parties involved with both operations (19) CB2 is unclear that whether the presentation of this application as a “new” application instead of a “transfer” application is a way in which the existing adverse history is being circumvented as a factor in this determination; the general method of operation seems unchanged and the proposed reduction in space and other changes are minimal enough that they could simply be addressed through an alteration application filed along with a transfer application which is often the case; and,

Whereas, CB#2, Man. spent 3 years reviewing the Hudson Square Rezoning and stood in strong support of this rezoning, and unlike typical rezoning, this rezoning was requested by the Community in order to reflect the changes in this area; as part of the rezoning, there were provisions limiting the size of eating and drinking establishments, and as such it is very difficult for CB#2, Man. to perpetuate these uses through supporting the issuances of new liquor licenses for new operations that perpetuate a use that is intended to sunset; CB#2, Man. is committed to the change of this community into a mixed use community and doesn’t feel that the circumstances outlined in this particular application warrant approval for this particular continuing use given the history of this location; and,

Whereas, CB#2, Man. does not believe that the issuance of this license would be in the “public convenience and advantage” or public interest and further more finds the applicants reasons as to why this would be in the public interest as stated in the “500 statement” to not rise to a level that outweighs any of the concerns outlined above

Whereas, CB#2, Man. respectfully requests the Liquor Authority to conduct a 500 ft. hearing, as it has in the past at this location for previous licenses at this location; and,

Whereas, notwithstanding issues as they relate to the “500 ft. rule”, CB#2, Man. is still in opposition to the issuance of this license as described above and respectfully requests the above be taken in consideration in the determination of whether to grant this license should the “500 ft. rule” not apply; and,

Whereas, CB#2, Man. respectfully requests that the Liquor Authority at the appropriate time, should the applicant pursue this application, place this matter on the agenda at a meeting of the Liquor Authority’s Full Board with a specific time so that there is an opportunity for the public to address specific concerns and respond to the applicants claims for consideration

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of a new on-premise liquor license for **PJ150, LLC, dba haus 150 Varick St. 10013**

Vote: Passed, with 37 Board members in favor, and 1 in opposition (R. Stewart).

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 16, 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 September 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:

56. Le Gans Restaurant, Inc., d/b/a Ryu, 46 Gansevoort St. 10014 (Corporate Change - Did Not Appear) (SN#1025594)

Whereas, the Licensee did not appear appeared before CB2, Manhattan's SLA Licensing Committee Meeting #2 on September 12th, 2013 as requested by CB2 to do so, after the Licensee submitted a 30 day notice to CB2, and after requesting to layover this corporate transfer application in both July and August 2013 and no attempt was made by the Licensee to contact CB#2, Man. through the appropriate channels (i.e. the CB2 Board Office or Committee Co-Chairs) was made requesting an adjournment or layover of consideration of the application for a Corporate Transfer Application for an On-Premise Liquor License prior to the meeting on September 12th, 2013; and,

Whereas, the applicant did contact a Committee member who is a part of the immediate community in which this Licensee is located and who as a part of the local community was meeting with the applicant along with a number of community members to discuss a number of issues and concerns in regards to the method of operation and quality of life issues and not as a representative of CB#2 Man.; and,

Whereas, the Licensee communicated to that Committee Member that neither he nor a representative would be appearing at the meeting as requested by CB#2 in response to the 30 day notice sent by the Licensee to CB#2, Man. and that “my counsel has advised me not to agree to any of the stipulations” [that had been discussed]; and,

Whereas, CB#2, Man. never requested that this applicant agree to any stipulations as the opportunity to review this application and any issues never occurred because the applicant chose not to appear before CB#2, Man. as requested, as EVERY OTHER APPLICANT/LICENSEE does and as such CB#2, Man. was not able to gather the appropriate information in which to formulate a recommendation to the Liquor Authority; and,

Whereas, there are a number of concerns that CB2 feels could be easily rectified if the Licensee had appeared before CB#2, Man. as requested and as every other applicant/licensee does in CB#2, Man. and CB#2, Man. is unclear why this Licensee, who claims to be a good operator and who complies with all laws and regulations, would not to take the opportunity to engage with the local Community and Community Board in addressing any issues or concerns or to simply appear as requested; and,

Whereas, one of the specific concerns is in regards to the operation of the New York City Department of Consumer Affairs (DCA) Licensed Sidewalk Café and (1) when alcohol service began within the sidewalk café, (2) when the new sidewalk café was licensed by DCA (3) If this area is designated within the defined premises with the Liquor Authority (4) if this area is defined with the Liquor Authority, if the Liquor Authority was ever notified that this area was never previously used and if it was previously used if the liquor authority received any request to remove the defined area as there was no DCA Sidewalk Café Licensee for the Area and (5) it is CB2’s understanding that if any material facts change with a Licensee’s premises they are required to notify the Liquor Authority in a timely manner as the Law dictates and modify their license and CB#2, Man. would like to know if the applicant complied; and,

Whereas, one of the other specific concerns is to confirm the method of operation at the premises and to verify if the facts presented at the inception of this license that was subject to the 500 ft. rule and for which CB#2, Man. made a positive recommendation based of those facts and which the Licensee presented to CB#2, Man. on May 13, 1997 which at the time described the premises as a restaurant with hours of operation from 11:30 am to 12:00 am Monday to Thursday and 11:30 am to 4:00 am Friday and Saturday, that music is background only, that the number of tables remains 15 and number of seats remains 52 and number of bars is 1 with 7 seats are still accurate, and furthermore ascertain the facts as described in the previous “whereas” clause as the 1997 application also states that there is no sidewalk café;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any corporate change, alteration or “transfer” or changes to any existing license for **Le Gans Restaurant, Inc., d/b/a Ryu, 46 Gansevoort St. 10014** until the Licensee has presented their application in front of CB2’s SLA Licensing Committee and CB#2, Man. has forwarded a recommendation to the SLA and requests that the SLA send this Licensee back to CB#2, Man. 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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

