Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
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Bob Gormley, *District Manager*

Antony Wong, *Treasurer*
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Community Board No. 2, Manhattan

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October 4, 2021

Director
Licensing Issuance Division
NY State Liquor Authority
163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on September 23, 2021, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution which was voted on at the August Executive Committee:

1. 177 NAP, Inc. d/b/a Famous Ben's Pizza, 177 Spring St. 10012 (New Tavern Wine)

i. Whereas, the Applicant's Attorney, with the Applicant on the Attorney's phone, appeared before CB2, Manhattan's SLA Licensing Committee #1 via video conference to present an application for new Beer and Wine license to operate a pizzeria in a R7-2-zoned with a C1-5 overlay, five (5)-story, mixed-use building (c. 1900) on Spring Street at the northeast corner of Spring and Thompson Streets (Block #502 / Lot #44) in the Sullivan-Thompson Historic District; and

ii. Whereas, the interior ground floor premises is approximately 900 sq. ft., there will be ten (10) tables with twenty-eight (28) seats and no bars or food counters for a total patron occupancy of twenty-eight (28) persons; there is one (1) entryway used for both patron egress and ingress and one (1) patron bathroom; and

iii. Whereas, the storefront is a previously unlicensed location, the Applicant having been at this location serving pizza and Sicilian dishes for the past 42 years, the method of operation remaining the same; and

iv. Whereas, there will be a certified sidewalk café as part of the temporary Open Restaurants program immediately adjacent to the building with no more than five (5) tables and ten (10) seats on Thompson Street and nine (9) tables with eighteen (18) seats on Spring Street with no roadbed seating.; and

v. Whereas, the proposed hours of operation will be Saturdays to Sundays from 11:00AM to 12:30 AM on the interior and all service will end at 10PM on the exterior with the exception of the pass-through window for to-go food that has been part of the method of operation for years; and

vi. Whereas, all service in both the interior and exterior of the premises will be by wait staff only to seated patrons; there will be no beer sold to-go; and

vii. Whereas, music will be quiet ambient background only, and will not be audible outside at any time, all windows and doors will close at 10PM every night with the exception of the pass-through window for orders to go, there will be no dancing, DJs, live music, promoted events, no cover fees or promoted events, no televisions, no velvet ropes or metal barricades, no security personnel/door staff; and

vii. Whereas, the Applicant executed a stipulation agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated into the method of operation on the license as follows:

1. Premises will be advertised and operated as pizzeria with an extensive menu of Sicilian dishes.
2. The hours of operation will be 11:00AM to 12:30AM Saturdays through Sundays (7 days a week). All patrons will be cleared and no patrons will remain after stated closing time.
3. Will operate with less than a full-service kitchen but will serve food during al hours of operation.
4. Will not operate a backyard garden or <u>any</u> outdoor area for commercial purposes except for certified sidewalk café operating under the temporary Open Restaurants program. Sidewalk café will be located immediately adjacent to the storefront with no more than 5 tables and 10 seats on Thompson Street and 9 tables with 18 seats on Spring Street. No roadbed seating..
5. Sidewalk café will close no later than 10PM. All tables and chairs will be removed at this hour. No exterior music, speakers or TVs. No roadbed seating.
6. Will play quiet ambient recorded background music only. No music will be audible outside at any time.
7. Will not have televisions.
8. Will close <u>all</u> doors and windows at 10PM every night with exception of pass-through window for slices to-go, allowing only for patron ingress and egress.
9. Will not install or have French doors, operable windows or open facades.
10. Will not make changes to the existing façade.
11. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
12. Will provide a Letter of No Objection or Certificate of Occupancy permitting seating and drinking for store front premises proposed to be licensed prior to issuance of license.
13. All alcohol service will be by wait staff to seated patrons.
14. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer. No beer sold to go.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will not change any principals prior to submission of original application to NYSLA.
17. Will not have: dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/door staff.
18. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new Tavern Wine License for **177 NAP, Inc. d/b/a Famous Ben's Pizza, 177 Spring 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 Tavern Wine License.

Vote: Unanimous, with 42 Board members in favor.

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*
Bob Gormley, *District Manager*

Antony Wong, *Treasurer*
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October 4, 2021

Director
Licensing Issuance Division
NY State Liquor Authority
163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on September 23, 2021, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution which was voted on at the August Executive Committee:

2. 179 Prince St., LLC d/b/a TBD, 179 Prince St. 10012 (New Restaurant Wine)

i. Whereas, the Applicant and Applicant's Attorney appeared before CB2, Manhattan's SLA Licensing Committee #1 via video conference to present an application for new Restaurant Wine License to operate a family restaurant focused on burgers, fountain cokes and shakes in a R7-2-zoned, six (6)-story, mixed-use building (c. 1900) on Prince Street between Thompson and Sullivan Streets (Block #517 / Lot #41) in the Sullivan-Thompson Historic District; and

ii. Whereas, the interior ground floor premises is approximately 875 sq. ft., there will be five (5) tables with twenty (20) seats and one (1) bar with nine (9) seats and three (3) stool seats at front windows, for a total patron occupancy of thirty-two (32) persons; there is one (1) entryway used for both patron egress and ingress and one (1) patron bathroom; there will be no outdoor seating of any kind; and

iii. Whereas, the storefront was previously licensed with a Restaurant Wine license as a Japanese restaurant from 2005 through March/2020, the method of operation of the instant application being similar in nature; and

iv. Whereas, the proposed hours of operation are 11:30AM to 11:00PM Saturdays through Sundays (7 days a week), music will be quiet background only, there will be no dancing, no DJs, no promoted events, no live music, no private parties, no scheduled performances or cover fees, no TVs; there are currently accordion windows along the Prince Street façade which the Applicant is applying for approval to change to non-operable windows; and

iv. Whereas, the Applicant owns a French bistro, Raoul's (SN# 1028385), across the street that has been a popular SoHo institution since the 1970's; the Applicant stating that the instant would not have the same name or the same method of operation but may incorporate the name "Raoul's" into the d/b/a of the instant application; concerns being raised that having two establishments so close together, especially with one being a well-established, popular restaurant could lead to a sharing of patrons or referring patrons from one restaurant to the other causing congestion on the sidewalks and creating quality of life concerns for residents, many of the buildings being older tenement buildings lacking in noise-attenuating insulation; the Applicant stipulating that the two restaurants will operate completely independently of each other and will not be referring patrons back and forth; and

v. Whereas, the Applicant will also be using the second floor in the building of the instant application for offices, the stairwell to the offices being the same stairwell that residents in the building use; there being concern that restaurant staff will then be using the common stairwell to access the offices; the Applicant assuring CB2, Man. that the persons accessing the office on a regular basis are separate from those running the day-to-day operations of the restaurant; and

vi. Whereas, the Applicant executed a stipulation agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated into the method of operation on the license as follows:

1. Premises will be advertised and operated as family restaurant serving lunch and dinner.
2. The hours of operation will be 11:30AM to 11:00PM Saturdays through Sundays (7 days a week). All patrons will be cleared and no patrons will remain after stated closing time.
3. Will operate a full-service restaurant, specifically a family restaurant serving lunch and dinner focused on burgers, fountain sodas and shakes with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will operate independently (staff and patrons) from their "sister" restaurant, Raoul's (SN# 1028385), located across the street at 180 Prince Street. Will not refer patrons back and forth between the two licensed premises.
6. Will not operate a backyard garden or <u>any</u> outdoor area for commercial purposes.
7. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
8. Will not have televisions.
9. Will close <u>all</u> doors and windows at 10PM every night with exception of pass-through window for slices to-go, allowing only for patron ingress and egress.
10. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
11. Will provide a Letter of No Objection or Certificate of Occupancy permitting seating and drinking for store front premises proposed to be licensed prior to issuance of license.
12. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer. No beer sold to go.
13. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
14. Will not change any principals prior to submission of original application to NYSLA.
15. Will not have: dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/door staff.

16. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new Restaurant Wine License for **179 Prince St., LLC d/b/a TBD, 179 Prince 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 Tavern Wine License.

Vote: Unanimous, with 42 Board members in favor.

