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COMMUNITY BOARD NO. 2, MANHATTAN

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SLA1 LICENSING

January 29, 2024

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 January 18, 2024, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

1. **APPA LLC dba Brewlita 227 Mulberry St, store 2 10012 (TW–Bar/Tavern) (previously unlicensed)**
 - i. **Whereas**, the Applicants and the Applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 for a Tavern Wine License to operate an casual neighborhood café with a focus on specialty coffees, teas, breakfast and lunch on the ground floor of a C6-2-zoned, seven (7)-story building (circa 1999) on Mulberry Street between Spring and Prince Streets (Block #495/Lot #33), the building falling within the Special Little Italy District; and
 - ii. **Whereas**, the storefront premises is approximately 800 sq. ft.; there are five (5) tables and 12 seats, six (6) sofa/window seats and one food counter with no seats for a total seated occupancy of 18 persons; there is one (1) entry which will serve as patron ingress and egress and one (1) bathroom; the store front infill being fixed with no operable doors or windows that open out to the sidewalk; there will be no outdoor seating; and
 - iii. **Whereas**, the hours of operation will be 9 AM to 9 PM Sundays through Saturdays (7 days a week); music will be quiet background only consisting of music from iPod/CDs/streaming services; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers and no security personnel/doormen; and
 - iv. **Whereas**, the Applicant has been operating with the same method of operation, albeit without the service of alcohol, for the past two years at this location without incident; and

- v. **Whereas**, there already are a significant number of licensed establishments in both Community Board 2 and in the immediate area, there being **78 active licenses** within 750 feet of the proposed premises to be licensed and an additional 4 pending licenses within this same area, this application being for the service of Beer and Wine only and thus not subject to the 500 Foot Rule; and
- vi. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the Tavern Wine License, with those stipulations as follows:
1. Premises will be advertised and operated as casual neighborhood café and coffee shop and will serve food during all hours of operation.
 2. The hours of operation will be 7 AM to 9 PM Sundays through Saturdays. No patrons will remain after stated closing time.
 3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
 4. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating.
 5. Will not apply for a class change to their liquor license in the future.
 6. 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.
 7. Will not have televisions.
 8. Will close all doors and windows at all times 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 except to change signage or awning.
 11. Will comply with NYC Department of Buildings Regulations and will 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. 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.
 14. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
 15. Will appear before CB2, Man. for alteration to license prior to submitting plans for any sidewalk, roadbed or other outdoor seating.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new Tavern Wine License in the name of **APPA LLC dba Brewlita 227 Mulberry St, store 2 10012** **unless** the statements presented by the Applicant are accurate and complete and that all the conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” of the NYSLA Liquor License.

Vote: Passed, 41 Board Members in favor, 1 abstention (M. Metzger).

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January 29, 2024

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 January 18, 2024, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

2. **Iaccas Corp dba Old Fashion Cafe 110 Thompson 10012 (OP–Restaurant) (Change in Method of Operation)**
 - i. **Whereas**, the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Licensing Committee #1 to present an application for a Change in Method of Operation to the existing On-Premises Restaurant license (SN#0340-23-136034, legacy #1348100, exp 3/31/2025) to continue to operate a café and bistro in the non-conforming basement space of a six (6)-story, residential walk-up building (c. 1900, zoned R7-2) on Thompson Street between Spring and Prince Streets (Block #502 / Lot #12), the building falling within NYC's LPC-designated Sullivan-Thompson Historic District; and
 - ii. **Whereas**, the premises is in a 750 sq. ft. cellar space accessed via a sidewalk stairway, there are 10 tables and 31 seats, one (1) stand up bar with four (4) seats for a total seated occupancy of 35, there are no TVs, there is a full service kitchen, one (1) bathroom and one (1) entrance/exit for patron ingress and egress; and
 - iii. **Whereas**, the Applicant has been operating since Fall/2022, the current closing hours being 12 AM Sundays through Thursdays and 1 AM Fridays and Saturdays, the change in method of operation is to close an hour later each night (1 AM closing Sundays through Thursdays and 2 AM Fridays and Saturdays); music will remain quiet background only consisting of music from iPod/CDs; there will be no dancing, DJs, live music, promoted events, scheduled performances or cover fees, velvet ropes or movable barriers, security personnel or doorman; and
 - iv. **Whereas**, the immediate residential neighborhood is currently saturated with licensed premises with **55 active licenses** listed on LAMP within 750 feet of the instant application; the Applicant stating when they originally appeared before CB2, Manhattan in [June/2022](#) that they were a restaurant and

would have a limited number of cocktails in order for patrons to have a drink with their dinner and they would not operate as a bar or lounge; the change in method of operation for the later hours are not in alignment with restaurant hours or the residential community within which they are located, the Applicant themselves stating that the other neighboring restaurants close at midnight or earlier and that they want to stay open later to provide a place for people to go for their last cocktail, the later hours raising significant concerns that the operation will be that of a bar rather than a restaurant, the Applicant's website prominently featuring their cocktail menu before their food menu and spotlighting cocktail bar awards, the Applicant stating that they currently have a problem getting patrons to leave promptly by 1 AM as they've recently ordered a drink, their website currently showing closing hours of 1 AM, 7 days a week despite the Applicant signing stipulations of 12 AM closing Sundays through Thursdays (thereby operating in derogation of their agreed upon stipulations), the Applicant at the time of executing their stipulations understanding that closing hours means all patrons out and not last call; and

- v. **Whereas**, when the Applicant came to CB2 a year and a half ago for their initial license they asked for closing hours of 12 AM weekdays and 1 AM weekends, those hours meeting the needs of their business model and being later than most of the other nearby restaurants, this immediate area being a residentially only-zoned neighborhood with concerns being raised that the method of operation need to be that of a restaurant and not of a bar, the premises falling midblock on a residential street, the Applicant signing stipulations agreeing that all patrons would be out by those hours in order to meet the public interest standard of their On-Premises Liquor license, nothing has substantively changed since that time, the premises remains surrounded by residences in an area where new licenses are continuously coming before Community Board 2, the requested later hours being better suited to a commercial area and not mid-block on a narrow residential street; and
- vi. **Whereas**, included in the initial application was sidewalk seating consisting of two (2) tables and four (4) chairs as part of the temporary Open Restaurants program, the premises being below grade and therefore not eligible for the program as it applied to ground floor premises only, this being a residentially-zoned neighborhood with narrow sidewalks where outdoor seating had never previously been permitted, the outdoor seating of nearby eating and drinking establishments already having had negative quality of life impacts for residents, the Applicant agreeing that they would remove outdoor seating from their application and signing stipulations agreeing to the same as part of meeting the public interest, yet the Applicant has been operating in derogation of those stipulations and has two (2) tables and four (4) seats on the sidewalk above their premises; and
- vii. **Whereas**, in addition, at the time of the initial application in June/2022 it was pointed out that there was a discrepancy between the provided Letter of No Objection (dated July 13, 2012) permitting an eating and drinking establishment on the first (1st) floor of the licensed premises and the lease for the subject licensed premises dated April 1, 2022 which is for the basement retail space, it being unclear if an eating and drinking establishment is permitted in the basement of the premises, the Applicant being asked to provide a new Letter of No Objection at the time for the basement of the licensed premises and to date has failed to do so; and
- viii. **Whereas**, some members of the local community came to support the application while at the same time stating that patrons leaving the premises and mingling outside at closing creates a disturbance, other residents wrote opposing any extension of hours and addressing the change in what had been a relatively quiet residential block which has seen the addition of more restaurants to the area and more open doors and windows creating a negative quality of life impact on the residents in this residential

area and asking that a balance be maintained between the needs of the residents and those of the businesses; and