57. Artifakt 54, Inc., 54 Watts St. 10013 (Alteration-withdrawn by attorney) (SN#1226919)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting #2 on September 12th, 2013, the applicant's representative requested to **withdraw** this application for an alteration application for an existing on-premise 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 **Artifakt 54 Inc., 54 Watts 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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

58. 13th Street Entertainment, LLC d/b/a Kiss & Fly, 409 W. 13th St. (Alteration to include cellar with additional bar – Attorney requested layover) (SN#1151802)

Whereas, prior to this month's CB2, Man.'s SLA Licensing Committee Meeting #2 on September 12th, 2013, the applicant's representative requested to **layover** this application for an alteration application for an existing on-premise 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 **13th Street Entertainment, LLC d/b/a Kiss & Fly, 409 W. 13th St.** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB#2, Man. has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB#2, Man. 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

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October 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**59. Rapha Racing, LLC, 64 Gansevoort St. 10014 (attorney requested layover)
(SN#1273207)**

Whereas, prior this month's CB2, Man.'s SLA Licensing Committee Meeting #2 on September 12th, 2013 the applicant again requested to **layover** this application for a new tavern wine license at a previously unlicensed location after also requesting to **layover** this application prior to the August 15th, 2013 meeting in order to conduct additional community outreach and determine if local zoning regulations and/or any deed covenants or restrictions would prohibit this use as the local community contends and will resubmit the application for consideration in October 2013; and,

Whereas, CB#2, Man. is aware and has no objection to the applicant in this specific case filing an application directly with the Liquor Authority prior to appearing before CB#2, Man., which they did on August 28, 2013 (SN#1273207), but respectfully requests and understands that the applicant will also request that the Liquor Authority make no final determination until CB2 forwards a recommendation following CB2's October 2013 Calendared meetings;

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/tavern license, corporate change, alteration, transfer, upgrade or changes to any existing license for **Rapha Racing, LLC, 64 Gansevoort 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, 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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

60. Momo Caffè, Inc., 150-152 West 10th St. 10012 (attorney requested layover)

Whereas, prior to this month's CB#2, Man.'s SLA Licensing Committee Meeting #2 on September 12th, 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 **Momo Caffè, Inc., 150-152 West 10th 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 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**61. The Vagabond Tapas Café, LLC, d/b/a Vagabond Tapas Café, 7 Cornelia St. 10014
(attorney requested layover)**

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting #2 on September 12th, 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; 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*
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October 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

62. Adoro Lei, LLC, 287 Hudson St. 10013 (New OP – Did Not Appear)

Whereas, the applicant did not appear appeared before CB2, Manhattan's SLA Licensing Committee Meeting #2 on September 12th, 2013 as requested by CB2 to do so, after the applicant submitted a 30 day notice to CB2, and no attempt to contact CB2 was made requesting an adjournment or layover of consideration of the application for a new On-Premise Liquor License prior to the meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, beer and wine license, corporate change, alteration, upgrade or changes to any existing license for **Adoro Lei, LLC, 287 Hudson 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*
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October 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

63. El Golpe, LLC, 57 W. 8th St. 10011 (attorney requested layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting #2 on September 12th, 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; 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 **El Golpe, LLC, 57 W. 8th St. 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*
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October 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

64. 230 Bleecker Corp. d/b/a Ombra, 21 Bedford St. 10014 (withdrawn by attorney)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting #2 on September 12th, 2013, the applicant's representative requested to **withdraw** 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; 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 **230 Bleecker Corp. d/b/a Ombra, 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*
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Dana E. Christian, Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

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

65. Pacific 4, LLC, d/b/a The Broome, 431 Broome St., 10013 (attorney requested layover, but n/a-principal withdrew and will resubmit)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting #2 on September 12th, 2013, the applicant's representative requested to **withdraw** this application after having previously laying over 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; 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 **Pacific 4, LLC, d/b/a The Broome, 431 Broome St.** 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*
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Dana E. Christian, Director
Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

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

66. 525 Broome St. Restaurant, LLC., 525 Broome St. 10013 (New OP – Did Not Appear)

Whereas, the applicant did not appear appeared before CB2, Manhattan's SLA Licensing Committee Meeting #2 on September 12th, 2013 as requested by CB2 to do so, after the applicant submitted a 30 day notice to CB2, and no attempt to contact CB2 was made requesting an adjournment or layover of consideration of the application for a new On-Premise Liquor License prior to the meeting; 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, upgrade, "transfer" or changes to any existing license for **525 Broome St. Restaurant, LLC., 525 Broome 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*
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October 16, 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 September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

67. PHIL3PO, LLC, d/b/a Taureau La Sirene, 558 Broome St. 10013 Layover at Meeting

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting #2 on September 12th, 2013, the applicant's and his attorney 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; 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 **PHIL3PO, LLC, d/b/a Taureau La Sirene, 558 Broome 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.

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

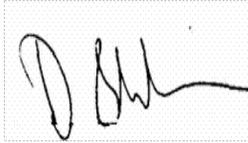
Sincerely,



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