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Susan Kent, *First Vice Chair*
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Mark Diller, *District Manager*



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COMMUNITY BOARD NO. 2, MANHATTAN

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January 27, 2023

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 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

1. **Jemikos GFF Inc. d/b/a Senza Gluten Café Baking, 17 Sullivan St. 10012** (Existing TW–Tavern, Corporate Change/Change in Method of Operation)
 - i. **Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing #1 via video conference to present an application to the NYS Liquor Authority for a Corporate Change and a Change in Method of Operation to its Tavern Wine liquor license (SN#1313987) to continue to operate a gluten-free café and bakery on the ground floor of a R7-2 zoned, five (5)-story tenement building (c. 1903) on Sullivan Street between West Houston and Bleecker Streets (Block #525/Lot #1), the building falling within NYC LPC’s designated South Village Historic District; and
 - ii. **Whereas**, when the Licensee’s current liquor license was granted at the NYSLA in 2019, signed stipulations were attached to the license that prohibited the service of alcohol to any exterior areas; and
 - iii. **Whereas**, in light of the previous restrictions imposed on their license, the Licensee is seeking a change in method of operation to add service to the exterior roadbed in front of and extending past the licensed premise which initially commenced in response to the Covid-19 Pandemic and NYC’s temporary program that allowed for such use of the roadbed; and

- iv. **Whereas**, one of the existing owners is buying all the shares of the corporation that holds the liquor license from another existing owner, the method of operation as a gluten-free café and bakery remaining the same albeit the addition of roadbed dining; and
- v. **Whereas**, the storefront premises is approximately 900 sq. ft. on the ground floor connected by both an interior and exterior stairway to an additional 400 sq. ft. in the basement, there is no patron use of the basement; there is a Letter of No Objection permitting eating and drinking on the ground floor; the premises has four (4) tables and eight (8) seats and one (1) bar with seven (7) seats for a total interior seated occupancy of 15 persons; the premises has one (1) door which serves as patron ingress and egress and one (1) bathroom; the store front infill being fixed without operable doors or windows that open out to the sidewalk; and
- vi. **Whereas**, the hours of operation will remain from 8:00 AM to 11:00 PM Sundays through Thursdays and 8:00 AM to 12:00 AM Fridays and Saturday; music will be quiet background only consisting of music from iPod/CDs; no TVs; there is no sidewalk café; there will be no dancing, no DJs, no live music, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and
- vii. **Whereas**, concerns were raised regarding the structure built by the Licensee during the Covid-19 pandemic in that Sullivan Street is very narrow with sheds placed on both sides of the street crowding roadway passage, in addition to the sheds being built in a single row not allowing for trash pickup in the neighborhood or street cleaning and a lack of access between sidewalk and roadway, the Licensee's shed in particular extending south past the licensed premises blocking the adjacent residential entryway and part of the next door business, the width of the licensed premises too narrow to accommodate both a roadbed structure and an area to allow for trash pickup and roadway access; and
- viii. **Whereas**, the Licensee agreeing to remove the roadbed structure to allow for trash pickup and roadway access and not file for a change in method of operation for the service of alcohol in the outdoor area; and
- ix. **Whereas**, the Applicant and Licensee has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they 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 a gluten free bakery and café with the kitchen open and full menu items available until closing every night.
 - 2. The hours of operation will be from 8:00 AM to 11:00 PM Sundays through Thursdays and 8:00 AM to 12:00 AM Fridays and Saturday. 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 operating under the Open Restaurants program.

5. Roadbed structure will be removed by February 21, 2023.
6. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
7. Will not have televisions.
8. Will use an electronic reservation system capable of online messaging to interact with customers remotely, as needed, to prevent crowds from queuing/gathering/waiting to enter on sidewalk.
9. Will close all doors and windows at all times, allowing only for patron ingress and egress.
10. Will not have patron occupancy/service to any portion of the basement of licensed premises.
11. Will not install any French doors, operable windows or open facades in addition to the existing operable windows in the southern part of the storefront premises.
12. Will not make changes to the existing façade except to change signage or awning.
13. Will comply with NYC Department of Buildings Regulations and 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. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
16. 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.
17. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.
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 Community Board 2, Manhattan recommends denial of the application for change in method of operation and for a Corporate Change to the Tavern Wine license in the name of **Jemikos GFF Inc. d/b/a Senza Gluten Café Baking, 17 Sullivan St. 10012, unless** the statements presented by the Applicant are accurate and complete and that the conditions agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Tavern Wine License.