- ix. **Whereas**, the Applicant is currently not abiding by the previously agreed-to hours of 12 AM closing Sunday through Thursday, the current late night exiting of patrons already causing a disturbance to residents, the current hours already being later than surrounding restaurants, there being no lack of restaurants and/or bars in this residential neighborhood and the surrounding commercial area (this location being in the residential district), the Applicant providing no compelling reason for why this restaurant should have bar hours with it being located mid-block on a residential street further exacerbating quality of life issues; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the Change in Method of Operation Application for **Iaccas Corp dba Old Fashion Cafe 110 Thompson 10012**; and

THEREFORE BE IT FURTHER RESOLVED that should this application be considered by the NYSLA, CB2, Man. respectfully requests that this item be calendared to appear before the Full Board of the NYSLA before any Change in Method of Operation to the existing On-Premises Liquor License is issued to this Applicant.

Vote: Passed, 40 Board Members in favor, 1 against (R. Sanz), 1 abstention (M. Metzger).

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Eugene Yoo, *Second Vice Chair*



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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 January 18, 2024, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

3. Ras Plant Based LLC dba Ras Plant Based 170 Bleecker 10012 (OP–Restaurant) (Transfer)

- i. Whereas**, the Applicants and the Applicants' attorney appeared before Community Board 2, Manhattan's SLA Licensing Committee #1 for an On-Premises Liquor License to operate a plant-based Ethiopian full-service restaurant on the ground floor of a R7-2/C1-5-zoned, six (6)-story walk-up tenement building (circa 1900, altered 1987) on Bleecker Street between MacDougal and Sullivan Streets (Block #526/Lot #64), this building having a rich history, originally being the American Seaman's Friend Society Sailors Home and Institute and a designated New York City Landmark building falling within NYC LPC's designated South Village Historic District; and
- ii. Whereas**, the premises is approximately 2,550 sq. ft. with 2,000 sq. ft. on the ground floor and 550 sq. ft. in the basement, the basement being accessed by a sidewalk hatch and not for patron service; there will 24 tables with 45 seats and one bar with 10 seats for a total seated occupancy of 55 persons and a maximum legal occupancy of 74 persons; there are four (4) doors with the main patron entry/egress being on Bleecker Street, and two (2) bathrooms; the store front infill being fixed along Sullivan Street with operable doors already existing on Bleecker Street; and
- iii. Whereas**, the hours of operation will be from 11 AM to 12 AM Sundays through Saturdays (7 days a week); music will be quiet background only consisting of music from iPod/CDs/streaming services; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers and no security personnel/doormen; and
- iv. Whereas**, any future sidewalk seating applied for under the permanent outdoor dining program will be on Sullivan Street only and will close by 10 PM, conforming to all other rules and regulations of the outdoor dining program; there will be no outdoor seating on Bleecker Street; and

- v. **Whereas**, the storefront premises was previously operated from 2022 as Nat's on Bleecker LLC (SN#1346550) with a similar method of operation, albeit a restaurant serving American fare, prior to that it was Junzi NYU LLC dba Junzi Kitchen (SN# 0340-18-104216, legacy SN#1310707) from approximately 2018–2020, the Applicants holding a license in Brooklyn under MRR Rest LLC dba RAS (SN#0340-22-112648) for a similar restaurant, this being a transfer of assets from Nat's on Bleecker to the applicant; and
- vi. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the On-Premises Restaurant license, with those stipulations as follows:
1. Premises will be advertised and operated as a full-service Ethiopian restaurant with the kitchen open and full menu items available until closing every night.
 2. The hours of operation will be 11 AM to 12 AM Sundays through Saturdays. No patrons will remain after stated closing time.
 3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
 4. Any future sidewalk seating applied for under the permanent program will be on Sullivan Street only and will close by 10 PM. All tables and chairs will be removed from the sidewalk at this hour. No exterior music, speakers or TVs. There will be no exterior seating on Bleecker Street.
 5. 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.
 6. Will not have televisions.
 7. Will close to the public for private parties not more than 20 times per year.
 8. Will close all doors and windows at 10PM every night, allowing only for patron ingress and egress.
 9. Will ensure doorway to the common hallway is an alarmed door to prevent patron and employee access aside from in case of emergency.
 10. Will not have patron occupancy/service to any portion of the basement of licensed premises.
 11. Will not install or have French doors, operable windows or open facades on Sullivan Street.
 12. Will not make changes to the existing façade except to change signage or awning. There will be no LED or neon signs.
 13. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
 14. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
 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, Man. prior to submitting any changes to any stipulation agreed to herein.
 17. Will appear before CB2, Man. for alteration to license prior to submitting plans for any sidewalk, roadbed or other outdoor seating.
- vii. **Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the public interest and public convenience would be served by the granting of a liquor license at this location where there already are a significant number of licensed establishments in Community

Board 2 and in the immediate area, there being **131 active licensed premises** within 750 feet of the subject premises, in addition to 14 pending licenses, the Applicant bringing a relatively unique food offering to the neighborhood and executing a stipulations agreement with Community Board 2 Manhattan for the sole purpose of establishing public interest, and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new On-Premises Restaurant Liquor License in the name of **Ras Plant Based LLC dba Ras Plant Based 170 Bleecker 10012** **unless** the statements presented by the Applicant are accurate and complete and that all the conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” of the NYSLA Liquor License in order to create public interest for the issuance of this liquor license.

Vote: Passed, 41 Board Members in favor, 1 abstention (M. Metzger).

