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Bo Riccobono, *First Vice Chair*
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Antony Wong, *Treasurer*
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COMMUNITY BOARD NO. 2, MANHATTAN

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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting::

1. Sip & Dine, LLC, TBD, 82 W. 3rd St. 10012 – Transfer of # 1206985

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the transfer of an existing on-premise liquor license (#1206985) in a mixed use building located on West 3rd Street between Sullivan and Thompson Street (Block # 539 / lot #19), for a 1,900 sq. ft premise with 14 tables with 40 seats, 1 bar with 12 seats, and the maximum proposed occupancy is 74 people, there is no sidewalk café and no backyard use; and,

Whereas, the hours of operation will be Sunday from 4 p.m. to 12 a.m., Monday to Wednesday from 4 p.m. to 2 a.m. and Thursday to Saturday from 4 p.m. to 4 a.m., the establishment will be a dining focused on a menu of small plates, 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, the stipulations, which are requested to be incorporated into the “method of operation” for the applicants Full On-Premise license transfer are:

1. **Hours of Operation:** On each Sunday, the Establishment shall close no later than **MIDNIGHT**. On each Monday through Wednesday, the Establishment shall close no later than **2:00 AM**. On each Thursday through Saturday, the Establishment shall close no later than **4:00 AM**.

2. **Certificates, Permits and Related Documents:** The Operator shall obtain all required certificates, permits and related documents.
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 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. The Operator will clean any debris left by its patrons (ie: cigarette butts, etc.) from the area in front of the Establishment and the area in front of the apartment buildings next door.
4. **Manager:** The Operator shall be on duty at all times for at least the first four years of operation and 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 when the Operator has a day off or is on vacation. All Managers and staff will operate under these stipulations as well. Any complaints made about the Establishment to BAMRA will be relayed to the Operator and the Operator will make his phone number available to complainant and will work with both the complainant and BAMRA to reasonably resolve any issues.
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.
6. **Television:** The Operator shall have no more than one 50" television that will not be visible from the street. The television shall remain in its current location in the back of the restaurant. The television shall operate without sound at all times except for ten (10) events per year. The Operator shall give at least 24 hours notice to BAMRA through Shannon Tyree or to the subsequent Chair of BAMRA's SLA Committee of each event for which it plans to use the television with sound. None of these events shall be promoted in any advertisement visible on or from the street. The Operator shall employ additional staff for these events and said staff will operate under the same stipulations as listed above in "Traffic." The front door will remain closed throughout the entirety of the sound-enabled, televised events.
7. **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 keep the soundproofing already in existence in the Establishment. Should any noise generated by sound reproduction equipment, by patrons and staff, and by commercial equipment such as HVAC equipment, air handlers, compressors and fans become an issue for neighboring residents, Operator will use best efforts to remedy the issue to make sure that noise does not emanate from the Establishment, or its equipment, in any direction and meets or exceeds New York City noise code.
8. **Front Door:** The Operator shall keep the door closed any time music is playing or the television is operating with sound. The Operator shall not operate any outdoor speakers or sound amplification and shall not deliberately direct any sound outside of the Establishment.
9. **Windows:** The Operator shall cause the windows to be closed and inoperable at all times.
10. **Basement:** The basement shall never be used to hold, seat or serve patrons.
11. **Sanitation:** 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.
12. **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 near the Establishment. The Operator shall use string LED lights on the stairs. If Operator obtains approval from the FDNY to install "candle troughs" in the stairs, Operator will come back to BAMRA with the evidence that it has been approved.
13. **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. The

Operator will have one flag hanging from the second floor of the establishment and a board used only in the stairwell of the Establishment.

14. **Notification Of Change Of Ownership:** The Operator shall notify Manhattan Community Board 2 in the event of a change of ownership as required by law.
15. **Events:** The Operator shall not host third party private events, meaning an activity by a non-affiliated group or individual where the Operator has no responsibility or staff involved. The Operator shall not participate in any “pub/bar crawls” or any other organized, multi-establishment drinking events. The Operator shall not allow any drinking games in the Establishment. Nothing herein shall prohibit the Operator from having private events run by Operator that adhere to the stipulations above. 16.
16. **License Renewal:** The Operator will appear before BAMRA and Manhattan Community Board 2 before renewing this liquor license, to determine if the stipulations.

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of the transfer of an on-premise liquor license for **Sip & Dine, LLC, TBD, 82 W. 3rd St. 10012, unless** those conditions and stipulations agreed to by the applicant relating to the 4th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On-Premise license.

Vote: Unanimous, with 42 Board members in favor.

David Gruber, *Chair*
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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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting:

2. An Entity to be formed by Massimo Lusardi & Luigi Lusardi, d/b/a TBD, 289 Bleecker St. – Transfer 1114236

Whereas, the applicant appeared before the committee to present a license transfer application for a full on-premise license for a casual restaurant that will focus on multi-regional Italian cooking; and,

Whereas, this application is for the transfer of an on-premise license (#1114236) for a restaurant in a mixed-use building for a 3,500 sq ft premise (1750 sq ft ground floor and 1,750 sq ft basement for storage and prep only – no customer use) on the corner of Bleecker Street and 7th Avenue South (block # 590 / lot # 53), there will be 16 tables and 52 seats and 1 bar with 12 seats for a total of 64 seats and a maximum occupancy of 74, there will be no sidewalk café and no use of a backyard garden; and,

Whereas, the applicant stated the hours are 8:00 a.m. – 1:00 a.m. Sunday to Saturday, music is quiet background only generated from ipod/c.d.'s; and,

Whereas, there will be no promoted events, no scheduled performances, no outside promoters, no events for which a cover fee is charged, no velvet ropes or movable barriers will be utilized; and,

Whereas, there were 2 residents or community speakers in support of this application and a petition with 157 signatures in support; and,

Whereas, the main concern from the community were the late closing hours which the applicant agreed to reduce to 1:00 a.m. from 2:00 a.m. which CB2 recognizes as a strong effort to work with

the community; and,

Whereas, the applicant executed a stipulations agreement 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 are 8:00 a.m. – 1:00 a.m. Sunday to Saturday.
2. All Doors and Windows will be closed at 10 p.m. or when music is audible. The applicant understands there are no exceptions permitted. The applicant is installing sound proofing as required.
3. There will be no dj's ever and no promoted events. Music will be quiet background music only.
4. The applicant will post a please respect the neighbors sign.

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of an on-premise liquor license for **An Entity to be formed by Massimo Lusardi & Luigi Lusardi, d/b/a TBD, 289 Bleecker St., unless** those conditions and stipulations agreed to by the applicant relating to the 7th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On-Premise license.

Vote: Unanimous, with 42 Board members in favor.

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Dear Mr. Christian:

At its Full Board meeting on September 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting:

3. Hunkey Munkey, LLC, 302 Bleecker St. 10014 – Transfer - #1121740

Whereas, the applicant appeared before the committee to present a license request for a “transfer” of a previously Indian restaurant to become an “American fare” restaurant, one of the principals in the previous entity will continue to be a principal in the new entity, but to be clear, this is a new corporation with other principals who will be involved; and,

Whereas, this application is for the transfer of an on-premise license (#1121740) for a restaurant in a mixed-use building for a 6,240 sq ft premise (3,120 each basement and 1st floor, patrons only on 1st floor) on the Bleecker Street between Grove and Barrow Street (block # 588 / lot # 26), there will be 17 tables and 34 seats and 1 bar with 10 seats, a back yard garden with 7 tables and 14 seats for a total of 65 seats and a maximum occupancy of 74, there will be no sidewalk café; and,

Whereas, the applicant is requesting a dramatic increase in the previous hours of operation; and,

Whereas, the applicant stated the hours of operations are to be:

Interior: 12:00 p.m. – 2:00 a.m. Sunday to Wednesday
12:00 p.m. – 4:00 a.m. Thursday to Saturday

Garden: 11:00 a.m. – 11:00 p.m. Sunday to Thursday
12:00 p.m. – 12:00 a.m. Friday to Saturday

Whereas, there will be no promoted events, no scheduled performances, no outside promoters, no events for which a cover fee is charged, no velvet ropes or movable barriers will be utilized, music is

quiet background only generated from ipod/c.d.'s; and,

Whereas, CB2 is concerned that the application for this transfer does not coincide with the size and images presented. This location is supposedly for 3,120 s.f. on the ground floor and yet there are only 17 tables and 34 seats inside. There are images of the backyard garden in this application that show more than the requested number of tables in this application and it is the concern of CB2 as to whether or not the backyard garden is legal and CB2 requests that the Liquor Authority ask the applicant to request a Department of Building permit which specifically includes use for the outdoor space/rear yard garden; and,

Whereas, CB2 Manhattan does not believe that this request to “transfer” this license is in the public interest because of the change in method of operation from the previous establishment with a dramatic increase in hours of operation and a change from an Indian restaurant to American Cuisine, because the applicant did no outreach to the neighboring residential buildings regarding the hours of operation of the rear yard garden in particular which will have a dramatic effect on the existing noise level, because the late night hours of operation will contribute further to late night quality of life issues that are well documented in this area and exacerbate traffic concerns as customer enter and leave the establishment via taxi’s and there is already no parking available on weekends in the area as a consequence of the overwhelming number of licensed premises and CB2 Manhattan believes this establishment will operate exclusively as a bar at later hours instead of a restaurant due to the lack of patrons in this area patronizing restaurants at late hours, that the previous entity from which this license is being transferred advertises on their website hours of operation Sunday to Thursday ending at 11 p.m. and Friday-Sat ending at midnight in stark contrast to the hours presented, and there are already more than 33 Full On-Premise Licenses within 500 ft; and,

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of the transfer of an on-premise liquor license for **Hunkey Munkey, LLC, 302 Bleecker St. 10014.**

Vote: Unanimous, with 42 Board members in favor.

David Gruber, *Chair*
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Dear Mr. Christian:

At its Full Board meeting on September 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting:

4. Tong Hospitality, Inc. d/b/a Spice, 39 E. 13th St. 10003 - Alteration

Whereas, the applicant appeared before the committee to apply for an alteration which includes adding 855 sq. ft. on the 6th floor to their license; and,

Whereas, this application is for the alteration of an existing on-premise liquor license (#1198847) in a commercial building located on East 13th Street between University Place and Broadway (block # 565/lot #11), for a 6,975 sq. ft premise (including proposed alteration) which will now be 51 tables with 107 seats, 1 food counter with 16 seats, 1 bar with 6 seats, and the maximum proposed occupancy is 129 people, there is no sidewalk café and no backyard use; and,

Whereas, this application is to add 21 tables and 50 seats with 1 service bar on the 6th floor; and,

Whereas, the hours of operation will be Sunday to Thursday from 11:30 a.m. to 10:30 p.m. and Friday and Saturday from 11:30 a.m. to 11:30 p.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, this additional space, **which has never been licensed before**, can only be accessed by elevator from within the current restaurant; and,

Whereas, this additional space has an outside balcony that will not be used by customers and the doors and windows will be closed at all times and plantings will be established to buffer sound

from the neighborhood; and,

Whereas, CB2 has concerns about the loss of retail/ business locations 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 neighborhood around University Place is a saturated area and the neighborhood associations has supplied documents showing that in the last 18 months, alone, there has been an increase of 31,800 s.f. of newly licensed locations and there are now a total of 36 licenses within 500 feet; and,

Whereas, there have been catered events in the past at this location and those events have caused tremendous quality of life issues for the residential tenants in the buildings which face this location, specifically due an increase in the existing noise level as a result of one wall being entirely operable glass doors onto a terrace which do not attenuate sound and there are concerns that it will be impossible to not use the outdoor space because it is so inviting and nice looking that the applicant will not be able help either using the space or request in the future to use the space, there are also already other uses on upper floors in the area which already create significant noise issues in the area and the disjointed connection between this space and the existing restaurant 6 floors away only accessible by elevator is not an appropriate extension for a licensed premise in a residential area; and,

Whereas, these neighborhood associations are reporting increased crowding around these locations and on all sidewalks due to the increase of so many licenses in a heavily residential area; and,

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of the alteration of an on-premise liquor license for **Tong Hospitality, Inc. d/b/a Spice, 39 E. 13th St. 10003**

Vote: Unanimous, with 42 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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting:

5. Galata, Inc. d/b/a I Tre Merli, 463 W. Broadway, 10012 – Alteration (SN 1025086)

Whereas, the applicant appeared before the committee to apply for an alteration to the interior space which consist of creating a newly constructed bar near the entrance of the restaurant and eliminating the old bar; and,

Whereas, this application is for the alteration of an existing on-premise liquor license in a commercial building located on West Broadway between Houston and Prince Street (block # 515/ lot #0007), for a 2,500 sq. ft premise which will now be 22 tables with 76 seats, 1 bar with 15 seats, and the maximum proposed occupancy is 100 people, there is no sidewalk café and no backyard use; and,

Whereas, the hours of operation will be Sunday from 12:00 p.m. to 12:00 a.m. and Monday to Wednesday from 12:00 p.m. to 1:00 a.m. and Thursday to Saturday from 12:00 p.m. to 2:00 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, this location has had many issues with the community regarding noise in the past and as a consequence moved the bar to the back of the establishment and decreased the size by three seats in 2010 which helped decrease the noise issue for the residents and improved the deteriorating quality of life issues previously caused by this location, specifically as they relate to noise; and,

Whereas, this application wants to move the bar back to the front and increase the seating back to 15 seats the way it was originally because the applicant states the current layout is not working; and,

Whereas, a number of members of community from surrounding residential buildings appeared before CB2 against this alteration stating that it will only bring back the unwanted noise out onto the street and to the residents next door whose bedrooms are all adjacent to the connecting wall where the applicant wants to place the bar, and the bar will now be located under skylights which have no soundproofing; and,

Whereas, the applicant refused to stipulate to closing the doors at 9 p.m. and says he now cares about complaints from his neighbors and will address them as needed, but he does not think closing the doors at 9 p.m. will ameliorate any potential noise situations; and,

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of the alteration of an on-premise liquor license for **Galata, Inc. d/b/a I Tre Merli**.

Vote: Unanimous, with 42 Board members in favor.

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
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NY State Liquor Authority
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New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on September 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting:

6. Wisdom Foods Carmine Street, LLC d/b/a Ellary's Green, 33 Carmine St. 10014 – New Beer and Wine

Whereas, the applicant appeared before the committee to apply for a New Beer and Wine license for a natural and organic café style restaurant serving breakfast, lunch and dinner, organic juice, smoothies, coffee, tea and beer and wine; and,

Whereas, this application is for a new Beer and Wine license in a mixed-use building located on Carmine Street between Bedford and Bleeker Street (block # 586/ lot #0032), for a 1,750 sq. ft premise which will have 13 tables with 32 seats, no bar, and the maximum proposed occupancy is 74 people, there is no sidewalk café and no backyard use; and,

Whereas, the hours of operation will be Sunday to Saturday from 7:00 a.m. to 11:00 p.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.s, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

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

1. 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.s, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers.
2. All windows and doors are to be closed by 10:00 p.m.
3. There will be no customers in the basement of this establishment.

4. The hours of operation will be Sunday to Saturday from 7:00 a.m. to 11:00 p.m.

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

Whereas, 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, there were no community members either in support or against this application; and,

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of a Beer and Wine license for **Wisdom Foods Carmine Street, LLC d/b/a Ellary's Green, 33 Carmine St. 10014**, **unless** those conditions and stipulations agreed to by the applicant relating to the 4th "whereas" clause above are incorporated into the "Method of Operation" on the SLA Beer and Wine license.

Vote: Unanimous, with 42 Board members in favor.

