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Terri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Daniel Miller, *Assistant Secretary*

COMMUNITY BOARD NO. 2, MANHATTAN

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

FULL BOARD MINUTES

DATE: June 23, 2016
TIME: 6:30 P.M.
PLACE: Scholastic Building, 557, Broadway, Auditorium

BOARD MEMBERS PRESENT: Susanna Aaron, Keen Berger, Tobi Bergman, Chair; Carter Booth, Don Borelli, Erik Coler, Tom Connor, Terri Cude, Doris Diether, Cristy Dwyer, Robert Ely, Kathleen Faccini, Joseph Gallagher, Susan Gammie, Jonathan Geballe, Robin Goldberg, Sasha Greene, David Gruber, Susan Kent, Jeannine Kiely, Edward Ma, Lauren Racusin, Lois Rakoff, Robert Riccobono, Robin Rothstein, Rocio Sanz, Shirley Secunda, Kristin Shea, Federica Sigel, Shirley Smith, Susan Wittenberg, Antony Wong, Robert Woodworth, Elaine Young

BOARD MEMBERS ABSENT WITH NOTIFICATION: Katy Bordonaro, Richard Caccappolo, Lisa Cannistraci, Coral Dawson, Maud Maron, Daniel Miller, Sandy Russo

BOARD MEMBERS ABSENT: Alexander Meadows

BOARD MEMBERS PRESENT/ARRIVED LATE: Anita Brandt, Ritu Chattree, Cormac Flynn, Billy Freeland, Joshua Frost, Chenault Spence

BOARD MEMBERS PRESENT/LEFT EARLY: None

BOARD STAFF PRESENT: Bob Gormley, District Manager; Josh Thompson, Assistant District Manager, and Florence Arenas, Community Coordinator

GUESTS: David Bocarsky, Congressman Jerrold Nadler's office; Jianhang Xiao, Congresswoman Nydia Velazquez's office; Jared Odessky, Senator Brad Hoylman's office; Eric Mayo, Senator Daniel Squadron's office; Morris Chan, Manhattan Borough President Gale Brewer's office; Charles Anderson, Assembly Member Deborah Glick's office, Dan Campanelli, NYC Comptroller Scott Stringer's office; Adam Chen, Public Advocate Letitia James' office; David Moss, Council Member Corey Johnson's office; Aura Olavarria, Council Member Rosie Mendez's office; Larissa Srilagyi, Council Member Margaret Chin's office; Leslie Goldberg, Elaine Goldberg, Howard Negrin, Randall Henriksen, Ken Wallach, Joerb Truemper, Paul Alter, Tom Lewis, Elaine Wang, Pete Davies, Emily Siegel, Rus Meleur, Kathy Poesin, Peter Voletsky, David Mills, Travis Terry, Arthur Krimelman, Melvyn Stevens, Anna Durrett, George Komardis, Patrick Stagedyn, Doug Schachtel, Kavita Patel, Wayne Kawadler, Luigi Ciaccia, Michael Sillerman, Caroline Harris, Bruce Williams

MEETING SUMMARY

Meeting Date – June 23, 2016

Board Members Present – 39

Board Members Absent With Notification – 7

Board Members Absent - 1

Board Members Present/Arrived Late - 6

Board Members Present/Left Early – 0

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II. PUBLIC SESSION

Non-Agenda Items

Triangle Fire Memorial

Howard Negrin spoke against the future memorial.

Pier 40

Randall Henriksen spoke in favor of the proposed sale of the air rights.

Melvyn Stevens spoke in opposition to the air rights sale.

Lenox Health Greenwich Village

Wayne Kowadler updated everyone and introduced Kavita Patel, who spoke regarding the facility's new radiology department.

New School in Tribeca

Doug Schachtel announced there is a newly-built school in Tribeca.

Elizabeth Street Garden

Jeannine Kiely announced several upcoming events at the garden.

Various Announcements

Lois Rakoff reminded everyone regarding the free Washing Square Music Festival on June 27th, and an announcement to join the Bellevue Community Advisory Board.

Landmarks & Public Aesthetics Items

35 West 10th St. – Application is to construct rooftop and rear yard additions
Paul Alter spoke in favor of the landmarks application.

740 Broadway – Application is for the installation of a storefront infill and new door.
Luigi Ciaccia spoke in favor of the landmarks application.

363 Lafayette St. - Application to construct a new building on a vacant lot.
Michael Sillerman, Caroline Harris, Peter Voletsky, and Bruce Williams, spoke in favor of the application.

III. ADOPTION OF AGENDA

IV. ELECTED OFFICIALS PRESENT AND REPORTING

David Bocarsky, Congressman Jerrold Nadler’s office

Jianhang Xiao, Congresswoman Nydia Velazquez’s office

Jared Odessky, Senator Brad Hoylman’s office

Eric Mayo, Senator Daniel Squadron’s office;

Dan Campanelli, NYC Comptroller Scott Stringer’s office

Morris Chan, Manhattan Borough President Gale Brewer’s office

Charles Anderson, Assembly Member Deborah Glick's office

David Moss, Council Member Corey Johnson’s office

Larissa Srilagyi, Council Member Margaret Chin’s office

Aura Olavarria, Council Member Rosie Mendez’s office

V. ADOPTION OF MINUTES

Adoption of April minutes and distribution of May minutes.

VI. EXECUTIVE SESSION

1. **Chair's Report** Tobi Bergman reported.

2. **District Manager's Report** Bob Gormley reported.

3. **Treasurer’s Report** Antony Wong reported.

STANDING COMMITTEE REPORTS

LAND USE AND BUSINESS DEVELOPMENT

11 Bond Street (on the corner of Bond Street and Lafayette Street) BSA Cal No. 2016-4178-BZ: application for a variance to ZR 72-21 to allow Use group 6/10 retail below the second floor in an M1-5B zone.

Whereas:

1. This is an application to allow Use Group 6/10 retail below the floor level of the second floor in a three- to four-story building that has been used as a women's shelter.
2. Total floor area of proposed redevelopment is 13,014sf with main entrance on Lafayette and deliveries through Jones Alley.
3. The area adjacent to the property is heavily populated with arts, fashion, graphic and interior design, marketing, media, advertising/public relations, and technology establishments. For example:
 - a. Theaters within a few blocks of 11 Bond St include Lynn Redgrave Theater/SubCulture, Sheen Center, Bond Street Theater, Gene Frankel Theatre, Astor Place Theater/Blue Man Group, Public Theater and Joe's Pub.
 - b. Galleries and studios nearby include Dienst and Dotter, Zurcher Studio, The Hole, Aicon Gallery, Karma Gallery, Sylvia Wald + Po Kim Art Gallery, Uprise Art, CultureHub, and artists such as Chuck Close and Bruce Williams.
 - c. Showrooms for antiques and furniture include Alan Moss, Crate and Barrel, Dienst and Dotter, The Future Perfect, Clodagh, and Il Buco Vita.
4. The applicant claims that because of the small floorplates (1,150 to 1,500 sf below the second floor and 3,282 sf above), absence of a loading dock, and existing split level configuration, conversion of the building for conforming uses (such as manufacturing, or showroom and accessory) would not bring a reasonable return.
5. Applicant also claims that the developer requires flexibility to use the building for both Use Group 6 and 10 uses because the building exceeds 10,000 sf and it claims the building is only suitable for use by a single tenant.
6. The attorney representing the applicant, Michael Sillerman of Kramer Levin, wrote in his June 3, 2016 letter to the Board that there will be no below-grade selling space.
7. Concerns were raised at the meeting regarding excessive illumination.
8. NoHo Bowery Stakeholders supports this application but requests that the rooftop be landscaped and maintained by the owner; that no rooftop use other than maintenance be allowed; and that RFR (the applicant) continues to communicate with its neighbors during this conversion.

Therefore, CB2, Man. recommends approval of this application provided that:

1. BSA ascertains that building is truly only appropriate for a single tenant.
2. In the interest of contributing to this neighborhood's context, CB2 has a strong preference that, if Use Group 10 is approved, it be limited to arts and design establishments, such as those described in Whereas #3, and not banks, drugstores and apparel stores.
3. Applicant agrees to no eating and drinking establishments within the building or on the rooftop.
4. Applicant agrees to no below-grade selling space per Whereas #6.
5. Applicant agrees that it will landscape and maintain the rooftop; that there will be no event space on the roof and no public access of any kind to the roof except for essential maintenance of

building and plantings; and that RFR will continue to communicate with its neighbors during this conversion.

6. Illumination, including in-window advertising/display signage and other lighting, must not cast light into residential windows and be reduced within one hour of closing or by 10pm, whichever is earlier.
7. If a single user store is allowed, the top floor be used for back of house activities and not as another selling floor.

Vote: Passed, with 38 Board members in favor, and 1 in opposition (R. Sanz).

LANDMARKS AND PUBLIC AESTHETICS

FIRST LANDMARKS MEETING

1. ***120 Prince St.** - Application is to establish a Master Plan for the installation of a painted wall sign on the secondary east façade of the building.

Whereas:

- A. The sign area is 330 feet square (24' X 16 1/2 ') which is within the regulation size for the area of the wall and will delineated by a painted border; and
- B. Examples of history and approved contemporary painted signs in the neighborhood were exhibited; and
- C. The standard Landmarks Commission criteria for secondary facade signs in the district are agreed; and
- D. The Landmarks Commission staff will approve each sign to ensure that it conforms to the agreed criteria; now

Therefore be it resolved that:

CB2, Man. recommends approval of this application.

Vote: Unanimous, with 39 Board members in favor.

2. ***35 West 10th St.** – Application is to construct rooftop and rear yard additions.

Whereas:

- A. A new penthouse, replacing an existing penthouse, is not visible from any public thoroughfare; and
- B. A new rear facade is entirely sheathed in glass with bold, contemporary framing on one floor and extending 16' to the rear on the top two floors and the penthouse producing an irregular angled back wall within the current footprint of the existing addition on the lower floors; and
- C. The ratio of solid to void materials of the rear wall is nearly 100% void with no delineation of floors, no vertical delineation, not a vertical wall but angled and this curtain wall is not in keeping with the historic the building; and

- D. The applicant represented that the rear wall which is to be demolished is not original; and
- E. The rear yard patio area, not including the planting area which will be preserved, is to be excavated to construct a cellar extension; now

Therefore be it resolved that,

CB2, Man. recommends denial of the application unless the rear wall design respects the rectilinear form of a row house and has a considerable increase in solid area to identify the floor levels and create vertical separation between the glass panes.

Vote: Unanimous, with 39 Board members in favor.

- 3. ***30 Grove St.** – Application is to replace front stoop and railing.

Whereas:

- A. The stairs and landing will be rebuild in kind; and
- B. The fence will be reproduced in kind; and
- C. New stair railings will follow the existing fence design on adjacent properties; now

Therefore be it resolved that:

CB2, Man. recommends approval of this application

Vote: Unanimous, with 39 Board members in favor.

- 4. ***75 Spring St.** – Application is to extend a rooftop elevator bulkhead and construct an elevator vestibule, and to raise a roof parapet and chimney.

Whereas:

- A. The freight elevator is to be extended to the roof with an increase of the housing of from 9'-2" to 25'-10" and to a new vestibule which is not visible; and
- B. The parapet is increased in height 6'-0" to mask the elevator enclosure which will be very minimally visible; and
- C. The chimney is to be increased in height 2'-0" to conform to code for an occupied roof; now

Therefore be it resolved that:

CB2, Man. recommends approval of this application

Vote: Unanimous, with 39 Board members in favor.

5. ***246 W. 11th St.** - Application is to restore and modify facade, reconfigure and drop window sills at areaway, construct a one-story rooftop addition, replace and enlarge existing rear yard addition, and excavate cellar and rear yard.

Whereas:

- A. The areaway is to be modified to provide proper access to the entrance below the steps, the brownstone restored, and a new stoop and railing in a design suitable to the house installed; and
- B. The existing original vestibule doors will be moved to the entry; and
- C. The new six over six windows will be installed, and shutters, which were only represented in the elevation without detailed drawings of their design, and shutter hardware will be installed; and
- D. A Greek Revival cornice will be installed to replace the missing original with the example taken from a neighboring building; and
- E. The existing rear yard addition is a wooden structure that replaced the original extension and is to be demolished and replaced by a new rear extension, one story higher than the existing, with brick surround and expansive windows will be added; and
- F. The top story rear facade will be restored; and
- G. The skylight is being removed and a minimally visible zinc clad penthouse is set into the center of the house to preserve the visible roof slant; and
- H. The cellar and garden are to be excavated, 5' deeper in existing cellar and 10' deeper in the rear yard; now

Therefore be it resolved that:

CB2, Man. recommends approval of this application provided that the Commission ensures that the design of the shutters and their hardware are correct for the period of the building.

Vote: Unanimous, with 39 Board members in favor.