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*
Bob Gormley, *District Manager*

Antony Wong, *Treasurer*
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October 4, 2021

Director
Licensing Issuance Division
NY State Liquor Authority
163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on September 23, 2021, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution which was voted on at the August Executive Committee:

3. 3 of Cups, LLC d/b/a Three of Cups, 150 Sullivan St. 10012 (New Restaurant Wine)

i. Whereas, the Applicant appeared before CB2, Manhattan's SLA Committee #1 via video conference to present an application to the NYS Liquor Authority for a Restaurant Wine Liquor License to operate a "wine bar and restaurant in the ground floor storefront of a five (5)-story mixed-use building (c. 1911, altered 2015) on Sullivan Street between Prince and Houston Streets (Block #518/Lot #32) in the Sullivan-Thompson Historic District, this particular block being zoned for residential occupancy only despite certain pre-existing, non-conforming storefronts being found thereat; and

ii. Whereas, the premises consists of the ground floor and basement connected by an exterior stairway (the Applicant failing to provide square footage of proposed licensed premises) and was a clothing store, Canon NYC, from 2017 to 2019 and prior to that operated as 'sNice since approximately 2011, a vegan/vegetarian café without any liquor license and prior to that a bakery; and

iii. Whereas, there will be eight (8) tables with 30 patron seats, one bar with eight (8) seats and one counter with four (4) seats for a total of 42 interior seats; there is one (1) entrance that serves as both patron ingress and egress, there are two (2) bathrooms; there is no patron use of the cellar which is used for storage, food prep and kitchen only; the Applicant currently operating in the premises and participating in the temporary Open Restaurants program stating there are eight (8) tables with 16 seats in the roadbed; and

iv. Whereas, the proposed hours of operation are 7:00AM to 12:00AM Saturdays through Sundays (7 days a week), music will be quiet background only, there will be no dancing, no DJs, no promoted events, no live music, no private parties, no scheduled performances or cover fees, and despite the application indicating two (2) TVs, the Applicant stating there will be no televisions; and

v. Whereas, the Applicant being a principal in another licensed premises in CB2, Man. from 2002 to 2012 (SN# 1134334), using this past history as representative of the method of operation of the instant application, yet failed to disclose this on the instant application; the application lacking much information including square footage of licensed premises, clarity on how the premises would be managed, there were no menus provided for breakfast, lunch of dinner, the Applicant stating there would be two (2) dinner entrees; the instant application stating the premises is not within 200 feet of a church or place of worship although The Church of St. Anthony of Padua is almost directly across the street; the included layout of the block provided being flopped and inaccurate; "covid seating" being stated with no square footage of the outdoor area or seat diagram being provided; and

vi. Whereas, this location being previously unlicensed and on a narrow residential block where there has been a significant increase in the number of licensed establishments over the last decade and there are already roughly six (6) licensed establishments; concerns were voiced by local residents about the loss of diversity in retail by adding another licensed premises to an already heavily licensed block; questions being raised about the number of seats the Applicant stated being used in the roadbed, with resident photos showing closer to double the number of seats of the instant application; there being concerns from the committee and residents regarding quality of life impacts due to the addition of another establishment with outdoor dining; when asked to forego the outdoor dining portion of the instant application or to close the outdoor seating at 10PM instead of midnight, the Applicant stating the location was picked in part due to the ability to have roadbed seating and was not open to ending the outdoor seating earlier; additionally, the Applicant having no plans to add soundproofing to the interior premises despite concerns raised because the location is the ground floor of a walk-up residential building which has not previously been operated into the later evening hours; and

vii. Whereas, the Applicant continued to refer back to his experience with the prior restaurant, which was a welcome addition to the community, as an example of knowing the neighborhood, being an experienced operator and part of the community this making it all the more surprising that there were numerous errors and omissions in the instant application and, given the opportunity, the Applicant did not offer to work with the community regarding soundproofing the premises or hours of outdoor service for the instant application; the saturation of licensing on the block has changed the tenor of the area and been a concern for a number of years which is now coupled with the addition of outdoor dining on a residential street bringing more people into the area and exacerbating the quality of life issues for local residents; and

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a Restaurant Wine License for **3 of Cups, LLC d/b/a Three of Cups, 150 Sullivan St. 10012**; and

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 42 Board members in favor.

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*
Bob Gormley, *District Manager*

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October 4, 2021

Director
Licensing Issuance Division
NY State Liquor Authority
163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on September 23, 2021, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution which was voted on at the August Executive Committee:

4. Piacere Enterprises, LLC, 351 Broome St. 10013 (Upgrade to OP-Restaurant from TW-Restaurant)

i. Whereas, the Applicant and the Applicant's Attorney appeared before CB2, Manhattan's SLA Committee #1 via video conference to present an application to the NYS Liquor Authority for an upgrade to their existing Restaurant Wine License (SN#1268740) to a full On-Premises Liquor License to operate a full service Italian restaurant focusing on pizza and pasta dishes on the ground floor and basement of a C6-2G / C6-G-zoned, four (4)-story hotel building (c. 1915) on Broome Street between Elizabeth Street and the Bowery (Block #470/Lot #50) in the Special Little Italy District;

ii. Whereas, the Licensee has been operating with a Restaurant Wine License since July/2013; and

iii. Whereas, when the existing licensee initially appeared for a new beer and wine license before CB2, Man. in December/2012, CB2, Man. unanimously adopted a resolution on December 20, 2012, recommending denial of the beer and wine license; and

iv. Whereas, despite CB2, Man. adopting a resolution recommending denial of a beer and wine license at these premises, the NYSLA nonetheless granted the beer and wine license to this applicant even though this location had never been licensed before; and

v. Whereas, in January/2014 and again in June/2015, the Licensee appeared before CB2, Man. to request an upgrade to their existing Restaurant Wine License to a full On-Premises Liquor License and both times CB2, Man. unanimously adopted a resolution recommending denial of the upgrade application at that time; and

vi. Whereas, the premises is located in a hotel building with six (6) commercial spaces on the ground floor and basement with SRO residents and hotel rooms on the upper floors, but there is no direct access to the Hotel, the storefront is approximately 2,000 sq. ft (1,200 sq. ft. on the ground floor and 800 sq. ft in the basement with no patron use of the basement) with ten (10) tables and 48 seats and one (1) bar with eight (8) seats for a total patron occupancy of 58; there is one (1) entrance and two (2) exits and two (2) bathrooms; and

vii. Whereas, the current hours of operation are Sundays to Thursdays from 5PM to 2AM and Fridays to Saturdays from 5PM to 3AM, music is quiet background only consisting of music from iPod/CDs (i.e. no active manipulation of music – only passive prearranged music), there are no TVs, no dancing, DJs, live music, promoted events or schedule performances; and

viii. Whereas, the Applicant is currently participating in the temporary Open Restaurants Program with no more than eight (8) tables and 24 seats on the sidewalk adjacent to the building and an additional four (4) tables and 16 seats in the roadbed in front of the licensed premises; and

ix. Whereas, there are already four (4) additional full On-Premises Liquor Licenses in this building alone (only one of the six storefronts in this building has not been an eating and/or drinking establishment including some basement areas); and

x. Whereas, there continue to be significant concerns regarding the late-night hours of operation until 3AM and there is already late-night food available in the immediate neighborhood; there continues to be an over-saturation of liquor licenses in this area; that the late night hours of the establishment are not in alignment with the method of operation, that being of a full-service restaurant and the upgrade to full liquor along with the late hours raises concerns that the premises will operate more as a bar in the later hours and be a contributor to late night noise; and

xi. Whereas, after hearing concerns regarding the late-night hours of operation, the Applicant agreed to hours of 5PM to 1AM Sundays through Thursdays and 5PM to 1AM Fridays and Saturdays on the interior and 5PM to 10PM Sundays through Thursday and 5PM through 11PM Fridays and Saturdays on the exterior with all doors, including the accordion doors on Broome Street, and windows closing at 10PM every night; and

xii. Whereas, this application being subject to the 500 foot rule, requiring the Applicant to establish public interest for the license to be issued at its inception, the Applicant agreeing to and executing a stipulations agreement with CB2, Man. for the sole purpose of establishing public interest, the stipulations being attached to and incorporated into the "Method of Operation" of the On-Premise Liquor License, limiting its method of operation on the on premise license for this purpose, as follows:

1. Premises will be advertised and operated as an Italian restaurant.
2. The hours of operation will be 5PM to 1AM Sundays through Thursdays and 5PM to 1AM Fridays and Saturdays. No patrons will remain after stated closing time.
3. Will operate a full-service Italian restaurant with the kitchen open and full menu items available until closing every night.
4. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not operate a backyard garden or <u>any</u> outdoor area for commercial purposes except for certified sidewalk café and roadbed seating operating under the temporary Open Restaurants program. The sidewalk café is located immediately adjacent to the storefront with no more than

8 tables and 24 patron seats and roadbed seating not exceeding the business frontage of licensed premises with 4 tables and 16 patron seats.

6. Sidewalk café and roadbed seating will close no later than 10PM Sundays through Thursdays and 11PM Fridays and Saturdays. All tables and chairs will be removed at this hour. No exterior music, speakers or TVs.
7. Will play quiet, ambient, recorded background music only, inclusive of any parties or private events. No music will be audible in any adjacent residences anytime.
8. Will not have televisions.
9. Will close all doors and windows at 10PM every night, allowing only for patron ingress and egress.
10. No patron occupancy/service to any portion of the basement of licensed premises.
11. Will not make changes to the existing façade.
12. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
13. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer.
14. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will not change any principals prior to submission of original application to NYSLA.
17. Will not have: dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel/door staff.
18. Will appear before CB2, Manhattan prior to submitting plans for permanent sidewalk or roadbed dining.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new On-Premise Liquor License in the name of **Piacere Enterprises, LLC, 351 Broome 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 License.