David Gruber, *Chair*
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Dear Mr. Christian:

At its Full Board meeting on September 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting:

7. Bare Burger Dio, 535 LaGuardia Pl. – Renewal of Beer and Wine

Whereas, the applicant appeared before the committee: and,

Whereas, this application is for the renewal of their Beer and Wine license (#1244575 expires 8/31/2012) in a commercial building located on LaGuardia Pl. between West 3rd and Bleecker Street (block # 533/ lot #0010), for a 12,500 sq. ft premise which will have 22 tables with 58 seats, no bar, and the maximum proposed occupancy is 74 people, there is a sidewalk café but no backyard use; and,

Whereas, 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., 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, this applicant was called before CB2 per the communities request; and,

Whereas, the community has concerns that a gate where deliveries are made has not been locked and that homeless people are staying back in this area; and,

Whereas, the applicant agreed to work out a plan for their employees and the other business that use this area to make sure the gates are locked after each delivery; and,

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of the renewal of a Beer and Wine license for **Bare Burger Dio, 535 LaGaurdia Pl.,** unless those conditions and stipulations agreed to by the applicant relating to the 6th “whereas” clause above are incorporated into the “Method of Operation” on the SLA Beer and Wine license.

Vote: Unanimous, with 42 Board members in favor.

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Dear Mr. Christian:

At its Full Board meeting on September 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting:

8. Hornblower New York, LLC d/b/a Hornblower Hybrid Vessel, Pier 40, 350 West St., NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new Vessel Liquor license for a 168 foot long vessel for chartered Hudson River cruises stationed at Pier 40 with 97 tables, 390 table seats three decks (Main, 2nd, 3rd) and 3 bars with no bar seats with a maximum legal capacity of 650 persons, the vessel is currently holds all USCG permits; and,

Whereas, the applicant stated the hours of operation are Thursday through Sunday from 9:00 a.m. to 1:00 a.m.; there will open air decks; music will be Live DJ, Juke Box at entertainment levels and 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, it 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, there are some concerns that the high volume of patrons proposed to arrive by vehicles in a very small window of time (less than one hour) between the hours of 5 pm and 6pm for two of the applicants dinner ships, which is a peak hour for usage of the park, would impact pedestrians, bicyclists and runners in the heavily trafficked Hudson River Park which vehicles would have to cross over 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,; and,

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **DENIAL** of an On Premise license for **Hornblower New York, LLC d/b/a Hornblower Hybrid, Pier 40, 350 West St.** **UNLESS ALL** conditions agreed to by applicant relating to the fifth “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting:

9. G Chew LLC, d/b/a Ciccio, 190 6th Avenue 10013

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new restaurant full on-premise liquor license for a neighborhood Italian café/restaurant that “will feature the specialties of Florentine cuisine through its quality prepared ingredients” located on ground floor of a 6 story mixed residential commercial building between Prince St. and Spring St. for a 884 square foot premise with 12 tables and 24 seats, 1 bar with 6 seats and 4 window counter seats for a total of 34 seats, there is a letter of no objection from the Department of Buildings, there will be no sidewalk café; and,

Whereas, the applicant stated that the hours of operation would be Sunday from 11 a.m. to 12 a.m., Monday-Thursday from 9 a.m. to 12 a.m., Friday from 9 a.m. to 2 a.m. and Saturday from 11 a.m. to 2 a.m., music will be quiet background only from ipod/cd’s, there will be no additional soundproofing installed, there will be no tv’s, there will be no dj’s, no live music, no promoted events, no scheduled performances, the sound system will be an ipod and small wall-mounted mini speakers; and,

Whereas, this location has not been previously licensed for any type of liquor license and was previously a furnishings and antique store, and there are 14 on-premise liquor licenses with-in 500 ft.; and,

Whereas, no one appeared in opposition or support, but the applicant did post in the area and presented a petition with local signatures; and,

Whereas, there was some concern that patrons from the establishment would loiter in the public park located immediately in front of the establishment and bring drinks to the benches, but the applicant stated that they would prevent this from happening at any time; and,

Whereas, the applicant agreed to the following stipulations which they will execute as a stipulations agreement that they agreed will be attached and incorporated in to their method of operation on their SLA license stating that:

1. The hours of operation would be Sunday from 11 a.m. to 12 a.m., Monday-Thursday from 9 a.m. to 12 a.m., Friday from 9 a.m. to 2 a.m. and Saturday from 11 a.m. to 2 a.m.
2. There will be an electric kitchen with venting to the rooftop and it will comply with all applicable codes.
3. There will never be a dj and music will be quiet background only.
4. All doors and windows will be closed no later than 10 p.m. The applicant understands there are no exceptions.
5. The establishment will be a restaurant only.

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of an on-premise liquor license for **G Chew LLC, d/b/a Ciccio, 190 6th Avenue 10013** **unless** the statements the applicant has presented are accurate and that those conditions and stipulations agreed to by the applicant relating to the 7th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting:

10. Corp. to be formed by Michael Shah (61 Gans Restaurant LLC) dba TBD, 53-59 Gansevoort St. 10014

Whereas, the applicant appeared before the committee and,

Whereas, this application is for the “transfer” of an on premise license for a location which currently operates as Villa Pacri LLC dba Villa Pacri, Serial Number 1242771; and,

Whereas, this application encompasses the same space as the existing licensee Villa Pacri LLC and is a “full service restaurant paying homage to the meat packing district and old New York, with a Mexican inspired menu focused on local ingredients”, the premise exists on three floors collectively encompassing 10,000 square feet in a commercial building located on Gansevoort Street between 9th Avenue and Washington Street with 69 tables, 238 table seats, 2 stand up bars with 22 seats and 1 service bar across the three floors as listed on the supplied diagrams for a total of 252 interior seats; and,

Whereas, the current applicant has stated that they will stipulate to all stipulations that the previous licensee agreed to for its license in February 2010 and license renewal in June 2012

Whereas, the applicant has stated there will be a sidewalk café application in the upcoming future but no backyard garden; and, music will be background on the first two floors and DJ only in the basement; and

Whereas, the applicant has expressed their intent to operate under 3 DBAs (“Doing Business As”)

with 3 separate ENTRANCES; and

Whereas, the applicant agreed to the following stipulations which they will execute as a stipulations agreement that they agreed will be attached and incorporated in to their method of operation on their SLA license stating that:

1. Ground Floor Café hours are Sunday –Saturday from 8:30 a.m. – 2:30 a.m.,
2. 2nd Floor Restaurant hours are Monday – Friday from 5:30 p.m. – 1:30 a.m. and Saturday and Sunday from 9:30 a.m. – 1:30 a.m.,
3. Basement Lounge hours are Seven Days a Week from 8:00 p.m. – 4:00 a.m.
4. The applicant has agreed to waive its rights to seek a DCA Cabaret license.
5. The applicant has agreed to provide hired, professional security at all times during evening hours.
6. The applicant has agreed to prohibit the use of promoters.
7. The applicant has agreed to not have velvet ropes in front of its entrances.
8. The applicant has agreed to close the ground floor windows and doors by 10:00 p.m. daily (the applicant understands that there are no exceptions to this as this has been a major issue for the community with the prior operator and is a direct contributor to quality of life issues for local residents in the vicinity of the applicant).
9. 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 (the expectation is that a valid Certificate of Occupancy whether temporary or final will be in effect at all times the establishment is operating and that a valid and current Place of Assembly will be in effect at all times of operation, both will be obtained prior to operating and presented to both CB2 and the Liquor Authority).
10. The applicant has agreed that the kitchen will be open until one hour prior to closing.
11. The applicant has agreed that there will be no live music, no promoted events, no events for which a cover is charged, and no scheduled performances.
12. The applicant has agreed that Security and doormen will be employed and utilized during all evening hours of operation.
13. The applicant has agreed that a sound limiter will be used on all music levels.
14. The applicant has agreed that employees will be trained on how to properly respond to noise complaints, including notify an appropriate party who will in turn notify a principle in the establishment.
15. The applicant has agreed that they will employ a general manager whose contact information is available to the community.
16. The applicant has agreed that no velvet ropes will be used.

Whereas, the applicant has reached out to members of the community prior to presenting this application and no objections were voiced provided that the applicant agreed to all previous stipulations from February 2010 and June 2012 and that this application did not now and would not in the future include any rooftop use and that all doors and windows specifically were closed at 10 pm; and,

Whereas, the CB2 Manhattan must point out that this neighborhood is heavily saturated with liquor license establishments and extenuating quality of life issues and severe traffic congestions, and therefore strongly urges the Liquor Authority to address any violations of the stipulations swiftly in consideration of CB2 Manhattan’s support for this “transfer” application; and,

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of an on-premise liquor license for **Corp. to be formed by Michael Shah (61 Gans Restaurant LLC) dba TBD, 53-59 Gansevoort St. 10014, unless** the all statements the applicant has presented are accurate and that those

conditions and stipulations agreed to by the applicant relating to the 4th and 7th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting:

11. Westville Hudson LLC, d/b/a Westville Hudson, 333 Hudson St. 10013

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new restaurant full on premise license in a previously licensed location for a “family style restaurant” that will be a quiet and well run operation “which caters to the immediate residential and commercial buildings in our area of operation” located in 10 story commercial building between Vandam and Charlton Streets for a 3,840 square foot premise (Basement 1,200 sf, 1st floor 2,640 sf patrons in 1st floor only) with 30 tables, 80 table seats, 1 bar with 16 seats for a total of 96 seats and a maximum legal occupancy of 162 persons per the existing Place of Assembly permit, there will be no sidewalk cafe; and,

Whereas, the applicant states the hours of operation will be Sunday-Wednesday from 9 a.m. to 12 a.m. and Thursday-Saturday from 9 a.m. to 1 a.m., there will be no security personnel, there will be no tv’s there will be quiet background music generated from ipod/cd’s, there will never be a dj or live music, no promoted events, no scheduled performances, no outside promoters, and no private parties; and,

Whereas, the applicant runs three other successful restaurants, one of which is located in CB2 at 210 West 10th Street which has not received any complaints that CB2 is aware of; and,

Whereas, the applicant agreed to the following stipulations which they will execute as a stipulations agreement that they agreed will be attached and incorporated in to their method of operation on their SLA license stating that:

1. There will be no dj's, no promoted events, no events for which a cover fee is charged, no scheduled performances.
2. All Doors and Windows will be closed at 10 p.m. The applicant understands there are no exceptions to this.
3. Basement is for storage only – no customer usage.
4. The hours of operation will be Sunday-Wednesday from 9 a.m. to 12 a.m. and Thursday-Saturday from 9 a.m. to 1 a.m.

Whereas, no one appeared in opposition and no letters were received in opposition, but there are more than 3 licensed on premise liquor licenses within 500 ft.; and,

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of an on-premise liquor license for **Westville Hudson LLC, d/b/a Westville Hudson, 333 Hudson St. 10013** unless the statements the applicant has presented are accurate 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 On Premise license.

Vote: Unanimous, with 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting:

12. L Plus L Productions, LLC d/b/a Ofrenda, 113 7th Ave. South 10014 (SN 1234388)

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a corporate change for an existing On Premise license serial number 1234388 to make Jorge Luis Guzman-Gonzalez the sole principal and 100% owner (he was previously a 15% owner and manager) and to alter the menu slightly to promote more traditional Mexican cuisine and there will also be some slight cosmetic improvements; and,

Whereas, the applicant originally appeared before CB2 Manhattan in September 2009; and,

Whereas, this is a “Mexican restaurant that has enjoyed enthusiastic patronage in its neighborhood since it opened for business two and a half years ago. It will continue to serve Mexican cuisine, at popular prices, with a more traditional Mexican menu”; the restaurant is located on 7th Avenue South between West 4th and Christopher Street in a 1,200 s.f. premise, plus 200 s.f. attic with 60 table seats, 1 bar with 10 seats, and a maximum legal capacity of 74 persons; there is what the applicant states is a currently licensed sidewalk café with 6 tables and 24 seats and,

Whereas, the applicant stated the hours of operation for the establishment are Sunday from 11:00 a.m. – 1:00 a.m., Monday-Thursday from 4 p.m. to 1 a.m. and Friday from 4 pm to 2 a.m. and Saturday from 11 a.m. to 2 a.m., there is no backyard garden; music is background only; and,

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

Whereas, the applicant will stipulate and request to have incorporated into the method of operation on his SLA license all information contained in this resolution in addition to all information provided in the CB2 SLA Licensing Questionnaire which he submitted at the committee meeting; and

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends denial of corporate change and alterations to the existing on-premise liquor license for **L Plus L Productions, LLC d/b/a Ofrenda, 113 7th Ave. South 10014 (SN 1234388)** unless the statements the applicant has presented are accurate and that those conditions and stipulations agreed to by the applicant relating to the 7th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting:

13. Ginza 4 LLC, 817 Washington St., New York, NY 10014

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new restaurant on-premise liquor license on the ground floor of a 1 story mixed use commercial building located on the Northeast corner of Gansevoort and Washington St., for a 2,500 sq. ft premise (1,800 sq. ft on ground floor and 700 sq ft cellar) with 23 tables with 85 seats, 1 bar with 8 seats, and 46 sidewalk café seats which are not a part of this application because the applicant has not appeared before CB2 Manhattan's Sidewalks, Public Facilities and Public Access Committee nor yet filed an application with the NYC Department of Consumer Affairs, the maximum proposed occupancy is 137 people, there is an existing Certificate of Occupancy, there is no backyard use; and,

Whereas, the hours of operation will be Sunday to Wednesday from 12 p.m. to 12 a.m., Thursday from 12 p.m. to 1 a.m. and Friday to Saturday from 12 p.m. to 2 a.m., the establishment will be a French restaurant that will operate as a pure restaurant concept, 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, this application is a result of a request from Chairman Rosen and Commissioner Green of the Liquor Authority to the applicant to return to CB2 Manhattan to present a new license application as potential resolution to cancellation proceedings currently ongoing regarding the existing licensed

establishment Gans Mex LLC, serial number 1193736, which expired on July 31, 2011 and is currently operating under the provisions of the New York State Administrative Procedures Act; and,

Whereas, CB2 Manhattan had recommended to the Liquor Authority in July 2011 to deny the renewal of the existing on premise license for Gans Mex LLC for a litany of ongoing violations, the severe impact the establishment has had on quality of life issues for the surrounding residential community and deceptive actions and unwillingness on the part of the licensee to correct these ongoing issues;

Whereas, the current applicant's principles have been involved with the previous licensed establishment that is currently subject to revocation proceedings and were involved when many of the violations occurred but the extent of involvement is currently unclear to CB2 Manhattan and there are conflicting accounts as to the extent and timeline of this involvement, but nevertheless it appears clear that there was extensive involvement; and,

Whereas, the community members who have been involved in this issue and members of CB2 Manhattan have met with the applicants in good faith but were unable come to any agreements and were unwilling to support this application for a number of reasons including the current applicants involvement with the previous establishment and continuing violations which have occurred under the operation of the existing establishment under the management of the current applicants subsequent to January 2012 and until very recently; and,

Whereas, CB2 Manhattan does not believe that the issuance of this license would be in the public interest absent a carefully negotiated and agreed upon set of stipulations and provisions for the operation of this establishment with the community and CB2 which does not seem possible based on the applicant's long involvement in the existing licensed premise and the issues surrounding the operation of the current establishment; and,

Whereas, there are approximately 20 existing licensed premises within 500 feet, many of which are large restaurants and clubs with multiple floors and bars and represent a large diverse mix of styles of operation and food service; and,

Whereas, there is an existing condition of significant traffic and parking issues in the area which is well documented and that this establishment would contribute to in a significant fashion given it's size and clientele; and,

Whereas, the currently licensed establishment at this location has significantly contributed to the existing noise level in the surrounding area as documented by the community and through violations issued to the detriment of the surrounding community and it would be reasonable to expect that a newly licensed premise would also contribute to the existing noise level regardless of their method of operation specifically in light of the proposed outdoor area and the large number of patrons that this venue can accommodate and that the venue would have music; and,

