

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



Amanda Kahn Fried, *Treasurer*
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COMMUNITY BOARD No. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

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

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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 heard at the August SLA Licensing Committee:

1. The Brick Cellar, 100A Seventh Ave. South (Grove and Bleecker Street), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license in a mixed use building on 7th Avenue South between Grove and Bleecker Streets for a 3000 s.f. theatre/supper club with 150 table seats, 1 bar with 10 seats, and a maximum legal capacity of 150 persons; and,

Whereas, the applicant stated the hours of operation for the establishment are 10:00 a.m. – 3:00 a.m. Sunday – Tuesday and 10:00 a.m. – 4:00 a.m. Wednesday - Saturday; there will not be a sidewalk café application and no backyard garden; music will be background and live only; and,

Whereas, the applicant has agreed to operate as a performance theatre only and will prohibit dancing on the premises; and,

Whereas, the applicant has agreed to obtain a Letter of No Objection or valid Certificate of Occupancy prior to opening the establishment; and,

Whereas, the applicant has agreed to provide food and menu items available up until 1 hr prior to closing; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the proposed On Premise license for **The Brick Cellar, 100A Seventh Ave. South** unless those conditions agreed to by applicant relating to fourth, fifth and sixth “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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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 heard at the August SLA Licensing Committee:

2. Robert Werhane or entity to be formed, 308-310 Bleecker St. (at 7th Avenue South), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a transfer of an existing On Premise license in a mixed use building on Bleecker Street and 7th Avenue South for a 2,000 s.f. for a Seafood restaurant/bar with 74 table seats, 1 bar with 14 seats, and a maximum legal capacity of 74 persons; and,

Whereas, the applicant state the hours of operation are 10:00 a.m. – 2:00 a.m. Sunday – Wednesday and 10:00 a.m. – 4:00 a.m. Thursday - Saturday; there will be a sidewalk café application and will include a backyard garden with 10 tables and 18 table seats; music is background only; and,

Whereas, the applicant has agreed to enclose the backyard garden; and,

Whereas, the applicant has agreed to cease operations in the backyard garden at 12:00 a.m. Sunday – Thursday and 1:00 a.m. Friday and Saturday; and,

Whereas, the applicant has agreed to have no music of any kind in the backyard garden; and prohibit the use of the elevated garden space and will install planters to abate the noise; and,

Whereas, the applicant has agreed to abide by the regulations associated with all New York City departments and safety organizations including but not limited to the Department of Buildings and the Fire Department, and will obtain all required certificates, permits and related documents prior to the use of the On Premise license; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the proposed transfer of an On Premise license for **Robert Werhane or entity to be formed, 308-310 Bleecker St.** unless those condition agreed to by applicant relating to the fourth, fifth, sixth and seventh “whereas” clauses above 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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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 heard at the August SLA Licensing Committee:

3. Moz Restaurant, Inc., 581 Hudson St. (at Bank Street), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license in a mixed use building at the corner of Hudson and Bank Street for a 1150 s.f. (650 s.f. ground floor and 500 s.f. basement) for a Mediterranean restaurant with 36 table seats, 1 bar with 4 seats, and a maximum legal capacity of 45 persons; and,

Whereas, the applicant stated the hours of operation are 12:00 p.m. – 12:00 a.m. Monday – Thursday, 12:00 p.m. – 1:00 a.m. Friday, 10:00 a.m. – 1:00 a.m. Saturday and 10:00 a.m. – 12:00 a.m. Sunday; there will be a sidewalk café application but no backyard garden; music is background only; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of an On Premise license for **Moz Restaurant, Inc., 581 Hudson St.**

Vote: Unanimous, with 36 Board members in favor.