Vote: Unanimous, with 42 Board members in favor.

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*
Bob Gormley, *District Manager*

Antony Wong, *Treasurer*
Eugene Yoo, *Secretary*
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October 4, 2021

Director
Licensing Issuance Division
NY State Liquor Authority
163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on September 23, 2021, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution which was voted on at the August Executive Committee:

5. Jo Rach, Inc. f/k/a Cocktail King, Inc. d/b/a Palermo, 191 Grand St. 10013 (OP-Restaurant)

i. Whereas, the Applicant and the Applicant's Attorney appeared before CB2, Manhattan's SLA Committee #1 via video conference to present an application to the NYS Liquor Authority for an On-Premises Liquor License to operate a full service restaurant focusing on Italian foods, panini's and desserts on the ground floor and cellar of a C6-2G-zoned, six (6)-story mixed-use building (c. 1900) on Grand Street between Mott and Mulberry Streets (Block #237/Lot #12) in the Special Little Italy District; and

ii. Whereas, the interior ground floor premises is approximately 1,800 sq. ft. with 1,000 sq. ft. on the ground floor and approximately 800 sq. ft. in the basement connected by an interior stairway of approximately 20 steps; there will be five (5) tables with 25 seats and one (1) bar with nine (9) seats on the ground floor and seven (7) tables with 14 seats and one bar with six (6) seats in the cellar for a total patron occupancy of 54 seats; there is a bathroom on each floor for a total of two (2) bathrooms and there are two (2) entries used for patron egress and ingress; and

iii. Whereas, the premises being located in the Special Little Italy District, the Applicant, who is also the principal of Café Palermo (SN#1025308) located next door at 148 Mulberry, is seeking approval to install bi-fold windows and a sidewalk service counter along Grand Street; the premises previously not having any operable doors or windows aside from for patron ingress/egress; and

iv. **Whereas**, the hours of operation are 11AM to 2AM Saturdays through Sundays; there will be one (1) television; music will be quiet background only consisting of music from iPod/CD's, no music will be audible in any adjacent residences at any time; there will be no dancing, no DJs, no live music, no scheduled performances, no cover fees or promoted events, no velvet ropes or metal barricades, no security personnel/door staff; and

v. **Whereas,** the Applicant stating they will apply to participate in the Open Restaurants outdoor seating with approximately 24 seats but supplied no diagrams indicating where the seating would be located; the hours of operation for the outdoor seating will be 11AM to 1AM Saturdays through Sundays (7 days a week); and

vi. **Whereas**, the storefront premises being located in a heavily saturated, mixed-use area with approximately 30 On-Premises liquor license within 500' and had been operated from 2015-2019 as Genuine Superette (SN#1284554), that operator working with the community for approved hours of operation from 9AM to 12AM Sunday to Tuesday; 9AM to 1AM Wednesday and 9AM to 2AM Thursday to Saturday, no televisions, no sidewalk café or other outdoor seating and all doors and windows closed at all times; the instant application requesting later hours and outdoor seating, the Applicant unwilling to end either outdoor or indoor seating earlier than the requested hours; and

vii. **Whereas,** the Certificate of Occupancy for the premises lists bakery and store use for the cellar floor, the Applicant intending to have the main kitchen on the ground floor and have patron seating in the cellar and is working on updating the Certificate of Occupancy or receiving a Letter of No Objection; the prior occupant using the basement as part of its operations (though this was omitted from the applications and materials submitted to Community Board 2); concerns being raised that it may not be possible to receive permitting of restaurant use for the cellar; and

viii. **Whereas**, this application being subject to the 500 foot rule requiring the Applicant to satisfy the public interest standard for adding another licensed establishment in this area, the area already being saturated with licensed establishments, there being questions raised about the closing hours of 2:00AM nightly and the impact on quality of life for the residents of an additional 24 seats outside, especially with closing hours of 1:00AM, the possible addition of operable doors along the frontage on Grand Street and the Applicants unwillingness to compromise on any of these issues; and

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a On Premise License for **Jo Rach, Inc. f/k/a Cocktail King, Inc. d/b/a Palermo, 191 Grand St. 10013**; and

THEREFORE, BE IT FURTHER RESOLVED that when the application is considered by the NYSLA, CB2, Man. respectfully requests that this item be calendared so that it may appear before the Full Board of the SLA and be heard on the On-Premises application.

Vote: Unanimous, with 42 Board members in favor.

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*
Bob Gormley, *District Manager*

Antony Wong, *Treasurer*
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Licensing Issuance Division
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New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on September 23, 2021, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution which was voted on at the August Executive Committee:

6. Numinosity, LLC d/b/a Jack's Wife Freda, 226 Lafayette St. a/k/a 62 Spring St. 10012
(Transfer-RW, new OP-Restaurant)

i. Whereas, the Applicant and the Applicant's Attorney appeared before CB2, Manhattan's SLA Committee #1 via video conference to present an application to the NYS Liquor Authority for the transfer of Restaurant Wine License (SN# 1300424) from CCFC 62 Spring LLC and a new On-Premises Liquor License to operate a full-service restaurant serving American fare on the ground floor and basement of a M1-5B-zoned, six (6)-story mixed-use building (c. 1920) on Lafayette Street at the southwest corner of Lafayette and Spring Streets (Block #482/Lot #22); and

ii. Whereas, the storefront is approximately 2,400 sq. ft. (1,500 sq. ft. on the ground floor and 900 sq. ft. in the basement connected by an interior staircase), there will be 36 tables with 88 seats and one (1) bar with 13 seats, for a total patron occupancy of 101 persons; there are two (2) patron bathrooms in the basement which is otherwise used for storage and office purposes only, there is no patron dining or seating in the basement; there are three (3) entryways used for patron egress and ingress with the main entry on Lafayette Street; one (1) entryway used for emergency exit only; and

iii. Whereas, the storefront location had operated as Chef's Club Counter with a Restaurant Wine license (SN# 1300424), a "fast casual, grab and go" restaurant from 2017 to the present and prior to that was operated as Spring Street Natural Restaurant which closed in March/2015; and

iv. Whereas, the Applicant has been operating a very popular restaurant under the same name, Jack's Wife Freda (SN# 1268274) down the block from the instant application since March/2012 and is moving to this location in part because it is large in size; and

v. **Whereas**, there will be sidewalk and roadbed seating as part of the temporary Open Restaurants program located on Lafayette Street only; the sidewalk café will be no more than six (6) tables and 12 seats and roadbed seating not exceeding the business frontage will be no more than nine (9) tables and 18 seats; and

vi. **Whereas,** the instant application included the installation of operable windows along the business frontage on Spring and Lafayette streets, there being concerns raised about noise from the premises travelling to nearby residents, especially on Spring Street which is the narrower of the two streets, the Applicant agreeing to install inoperable windows along Spring Street and close the operable windows on Lafayette at 6PM every night; and

vii. **Whereas,** the instant application consisting of an initial transfer of the Restaurant Wine license (SN# 1300424) from CCFC 62 Spring, LLC to Numinosity, LLC, there being areas of the floor plan included in the instant application, including the bar area, that were not covered under CCFC 62 Spring, LLC's Restaurant Wine license, this being brought to the Applicant's attention; and

viii. **Whereas**, the agreed to hours of operation are 8AM to 12AM Mondays through Saturdays and 8AM to 10PM Sundays; music will be quiet background only consisting of music from iPod/CD's, no music will be audible in outdoor dining areas or in any adjacent residences at any time; all doors and windows will be closed at 6PM every night; there will be no dancing, no DJs, no live music, no scheduled performances, no cover fees or promoted events, no televisions, no velvet ropes or metal barricades, no security personnel/door staff; and

ix. **Whereas,** this application being subject to the 500-foot rule, requiring the Applicant to establish public interest for the license to be issued at its inception, the Applicant agreeing to and executing a stipulations agreement with CB2, Man. for the sole purpose of establishing public interest, the stipulations being attached to and incorporated into the "Method of Operation" of the On-Premise Liquor License, limiting its method of operation on the on premise license for this purpose, as follows:

1. The premises will be advertised and will operated as a restaurant focused on American fare.
2. The hours of operation will be from are 8AM to 12AM Mondays through Saturdays and 8AM to 10PM Sundays. (Premises will open no later than stated opening time and no patrons will remain after stated closing time.)
3. Will operate a full-service restaurant, specifically a family restaurant serving American fare with the kitchen open and full menu items available until closing every night.
4. The premises will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not operate a backyard garden or <u>any</u> outdoor area for commercial purposes except for a sidewalk café and roadbed seating operating under the temporary Open Restaurants program on Lafayette Street. Sidewalk café is located immediately adjacent to the storefront with no more than 6 tables and 12 patron seats and roadbed seating not exceeding the business frontage of licensed premises with 9 tables and 18 patron seats. No sidewalk or roadbed seating on Spring Street.
6. Sidewalk café and roadbed seating will close no later than 10PM. All tables and chairs will be removed at this hour. No exterior music, speakers or TVs.
7. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in outdoor dining areas or in any adjacent residences at any time.
8. Will not have televisions.