Whereas, there is an ongoing well documented history of ABC Violations, New York City Ordinance violations, and violations observed by the community of the previously agreed method of operation which have occurred on an ongoing basis even while under investigation by the SLA until just very recently at this premise; and,

Whereas, CB2 Manhattan encourages the SLA to also review correspondence from members of the community in it's deliberations on whether the public interest would be served in the issuance of this license for additional reasons for why the issuance of this license would not serve any public benefit and detailed facts supporting those arguments; and,

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of an on-premise liquor license for **Ginza 4 LLC, 817 Washington St., New York, NY.**

Vote: Unanimous, with 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting:

14. Upright Holdings 547 LLC, formerly known as Naum Medevoy, TBD, 547 Hudson St. New York, NY 10014 (SLA Serial Number 1261312)

Whereas, the applicant re-appeared before the committee for reconsideration after appearing before the New York State Liquor Authority for a tavern wine license; and,

Whereas, the applicant, the applicant's attorneys, members of the community and the Co-Chair of CB2's SLA Licensing Committee meet several times and had extensive discussions regarding the particulars of the establishment, the method of operation and the impact the issuance of this license would have; and,

Whereas, following CB2's SLA Licensing Committee meeting on August 14th, 2012 where the committee had a tie vote on recommending a "deny" "unless" resolution the applicant and members of the community met one last time and subsequently came to a mutually satisfactory agreement; and,

Whereas, the particulars of this agreement are embodied in a set of stipulations which all parties have agreed to request be incorporated into the "method of operation" with the SLA for the applicant's tavern wine license and which will serve to modify the original presentation of this application to CB2 Manhattan as outlined in the original resolution dated December 15th, 2011 and sent to the Liquor Authority on December 22, 2011 and the applicants original license application submitted directly to the Liquor Authority; and,

Whereas, the stipulations which are requested to be incorporated into the "method of operation" for the applicants tavern wine license are:

1. Closing time: 11pm Sunday through Thursday; Friday and Saturday and national holidays 1 am.
2. No commercial use of backyard including no customer or staff access, except as necessary for repair of air conditioning equipment and exterior building maintenance.
3. Windows and front door to remain closed at all times.
4. The Operator shall not have DJ's, use outside promoters, have karaoke or allow promoted third-party events at the Establishment. This does not preclude the operator from using PR firms to promote their own business.
5. The operator shall play only background level music inside the establishment and shall not direct any music outside of the establishment. Only occasional live acoustical music with no amplification, either for instruments or voice occurring between the hours of 10 a.m. and 5 p.m. during brunch service. There will be no scheduled performances or performances for which a cover fee is charged.
6. Operators will not apply for a liquor license for two years from the first day of operation pursuant to wine and beer license. This statement in stipulation shall not be construed to imply community support of liquor license at any time.
7. Hours of operation consistent with wine and beer license will at all times be posted in front window.
8. Substantial menu items similar to those offered in afternoon and evening will be offered until closing each night.
9. While operators have no current intention to file for a sidewalk cafe permit, if they do at some time in the future, sidewalk service will end by 9 pm each week night and 10 pm Fridays, Saturdays and national holidays, and no more than 14 seats will be available on sidewalk.
10. Pin ball machines will only be installed in lower level. No pinball machines and other gaming equipment will be available for play on the street level of the establishment.
11. No TV's available for customer viewing will be installed in establishment.
12. Proper noise suppression on all air conditioning and kitchen ventilation equipment, with inside fan unit for latter, so as to eliminate noise audible outside of establishment. Proper venting of kitchen above roofline if external venting is installed.

Whereas, the applicant has stated that their agreement to the above stipulations is only provided and on the condition that CB2 recommends approval of the application, subject to these stipulations and that they will not be binding on the applicant without that approval and that once CB2 approves, they will submit these to the SLA as part of the amended method of operation; and,

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of a new tavern wine license for **Upright Holdings 547 LLC , formerly known as Naum Medevoy, TBD, 547 Hudson St. New York, NY 10014** **unless** the statements the applicant has presented regarding this application are accurate and that those conditions and stipulations agreed to by the applicant modifying their application as outlined in the 5th “whereas” clause above are incorporated into the “Method of Operation” on the SLA tavern wine license.

Vote: Unanimous, with 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting:

15. The Brick Cellar LLC dba The Brick Cellar, 100A 7th Ave. South (SLA License 1233401)

Whereas, the principle Lawrence Page appeared before the committee regarding the renewal of this on-premise license; and,

Whereas, the current license was effective September 1, 2010 and expires August 31, 2012; and,

Whereas, there is no evidence **at all** that this establishment is either open and operating as a supper club as originally presented or that it ever opened and operated; and,

Whereas, the applicant appeared with a gentleman who is a part of Cirque-Tacular a performance group indicating they were in very preliminary stages of discussing performances at the location but the gentleman had never even visited the space yet; and,

Whereas, by the applicants own admission the premises has been closed for at least 8 months while he seeks performances to hold at the location; and,

Whereas, a member of CB2's SLA Licensing Committee who saw the space at the invitation of the Principle and indicated that it is not built out according to the floor plans submitted to both CB2 and to the SLA; and,

Whereas, it is clear that this license should not be active as the premise is not open and there is no evidence whatsoever that it even exists or has been open even though it is a supper club which should have a regular dining operation with performances as a complement and because of the type of

operation there should at least be a presence in publications or online indicating evidence of ongoing past performances since September 2010 when the license was issued; and,

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends denial of the renewal of the on-premise liquor license for **The Brick Cellar LLC dba The Brick Cellar, 100A 7th Ave. South (SLA License 1233401)**; and,

THEREFORE BE IT FURTHER RESOLVED that CB2 Manhattan respectfully requests that the Liquor Authority review this matter and consider canceling the license if there is no evidence that this establishment has ever operated as was described to both CB2 and to the Liquor Authority on the original license application and if the establishment is acting a rental space and not a bonafide supper club with ongoing dinner service and regular performances.

Vote: Unanimous, with 42 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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September 24, 2012

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

Dear Mr. Christian:

At its Full Board meeting on September 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting:

16. 343 Broome Street Restaurant Inc dba Randolph Beer, 343 Broom St. 10013 (SLA Serial Number 1264767)

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

Whereas, this applicant currently has a beer and wine license at this location SLA Serial Number 1258061 for which he is seek an upgrade; and,

Whereas, CB2 Manhattan did not receive the applicant's "30 Day Notice" and as a consequence did not hold a public hearing on this matter until the evening of the 500 ft hearing which occurred on August 14, 2012 which was the first opportunity to hold a hearing; and,

Whereas, a representative of CB2 Manhattan was at the 500 ft. hearing to protest occurrence of the hearing in the absence of CB2 having never received a "30 day notice" form from the applicant; and,

Whereas, insufficient notice was given to the community and public at large that CB2 Manhattan would be hearing this matter on August 14, 2012; and,

Whereas, the applicant presented details of his SLA Application to CB2 which is for an upgrade to an already operating "craft beer focused restaurant specializing in modern American food with subtle Southeast Asian and Australian influences and American craft beer. We are a family friendly neighborhood establishment accessible to all members of the community and offer reasonably priced food and drink for lunch, dinner and brunch services", and,

Whereas, CB2 Manhattan does not feel that the Public Interest would be served in the issuance of an On-Premise for this location because the existing beer wine license was only recently issued less than 6 months ago, there are a significant number of licensed premises in the area including 2 other On-Premise Licenses that already exist in the same building, including one of which is operated by principles of this establishment that is a separate business, because traffic and parking would be impacted, and because there would be an impact on the existing noise level; and,

Whereas, because of the insufficient notice to the community, members of the community were not able to meet with the applicant prior to CB2's hearing on the matter and discuss aspects of the method of operation or negotiate any agreed upon stipulations; and,

Whereas, this is another location within CB2 that has never been license for an on-premise liquor license by the SLA in an area that is already oversaturated with licenses and this building already has three liquor licenses for the existing beer bar, a full on-premise liquor bar and a full on-premise pool hall with lounge; and,

Whereas, CB2 just recently, in the last few months, approved 2 other locations within a block for a license and another license was approved over the objections of CB2 2 month's ago; and,

Whereas, 3 community members spoke against this application stating over saturation and that this does not offer any unique public interest, public benefit or service despite the last minute notification; and,

Whereas, CB2 Manhattan respectfully request the SLA to properly determine whether this location is located within 200 ft of the Main Entrance of the Holy Trinity Ukrainian Orthodox Church at 359 Broome St. which appears to be a free standing traditional Church Building with regular Church Services that are advertised in a traditional manner on the Church façade; and,

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** to the new on-premise licenses for **343 Broome Street Restaurant Inc., dba Randolph Beer, 343 Broome St. 10013 (SLA Serial Number 1264767)**

Vote: Unanimous, with 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting:

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

17. Laduree SoHo LLC, d/b/a Laduree, 396-398 W. Broadway 10012

Whereas, the applicant did appear before the committee and accepted a withdrawal from the hearing; and,

Whereas, there seemed to be confusion regarding who held the lease for this location as an existing lease was presented by the current lessee; and,

Whereas, the current leaseholder is still operating in this location; and,

Whereas, CB2 requested that the applicant and current leaseholder work out this issue before CB2 hears this again; and,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any new liquor license for **Laduree SoHo LLC, d/b/a Laduree, 396-398 W. Broadway 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting:

18. Cuvee Kitchen, LLC TBD, 24 Fifth Ave. 10011

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on August 14th, 2012, the applicant's attorney requested to withdraw the application from consideration; and,

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

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any proposed liquor license for **Cuvee Kitchen, LLC TBD, 24 Fifth 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 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting:

19. Moo Kamibika, Inc. d/b/a Masala Times, 194 Bleecker St. 10012

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on August 14th, 2012, the applicant's 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 Community Board 2, Manhattan strongly recommends that the SLA **deny** any proposed liquor license for **Moo Kamibika, Inc. d/b/a Masala Times, 194 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 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting:

20. 202 Centre Corp. d/b/a Red Egg, 2020 Centre St. 10013

Whereas, the applicant did appear before the committee and requested to be withdrawn from consideration; and,

Whereas, this application is for the Corporate Change to their On-Premise license; and,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** the corporate change of the proposed liquor license for **202 Centre Corp. d/b/a Red Egg, 2020 Centre 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 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting:

21. Luxor Lounge, Inc. d/b/a Luxor Lounge, 118 MacDougal St. 10012

Whereas, the applicant did appear before the committee and requested a layover and will resubmit the application at a future CB2 SLA Licensing Committee meeting; and,

Whereas, this application is for the corporate change of the On Premise license; and,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** the corporate change of the proposed liquor license for **Luxor Lounge, Inc. d/b/a Luxor Lounge, 118 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 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting:

22. Lafayette Street Partners II d/b/a TBD, 380 Lafayette St.

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on August 14th, 2012, the applicant's attorney requested a layover and will resubmit the application at a future CB2 SLA Licensing Committee meeting; and,

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

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any proposed liquor license for **Lafayette Street Partners II d/b/a TBD, 380 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.

Note: Unanimous, with 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting:

23. 47 West 8th Street Operating Group, Inc. TBD, 47 W. 8th St. 10011

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on August 14th, 2012, the applicant's attorney requested to layover and will resubmit the application at a future CB2 SLA Licensing Committee meeting; and,

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

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any proposed liquor license alteration for **47 West 8th Street Operating Group, Inc. TBD, 47 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.

Note: Unanimous, with 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting:

24. Swiss Institute, 18 Wooster St.

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on August 14th, 2012, the applicant's attorney requested to layover and will resubmit the application at a future CB2 SLA Licensing Committee meeting; and,

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

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any proposed liquor license for **Swiss Institute, 18 Wooster 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 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting:

25. 151 Bleecker LLC d/b/a Red Lion, 151-153 Bleecker St. 10012

Whereas, prior to this months CB2 SLA Licensing Committee meeting on August 14th, 2012, the applicant requested to withdraw the application from consideration; and,

Whereas, this application is for the alteration to their On-Premise license; and,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any proposed liquor license corporate change for **151 Bleecker LLC d/b/a Red Lion, 151-153 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 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting:

26. Phoenix Elizabeth Street, LLC d/b/a Jo's, 264 Elizabeth St. 10012

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on August 14th, 2012, the applicant's attorney requested to withdraw the application from consideration; and,

Whereas, this application is for the alteration to their On-Premise license; and,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any proposed liquor license corporate change for **Phoenix Elizabeth Street, LLC d/b/a Jos, 264 Elizabeth 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 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting:

27. Rustic Table LLC, d/b/a The Quarter, 522 Hudson St. 10014

Whereas, the applicant did appear before the committee and requested a layover and will resubmit the application at a future CB2 SLA Licensing Committee meeting and will perform additional community outreach and return with completed CB2 Liquor License Questionnaire Packets; and,

Whereas, this application is for the “transfer” of a beer and wine license; and,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** the “transfer” of the restaurant wine license for **Rustic Table LLC, d/b/a The Quarter, 522 Hudson 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 42 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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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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting:

28. PGT Rest. Corp. d/b/a Slainte, 304 Bowery 10012

Whereas, Whereas, prior to this months CB2 SLA Licensing Committee meeting on August 14th, 2012, the applicant's attorney requested to withdraw the application from consideration; and,

Whereas, this application is for the Corporate Change to their On-Premise license; and,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** the corporate change of the proposed liquor license for **PGT Rest. Corp. d/b/a Slainte, 304 Bowery 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting:

29. MacDougal G. Corp. 116 MacDougal St. 10012

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on August 14th, 2012, the applicant requested to layover and will resubmit the application at a future CB2 SLA Licensing Committee meeting; and,

Whereas, this application is for the Corporate Change to their On-Premise license; and,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any proposed liquor license or corporate change for **MacDougal G. Corp. 116 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 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting:

30. Eater Eats Crow, LLC d/b/a Set Et Gras, 131 7th Ave. South

Whereas, prior to this months CB2 SLA Licensing Committee meeting on August 14th, 2012, the applicant agreed to layover and will resubmit the application at a future CB2 SLA Licensing Committee meeting; and,

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

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any proposed liquor license for **Eater Eats Crow, LLC d/b/a Set Et Gras, 131 7th Ave. South** 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 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

31. 47 West 8th Street, Operating Group, Inc. TBD, 47 W. 8th Street 10011 – New License

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new on-premise liquor license in a mixed use building located on West 8th Street between 6th Avenue and MacDougal Street (Block #572 / lot #66), for a 2,095 sq. ft. premise with 20 tables with 58 seats, 1 bar with 10 seats and 1 service bar, and the maximum proposed occupancy is 74 people, there is no sidewalk café and no backyard use; and,

Whereas, the hours of operation will be Sunday to Thursday from 5:00 p.m. to 12:30 a.m. and Friday and Saturday from 5:00 p.m. to 2:00 a.m., the establishment will be dining focused on a new American menu with raw bar, 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, the stipulations, which are requested to be incorporated into the “method of operation” for the applicants Full On-Premise license are:

1. Method of Operation

- (a) The establishment is a legitimate restaurant with a substantial kitchen and menu. It is not a nightclub, dance club, sports bar, or similar establishment.
- (b) Although it will have a bar, it will be a restaurant in character, with the focus on food.
- (c) There will not be televisions in the bar area.

(d) Kitchen will remain open until one hour before closing.

2. Hours

(a) The establishment will shut down by 12:30 a.m. Monday through Thursday, and by 2:00 a.m. Friday and Saturday at which time all patrons will have left the establishment.

3. Windows

- (a) The windows will be brought into compliance with the zoning for the Special Limited Commercial District, which requires: *“All permitted #uses# shall be located within #completely enclosed buildings#.”*
- (b) Should city interpretation of the LC district zoning regulations allow second floor windows to open slightly for ventilation (as the operator believes they will) the operator agrees to ensure that said windows are nevertheless closed by 10:00 pm seven days a week to prevent sound leakage.

