

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



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

## COMMUNITY BOARD No. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

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September 24, 2009

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

Dear Mr. Christian:

At its Full Board meeting on September 17, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution, which was voted on at the August Executive Committee meeting:

### **1. Bowery Time, LLC, 356 Bowery (East 4<sup>th</sup> and Great Jones), NYC**

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

**Whereas**, this application is for an alteration to an existing On Premise license for a lounge/restaurant located in a 1,000 s.f. premise in a mixed use building located on Bowery between East 4<sup>th</sup> and Great Jones with 24 table seats with 1 bar and 14 bar seats with a maximum legal capacity of 70 persons; **to relinquish the space at 354 Bowery to another prospective operator; and,**

**Whereas**, the applicant stated there are no plans to change the previously approved method of operation; the applicant stated the lounge/restaurant hours are 5:00 p.m. – 4:00 a.m. seven days a week; music is background only; and,

**Whereas**, the applicant has reached out to several members of the community and this board; and,

**Whereas**, the applicant will be designating the ground level space as a catering establishment and seek all required permits, documents and approvals by New York State agencies; the ground level catering establishment will not be open to the general public; 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; and,

**Whereas**, the applicant has agreed to hire bonded security personnel during private events; and,

**Whereas**, the applicant has agreed to re-appear before this committee in the event the catering establishment cannot be designated, achieved and permitted by the New York State Liquor Authority; and,

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

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of the proposed alteration to an On Premise license for **Bowery Time, LLC, 356 Bowery** unless those conditions agreed to by applicant relating to fifth, sixth, seventh and eighth “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 36 Board members in favor.

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317 Lenox Avenue  
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on September 17, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution, which was voted on at the August Executive Committee meeting:

### **2. Aguila & Sol, LLC 354 Bowery (East 4<sup>th</sup> and Great Jones), NYC**

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

**Whereas**, this application is for an On Premise license in a mixed use building on Bowery between East 4<sup>th</sup> Street and Great Jones for a 2,000 s.f. Mexican restaurant with 65 table seats, 1 bar with 10 seats, and a maximum legal capacity of 74 persons; and,

**Whereas**, the applicant stated the hours of operation are 10:00 a.m. – 2:00 a.m. seven days a week; there will be no sidewalk café application and no backyard garden; music is background only; and,

**Whereas**, the applicant has reached out to several members of the community and this board; and,

**Whereas**, the currently licensed establishment Bowery Time LLC is proposing to relinquish the space at 354 Bowery and lease the adjacent unit to this applicant; and,

**Whereas**, the applicant has agreed to seal off the demising wall between 354 Bowery and 356 Bowery and file all required applications as its own commercial unit; 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; and,

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

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of the proposed alteration to an On Premise license for **Aguila & Sol, LLC 354 Bowery** unless those conditions agreed to by applicant relating to the sixth and seventh “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 36 Board members in favor.

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317 Lenox Avenue  
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on September 17, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution, which was voted on at the August Executive Committee meeting:

### **3. Midnight Café, 218 Lafayette St. NYC**

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

**Whereas**, this application is for renewal of an On Premise license for a 1980 s.f. restaurant in a mixed use building on Lafayette Street between Spring and Broome Streets with 68 table seats, 1 bar with 12 bar seats, and a maximum legal capacity of 68 persons; and,

**Whereas**, the applicant was previously approved by this committee on May 8<sup>th</sup> 2007 for a Beer and Wine license only with several stipulations on record including no private parties, no D.J. or live music and closing hours are 2:00 a.m. Monday – Saturday and 12:00 on Sundays; and,

**Whereas**, the applicant has blatantly deceived CB#2, Man. by obtaining a full On Premise liquor license on May 11<sup>th</sup> 2007 with the State Liquor Authority; and,

**Whereas**, the applicant has been operating for over 18 months with an On Premise with private parties, D.J. and live music and closing at 4:00 a.m. Monday – Saturday and 2:00 a.m. Sundays; and,

**Whereas**, the applicant has violated their duly licensed method of operation as stated by the SLA on several occasions; and,

**Whereas**, the applicant has a history of issues and 311 complaints within the community arising from noise and overcrowding; and,

**Whereas**, several members of the community submitted written testimony vehemently opposing this application; and,

**Whereas**, a member of Councilmember Alan Gerson's office appeared to submit a written statement urging the board to deny the application for reasons stated herein; and,

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly objects to the renewal of the On Premise license of **Midnight Café, 218 Lafayette St. NYC** and calls on the State Liquor Authority to verify that the establishment is not operating in violation of their duly licensed Method of Operation.

Vote: Unanimous, with 36 Board members in favor.

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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 17, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution, which was voted on at the August Executive Committee meeting:

#### **4. Patrick Doyle or Corp. to be formed, 40-42 W. 8<sup>th</sup> St. (at MacDougal), NYC**

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

**Whereas**, this application is for an On Premise license in a commercial building at the corner of MacDougal and West 8<sup>th</sup> Street for a 4,000 s.f. bar/nightclub with no table seats, 2 bars with no seats, and a maximum legal capacity of 210 persons; and,

**Whereas**, the applicant stated the hours of operation for the bar/nightclub are 4:00 p.m. – 4:00 a.m. seven days a week; there will be no sidewalk café application and no backyard garden; music is live, juke box and D.J.; and,

**Whereas**, the applicant has agreed to use the West 8<sup>th</sup> Street side entrance only; and,

**Whereas**, several members of the community appeared to express concerns of the proposed establishment; citing; noise and overcrowding from the previous operator; and,

**Whereas**, a member of Council Speaker Christine Quinn's office has requested a meeting with members of community to address their concerns; and,

**Whereas**, the applicant has yet but has agreed to meet with members of the community to resolve some of the issues stemming from the previous establishment; and,

**Whereas**, the committee has expressed concerns with this application without any dialogue or resolution with the nearby residents; and,

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial to the proposed On Premise license for **Patrick Doyle or Corp. to be formed, 40-42 W. 8<sup>th</sup> St.**

Vote: Unanimous, with 36 Board members in favor.