6. ***83 Horatio St.** – **Application is to construct rooftop and rear yard additions, perform excavation, replace windows and cornice.**

Whereas:

- A. The original rear facade of the building is to be demolished and extended, the existing attic level floor is to be reconfigured as a full height floor and a penthouse is to be added; and
- B. The lower penthouse level (the raised attic level) is set back 15' and the upper level 30" with overall height of 67'; and
- C. The cornice is to be rebuilt replicating the existing
- D. The areaway is to be enlarged and the existing railing preserved.

- E. The rear facade is to have French windows in the garden and parlor floors and double hung windows in the upper levels; and
- F. The addition of all floors are visible from a public thoroughfare to the north, however, in this instance, the visibility is not objectionable owing to the unusual character of the doughnut, the large, industrial building to the west and that the addition is in line with the neighbor to the east; and
- G. The cellar will be excavated 3' deeper and extended to the rear of the proposed footprint with underpinning and the garden will be excavated 10'; and
- H. There was negative testimony from a neighbor and in letters to the Committee that were determined not to be on matters relating to landmark considerations; now

Therefore be it resolved that:

CB2, Man. recommends approval of this application

Vote: Passed, with 38 Board members in favor, and 1 in opposition (D. Diether).

7A. *422 Hudson St. – Application is to change the function of the ground floor windows to operable casement windows, and to legalize the painting of the façade without LPC permits.

Whereas:

- A. The ground floor facade, lentils, and cornice were painted existing cream color without approval and the approval for the existing condition is requested; and-
- B. The windows are to be changed from fixed lower portions with operable transoms to ten lite casement windows of a similar appearance; now

Therefore be it resolved that:

CB2, Man. recommends **approval** of this application.

Vote: Failed, with 8 Board members in favor (D. Borelli, A. Brandt, S. Gammie, J. Geballe, L. Racusin, R. Sanz, K. Shea, S. Spence) and 31 in opposition. **See substitute resolution below.**

7B. *422 Hudson St. – Application is to change the function of the ground floor windows to operable casement windows, and to legalize the painting of the façade without LPC permits.

Whereas:

- A. The ground floor facade, lintels, and cornice were painted existing cream color without approval and the approval for the existing condition is requested; and-
- B. The existing windows are attractive with historical details, there being no reason to alter or replace the existing windows; now

Therefore be it resolved that:

CB2, Man. recommends **denial** of this application.

Vote: Passed, with 38 Board members in favor, and 1 in opposition (R. Sanz).

8. ***54 Morton St. – Application is to repair and restore the façade. (Withdrawn)**

9. ***51 Mercer St. – Application is to replace windows at the 2nd floor. (Withdrawn)**

SECOND LANDMARKS MEETING

10. ***36 Greene St (aka 89 Grand St.) – Application is to enlarge Greene Street windows by removing existing sills at three existing window openings and install new windows with installation of new sills at a lower height.**

Whereas:

- A. The window openings are original and serve to unite the highly detailed ends of the facade; and
- B. The proposed lengthening of the windows would compromise the intact facade of an historic building, now

Therefore be it resolved that:

CB2, Man. recommends denial of this application.

Vote: Unanimous, with 39 Board members in favor.

11. ***740 Broadway – Application is for the infilling of the lobby entrance (storefront renovation – new door).**

Whereas:

- A. The existing infill is pristine, symmetrical, and the bronze material is in a color and design that is in keeping with the building and the bronze adornments on either side of the entrance, and
- B. The proposal replaces a very satisfactory existing condition with an asymmetric arrangement of a revolving door on the left and an egress door to the right in stainless steel, all of which are ill suited to the building and the district and, and
- C. The air circulation difficulties cited as the reason for the revolving door can be overcome with interior reconfiguration and/or technological solutions, now

Therefore be it resolved that CB2, Man. recommends denial of this application.

Vote: Unanimous, with 39 Board members in favor.

12. ***59 Bleecker St.** – Application is to restore the existing one-story building, replace a non-original garage addition on Lafayette Street with a new one-story extension, and add retail signage.

Whereas:

- A. The historic building is to be restored, with the storefronts made uniform with a rhythm relating to the terra-cotta parapet, and
- B. The non-historic garage building to the north is to be demolished and replaced with a building that references the style and detail of the historic building in a simpler expression and turns the corner into Jones Alley, and
- C. The segmented storefronts with transoms in a symmetrical rhythm are in gray aluminum with bulkheads lower than typical of the district and not reflective of the examples of infill in buildings shown by the applicant as reference, and
- D. There is a blade sign marking the intersection of the historic building and the new addition and a master plan for conforming signage on glass for the several tenants, now

Therefore be it resolved that:

- A. CB2, Man. recommends that the recessed panels in parapet of the new building have texturing to better relate to the panels in the historic parapet and that the storefront bulkheads throughout the two street elevations be higher as is typical of the district, and
- B. That with these modifications the Board recommends approval of this application.

Vote: Unanimous, with 39 Board members in favor.

13. ***116 W. Houston St.** – Application is to remove the existing aluminum frame glass entry door, and replace with new wood door and frame.

Whereas:

The proposed infill replacement in wood with a bulkhead in diamond plate, multi pane black window and transom frames and a wooden door is in keeping with the building and similar situations in the district, now

Therefore be it resolved that:

CB2, Man. recommends approval of this application

Vote: Unanimous, with 39 Board members in favor.

14. *363 Lafayette St. - Application to construct a new building on a vacant lot.

Whereas:

- A. The site is wider to the north and triangulates sharply to the south, a remnant of the widening of Lafayette Street, and
- B. There is an exposed, rough secondary lot line facade of a sliver building adjacent to the site to the east and a loft building occupied by artists to the south and these situations are addressed by the height of the building and its south façade's being white and without windows, and
- C. The main building has a two facades with a large proportion of windows with horizontal delineation and every second floor in brick and a four story penthouse, and
- D. The entablature above the ground floor and between alternate floors reflects the detail in construction typical to the district as show in examples; and
- E. The stories are set at different angels to correct for the transition from Lafayette to Great Jones Street and the irregular shape of the site, and
- F. The one story southern extension is in metal with many large windows and with entablature similar to the main building and a low, articulated parapet was inspired by the "cow catcher" on the Flatiron Building, and
- G. Bowery stakeholders and 20 Bond have been in cordial conversation with the applicant and support the proposal, now

Therefore be it resolved that:

- A. CB2, Man. recommends that in the main building have a stronger vertical expression in the structure, in particular that the windows be narrower, reflect the proportion of the windows typical in the district and that there be a greater proportion of solid to void, and
- B. That the white panels on the south facade of the main building have texture, and
- C. That consideration be given to a green roof on the south extension and that care be taken that the artificial light from the considerable number of windows does not disturb the neighborhood, and
- D. That with these modifications the Board recommends approval of this application.

Vote: Passed, with 37 Board members in favor, 1 in opposition (E. Young) and 1 recusal (C. Booth).

QUALITY OF LIFE

New Applications for revocable consent to operate an unenclosed sidewalk café for:

- 1. Joyful Eats Two LLC, d/b/a Mimi Cheng's Dumplings, 380 Broome St., with 6 tables and 12 chairs (556-2016-ASWC)**

Whereas, there were no community members present to speak about this application; and

Whereas, the business is a take-out operation so that patrons bring their food to their tables,

Whereas, despite the intention for the tables to be served and cleared by patrons, restaurant staff would periodically have to clean tables; and

Whereas, the proposed configuration results in one table that cannot be accessed from the service aisle; and

Whereas, the operator was present and agreed to stipulate that she would not seek a license to sell beer and wine; and

Whereas, there is insufficient room for the operator to use planters to enclose the café without them extending beyond the allowable borders of the café; now

Therefore Be It Resolved that CB2, Man. recommends approval of the sidewalk café for **Joyful**

Eats Two LLC, d/b/a Mimi Cheng's Dumplings, 380 Broome St., with 6 tables and 12 chairs, with the following conditions:

1. The plan will be revised to create the required service aisle and, if necessary to satisfy that requirement, the number of tables will be reduced;
2. The operator will not seek a license to sell beer and wine at this location; and
3. The enclosure will be designed not to extend beyond the approved boundaries of the café.

VOTE: Unanimous, with 39 board member in favor.

2. E2 185 Bleeker LLC, 185 Bleeker St., with 5 tables and 10 chairs (7110-2015-ASWC)

Whereas, no members of the public were present to speak about the application, and the Community Board office received one email objecting to the application on the grounds that the sidewalk in the area is congested; and

Whereas, the design and layout of the proposed café conform to regulations; now

Therefore Be It Resolved that CB2, Man. recommends approval of a sidewalk café for **E2 185 Bleeker LLC, 185 Bleeker St.**, with 5 tables and 10 chairs.

VOTE: Unanimous, with 39 board member in favor.

3. Josan & Josan Inc., d/b/a N/A, 73 7th Ave. South, with 12 tables and 23 chairs (7177-2016-ASWC)

Whereas, no members of the public were present to speak about the application; and

Whereas, the applicant's attorney clarified that a request for approval by the Landmarks Commission has been filed but a decision has not yet been received; and

Whereas, it is understood that regulations require that the obstruction created by the bicycle rack in front of the proposed location must be calculated with bicycles attached to the rack, and that calculation may result in the need to change the layout of the proposed café; and

Whereas, the committee expressed concern about clearance for pedestrian traffic going to Greenwich House on Barrow Street; and

Whereas, the applicant stipulated that no beer and wine license will be sought for this location; now

Therefore Be It Resolved that CB2, Man. recommends approval of the sidewalk café for **Josan & Josan Inc., d/b/a N/A, 73 7th Ave. South**, with 12 tables and 23 chairs, with the following conditions:

1. The plan be revised to account for the size of the bike rack with bicycles attached according to the required formula, and the revised plan be submitted to CB2; and
2. If necessitated by the recalculation of the bike rack obstruction, the design and amount of tables and chairs be amended; and
3. The approval of the Landmarks Commission be submitted when it is received; and
4. The applicant will not seek a license to sell beer and wine at this location.

VOTE: Unanimous, with 39 board member in favor.

New Applications for revocable consent to operate an enclosed sidewalk café for:

4A. Happy Cooking Bistro LLC, d/b/a Happy Bistro, 322 Spring St., with 13 tables and 27 chairs (15071-2015-ASWC)

Whereas, no members of the public were present to speak about the application and the landlord of the building spoke in favor of the application; and

Whereas, the enclosure extends beyond the building line on Greenwich Street, which has a sidewalk of less than 12 feet in width on which a sidewalk café is not permitted; and

Whereas, a ramp is proposed along the Greenwich Street façade giving access to the restaurant, and the approval of the design and location of such a ramp is the purview of other agencies; and

Whereas, the façade of the café enclosure along Spring Street is divided into three sections with different planes in order to clear sidewalk obstructions, which results in the façade being not uniform and not parallel to the curb line; and

Whereas, the café, as designed would have 27 seats, which is more than the 21 seats inside the restaurant; and

Whereas, an argument was made that enclosed sidewalk cafés are inherently out of character with the neighborhood and contravene the intention of allowing sidewalk cafes, namely to bring life and activity to the street;

Therefore Be It Resolved that CB2, Man. recommends approval of the enclosed sidewalk café for **Happy Cooking Bistro LLC, d/b/a Happy Bistro, 322 Spring St.**, with 13 tables and 27 chairs, with the following conditions:

1. The plan be redone to eliminate the intrusion of the sidewalk café into the Greenwich Street sidewalk;
2. DCA take into consideration that the sidewalk café will more than double the seating of the restaurant; and

3. DCA and other appropriate agencies review the ramp design and location prior.

Vote: Failed, with 5 Board members in favor (D. Borelli, C. Dwyer, S. Greene, R. Sanz, R. Woodworth), and 34 in opposition. **See substitute resolution below.**

4B. Happy Cooking Bistro LLC, d/b/a Happy Bistro, 322 Spring St., with 13 tables and 27 chairs (15071-2015-ASWC)

Whereas, no members of the public were present to speak about the application and the landlord of the building spoke in favor of the application; and

Whereas, the enclosure extends beyond the building line on Greenwich Street, which has a sidewalk of less than 12 feet in width on which a sidewalk café is not permitted; and

Whereas, a ramp is proposed along the Greenwich Street façade giving access to the restaurant, and the approval of the design and location of such a ramp is the purview of other agencies; and

Whereas, the façade of the café enclosure along Spring Street is divided into three sections with different planes in order to clear sidewalk obstructions, which results in the façade being not uniform and not parallel to the curb line; and

Whereas, the café, as designed would have 27 seats, which is more than the 21 seats inside the restaurant; and

Whereas, an argument was made that enclosed sidewalk cafés are inherently out of character with the neighborhood and contravene the intention of allowing sidewalk cafes, namely to bring life and activity to the street;

Therefore Be It Resolved that CB2, Man. recommends **DENIAL** of the enclosed sidewalk café application for **Happy Cooking Bistro LLC, d/b/a Happy Bistro, 322 Spring St.**

Vote: Passed, with 38 Board members in favor, and 1 in opposition (R. Sanz).