9. Will close all doors and windows by 6PM every night, allowing only for patron ingress and egress.
10. Patron use of the basement of licensed premises will be for bathroom access only.
11. Will not install or have French doors or open façades. Operable windows may be installed on Lafayette Street only.
12. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
13. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer.
14. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will not change any principals prior to submission of original application to NYSLA.
17. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, security personnel / doormen.
18. Will appear before CB2, Manhattan prior to submitting plans for permanent sidewalk or roadbed dining.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for the transfer of the Restaurant Wine License (SN# 1300424) from CCFC 62 Spring LLC to **Numinosity, LLC d/b/a Jack's Wife Freda** and for a new On-Premises Liquor License in the name of **Numinosity, LLC d/b/a Jack's Wife Freda, 226 Lafayette St. 10012**, **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the "Method of Operation" of the SLA On-Premise License.

Vote: Unanimous, with 42 Board members in favor.

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*
Bob Gormley, *District Manager*

Antony Wong, *Treasurer*
Eugene Yoo, *Secretary*
Ritu Chattree, *Assistant Secretary*

Community Board No. 2, Manhattan

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October 4, 2021

Director
Licensing Issuance Division
NY State Liquor Authority
163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on September 23, 2021, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution which was voted on at the August Executive Committee:

7. Blossom Union Square, Inc. d/b/a Blossom, 72 University Pl. 10003 (Class Change to OP-Restaurant)

i. Whereas, the Applicant appeared before CB2, Manhattan's SLA Licensing committee via video conference to present an application to the NYS Liquor Authority for an upgrade to their existing Restaurant Wine License (SN# 1330949) to a full On-Premises Liquor License to operate a Vegan restaurant with a full menu on the ground floor of a R6B with a C1-3 overlay-zoned, five (5)-story mixed use building (c. 1918) on University Place between East 10th and East 11th Streets (Block #6062/Lot #10); and

ii. Whereas, the ground floor storefront is approximately 2,700 sq. ft. premises (1,800 sq. ft. on the first floor and,900 sq. ft. in the basement connected by an interior stairway) with 23 tables and 62 seats and one (1) bar with six (6) seats for a total patron occupancy of 68 seats; there is one entry serving as patron ingress and egress and two (2) patron bathrooms; and

iii. Whereas, there will be a certified sidewalk café as part of the temporary Open Restaurants program immediately adjacent to the building with six (6) tables and twelve (12) seats; and

v. Whereas, the applicant has been operating at this location since approximately August/2020 and will follow the same method of operation; proposed hours of operation will be Sunday to Thursday from 11:00 AM to 11:00 PM, Friday and Saturday from 11AM to 12AM, music will be quiet ambient background only, all windows are fixed and all doors will remain closed at all times, there will be no dancing, DJs, live music, promoted events, no cover fees or promoted events, no televisions, no velvet ropes or metal barricades, no security personnel/door staff; and

ix. Whereas, this application being subject to the 500 foot rule, requiring the Applicant to establish public interest for the license to be issued at its inception, the Applicant agreeing to and executing a stipulations agreement with CB2, Man. for the sole purpose of establishing public interest, the stipulations being attached to and incorporated into the "Method of Operation" of the On-Premise Liquor License, limiting its method of operation on the on premise license for this purpose, as follows:

1. The premises will be advertised and will operated as a Vegan restaurant.
2. The hours of operation will be from are11AM to 11PM Sundays through Thursdays and 11AM to 12AM Fridays and Saturdays. (Premises will open no later than stated opening time and no patrons will remain after stated closing time.)
3. Will operate a full-service restaurant, specifically a Vegan Restaurant with the kitchen open and full menu items available until closing every night.
4. The premises will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. Will not have televisions.
6. Will not operate a backyard garden or <u>any</u> outdoor area for commercial purposes except for licensed sidewalk café operating under the temporary Open Restaurants program located immediately adjacent to the storefront with no more than six (6) tables and twelve (12) patron seats. No roadbed seating.
7. Will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
8. Will close <u>all</u> doors at all times allowing only for patron ingress and egress.
9. No patron occupancy/service to any portion of the basement of licensed premises.
10. Will not install or have French doors, operable windows or open façades.
11. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
12. Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer.
13. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, security personnel / doormen.
16. Will appear before CB2, Manhattan prior to submitting plans for permanent sidewalk or roadbed dining.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **<u>denial</u>** of the application for a new On-Premises License to **Blossom Union Square, Inc. d/b/a Blossom, 72 University Place 10003 <u>unless</u>** the statements presented by the Applicant are accurate and complete and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the "Method of Operation" on the NYSLA On-Premises Liquor License.

Vote: Unanimous, with 42 Board members in favor.

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*
Bob Gormley, *District Manager*

Antony Wong, *Treasurer*
Eugene Yoo, *Secretary*
Ritu Chattree, *Assistant Secretary*

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October 4, 2021

Director
Licensing Issuance Division
NY State Liquor Authority
163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on September 23, 2021, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution which was voted on at the August Executive Committee:

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

8. Twelve Spring Street Rest. Corp. d/b/a The Vig Bar, 12 Spring St. 10012 (OP – Bar/Tavern) (Temporary Covid Seating)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 10, 2021, the Applicant requested **to lay over** this application to September/2021 and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed; and

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed On-Premises Liquor License, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Twelve Spring Street Rest. Corp. d/b/a The Vig Bar, 12 Spring St. 10012, until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board members in favor.

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*
Bob Gormley, *District Manager*

Antony Wong, *Treasurer*
Eugene Yoo, *Secretary*
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October 4, 2021

Director
Licensing Issuance Division
NY State Liquor Authority
163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on September 23, 2021, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution which was voted on at the August Executive Committee:

9. Gommy 01, Inc. d/b/a Two hands Corndogs, 95 Macdougal St., Store B, 10012 (RBC – Restaurant)

Whereas, during this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 10, 2021, the Applicant requested **to lay over** this application to September/2021 and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed; and

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed On-Premises Liquor License, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Gommy 01, Inc. d/b/a Two hands Corndogs, 95 Macdougal St., Store B, 10012, until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board members in favor.

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*
Bob Gormley, *District Manager*

Antony Wong, *Treasurer*
Eugene Yoo, *Secretary*
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October 4, 2021

Director
Licensing Issuance Division
NY State Liquor Authority
163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on September 23, 2021, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution which was voted on at the August Executive Committee:

10. P.F. Chang's China Bistro, Inc. d/b/a P.F. Chang's China Bistro, 113 University Pl. 10003
(OP – Restaurant)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 10, 2021 the Applicant the Applicant requested **to withdraw** this application from further consideration, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and,

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed On-Premises Liquor License, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **P.F. Chang's China Bistro, Inc. d/b/a P.F. Chang's China Bistro, 113 University Pl. 10003, until** CB2, Man. has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board members in favor.

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*
Bob Gormley, *District Manager*

Antony Wong, *Treasurer*
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October 4, 2021

Director
Licensing Issuance Division
NY State Liquor Authority
163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on September 23, 2021, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution which was voted on at the August Executive Committee:

11. Corp. to be Formed by Pietro Quaglia, 172 Elizabeth St. 10012 (OP – Restaurant)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 10, 2021, the Applicant requested **to lay over** this application to September/2021 and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed; and

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed On-Premises Liquor License, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Corp. to be Formed by Pietro Quaglia, 172 Elizabeth St. 10012, until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2, Man. has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board members in favor.

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*
Bob Gormley, *District Manager*

Antony Wong, *Treasurer*
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October 4, 2021

Director
Licensing Issuance Division
NY State Liquor Authority
163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on September 23, 2021, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution which was voted on at the August Executive Committee:

12. Tortazo NYC, LLC, d/b/a Tortazo, 161 6th Ave. 10013 (OP-Restaurant) (Free-Standing Covered Structure) (Sidewalk Café)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 10, 2021, the Applicant the Applicant requested **to withdraw** this application from further consideration, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2, Man. should they decide to proceed at some time in the future; and,

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed On-Premises Liquor License, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Tortazo NYC, LLC, d/b/a Tortazo, 161 6th Ave. 10013, until** CB2, Man. has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board members in favor.