4. Patron Noise

(a) The operator will use persuasion, reminders, etc. to encourage late night patrons to come and go (and smoke) quietly, keep their voices down, and respect the hour and the resident’s right to quiet homes.

5. Music

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

6. Garbage

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

7. Façade

(a) The operator will work with the NYC Landmarks Commission to ensure that the first and second floor commercial façade is in compliance with the Greenwich Village Historic District and other relevant landmark regulations.

8. Backyard

- (a) The operator will make physical alterations and installations necessary and appropriate to reduce the noise from the walk-in refrigeration facility in the backyard. This may include, but not be limited to: enclosing the walk-in with a baffling wall, insulating it with sound absorbing materials, etc.
- (b) There will be no glass separation or similar noisy work in the back yard.
- (c) Te operator will install such devices and procedures as necessary to reduce the slamming of the back door of the restaurant and the doors of the walk-in unit.

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of the new on-premise liquor license for **47 West 8th Street, Operating Group, Inc. TBD, 47 W. 8th Street 10011, unless** those conditions and stipulations agreed to by the applicant relating to the 4th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On-Premise license.

Vote: Unanimous, with 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

32. Phoenix Elizabeth Street, LLC d/b/a Jo's, 264 Elizabeth St. 10012 - Alteration

Whereas, the applicant appeared before the committee to present an alteration request to their current license; and,

Whereas, this application is for the alteration of an on-premise license (#1224252) for a restaurant in a mixed-use building for a 2,100 sq. ft. premise (1600 sq. ft. ground floor and 500 sq. ft. basement) on Elizabeth Street between Prince and Houston (block # 507 / lot # 19), there are 28 tables and 70 seats and 2 bars with 22 seats for a total of 92 seats and a maximum occupancy of 100, there will be no sidewalk café but there is an enclosed backyard garden; and,

Whereas, the alteration request is to remove 5 tables and replace with an additional full service bar with 8 seats; and,

Whereas, the applicant stated the hours are Sunday from 11:00 a.m. – 12:00 a.m., Monday to Thursday from 5:00 p.m. to 1:00 a.m. and Friday from 5:00 p.m. to 2:00 a.m. and Saturday from 11:00 a.m. to 2:00 a.m., music is quiet background only generated from ipod/c.d.'s; and,

Whereas, there will be no promoted events, no scheduled performances, no outside promoters, no events for which a cover fee is charged, no velvet ropes or movable barriers will be utilized; and,

Whereas, previously in 2009 the applicant agreed to stipulations which are still in place regardless of this alteration; and,

Whereas, the applicant agreed to operate a restaurant and have a menu and food items available at all times up until one hour before closing notwithstanding the backyard garden guideline; menu and food items available until 11:00 p.m. Sunday and 12:00 a.m. Monday to Thursday and 1:00 a.m. Friday and Saturday; and,

Whereas, the applicant has agreed to stop serving in the backyard garden area by 11:00 p.m. Sunday to Thursday and 12:00 a.m. Friday and Saturday; and,

Whereas, the applicant has agreed not to operate keep the backyard garden unless it is fully enclosed; and further agrees to obtain all approvals and permits from the New York City Department of Buildings to operate such enclosed garden; and,

Whereas, the applicant has agreed to not operate the restaurant, in particular the enclosed backyard garden until **all other required certificates, permits and related documents from the New York City agencies, including a new Certificate of Occupancy and a Public Assembly Permit have been issued**; and,

Whereas, it has been 3 years since these agreements were signed and there are still concerns by CB2 that there are still permits and a Certificate of Occupancy outstanding; and,

Whereas, there is a petition submitted by the applicant with 60 signatures in support, but the hours of operation do not match the agreed hours; and,

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of an on-premise liquor license for **Phoenix Elizabeth Street, LLC d/b/a Jos, 264 Elizabeth St. 10012** **unless** those conditions and stipulations agreed to by the applicant relating to the 4th through the 10th “whereas” clauses above are incorporated into the “Method of Operation” on the SLA On-Premise license.

Vote: Unanimous, with 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

33. MacDougal G. Corp., d/b/a 116, 116 MacDougal St. 10012 – Corporate Change

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the Corporate Change of an on-premise license for a bar in a mixed-use building on the MacDougal Street between Bleecker and 3rd Street; there will be 4 tables and 16 seats a banquette with 16 seats and 1 bar with 8 seats, and a maximum occupancy of 74, there is no sidewalk café and no backyard garden; and,

Whereas, the applicant stated the hours are Sunday to Saturday from 4:00 p.m. to 4:00 a.m.; music is quiet background only generated from ipod/c.d.'s; and,

Whereas, the following stipulations were agreed to by the local neighborhood and CB2:

1. All of the following stipulations are to be added to the current stipulations of liquor license.
2. No music nor any of Owner's staff or patron noise shall emanate from within the Establishment in any direction outside of the Establishment at any time.
3. Owner shall install a reconfigured vestibule, including moving the inner door back 3 to 4 feet and installing a sound curtain in between the inner and outer doors and will complete the construction of the new vestibule by November 10, 2012.
4. Owner attests that he has installed appropriate and effective sound proofing material in the vestibule of the Establishment and has installed hinges that allow the vestibule doors to close more quickly, thereby insuring that he can comply with "2" above.

5. Owner attests that he has removed bass-heavy speakers and will not allow any third party or staff to bring and use any additional speakers in the Establishment at any time.
6. Owner shall make any changes necessary to Establishment's sound system to comply with "2" above.
7. Security personnel from the Establishment shall remain after Establishment closes to ensure that Establishment patrons leave the area quietly.
8. Security personnel from the Establishment shall ask any of the Establishment's patrons who are smoking or otherwise standing outside of Establishment during business hours to keep their noise to a minimum so as not to disturb the residents of MacDougal street.

Whereas, there will be no promoted events, no scheduled performances, no outside promoters, no events for which a cover fee is charged, no velvet ropes or movable barriers will be utilized, music is quiet background only generated from ipod/c.d.'s; and,

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** to the Corporate Change of an on-premise liquor license for **MacDougal G. Corp., d/b/a 116, 116 MacDougal St. 10012** **unless** those conditions and stipulations agreed to by the applicant relating to the 4th and 5th "whereas" clauses above are incorporated into the "Method of Operation" on the SLA On-Premise license.

Vote: Unanimous, with 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

34. PGT Rest. Corp. d/b/a Slainte, 304 Bowery, 10012 – Corporate Change

Whereas, the applicant appeared before the committee to apply for the corporate change which entails buying the entire shares of minority shareholder, Garrett Rogers; and,

Whereas, this application is for the corporate change of an existing on-premise liquor license (#1144279) in a mixed-use building located on Bowery between Bleecker Street and Houston (block #521/ lot #80), for a 3,800 sq. ft premise which has 14 tables with 48 seats, 1 bar with 18 seats, and the maximum occupancy is 74 people, there is an existing unenclosed sidewalk café but no backyard use; and,

Whereas, there will be no changes to the method of operation; and,

Whereas, the hours of operation will be Sunday to Saturday from 11:00 a.m. to 2:00 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,

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** to the Corporate Change of an on-premise liquor license for **PGT Rest. Corp. d/b/a Slainte, 304 Bowery, 10012** **unless** those conditions and stipulations agreed to by the applicant relating to the 3rd and 4th “whereas” clauses above are incorporated into the “Method of Operation” on the SLA On-Premise license.

Vote: Unanimous, with 42 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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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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

35. PGT Rest. Corp. d/b/a Slainte, 304 Bowery, 10012 – Alteration

Whereas, the applicant appeared before the committee to apply for an alteration to their on-premise license to include an unenclosed sidewalk café; and,

Whereas, this application is for the alteration of existing on-premise liquor license (#1144279) in a mixed-use building located on Bowery between Bleecker Street and Houston (block #521/ lot #80), for a 3,800 sq. ft premise which has 14 tables with 48 seats, 1 bar with 18 seats, and the maximum occupancy is 74 people, there is an existing unenclosed sidewalk café but no backyard use; and,

Whereas, the hours of operation will be Sunday to Saturday from 11:00 a.m. to 2:00 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, this alteration is to include a sidewalk café with 16 seats and the hours of operation will be compliant to DCA rules and regulations (Department of Consumer Affairs); and,

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** to the alteration of an on-premise liquor license for **PGT Rest. Corp. d/b/a Slainte, 304 Bowery, 10012** **unless** those conditions and stipulations agreed to by the applicant relating to the 3rd and 4th “whereas” clauses above are incorporated into the “Method of Operation” on the SLA On-Premise license.

Vote: Unanimous, with 42 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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Licensing Issuance Division
NY State Liquor Authority
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New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on September 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

36. Lafayette Street Partners II d/b/a TBD, 380 Lafayette – New License/ Transfer

Whereas, the applicant appeared before the committee to apply for a new/ transfer on-premise license for a full service restaurant offering breakfast, lunch and dinner with a takeout bakery/café; and,

Whereas, this application is for the transfer of the on-premise license in a mixed-use building located on Lafayette Street between Great Jones and 4th Street (block #531/ lot #12), for a 5,000 sq. ft premise which will have 65 tables with 302 seats, 2 bars with 24 seats, for total of 326 seats, the maximum proposed occupancy is 363, there is a sidewalk café but no backyard use; and,

Whereas, the hours of operation will be Sunday to Saturday from 7:00 a.m. to 2:00 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, the applicant agreed and signed the following stipulations with NoHo Bowery Stakeholders (the neighborhood association) and CB2:

Lafayette Street Partners II d/b/a TBD, 380 Lafayette St-(2 bars), hereby agrees as follows:

1. **Lafayette Street Partners II** will not seek to transfer this license to a third party without seeking consent through hearing at the SLA Committee of CB#2 Manhattan.
2. **Lafayette Street Partners II** will also seek review through CB#2 Manhattan should the principals of the corporation change.

3. **Lafayette Street Partners II**, will include the following in their Method of Operation attached to this On-Premise License application to the State Liquor Authority:
 - a. The establishment will close at 2 a.m. everyday. Last seating will be no later than 12 midnight on any night.
 - b. The inside capacity and Public Assembly Permit attached to this license/these license applications will reflect the following maximum usage: 212 table/counter seats; 1 bars and 14 bar seats on the first floor and 90 table seats, 1 bar(s) and 10 bar seats in the below grade space with no more than 336 patrons and employees on the premises.
 - c. There will be a sidewalk café with no more than 23 tables, 84 seats that will comply with all amendments, approvals and statutes of CB#2 Manhattan and the Department of Consumer Affairs.
 - d. **Lafayette Street Partners II will continue to maintain a video monitoring system for entrance(s) and street activity monitored by two to three** hosts managers at host stand. In the event of heavy patron activity **Lafayette Street Partners II** will provide for street personnel to manage congestion and disturbance. on the sidewalk in front or side entrances of this establishment, Thursday through Saturday from 10:00 p.m. to closing.
 - 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 2am and 6 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 and design.
4. Commitments regarding Special Events. Special Events will be 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 Lafayette Street Partners II management, which has reserved the exclusive use of the restaurant for a private function. Special Events will be subject to the following restrictions:
 - (i) Lafayette Street Partners II will limit the number of guests attending Special Events in the Building to no more than the total permitted Public Assembly named on the venue's license per day at any given time.
 - (ii) Lafayette Street Partners II will require that any Special Event for 50 or more guests will require the responsible party (and if it is Lafayette Street Partners II that is holding the Special Event, they 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 any special event will end by 2 am,
 - (c) that dedicated Special Events personnel will be required to be posted on Lafayette and or Great Jones Sts for the entire period of the event to ensure that guests congregating or smoking on the Street be directed away from any other residential

of 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 6 am, and,

(e) that in the event an outside party 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. Lafayette Street Partners II will assign at least one person (“Community Liaison”) who will be available to speak with NBS officers or directors 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.
6. Commitments to Contain Sounds. Lafayette Street Partners II 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 Lafayette Street Partners II, and should any measures taken by Lafayette Street Partners II to answer such complaint(s) not be sufficient to abate such sound, Lafayette Street Partners II agrees to, at their own expense, 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. Such testing will establish a permitted maximum volume for the venue’s interior sound systems and such volume will be made part of any Special Events contract as set forth in paragraph 5. 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 unit 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, Lafayette Street Partners II 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.

7. Commitments to Prevent Odors and Restrict Locations of Mechanical Systems. Lafayette Street Partners II having taken over an already built facility that has not received community complaint agrees to maintain its mechanical systems to provide industry standard venting and equipment to minimize kitchen-related venting sound and odors. The location of all roof-top mechanical equipment is contained in Exhibit A and will remain in its historical pre-existing location. Should any change in equipment or use of the venue (wood burning stoves, bread-baking facilities, additional meat broilers, pizza ovens, etc.) be added Lafayette Street Partners II agrees no kitchen-related vents or hoods will be placed at sidewalk level or within __ feet of a window of a contiguous building; that they upon conference with affected building owners/residencies will install sound or odor abating 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 no longer than 120 days.
8. Commitments regarding Public Support and Cooperation.
Provided the SLA Application and the DOB Plans remain consistent with the terms and intent of

this Agreement, and the terms of any license approved by the SLA pursuant to the SLA Application are consistent with the terms and intent of this Agreement, NBS agrees that no Party to this Agreement shall appear, either directly, through a representative or proxy or through cooperation with any association in opposition to the SLA Application nor shall any Party to this Agreement subsequently commence or assist in any legal, administrative, or any other public proceedings which seeks to overturn approval of the SLA Application.

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of the transfer of the On-Premise license for **Lafayette Street Partners II d/b/a TBD, 380 Lafayette**, **unless** those conditions and stipulations agreed to by the applicant relating to the 3rd and 4th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On-Premise license.

Vote: Unanimous, with 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

37. Brewster Coachmakers, LLC, 177 Mott Street 10012 – New On-Premise license: Originally approved 11/2010

Whereas, the applicant appeared before the committee due to the fact that their recommended approved license by CB2 had no action and had lapsed and needed to reappear with updated material: and,

Whereas, this application is for the new on-premise license which was approved in November 2010 in a mixed-use building located on Mott Street between Kenmare and Broome Street (block # 480/ lot #37), for a 4,600 sq. ft premise which will have 26 tables with 124 seats and 1 bar with 12 seats in the Cellar and 6 tables and 12 seats and no bar on the ground/ 1st floor, and the maximum proposed occupancy is 156 people, there is no sidewalk café and no backyard use; and,

Whereas, the hours of operation will be Sunday to Saturday from 12:00 p.m. to 2:00 a.m. in the Cellar and Sunday to Saturday from 7:30 a.m. to 10:00 p.m. on the ground floor, 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 velvet ropes, no movable barriers; and,

Whereas, the applicant had previously agreed to the following stipulations which are still valid and added several new ones which they will execute as a stipulations agreement agreed that they would be attached and incorporated in to their method of operation on their SLA license stating that::

1. The applicant has agreed to correct any and all pending ECB violations and obtain all required certificates, permits and related documents, including but not limited to a new Certificate of Occupancy and Public Assembly Permit prior to opening the establishment.
2. Soundproof the entire establishment.
3. Operate an upscale, full service restaurant only.
4. Not to permit third party private events.
5. Will provide a General Manager or Principal Agent's contact information to the neighbors.
6. Will post a "please respect the neighbors" type sign in front of the establishment.
7. Keep the sidewalk facing Mott Street clean on a daily basis.
8. There will be no dancing, DJs, live musical performances, third party promoters or any other nightclub like activity in the establishment.
9. Will provide a dedicated staff member or doorman to monitor the crowds or traffic in front of the establishment at ALL times.
10. Will provide food and menu items available at all time.
11. Will re-appear in front of the CB2's SLA committee for a 6-month review.
12. The liquor license will not transfer without proper notification and evaluation by CB2, Manhattan.
13. The Public Assembly Permit should match the total occupancy allowed.
14. Only entrance to basement portion of the premise will be by elevator, stairways will only be used for egress only (no exceptions). The rationale is that the elevator vestibule area will be use as a holding area so that no patrons are waiting or loitering in front of the establishment.
15. There will be a dedicated staff presence on the ground level at the entrance at all times

Whereas, there were some concerns that a Place of Assembly permit would be obtained from the Department of Buildings for the basement only according to the applicants when this concept has always been presented as one entity operating on both the ground floor and basement which CB2 Manhattan means to understand that the Place of Assembly permit should cover both floors and not just the basement as both floors are considered and operated as one establishment; and,

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of the new on-premise license for **Brewster Coachmakers, LLC, 177 Mott Street 10012** **unless** those conditions and stipulations agreed to by the applicant relating to the 3rd and 4th "whereas" clauses above are incorporated into the "Method of Operation" on the SLA on-premise liquor license.