Street Activity Applications:

5. 7/10/16 – Bastille Day by Barrio 47 Restaurant Special Event; 47 8th Ave. between Horatio St. and West 4th St.

Prior to the meeting it was determined that the applicant identified a location that was a small triangular park that could not accommodate any event, so the application was not heard, and no one appeared to speak either in favor of it or against it.

No vote needed.

6. 8/28/16 – Greenwich Village Chelsea Chamber of Commerce PopUp Fair, West 13th St. between Hudson St. and West 8th Ave.

Whereas, the applicant had presented at the previous meeting, after which the applicant agreed to table the application in order to reconsider the proposed location; and

Whereas, the committee and the applicant discussed the potential for disruption to residences east of the intersection of West 4th Street and West 13th Street; and the applicant agreed to amend the location to be West 13th Street, from the intersection of West 13th Street and West 4th Street, west to Hudson Street; and

Whereas, the proceeds of the event will help fund community initiatives of GVCCC in the district; and

Whereas, the operator promises a different sort of street fair featuring start-up entrepreneurs, many of which will be local enterprises; and

Whereas, the street will be closed from set-up to cleanup, 9:00 a.m. to 8:00 p.m.; now

Therefore Be It Resolved that CB2, Man. recommends approval of the **Greenwich Village Chelsea Chamber of Commerce PopUp Fair** on 8/28/16, with the location to be amended to be West 13th Street from the intersection of West 4th Street and West 13th Street west to Hudson Street.

Vote: Unanimous, with 39 Board members in favor.

7. 9/1/16 – 20th Annual New School Block Party; West 12th St. between 5th Ave. and 6th Ave.

Whereas, this application was laid over from the previous meeting; and

Whereas, representatives of The New School described the event as being part of student orientation, which has been taking place in this manner for 20 years; and

Whereas, no members of the public were present to speak about the application; and

Whereas, the street will be closed from 12:00 p.m. to 8:30 p.m., and the event will run from 3:30 p.m. to 7:00 p.m.; now

Therefore Be It Resolved that CB2, Man. recommends approval of the **20th Annual New School Block Party**, West 12th St. between 5th Ave. and 6th Ave., on 9/1/16.

Vote: Unanimous, with 39 Board members in favor.

8. 9/14/16 – 9/18/16 – Astor Place Opening Festival; 1) Astor Place between Cooper Square and Lafayette St., 2) Cooper Square between 3rd Ave. and East 8th St.

Whereas, the application had been tabled at the last meeting in order for the applicant to undertake more community outreach; and

Whereas, William Kelley, Executive Director of The Village Alliance, which is sponsoring the event, and Zella Jones, President of NoHo-Bowery Stakeholders, reviewed their collaboration to ensure broad outreach within the area to residents and local businesses and organizations; and

Whereas, that outreach has resulted in a good response and the addition of new participants; and

Whereas, there will be no vending as part of the event, and no interference with pedestrian access throughout the area; and

Whereas, the outlines of the event are:

1. Ribbon Cutting Ceremony on the morning of Thursday, September 15;
2. Cabaret on Astor Place on the evening of Friday, September 16;
3. Festival, open houses, backstage visits, tours and 4 stages for performances from 1:00 p.m. to 5:00 p.m. on Saturday, September 17;
4. Opening Parade through the area from 5:30 p.m. to 6:30 p.m. on Saturday, September 17;
5. Rain Date, Sunday, September 18.

Whereas, the applicant will not know until after the event whether or not it would want to repeat the event the following year, and, therefore, the applicant agreed that any plan to create an event of this scale in the future would require submission of a new application – not a renewal; now

Therefore Be It Resolved that CB2, Man. recommends approval of the **Astor Place Opening Festival**; 1) Astor Place between Cooper Square and Lafayette St., 2) Cooper Square between 3rd Ave. and East 8th St.; on 9/14/16-9/18/16, with the understanding that any repeat of this event or an event of like magnitude will be considered a new application, not a renewal.

Vote: Unanimous, with 39 Board members in favor.

FYI/Renewal Street Activities:

9. **8/13/16 – VRDC Waverly Place Festival**, Washington Square North between 5th Ave. and MacDougal St.
10. **8/21/16 – 126th Feast of St. Rocco Block Party**, 113 Baxter St. between Canal St. and Hester St.
11. **8/27/16 – Ninth precinct Community Council Astor Place Festival Co-Sponsored Event**, Astor Place between Broadway and Lafayette St.

Therefore Be It Resolved that CB2, Man. recommends approval of the foregoing street activity renewal applications.

Vote: Unanimous, with 39 Board members in favor.

SLA LICENSING

1. Tourbillon45, LLC, d/b/a Café Altro Paradiso, 234 Spring St. 10013 (alteration application to add sidewalk café to existing license, lic. #1288396, exp. 1/31/2018)

A. Whereas, the applicant appeared before CB2, Manhattan’s SLA Licensing Committee seeking an alteration to add a sidewalk café to its existing on premise license while continuing to operate a full service Italian American restaurant in a 15-story commercial building located at the corner of Spring Street and Sixth Avenue in the Hudson Square area of Manhattan; and,

B. Whereas, there was never previously a sidewalk café at the licensed premises, the existing restaurant being open for only one year and previous to it opening in 2015 was never previously licensed and never used or occupied for eating and drinking; and.

C. **Whereas**, despite never previously being licensed CB2 Man. found the application to be in the public interest and recommended approval of the license in October/2014 subject to certain stipulations, issuing a deny/unless resolution with those stipulations incorporated into its current license; and,

D. **Whereas**, the proposed occupancy for the sidewalk café is for 20 seats within a 172 sq. ft. area of the public sidewalk in front of the existing premises and the sidewalk café is located off a park and across from Sixth Avenue and not near residential buildings which could present a potential conflict with noise coming from the sidewalk café and where the windows to the establishment are fixed and do not open, there being no other changes to the existing business being sought or requested, the existing method of operation to the interior premises remaining unchanged in all respects continuing to do business as Café Altro Paradiso; and

E. **Whereas**, the interior premises will continue to operate as a full service restaurant within a 2,414 sq. ft. storefront premises with only one entrance/exit for patrons, a full service kitchen, two bathrooms, 29 tables with 80 seats, 1 full service bar with 12 seats for an occupancy of 92; there being no exterior use with the exception of the proposed sidewalk cafe; and,

F. **Whereas**, the applicant executed a stipulations agreement with CB2, Man. that they agreed would be attached and incorporated in to their method of operation on their OP license and the stipulations are as follows:

1. All prior stipulations and agreements for premises remain in full effect.
2. The premises will be advertised and operated as a full service Italian American Restaurant serving brunch on Sundays and dinner daily with hours of operation from 5:30 PM until 11 PM Monday through Thursday and from 5:30 PM until 12 AM Fridays and Saturdays and from 11:30 AM until 11 PM on Sundays.
3. The premises will never operate as a Night Club, Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. All doors and windows will be closed at all times.
5. The sidewalk café will close at 11 PM Sunday through Thursday and by 12 AM on Fridays and Saturdays.
6. Music will be quiet, background level only and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
7. There will no TVs.
8. The premises will not permit dancing even in the event a Cabaret License is applied for and issued.
9. Will not install operable windows that open out to sidewalk or otherwise.
10. Will close all doors and windows at all times.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the alteration application to **Tourbillon45, LLC, d/b/a Café Altro Paradiso, 234 Spring St. 10013** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on the OP License.

Vote: Passed, with 38 Board members in favor, and 1 in opposition (D. Diether).

2. MGM Thompson, LLC, d/b/a N/A, 75 Thompson St. 10014 (New Restaurant Wine)

A. Whereas, the applicant and his attorney appeared before CB2’s SLA committee for the purpose of seeking a restaurant wine license for a storefront premises located in a 6-story mixed-use building (Circa 1900) on Thompson Street between Spring and Broome Streets; and

B. Whereas, the interior storefront premises is approximately 1,800 sq. ft. (1,500 sq. ft. ground floor and 300 sq. ft. basement), was previously occupied and operated as a quiet Japanese take out Restaurant that closed by 11 PM every night and provided no significant detrimental impact on a residential area/block running along a very narrow roadway in SoHo without any sidewalk cafes or establishments with open facades on that particular block; and

C. Whereas, the applicant provided plans/drawing and seeks to gut renovate the entire premises installing an open façade to the public sidewalk which never previously existed and further seeks to extend service to the sidewalk with a sidewalk café where none had previously existed creating a significant potential impact in an existing primarily residential neighborhood, it not being established that a sidewalk café is permitted on the public sidewalk in front of these premises and a “public interest” not being established even though CB2 Man. recognizes that the current application does not seek an on premise license; and

D. Whereas, there were residents living in the same building who lived just above the storefront premises and from the immediate block around the storefront premises who appeared in opposition to the application citing the applicant’s existing restaurant on Prince Street which they stated was very loud expounding concerns about the significant noise impact the new open façade and exterior operations by their homes will have on their existing residential neighborhood that has never experienced such an impact into the late evening and night time thereat; and,

E. Whereas, there being additional concerns that the applicant was making such wholesale changes to the existing premises in a Restaurant Wine license to circumvent the public interest standard by later returning and reappearing in the future to upgrade the license after the open facades and detrimental impact to the community had been already been created and established; and,

F. Whereas, the applicant seeks to open a full service “Mediterranean, Greek and Sicilian style fish restaurant” with hours of operation from 11 AM to 12 AM Sunday through Saturday, with 12 tables and 24 interior seats, 1 stand up bar with 5 seats for a total patron seating capacity of 29; and

G. Whereas, in light of the above-referenced concerns raised by the existing surrounding neighbors appearing before CB2 Man. and the additional concerns of CB2 Man., the applicant agreed to never upgrade to a full on premise license at these premises, to delay by one year after opening the restaurant any application for a sidewalk café and to completely close the front façade and all doors/windows by 10 PM every night of the week; and,

H. Whereas, the applicant executed a stipulations agreement with CB2 Man. that they agreed would be attached and incorporated in to their method of operation on and as a part of their restaurant wine license and the stipulations are as follows:

1. The premises will be advertised and operated as a full service “Mediterranean, Greek and Sicilian style fish restaurant” with a full service kitchen.
2. The premises will operate with hours of operation from 11 AM to 12 AM Sunday through Saturday.

3. The premises will never operate as a Night Club, Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. All doors and windows will close by 10 PM every night.
5. There will be no outdoor service and no sidewalk café at this time and the applicant will wait one year after opening the restaurant before returning to CB2 Man. for an alteration to add a sidewalk café at the premises.
6. Music will be quiet, background level inside the restaurant and bar and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
7. There will only be 2 TVs measuring no greater than 46 inches in diameter.
8. The premises will not permit dancing.
9. Applicant agrees not to upgrade its existing license to a full on premise license.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the alteration application to **MGM Thompson, LLC, d/b/a N/A, 75 Thompson St. 10014** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on the Restaurant Wine License.

Vote: Passed, with 36 Board members in favor, and 3 in opposition (R. Chattree, D. Diether, C. Flynn).

3. Poke NYC, LLC, d/b/a Chikarashi, 227 Canal St. Store #3 10013 (New Beer and Wine – Previously Unlicensed location)

A. Whereas, the applicant and applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new beer and wine license to operate a “quick service” and take out “restaurant serving Hawaiian inspired poke bowls” serving lunch and dinner; and

B. Whereas, the premises was previously operated as a gift shop and was never previously licensed for the service of alcohol and never operated for eating and drinking the storefront location being located in a M1-5B zoned district which does not permit eating and drinking at the existing first floor storefront without a special permit, the applicant not providing such special permit for this purpose; and,

C. Whereas, the storefront premises is located in a 6-story commercial use building (Circa 1900) on Canal St. at Centre Street in the Chinatown section of Manhattan for a 700 sq. ft. premises with 1 table and 7 patron seats, 1 food take-out counter with no seats for a seating occupancy of 7 patrons, this application does not include a sidewalk café and there are no other outdoor areas for patrons; and,

D. Whereas, there is no bathroom accessible to patrons within the storefront premises and the applicant acknowledged that the only bathroom available to patrons would require them to exit the storefront premises on the public sidewalk and walk down the sidewalk to a separate entrance for the commercial building thereat where patrons would take an elevator up to the fifth floor of the building where a bathroom is located for that purpose but where it was not credible that the building would remain open at all times and accessible for patrons, safe for patrons, there being questions as to liability if a crime or accident was to occur when accessing the separate building premises or reasonably appropriate for a license to sell alcohol; and,

E. Whereas, the proposed hours of operation will be Sunday to Saturday from 11am to 11pm, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 10 p.m. except for patron ingress and egress, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no TV's;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** for **Poke NYC, LLC, d/b/a Chikarashi, 227 Canal St. Store #3 10013** on its application seeking a new beer and wine license.