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*
Bob Gormley, *District Manager*

Antony Wong, *Treasurer*
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October 4, 2021

Director
Licensing Issuance Division
NY State Liquor Authority
163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on September 23, 2021, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution which was voted on at the August Executive Committee:

13. Red Grass, LLC d/b/a Do Not Feed Alligators, 337 Bleecker St. 10014 (OP-Bar/Tavern) (Patio or Deck / Back Patio)

Whereas, during this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 10, 2021, the Applicant requested **to lay over** this application to September/2021 and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed; and

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed On-Premises Liquor License, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Red Grass, LLC d/b/a Do Not Feed Alligators, 337 Bleecker 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, Man. should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board members in favor.

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*
Bob Gormley, *District Manager*

Antony Wong, *Treasurer*
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October 4, 2021

Director
Licensing Issuance Division
NY State Liquor Authority
163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on September 23, 2021, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution which was voted on at the August Executive Committee:

14. 131 7AV S, LLC d/b/a Flip Sigi, 131 7th Ave. So. 10014 (New Restaurant Wine)

i. Whereas, one of the Applicants appeared before CB2, Manhattan's SLA Licensing Committee to present an application for a new Restaurant Wine license to operate a fast casual taqueria restaurant specializing in Filipino tacos, burritos and burgers in a ground floor corner storefront within a one-story building built in the 1929 located within the Greenwich Village Historic District at the corner of 7th Avenue South and West 10th Street; and,

ii. Whereas, the interior 1-story premises is approximately 650 sq. ft. (with an additional 650 sq. ft. for storage use only; no patrons and not included in license) and was previously operated as Otto's Tacos, a fast casual taqueria with a tavern wine license, and prior to 2014 the premises operated for years as a bookstore; and,

iii. Whereas, the interior premise has 4 tables with 10 patron seats and one counter with 5 additional seats for a total of 15 patron seats, with a food counter for ordering food and drink, there has been a DCA sidewalk café at the location on 7th Avenue with 8 tables and 15 outdoor patron seats, there are operable doors or windows to the location, the premises has one patron bathroom, one patron entrance and there are no proposed exterior changes planned; and,

iv. Whereas, the proposed hours of operation are 11:00AM to 11:00PM Monday through Wednesday, and from 11:00AM to 12:00AM, Thursday through Sunday, music will be quiet background only, there will be no dancing, no DJs, no promoted events, no live music, no private parties, no scheduled performances or cover fees, and there will be no televisions;

v. **Whereas**, there was significant opposition to this application by community members living in the area near the location proposed to be licensed and those living in the area where the Applicants previously operated another Taqueria (2nd City West Village, LLC d/b/a Flip Sigi SN# 1294537) at 525 Hudson Street, those in opposition outlining Flip Sigi's very recent history of disruptive and unsafe Covid-19 conduct at this location, the location being notorious for noise, unmanaged mask-less crowds over the Spring and Summer months of 2020, in derogation and in violation of its stipulations signed with this Community Board for the purpose of establishing its original public interest for the granting of its prior license, as well as for multiple violations of Covid-19 regulations; and despite CB2 Man.'s signed and notarized stipulations that the licensed premise would play quiet, ambient, background recorded music only, music which would not be audible in any adjacent residences, the Licensees and current Applicants attached speakers to the exterior storefront playing loud music, a club-like atmosphere in a residential area, with residences located directly above the licensed premise, while also installing and operating a stand-up bar on the sidewalk in breach of the Governor's Executive Order, selling take-away drinks without the required food purchases, there being 29 complaints confirmed via NYC 311 system stemming from the business from March/2020 for loud music, noise, failures to social distance, the business being observed by residents and by Community Board members serving patrons drinks without food for consumption in standing areas in front of the premises on the public sidewalk and roadway bike path with no social distancing between groups, creating a situation where their standing patrons consistently blocked the sidewalk and bike lane, drinking in close proximity, creating an imminent public health hazard to both patrons and to the general public trying to pass on the sidewalk, the numerous complaints further triggering repeat visits over the months from the NYPD and members of Sixth Precinct, as well as the NYSLA, which issued violations and fines on June 29, 2020 to the operators for failing to follow the Governor's Executive Orders regarding the reopening of the State, City of New York for all residents and business operators; and,

vi. **Whereas**, when confronted with the on-going complaints, visits by the NYPD and violations issued from the NYSLA, the Applicants did not deny that they operated in derogation to the Governor's Executive Orders relating to the Covid-19 pandemic, or in violation of their existing stipulations, stating that for them it was a matter of survival as a business despite the clear public safety concerns posed by their actions to the public and those living above and immediately adjacent to their bar-like atmosphere they created in the public domain during the on-going recovery from the Pandemic, while the vast majority of similarly situation and like-businesses in the area followed the rules during the pandemic; and,

vii. **Whereas**, the Applicant's past digressions are more fully articulated in a 500-foot hearing decision (Jan. 29, 2021, application number 1333100) rendered by Administrative Law Judge Beth Badner and should be referenced by the NYCLA before any future license is reviewed and/or approved by the NYCLA for these Applicants; and,

viii. **Whereas**, since opening up its instant Taqueria on Seventh Avenue the Applicants have improperly built a structure on the sidewalk, without NYC DOB approval, extending the interior business out onto the public sidewalk, while also setting up picnic tables on the curb line of the sidewalk, both of which is in derogation of the guidelines set up by the City of New York for outdoor dining during the on-going pandemic, the structure and tables not providing a clear path for pedestrians, the completely enclosed structure should be removed and the table seating relocated to the sidewalk frontage immediately adjacent to and in front of the storefront premise past, the Applicants failing to demonstrate any consideration for the rules of conduct in the past and have continued to

demonstrate an inability to be guided by those same rules of conduct at the current location, their past transgressions not supporting the pursuit of operating with a similar method of operation at the proposed location, there also being significant opposition to the application while no one appearing on behalf of the Applicants; and,

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a On Premise License for **131 7AV S, LLC d/b/a Flip Sigi, 131 7th Ave. So. 10014**; and

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 42 Board members in favor.

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*
Bob Gormley, *District Manager*

Antony Wong, *Treasurer*
Eugene Yoo, *Secretary*
Ritu Chattree, *Assistant Secretary*

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October 4, 2021

Director
Licensing Issuance Division
NY State Liquor Authority
163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on September 23, 2021, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution which was voted on at the August Executive Committee:

15. DB 516 Hudson NY, LLC d/b/a Daisies Burgers, 516 Hudson St. 10014 (New Restaurant Wine)

i. Whereas, the Applicants appeared before CB2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new Restaurant Wine liquor license to operate a restaurant specializing in hamburgers within a ground floor storefront located in a 4 story residential townhouse building (Circa 1905) on Hudson Street between West 10th and Christopher Streets in Greenwich Village; the building falling within NYC LPC's designated Greenwich Village Historic District; and,

ii. Whereas, the street level storefront premises is approximately 575 sq. ft., with an additional 500 sq. ft. in the basement (basement not for patron uses) with one bathroom, 5 tables and 20 seats, one food service counter with no seats, for a total of 20 interior seats, all service and patron areas will be on the ground floor, the basement being restricted to staff; and,

iii. Whereas, the new restaurant will operate with a similar method of operation as the restaurants previously occupying this same storefront, Benedicts, and prior to Benedicts, Hudson Falafel, the new owner/operators seeking to operate a "healthy burger restaurant defined by a localized supply chain, sourcing natural and chemical free ingredients, while operating sustainably through zero waste process and compostable packaging"; and,

iv. Whereas, consistent with the prior license at this particular location, the licensed premises will have an unenclosed sidewalk café of roughly 128 sq. ft., located immediately adjacent to storefront on Hudson Street, with no more than 3 tables and 12 seats, there will be no other service of alcohol to any

other exterior location, including the roadbed, the existing front façade being operable, with French doors, the applicant agreeing to close those doors by 10:00 PM and to close the sidewalk café by 11:00 PM every evening/night; and,

v. Whereas, the hours of operation will be Sunday to Saturday from 11 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/CDs (i.e. no active manipulation of music – only passive prearranged music), there will be no TVs, all doors and windows will be closed by 10 PM every night, there will be no DJ, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes and no movable barriers; and,

iv. Whereas, the Applicant executed a stipulation 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 license as follows:

1. The licensed premises will be advertised and operated as a full-service restaurant with full menu items available until closing every night.
2. The hours of operation will be Sunday to Saturday from 11 AM to 11 PM. 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 operate a backyard garden or any outdoor area for commercial purposes except for licensed sidewalk café operating under the temporary Outdoor Restaurants program located immediately adjacent to storefront with no more than 3 tables and 12 patron seats. No roadbed seating.
6. Sidewalk café will close by 11 PM every night. All tables and chairs will be removed at closing. No exterior music/speakers.
7. Will close all doors and windows by 10 PM every night.
8. No patron occupancy/service to any portion of basement to licensed premises.
9. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at any time.
10. The premises will not have : Dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel or doorman.
11. There will be no pitchers of beer and no all you can eat/drink specials or boozy brunches.
12. Will not make changes to the existing façade except to change signage or awning.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
14. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. Will appear before CB2 Manhattan for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an application for a new Restaurant Wine License for **DB 516 Hudson NY, LLC d/b/a Daisies Burgers, 516 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 42 Board members in favor.