Vote: Unanimous, with 42 Board member 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

38. 389 Broome, LLC d/b/a Gold Bar, 389 Broome St 10013 - Transfer

Whereas, the applicant appeared before the committee: and,

Whereas, this application is for the “transfer” of an on-premise license (#1180798) in a mixed-use building located on Broome Street between Mulberry Street and Centre Market Place. (block # 471/ lot #13), for a 2,700 sq. ft. premise which has 15 tables with 60 seats and 1 bar with 4 seats, and the maximum occupancy is 74 people as stated on the Certificate of Occupancy that was presented, there is no sidewalk café and no backyard use; and,

Whereas, the hours of operation will remain Sunday to Saturday from 5:00 p.m. to 4:00 a.m., music will continue to be live D.J. and background only; there will be no promoted events, no scheduled performances or cover fees, but they will have velvet ropes or movable barriers; and,

Whereas, the applicant has agreed to the following stipulations:

1. Hours of Operation are 5:00 p.m. to 4:00 a.m. 7 days a week
2. Will not operate as a nightclub/Disco and will not seek a Cabaret License
3. Will not have a sidewalk café or any backyard use
4. Will employ doorman/security personnel 7 days a week with a minimum of two security personnel and up to 4 as needed
5. All doors and windows will be closed at all times
6. Will not install any French doors or windows
7. There will be music with a live D.J. and background only; there will be no promoted events, no scheduled performances or cover fees

8. New operators will correct all venting/air conditioning issues such as noise of faulty equipment
9. All garbage will be picked-up in the morning
10. All staff will be T.I.P.S. trained
11. Operators and manager will provide contact information to the community

Whereas, the applicant did submit a petition with over 100 signatures in support; and,

Whereas, 7 individuals spoke in opposition to the application stating over-saturation in the immediate area, quality of life concerns by late night bar activity, traffic concerns and a request was made for a reduction in hours of operation which the applicant did not agree to and the head of the Friends of Petrosino Square stated that the applicant had not performed adequate community outreach because she had not been contacted by the applicant and she expressed dissatisfaction stated that this is an integral part of the application process which she felt was not adequately followed; and,

Whereas, CB2 respectfully request that the SLA have a 500 ft. rule hearing on this application; and,

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of the transfer of the on-premise license for **389 Broome, LLC d/b/a Gold Bar, 389 Broome St 10013** unless those conditions and stipulations agreed to by the applicant relating to the 4th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On-Premise license.

Vote: Unanimous, with 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

39. Tacombi NYC, LLC d/b/a Fonda Nolita Tacombi, 267 Elizabeth – Upgrade

Whereas, the applicant appeared before the committee: and,

Whereas, this application is for the upgrade of the current Beer and Wine license (#1253812) in a commercial building located on Elizabeth Street between Houston and Prince Street (block # 508/ lot #28), for a 2,250 sq. ft. premise which has 12 tables with 48 seats and no bar, and the maximum proposed occupancy is 62 people, there is no sidewalk café and no backyard use; and,

Whereas, the hours of operation will be Sunday to Wednesday from 8:00 a.m. to 12:00 a.m. and Thursday to Saturday from 8:00 a.m. to 1:00 a.m., music will be background only; there will be no promoted events, no scheduled performances or cover fees, but they will not have velvet ropes or movable barriers; and,

Whereas, the applicant originally appeared in front of CB2, Manhattan in December 2009 for a Beer and Wine application, which was recommended denial to the SLA, the applicant reappeared in June 2010 for a Beer and Wine license at which time CB2 also recommended denial again. In March 2011 the applicant appeared again and CB2 recommended approval provided the applicant adhere to stipulations; and,

Whereas, only 8 months after the approval of his Beer and Wine did he appear before CB2 to request an upgrade in January of 2012 which was denied; and,

Whereas, nothing has changed regarding this applicant, the community or CB2 regarding the request for an upgrade; and,

Whereas, CB2 still does not feel that the desire to serve ONLY 4 specific liquor drinks rises to meet any aspect of the public interest; and,

Whereas, this location has over 30 licensed premises within 500 ft. of this establishment; and,

Whereas, 6 community members again spoke against this application and again stated that they were against the original request for a Beer and Wine license; and,

Whereas, the applicant did present a petition in support with over 500 signatures but CB2 would like the SLA to note how few of these signatures were actually from the neighborhood and that hours of operation were not included; and,

Whereas, CB2 Manhattan also has severe reservations in particular that this establishment would severely impact the quality of life in the immediate area and that a method of operation change to a full on-premise license would result in a tremendous increase in noise which almost universally accompanies upgrades to full on-premise licenses which is particularly of concern at this establishment because the front façade is almost completely open to the street through large roll up doors as this was previously a garage space and those doors when open do not provide for any sound attenuation whatsoever, and the density of licenses in the immediate area is significant on this portion of the block; and,

Whereas, CB2 respectfully request that the SLA have a 500 ft. rule hearing on this application; and,

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** to the upgrade of the beer and wine license for **Tacombi NYC, LLC d/b/a Fonda Nolita Tacombi, 267 Elizabeth; and,**

THEREFORE BE IT FURTHER RESOLVED that if the SLA considers this application that CB2 respectfully request a 500 ft. rule hearing on this application and consider the original stipulations set forth by CB2 which are as follows:

1. The hours of operation as mentioned in the 3rd whereas clause
2. The operator will close all doors at 8:00 p.m., 7 days a week
3. The operator will serve food until closing.
4. The operator will provide contact information for the neighborhood.

Vote: Unanimous, with 42 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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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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

40. Salume Mott Street, LLC d/b/a Salume, 202A Mott St. 10012 – New License

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new on-premise liquor license in a mixed use building located on Mott Street between Spring and Kenmare Street (Block #479 / lot #14), for a 412 sq. ft. premise with no tables or tables seats, 1 bar with 10 seats, and the maximum proposed occupancy is 35 people, there is no sidewalk café and no backyard use; and,

Whereas, the establishment will be a full service restaurant serving breakfast, lunch and dinner specializing in Italian cuisine; and,

Whereas, the hours of operation will be Sunday to Thursday from 8:00 a.m. to 12:00 a.m. and Friday and Saturday from 8:00 a.m. to 2:00 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, this is **another** location within CB2 that has **never been licensed by the SLA**; and,

Whereas, 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, a location as small as this is perfect for those types of retail stores and supporting businesses that can not afford larger spaces in this economy without a liquor license; and,

Whereas, this questionable business plan has seating at a bar for only 10 people and standing room for 20+ more people; and,

Whereas, there are over 25 on-premise licenses within 500 ft of this location which is located on a street surrounded by old tenement buildings; and,

Whereas, 5 community members spoke in opposition stating over saturation and quality of life issues and lack of ant public benefit that are credible; and,

Whereas, there was little to no outreach to the community regarding this application and this is a very contentious area facing dramatic change in the increase of licensed premises in the last several years which have resulted in tremendous quality of life issues and the open façade that this establishment has along with the small space and expectation of many standing patrons or patrons seated at the bar only leaves the direct impression that while small, this establishment will contribute to noise issues in the area due the density of patrons in a small space and the common practice in the community of leaving all doors and windows open at all hours of operation for this style of operation; and,

Whereas, CB2 does not believe that this application offers any public interest whatsoever and is doubtful a persuasive argument can be made that an Italian salume will some how offer something unique in Little Italy; and,

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends denial of the new on-premise liquor license for **Salume Mott Street, LLC d/b/a Salume, 202A Mott St. 10012.**

Vote: Unanimous, with 42 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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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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

41. Point 8, LLC d/b/a Bar 2047, Eric Tiam, 247 Elizabeth St. 10012– New License

Whereas, the applicant appeared before the committee to present the concept of a Chinese restaurant and lounge inspired by the 1960's British Colonial Hong Kong era and speakeasy style of operation; and,

Whereas, this application is for a new on-premise liquor license in a mixed use building located on Elizabeth Street between E. Houston and Prince Street (Block #508 / lot #38), for a 1,800 sq. ft premise with 18 tables with 45 seats, 1 bar with 6 seats, and the maximum proposed occupancy is 74 people, there is no sidewalk café and no backyard use; and,

Whereas, the hours of operation will be Sunday to Wednesday from 6:00 p.m. to 12:00 a.m. and Thursday to Saturday from 6:00 p.m. to 2:00 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, this is **another** location within CB2 that has **never been licensed by the SLA**; and,

Whereas, 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, there are over 20 on-premise licenses (some not on map because they have just recently been approved by the SLA) within 500 ft of this location; and,

Whereas, 5 community members spoke in opposition stating over saturation and quality of life issues; and,

Whereas, there was little to no outreach to the community regarding this application; and,

Whereas, the proposed premise is located in a basement that has never been used for anything except storage before and the applicant was not able to produce a certificate of occupancy showing the basement was allowed to be used for an eating and drinking establishment, not with standing, CB2 Manhattan feels that in a residential community on a non avenue block in an area surrounded by tenement buildings, it is wholly inappropriate to put an eating and drinking establishment in a basement location that has never been used for any retail use; and,

Whereas, adding even one more licensed establishment with this style of method of operation and hours of operation focused on cocktails will further exacerbate the quality of life issues and raise the existing noise level as more late night patrons venture on to residential community streets later in the evenings; and,

Whereas, this is the third new license application this month alone that is within 1 block; and,

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of the new on-premise liquor license for **Point 8, LLC d/b/a Bar 2047, Eric Tiam, 247 Elizabeth St. 10012.**

Vote: Unanimous, with 42 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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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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

42. 168 Bowery, LLC d/b/a TBD, 168 Bowery, 10012 – New Beer and Wine License

Whereas, the applicant appeared before the committee to present the concept of an art gallery with a cafe; and,

Whereas, this application is for a new Beer and Wine license in a mixed use building located on Bowery between Kenmare and Broome Street (Block #478 / lot #32), for a 2,000 sq. ft premise with 3 tables with 24 seats, 1 bar with 6 seats, and the maximum proposed occupancy is 74 people, there is no sidewalk café and no backyard use; and,

Whereas, the hours of operation will be Sunday to Saturday from 8:00 a.m. to 1:00 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, this is another location within CB2 that has never been licensed by the SLA; and,

Whereas, there are at least 22 licensed premises within 500 ft., though CB2 and the community sadly understand that a beer and wine license is not subject to the 500 ft rule, and,

Whereas, 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, CB2 does not have issues with the half of the space that is indicated as the restaurant portion of the establishment on the diagrams;

Whereas, CB2 has significant concerns with the ½ of the space at the eastern portion of the premise which is blank that will be operated as a pop-up style space for any and all activities that the applicant's can rent it out for with no parameters on use or seating arrangements provided at all, CB2 has no premises that we are aware of that have restaurant wine licenses, or any type of other license, that have no parameters on their use at all and that can shape shift to suit anyone's needs who sublet the space under the applicant's license, furthermore these types of spaces are more suitable to obtain catering licenses or one day licenses, the applicants did not seem to grasp the importance of having some sort of concept or structure to fit a method of operation for a licensed establishment, and seem to feel it is appropriate to operate as they see fit and as their clients might dictate or their financial needs might suit; and,

Whereas, CB2 Manhattan feels that this is a very dangerous precedent to set and believes that even minimal standards for any type of licensed establish are critical to operating in a community and being able to articulate what those standards or parameters are is of utmost importance for professional operation of a premise so that the community and the Liquor Authority can have confidence that they will be run in an acceptable and lawful manner; and,

Whereas, CB2 tried to be very accommodating to the applicants and suggested laying over this application so that they could work on providing some structure to this portion of the licensed premise, but the applicant refused and stated that they would prefer that CB2 vote on a recommendation as the application was presented and submit that recommendation to the Liquor Authority; and,

Whereas, it is clearly not in the interest of this community or the State to provide a morphing mini-mall of pop up retail spaces in one building with a Beer and Wine license; and,

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of the new Beer and Wine license for **168 Bowery, LLC d/b/a TBD, 168 Bowery, 10012; and,**

THEREFORE BE IT FURTHER RESOLVED that CB2, Manhattan respectfully requests that the Liquor Authority request that this applicant return to CB2 Manhattan to present a properly articulated plan and a set of operating parameters for the eastern half of the premise before making any determination on this matter should the applicant proceed directly to the Liquor Authority without first presenting this information to CB2's SLA Licensing Committee.

Vote: Unanimous, with 42 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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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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

43. Juicerie LLC, 19 Kenmare St. 10012 – New Beer and Wine License

Whereas, the applicant appeared a second time before the committee to present the concept of a juice bar and café specializing in Vegetarian, raw and Vegan Cuisine without any substantive changes to the application; and,

Whereas, this application is for a new Beer and Wine license in a mixed use building located on the corner of Kenmare and Elizabeth Street (Block #478 / lot #12), for a 700 sq. ft premise with 1 table with 24 seats, 1 bar with 6 seats, and the maximum proposed occupancy is 38 people, there is a sidewalk café but no backyard use; and,

Whereas, the hours of operation will be Sunday from 9:00 a.m. to 10:00 p.m. and Monday to Friday from 8:00 a.m. to 11:00 p.m. and Saturday from 9:00 a.m. to 11:00 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, this is **another** location within CB2 that has **never been licensed by the SLA**; and,

Whereas, there are at least 22 licensed premises within 500 ft., though CB2 and the community sadly understand that a beer and wine license is not subject to the 500 ft rule, and,

Whereas, CB2 already denied this application in June of 2012 and sees no need at this point to take another position and refers the Liquor Authority to that resolution as well; and,

Whereas, 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, there is one (1) multi level eating and drinking establishment with a full on-premise license that already exist in this buildings address which is operating without valid Department of Buildings permits; and,

Whereas, there were 4 community members who spoke against this application and 4 more who could not stay any later and submitted their names on speaker cards in opposition; and,

Whereas, the community has concerns that they have added a very large sidewalk café on an already crowded corner and that this location also has heavy traffic issues and is very dangerous; and,

Whereas, the community feels that adding beer and wine to this dangerous location would be irresponsible; and,

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of the new Beer and Wine license for **Juicerie LLC, 19 Kenmare St. 10012, 10012.**

Vote: Unanimous, with 42 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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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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

44. Clos Wine Bar, LLC d/b/a Clos New York, 64 Kenmare St 10012 – New Beer and Wine License

Whereas, the applicant appeared before the committee to present the concept of an Interactive, educational wine bar featuring old world as well as boutique wineries; 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 #33), for a 900 sq. ft. premise with no tables or table seats, 1 bar with 17 seats, and the maximum proposed occupancy is 74 people, there is no sidewalk café and no backyard use; and,

Whereas, the hours of operation will be Monday to Thursday from 5:00 p.m. to 12:00 a.m. and Friday to 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, this is another location within CB2 that has never been licensed by the SLA; and,

Whereas, there are at least 22 licensed premises within 500 ft., though CB2 and the community sadly understand that a beer and wine license is not subject to the 500 ft. rule, and,

Whereas, this will be the fourth (4th) beer and wine license in this building for on premise consumption with each small retail space in the building being occupied by eating and drinking establishments with beer and wine licenses; and,

Whereas, 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, this location was a retail clothing store previously; and,

Whereas, there were 5 community members who spoke against this application; and,

Whereas, this application does not serve the public's interest; and,

Whereas, this neighborhood is one of the most saturated areas within CB2's district; and,

Whereas, this is the third (3) application for a location that has never been licensed before, for this month alone for this neighborhood within CB2, Manhattan; and,

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of the new Beer and Wine license for **Clos Wine Bar, LLC d/b/a Clos New York, 64 Kenmare St 10012**.