THEREFORE BE IT FURTHER RESOLVED that should this application be considered by the SLA, CB2, Man. respectfully requests that this item be Calendared to appear before the Full Board of the SLA;

Vote: Unanimous, with 39 Board members in favor.

4. Joy Luck Palace, Inc., d/b/a TBD, 98 Mott St. 10013 (New OP – Previously Unlicensed location)

A. Whereas, the applicant and applicant's attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new restaurant on premise liquor license to operate a Chinese restaurant specializing in Dim Sum serving lunch and dinner with take-out services; and

B. Whereas, the premises was previously operated for years as the Grand Harmony Restaurant, it has never been licensed for the service of alcohol and the applicant will continue to operate the premises as a Restaurant with a full service kitchen, with a similar method of operation, albeit under new ownership, with a similar menu, many of the existing staff to remain and similar closing hours; and

C. Whereas, this application is for an on premise liquor license located in a 6-story mixed-use building (Circa 1920) located in on the ground floor and cellar on Mott St. between Hester and Canal Sts. in the Chinatown section of Manhattan for a 4,000 sq. ft. premises, offering banquet style seating, inexpensive food with table service via carts, with 48 tables and 356 seats, no standup bar, this application does not include a sidewalk café, there are no other outdoor areas for patrons and no doors or windows or doors that open out to the public sidewalk from the interior of the establishment; and,

D. Whereas, the hours of operation will be Sunday through Saturday from 8 am to 11 pm (No patrons shall remain after the closing hour), 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 five TVs, all doors and windows will be closed at all times except for patron ingress and egress, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes and no movable barriers; and,

E. Whereas, the applicant executed a stipulations agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated into the method of operation as a part of the restaurant on premise license stating that:

1. The premises will be advertised and operated as a full service Chinese restaurant specializing in Dim Sum with a full service kitchen and will operate at all times as a full service restaurant.
2. The hours of operation from Sunday to Thursday from 8 am to 11 pm Sunday through Saturday.
3. There will be five televisions but the premises will never operate as a Night Club, Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.

4. There will be no French doors or windows installed at the premises and all doors and windows will be close by 10 PM every night.
5. There will be no outdoor service and no sidewalk café.
6. Music will be quiet, background level inside the restaurant and bar and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
7. The premises will not permit dancing.
8. There will never be any after-hour events.
9. There will be no all you can eat/all you drink specials or pitchers of beer.

F. Whereas, there are currently approximately 18 On Premise Liquor Licenses within 500 ft. of the premises, an unknown number of beer and wine licenses and 34 On Premise Liquor Licenses within 750 ft. of the premises; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant On Premises Liquor License for **Joy Luck Palace, Inc., d/b/a TBD, 98 Mott St. 10013** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the "Method of Operation" on the SLA On Premise License, and

Vote: Unanimous, with 39 Board members in favor.

5. San Remos Group One, LLC, d/b/a San Remo, 201 Lafayette St. 10012 (New OP license)

A. Whereas, the applicant appeared before CB2, Manhattan's SLA Licensing Committee for a new on premise liquor license to operate a café during the day time hours to serve coffee during the day, while also providing for a rotating art gallery and promoting cultural performances, movies and lectures during the evenings and operating as a lounge and bar at night until 2 AM offering late night drinking and private parties with performances in a 2,400 sq. ft. storefront premises with two entrances, the first located on Cleveland Place and the second located on Lafayette Street, in a 7-story mixed use building at the corner of Lafayette and Kenmare Streets just south of Petrosino Square and runs along Lafayette to Grand Street; and

B. Whereas, this storefront location is part of a larger building that already contains five existing licensed premises, including La Esquina, Brinkley's and the Southside Nightclub, all of which have been the subject of significant SLA enforcement proceedings over the last few years for misstating the terms of their proposed method of operation, claiming to be a restaurant upon presentation of their applications but later opening up as nightclubs, generating many on-going complaints over the years, resulting in numerous CB2 Man. resolutions recommending to the SLA that they deny each of licenses upon renewal, which despite such disciplinary proceedings and after paying fines have been permitted to continue to operate out of the same building with the same landlord until 4AM; and

C. Whereas, the premises was originally proposed to CB2, Man. in 2010 for the purposes of operating as a full service restaurant and bar known as Lair but the premises has never operated as a restaurant, there being no indication it has operated with a full service kitchen and instead operated in derogation of its agreements with CB2 Man. and with the SLA by operating as a lounge and nightclub with dancing and DJs until 4AM; and

D. Whereas, a diagram presented by the applicant demonstrates two separate interior spaces separated by an interior wall and doorway, the Lafayette storefront presenting from the public sidewalk as a small café and counter with 5 tables and 10 seats but where an entrance to a second, entertainment-like space can be accessed from the café space via a unidentified doorway into a much larger second space where there is a large sofa lounge with seating for 30 patrons running along one wall with 5 tables and 10 opposing patron seats, and with 1 stand up bar with eight additional seats located on the Cleveland Place side, there being a second set of doors and an exterior doorway leading to the public sidewalk at Cleveland Place which is not identified as an entrance and which the applicant stated would not be used for patrons other than for emergency exit; and

E. Whereas, the applicant appeared before CB2, Man in January/2016 stating that he could not limit or reduce his hours of operation and that his method of operation required 4 AM and entertainment levels of music with DJs with a proposed occupancy of 175, resulting in the deny recommendation from CB2 Man. to the SLA; and

F. Whereas, the applicant did not pursue its prior application in January/2016 with the SLA but instead returned again to CB2, Man. now stating through their Attorney that they can and will reduce their hours of operation to 2 AM, that they will no longer seek or require entertainment levels of music with DJs, that music will be background (quiet) levels only and further that they will reduce, limit and cap the patron occupancy of the space to only 125 patrons so that a public assembly permit would not be necessary; and

G. Whereas, a number of neighbors consistently appeared in opposition to the application in January, May and June/2016 and still others provided email communications in opposition to the instant application, outlining concerns about adding yet another late night drinking establishment within the same building with same landlord, who residents within the surrounding neighborhood have been at odds with for years due to Landmark violations and the creation a nightclub type atmosphere until 4AM at different locations within the same building but with significant impacts on residents living on multiple streets (Cleveland Place, Lafayette Street and Kenmare Street) surrounding the building, the increase in late night operations, traffic and noise caused by adding yet another licensed bar and lounge in an area already saturated with licensed late night drinking establishments and concerns about the use of the Cleveland St. side doorway, which has been used in the past as a secret entrance for patrons despite prior agreements from the previous operator to never use that doorway unless for emergency egress; and

H. Whereas, there are already 22 existing licensed premises within 500 feet of the proposed premises (not including beer and wine licenses) with 6 additional pending licenses within 500 feet and already 42 liquor licenses within 750 feet of the proposed premises; and

I. Whereas, there were also significant concerns about the applicants credibility in that they previously stated (repeatedly) that they could only operate their business with late night hours until 4AM at the location with a nightclub type method of operation while the history of the location demonstrates an existing “bait and switch” problem where no one has been honest about their stated plans and the current applicant’s stated plans of operating as a bar and lounge at night essentially provide no public interest in an area already greatly saturated with this type of licensed establishment.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial for **San Remos Group One, LLC, d/b/a San Remo, 201 Lafayette St. 10012** on its application seeking a new OP license; and,

THEREFORE BE IT FURTHER RESOLVED that if this application is considered by the SLA, despite CB2, Manhattan’s recommendation to deny this application, CB2 requests that the SLA conduct a 500 foot hearing because the basement premises has never been licensed for the service of alcohol at any point in the past.

THEREFORE BE IT FURTHER RESOLVED that CB2, Man. respectfully requests that Liquor Authority place this matter before the Full Board of the New York State Liquor Authority for consideration at a regularly scheduled meeting should this application be presented to the Liquor Authority so that the Commissioners may review the recommendation of CB#2 Man.

Vote: Unanimous, with 39 Board members in favor.

6. K. Raoul on behalf of an entity to be determined, d/b/a TBD, 160 Prince St. 10012 (New OP)

A. Whereas, the applicants appeared with his counsel before CB2’s SLA committee to present an application to the Liquor Authority for a new OP license to operate a American Style restaurant in a corner storefront premises of a 6-story residential (Circa 1924) building at Prince Street and Thompson Street in the SoHo section of Manhattan; and

B. Whereas, the interior 1,300 sq. ft. storefront premises has been vacate and not occupied for any use or purpose since January/2014, having previously been occupied and operated as Milady’s, an old fashion Bar with pool table and limited menu, albeit located within a Residential Zoned District (R7-2) as this particular storefront premises operated with a “grandfathered” non-conforming status for commercial purposes predating the promulgation of zoning regulations in 1964; and

C. Whereas, the applicants have failed to provide or present any evidence, such as a valid Letter of No Objection, Special Permit or a current Certificate of Occupancy from the NYC Dept. of Buildings, permitting any current or future non-conforming use and occupancy at the premises for retail eating and drinking; and

D. Whereas, pursuant to Article 5, Chapter 2, Section 52-61 (General Provisions) of the New York City Zoning Regulations, a building with a non-conforming use that is vacant for a continuous period of two years is deemed discontinued, loses the benefit of its grandfathered non-conforming status and shall thereafter revert back to and can only be used in the future for a conforming use, which in this case the conforming use is zoned for residential and not commercial uses; and

E. Whereas, the applicants seek to gut renovate the entire space and install a new kitchen in the rear of the premises but failed to provide any plans or drawings providing a layout of the proposed kitchen, identify what kitchen equipment it plans to install in the proposed full service kitchen and/or provide plans or drawings associated with the ancillary mechanical systems not providing any coherent understanding as to the food services provided, the size of the kitchen or where the venting will be placed, the applicants upon presentation also stating that to access their storage facilities and primary refrigeration they will need to exit the premises and use hatches located on the public sidewalk along Prince Street to gain access to the those cellar facilities for this purpose; and

F. Whereas, the premises had previously operated with fixed windows and the prior operations were always maintained within the premises, but where the applicant’s planned gut renovation will open up the entire front façade of the premises on Thompson Street where the applicant’s plan is to install a large interior bar, with floor to ceiling doors that can be opened out to what is a very narrow one-way street entirely surrounded by residential buildings above, adjacent and across the street therefrom; and

G. Whereas, the applicants seeks to open a “community driven food and beverage establishment focusing on classic American cuisine” with hours of operation from 10 AM to 1 AM Monday through Wednesday and from 10 AM until 2 AM Thursday through Saturday, with 14 tables with 40 seats, one stand up bar with 12 seats and a second bar height counter with an additional 12 seats, located immediately across from the applicant’s proposed stand up bar, for a total patron seating capacity of 64, there being 2 bathrooms and no TVs in their plans; and

H. Whereas, one of the two applicants Brian McGrory spoke to his ability and character to work with the surrounding residential neighborhood to assimilate and integrate the business into the community, citing his other business establishments on West 10th Street (Highlands) and on Greenwich (Whitehall) but where CB2 Man. did receive email correspondence from neighbors located directly across from the Highlands establishment warning the residents in SoHo about Mr. McGrory, describing the Highlands establishment as a trendy, noisy establishment where loud, heavy bass beating music can be often be heard coming from the establishment, where windows are left open and where the local block association tried unsuccessfully to get the current applicant Brian McGrory to be more sensitive to the needs of residents before giving up and retreating; and

I. Whereas, there was significant opposition to the licensing of the premises from neighbors living directly above, adjacent to and across the street from the subject premises, citing the high concentration and saturation of liquor licenses already existing in their neighborhood and within the SoHo District, and more specifically the addition of a new special event space with a large roof top located at 177 Prince Street, identifying certain art galleries in the immediate area doubling as event spaces at night creating a late night, carnival type atmosphere where traffic and noise is concentrated and detrimental to their lives, where this particular applicant will only contribute to that noise and traffic, there being no public interest in adding yet another late night, trendy establishment that offers nothing unique to the neighborhood and where such establishments already exist within the immediate neighborhood, within the SoHo District and throughout lower Manhattan, where there are no permits in place to operate a non-conforming eating and drinking establishment in a residentially zoned area with the previously grandfathered status permanently forfeited, discontinued and incapable of being reestablished, there already being 22 liquor licenses within a 500 foot radius of these premises, 33 liquor licenses within 750 feet of the premises and 12 beer and wine licenses, many of which have only recently been added; and

J. Whereas, even additional concerns were identified as to the applicant’s layout and counter seating within the proposed establishment, with an open space between the large stand up bar and a second similarly lengthy counter with bar height seating representing a predominantly bar-like atmosphere, the bar and counter being located adjacent to an open façade on Thompson Street where no such open façade has ever existed, as well and the applicant’s prior operations on West 10th Street which evoked neighbors and a block association to speak up and warn their SoHo neighbors of the applicant’s poor history of integrating his business within the neighborhood and for being a good neighbor; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** for **K. Raoul on behalf of an entity to be determined, d/b/a TBD, 160 Prince St. 10012** on its application seeking a new OP license; and

THEREFORE BE IT FURTHER RESOLVED that should this application be considered by the SLA, CB2, Man. respectfully requests that this item be Calendared to appear before the Full Board of the SLA; and,

THEREFORE BE IT FURTHER RESOLVED that if this application is considered by the SLA, despite CB2, Manhattan’s recommendation to deny this application, CB2, Man. requests that the SLA conduct a 500 foot hearing because the premises and rear yard extension thereat has never been licensed for the service of alcohol at any point in the past.