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Eugene Yoo, *Second Vice Chair*



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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 January 18, 2024, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

4. Kabisera Kape LLC dba Kabisera 261-267 Canal St-stall #11 10013 (RW—Restaurant)

- i. **Whereas**, the Applicants and the Applicant's Attorney originally appeared before Community Board 2, Manhattan's SLA Licensing Committee #1 in [July/2023](#) to present an application to the NYS Liquor Authority for a new Restaurant Wine License to operate a Filipino restaurant located in the Canal Street Market, an indoor market located on the ground floor of an M1-5/R10-zoned, six (6)-story mixed-use building (c. 1857) on Canal Street between Lafayette Street and Cortlandt Streets (Block #209/Lot #28), the building falling within NYC LPC's designated SoHo-Cast Iron Historic District Extension and the Special SoHo-NoHo Mixed Use District; CB2, Manhattan unanimously recommended approval of the application at their July/2023 full board meeting; and
- ii. **Whereas**, the original application had two principals listed, the one signing the original 30-day notice has since dropped out, the NYSLA requiring the remaining Applicant to renotify the Community Board this month of the change, the remaining and sole principal being the one who signed and executed the original stipulation agreement with CB2, Man., there being no changes in method of operation and therefore no changes to the stipulation agreement needed, appearance was waived; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new Restaurant Wine License in the name of **Kabisera Kape LLC dba Kabisera 261-267 Canal St-stall #11 10013**, **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 NYSLA Liquor License.

Vote: Passed, 41 Board Members in favor, 1 abstention (M. Metzger).

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

Dear Sir/Madam:

At its Full Board meeting on January 18, 2024, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

5. South Village Hospitality Group LLC dba Carroll Place 157 Bleecker St 10012 (OP–Restaurant) (Alteration)

Whereas, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on January 2, 2024, the Applicant requested **to lay over** this application to February/2024 and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed; and

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, change in method of operation, alteration, transfer or other changes to any existing license **South Village Hospitality Group LLC dba Carroll Place 157 Bleecker St 10012 until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, 42 Board Members in favor.

Susan Kent, *Chair*
Valerie De La Rosa, *First Vice Chair*
Eugene Yoo, *Second Vice Chair*



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Dear Sir/Madam:

At its Full Board meeting on January 18, 2024, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

6. 219 Mulberry LLC dba Ruby's 219B Mulberry St 10012 (RW–Restaurant) (Alteration)

Whereas, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on January 2, 2024, the Applicant requested to lay over this application to February/2024 and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed; and

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the NYSLA deny any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, change in method of operation, alteration, transfer or other changes to any existing license for **219 Mulberry LLC dba Ruby's 219B Mulberry 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 NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, 42 Board Members in favor.

Susan Kent, *Chair*
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Dear Sir/Madam:

At its Full Board meeting on January 18, 2024, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

7. Thuma Retail LLC 99 Wooster St 10012 (OP-Bottle Club/Furniture Gallery) (*previously unlicensed*)

Whereas, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on January 2, 2024, the Applicant requested to lay over this application to February/2024 and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed; and

THEREFORE, BE IT RESOLVED that CB2, Manhattan strongly recommends that the NYSLA 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 **Thuma Retail LLC 99 Wooster 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, 42 Board Members in favor.

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Dear Sir/Madam:

At its Full Board meeting on January 18, 2024, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

8. **Talum LLC 183 Grand St 10013** (RW—Restaurant) (*previously unlicensed*)

Whereas, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on January 2, 2024, the Applicant requested **to lay over** this application to February/2024 and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed; and

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, change in method of operation, alteration, transfer or other changes to any existing license for **Talum LLC 183 Grand St 10013** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, 42 Board Members in favor.

Susan Kent, *Chair*
Valerie De La Rosa, *First Vice Chair*
Eugene Yoo, *Second Vice Chair*



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January 29, 2024

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 January 18, 2024, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

9. Jin Ramen Sushi 2 Inc 49 E 8th St 10003 (RW—Restaurant) (*previously unlicensed*)

Whereas, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on January 2, 2024, the Applicant requested **to lay over** this application to February/2024 and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed; and

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, change in method of operation, alteration, transfer or other changes to any existing license for **Jin Ramen Sushi 2 Inc 49 E 8th St 10003 until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, 42 Board Members in favor.

Susan Kent, *Chair*
Valerie De La Rosa, *First Vice Chair*
Eugene Yoo, *Second Vice Chair*



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
Brian Pape, *Assistant Secretary*
Mark Diller, *District Manager*

COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

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January 29, 2024

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 January 18, 2024, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

10. EVJR LLC dba Da'Milio 293 Mott St 10012 (OP-Bar/Tavern) (Class Change)

Whereas, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on January 2, 2024, the Applicant requested to lay over this application to February/2024 and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed; and

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the NYSLA deny any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, change in method of operation, alteration, transfer or other changes to any existing license **EVJR LLC dba Da'Milio 293 Mott 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 NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, 42 Board Members in favor.

Susan Kent, *Chair*
Valerie De La Rosa, *First Vice Chair*
Eugene Yoo, *Second Vice Chair*



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
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January 29, 2024

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 January 18, 2024, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

11. Noho Neighbors LLC 54 Great Jones St 10012 (OP–Restaurant)

Whereas, at this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on January 2, 2024, the Applicant requested **to lay over** this application to February/2024 and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed; and

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, change in method of operation, alteration, transfer or other changes to any existing license **Noho Neighbors LLC 54 Great Jones 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 NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, 42 Board Members in favor.

Susan Kent, *Chair*
Valerie De La Rosa, *First Vice Chair*
Eugene Yoo, *Second Vice Chair*



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
Brian Pape, *Assistant Secretary*
Mark Diller, *District Manager*

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SLA2 LICENSING

January 29, 2024

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 January 18, 2024, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

- 1. Kook Burger and Bar NYC LLC dba Kook Burger & Bar 47 7th Ave S aka 13 Morton Street 10014 (OP–Restaurant)**
 - i. Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA #2 Committee to present an application to the NYS Liquor Authority for an On-Premises Restaurant Liquor License to operate a casual restaurant specializing in hand-crafted and made-to-order smash burgers, chicken sandwiches and wings, milk shakes, craft beer and more in the ground floor storefront of a five (5)-story, C2-6-zoned, mixed-use building (c. 1896) on the northeast corner 7th Avenue South and Morton Street (Block #587/Lot #7502) with residential apartments above and adjacent to the premises, the building falling within NYC LPC’s Greenwich Village Historic District Extension II; and
 - ii. Whereas**, the ground floor premises is roughly 2,600 sq. ft. (1,900 sq. ft. on the ground floor connected by an interior staircase to a 700 sq. ft. basement which includes a full service kitchen, there being no patron use of the basement); there are 14 tables with 52 seats and one wrap around bar with 13 seats located partly inside the enclosed sidewalk café for a total seated patron occupancy of 65, there is one (1) entry on 7th Avenue South which will serve as patron ingress and egress, one entry on Morton street which will be used for emergency egress only and two (2) bathrooms; there is no outdoor seating; there are no existing French doors but there are existing operable windows running along 7th Avenue South which wrap around to the Morton Street façade; and