BE IT FURTHER RESOLVED that should the Liquor Authority consider licensing this establishment against the recommendation of CB2 Manhattan, CB2 Manhattan respectfully requests that the following stipulations which were discussed with and agreed to by the applicant be established and incorporated into the method of operation on the license:

1. The applicant will never seek to upgrade the license to a full on-premise license.
2. The applicant will not apply for a DCA Sidewalk Café License.
3. All Doors and Windows will be closed at 10 p.m.
4. There will be no live music or dj's, music will be quiet back ground music only not audible outside the walls of the establishment.
5. The hours of operation will be Sunday-Wednesday closing at 11p.m. and Thursday-Saturday closing at 12 a.m., all patrons will have left the premises at closing.
6. The method of operation will not change for the life of the license.
7. The establishment will only be open from 12 p.m. to 4 p.m. to members of the trade for wine tastings, not withstand the afore mentioned closing times.

Vote: Unanimous, with 42 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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Dana E. Christian, Director
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NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on September 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

45. Jane Street Hotel, LLC d/b/a The Jane, 113 Jane Street, 10014 (serial number 1207903 - renewal)

Whereas, the applicant appeared before CB2's SLA Licensing Committee after having been requested to do so by CB2, Manhattan upon CB2's receipt of a 30 day notice regarding this license's renewal application to discuss concerns raised by members of the community; and,

Whereas, because the current license does not expire until 10/31/2012 and because no principals were present to discuss this matter at the meeting, only managers who were not authorized to respond to concerns regarding the newly opened roof top in regards to concerns regarding limiting operating hours or stipulating to specific uses; and the roof is of particular concern because it has not been operated until the last several months even though this was included as part of the original filing 4/22/08 and since that time, there have been complaints over the years regarding the applicant and their method of operation and conduct which clearly violated the method of operation, which has been addressed to some extent, but concerns still exist because no discussion regarding the use of the rooftop have taken place in over 5 years and because the applicant had promised an ongoing dialogue with the local residential community on an ongoing basis which has not taken place nor was any evidence provided that they have attempted to conduct this type of outreach on an ongoing basis; and,

Whereas, the applicant's representative's agreed to meet with members of the local residential community to discuss this matter with input from principles on the license and **agreed to return** with either an authorized principal of the establishment or with permission to act on their behalf **to CB2's second regularly scheduled SLA Licensing Committee Meeting in October 2012**; and,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **not renew** the existing license, **serial number 1207903**, for **Jane Street Hotel, LLC d/b/a The Jane, 113 Jane Street, 10014** **until** an authorized representative empowered to act for the principles or an authorized principle re-appears before CB2 to address the issues outlined in the above “whereas” clauses and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this renewal 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 and addressed.

Vote: Unanimous, with 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

46. Dalloway & Co., LLC, TBD (The Dalloway), 525 Broome St. 10013

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a “transfer” of an On Premise liquor license for a now “lesbian implied restaurant” operated under the same previous method of operation as a restaurant in a mixed use building located on Broome Street between Thompson and 6th Avenue with 17 tables, 82 table seats, 2 bars with 23 bar seats for a total of 105 seats and a maximum legal capacity of 224 persons, there will be only cosmetic changes to the establishment and there are no changes in the current method of operation; and,

Whereas, the applicant stated the hours of operation for the restaurant are Sunday – Thursday from 4:00 p.m. – 2:00 a.m., Friday – Saturday from 4:00 p.m. – 3:00 a.m.; there will not be a sidewalk café application and no backyard garden; music will be background only; and,

Whereas, the applicant has agreed to the following set of stipulations:

1. The hours of operation for the restaurant are Sunday – Thursday from 4:00 p.m. – 2:00 a.m., Friday – Saturday from 4:00 p.m. – 3:00 a.m.
2. The applicant has agreed to not have DJs or Live Music at the establishment. Music will be background only as stated on CB2’s Questionnaire and will be sourced passively from ipod/cd’s. The applicant states that adequate soundproofing already exists.
3. The applicant has agreed to operate as a restaurant as described in the ABC laws and will operate the kitchen and have food items available until closing.

4. The applicant has agreed to operate under a strict set of conditions provided by the Condo Association at 525-527 Broome Street.
5. The applicant has agreed to keep all doors and windows closed at all times.
6. The applicant will have security present at all times of operation.
7. The applicant has agreed that only one entrance will be utilized for regular ingress and egress of all patrons for this multi level establishment. Other doors will be used for emergency exit only.
8. The applicant will obtain and maintain current all required certificates and permits. The applicant will always operate with a current Certificate of Occupancy (if temporary or obtain final) and will obtain and always operate with a current Public Assembly Permit.

Whereas, a number of people spoke in favor of the applicant, a number of letters have been submitted in support of the applicant and a petition signed by a number of local residents was also submitted by the applicant; and,

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

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of an on-premise liquor license for **Dalloway & Co., LLC, TBD (The Dalloway), 525 Broome St. 10013** unless the statements the applicant has presented are accurate and that those conditions and stipulations agreed to by the applicant relating to the 4th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

47. Eater Eats Crow, LLC d/b/a Sel Et Gras, 131 7th Ave. South (Current Restaurant Wine Serial Number 1261220)

Whereas, the applicant appeared before CB2's SLA Licensing Committee on September 13, 2012 to present an application to *upgrade* the existing Restaurant Wine License SN#1261220 to a Full On-Premise Restaurant License; and,

Whereas, CB2's SLA Licensing Committee voted to recommend to the Full Board of CB2, Manhattan that a recommendation be made to the Liquor Authority to DENY this request for an upgrade; and,

Whereas, just prior to the start of CB2, Manhattan's Full Board meeting on September 20, 2012, the applicant's attorney submitted a letter requesting that the application presented to CB2's SLA Licensing Committee be withdrawn and as such, the resolution was not considered by the Full Board of CB2, Manhattan and no recommendation on the application itself was made; and,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any type of proposed on-premise liquor license, upgrade or changes to any existing license for **Eater Eats Crow, LLC d/b/a Sel Et Gras, 131 7th Ave. South (Current Wine Serial Number 1261220)** until the applicant has re-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 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

48. Pop Underground, LLC d/b/a Pop Pub, 83 University Pl. (41 E. 11th St.), 10003 (restaurant wine SN#1252491 – request for upgrade)

Whereas, the applicant appeared before CB2's SLA Licensing Committee again after appearing in February 2012, at which time CB2 Manhattan recommended unanimously that this application for an upgrade to the existing restaurant wine license, serial number 1252491, be denied, but CB2's SLA Licensing Committee was willing to rehear this application on September 13, 2012 never-the-less; and,

Whereas, there were no substantive changes to the application presented in February 2012; and,

Whereas, this application is for the upgrade of the restaurant wine license serial number #1252491 to a Full On Premise license for a restaurant and bar, in a mixed-use building (block 00563 / lot 1) on University Place between 11th and 12th Street for a Burger/Pub style restaurant which has 18 tables and 60 seats and 1 bar with 15 seats, there will be no sidewalk café and no backyard garden, music will be background only and a maximum legal capacity of 250 persons; and

Whereas, the applicant stated the hours of operation are Sunday through Wednesday from 11:00 a.m. to 2:00 a.m. and Thursday through Saturday from 11:00 a.m. to 4:00 a.m.; and,

Whereas, this location has never had a full on-premise liquor license; and,

Whereas, there are already 18 Full On Premise Licenses within 500 ft. of this location and this immediate residential neighborhood has seen an increase in Liquor Licenses from approximately 19 in 2000 to approximately 38 today; and,

Whereas, this operator has been at this location for 1.5 years and has already proven to be an inconsiderate neighbor in this highly residential area and disregards the reasonable requests from immediate neighbors to lower music or close windows at a reasonable hour to contain the noise consistent with other licensed premises in the area including a request one evening from one of the Chair's of CB2's SLA Licensing Committee who made the request anonymously to staff; and,

Whereas, the owner and the manager again stated at this meeting that they were unaware of any complaints from neighbors regarding noise and quality of life issues; and,

Whereas, the applicant appeared on CB#2, Man.'s calendar for at least 4 months prior to their hearing in February 2012, but either withdrew or laid over their appearance, but this time did perform community outreach to the local community and local neighborhood association but was unable to reach any agreement; and,

Whereas, this operator has participated in "Beer-A-Thons" sponsoring 26 beers at 26 bars for a price of \$65 which created a huge inconvenience of noise and crowds and once again assuming no regard for the neighbors in the past, but has said they no longer participate in these events, but community members expressed concerns that the establishment, in particular it's layout, would simply result in a late night bar atmosphere at later operating hours; and,

Whereas, this operator runs this establishment similar to the ones that exist in the Meat Packing District which are operated under similar names (i.e. Pop Burger) in which he is also a principle and the Meat packing District is an appropriate area for this type of establishment with a full on-premise license and when neighbors at this location on University Place complain, they are told "neighborhoods change" despite the fact that this is a well-established neighborhood that is very residential; and,

Whereas, there were a number of people from the neighborhood who appeared at the meeting in opposition of this applicant each citing the blatant disregard and disrespect displayed from this operator and apparently at a past block association meeting for the East 12th St and East 13th St Block Association prior to the February 2012 application to CB2 between 20 and 30 residents requested their position to be to request a recommendation of denial to this upgrade despite their history of working closely with licensed neighborhood establishments and establishing detailed stipulations agreements which are mutually beneficial to all parties; and,

Whereas, at this meeting in September 2012, a number of neighborhood residents spoke in oppositions and the community presented an online petition with 92 signatures and a signed petition with 178 signatures, all from very immediate neighboring residents who live in this community for a total of 270 signatures against this application to upgrade to a full on-premise license stating that this would not be in the public's best interest; and,

Whereas, at a meeting conducted with the local neighborhood association prior to this meeting, the applicant apparently stated that the primary motive behind this upgrade application to a full on-premise license was simply to make the establishment profitable and that a big component of that was the late night bar traffic that would be generated from local students, even though he also states that this is a "family oriented" business, the applicant also failed to acknowledge at the meeting the existing issues which were clarified by the community in February 2012 in regards to their operation and that the applicant has not addressed many of those issues despite having had ample opportunity to do so; and,

Whereas, CB2 Manhattan feels that the request to upgrade this license would not be in the public interest because of the sheer volume of existing on-premise licenses in the area and the dramatic

increase in recent years of licensed premises, that the existing noise level would be significantly affected by the change in operation of serving hard alcohol at this type of establishment which is open until late hours when food is not traditionally served when this is supposed to be a restaurant and the layout of the establishment would invite a bar type atmosphere, that an additional result would be an increase in patrons at later hours who would cause traffic issues as they relate to hailing taxi's on the weekends in the late night hours when leaving and the impact on parking in the area and the difficulty the local community has had working with the applicant to address quality of life issues which impact the local community; and,

Whereas, CB#2, Man. formally request that the State Liquor Authority to conduct a 500-Ft. Rule hearing for this application; and

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** for the application to upgrade to a Full OP License for **Pop Underground, LLC d/b/a Pop Pub, 83 University Pl. (41 E. 11th St.) 10003.**

Vote: Unanimous, with 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

49. Wine Bar 13 LLC d/b/a Zampa, 306 W. 13th St. 10014-(upgrade – existing SN# 1184592)

Whereas, this application is for an upgrade of a restaurant wine license (SLA Serial #1184592) that has been in place for approximately 6 years to a new restaurant on-premise liquor license on the ground floor of a 5 story mixed use commercial/residential building located between 8th Avenue and West 4th Street, for a 800 sq. ft premise with 12 tables with 34 seats, 1 bar with 14 seats, for a total of 48 seats, there is an existing Certificate of Occupancy and the applicant states the proposed occupancy is 45, there is no sidewalk café; and,

Whereas, the hours of operation are Monday to Friday from 8 a.m. to 12 p.m. and Saturday and Sunday from 11 a.m. to 12 a.m., the establishment will continue to be a café/restaurant, the applicant states that the music will continue to be quiet background only generated 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; and,

Whereas, this location has never had a full on-premise liquor license; and,

Whereas, at the time the license was originally granted, the applicant had appeared in front of CB2 in December 2006, which was unusual for beer and wine applications at the time due to concerns from neighboring residents and at that time, CB2 recommended approval of the Beer and Wine License based on statements from the applicant regarding the method of operation and that “the applicant further stated that there is no intent to ever seek an On Premise license at this location”; and,

Whereas, one speaker appeared in support who lives several blocks away and one letter of support was received from a local business group; and,

Whereas, 4 speakers appeared in opposition including those who share party walls to the establishment, live above and the president of the co-op board in which the establishment is located and a number of letters were received in opposition, stating that this upgrade would not be in the public interest for the same concerns expressed in December 2006 at which time they were assured that this license would never be upgraded, that upgrading this license would further invite the crowds transit this area to the meatpacking district to stay on the block and would impact quality of life, that this block despite its proximity to the meatpacking district is a residential block and is part of Greenwich Village, not the meatpacking district, that this establishment began as a café and has morphed into a wine bar and that issuing this license would allow this establishment to morph into a bar, that despite stated hours, the operator does operate past those hours, that loud music is heard outside the establishment including through a skylight vent that is regularly kept open, that the applicant has been uncooperative in addressing many issues, including taking several years to address noise from faulty mechanical equipment that was only addressed after violations were issued by the DEP, that the operator has no credibility with his immediate neighbors because one thing is said and no action is taken, that complaints have been filed in the past, but no action was taken so the community stopped making complaints to 311, that this block is already a public urinal for revelers coming and going to the meat packing district, that the existing noise level would be impacted by encouraging patrons who seek hard liquor drinks to stay which would directly impact the number of patrons in the establishment and conversely those who loiter around the establishment, that the surrounding avenues are filled with bars and they do not belong on side streets due to the vehicular traffic the attract, cabs stopping and the resulting honking, concerns were expressed that as this business is faltering, granting this license would result in a bar when they finally go out of business, and finally that the applicant performed no outreach at all to the surrounding residential units; and,

Whereas, CB2 notes that as part of the original application which was approved by CB2, the applicant did state that they would never seek an upgrade, CB2 also further notes that the many of the concerns articulated by local community residents are valid, the applicant was unable to articulate why the issuance of this license would be in the public interest, traffic in this area, particularly cabs which stop and block traffic create significant traffic congestions and noise as a result of honking horns, there are already many licensed establishments in the area, including 8 within 500 ft. and many more just outside that proximity, there were significant concerns that the applicant did no community outreach, that there are not efforts to maintain dialogue with surrounding residential tenants, that this area is a part of Greenwich Village, that it is residential and that a full on-premise license is better suited to the avenues in this area given the density of existing licenses, and there is significant concern that the operator is already operating outside of his originally described café/restaurant and operating as a wine bar and that this upgrade would result in another venue which morphs into a different type of establishment, particularly because the applicant said the business was having difficulty attracting customers and turning away customers seeking hard alcohol drinks; and,

Whereas, in the absence of outreach and any attempt to establish stipulations with the community and an unwillingness on the applicants part to do so; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** for the application to upgrade to a Full OP License for **Wine Bar 13 LLC d/b/a Zampa, 306 W. 13th St. 10014-(upgrade – existing SN# 1184592)**.