Vote: Passed, with 36 Board members in favor, 2 in opposition (D. Borelli, R. Sanz) and 1 abstention (K. Berger).

7. Magic Lemon, Inc., d/b/a N/A, 181 Bleecker St. 10012 (New OP)

A. Whereas, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new restaurant on premise liquor license to operate a Chinese restaurant serving lunch and dinner with take-out services; and

B. Whereas, the premises was previously operated in the past as an Indian Restaurant (Indian Taj 2004-2014), was previously licensed for the service of alcohol but has been vacant for the last two years and the applicant will operate the premises as a Restaurant with a full service kitchen, with a similar method of operation, albeit under new ownership and with a different type of cuisine and similar closing hours; and

C. Whereas, this application is for an on premise liquor license located in a 3-story mixed-use townhouse building (Circa 1901) located in an historic district on the ground floor and cellar on Bleecker St. between Sullivan and MacDougal Sts. for a 3,100 sq. ft premises (1627 sq. ft, first floor and 1472 sq. ft. basement) with 17 tables and 68 seats, 1 standup bar with 6 seats, this application does not include a sidewalk café, there are no other outdoor areas for patrons and no doors or windows or doors that open out to the public sidewalk from the interior of the establishment; and,

D. Whereas, the hours of operation will be Sunday through Thursday from 11am to 11:30 pm and Fridays and Saturdays from 11 am to 12 am (No patrons shall remain after the closing hour), 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 2 TVs, all doors and windows will be closed by 10 pm except for patron ingress and egress, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes and no movable barriers; and,

E. Whereas, the applicant executed a stipulations agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated into the method of operation as a part of the restaurant on premise license stating that:

1. The premises will be advertised and operated as a full service Chinese restaurant with a full service kitchen, takeout services and will operate at all times as a full service restaurant.
2. The hours of operation will be from Sunday through Thursday from 11am to 11:30 pm and Fridays and Saturdays from 11 am to 12 am.
3. There will be two televisions but the premises will never operate as a Night Club, Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. There will be no French doors or windows installed at the premises and all doors and windows will be close by 10 PM every night.
5. There will be no outdoor service and no sidewalk café.
6. Music will be quiet, background level inside the restaurant and bar and there will be no live music, dj’s, promoted events, scheduled performances or any events for which a cover fee is charged.
7. The premises will not permit dancing.

8. There will be no all you can eat/all you drink specials or pitchers of beer.

F. Whereas, there are currently approximately 43 On Premise Liquor Licenses within 500 ft of the premises and an unknown number of beer and wine licenses in the area; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant On Premises Liquor License for **Magic Lemon, Inc., d/b/a N/A, 181 Bleecker St. 10012** unless the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the “Method of Operation” on the SLA On Premise License, and

Vote: Unanimous, with 39 Board members in favor.

8. Shi Lin or Corp. to be formed d/b/a La Pierre, 341 West Broadway 10013 (New OP)

A. Whereas, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new restaurant on premise liquor license to operate a “classic French restaurant featuring Culinary Institute of America trained staff” with a full service kitchen serving lunch and dinner daily; and

B. Whereas, the storefront premises was previously operated as Donostia Bakery with a beer and wine license, specializing in pastries, food and coffee from the Basque Region of Spain with closing hour at 9 pm during the week and at 10:30 pm on the weekends; and

C. Whereas, the storefront is located on the ground floor of a 2-story in a two story mixed use building (Circa 1950) at 341 West Broadway between Watts and Grand Streets in the SoHo section of Manhattan in 1,800 sq. ft premises (1,200 sq. ft. ground floor and 600 sq. ft. mezzanine) with 16 tables and 56 table seats, 1 standup bar with 14 seats for a seating occupancy of 70 interior seats, this application does not include a sidewalk café and there are no other outdoor areas for patrons; and,

D. Whereas, the storefront premises does have French doors that open out to the public sidewalk but the applicant has no intention of using the doors with its method of operation as a French Restaurant, stating that the doors will remain closed at all time and there will be curtains that will be drawn to create an intimate, traditional restaurant setting; and,

D. Whereas, the hours of operation will be Sunday to Saturday from 12 pm to 2 am (No patrons shall remain after the closing hour), music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at all times except for patron ingress and egress, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no TV’s; and,

E. Whereas, the applicant executed a stipulations agreement with CB2 that they agreed to submit to the SLA and agreed would be attached and incorporated into the method of operation on the restaurant on premise license stating that:

1. The premises will be advertised and operated as a full service French restaurant with a full service kitchen and will operate at all times as a full service restaurant.
2. The hours of operation from Sunday to Thursday from 12 pm to 2 am Sunday through Saturday.
3. The premises will never operate as a Night Club, Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.

4. All doors and windows will be closed at all times.
5. There will be no outdoor service and no sidewalk café.
6. Music will be quiet, background level inside the restaurant and bar and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
7. There will be no televisions.
8. The premises will not permit dancing.
9. There will be no all you can eat/all you drink specials or weekend boozy brunches.

F. Whereas, there are currently approximately 22 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant On Premises Liquor License for **Shi Lin or Corp. to be formed d/b/a La Pierre, 341 West Broadway 10013** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the "Method of Operation" on the SLA On Premise License, and

Vote: Unanimous, with 39 Board members in favor.

9. ADB Bleecker LLC., d/b/a The Anthony, 183 Bleecker St. Ground Floor 10012
(Transfer/New OP license)

A. Whereas, the applicant appeared before CB2, Manhattan's SLA Licensing Committee for a transfer of an existing on premise liquor license (183 Reserve, Inc. d/b/a Gold Rush Rest., serial # 1134823) to operate "an iconic destination that will be known for its late-night dining scene where the country's top chefs congregate and eat after closing their kitchens" within a Historic District on Bleecker Street between Sullivan and MacDougal Streets; and

B. Whereas, the premises on Bleecker Street is located in a densely populated, mixed-use area that is highly congested during evenings and late night/early morning hours, is already heavily saturated with liquor licenses, bars, nightclubs and late night eating and drinking establishments; and

C. Whereas, there are already 43 existing On Premise licenses within 500 ft. of the premises, an additional 5 licenses pending review by the SLA and 69 On Premise licenses within 750 ft. of the premises; and

D. Whereas, the applicant seeks to operate from 12 AM to 4 AM seven days a week in a 1,875 Sq. ft. first floor and basement space with 39 tables with 93 seats, one stand up bar with nine seats, six large screen TVs, with live music and DJs playing entertainment level, amplified music but without any description provided as what entertainment is actually planned; and

E. Whereas, the applicant stated he could not limit or reduce his hours of operation and that his method of operation required 4 AM and entertainment levels of music with DJs with a proposed occupancy of 200, these prerequisites being the reason why the applicant is purchasing the existing business from the current owner, who has declared bankruptcy; and

F. Whereas, the applicant failed to provide any permit of assembly to operate in excess of 125 patrons and produced an expired temporary certificate of occupancy from 2009 for the premises which has lapsed and is no longer valid and acceptable; and

G. Whereas, the current operator and owner of 183 Reserve, Inc. d/b/a Gold Rush Rest., serial # 1134823 (YAGHOUBI, MEHRDAD) has for years been violating his previously-stated method of operation when he first applied for its liquor license in 2002; and

H. Whereas, when the current owner first appeared before CB2, Man. in November/2002 to apply for the existing license at the premises, he affirmed under oath to the NYS Liquor Authority (“SLA”) that he would be operating a restaurant with a full service kitchen, full dinner menu and that **it would not include live music or entertainment but would instead operate with background/quiet music only**; and

I. Whereas, prior to November/2002 the premises had previously operated as a poster store and had never been licensed for the service of alcohol, there being significant opposition from the local neighborhood and the Bleecker Area Merchants and Residents Association, concerned about an over-saturation of liquor licenses in the area and citing a lack of public interest, causing CB2, Man to recommend denial of any license to the location in 2002; and

J. Whereas, that shortly after the current operator and licensee was issued a liquor license from the SLA in 2002 and without notice to CB#2 Man. or by application to the SLA to alter its license, the operator started operating a sports bar until 4 AM seven nights a week without permission or approval from the SLA to permit live/DJ music at entertainment levels; and

J. Whereas, a number of neighbors and the Bleecker Area Merchants and Residents Association appeared in opposition to the instant application, outlining concerns about the transfer application which seeks to improperly continue with another late night drinking establishment with a nightclub type/sports bar like atmosphere until 4AM where there is no public interest presented, where there are already too many existing bars and late night establishments in the mixed use residential area, where there is nothing unique about the application presented in that there are numerous establishments in the surrounding area that provide the same services as applicant, where the proposed business will only exacerbate traffic and late night noise in the area and where there is an existing history of violating the ABC laws by changing its method of operation without notice to the local community board or to the SLA;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial for **ADB Bleecker LLC., d/b/a The Anthony, 183 Bleecker St. Ground Floor 10012** on its application seeking a transfer of an existing OP license; and

THEREFORE BE IT FURTHER RESOLVED that if this application is considered by the SLA, despite CB2, Manhattan’s recommendation to deny this application, CB2, Man. requests that the SLA conduct a 500 foot hearing because the basement premises has never been licensed for the service of alcohol at any point in the past; and

THEREFORE BE IT FURTHER RESOLVED that CB2, Man. respectfully requests that Liquor Authority place this matter before the Full Board of the New York State Liquor Authority for consideration at a regularly scheduled meeting should this application be presented to the Liquor Authority so that the Commissioners may review the recommendation of CB#2 Man.

Vote: Unanimous, with 39 Board members in favor.

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

10. Pasta & Potatoes, Inc., d/b/a Village Lantern, 167 Bleecker St. 10002 (OP Alteration to license basement use; withdrawn and did not appear)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 14, 2016, the Applicant requested **to withdraw** its application and did not appear for its application for an alteration of beer wine or on-premise license;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Pasta & Potatoes, Inc., d/b/a Village Lantern, 167 Bleecker St. 10002** **until** the Applicant has properly presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board members in favor.

11. West 4th Street Rest. Corp., d/b/a Washington Square Diner, 150 W. 4th St. 10012 (RW) (layover to July/2016 requested and did not appear)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on June 14, 2016 the principal/applicant requested **to lay over** and adjourn this application to June/2016 for a beer wine license or on premise license and did not appear;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any Beer and Wine or On Premise license to **West 4th Street Rest. Corp., d/b/a Washington Square Diner, 150 W. 4th St. 10012** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board members in favor.

12. Han Guang Men, Inc., d/b/a Xi'an Famous Foods, 68 Kenmare St. 10012 (RW) (withdrawn at request of applicant and did not appear)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 14, 2016, the Applicant request **to withdraw** this application for a new on-premise liquor license from any further consideration;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Han Guang Men, Inc., d/b/a Xi'an Famous Foods, 68 Kenmare St. 10012 (RW)** **until** the

Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board members in favor.

13. Dolce & Gabbana USA Inc., d/b/a Dolce & Gabbana, 155 Mercer St. 10012 (OP) (withdrawn at request of applicant and did not appear)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 14, 2016, the Applicant requested **to withdraw** it application before CB2 Man. and did not appear; and

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Dolce & Gabbana USA Inc., d/b/a Dolce & Gabbana, 155 Mercer St. 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board members in favor.

14. MHJ Management, LLC, d/b/a TBD, 428 Lafayette St. 10003 (OP- withdrawn at request of applicant and applicant did not appear)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 14, 2016, the Applicant and his attorney requested **to withdraw** this application for a new on-premise liquor license and did not appear before Cb2 Man.;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **MHJ Management, LLC, d/b/a TBD, 428 Lafayette St. 10003** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board members in favor.

15. Tomino LLC, d/b/a Tomino Taberna Gallega, 192 Grand St. 10013 (OP) (OP- withdrawn at request of applicant and applicant did not appear)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on May 10, 2016, the Applicant requested **to withdraw** this application for a new on-premise liquor license and did not appear; and

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Tomino, LLC d/b/a Tomino Taberna Gallega, 192 Grand St. 10013 (OP)** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board members in favor.

16. Best Restaurant Group LLC, d/b/a Negril Village, 70 West 3rd St. 10012 (OP- withdrawn at request of applicant and applicant did not appear)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on June 14, 2016, the Applicant requested to withdraw this application for a new on-premise liquor and did not appear;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Best Restaurant Group LLC, d/b/a Negril Village, 70 West 3rd St. 10012** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board members in favor.