- iii. **Whereas**, the hours of operation are from 10 AM to 11 PM Sundays, 11 AM to 11 PM Mondays through Thursdays, 11 AM to 12 AM Fridays and 10 AM to 12 AM Saturdays; music will be quiet background only consisting of music from iPod/CDs/streaming services, the windows on Morton Street will be closed at all times, the windows on Seventh Avenue South will be closed by 10 PM every night and the Applicant further agreeing take all reasonable measures, including soundproofing and volume control to insure that music will not be audible in apartments above and/or adjacent to the licensed premise; there will be two (2) TVs, the premises will not operate as a sports bar, all doors and windows on Morton Street will be closed at all times, the doors and windows on 7th Ave South will close at 10 PM nightly, there will be no DJs, no live music, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers, no security personnel/doormen; and
- iv. **Whereas**, there is a long-standing, pre-existing enclosed sidewalk café along 7th Avenue South, during the construction of the enclosed sidewalk cafe the exterior building wall was significantly removed making the interior of the enclosed sidewalk café appear as if part of the interior of the building, the enclosed sidewalk café having been previously licensed with the Department of Consumer Affairs and which will continue to be used as a qualifying pre-existing enclosed sidewalk café under the new outdoor dining program, there will be no other outdoor area used for commercial purposes including any unenclosed sidewalk café or roadbed seating; and
- v. **Whereas**, the premises has been operating as Mad Morton and licensed under Cara JECM LLC (SN#0340-21-120882, legacy #1319827, exp. 12/31/25) for approximately four (4) years, having come before CB2, Manhattan in [December/2018](#) for an On-Premises Liquor license with closing hours of 12 AM Sundays through Wednesdays and 1 AM Thursdays through Saturdays, CB2 Manhattan's full board unanimously recommending approval with executed stipulations being adhered to; the Applicant filing a 30-day notice with CB2, Manhattan for a change in method of operation in October/2022 to extend the hours of operation until 2 AM 7 days a week, laying the application over until finally withdrawing it in February/2023, the community board receiving numerous letters in opposition to the extension of hours from residents of the building and immediately surrounding area citing Mad Morton's disregard for their neighbors in operating in derogation of their signed stipulations including complaints about noise from interior music, noise from patrons gathering on the sidewalk particularly on Morton Street, disregard of the Condo Rules and Regulations regarding installing unauthorized venting, operating past their stated closing time amongst other complaints; and
- vi. **Whereas**, the current Applicants operate another restaurant going by the same name in Philadelphia, PA and have no association with the current operator at this location, the Applicant posting flyers around the area inviting members of the community to a virtual meeting to learn more about their application, this application being placed on CB2 Manhattan's calendar during the holidays, the CB2, Man. SLA Committee meeting falling in the first week of January/2024, the Applicant able to connect with one resident living across the street just prior to the CB2 Man. SLA Committee meeting but failing to connect with any residents of the immediate building, hearing the concerns regarding late night noise due to the operation of the current occupant of the premises, agreeing to reduce their closing hours to 11 PM during the week and 12 AM on the weekends, those hours being an hour earlier than the current occupant of the premises; and
- vii. **Whereas**, a resident of the co-op where the instant application is located appeared at the meeting, having previously been unaware of the application despite flyers being posted by the Applicant as well as by the Community Board, to express opposition to the instant application, asking for closing

hours of 10 PM weekdays and 11 PM weekends despite the current licensee having hours of 12 AM and 1 AM, raising additional concerns about the Applicant adhering to any closing hours based on their experience with the current tenant and not on the current Applicant, citing concerns about noise coming from the premises, the current operations causing adverse impacts on the quality of life for the residents; and

viii. Whereas, the Applicant, stating there have been no complaints with their operation in Philadelphia, has agreed to earlier hours than the current licensee at the location in an effort to allay concerns of nearby residents and is aware that the closing hours mean all patrons are out of the premises by that time; in addition, in contrast to their operation in Philadelphia which has a sports-bar aspect to it operating with 30+ 60" TVs, this establishment will not be operating as a sports bar, will have not more than two (2) TVs no larger than 42", will have background music only and will not permit any use of the Morton Street door; and

ix. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan which will be incorporated into the "Method of Operation" of the On-Premises Liquor License, with those stipulations as follows:

1. The Applicant will operate a full-service restaurant, specifically a family-friendly casual restaurant specializing in hand-crafted and made-to-order smash burgers, chicken sandwiches and wings, etc. with full menu items available until closing every night.
2. The hours of operation will be 10 AM to 11 PM Sundays, 11 AM to 11 PM Mondays through Thursdays, 11 AM to 12 AM Fridays and 10 AM to 12 AM Saturdays. No patrons will remain after stated closing time.
3. The premise will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. There is a pre-existing enclosed sidewalk café which was previously licensed with the Department of Consumer Affairs and which will continue to be used as a qualifying preexisting enclosed sidewalk café under the new outdoor dining program. There will be no other outdoor area used for commercial purposes including any unenclosed sidewalk café and/or roadbed seating, including any open streets outdoor seating, and no exterior service of alcohol.
5. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
6. Will not have speakers in the enclosed sidewalk café.
7. Will have no more than two (2) televisions no larger than 42". There will be no projectors and TV will not be wired into the restaurant sound system.
8. Will close all doors and windows on Morton Street at all times. The Morton Street door will be used for emergency egress only and will not be used at any time for patron or staff ingress or egress. Will install push bar exit alarm on Morton Street door.
9. Will close all doors and windows on 7th Ave South at 10 PM nightly. The Northern 7th Ave South door will be the only entrance/exit regularly used for patrons and staff. All other doors are for emergency use only.
10. Will take all measures, including sufficient sound remediation, sound attenuation and volume control of interior music levels, to prevent the issues of the previous operator and ensure that music is not audible in apartments above and/or adjacent to licensed premises.
11. Will conduct sound tests with residents of 13 Morton Street co-op as permitted.
12. Will meet with the co-op board of 13 Morton Street and work with them to ensure the operations of the licensed premises does not cause a disturbance to the residential property owners of the building.

13. Will not have patron occupancy/service to any portion of the basement of licensed premises.
 14. Will not make changes to the existing façade except to change signage or awning.
 15. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
 16. Will provide a valid Certificate of Occupancy permitting eating and drinking for store front premises proposed to be licensed prior to opening.
 17. Will not have unlimited/bottomless drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
 18. There will be no “bottle service” or the sale of alcohol by the bottle, except for beer and wine products.
 19. 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, or doormen/security personnel.
 20. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
 21. Will appear before CB2, Man. for alteration to license prior to submitting plans for any sidewalk, roadbed or other outdoor seating.
- x. **Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the public interest would be served by adding another liquor license at this location, this area already being saturated with licensed premises, there being **115 active licenses** within 750 feet of the proposed premises to be licensed and an additional 17 pending licenses within this same area, the Applicant reducing the operating hours from those of the current licensed operator, the agreed upon stipulations satisfying the public interest standard albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations in the future, the Applicant providing assurances that would be the case; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for an On-Premises Restaurant Liquor License to **Kook Burger and Bar NYC LLC dba Kook Burger & Bar 47 7th Ave S aka 13 Morton Street 10014** **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 NYSLA Liquor License in order to create public interest for the issuance of this liquor license.