Vote: Unanimous, with 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

50. CGM 13, LLC, TBD, 22 E. 13th St. 10003

Whereas, the applicant appeared before the committee; and,

Whereas, this application for a new on premise liquor license (not a “transfer”) for a “first class neighborhood Italian restaurant” in a previously licensed location located between Fifth Avenue and University Place in a mixed use building on the ground and second floor for an approximately 3,800 square foot premise with customer operations on the ground floor of 550 square feet and the second floor of 1,000 square feet, there will be 27 tables and 90 table seats, 1 stand up bar with 10 seats and 1 service bar for a total of 100 seats, there is an existing certificate of occupancy for 75 persons between the 2 floors, but the applicant will file for a change to the certificate of operation prior to operating the establishment to properly reflect the proposed occupancy, there are 4 seats located on the front terrace which is within the property line; and,

Whereas, the hours of operation will be from 11 a.m. to 2 a.m. daily for the ground floor portion of the premise and the second floor will close at 12 a.m., Sunday-Thursday and at 2 a.m. Friday and Saturday, music will be quiet background music, there will be no dj’s, no live music, no jukebox, there will be no tv’s, the sound system will be a “simple restaurant system”, there will be no security personnel, there may be private parties;

Whereas, there are at least 15 licensed premises within 500 feet and 2 pending licenses; and,

Whereas, one principal holds a number of liquor licenses in New York City, including two located within the confines of CB2 Manhattan, one of which the other principal is also a principle of; and,

Whereas, the applicant worked with the East 12th Street and East 13th Street Block Association on a set of stipulations which they will execute as a stipulations agreement that they agreed would be attached and incorporated in to their method of operation on their SLA license stating that:

1. **Hours of operation:** On each Sunday through Thursday night, the Operator shall close the upstairs restaurant no later than Midnight. On each Friday and Saturday night, (more correctly referred to as Saturday and Sunday morning) the Operator shall close the upstairs restaurant no later than 2:00AM.
2. **Soundproofing:** The Operator shall use its best efforts to soundproof the Establishment to ensure that noise does not emanate from the Establishment, in any direction and meets or exceeds New York City noise code.
3. **Exterior Equipment:** The Operator shall use its best efforts to soundproof the Exterior Equipment to ensure that all noise produced by any external equipment installed and operated by the Operator meets or exceeds New York City noise code.
4. **Front door:** The Operator shall cause the doors to remain in a closed position. The Operator shall not operate any outdoor speakers or sound amplification and shall not deliberately direct any sound outside of the Establishment. The Operator shall hang a sign outside the establishment, which shall be legible from 20 feet away, instructing patrons to keep the noise down and to respect the neighbors.
5. **Windows:** The Operator shall use its best efforts to ensure that noise does not emanate from the windows. The Operator shall not permit any doors or windows to be left open past 10PM. If any windows are to be replaced they are to be replaced with non-operable windows.
6. **Security:** The Operator shall cause a communicative general manager to be present at the Establishment during all hours of operation.
7. **Music:** The Operator shall not permit DJs or live music in the Establishment. Only background music at a reasonable level shall be permitted.
8. **Promoters:** The Operator shall not use outside promoters or allow promoted third party events at the Establishment.
9. **Dancing:** The Operator shall not permit dancing in the Establishment.
10. **Sanitation:** The Operator shall not store garbage or garbage dumpsters outside of the Establishment. The Operator shall not place refuse at the curb. The Operator shall construct a refrigerated room to store the garbage and will store all garbage in said refrigerated room.
11. **Sidewalk:** The Operator shall not block or encumber the sidewalk.
12. **Outdoor Seating:** The operator will not seek to obtain permission from the New York City Department of Consumer Affairs for any outdoor seating including but not limited to any unenclosed sidewalk cafe permit.
13. **Lighting:** The Operator shall not install any banner up-lighting on the exterior of the Establishment and shall replace said lighting with reduced brightness, spot-type down lighting so as to not disturb residents living above and around the Establishment.
14. **Steering:** 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.
15. **Drink Specials:** The Operator shall not offer any discounted drinks at any time. All drinks will always be sold at full price.
16. **Kitchen:** The Operator shall cause the kitchen to stay open serving a full menu until closing.
17. **Signage:** All signage will conform to signage standards found in landmark districts.
18. **Monthly Meetings:** Upon request, the Operator shall make available the general manager to attend monthly meetings with representatives of the community.
19. **Cellar:** The Establishment's cellar shall not be used to seat or serve patrons.
20. **Kitchen Exhaust:** The Operator shall use its best efforts to ensure that smells emitting from the establishment do not disturb the neighbors. Upon request the Operator shall implement whatever measures necessary to abate any extant odor issues emanating from the establishment.

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of an on-premise liquor license for **CGM 13, LLC, TBD, 22 E. 13th St. 10003** **unless** the statements the applicant has presented are accurate and that those conditions and stipulations agreed to by the applicant relating to the 6th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

51. West 9th Street Consulting Group, LLC, TBD (Omar) 19-21-23 W. 9th St. 10011

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new On Premise license (not a transfer) in a previously licensed location for a restaurant located in a basement 4,000 s.f. premise in a mixed use residential building located on West 9th Street between 5th and 6th Avenue, with 23 tables, 89 table seats, 1 bar with 12 seats and a maximum legal capacity of 120 persons for a “fine dining restaurant that will focus on serving the Greenwich Village community”; and,

Whereas, the applicant stated the hours of operation are 12:00 p.m. – 2:00 a.m. seven days a week, there will not be a sidewalk café nor a backyard garden, music will be quiet background only from ipod/cd's, there is existing soundproofing, there will be no promoted events, no scheduled performances, no outside promoters, the applicant will manage vehicular traffic outside the premise and will be utilizing “ropes” outside the premise; and,

Whereas, the applicant has agreed to operate the bar in conjunction with the restaurant at all times as the previous operator has; and,

Whereas, the applicant has agreed to prohibit use of the backyard garden space at this time, but may revisit this issue at which time they will return to CB2 Manhattan for consideration but understands and represents that it is not a part of the current premise or application, but they may return at a future date to present an application and further understand that CB2 has made no representations that they

will support the application, but will allow it to be presented for consideration and at that time CB2 Manhattan will make a recommendation to the Liquor Authority.

Whereas, the applicant has agreed to submit a letter of support from the Cooperative Board to the CB#2, Man. office prior to the use of their On Premise License; and,

Whereas, the applicant has agreed to obtain all required certificates, permits and related documents, including but not limited to an amended Certificate of Occupancy and Public Assembly Permit; and,

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

Whereas, the applicant agreed to the following stipulations which they will execute as a stipulations agreement that they agreed will be attached and incorporated in to their method of operation on their SLA license stating that:

1. All doors and windows will be closed at all times.
2. There will be no dj's, live music, promoted events or outside promoters or scheduled events.
3. The hours of operation will be 12 p.m. to 2 a.m. seven days a week and all patrons will have exited the premises at the end of the hours of operation.
4. The applicant will employ a security company Thursday to Saturday.
5. The applicant will not operate in the backyard garden at this time.

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of an on-premise liquor license for **West 9th Street Consulting Group, LLC, TBD (Omar) 19-21-23 W. 9th St. 10011** **unless** the statements the applicant has presented are accurate and that those conditions and stipulations agreed to by the applicant relating to the 4th, 5th and 9th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 42 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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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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

52. 64 Greenwich Restaurant, LLC d/b/a The Meatball Shop, 64 Greenwich Ave.-(upgrade to existing RW SN# 1251976)-10011

Whereas, the applicant appeared before the committee, and;

Whereas, this application is for an upgrade of a restaurant wine license (SLA Serial #1251976) that was originally issued on 10/18/2011, approximately 1 year ago, for a “The Meatball Shop” which “is a small family and neighborhood friendly restaurant” which operates as a “specialty meatball restaurant” and is a “full service establishment, with quality meals at an affordable price point”; and,

Whereas, the premise is located between 7th Ave and Perry St. on the ground floor of 3 story mixed residential/commercial building for a 900 sq foot premise with 11 tables, 36 seats and 1 bar with 9 seats, 1 eating counter with 4 seats for a total of 49 seats, there is an existing certificate of occupancy which states a maximum occupancy of 50 persons, there is an existing sidewalk café which consists of 4 tables and 8 seats; and,

Whereas, the applicant states the hours of operation will be Sunday from 12 p.m. to 2 a.m., Monday to Thursday from 5 p.m. to 2 a.m. and Friday 5 p.m. to 4 a.m. and Saturday from 12 p.m. to 4 a.m., the restaurant will continue to feature “meatballs of all kinds – beef, pork, chicken, and vegetarian – as sandwiches, over pasta, and as sliders” and prices for dinner items will remain “generally under \$10, an affordable price point for a quality dinner destination in the West Village”, there will be no tv’s, music will be quiet background only from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there will never be a dj or live music or jukebox, the location is already adequately soundproofed, there will be no promoted events or outside promoters

Whereas, there are 21 licenses located within 500 feet; and,

Whereas, the applicant agreed to the following stipulations which they will execute as a stipulations agreement that they agreed will be attached and incorporated in to their method of operation on their SLA license stating that:

1. The hours of operation will be Sunday from 12 p.m. to 2 a.m., Monday to Thursday from 5 p.m. to 2 a.m. and Friday 5 p.m. to 4 a.m. and Saturday from 12 p.m. to 4 a.m.
2. The kitchen will be open at all times the premise is open and a full menu will be available.
3. The Door and Windows will remain closed at all times.
4. The premise will always maintain the same method of operation and **specifically will always operate as a specialty meatball shop** (as described in the above “whereas” clauses) for the duration of this on-premise liquor license. (A primary consideration for the recommendation for this license by CB2 Manhattan is this very specific method of operation and any other style of operation or hours of operation or dba name would not be approved by CB2 Manhattan otherwise at this time for this location and as such this stipulation is intended to prevent any changes without a specific recommendation from CB2 Manhattan and it is respectfully requested that the Liquor Authority take this into consideration for any future applications at this location)

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of an upgrade to a full restaurant on-premise liquor license for **64 Greenwich Restaurant, LLC d/b/a The Meatball Shop, 64 Greenwich Ave. 10011 (upgrade to existing SN# 1251976) unless** the statements the applicant has presented are accurate and that those conditions and stipulations agreed to by the applicant relating to the 6th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

53. Franco American Restaurant Investment Group Inc. d/b/a The Tea Set (now the L'Amant) , 235 W. 12th St. 10014 (Existing SN#1260043)

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an alteration to an existing restaurant on-premise liquor license whereby the applicant states the changes are to replace the existing bar with a shorter straight 6'6" bar, and reduce the table count by 3 and remove 4 chairs, there will be a new wall behind the bar dividing the previously open kitchen from the restaurant area and the name will change to "L'Amant" and the establishment will change from a "tea bistro serving breakfast, lunch and dinner" and "Café-Tea Salon" to a French Bistro and everything else will remain unchanged; and,

This is a restaurant now described as a "French bistro" located in a one story 750 s.f. premise in a mixed use building located on West 12th between Greenwich Avenue and West 4th Street with 5 tables and 24 seats, 1 stand up bar with 4 seats, a sidewalk café with 3 tables and 6 seats (applicant previously agreed with CB2 in March 2011 sidewalk café application to DCA), and a maximum legal capacity of 68 persons, there will be no TV's, music will be quiet background only from ipods/cd's, there may be occasional private parties,

Whereas, the applicant stated that there are 26 licensed premises within 500 feet; and,

Whereas, the applicant first appeared in front of CB2's SLA committee in November 2011 at which time the applicant was requested to perform additional community outreach including communicating with the Middle West 12th Street Block Association and return the following month, and at the

December 2011 CB2 SLA meeting a representative of the Block Association, Andica Kunst, appeared and spoke to the fact that the applicant and Block Association had met and had agreed to execute a stipulations agreement; and

Whereas, prior to this alteration application in September 2012, the applicant reached out to the Middle West 12th Street Block Association to explain the changes to be incorporated into this alteration application and there was no objection provided the existing stipulations remain in effect; and,

Whereas, the applicant executed a stipulations agreement with the Middle West 12th Street Block Association and executed a stipulations agreement with CB2 in December 2011 incorporating those stipulations with the exception that CB2 will not accept the paragraph “Nothing herein shall prevent a Subsequent Operator from seeking an amendment to the 12:00 a.m. closing time six months after the Subsequent Operator actually begins to operate the Establishment” because CB2 Manhattan’s SLA Licensing Committee hears each and every SLA application only at the time it is presented and makes a recommendation on the current set of facts presented by the applicant; and

Whereas, the applicant stipulated to the following in December 2011 which shall remain in effect:

1. **Hours of Operation:** On Sunday through Thursday, the Establishment shall be open from 8:00 a.m. to 12:30 a.m.; and on Friday and Saturday, the Establishment shall be open from 8:00 a.m. to 1:00 a.m. All patrons will be out by closing time.
2. **Certificates, Permits and Related Documents:** The Operator shall obtain all required certificates, permits and related documents and shall remain in compliance with all necessary governmental codes including the Department of Buildings, Landmarks, and the Fire Department.
3. **Soundproofing:** The Operator shall ensure that the Establishment will meet or exceed the current New York City Noise Code guidelines for residential areas. The Operator shall use its best efforts to ensure that 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 the New York City noise code.
4. **Doors and Windows:** The Operator shall not permit any doors or windows to be open prior to the opening of the Establishment as specified in “Hours of Operation” and after 8:00 p.m. on each day of operation.
5. **Music:** The Operator shall not permit DJs, live music or outside promoters (including promotional parties) in the Establishment. Any recorded music shall be background only.
6. **Party Bus:** The Operator shall not permit the entry of patrons arriving via a “party bus.”
7. **Security:** The Operator shall have a general manager and/or a manager on duty, capable of adequately communicating with residents of the community, to be present at the Establishment during all hours of operation.
8. **Lighting & Signage:** The Operator shall not use signage on the Establishment that will be lit by neon lighting or any bright lighting beyond 10:30 p.m. The Operator also agrees to not have “Sandwich Board” advertisement out on the sidewalk in the public walkway impeding the free flow of pedestrian traffic as has been previously noted and observed, but will instead comply with regulations that allow that type of advertisement if it is leaned against the building front and not obstructing the sidewalk.
9. **Restaurant:** The Operator shall continue to and will always operate the Establishment as a full service restaurant (as defined in Alcoholic Beverage Control law section 3(27)) which they have described as a “Café and Tea Salon”, a “Tea Bistro”, serving breakfast, brunch, lunch and dinner and will have a full menu available at all hours of operation until closing that consists of a full menu including Pastries, Eggs, Soups, Salads, Wraps, Sandwiches, Quiches, Appetizers etc. served from 8am – 4pm and a full menu of appetizers, salads, entrees, soups, sandwiches, and quiches from 4pm until closing. The menu will at all times be comparable to the menu presented to

Community Board 2 and the SLA at the time of the application for a full liquor license. To be clear, the Establishment will not be operated as a bar or tavern now or in the future.