17. The Pokespot, LLC, d/b/a The Poke Spot, 120 4th Ave. 10003 (New RW)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing Committee to present an application to the Liquor Authority for a new restaurant wine license for a fast casual restaurant focusing on Poke, a Hawaiian based food that includes sushi on rice bowls and rice burritos; and,

ii. Whereas, this application is for a new restaurant wine license at a previously unlicensed location which was a Subway sandwich shop in a mixed use building located on Fourth Ave. between East 12th and East 13th St. for a roughly 1,900 sq. ft premise (ground floor 1,200 sq. ft. and basement 700 sq. ft. - no patrons in basement) with 8 tables and 24 table seats, there is no standup bar and one service bar; there is an existing Certificate of Occupancy; and,

iii. Whereas, the hours of operation will be from 11 AM to 11 PM Sunday through Thursday and 11 AM to 12 AM Friday and Saturday, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 10PM except for patron ingress and egress, there will be no d.j., no live music, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. Whereas, the Applicant executed a stipulations agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated in to the method of operation on the restaurant wine license stating that:

1. Premise will be advertised and operated as a fast casual restaurant focusing on Poke, a Hawaiian based food that includes sushi on rice bowls and rice burritos.
2. The hours of operation will be from 11 AM to 11 PM Sunday through Thursday and 11 AM to 12 AM Friday and Saturday. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes or patron seating (not including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The Premises will not have French doors, operable windows or open facades and will close all doors by 10PM every night and anytime there is amplified music.
10. There will be no stand up bar.
11. There will be no unlimited drink or all you can eat and drink specials.
12. There will be no sale of beer by the pitcher.
13. There is no sidewalk café.

v. **Whereas**, there are currently approximately 15 On Premise Liquor Licenses within 500 ft of the premises and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a new Restaurant Wine License for **The Pokespot, LLC, d/b/a The Poke Spot, 120 4th Ave. 10003** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 39 Board members in favor.

18. Sushi Nakazawa, LLC, d/b/a Sushi Nakazawa, 23 Commerce St. 10014 (RW alteration SN#1272297 to add additional space, bar and seating)

i. Whereas, the Applicant appeared with his representative before Community Board 2, Manhattan’s SLA Licensing Committee to present an alteration application to an existing restaurant wine license to add an additional adjacent 368 sq. ft. storefront located to the east of the restaurant acquired through a new lease entered into in January 2016 and a new standup bar with 6 seats and new bench seating with 6 seats; the restaurant will continue to operate as a high-end sushi restaurant previously described as a “family restaurant which will serve Japanese food”; and,

ii. Whereas, this application is for an alteration for an existing restaurant wine license which first appeared before CB2, Man. in July 2013, prior to 2013 the premises was previously unlicensed and occupied as a hair dresser which closed at 7PM and up until 2015 the space which was acquired in 2016 was operated as a clothing store with early closing hours; prior to this restaurant opening, there has never been any other licensed eating and drinking establishments on Commerce Street between 7th Avenue and Bedford Street; and,

iii. Whereas, the existing premises is within a mixed use building located on Commerce Street between 7th Ave and Bedford St for a roughly 1,200 sq. ft. premise on two floors (600 sq. ft. ground floor, 600 sq. ft. basement) with accessory use in the basement which now has 10 tables with 2 seats each (20 seats), and a sushi bar with 10 seats, the space to be added in the newly acquired Eastern store front will add 368 sq. ft. and one standup bar with 6 seats and one interior banquet/bench with 6 seats, for a grand total of 42 seats, there will continue to be one service bar, there is no sidewalk café and no outdoor areas for patrons because the use is not permitted, there is no full service kitchen or stove there is no Certificate of Occupancy, but the applicant previously stated the maximum allowable occupancy for the existing space is 30 and a letter of no objection exists for the establishment presented in 2013, but no new documentation or letter of no objection was presented for the space to be added nor was an updated letter of no objection provided after the storefronts had been combined; and

iv. Whereas, the hours of operation will continue to be 5 p.m. to 12 a.m. (midnight) 7 days a week (all patrons will be cleared and no patrons will remain after stated closing times), music will be quiet background only consisting of music from ipod/cds (i.e. no active manipulation of music – only passive prearranged music), there are no operable French doors or windows, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no T.V.'s; and,

v. Whereas, Commerce Street between 7th Avenue and Bedford Street is very narrow street with parking on one side only and one travel lane, located in a purely residential block in the heart of a Historic District in the West Village; and

vi. Whereas, the Applicant was willing to execute a stipulations agreement substantively the same as what currently exists for their existing license with CB2, Man. that they agreed to submit to the SLA with their alteration application and would agree would be attached and incorporated in to the existing method of operation on the restaurant on-premise liquor license stating that:

1. Premise will continue to be advertised and operated as a high-end sushi restaurant.
2. The hours of operation will be from 5 PM to 12 AM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes or patron seating (not including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The Premises will not have French doors, operable windows or open facades and will close all doors and windows closed at all times.
10. Garbage will be placed on the street just prior to pickup given the nature of the organic fish waste and will take all steps to make sure garbage is properly sealed.
11. Licensee will continue to use existing food preparation layout and will not build or operate a full service kitchen.
12. Applicant will not alter or build a new HVAC system for the premises and continue to use the system, which currently exists.
13. All previous stipulations will continue to remain in effect.

14. There will be 10 tables with 2 seats each (20 seats), one standup bar with 6 seats, one interior banquet/bench with 6 seats and on sushi bar with 10 seats for a total of 42 seats.

v. Whereas, a number of complaints and objections were received including that **(1)** the newly acquired space was added to the existing premises including partition work to combine two storefronts altering the ground floor of the premises illegally without obtaining any NYC Department of Building Permits of any kind, **(2)** multiple Landmarks violations have been issued to the applicant including altering the storefront and adding improper awnings without permits and replacing the storefront and adding additional improper awnings without permits, **(3)** that the licensee is already serving beer and wine in the newly acquired space which is not yet licensed, **(4)** that the applicant does not consistently post their “B” letter grade from the Health Department in the front window as required, **(5)** that the applicant does not follow their existing stipulations in that they leave garbage out on Holidays overnight when they are aware their carting company does not pick up trash and are not responsive to trash issues, **(6)** that the applicant often does not clean the sidewalk of cigarette butts from their patrons, **(7)** that there is often a significant traffic impact on this narrow street from additional traffic generated by the premises on this residential street, from idling vehicles waiting for patrons to complete their meals, and from illegally parked vehicles (including staff) **(8)** that patrons are often not quiet as they enter and exit the premises causing a noise disturbance to area residents, and **(9)** that the staff and owner over time have often been unresponsive to the concerns of neighbors; and,

vi. Whereas, the applicant stated that he entered into a new lease for the newly acquired storefront in Jan/2016; he stated that he had not planned to change the storefront but that when he went to perform cosmetic work on the storefront of the newly acquired space, it collapsed because of the awful condition of which he was unaware creating a dangerous condition that could have endangered the lives of passerby’s and children, this required his decision to immediately demolish and replace the existing storefront without informing the New York City Department of Buildings or filing for any Landmark permits; the applicant had no photographs of this dangerous condition; he further stated that he could do nothing about vehicular traffic related to his patrons or address parking issues from his patrons, that he was in the process of correcting the landmarks violations for the new storefront, He did not address the landmark violations which were received for work performed during the initial construction of the existing storefront without permits; he stated he had not served beer and wine or alcohol in the newly acquired space or allowed patrons to consume alcohol in the newly acquired space despite observations to the contrary; and,

vii. Whereas, the applicant had concurrently noticed CB2, Man. at the same time of this alteration application of an application to upgrade the existing restaurant wine license to a full on-premise liquor license which was subsequently withdrawn, but for which many letters of opposition were received prior to its withdrawal and a petition in opposition from immediately impacted residents was submitted in opposition; and

viii. Whereas, CB2, Man. cannot support the alteration application for the foregoing reasons;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the alteration application to add additional space, add a new stand up bar and seating as described above for the existing restaurant wine license **for Sushi Nakazawa, LLC, d/b/a Sushi Nakazawa, 23 Commerce St. 10014;** and

THEREFORE BE IT FURTHER RESOLVED that should this application be considered by the Liquor Authority, CB2, Man. respectfully requests that this item be Calendared to appear before the Full Board of the SLA.

Vote: Unanimous, with 39 Board members in favor.

19. Village Restaurant Group, LLC, d/b/a Hudson Clearwater, 447 Hudson St. 10014 (OP alteration/change in method of operation - extension of hours for back yard and sidewalk café SN#1272425)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an alteration application to extend their late night outdoor hours of operation for the existing rear yard and the sidewalk café, both of which operate under restricted hours through stipulations agreements, for an existing on-premise liquor license for a “neighborhood restaurant serving seasonally & locally sourced New American Fare” that has been in operation for approximately 6 years; and,

ii. Whereas, the proposed change in method of addressed by this application is to **(1)** extend the hours of operation for the rear yard garden which are currently from 7:30AM to 10PM 7 days a week to new operating hours of 7:30AM to 11PM Sunday to Thursday and 7:30AM to 12AM Friday to Saturday, and **(2)** to extend the hours of operation for the Department of Consumer Affairs licensed sidewalk café with 6 tables and 12 seats along Hudson Street from 8AM to 10PM Sunday to Thursday and 8AM to 11PM Friday and Saturday to new operating hours from 8AM to 12AM Sunday to Thursday and 8AM to 1AM Friday and Saturday; and,

iii. Whereas, this premise was previously unlicensed prior to opening and there was never any commercial use of this backyard and as part of the process of demonstrating public interest for this location which was previously operated as an insurance agency the Licensee willingly entered in to stipulations which were incorporated into the Liquor License including limited hours of operation in the rear yard garden until 10PM because of the impacts this would have on immediate residents, the specific stipulation from 2009 is “The applicant has agreed to cease operations in the backyard garden by 10:00 p.m. daily”; and

iv. Whereas, **(1)** at the time of the original application, the Licensee indicated that there would be a future sidewalk café application, but the sidewalk café application was not presented in 2009 as part of the 2009 application, **(2)** the sidewalk cafe was subsequently presented by the Licensee to CB2, Man. in August 2015 after it was submitted to the NYC Department of Consumer Affairs at the time for 6 tables and 12 seats and closing hours were stipulated with CB2 for the sidewalk café to be 10PM Sunday to Thursday and 11PM Friday and Saturday - the Licensee was advised by CB2 at that time that they would need to notice CB2 and submit an alteration application for their liquor license to add the sidewalk café and appear before CB2’s SLA Licensing Committee; **(3)** 5 years has elapsed from the original issuance of the liquor license and no 30-day notice has ever been submitted to CB2 to date for any changes or alterations to the existing liquor license that were filed with the Liquor Authority to add the sidewalk café nor has CB2 ever submitted a resolution to the Liquor Authority regarding the addition of sidewalk cafe; and,

v. Whereas, this Licensee and premises has been the subject of a number of CB2, Man. resolutions over the years and disciplinary proceeding(s) before the Liquor Authority and CB2 respectfully requests that those materials be reviewed for further background to opposition to the change in hours of operation for the rear yard garden and sidewalk café; the premises operated as a speakeasy with their operation hidden, operating within what appeared to be a derelict and abandoned storefront with papered over windows with their front door locked during hours of regular operation until 2015, and instead using the rear yard

hidden entrance and backyard as the main entrance until 2 am 7 days a week despite the stipulations originally agreed to significantly impacting immediate residents and their quality of life in violation of their existing stipulations, with no signage at all, and which was the subject of protracted proceedings with several weeks of testimony before the Authority; and,

vi. Whereas, a petition in support of changes to the outdoor hours of operation was presented and letters of support were presented by the applicant; and,

vii. Whereas, a number of people directly impacted appeared in opposition to the change in method of operation and alteration, a number of letters in opposition were received and a petition from directly impacted residents living in immediate proximity with windows overlooking the subject premises was presented; and,

viii. Whereas, the following objections were raised **(1)** there had been no change to warrant changes to the current hours of operation for the rear yard garden – the stipulations were entered into in part to ameliorate opposition to the issuance of the license and to create some semblance of public interest; **(2)** the stipulated hours of operation for the sidewalk café were entered into again because of opposition to the application to find a balance; **(3)** the applicant was illegally serving alcohol in the sidewalk café because CB2, Man. was never notified by 30-day notice of the intent to alter the existing license to add the sidewalk café; **(4)** immediately abutting neighbors still have bedrooms which overlook the premises, particularly in the rear and should not be subject to unreasonable noise after 10PM when many work at early hours and go to school **(5)** that the current sidewalk café immediately abuts the residential entrance to the adjoining residential building and the restaurant overlooks and/or allows patrons to hang things on the low metal fence on the adjacent property which has resulted in broken finials and tying dogs to the fence and allowing patrons to smoke at the tables immediately next to the residential entrance to the adjoining building; **(6)** that this has become an almost annual process of dealing with some alteration to the premises looking to expand their impact on the immediately impacted residential tenants which is almost bullying in nature and that those tenants should somehow be glad to have a this operator who has transformed a once quiet rear yard into a an eating and drinking extension; **(7)** that the impacted residents who have invested in the community, in schools and in raising children in the community should not have to be further impacted by restaurateurs who are not making the same investment across the community; **(8)** that the original trade-off of stipulated outdoor hours of operation with CB2, Man. was fair enough even in light of opposition from residential neighbors and that existing Quality of Life impacts should not be extended into later hours of operation; **(9)** that this operation was far from being a neighborhood destination for local residents and was in fact a destination location which marketed heavily to tourists and out of towners through heavy press and marketing; **(10)** that the immediate local residents being subject to the violations of the original stipulations for operation in the rear yard garden after 10PM for years more the negated any argument for hours past 10PM because it was clear operations past 10PM heavily impacted the Quality of Life of those residents who overlook this rear yard garden operation; and,