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



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

Dear Mr. Christian:

At its Full Board meeting on September 17, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution, which was voted on at the August Executive Committee meeting:

### **5. Deviled Foods LLC, 189 West 10<sup>th</sup> Street (Bleecker and West 4<sup>th</sup>) NYC**

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

**Whereas**, this application is for renewal of an On Premise license for a 1,200 s.f. Mexican restaurant in a mixed use building on West 10<sup>th</sup> Street between Bleecker and West 4th with 60 table seats, 1 bar with 5 bar seats, and a maximum legal capacity of 74 persons; and,

**Whereas**, the applicant stated no changes to their previously approved method of operation; the hours of operation are 12:00 p.m. – 12:00 a.m. Sunday – Tuesday and 12:00 p.m. – 3:00 a.m. Wednesday - Saturday; there is no sidewalk café application and no backyard garden; music is background only; and,

**Whereas**, the applicant has agreed to close all French doors/windows by 11:00 p.m. daily with the bar area doors/windows closing by 9:00 p.m. daily; and,

**Whereas**, a member of the community appeared opposing this application and requested that the bar doors/windows are closed at all times; and,

**Whereas**, the applicant has established dialogue with this resident to address her concerns; and,

**Whereas**, the committee strongly urges the applicant to close the bar area doors/windows at all times; especially, on this residential block; and,

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of a renewal to the On Premise license of **Deviled Foods LLC, 189 West 10<sup>th</sup> Street** unless the condition relating to the “closure of the bar area windows and doors at all times” are incorporated into their duly licensed “Method of Operation”.

Vote: Unanimous, with 36 Board members in favor.

Jo Hamilton, *Chair*  
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317 Lenox Avenue  
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Dear Mr. Christian:

At its Full Board meeting on September 17, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution, which was voted on at the August Executive Committee meeting:

### **6. Downtown Restaurant Group, 50 Gansevoort St, NYC**

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

**Whereas**, the applicant has been operating without a valid Cabaret license and no Public Assembly permit for a few months; and,

**Whereas**, the applicant has a history of issues and 311 complaints within the community arising from noise and overcrowding; and,

**Whereas**, several members of the community submitted written testimony opposing this application; and,

**Whereas**, a member of the community appeared to express concerns with the noise emanating from the establishment; and,

**Whereas**, the applicant has agreed to submit a security plan and soundproofing documents to this committee for further review; and,

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly objects to the renewal of the On Premise license of **Downtown Restaurant Group, 50 Gansevoort St, NYC** and calls on the State Liquor Authority, Department of Consumer Affairs and Department of Buildings to verify that the establishment is not operating in violation of their duly licensed Method of Operation.

Vote: Unanimous, with 36 Board members in favor.

Jo Hamilton, *Chair*  
Bo Riccobono, *First Vice Chair*  
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September 24, 2009

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

Dear Mr. Christian:

At its Full Board meeting on September 17, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution, which was voted on at the August Executive Committee meeting:

### **7. 60 Greenwich LLC, d/b/a Gusto, 60 Greenwich Ave., NYC 10011**

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

**Whereas**, the applicant failed to appear before the committee or request a layover of consideration of the application to the next hearing; and,

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of an On Premise liquor license to 60 Greenwich LLC, d/b/a Gusto, 60 Greenwich Ave. **and requests that the SLA send this applicant back to CB#2, Man. should this application proceed in order that this important step not be avoided and that the concerns of the Community be fully heard.**

Vote: Unanimous, with 36 Board members in favor.

Jo Hamilton, *Chair*  
Bo Riccobono, *First Vice Chair*  
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New York, New York 10027

Dear Commissioner:

At its Full Board meeting on September 17, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution, which was voted on at the August Executive Committee meeting:

### **8. South Brooklyn Pizza, Inc., 159 Prince St, NYC 10012**

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

**Whereas**, the applicant failed to appear before the committee or request a layover of consideration of the application to the next hearing; and,

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of an On Premise liquor license to **South Brooklyn Pizza, Inc., 159 Prince St** **and requests that the SLA send this applicant back to CB2#Man. should this application proceed in order that this important step not be avoided and that the concerns of the Community be fully heard.**

Vote: Unanimous, with 36 Board members in favor.

Jo Hamilton, *Chair*  
Bo Riccobono, *First Vice Chair*  
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Dear Mr. Christian:

At its Full Board meeting on September 17, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution, which was voted on at the August Executive Committee meeting:

### **9. T-Bone Restaurant, LLC, d/b/a Strip House, 13 East 12<sup>th</sup> St., NYC 10003**

**Whereas**, this application is for an alteration to an existing On Premise liquor license; and,

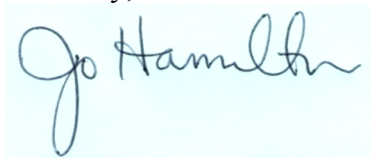
**Whereas**, the applicant failed to appear before the committee or request a layover of consideration of the application to the next hearing; and,

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of an alteration to an existing On Premise liquor license to **T-Bone Restaurant, LLC, d/b/a Strip House, 13 East 12<sup>th</sup> St. and requests that the SLA send this applicant back to CB#2, Man. should this application proceed in order that this important step not be avoided and that the concerns of the Community be fully heard.**

Vote: Unanimous, with 36 Board members in favor.

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

Sincerely,

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

Jo Hamilton, Chair  
Community Board #2, Manhattan

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

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

JH/fa

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