Vote: Passed, 40 Board Members in favor

5 against (N. Avanesians, C. Dignes, R. Kessler, Z. Roberts, A. Zeldin)

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



Antony Wong, *Treasurer*
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January 27, 2023

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 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

2. **Half Pint on Thompson LLC d/b/a The Half Pint, 234 Thompson Street aka 76 West 3rd South 10012** (Existing OP–Tavern, Corporate Change)
 - i. **Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing #1 via video conference to present an application to the NYS Liquor Authority for a Corporate Change to its On-Premises Tavern liquor license (SN#1190346) to continue to operate a tavern on the ground floor of a R7-2, C1-5-zoned, six (6)-story mixed-use building (c. 1903) on the southeast corner of Thompson Street between West 3rd and Bleecker Streets (Block #537/Lot #13) the building falling within NYC LPC’s designated South Village Historic District; and
 - ii. **Whereas**, the ground floor storefront premises is approximately 1,200 sq. ft.; there are approximately 20 tables and 84 seats with two (2) bars with 16 seats for a total seated occupancy of 100 seats and maximum legal capacity of 117 persons; the premises has one (1) door which will serve as the main entry for patron ingress and egress and an additional door for ADA access and emergency exit; and
 - iii. **Whereas**, the Applicant has been in operation at the premises since the license originated in 2007, the Corporate Change is due to the death of one of the principals on the license, the

Applicant buying out the other remaining partner so as to have 100% ownership of the establishment; the method of operation remaining the same; and

- iv. **Whereas**, the Applicant stating the hours of operation are from 12:00 PM to 2:00 AM during the week and 4:00 AM on Fridays and Saturdays; there is a sidewalk café which has existed since approximately 2008, the sidewalk café being somewhat unusual at the time due to the narrow sidewalk, the old DCA sidewalk café rules limiting the width of the tables to approximately 12" to allow for the then-required 3' service aisle and additional pedestrian clearance; stipulations were imposed on the liquor license that all windows will close by 10:00 PM and the sidewalk café will close by 11:00 PM; music is background only; there is no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; 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:
 - 1. Premises will be advertised and operated as a tavern with the kitchen open and full menu items available until closing every night.
 - 2. The hours of operation will be 12:00 PM to 2:00 AM Sundays through Thursdays and 12:00 PM to 4:00 AM Fridays and Saturdays. No patrons will remain after stated closing time.
 - 3. Will not operate as a Lounge or Sports Bar or allow any portion of premises to be operated in that manner.
 - 4. Will not operate a backyard garden or any outdoor area for commercial purposes except for certified sidewalk café and roadbed seating operating under the temporary Open Restaurants program. Sidewalk seating is located immediately adjacent to the storefront leaving a minimum clearance of 8' to the curbside for pedestrian passage with no more than 9 tables and 18 patron seats on the sidewalk. Roadbed seating is located on both West 3rd and Thompson Streets.
 - 5. Sidewalk café and roadbed seating will close no later than 11 PM. All tables and chairs will be removed from sidewalk at this hour and roadbed seating will be secured. No exterior music, speakers or TVs.
 - 6. Will play quiet ambient recorded background music only.
 - 7. Will close all doors and windows at 10PM every night, allowing only for patron ingress and egress.
 - 8. 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.
 - 9. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.
 - 10. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the Corporate Change application to the existing On-Premises Tavern Liquor License in the name of **Half Pint on Thompson LLC d/b/a The Half Pint, 234 Thompson Street aka 76 West 3rd South 10012** **unless** the statements presented by the Applicant are accurate and complete and that the conditions agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA On-Premises Tavern Liquor License.

Vote: Passed, 44 Board Members in favor
1 against (C. Dignes)

Jeannine Kiely, Chair
Susan Kent, First Vice Chair
Valerie De La Rosa, Second Vice Chair
Mark Diller, District Manager



Antony Wong, Treasurer
Amy Brenna, Secretary
Ritu Chattree, Assistant Secretary

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January 27, 2023

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 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

- 3. Aime Leon Dore Soho LLC, d/b/a Aime Leon Dore, 214 Mulberry St. 10012 (new TW–Tavern/Café)**
 - i. Whereas,** the Applicant's Store Manager and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Licensing Committee #1 via video conference to present an application to the NYS Liquor Authority for a new Tavern Wine License to operate a café and wine bar on the ground floor of a C6-2-zoned, six (6)-story mixed-use building (c. 1900) on Mulberry Street between Spring and Prince Streets (Block #494/Lot #7502), the building falling within the designated Special Little Italy District; and
 - ii. Whereas,** the ground floor premises is approximately 3,076 sq. ft. consisting of 2,051 sq. ft. on the ground floor and 1,025 sq. ft. in the basement, the two floors connected by an interior stairway, there is no patron use of the basement; there will be 12 tables and 32 seats and one (1) bar with four (4) seats for a total seated patron occupancy of 36 persons; the premises has two (2) doors which will serve as patron ingress and egress, one (1) additional door serving as an emergency exit and one (1) bathroom; the store front infill being fixed without operable doors or windows that open out to the sidewalk; and
 - iii. Whereas,** the hours of operation will be from 9:00 AM to 11:00 PM Sundays through Thursdays and 9:00 AM to 12:00 AM Fridays and Saturdays, there may be invitation-only

events for the Aime Leon Dore brand when the café may stay open until 1:00 AM not to exceed 15x/year; music will be quiet recorded background only inclusive of any events; there will be no televisions, no DJ's, no promoted events, no live music or scheduled performances, no cover fees, no velvet ropes or movable barriers and no security personnel; and