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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 heard at the August SLA Licensing Committee:

4. Fabio Granato or Entity to be formed, 7 9th Ave. (at West 12th Street), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license in a mixed use building on the corner of 9th and 12th street for a 1,600 s.f. for an Italian restaurant with 60 table seats, 1 bar with 12 seats, and a maximum legal capacity of 80 persons; and,

Whereas, the applicant state the hours of operation are 24 hours per day; there will be a sidewalk café application but no backyard garden; music is background only; and,

Whereas, this committee and members of the community are very concerned with the proposed 24 hour operation; and this committee request a denial of the application unless the applicant agrees to close the establishment at 4:00 a.m. seven days a week; and,

Whereas, the applicant has agreed to operate the restaurant only on the 1st and 2nd Floors as promised to this committee; and agreed to file an alteration application in the event additional floors/space are added; and,

Whereas, the applicant has agreed to prohibit the use of outside promoters and private parties; and,

Whereas, the applicant has agreed to obtain a Letter of No Objection or valid Certificate of Occupancy prior to opening the establishment; and,

Whereas, several letters and email were submitted to CB#2, Man. expressing their concerns with a 24 hour establishment in this area; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise license for **Fabio Granato or Entity to be formed, 7 9th Ave.** unless those condition agreed to by applicant relating to the fourth, fifth, sixth and seventh “whereas” clauses above 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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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 heard at the August SLA Licensing Committee:

5. Puar, LLC, 765 Washington St. (West 12th and Bethune Streets), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an alteration to an existing On Premise license for a restaurant d/b/a Entwine located in a mixed use building located on Washington Street between West 12th and Bethune Streets with 28 table sets (interior) and 8 table seats (backyard) and 1 bar with 6 bar seats and a maximum legal capacity of 51 persons; **to add an additional 8 bar seats to the existing bar; and,**

Whereas, the applicant stated there are no plans to change the previously approved operation; the applicant stated the restaurant hours are 11:00 a.m. – 12:00 a.m. seven days a week; music is background only; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of the proposed alteration to an On Premise license for **Puar, LLC, 765 Washington St.**

Vote: Unanimous, with 36 Board members in favor.

Jo Hamilton, *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 heard at the August SLA Licensing Committee:

6. Bonarue Bleu Industries, Inc. d/b/a Florencia 13, 183 Sullivan St. (Bleecker and Houston Streets), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an alteration to an existing On Premise license for a Mexican restaurant located in 1000 s.f. premise in a mixed use building located on Sullivan Street between Bleecker and Houston Streets with 24 table seats and 1 bar with 12 bar seats and a maximum legal capacity of 40 persons; **to add 4 tables with 8 seats in an unenclosed sidewalk cafe; and,**

Whereas, the applicant stated there are no plans to change the previously approved operation; the applicant stated the restaurant hours are 4:00 p.m. – 12:00 a.m. Monday – Thursday, 4:00 p.m. – 1:00 a.m. Friday, 12:00 p.m. – 1:00 a.m. Saturday and Sunday; music is background only; and,

Whereas, the applicant has been approved by the sidewalks committee of CB#2, Man. and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of the proposed alteration to an On Premise license for **Bonarue Bleu Industries, Inc. d/b/a Florencia 13, 183 Sullivan St.**

Vote: Unanimous, with 36 Board members in favor.

Jo Hamilton, *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 heard at the August SLA Licensing Committee:

7. Diablo Royale, 189 W. 10th St., NYC

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

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

Whereas, the operator has reached out to members to the community to resolve the noise issues; and,

Whereas, the operator strongly request that the applicant closes the bar area doors at all times; and,

Whereas, the operator has agreed to continue with his community outreach efforts; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly objects to the renewal of the On Premise license of **Diablo Royale 189 W. 10th St., NYC** unless the operator agrees to close the bar areas doors at all times.

Vote: Unanimous, with 36 Board members in favor.

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

Sincerely,

Handwritten signature of Jo Hamilton in blue ink on a light blue background.

Jo Hamilton, Chair
Community Board #2, Manhattan

Handwritten signature of Raymond Lee in black ink.

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