ix. Whereas, the petition in opposition states that *“We, the residents living on Hudson Street who present this petition object to and are opposed to any increase in late night hours as it relates to Hudson Clearwater’s use of their back yard at 447 Hudson Street. Many of us have our bedroom windows facing the backyard area used by Hudson Clearwater, a back yard surrounded by three, four and five-story residential only buildings that enables sound to echo and be more readily heard, sound which is thus very disturbing when trying to sleep, concentrate on work or homework at a place which should otherwise be expected to be a place of comfort, privacy and quiet. Before Hudson Clearwater open in 2012 there was never any commercial use of this backyard. In an attempt to meet the “public interest” standard because the premises and rear yard had never been licensed before (the storefront was used as an insurance agency for decades) and to persuade the Community Board and State Liquor Authority that it*

satisfied that required standard, it argued and later stipulated that the public interest was being met because they would cease all business operations in the rear yard by 10 PM every night so as to not impact their many neighbors who would be greatly affected by this change of use in this rear yard. Despite the stipulations and agreement, however, Hudson Clearwater ignored and violated their agreement and instead opened as a speakeasy, locking their front storefront entrance to their premises on Hudson Street and creating its only entrance through a secret green door via the rear yard until 2AM every night. This led the State Liquor Authority to bring disciplinary actions against Hudson Clearwater, resulting in fines but which Hudson Clearwater litigated for years disturbing residents until 2 AM in this rear courtyard. We object to any extension of late night hours, the current hours in the rear yard were previously set and stipulated by Hudson Clearwater to support its questionable “public interest” in securing commercial use of this rear yard for eating and drinking surrounded by residential uses only. We continue to endure significant disturbances from the rear yard that affect us daily. There is drinking taking place all day on Saturdays and Sundays. This is a large space that is a very popular place for drinking alcohol and the later drinking is permitted, the louder it gets. Additionally, since the fall of 2015, Hudson Clearwater has operated a sidewalk café on Hudson Street. They have been serving Alcohol at the sidewalk café even though they never sought approval from the Community Board’s liquor licensing committee. This is yet another example of Hudson Clearwater’s disregard of the interests of it’s neighbors and the licensing laws which govern them, demonstrating once again that this is an establishment which should not be provided with any extensions of the licenses that it currently enjoys.”

x. Whereas, CB2, Man. cannot support the alteration application for the foregoing reasons;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the alteration application and change in method of operation to extend the hours of operation for outdoor areas for the existing restaurant on-premise liquor license for **Village Restaurant Group, LLC, d/b/a Hudson Clearwater, 447 Hudson St. 10014, SN# 1272425;** and

THEREFORE BE IT FURTHER RESOLVED that should this application be submitted to and considered by the Liquor Authority, CB2, Man. respectfully requests that this item be Calendared to appear before the Full Board of the SLA.

Vote: Unanimous, with 39 Board members in favor.

20. Clo Concessions LLC, d/b/a Clo Concessions (formerly An Entity to be formed by Clodagh M. Cohen, d/b/a TBD), 30-34 West 13th St. 10011 (New Tavern Wine)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority for a tavern wine license for a lobby food concession and wine bar located in the Quad Cinema at the same location; and,

ii. Whereas, this application is for a new tavern wine license at a previously unlicensed location in a mixed use building located on West 13th St. between Fifth and Sixth Avenues for a roughly 2,619 sq. ft. premise within an existing movie theatre through an operating agreement (wine bar and lobby 1st floor approximately 2,408 sq. ft. and 111 sq. ft. in basement for storage – licensed premises does not include actual movie theatre auditoriums, only lobby area and wine bar area) with 6 tables and 12 table seats in the wine bar area and 2 stand up bars and 10 bar seats (1 stand up bar in wine bar and 1 stand up bar in lobby); there is an existing Certificate of Occupancy; and,

iii. Whereas, the hours of operation will be from 11:45AM to 12:15AM 7 days a week, any music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at all times except for patron ingress and egress, there will be no d.j., no promoted events; and,

iv. Whereas, the Applicant executed a stipulations agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated in to the method of operation on the tavern wine license stating that:

1. Premise will be advertised and operated as a lobby food concession and wine bar located in the Quad Cinema.
2. The hours of operation will be from 11:45AM to 12:15AM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes or patron seating (not including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ's, live music, or promoted events.
9. The Premises will not have French doors, operable windows or open facades and will close all doors and windows closed at all times.
10. The premises will not be open to the public, must purchase a ticket to movie to patronize.
11. Wine bar “front door” will be for emergency egress only – entry will be from the interior of the theatre only.
12. There will be 2 stand-up bars – the wine bar and the concession bar.

v. Whereas, there are currently approximately 5 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Tavern Wine License for **Clo Concessions LLC, d/b/a Clo Concessions, 30-34 West 13th St. 10011** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Tavern Wine License.

Vote: Unanimous, with 39 Board members in favor.

21. Local & Vine, Inc., d/b/a Local & Vine, 282 Hudson St. 10013 (New Tavern Wine)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing Committee to present an application to the Liquor Authority for a tavern wine license for a “a neighborhood wine bar specializing in local NYS products reasonably priced and served in a warm and convivial atmosphere” with all products locally sourced; and,

ii. Whereas, this application is for a new tavern wine license at a previously licensed location in a mixed use m1—6 zoned building located on the corner of Hudson Street and Dominick St. for a roughly 1,200 sq. ft. premise (600 ft. ground floor and 600 ft. basement – no patrons in basement) with 9 tables and 18 table seats and 1 stand up bar with 8 seats for a total of 26 seats; there is an existing Certificate of Occupancy; and,

iii. Whereas, the hours of operation will be Sunday from 12PM to 12AM, Monday to Wednesday from 4PM to 12AM, Thursday 4PM to 2AM and Friday to Saturday from 12PM to 2AM, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 10PM except for patron ingress and egress, there will be no d.j. except as noted in stipulations, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. Whereas, the Applicant executed a stipulations agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated in to the method of operation on the tavern wine license stating that:

1. Premise will be advertised and operated as a neighborhood wine bar specializing in local NYS products reasonably priced and served in a warm and convivial atmosphere.
2. The hours of operation will be Sunday from 12PM to 12AM, Monday to Wednesday from 4PM to 12AM, Thursday 4PM to 2AM and Friday to Saturday from 12PM to 2AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes or patron seating (not including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ's, live music, or promoted events (see below for DJ exception).
9. The premises will close all door and windows at 10PM every night and anytime there is amplified music.
10. There will be no unlimited drink or all you can eat and drink specials.
11. There will be no sale of beer by the pitcher.
12. Exit to wine store on diagram will be removed.
13. May have a DJ once or twice a “calendar” month only but no more without returning to CB2 ad filing method of operation change.
14. There is no sidewalk café included in this application.
15. There is one standup bar with 8 seats.

v. Whereas, a petition in support was presented;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Tavern Wine License for **Local & Vine, Inc., d/b/a Local & Vine, 282 Hudson St. 10013** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Tavern Wine License.

Vote: Unanimous, with 39 Board members in favor.

22. Hudson Café, Inc., d/b/a Hudson Café, 628 Hudson St. 10014 (New RW)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority for a restaurant wine license for a casual family/full service café style coffee and sandwich shop; and,

ii. Whereas, this application is for a new restaurant wine license at a previously licensed restaurant wine location in a mixed use building located on Hudson Street between Horatio Street and Jane Street for a roughly 1,359 sq. ft premise on two floors with 459 sq. ft. on the ground floor and 900 sq. ft. in the basement with accessory use in the basement including customer bathrooms and convection ovens and there are 11 tables and 22 seats and 1 standup bar with 5 seats on the ground floor, for a grand total of 27 interior seats, there is a DCA Sidewalk Café which will be assigned in front of the premises with 4 tables and 8 seats, there is a “letter of no objection” for eating and drinking use on the ground floor; and

iii. Whereas, the hours of operation are Sunday to Thursday from 7 a.m. to 10 p.m. and Friday to Saturday from 7 am to 11 pm (all patrons will be cleared and no patrons will remain after stated closing times), music is quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), there are no operable French doors, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no T.V.’s; and,

iv. Whereas, the Applicant executed a stipulations agreement with CB2 that they agreed to submit to the SLA and agreed would be attached and incorporated in to the method of operation on the restaurant wine license stating that:

1. Premise will be advertised and operated as a casual family/full service café style coffee and sandwich shop.
2. The hours of operation will be Sunday to Thursday from 7AM to 10PM and Friday and Saturday from 7AM to 11PM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes or patron seating (not including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ’s, live music, or promoted events.
9. The Premises will not have French doors, operable windows or open facades and will close all doors and windows closed at all times.
10. The previous stipulations for the prior operator will be continued for this operation and applicant.
11. This application includes an existing sidewalk café with 4 tables and 8 seats.
12. Licensee agrees to never apply for an on-premise liquor license or to upgrade this license to a full liquor license at this location.
13. There will only be 1 standup bar with 5 seats.

v. Whereas, the applicant met with the local block association, The Jane Street Block Association, and a representative of the local block association appeared in support of the applicant; and,

vi. Whereas, there are currently approximately 19 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant Wine License for **Hudson Café, Inc., d/b/a Hudson Café, 628 Hudson St. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 39 Board members in favor.

23. Food Love 125, Inc. d/b/a Ichiba Ramen, 125 University Place (aka 4 Union Square South) 10003 (New RW)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority for a restaurant wine license for a restaurant focusing on Japanese Cuisine specializing in Ramen; and,

ii. Whereas, this application is for a new restaurant wine license at a previously unlicensed restaurant wine location, which was formerly Jamba Juice in a commercial building located on University Place. between West 14th St. and West 13th St. for a roughly 1,461 sq. ft. premise located on the ground floor with 16 tables and 43 table seats, there is no standup bar and one service bar; there is an existing Certificate of Occupancy; and,

iii. Whereas, the hours of operation will be 11:30AM to 11PM 7 days a week, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 10PM except for patron ingress and egress, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. Whereas, the Applicant executed a stipulations agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated in to the method of operation on the restaurant wine license stating that:

1. Premise will be advertised and operated as a restaurant focusing on Japanese Cuisine specializing in Ramen.
2. The hours of operation will be 11:30AM to 11PM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes or patron seating (not including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ’s, live music, or promoted events.
9. The Premises will close all doors and windows at 10 pm every night and anytime there is amplified music.
10. There will be no unlimited drink or all you can eat and drink specials.

11. There will be no sale of beer by the pitcher.
12. There will be no “A” frame signs on the sidewalk.
13. The operator will maintain a non-operable façade.
14. The operator will not steer clients from the sidewalk into the establishment.

v. **Whereas**, a representative of the local block association appeared and after hearing the applicant’s presentation expressed several concerns that were addressed by entering into specific stipulations noted above; and,

vi. **Whereas**, there are currently approximately 9 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant Wine License for **Food Love 125, Inc. d/b/a Ichiba Ramen, 125 University Place 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 39 Board members in favor.

24. Micbruard, LLC, d/b/a Giulietta Cantina Club, 13 Carmine St. 10014 (New RW)

i. **Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority for a restaurant wine license for an Italian restaurant specializing in foods from Veneto region of Italy; and,

ii. **Whereas**, this application is for a new restaurant wine license at a previously licensed restaurant wine location in a mixed-use building located on Carmine St. between Bleecker St. and 6th Avenue for a roughly 1,850 sq. ft. premise (ground floor and basement 925 sq. ft. each – no patrons in basement) with 22 tables and 46 table seats and 1 standup bar with 16 seats for a total of 62 interior seats; there is an existing sidewalk café with 18 seats which will be assigned; there is an existing Letter of No Objection; and,

iii. **Whereas**, the hours of operation will be Sunday from 11AM to 9PM, Monday to Saturday from 11AM to 1AM (no patrons will remain after closing time), music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music) except as noted in stipulations, all doors and windows will be closed at 10PM except for patron ingress and egress, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. **Whereas**, the Applicant executed a stipulations agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated in to the method of operation on the restaurant wine license stating that:

1. Premise will be advertised and operated as an Italian restaurant specializing in foods from Veneto region of Italy.
2. The hours of operation will be Sunday from 11AM to 9PM, Monday to Saturday from 11AM to 1AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.