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*
Bob Gormley, *District Manager*

Antony Wong, *Treasurer*
Eugene Yoo, *Secretary*
Ritu Chattree, *Assistant Secretary*

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October 4, 2021

Director
Licensing Issuance Division
NY State Liquor Authority
163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on September 23, 2021, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution which was voted on at the August Executive Committee:

16. Sushi on West 10th Street, LLC d/b/a Sushi on Jones, 210 W. 10th St. 10014 (New OP—previously unlicensed location with Alteration to add second storefront, two sidewalk cafes and roadbed structure extending beyond store frontage)

i. Whereas, the Applicants and the Applicant's Representative appeared before CB2, Manhattan's SLA Licensing Committee to present an application for a new On Premise license to operate a restaurant serving Japanese cuisine in multiple storefronts, previously unlicensed, with two sidewalk cafes in front of each storefront and with a large roadbed structure which extends beyond either storefront premise, the two storefronts being located within a six-story tenement style residential building built in the 1911 located on West 10th Street between Bleecker and West 4th Streets in Greenwich Village; the building falling within NYC LPC's designated Greenwich Village Historic District; and,

ii. Whereas, the two storefronts in combination has never been licensed previously and there has never been an on premise license at either storefront, the Applicant having operated a small Omakaze sushi bar with 8 seats in one of the two storefronts since 2018, and prior to 2018 the storefront was operated for many years as a dry cleaners with laundry service; no certificate of occupancy and/or letter of no objection was presented allowing for the occupancy and use in combination as proposed; and

iii. Whereas, the Applicant seeks to alter and add the adjacent storefront previously operated as Westville, a small take-out restaurant with a restaurant wine license, via interior doorway connection, where none previously existed, the original sushi bar being premised on a quick serve, reservation only seating, with patron turn over being approximately 30-60 minutes, the additional storefront also being small, adding 4 tables with 8 seats and two counters with 5 seats for a total seating interior capacity of the combined storefronts being limited to 21 patron seats; and

iv. Whereas, sidewalk seating was not permitted at both storefronts in the past, West 10th Street being primarily residential, with narrow sidewalks insufficient for a licensed sidewalk café and a proper width allowing for both the service of alcohol/dining and a clear passage of eight feet for pedestrians, the Applicant now seeking to add exterior tables and seats for the service of alcohol in front of both storefronts, where none previously existed, the Applicant not providing a diagram for such sidewalk seating, the Applicant indicating in person that there would be no more than two tables for four patrons in front of each storefront, making a total of eight seats on the sidewalk;

v. Whereas, the Applicant is also operating with a recently constructed roadway structure, the roadway structure being located within the roadway but not immediately in front of storefront being operated by the licensee, there being a bus stop located in the roadway immediately in front of the small storefront where the licensee has operated since 2018, the bus stop extending into the second storefront frontage (formerly Westville) sought to be added and combined; and,

vi. Whereas, the roadway structure contains 5 booths allowing for up to six patrons per booth for a total seating capacity inside 24 patrons, the structure extending out into the roadway by eight feet, being placed and located in the roadbed immediately adjacent to and up against the roadbed area designated for the bus stop, blocking the buses from entering and exiting the public bus stop, the roadbed structure also not being continuous with the licensee's existing storefront frontage and further, extending beyond the roughly 10 foot frontage of storefront sought to be added (formerly Westville), the roadbed structure extending beyond the storefront frontage, beyond and in front of residential entrance to the same building, and in front of the residential frontage to the tenement style building; and,

vii. Whereas, the proposed hours of operation for the interior are 12:00 PM to 11:00 PM Sunday through Saturday and on the exterior no later than 10 PM every night, music will be quiet background only for the interior, no music or speakers outside, there will be no dancing, no DJs, no promoted events, no live music, no private parties, no scheduled performances or cover fees, and there will be no televisions; and

viii. Whereas, this application being subject to the 500 foot rule requiring the Applicant to demonstrate that the public interest and public convenience is served from the addition of this license in an area already greatly saturated with late night drinking establishments with liquor licenses, there being 81 active liquor licenses within 750 feet of the premises, 36 inactive licenses and 3 additional pending license applications within this same area with, the locations proposed and in combination having never previously held an on premises license at any point in the past, there being an extensive exterior seating proposed, greater than the interior seating of the combined storefronts, the exterior seating and alcohol service never previously existing thereat, the sidewalk walk being too narrow for both table service and a proper 8 foot pathway for pedestrian traffic, the roadbed structure not complying with the temporary restaurant program, the structure blocking the bus stop in the roadway, creating a safety hazard and preventing disabled access to the public buses, the roadway structure not being located immediately in front of the storefront premises proposed to be licensed, the Applicant not providing a sunset or time certain for ending the use of the temporary roadway structure, the structure being inconsistent with and adverse to the historic character and designated landmarking of

the immediate neighborhood, there being no landmarking approval for the structure, the exterior intrusion of noise from dinning and the service of alcohol at the multiple storefronts during the day and at night, surrounded by residences, located on a residential street, on a narrow roadway with narrow sidewalks, where no exterior presence for eating and drinking previously existed, the on premise license being inconsistent with the fast-service Omakase style method of operation originally proposed; and,

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a On Premise License for **Sushi on West 10th Street, LLC d/b/a Sushi on Jones, 210 W. 10th St. 10014**; and

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.

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: Unanimous, with 42 Board members in favor.

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*
Bob Gormley, *District Manager*

Antony Wong, *Treasurer*
Eugene Yoo, *Secretary*
Ritu Chattree, *Assistant Secretary*

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October 4, 2021

Director
Licensing Issuance Division
NY State Liquor Authority
163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on September 23, 2021, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution which was voted on at the August Executive Committee:

17. Felice Hudson, LLC d/b/a Felice, 615 Hudson St. 10014 (New OP—Restaurant)

i. Whereas, the Applicant appeared before CB2, Manhattan's SLA Licensing Committee to present an application to the Liquor Authority for a new On Premises license to operate an Italian food and wine inspired restaurant; and,

ii. Whereas, this application is for a new On Premises Restaurant license at a previously licensed location which is located in a mixed use 3-story townhouse (built in 1910) located on Hudson Street between Jane and West 12th Streets in a roughly 2700 sq. ft. storefront premise (2,000 ft ground floor and 700 ft basement – no patrons in basement) with 21 tables and 60 table seats, 1 bar with 10 seats; there are 1 entrance, 1 exit, and two bathrooms; the front façade is fixed without operable doors or windows, a certificate of occupancy from 1983 was submitted; and,

iii. Whereas, the hours of operation for the interior will be Sunday to Thursday from 10 AM to 11 PM and Friday and Saturday from 10 AM to 12 AM midnight, music in the interior will be quiet background only, all doors and windows will be closed at all times, except for patron ingress and egress, there will be no DJ, 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 into the method of operation on the restaurant wine license stating that:

1. The licensed premises will be advertised and operated as a full-service restaurant with full menu items available until closing every night.

2. The hours of operation will be Sunday to Thursday from 10 AM to 11 PM and Friday and Saturday from 10 AM to 12 AM. 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 other outdoor area for commercial purposes except for licensed sidewalk café operating under the temporary Outdoor Restaurants program located immediately adjacent to storefront with no more than 10 tables and 20 patron seats. No roadbed seating.
7. Sidewalk café will close by 10 PM Sunday through Thursday and by 11 PM Fridays and Saturdays. All tables and chairs will be removed at closing. No exterior music/speakers.
8. Will not install or have French doors, operable windows or open facades.
9. No patron occupancy/service to any portion of basement to licensed premises.
10. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at any time.
11. The premises will not have DJ's, live music, or promoted events.
12. There will be no pitchers of beer and no all you can eat/drink specials or boozy brunches.
13. Will not make changes to the existing façade except to change signage or awning.
14. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.
15. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
16. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
17. Will appear before CB2 Manhattan for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an application for On Premise License for **Felice Hudson, LLC d/b/a Felice, 615 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 On Premise License.

Vote: Unanimous, with 42 Board members in favor.