Vote: Passed, 41 Board Members in favor, 1 abstention (M. Metzger).

Susan Kent, *Chair*
Valerie De La Rosa, *First Vice Chair*
Eugene Yoo, *Second Vice Chair*



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
Brian Pape, *Assistant Secretary*
Mark Diller, *District Manager*

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January 29, 2024

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 January 18, 2024, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

2. Xandra Hospitality LLC dba Kabin 300 Spring St 10013 (OP–Bar/Tavern) (Transfer)

- i. Whereas**, the Applicant and the Applicant's attorney appeared before Community Board 2, Manhattan's SLA Licensing Committee #2 for a On-Premises Tavern Liquor License to operate a Norwegian-inspired neighborhood cocktail bar with Michelin-level food service on the ground floor of a C6-2A-zoned, seven (7) story residential condominium building (circa 2005) on Spring Street between Hudson and Renwick Streets (Block #594/Lot #7507) in Hudson Square; and
- ii. Whereas**, this storefront location was previously operated as a restaurant known as Pine & Polk, the interior storefront being roughly a 3,127 sq. ft. premise (2,000 sq. ft. first floor and 1,000 sq. ft. basement, the basement being used for food prep/storage/lockers but not for patron service), with 12 tables and 32 table seats and one (1) bar with 10 seats for a total patron seating occupancy for 42 patrons; there is one (1) patron entrance and two (2) bathrooms, the storefront's infill being fixed and without French doors or operable windows, there may be a small sidewalk café with 5 tables and 10 seats which will close by 10 PM Sundays through Thursdays and 11 PM Fridays and Saturdays; there will be no roadbed seating or structure built in the roadway on Spring Street; and
- iii. Whereas**, the hours of operation will be from 5 PM to 12 AM Sundays through Thursdays and 5 PM to 1 AM Fridays and Saturdays; music will be quiet background only consisting of music from iPod/CDs/streaming services; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers and no security personnel/doormen; and

- iv. **Whereas**, the storefront premises was previously operated from 2022 to the present as Pine and Polk LLC dba Pine & Polk/Pacific Standard (SN# 0340-22-111530, legacy SN#1340918), this being a transfer of assets to the Applicant; and
- v. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the On-Premises Tavern Liquor License, with those stipulations as follows:
18. Premises will be advertised and operated as a Norwegian-inspired neighborhood cocktail bar with Michelin level food service with the full food menu available during all hours of operation.
 19. The hours of operation will be from 5 PM to 12 AM Sundays through Thursdays and 5 PM to 1 AM Fridays and Saturdays. No patrons will remain after stated closing time.
 20. Will not operate as a Sports Bar or allow any portion of premises to be operated in that manner.
 21. Principal will be on the premises a majority of the time to manage the licensed premises.
 22. Any future sidewalk seating applied for under the permanent Outdoor Dining program will consist of not more than 5 tables and 10 patron seats, close by 10 PM Sundays through Thursdays and 11 PM Fridays and Saturdays and conform to all rules and guidelines of the program. All tables and chairs will be removed from the sidewalk at this hour. No exterior music, speakers or TVs.
 23. No roadbed seating.
 24. 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.
 25. Will have no more than 12 private parties per year.
 26. Will not have televisions.
 27. Will close all doors and windows at all times, allowing only for patron ingress and egress.
 28. Will not have patron occupancy/service to any portion of the basement of licensed premises.
 29. Will not install or have French doors, operable windows or open façades.
 30. Will not make changes to the existing façade except to change signage or awning.
 31. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
 32. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
 33. 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.
 34. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
 35. Will appear before CB2, Man. for alteration to license prior to submitting plans for any sidewalk, roadbed or other outdoor seating.
- vi. **Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the public interest would be served by adding another liquor license at this location, there being **23 active licensed premises** within 750 feet of the proposed premises to be licensed and an additional 6 pending licenses within this same area, the Applicant’s agreed upon stipulations satisfying the public interest standard albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations in the future; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for an On-Premises Bar/Tavern Liquor License in the name of **Xandra Hospitality LLC dba Kabin 300 Spring St 10013** **unless** the statements presented by the Applicant are accurate and complete and that all the conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” of the NYSLA Liquor License.

Vote: Passed, 41 Board Members in favor, 1 abstention (M. Metzger).

Susan Kent, *Chair*
Valerie De La Rosa, *First Vice Chair*
Eugene Yoo, *Second Vice Chair*



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
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January 29, 2024

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 January 18, 2024, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

- 3. West 10West LLC dba West 10West 242 W 10th St 10014 (New OP–Restaurant) (Class Change)**
- i. Whereas**, the Applicant and Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA #2 Licensing Committee to present an application to the NYSLA for to a new On-Premises Restaurant Liquor License to operate “an intimate restaurant...with evolving plates, natural wines, and crafted cocktails” within a non-conforming ground floor storefront located in a residentially zoned (R6), six (6)-story tenement style, walk up apartment building (c. 1860) on West 10th Street between Hudson and Bleecker Streets, this building falling within NYC LPC’s designated Greenwich Village Historic District; and
 - ii. Whereas**, the ground floor storefront location has been operated as a restaurant and wine bar by the Applicant since it opened in April/2023 with a restaurant wine license (SN# 0240-23-164923, legacy SN# 6007319, exp. 11/30/25), the storefront location having previously operated for years, prior to 2023, as a clothing store closing by 7 PM every evening and has never previously been licensed for the service of alcohol nor with an on premises liquor license subject to 500 Foot Rule requiring the Applicant to satisfy the public interest standard; and
 - iii. Whereas**, the ground floor storefront is roughly 450 sq. ft. with 7 tables with 16 patron seats and one (1) bar with eight (8) seats for a total interior patron seated occupancy of 24 persons, there is no basement, the storefront infill being fixed without French doors or operable windows, there is one patron entrance and one patron bathroom; and
 - iv. Whereas**, the current agreed upon hours of operation 8 AM to 10 PM Sundays through Wednesdays, 8 AM to 11 PM Thursdays and 8 AM to 12 AM Fridays and Saturdays, interior music being at background levels only, with no dancing, TVs, DJs, no promoted events, no scheduled performances