10. **Sidewalk Café:** The Operator will operate the sidewalk café in front of the establishment, which consists of 3 tables and 6 chairs, in compliance with all rules and regulations and in compliance with all necessary governmental codes including those enforced by the NYC Department of Consumer Affairs. All tables and chairs will be removed from the sidewalk in compliance with governmental regulations when the sidewalk café is not in operation. If the sidewalk café is not set up as described in the floor plan submitted to the SLA and within the hours of legal operation, the Operator will not allow patrons to remove alcoholic beverages from the interior of the Establishment or consume beverages in the outdoor area. The Operator agrees not to set up the sidewalk café prior to Noon (12:00 pm) on Sundays and will not serve alcohol in the outdoor area prior to Noon on Sundays. To be clear, if the applicant places non-permitted benches in the outdoor area instead of setting up the café in the legally proscribed manner, those benches and the outdoor area within the sidewalk café boundaries will not be utilized for the service or consumption of alcohol and the benches will be removed at the same hours as defined under the “Doors and Windows” which is 8:00 p.m.
11. **Change of Ownership:** The License shall not be transferable in the event of a change of ownership of the Establishment, unless the Operator first amends its hours of operation such that the closing time of the Establishment is 12:00 am every night. In the event there is a change in ownership, the Operator shall notify the Community Board and the Middle West 12th Street Block association within 60 days prior to any such change.

Whereas, there are some concerns expressed by members of CB2 that this type of alteration represents a morphing of one type of business into a more alcohol based business given the history of the applicants original beer and wine license, subsequent upgrade shortly thereafter and now an alteration less than 1 year after upgrading, and respectfully requests to the Liquor Authority that this be taken into account in the future should any other entities apply for a license at this location and to respectfully consider that this is a very residential street, but never-the-less, given the extensive stipulations agreement;

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends denial of the alteration application for **Franco American Restaurant Investment Group, Inc. d/b/a L’Amant (Previously The Tea Set), 235 W. 12th St.** unless the statements the applicant has presented above are accurate and that those conditions and stipulations agreed to by the applicant relating to the 7th “whereas” clause continue to be incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

54. Rustic Table LLC, d/b/a The Quarter, 522 Hudson St. 10014 (serial number 1266110)

Whereas, the applicant appeared before the committee for a second time after it was requested by CB2 that the applicant perform community outreach in August 2012; and,

Whereas, this application is for a “transfer” of a restaurant beer and wine license for “casual tapas (small portion) restaurant with one owner” located between 10th street and Charles St. on the ground floor in a 5 story mixed use building residential commercial building for a 650 square foot premise with 13 tables and 32 table seats and 1 bar with 8 seats for a total of 40 seats inside; and,

Whereas, the proposed hours of operation are 11 a.m. to 1 a.m. Sunday to Wednesday and 11 a.m. to 2 a.m. Thursday-Saturday, there will be no tv’s, no security personnel, no French doors or windows that open, music will be quiet background only from ipod/cd’s, there is no soundproofing, there will never be dj’s, live music, promoted events or scheduled performances; and,

Whereas, while this is a beer and wine license, for illustrative purposes, there are 20 full on-premise licenses within 500 ft, which does not include any beer and wine licenses; and,

Whereas, when the applicant originally appeared in August 2012, the applicant did not follow the directions for presenting to CB2’s SLA Licensing Committee, nor did the applicant perform any community outreach, at that time, CB2 Manhattan requested the applicant perform community outreach and there were community members present in August 2012 who were willing to assist with that endeavor; and,

Whereas, the applicant only reached out to members of the community at the last minute and briefly met with them on September 13th, the day before CB2’s SLA Licensing Committee meeting, and explained to CB2’s Committee when asked why he waited so long that he had a confidentiality restriction that preventing him from discussing the matter, even though he had briefly presented his

application in August 2012 to the committee at a public meeting that was advertised well in advance, and that he had specifically been asked by CB2 to perform community outreach and explain his concept and listen to any concerns; and,

Whereas, the applicant has never held any type of liquor license previously or operated a restaurant; and,

Whereas, the previous licensee from which he is seeking a transfer originally submitted their application to the Liquor Authority on 8/12/2005 and the regular operating hours for that restaurant were never past 12 a.m. and were widely stated as closing earlier on many online review and menu sites; and,

Whereas, since the original filing of this application many new beer and wine and on-premise liquor licenses have been issued in the immediate area representing a significant change in character which have resulted in many quality of life concerns, have impacted parking, traffic, noise and the like; and,

Whereas, the applicant did not submit area diagrams for their sidewalk café or correctly state the Department of Consumer Affairs approved seating arrangement including number of seats and tables; and,

Whereas, when the applicant originally presented this application in August 2012 and was requested to perform community outreach, the hours of operation were stated then to be Sunday to Wednesday closing at 12 a.m. and Thursday-Saturday closing at 2 a.m.; and,

Whereas, on the copy of the Liquor Authority Application the applicant states the hours that the chef will dedicate to the premises are from 12 Noon until 10 pm; and,

Whereas, the hours the chef will devote to the premise are significantly earlier than the closing time and the “small portion” Casual style Tapas is often how a wine bar operation begins instead of a restaurant and there was an unwillingness on the applicants part to modify their hours of operation to more closely match their competitions hours of operation for similar beer and wine licensed restaurants; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** for a “transfer” of a restaurant beer and the application for **Rustic Table LLC, d/b/a The Quarter, 522 Hudson St. 10014 (serial number 1266110); and,**

THEREFORE BE IT FURTHER RESOLVED that CB#2, Man. respectfully recommends that should the Liquor Authority consider granting this license that consideration be given to the following proposed stipulations which other beer and wine applicants in the area have agreed to or consider asking the applicant to return to CB2 Manhattan to further discuss these matters:

13. Closing time: 11pm Sunday through Thursday; Friday and Saturday and national holidays 1 am.
14. All Doors and Windows will be closed by 9pm seven days a week.
15. Substantial menu items similar to those offered in afternoon and evening will be offered until closing each night.
16. The Operator shall not have DJ’s, use outside promoters, have karaoke or allow promoted third-party events at the Establishment. This does not preclude the operator from using PR firms to promote their own business.
17. The operator shall play only quiet background level music inside the establishment and shall not direct any music outside of the establishment. All sound will be contained within the interior of the premises.
18. The Operator will advertise themselves as a tapas restaurant or other type of restaurant and not as a wine bar.
19. Hours of operation consistent with the method of operation of the wine and beer license will at all times be posted in front window.

20. The operator must return to CB2 Manhattan to properly present their plans for the sidewalk café including a detailed diagram which reflects the agreed upon seating plan which the prior licensee negotiated with CB2 Manhattan and agreed to in order for this to be included in the newly licensed premise.

Vote: Unanimous, with 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

55. Pocket Foods Corp. d/b/a Taboonette, 30 E. 13th St. 10003

Whereas, the applicant appeared before the committee,

Whereas, this application is for a beer only license in a previously licensed space located between University and 5th Avenue, for a “family owned quick service eat in/take out restaurant that offers all kinds of food in pita, wraps or on a rice plate” situated on the ground floor of a 4 story mixed residential/commercial building for a 900 square foot premise with 2 tables and 16 seats, and 2 eating counters with 4 seats each for a total of 24 seats with one service bar, all beer will be ordered at register and then taken to seat; and,

Whereas, the hours of operation are closed Sunday, 8 a.m. to 10 p.m. Monday-Friday and 10 a.m. to 10 p.m. Saturday, there are no tv’s, music is back ground only from ipod/cd’s, there will never be a dj, there is existing basic soundproofing; and,

Whereas, there was a complaint by a local resident of loud music being played when the premises was open or closed which the applicant said he would address immediately; and,

Whereas, the applicant agreed to the following stipulations which they will execute as a stipulations agreement that they agreed will be attached and incorporated in to their method of operation on their SLA license stating that:

1. They agree to adhere to all facts as stated in CB2’s SLA Liquor License Questionnaire.
2. They will be closed and the premises vacated by all patrons by 11 p.m. 7 days a week.

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of a new beer only license for **Pocket Foods Corp. d/b/a Taboonette, 30 E. 13th St. 10003** **unless** the statements the

applicant has presented are accurate 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 On Premise license.

Vote: Unanimous, with 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

56. Aperitivo Di Palma Inc., 30 Cornelia St. 10014

Whereas, after this months CB2 SLA Licensing Committee meeting on September 13, 2012 where the committee voted to recommend denial for this new on-premise liquor license, but prior to CB2's Full Board Meeting on September 20, 2012, the applicant requested to withdraw and re-present their application to CB2's SLA Licensing Committee with a clearer presentation and more information to articulate their plans and after consultation between the Co-Chair's of CB2's SLA Committee, they agreed that the applicant could withdraw and re-present their application at the second regularly scheduled October 2012 CB2 SLA Licensing Committee meeting in light of changes to the application and an exception will made to allow this; and,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any type of proposed liquor license or changes to any existing license for **Aperitivo Di Palma Inc., 30 Cornelia St. 10014** until the applicant has re-presented their application in front of CB2's SLA Licensing Committee in October 2012 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 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

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

57. Bowery Poetry Club, Inc., 308 Bowery, 10012

Whereas, the applicant did appear before the committee and accepted a layover from the hearing; and,

Whereas, a stipulation agreement between the applicant and the neighborhood association was not completed to everyone's satisfaction; and,

Whereas, CB2 requested that the applicant and the neighborhood association work out this issue before CB2 hears this again; and,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any alteration to the liquor license for **Bowery Poetry Club, Inc., 308 Bowery, 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

58. Garden Pizza Inc. d/b/a Pizza Box, 176 Bleecker St.

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on September 11th, 2012, the applicant's attorney requested to layover the application from consideration; and,

Whereas, this application is for the Corporate Change of their On Premise license; and,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any proposed changes to the liquor license for **Garden Pizza Inc. d/b/a Pizza Box, 176 Bleecker 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 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

59. Moo Kamibika, Inc. d/b/a Masala Times, 194 Bleecker St. 10012

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on September 11th, 2012, the applicant's attorney requested to layover the application from consideration for the third time; and,

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

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any proposed liquor license for **Moo Kamibika, Inc. d/b/a Masala Times, 194 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 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

60. Sigma Burger Pie, LLC d/b/a Sigma Burger Pie, 68 W. 3rd St.

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on September 11th, 2012, the applicant's attorney requested to layover the application from consideration; and,

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

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** the proposed liquor license for **Sigma Burger Pie, LLC d/b/a Sigma Burger Pie, 68 W. 3rd 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 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

61. 55 Resto, LLC, 55 Bond Street 10012

Whereas, prior to this months CB2 SLA Licensing Committee meeting on September 11th, 2012, the applicant's attorney requested to layover the application from consideration; and,

Whereas, this application is for the new On Premise license; and,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** the proposed liquor license for **55 Resto, LLC, 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 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

62. The Mussel Pot, 174 Bleecker St. 10012

Whereas, the applicant did appear before the committee and accepted a layover from the hearing; and,

Whereas, this application is for a Corporate Change of their On Premise license; and,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any proposed changes to their liquor license for **The Mussel Pot, 174 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 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

63. Entity to be formed by George Tsinias, TBD, 70-80 Kenmare St. aka 184-188 Mulberry St.

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on September 11th, 2012, the applicant's 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 Community Board 2, Manhattan strongly recommends that the SLA **deny** any proposed liquor license for **Entity to be formed by George Tsinias, TBD, 70-80 Kenmare St. aka 184-188 Mulberry 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 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

64. An entity to be formed by Schratteer Food Incorporated d/b/a Affinage, 223 Mulberry St

Whereas, prior to this months CB2 SLA Licensing Committee meeting on September 11th, 2012, the applicant's attorney requested to layover the application from consideration and will resubmit at a later date; and,

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

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any proposed liquor license for **An entity to be formed by Schratteer Food Incorporated d/b/a Affinage, 223 Mulberry 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 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

65. Dominic Amato or entity to be formed, 203 Spring St. 10012

Whereas, the applicant **failed to appear** before CB2's SLA Licensing Committee after having been requested to do so by CB2, Manhattan upon CB2's receipt of a 30 day notice regarding this license application; and,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any proposed liquor license for **Dominic Amato or entity to be formed, 203 Spring St. 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board member 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

66. 205 Thomson Street, LLC, TBD, 205 Thompson St. 10012 (attorney requested layover)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on September 13, 2012, the applicant's attorney requested a **layover of consideration** for this application and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any type of proposed liquor license or changes to any existing license for **205 Thomson Street, LLC, TBD, 205 Thompson 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 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

67. Mystique Mystique, Inc. 354-55 West St. 10014

Whereas, at this months CB2 SLA Licensing Committee meeting on September 13, 2012, the applicant appeared with their attorney and presented their application and the applicant's attorney agreed to a **layover of consideration** for this application which is for a full on-premise liquor license for an *adult entertainment establishment (Gentleman's Club)* and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting after performing additional community outreach to the neighboring residential buildings directly and to any other interested community groups and will also address issues as they relate to traffic so as not cause conditions that may impact this very important corner which is a major exit off the south bound West Side Highway/West St. and any additional actions as deemed relevant; and,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any type of proposed liquor license or changes to any existing license for **Mystique Mystique, Inc. 354-55 West St. 10014** until the applicant has re-presented their application in front of CB2's SLA Licensing Committee and addressed any concerns and CB2 has forwarded a recommendation to the SLA and CB2 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 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

68. Corp. to be formed by John Souto, 501 Hudson St. 10014

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on September 13, 2012, the applicant's attorney requested a **layover of consideration** for this application and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any type of proposed liquor license or changes to any existing license for **Corp. to be formed by John Souto, 501 Hudson 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 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

69. Village Eats 10011, LLC, d/b/a Umami Burger, 432 Sixth Ave. 10011

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on September 13, 2012, the applicant's attorney requested a **layover of consideration** for this application and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any type of proposed liquor license or changes to any existing license for **Village Eats 10011, LLC, d/b/a Umami Burger, 432 Sixth 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 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

70. Swiss Institute, 18 Wooster St. 10013

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on September 13, 2012, the applicant requested to **withdraw** consideration for their application for a new on-premise liquor club license at the above noted premise; and,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any proposed liquor license for **Swiss Institute, 18 Wooster Street, 10013** until the applicant has re-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 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

71. Kevin LaCarrubba, d/b/a Lola's Kitchen Corp. 128 Charles St. 10014

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on September 13, 2012, the applicant's attorney requested a **layover of consideration** for this application and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any type of proposed liquor license or changes to any existing license for **Kevin LaCarrubba, d/b/a Lola's Kitchen Corp. 128 Charles 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 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

71. FB Café 70 Greenwich Ave., Inc. d/b/a Francios Café, 70 Greenwich Ave. 10011 (laid over)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on September 13, 2012, the applicant's attorney requested a **layover of consideration** for this application and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any type of proposed liquor license or changes to any existing license for **FB Café 70 Greenwich Ave., Inc. d/b/a Francios Café, 70 Greenwich 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 42 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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September 24, 2012

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 20, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following (September) resolution:

72. Eater Eats Crow, LLC d/b/a Sel Et Gras, 131 7th Ave. South (Serial Number 1261220)

Whereas, prior to this months CB2 SLA Licensing Committee meeting on September 13, 2012, the applicant's attorney requested to withdraw this alteration application which was to add the existing sidewalk café to the current applicant's restaurant wine license, serial number 1261220, and stated at CB2's SLA Committee Meeting on September 13, 2012 that the sidewalk was submitted as part of the applicants original Liquor Authority application which was not reviewed by CB2 Manhattan; and,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the Liquor Authority **verify** that the sidewalk café was indeed diagrammed and included as part of the original Liquor Authority application for the restaurant wine license serial #1261220 for **Eater Eats Crow, LLC d/b/a Sel Et Gras, 131 7th Ave. South** and if not, CB2 Manhattan requests that the Liquor Authority request that the applicant return to CB2 Manhattan and present this alteration application in front of CB2's SLA Licensing Committee so that CB2 is able to forward 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 42 Board member in favor.

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

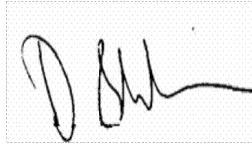
Sincerely,



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

BH/jrm

cc: Hon. Jerrold L. Nadler, Congressman
Hon. Sheldon Silver, NY State Assembly Speaker
Hon. Thomas K. Duane, 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