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*
Bob Gormley, *District Manager*

Antony Wong, *Treasurer*
Eugene Yoo, *Secretary*
Ritu Chattree, *Assistant Secretary*

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October 4, 2021

Director
Licensing Issuance Division
NY State Liquor Authority
163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on September 23, 2021, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution which was voted on at the August Executive Committee:

18. North on 8th, LLC, d/b/a North Miznon, 61 W. 8th St. 10011 (New OP—Restaurant with sidewalk seating)

i. Whereas, the Applicant appeared before CB2, Manhattan's SLA Licensing Committee to present an application to the Liquor Authority for a new On Premises Restaurant license to operate a full-service "Mediterranean inspired restaurant" and,

ii. Whereas, this application is for a new On-Premises Restaurant license at a previously licensed storefront location which is located in a mixed use 5 story building (built in 1900) located on West 8th Street between Fifth and Sixth Avenues, the storefront premise to be licensed being roughly 2,200 sq. ft. (1,050 ft. ground floor and 1,160 ft. basement – with no patron service occurring in the basement) with 10 tables and 38 table seats, 1 bar/food counter surrounding an open kitchen with 36 seats, for a total patron seats of 74 seats overall; there are 3 entrances, 3 exits, and three bathrooms; a letter of no objection is pending; and,

iii. Whereas, the hours of operation for the interior will be Sunday to Thursday from 10 AM to 12 AM midnight and Friday and Saturday from 10 AM to 1 AM, music in the interior will be quiet background only, there will be no operable doors or windows on the front storefront façade, all doors and windows remain closed at all times, except for patron ingress and egress, there will be no DJ, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. Whereas, this application being subject to the 500-foot rule, requiring the Applicant to establish a public interest for the license to be issued at its inception, the Applicant having met with and worked out an agreement with the West 8th Street Block Association, also agreeing to and executing a stipulations

agreement with CB2, Man. for the purpose of establishing public interest, the stipulations being attached to and incorporated into the license, limiting its method of operation on its license for this purpose, as follows:

1. The licensed premises will be advertised and operated as a full-service restaurant with full menu items available until closing every night.
2. The hours of operation will be Sunday to Thursday from 10 AM to 12 AM and Friday and Saturday from 10 AM to 1 AM. 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 other outdoor area for commercial purposes except for licensed sidewalk café operating under the temporary Outdoor Restaurants program located immediately adjacent to storefront with no more than 4 tables and 8 patron seats. No roadbed seating.
7. Sidewalk café will close by 10 PM Sunday through Thursday and by 11 PM Fridays and Saturdays. All tables and chairs will be removed at closing. No exterior music/speakers.
8. Will not install or have French doors, operable windows or open facades.
9. No patron occupancy/service to any portion of basement to licensed premises.
10. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at any time.
11. The premises will not have DJ's, live music, or promoted events.
12. There will be no pitchers of beer and no all you can eat/drink specials or boozy brunches.
13. Will not make changes to the existing façade except to change signage or awning.
14. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.
15. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
16. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
17. Will appear before CB2 Manhattan for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an application for On Premise License for **North on 8th, LLC, d/b/a North Miznon, 61 W. 8th 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 On Premise License.

Vote: Unanimous, with 42 Board members in favor.

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*
Bob Gormley, *District Manager*

Antony Wong, *Treasurer*
Eugene Yoo, *Secretary*
Ritu Chattree, *Assistant Secretary*

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October 4, 2021

Director
Licensing Issuance Division
NY State Liquor Authority
163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on September 23, 2021, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution which was voted on at the August Executive Committee:

19. Saigon Market, LLC, d/b/a t/b/a 202 W. 14th St. 10014 (New On Premise—Restaurant with service to sidewalk cafe)

i. Whereas, the Applicant appeared before CB2, Manhattan's SLA Licensing Committee to present an application to the Liquor Authority for a new on-premise liquor license to operate a full-service Vietnamese restaurant within a ground floor storefront within a five-story tenement style residential building (circa 1922) on West 14th Street between 7th and 8th Avenues; and,

ii Whereas, the ground floor storefront is roughly 1,900 sq. ft., with additional 900 sq. ft. basement space, the basement space being for storage and business office but not for the patron service, there will be two (2) bathrooms, the premise to be licensed having formerly operated as the Asian fusion restaurant known as Zusik, the ground floor interior will have 1 bar with 11 seats, 25 tables with 58 seats for a total patron occupancy of 69 interior seats, there being a certificate of occupancy for a "restaurant" issued for this location; and,

iii. Whereas, the front façade to the storefront premises to be licensed contains operable doors that will not be altered, there are two doors for egress onto the public sidewalk, and consistent with the prior license at this particular location, there will be a sidewalk café with 4 tables and 8 seats that close by 10 PM during the week and by 11 PM on the weekends; there will be no backyard garden, no roadbed seating or dinning; and,

iv. Whereas, the hours of operation are Sunday to Wednesday from 11 AM to 12 AM, Thursdays from 11 AM to 1 AM and Fridays/Saturdays from 11 AM to 2 AM (all patrons will be cleared and no patrons will remain after stated closing times), music is quiet background only consisting of music from iPod/CDs (i.e. no active manipulation of music – only passive prearranged music), there will be no

televisions, all doors and windows will be closed by 10 PM every night, there will be no DJ, no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes and no movable barriers; and,

v. Whereas, this application being subject to the 500-foot rule, requiring the Applicant to establish a public interest for the license to be issued at its inception, the Applicant agreeing to and executing a stipulations agreement with CB2, Man. for the purpose of establishing public interest, the stipulations being attached to and incorporated into the license, limiting its method of operation on its license for this purpose, as follows:

1. The licensed premises will be advertised and operated as a full-service restaurant with full menu items available until closing every night.
2. The hours of operation will be Sunday to Wednesday from 11 AM to 12 AM, Thursdays from 11 AM to 1 AM and Fridays/Saturdays from 11 AM to 2 AM. 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 other outdoor area for commercial purposes except for licensed sidewalk café operating under the temporary Outdoor Restaurants program located immediately adjacent to storefront with no more than 4 tables and 8 patron seats. No roadbed seating.
7. Sidewalk café will close by 10 PM Sunday through Thursday and by 11 PM Fridays and Saturdays. All tables and chairs will be removed at closing. No exterior music/speakers.
8. Will close all doors and windows by 10 PM every night, allowing only for patron ingress and egress.
9. No patron occupancy/service to any portion of basement to licensed premises.
10. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at any time.
11. The premises will not have DJs, live music, or promoted events.
12. Use of backyard area/space for garbage storage only, no patrons, no loitering by staff, will be closed and lights out for all purposes after 10 PM every night.
13. There will be no pitchers of beer and no all you can eat/drink specials or boozy brunches.
14. Will not make changes to the existing façade except to change signage or awning.
15. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.
16. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
17. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
18. Will appear before CB2 Manhattan for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Manhattan recommends **denial** of an application for On Premise License for **Saigon Market, LLC, d/b/a t/b/a 202 W. 14th St. 10014 unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the "Method of Operation" on the SLA On Premise License.

Vote: Unanimous, with 42 Board members in favor.

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*
Bob Gormley, *District Manager*

Antony Wong, *Treasurer*
Eugene Yoo, *Secretary*
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October 4, 2021

Director
Licensing Issuance Division
NY State Liquor Authority
163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on September 23, 2021, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution which was voted on at the August Executive Committee:

20. HEC Enterprises, Inc. d/b/a Julius Bar, 159 W. 10th St. (Existing Bar—seeking municipal extension to use public sidewalk on temporary basis)

i. Whereas, the Applicant and Licensee appeared before CB2, Manhattan's SLA Committee #2 to present an application for a municipal extension to its existing licensed storefront premise, on a temporary basis, to operate and serve alcohol on the public sidewalk immediately in front of the premises on West 10th Street; and,

ii. Whereas, the licensee has operated, for years, as a traditional bar within the existing interior storefront, the bar being located in a two-story mixed-use building constructed in 1864 at the corner of West 10th Street and Waverly Place located in the Greenwich Village Historic District; and,

iii. Whereas, the Applicant and License provided a diagram, providing for 8 tables with 26 patron seats running along and immediately adjacent to the west 10th side of the storefront, for dinning purposes only, and will provide for an eight foot clear path from the curb line exclusive of DOT specified obstructions, the Applicant and License further agreeing to close the sidewalk café by 10 PM Sunday through Thursday and by 11 PM on Fridays and Saturdays, in addition to keeping its existing doors to the bar closed at all times except for purposes of egress; and

iv. Whereas, with regards to the sidewalk café extension of the licensed premises, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the "Method of Operation" of the Licensee's On-Premises License, with those stipulations as follows:

1. Will operate a licensed sidewalk café located immediately adjacent to storefront on West 10th Street only, with no more than 8 tables and 26 patron seats and allowing for a minimum 8' clear path from curb line exclusive of DOT specified obstructions.
2. The hours of operation will be from 12:00 PM to 12:00 AM Mondays through Saturdays, and 12:00 PM to 10:00 PM on Sundays.
3. Sidewalk café will close by 10 PM Sunday through Thursday and by 11 PM Fridays and Saturdays. All tables and chairs will be removed at closing.
4. Will close all doors and windows at all times allowing only for wait staff and patron ingress and egress.
5. Will not have exterior music, speakers, TVs or monitors.
6. Seating is seasonal. There will be no use of heaters.
7. Will not have roadbed seating.
8. Will appear before CB2, Manhattan prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the instant application seeking a municipal extension for **HEC Enterprises, Inc. d/b/a Julius Bar, 159 W. 10th St. unless** the statements presented by the Applicant are accurate and complete and the conditions and stipulations agreed to by the Applicant remain incorporated into the "Method of Operation" of the SLA On Premises License.