or cover fees, no security; there is no sidewalk or roadbed seating; and

- v. **Whereas**, in addition to the upgrade of the liquor license the instant Application also includes extended closing hours of 11 PM Sundays through Wednesdays and the addition of both a new sidewalk café with 3 tables and 6 seats and new roadbed seating of 6 tables and 16 with closing hours of 11 PM Sundays through Saturdays (7 days a week) for a total of 22 new exterior seats which do not currently exist; and
- vi. **Whereas**, the Applicant first appeared at CB2, Manhattan a year ago in December/2022 to present its Restaurant Wine license stating he would operate a “daytime café offering take away service as well as a menu for seated breakfast/lunch until 3 PM, dining service will reopen at 5 PM for seated dinner, offering beer and wine with meals,” at the time the Applicant requesting hours of 8 AM to 10 PM Sundays through Wednesdays and 8 AM to 12 AM Thursdays through Saturdays; after meeting with the local block association (West Village Residents Association) and in order to gain their support for the service of beer, wine and cider on a narrow residential block in an area already saturated with licensed premises, the Applicant agreed to a compromise of closing at 11 PM on Thursdays, stating that he felt that was a fair and reasonable compromise along with other stipulations including there would be no roadbed dining or sidewalk café either in front of or adjacent to the premises, with a significant reason the block association was giving their support of the application in this saturated area being due to the emphasis on breakfast and lunch service in conjunction with early dinner hours, absolutely no outdoor seating and other agreed-upon stipulations; and
- vii. **Whereas**, at this month’s CB2, Man SLA Committee meeting questions were raised regarding the hours of operation, the removal of breakfast and lunch service and at the time of the CB2 meeting their website stating hours of service being from 4:30 PM to late every day (it has since been updated to say 4:30 PM to 11 PM daily, these hours still opening and closing later than what was originally agreed to and in derogation of their agreed upon stipulations), there being no service of breakfast or lunch, the Applicant saying he was unable to provide that service at this time, despite it being a central component of the method of operation when he originally appeared in December/2022; and
- viii. **Whereas**, questions were also raised regarding the roadbed structure that is in front of the premises, the Applicant stating it does not belong to him but to the tea shop next door, Paquita, which is closed by the time his restaurant is open, the landlord permitting them to have a roadbed structure in front of his restaurant which the Applicant stated had nothing to do with him; upon further information from community members it is disclosed that the tea shop belongs to his business partner’s sister, calling into question the transparency of the instant application; and
- ix. **Whereas**, members of the community were in strong opposition to the application for an on premise full liquor license, asserting a bait and switch scheme, the Applicant just a year ago presenting strictly a wine and beer application with daytime food service, the instant application consisting of an increase in evening hours, no daytime food service and an upgrade to their liquor license to serve spirits — this being a different business model from what was presented to the community just a year ago, this also being in contrast to other applications presented to the committee where the applicants state they are coming for beer and wine at this time in order to get a temporary license quickly because the backlog at the NYSLA prevents applicants from getting a temporary license the Applicant in this case previously denying an intention to seek an On-Premises license after being open for less than one year, the service of beer and wine fitting with the daytime and early dinner focus of his café/restaurant with that model having the support of the local community based on those representations; and

- x. **Whereas**, members of the community were also in opposition to having any outdoor seating at this location, the Applicant having agreed to no outdoor seating, just a year ago, the location being on a narrow, residentially only-zoned street with a sidewalk of approximately 10' and no room for sidewalk seating, the Applicant not providing measurements of the sidewalk width in the application presented, the seating requested with the instant application being an increase of 100% in total # of seats, there being no prior service of alcohol in the residentially-zoned neighborhood located on a one-way, narrow roadway; and
- xi. **Whereas**, the area within a block of the instant application already has a large number of licensed establishments serving dinner and offering drinks such as:
- 518 Hudson Street LLC dba Justines (SN#0340-23-128342, Legacy SN#1338435)
 - Hudson Corner LLC dba B'Artusi/Via Porta (SN#0340-23-138710, Legacy SN#1334758),
 - Cowgirl Inc dba Cowgirl & Bar (SN# 0340-23-131639, Legacy SN#1025508)
 - 228 West 10th Street LLC dba L'Artusi (SN#0340-230132610, Legacy SN#1217898),
 - RF Hudson (DE) LLC dba Redfarm (SN# 0340-23-137345, Legacy SN#1251196),
 - Alfred B Hospitality LLC dba Katana Kitten (SN#0340-22-113564, Legacy #1305298)
- and others; and
- xii. **Whereas**, the instant application has not offered/is not offering the important daytime service of breakfast and lunch as was part of their original application a year ago; and
- xiii. **Whereas**, despite stating in December/2022 that they would be filing for a Letter of No Objection permitting eating and drinking at the premises, they currently do not have one; the Applicant stated at the time of the initial application in December/2022 that cooking would be electric only, there would be no open flame cooking; following this month's CB2 committee meeting it was discovered that there was a complaint made in July/2023 regarding venting of the ground floor restaurant, with cooking smells going into adjacent apartments and grease present on apartment windows and building shaft way, DOB issuing a violation for work without a permit at the 1st floor restaurant "West 10 West" (Oath/ECB Violation #39090615L), that violation remains open; and
- xiv. **Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the public interest would be served by the addition of another On-Premises Liquor License at this location, the Applicant having operated for less than one year, the Applicant not previously holding a liquor license, the storefront in question never previously operating with an On-Premises Liquor License, there being **72 active licensed premises** within 750 feet of the location proposed to be licensed, with 8 additional pending licenses, the Applicant not presenting a method of operation serving breakfast, lunch and dinner consistent with his Restaurant Wine application, the operator never actually operating in the manner in which he presented his original application no more than one year ago, the Applicant going back on his commitments that were to the Community and local block association , the service of alcohol to the exterior on a residential block having significant impacts on those living in the area, there being nothing unique about the instant application to illustrate that it is in the public interest to have another On-Premises Liquor License in this area, the immediate location being residentially zoned, the surrounding area already being heavily saturated with liquor licenses, the Applicant not obtaining the proper permits from the NYC DOB for eating and drinking for the premises of the instant application; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends denial of the application for a new On-Premises Restaurant Liquor License for **West 10West LLC dba West 10West 242 W 10th St 10014**; and

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

BE IT FURTHER RESOLVED that should the applicant pursue this application despite CB2, Manhattan's recommendation to deny this application, CB2 requests that the SLA conduct an in person 500-foot hearing so that local residents are able to participate fully in the process now that the COVID emergency has ended.

Vote: Passed, 41 Board Members in favor, 1 abstention (M. Metzger).