4. The premises will have no more than 2 televisions no larger than 42 inches. There will be no projectors.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes or patron seating (not including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ's, live music, or promoted events (see live music exception below).
9. The Premises will close all doors and windows at 10 pm every night and anytime there is amplified music.
10. This application includes a sidewalk café with 18 seats.
11. There will be no patron use of the basement.
12. There will be no unlimited drink or all you can eat and drink specials.
13. There will be no sale of beer by the pitcher.
14. There may be live music on occasion – unamplified instruments only (acoustic instruments) only between noon and 6pm.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant Wine License for **Micbruard, LLC, d/b/a Giulietta Cantina Club, 13 Carmine St. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 39 Board members in favor.

25. RLV Bistro, LLC, d/b/a Raquel, 322 Spring St. 10013 (Restaurant OP via transfer)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present a “transfer” application to the Liquor Authority for a restaurant on-premise liquor license for a full service family restaurant “Classic Italian Bistro offering traditional favorites with a contemporary twist, reasonably priced and served in a warm and convivial atmosphere”; and

ii. Whereas, this application is for a new restaurant on-premise liquor license via a “transfer” application for a currently licensed premises operating as Sacco and Vanzetti located on the first floor of a corner storefront in a 4-story mixed-use building (circa 1890) located at the corner of Spring and Greenwich Streets in a 1800 sq. ft. premises (900 sq. ft. basement and 900 sq. ft. first floor) with a full service kitchen, one bathroom; there are 8 tables with 28 seats, 1 stand up bar with 6 seats for a total interior seat capacity for 34 patrons; there is an existing sidewalk café with 10 tables and 24 seats which will be assigned; there is an existing letter of no objections; and,

iii. Whereas, the hours of operation will be Sunday to Wednesday from 12PM to 1AM and Thursday to Saturday from 12PM to 2AM (all patrons will be cleared and no patrons will remain after stated closing times), 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 dj’s or live music, the operator agreed to continue closing the sidewalk café at 10 PM during the week and 11 PM on the weekends and further agreed to close the French Doors that exist on the front facades (both facades facing Greenwich and Spring Streets) every night at 9 PM, there will be no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. Whereas, the Applicant executed a stipulations agreement with CB2 that they agreed to submit to the SLA and agreed would be attached and incorporated in to the method of operation on the restaurant on-premise liquor license stating that:

1. Premise will be advertised and operated as a Classic Italian Bistro offering traditional favorites with a contemporary twist and reasonably priced.
2. The hours of operation will be Sunday to Wednesday from 12PM to 1AM and Thursday to Saturday from 12PM to 2AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions or projector TV’s.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes or patron seating (not including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ’s, live music, or promoted events.
9. The Premises will close all doors and windows at 9 pm every night and anytime there is amplified music.
10. There will be no unlimited drink or all you can eat and drink specials.
11. There will be no sale of beer by the pitcher.
12. The existing sidewalk café – unenclosed sidewalk café only – will be assigned (presented as 10 tables and 24 seats).
13. The hours of operation for the sidewalk café will be until 10PM Sunday to Thursday and 11PM Friday and Saturday (no patrons will remain in sidewalk café after 10PM Sunday to Thursday and 11PM Friday and Saturday).

v. Whereas, the committee expressed concerns that **(1)** the current operator of the premises, Happy Cooking Bistro, LLC d/b/a Sacco and Vanzetti, was currently in the process of applying for an enclosed sidewalk café with more seats outside than currently exist within the premises and could not understand why the current operator was pursuing that application which would result in a permanent structure if they were in the process of selling the assets of their business to this applicant and **(2)** why that application for an enclosed sidewalk café was not being pursued after the “transfer” application for a new license was completed by this applicant at this location; **(3)** furthermore there was some confusion over the matter because the current applicant appeared with the landlord of the premises who is also her father and the landlord stated that the applicant, his daughter, would be fully responsible for the operation of the premise, that she comes from a family with a long multigenerational successful history of restaurant operation, that the new operation would include the current chef of Sacco and Vanzetti who would be staying on and the exact same menu as currently used by Sacco and Vanzetti was presented as the menu for the proposed operation, but with a different “doing business as” name of “Raquel” and the landlord further stated that the current operator of Sacco and Vanzetti wasn’t sufficiently capitalized to continue staying at this location and the business was only viable if the number of seats were more than doubled through the addition of an enclosed sidewalk café because despite that operation of this location as various restaurant establishments for at least 75 years, the space was not big enough to operate a viable business; and

vi. Whereas, despite the concerns outlined above for the enclosed sidewalk café, no enclosed sidewalk café was presented as part of this application and the committee was assured that CB2, Man. should only consider this application for the interior as described above and an unenclosed sidewalk café with 10 tables and 24 seats with operating hours as described in the stipulations; and,

v. Whereas, the applicant provided information that there are currently approximately 11 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant On Premise Liquor License for **RLV Bistro, LLC, d/b/a Raquel, 322 Spring St. 10013** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 39 Board members in favor.

26. ABMW Food, Inc., d/b/a Auntie Guan’s Kitchen 108, 108 W. 14th St. 10011 (New RW)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee to present an application to the Liquor Authority for a new restaurant wine license for a “a restaurant focusing on Northeast Chinese Style food mainly noodles and dumplings” which is currently in operation but possessing no license from the Liquor Authority for the service of beer and wine or liquor; and,

ii. Whereas, this application is for a new restaurant wine license at a previously unlicensed restaurant location in a mixed use building located on West 14th St. between 6th Avenue and 7th Avenue for a roughly 2,500 sq. ft. premise located on the ground floor with 14 tables and 56 table seats and 1 stand up bar with 6 bar seats for a total of 62 seats; there is an existing Certificate of Occupancy; and,

iii. Whereas, the hours of operation will be hours of operation will be 11AM to 11PM 7 days a week, music will be quiet background only consisting of music from ipod/cd’s (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 10PM except for patron ingress and egress, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. Whereas, the Applicant executed a stipulations agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated in to the method of operation on the restaurant wine license stating that:

1. Premise will be advertised and operated as a restaurant focusing on Northeast Chinese Style food mainly noodles and dumplings.
2. The hours of operation will be 11AM to 11PM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will have no more than 2 televisions no larger than 46 inches. There will be no projectors.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes or patron seating (not including a licensed sidewalk café).

7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ's, live music, or promoted events.
9. The Premises will close all doors and windows at 10 pm every night and anytime there is amplified music.
10. There will be no unlimited drink or all you can eat and drink specials.
11. There will be no sale of beer by the pitcher.
12. A new kitchen ventilation system was already installed during the build out of the current establishment (this was assured in response to concerns about past complaints regarding previously existing ventilation system).
13. This application is for a Restaurant Wine License Only (Not for a full on-premise liquor license).

v. **Whereas**, CB2, Man. was originally notified by the applicant via a 30-day notice that this application was for a new on-premise liquor license and that the 500 ft. rule was not applicable, CB2, Man. promptly placed the applicant on the agenda for the next scheduled CB2 SLA Licensing Committee meeting in May 2016, the applicant requested to layover their appearance before CB2 until June, in the intervening time period the applicant filed their application On Premise Liquor License with the Liquor Authority; when the applicant appeared before CB2, Man. on June 16th 2016 it became clear that the 30-day notice to CB2 was in error in that there are more than 3 licensed premises within 500 ft., in fact, there are at least 11 on premise liquor licenses within 500 ft.; and

vi. **Whereas**, at the June 16th CB2 SLA Licensing Committee meeting, the applicant agreed to modify their application to the Liquor Authority to a restaurant wine license after a lengthy discussion; CB2 Man. respectfully requests that the Liquor Authority consider facilitating the change with the stipulations above from a restaurant on-premise liquor license to a restaurant wine in order not to impede the applicants submission through lost time or expense given their cooperation with addressing the concerns of CB2 Man.; and

vii. **Whereas**, there are currently approximately 11 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant Wine License for **ABMW Food, Inc., d/b/a Auntie Guan's Kitchen 108, 108 W. 14th St. 10011** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the "Method of Operation" on the SLA Restaurant Wine License.

Vote: Unanimous, with 39 Board members in favor.

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

27. KGM Partners, LLC, d/b/a Rebel Coffee, 19 8th Ave. 10014 (New tavern Wine - layover)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on June 16th, 2016, the Applicant requested to **layover** this application for a new tavern wine license in order to meet with residents who the applicant stated he would meet with prior to the meeting but never did and the applicant will resubmit the application for consideration at a future CB2, Man. SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **KGM Partners, LLC, d/b/a Rebel Coffee, 19 8th Ave. 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 39 Board members in favor.

28. 62 Greenwich, LLC, d/b/a Greenwich Steak House FG, 62 Greenwich Ave. 10011 (New OP - Layover)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on June 16th, 2016, the Applicant requested to **layover** this application for a new restaurant on-premise restaurant liquor license in order to continue to meet with residents who would be immediately impacted by the issuance of a license at this location in order to continue ongoing discussions and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **62 Greenwich, LLC, d/b/a Greenwich Steak House FG, 62 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 39 Board members in favor.

29. Fifty One Merchants, LLC, d/b/a Via Carota, 51 Grove St. (OP Alteration to add additional space SN1275555 – Layover/Withdrawal)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on June 16th, 2016, the Applicant requested to again **layover/withdraw** this application for an alteration application to add additional space to an existing restaurant on premise liquor license SN#1275555;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Fiftyone Merchants, LLC, d/b/a Via Carota, 51 Grove 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 39 Board members in favor.

30. Rehandari, LLC, d/b/a Kobrick Coffee Co., 24 Ninth Ave. 10014 (OP alteration - layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on June 16th, 2016, the Applicant requested to again layover this application for an alteration application for an existing on-premise restaurant liquor license to add a licensed sidewalk café in order to resolve discrepancies presented regarding the interior method of operation from those on file with CB2, Man. and in order to perform additional community outreach and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed; and

Whereas, at the meeting on May 12th, 2016, CB2 Manhattan's SLA Licensing Committee #2 had voted to recommend denial of the application, but due to the various issues unique to this particular application, the Committee voiced that should the applicant choose request to Layover the application, the Committee would rehear the application with the additional information the following month with no guarantees that the position of the Committee would change; the applicant subsequently chose to request to layover the application and will re-appear;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license alteration application to any existing license for **Renandari, LLC, d/b/a Kobrick Coffee Co., 24 Ninth Ave. 10014** until the Applicant has re-presented their application in front of CB2's SLA Licensing Committee with full and accurate information and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board members in favor.

31. Hudson Jane, Inc., d/b/a Hudson Café, 628 Hudson St. 10014 (New RW - Withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on June 16th, 2016, the Applicant requested to withdraw this application for a new restaurant wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Hudson Jane, Inc., d/b/a Hudson Café, 628 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 39 Board members in favor.

32. Sushi Nakazawa, LLC, d/b/a N/A, 23 Commerce St. 10014 (Upgrade from RW to OP - Withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on June 16th, 2016, the Applicant requested to withdraw this application for an upgrade from an existing Restaurant Wine License to a Restaurant On-Premise Liquor License and they will resubmit the application for

consideration at a future CB2 SLA Licensing Committee meeting should they proceed; the applicant did file a **separate alteration application to add additional space** to their existing restaurant wine application and there is a separate CB2, Man. resolution from June 2016 regarding that alteration application to add additional space;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of upgrade or changes to any existing license for **Sushi Nakazawa, LLC, d/b/a N/A, 23 Commerce 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 39 Board members in favor.

33. BKUK 10 Corp., d/b/a TBD, 89 7th Ave. So. 10014 (New OP-Layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on June 16th, 2016, the Applicant requested to **layover** this application for a new restaurant on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **BKUK 10 Corp., d/b/a TBD, 89 7th Ave. S. 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 39 Board members in favor.

34. Restaurant Associates, Inc., 557 Broadway, 11th Fl. 10012 (New OP - Layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on June 16th, 2016, the Applicant requested to **layover** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Restaurant Associates, Inc., 557 Broadway, 11th Fl. 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board members in favor.

35. Vegan ART, LLC., d/b/a TBD, 28 7th Ave. So. 10014 (New OP - withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on June 16th, 2016, the Applicant requested to **withdraw** this application for a new restaurant on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Vegan ART, LLC., d/b/a TBD, 28 7th Ave. S. 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 39 Board members in favor.

36. TMSI, Inc. and Hudson Yards Catering, LLC or Subsidiary, 412 W. 14th St. 10014 (New OP - layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on June 16th, 2016, the Applicant requested to **layover** this application for an on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **TMSI, Inc. and Hudson Yards Catering, LLC or Subsidiary, 412 W. 14th 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 39 Board members in favor.

Respectfully submitted,

Keen Berger

Secretary
Community Board #2, Manhattan