Vote: Unanimous, with 42 Board members in favor.

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*
Bob Gormley, *District Manager*

Antony Wong, *Treasurer*
Eugene Yoo, *Secretary*
Ritu Chattree, *Assistant Secretary*

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October 4, 2021

Director
Licensing Issuance Division
NY State Liquor Authority
163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on September 23, 2021, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution which was voted on at the August Executive Committee:

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

21. Sinsky, LLC d/b/a Pending, 61 W. 8th St. 10011 (OP-Restaurant) (DOT Open Restaurants Permit) (withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 11, 2021, the Applicant requested **to withdraw** this application affirming that they will not submit this application to the NYSLA for consideration without returning to CB2, Man. should they decide to proceed at some time in the future; and,

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license **Sinsky, LLC d/b/a Pending, 61 W. 8th St. 10011 until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board members in favor.

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*
Bob Gormley, *District Manager*

Antony Wong, *Treasurer*
Eugene Yoo, *Secretary*
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October 4, 2021

Director
Licensing Issuance Division
NY State Liquor Authority
163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on September 23, 2021, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution which was voted on at the August Executive Committee:

22. Pine and Polk, LLC d/b/a TBD, 632 Hudson St. 10014 (OP-Bar/Tavern) (withdrawn after submission)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 11, 2021 the Applicant requested **to withdraw** this application from further consideration affirming that they will not submit this application to the NYSLA for consideration without returning to CB2 Manhattan should they decide to proceed at some time in the future; and,

THEREFORE, BE IT RESOLVED that CB2, Manhattan strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Pine and Polk, LLC d/b/a TBD, 632 Hudson St. 10014 until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board members in favor.

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*
Bob Gormley, *District Manager*

Antony Wong, *Treasurer*
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October 4, 2021

Director
Licensing Issuance Division
NY State Liquor Authority
163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on September 23, 2021, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution which was voted on at the August Executive Committee:

23. Pyramid Apex, LLC d/b/a Pending, 142 W. 10th St. 10014 (OP-Restaurant) (withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 11, 2021, the Applicant's Counsel requested **to withdraw** this application from further consideration, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2, Man. should they decide to proceed at some time in the future; and,

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Pyramid Apex, LLC d/b/a Pending, 142 W. 10th St. 10014 until** CB2, Man. has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board members in favor.

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*
Bob Gormley, *District Manager*

Antony Wong, *Treasurer*
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October 4, 2021

Director
Licensing Issuance Division
NY State Liquor Authority
163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on September 23, 2021, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution which was voted on at the August Executive Committee:

24. Happiness Eating, LLC, 554 and 556 Hudson St. 10014 (New RW-Restaurant) (withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 11, 2021, the Applicant requested **to withdraw** this application from further consideration, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2, Man. should they decide to proceed at some time in the future; and,

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Happiness Eating, LLC, 554 and 556 Hudson St. 10014 until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board members in favor.

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*
Bob Gormley, *District Manager*

Antony Wong, *Treasurer*
Eugene Yoo, *Secretary*
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October 4, 2021

Director
Licensing Issuance Division
NY State Liquor Authority
163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on September 23, 2021, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution which was voted on at the August Executive Committee:

25. Corp. to be Formed by Andrew Nelson d/b/a Death by Pizza, LLC, 240 W. 14th St. 10011 (New OP-Restaurant) (DJ) (Live Music) (Patron Dancing) (Patio or Deck) (Sidewalk Café) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 11, 2021, the Applicant requested **to layover** this application to September/2021 affirming that they will not submit this application to the NYSLA for consideration without returning to CB2, Man. should they decide to proceed at some time in the future; and,

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Corp. to be Formed by Andrew Nelson d/b/a Death by Pizza, LLC, 240 W. 14th St. 10011 until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board members in favor.

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*
Bob Gormley, *District Manager*

Antony Wong, *Treasurer*
Eugene Yoo, *Secretary*
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October 4, 2021

Director
Licensing Issuance Division
NY State Liquor Authority
163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on September 23, 2021, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution which was voted on at the August Executive Committee:

26. 401 West Property Owner, LLC d/b/a TBD, 401 West St. 10014 (OP-Restaurant) (Grnd. Fl. & Cellar) (Live Music-Piano) (Courtyard) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 11, 2021, the Applicant agreed **to lay over** this application to September/2021, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2, Man. should they decide to proceed at some time in the future; and,

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **401 West Property Owner, LLC d/b/a TBD, 401 West St. 10014 until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board members in favor.

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*
Bob Gormley, *District Manager*

Antony Wong, *Treasurer*
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October 4, 2021

Director
Licensing Issuance Division
NY State Liquor Authority
163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on September 23, 2021, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution which was voted on at the August Executive Committee:

27. SABO, LLC, d/b/a Pending, 61 W. 8th St. 10011 (OP-Restaurant/Bar) (Sidewalk Café) (withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 11, 2021 the Applicant requested **to withdraw** this application from further consideration, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2, Man. should they decide to proceed at some time in the future; and,

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **SABO, LLC, d/b/a Pending, 61 W. 8th St. 10011 until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board members in favor.

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*
Bob Gormley, *District Manager*

Antony Wong, *Treasurer*
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October 4, 2021

Director
Licensing Issuance Division
NY State Liquor Authority
163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on September 23, 2021, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution which was voted on at the August Executive Committee:

28. Astrea Management, Inc. d/b/a Uncle Ted's, 61 W. 8th St. (removal from 163 Bleecker St.) 10011 (OP-Restaurant/Bar) (withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 11, 2021, the Applicant requested **to withdraw** this application from further consideration, affirming that they will not submit this application to the NYSLA for consideration without returning to CB2, Man. should they decide to proceed at some time in the future; and,

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, alteration, transfer or other changes to any existing license for **Astrea Management, Inc. d/b/a Uncle Ted's, 61 W. 8th St. (removal from 163 Bleecker St.) 10011 until** CB2 has forwarded its recommendation to the NYSLA and requests that the NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board members in favor.

Jeannine Kiely, *Chair*
Susan Kent, *First Vice Chair*
Valerie De La Rosa, *Second Vice Chair*
Bob Gormley, *District Manager*

Antony Wong, *Treasurer*
Eugene Yoo, *Secretary*
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October 4, 2021

Director
Licensing Issuance Division
NY State Liquor Authority
163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on September 23, 2021, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution which was voted on at the August Executive Committee:

29. Spring Cafe NYC, LLC d/b/a Spring Cafe Aspen, 14 W. 4th St. 10012 (RW-cafe)(seeking municipal extension to sidewalk)(failed to appear)

Whereas, despite given notice and being asked to appear at this month's CB2, Manhattan's SLA Licensing Committee Meeting on August 11, 2021, the Applicant **failed to appear** and provided no information regarding this application or for their non-appearance; and,

THEREFORE, BE IT RESOLVED that CB2, Man. strongly recommends that the NYCDOT and NYSLA **deny** any type of proposed municipal extension to an existing liquor license for **Spring Cafe NYC, LLC d/b/a Spring Cafe Aspen, 14 W. 4th St. 10012 until** CB2 has been given an opportunity to hear from the Applicant and has forwarded its recommendation to NYC DOT and the NYSLA and requests that the NYC DOT and NYSLA suspend any decision on this license for 30 days until this important step is taken and the concerns of the Community be fully heard.

Vote: Unanimous, with 42 Board members in favor.

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

Sincerely,

Donna Raftery, Chair
SLA Licensing 1 Committee
Community Board #2, Manhattan

Robert Ely, Chair
SLA Licensing 2 Committee
Community Board #2, Manhattan

Jeannine Kiely, Chair
Community Board #2, Manhattan

JK/fa

cc: Hon. Jerrold L. Nadler, Congressman
Hon. Nydia M. Velàzquez, Congresswoman
Hon Carolyn Maloney, Congresswoman
Hon. Brad Hoylman, NY State Senator
Hon. Brian Kavanagh, NY State Senator
Hon. Deborah J. Glick, NY State Assembly Member
Hon. Yuh-Line Niou, NY State Assembly Member
Hon. Scott Stringer, NYC Comptroller
Hon. Gale Brewer, Man. Borough President
Hon. Corey Johnson, NYC Council Speaker
Hon. Margaret Chin, NYC Council Member
Hon. Carlina Rivera, NYC Council Member
Adam Roberts, Deputy Commissioner of Licensing, NY State Liquor Authority