Susan Kent, *Chair*
Valerie De La Rosa, *First Vice Chair*
Eugene Yoo, *Second Vice Chair*



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
Brian Pape, *Assistant Secretary*
Mark Diller, *District Manager*

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January 29, 2024

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 January 18, 2024, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

4. Amo Restaurant Corp 15 E 12th St 10003 (OP–Restaurant) (Transfer)

- i. Whereas**, the Applicants appeared before Community Board 2, Manhattan’s SLA Licensing Committee #2 for an On-Premises Restaurant Liquor License to operate a casual Italian seafood restaurant on the ground floor of a C-6-zoned, four (4)-story commercial building (circa 1937) on 12th Street between University Place and 5th Avenue (Block #570/Lot #38); and
- ii. Whereas**, this storefront location was previously operated as a restaurant known as Villanelle (SN#0340-23-136105, legacy SN#1295986) from approximately 2014 to 2023, the interior storefront being roughly a 1,000 sq. ft. premise consisting of a ground floor and basement with no specific sq. ft. given for each floor, there is no patron use of the basement; there will be 23 tables and 46 seats and one (1) bar with 8 seats for a total patron seating occupancy of 54 patrons; there is one (1) patron entrance and two (2) bathrooms, the storefront’s infill being fixed and without French doors or operable windows, there is no sidewalk or roadbed seating nor any use by patrons or staff of the rear yard; and
- iii. Whereas**, the hours of operation will be from 11 AM to 10:30 PM Sundays through Thursdays and 11 AM to 11:30 PM Fridays and Saturdays; music will be quiet background only consisting of music from iPod/CDs/streaming services; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers and no security personnel/doormen; and
- iv. Whereas**, the Applicants both being involved with P12 New York LLC dba Ribalta since 2013 (SN#0340-23-134438, legacy SN#1157225), an old-world Neapolitan pizza and Italian appetizer restaurant, one as a general manager and the other as executive chef; there being numerous 311

complaints made by residents regarding loud music and noise from that establishment not only Spring–Summer/2023 but going back to 2020 and 2019, the Applicant stating they were unaware of the extent of the complaints, this being called into question as the police responded multiple times over the years in addition to emails being submitted to CB2, Manhattan this past summer/2023 showing residents being in touch with the restaurant regarding their complaints, the Applicant stating the instant application is a different type of restaurant, in a smaller space, that they were somehow unaware of the extent of the complaints; and

- v. **Whereas**, no one appeared or wrote letters in favor or opposition to the application, this being a transfer of an existing On-Premises Liquor License, the Applicant following a similar method of operation and agreeing to the same stipulations that the prior licensee agreed to, the CB2 SLA Committee being unaware of any complaints regarding the prior licensee with those stipulations seemingly being adhered to; and
- v. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the On-Premises Restaurant Liquor License, with those stipulations as follows:
 - 1. Premises will be advertised and operated as a full-service, casual Italian restaurant specializing in seafood with the kitchen open and full menu items available until closing every night.
 - 2. The hours of operation will be from 11 AM to 10:30 PM Sundays through Thursdays and 11 AM to 11:30 PM Fridays and Saturdays. No patrons will remain after stated closing time.
 - 3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
 - 4. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating.
 - 5. Will play **quiet** ambient recorded background music only, inclusive of any private parties or events. **No music will be audible in any adjacent residences or in adjoining properties rear yards at any time.**
 - 6. Will not have televisions.
 - 7. Will close all doors and windows at all times, allowing only for patron ingress and egress.
 - 8. Rear windows will be outfitted with light shades and plantings for purposes of privacy for neighboring residents and will consist of double pane glass.
 - 9. Will ensure exhaust venting is run up rear of building to code, 10' from all windows above roof line.
 - 10. Will post “please respect our neighbors” sign.
 - 11. Will not have patron or staff access to the rear yard at any time.
 - 12. Will not have patron occupancy/service to any portion of the basement of licensed premises.
 - 13. Will not install or have French doors, operable windows or open façades.
 - 14. Will not make changes to the existing façade except to change signage or awning.
 - 15. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
 - 16. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
 - 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, Man. prior to submitting any changes to any stipulation agreed to herein.
19. Will appear before CB2, Man. for alteration to license prior to submitting plans for any sidewalk, roadbed or other outdoor seating.

vi. **Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the public interest would be served by adding another liquor license at this location, there being **51 active licensed premises** within 750 feet of the proposed premises to be licensed and an additional 3 pending licenses within this same area, the Applicant's agreed upon stipulations satisfying the public interest standard albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations in the future; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a On-Premises Liquor License in the name **Amo Restaurant Corp 15 E 12th St 10003** **unless** the statements presented by the Applicant are accurate and complete and that all the conditions and stipulations agreed to by the Applicant are incorporated into the "Method of Operation" of the NYSLA Liquor License.

Vote: Passed, 41 Board Members in favor, 1 abstention (M. Metzger).

Susan Kent, *Chair*
Valerie De La Rosa, *First Vice Chair*
Eugene Yoo, *Second Vice Chair*



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
Brian Pape, *Assistant Secretary*
Mark Diller, *District Manager*

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January 29, 2024

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 January 18, 2024, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

5. **Babi Restaurant, Inc. 282 Bleecker St. (RW—Restaurant)**

- i. **Whereas**, the Applicant and the Applicant's attorney appeared before Community Board 2, Manhattan's SLA Licensing Committee #2 for a new Restaurant Wine License to operate a Vietnamese restaurant on the ground floor of a C2-6-zoned, three (3)-story mixed-use building (c. 2008) on Bleecker Street between 7th Avenue South and Morton Street (Block #587/Lot #24), the building falling within NYC LPC's designated Greenwich Village Historic District Extension II; and
- ii. **Whereas**, the ground floor storefront is approximately 2,300 sq. ft. with 1500 sq. ft. on the ground floor connected by an interior staircase to an 800 sq. ft. basement, there being no patron use of the basement; there will be 13 tables and 50 seats and one bar with six (6) seats for a total seated capacity of 56 persons; there is one (1) entry which will serve as patron ingress and egress, one (1) emergency exit and two (2) patron bathroom; there being operable doors already existing that open out to the sidewalk; and
- iii. **Whereas**, the hours of operation will be from 11 AM to 11 PM Sundays through Thursdays, 11 AM to 12 AM Fridays and Saturdays; music will be quiet background only consisting of music from iPod/CDs/streaming services; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers and no security personnel/doormen; and
- iv. **Whereas**, the applicant originally submitted a 30-day notice in August/2022 for a restaurant wine license and was placed on the [September agenda](#) of CB2's SLA Licensing Committee at which time the representative appeared without the Applicant requesting to lay the application over to the following month stating they had just been hired by the applicant and needed time to prepare. The

application was placed on the CB2's SLA Licensing Committee's [October/2022](#) agenda at which time the applicant failed to appear without providing any explanation; the applicant then filed a new 30-day notice at the end of October/2022 and was placed on the December/2022 agenda of CB2's SLA Licensing Committee at which time the applicant again failed to appear without providing any explanation.

- iv. **Whereas**, the storefront premises was previously licensed as Lindsey Buffet Restaurant Inc. dba Kumo Sushi (SN#1259907) which appeared before CB2 Manhattan's SLA licensing committee in [January/2015](#) for the renewal of their restaurant wine license due to numerous complaints about their operation, those complaints being well-documented and stemming from an "all you can eat sushi and drinks" specials which resulted in an untenable situation whereby over-served and inebriated patrons leaving the premises and causing disturbances, fights, loud screaming and vomiting in the street which was untenable in a residential area; the instant application having a different method of operation with the applicant stating there will be no "all you can eat / drink specials;" and
- v. **Whereas**, there already are a significant number of licensed establishments in both Community Board 2 and in the immediate area, there being **110 active licensed premises** within 750 feet of the proposed premises to be licensed and an additional 17 pending licenses within this same area, this application being for the service of Beer and Wine only and thus not subject to the 500 Foot Rule, the Applicant offering a type of food not abundantly available in the neighborhood and affirming that their method of operation is not similar to the previous operator at this location; and
- vi. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the Restaurant Wine License, with those stipulations as follows:
 - 1. Premises will be advertised and operated as a Vietnamese restaurant with the kitchen open and full menu items available until closing every night.
 - 2. The hours of operation will be from 11 AM to 11 PM Sundays through Thursdays, 11 AM to 12 AM Fridays and Saturdays. No patrons will remain after stated closing time.
 - 3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
 - 4. Any future sidewalk seating applied for under the permanent program will consist of not more than two (2) tables and six (6) seats and conform to all rules and guidelines of the program. Outdoor seating will close by 10 PM. All tables and chairs will be removed from the sidewalk at this hour. No exterior music, speakers or TVs.
 - 5. No roadbed seating.
 - 6. Will close all doors and windows at 10 PM every night, allowing only for patron ingress and egress.
 - 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 not have televisions.
 - 9. Will not have patron occupancy/service to any portion of the basement of licensed premises.
 - 10. Will not make changes to the existing façade except to change signage or awning.
 - 11. Will comply with NYC Department of Buildings Regulations and will 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. 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.
14. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
15. Will appear before CB2, Man. for alteration to license prior to submitting plans for any sidewalk, roadbed or other outdoor seating.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new Restaurant Wine License in the name of **Babi Restaurant, Inc. 282 Bleecker St.** **unless** the statements presented by the Applicant are accurate and complete and that all the conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” of the NYSLA Liquor.

Vote: Passed, 41 Board Members in favor, 1 abstention (M. Metzger).

Susan Kent, *Chair*
Valerie De La Rosa, *First Vice Chair*
Eugene Yoo, *Second Vice Chair*



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
Brian Pape, *Assistant Secretary*
Mark Diller, *District Manager*

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January 29, 2024

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 January 18, 2024, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

6. Guliani Group Inc dba Laliko Georgian Bistro 80 Carmine St, Unit 2 10014 (RW–Restaurant)

Whereas, prior to this month's CB2, Manhattan's SLA #2 Licensing Committee Meeting on January 4, 2024, 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 Community Board 2, Manhattan strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, change in method of operation, alteration, transfer or other changes to any existing license for **Guliani Group Inc dba Laliko Georgian Bistro 80 Carmine St, Unit 2 10014 until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, 42 Board Members in favor.

Susan Kent, *Chair*
Valerie De La Rosa, *First Vice Chair*
Eugene Yoo, *Second Vice Chair*



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
Brian Pape, *Assistant Secretary*
Mark Diller, *District Manager*

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January 29, 2024

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 January 18, 2024, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

7. 10 Fifth Ave Operations LLC dba A Pizza Bar 10 5th Ave 10011 (OP–Restaurant)

Whereas, prior to this month's CB2, Manhattan's SLA #2 Licensing Committee Meeting on January 4 2024, the Applicant requested to lay over this application to February/2024 and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed; and

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the NYSLA deny any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, change in method of operation, alteration, transfer or other changes to any existing license for **10 Fifth Ave Operations LLC dba A Pizza Bar 10 5th Ave 10011** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, 42 Board Members in favor.

Susan Kent, Chair
Valerie De La Rosa, First Vice Chair
Eugene Yoo, Second Vice Chair



Antony Wong, Treasurer
Amy Brenna, Secretary
Brian Pape, Assistant Secretary
Mark Diller, District Manager

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January 29, 2024

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 January 18, 2024, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

8. Griddle Cakes LLC dba Breakfast by Salt's Cure 27½ Morton St. 10014 (OP–Restaurant)

Whereas, prior to this month's CB2, Manhattan's SLA #2 Licensing Committee Meeting on January 4, 2024, 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 Community Board 2, Manhattan strongly recommends that the NYSLA **deny** any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, change in method of operation, alteration, transfer or other changes to any existing license for **Griddle Cakes LLC dba Breakfast by Salt's Cure 27½ Morton 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 NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, 42 Board Members in favor.

Susan Kent, *Chair*
Valerie De La Rosa, *First Vice Chair*
Eugene Yoo, *Second Vice Chair*



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
Brian Pape, *Assistant Secretary*
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January 29, 2024

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 January 18, 2024, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

9. One NK LLC dba Bisou 112 6th Ave 10013 (OP–Bar/Tavern) (Class Change)

Whereas, following this month's CB2, Manhattan's SLA #2 Licensing Committee Meeting on January 4 2024, the Applicant requested to lay over this application to February/2024 and will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the NYSLA should they proceed; and

THEREFORE, BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the NYSLA deny any type of proposed on-premises liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, change in method of operation, alteration, transfer or other changes to any existing license for **One NK LLC dba Bisou 112 6th Ave 10013** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the NYSLA and requests that the NYSLA send this Applicant back to CB2 should this application proceed directly to the NYSLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, 42 Board Members in favor.

Please advise us of any decision or action taken in response to these resolutions.

Sincerely,



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



Susan Kent, Chair
Community Board #2, Manhattan

SK/em

cc: Hon. Daniel Goldman, U.S. Representative, 10th District
Hon. Brad Lander, NYC Comptroller
Hon. Mark Levine, Manhattan Borough President
Hon. Adrienne Adams, NYC Council Speaker
Hon. Christopher Marte, NYC Council, 1st District
Hon. Carlina Rivera, NYC Council, 2nd District
Hon. Erik Bottcher, NYC Council, 3rd District
Hon. Brian Kavanagh, NY State Senate, 27th District
Hon. Brad Hoylman-Sigal, NY State Senate, 47th District
Hon. Grace Lee, State Assembly, 65th District
Hon. Deborah J. Glick, NY State Assembly, 66th District
Thomas Donohue, Deputy Commissioner of Licensing, NY State Liquor Authority