- iv. **Whereas**, the premises to be licensed was occupied by Mika Food LLC d/b/a Balaboosta with an On-Premises liquor license (SN#1261654) from approximately 2012–2018 and since then by the Applicant as a clothing store and coffee shop without a liquor license; the premises currently undergoing renovation for the café with the clothing store part of the business moving next door; and
- v. **Whereas**, the instant application was originally heard December/2022 by CB2, Man., SLA Committee at which time the Applicant failed to appear but was represented by the manager of the proposed café and their attorney, the manager being hired in July/2022; concerns being raised both by the Committee and local residents regarding the method of operation of the store/coffee shop prior to closing for renovations, that method included large outdoor speakers playing loud music, curbside city trees being removed and replaced with large benches/planter boxes at the north and south ends of the storefront premises with ropes and stanchions running perpendicular to the store mid-sidewalk to street at farthest end of each planter preventing pedestrian passageway on the curbside of the sidewalk, with a sidewalk café operating adjacent to the premises thereby further narrowing the sidewalk for pedestrians; planters being placed the length of the store in the curbside parking lane blocking curbside access to the premises; the Applicant being a principal and holding a liquor license in another establishment in Manhattan (Pineapple Club LLC, SN#1321228) and therefore should have been aware of the rules governing outdoor speakers and sidewalk usage; based on the recent history, additional concerns were raised regarding closing hours of midnight and 1:00 AM for a café with a limited menu, there being 51 active licenses within 500' of the premises, and the manager detailing the need to host parties for their brand in the café; and
- vi. **Whereas**, the manager stating that since he was hired those issues had been corrected, albeit the premises is currently under construction, the Committee expressing the desire to here from the Applicant who will be the responsible party holding the license to address the issues raised, the manager and their attorney requesting to lay over the application so that the Applicant could attend; and
- vii. **Whereas**, at this month's meeting the Applicant had a last minute conflict and could not attend, the manager once again attending with their attorney, making certain clarifications regarding the instant application in relation to the private parties stating that they would be invitation-only with a pre-arranged guest list and will be exclusively for their brand; the hours of operation were reduced to 11:00 PM Sundays through Thursdays and 12:00 PM Fridays and Saturdays with an exception that a maximum of 15 private parties/year could end at 1:00 AM with music remaining at background levels at all times; the manager also agreeing that there would be no seating or speakers on the outside of the premises; and
- viii. **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 a café with the kitchen open and full menu items available until closing every night.
2. The hours of operation will be 9:00 AM to 11:00 PM Sundays through Thursdays and 9:00 AM to 12:00 AM Fridays through Saturdays with an exception that private parties may end at 1:00 AM not more than 15x/year. 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 operating under the Open Restaurants program.
5. All events will be invitation-only with a pre-arranged guest list and will be exclusively for the Aimé Leon Dore brand.
6. Will play quiet ambient recorded background music only, inclusive of any private parties or events so as not to cause a disturbance in any adjacent residences at any time. No exterior music, speakers or TVs.
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 have 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 not make changes to the existing façade except to change signage or awning.
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. No magnums.
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 or doorman or security personnel.
16. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.
17. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed 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 **Aime Leon Dore Soho LLC, d/b/a Aime Leon Dore, 214 Mulberry 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 NYSLA Tavern Wine License.

Vote: Passed, 44 Board Members in favor; 1 against (C. Dignes)

Jeannine Kiely, Chair
Susan Kent, First Vice Chair
Valerie De La Rosa, Second Vice Chair
Mark Diller, District Manager



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January 27, 2023

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 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

- 4. Juicerie Nolita, LLC, d/b/a The Butcher's Daughter, 19 Kenmare St. East Unit 10012 (OP-Restaurant)**
 - i. Whereas**, the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Licensing Committee #1 via video conference to present an application to the NYS Liquor Authority for a new On-Premises License to operate a plant-based full-service restaurant on the ground floor of a C6-1-zoned, six (6)-story mixed-use building (c. 1900) on Kenmare Street between Elizabeth Street and the Bowery (Block #478/Lot #12) also known as 164 Elizabeth Street, the building falling within the designated Special Little Italy District; and
 - ii. Whereas**, the ground floor premises is approximately 1,464 sq. ft. consisting of 840 sq. ft. on the ground floor and 624 sq. ft. in the basement, the two floors connected by an interior stairway, patron use of the basement is for bathroom access only, there is no service to patrons in the basement; there will be 20 tables and 46 seats and one (1) bar with 14 seats for a total of 60 patron seats; the premises has one (1) door for patron entry, two (2) doors for patron egress and four (4) bathrooms, there being an ADA compliant bathroom on the ground floor; and

- iii. **Whereas**, the hours of operation will be from 8:00 AM to 10:00 PM Sundays through Thursdays and 8:00 AM to 11:00 PM Fridays and Saturdays; there will be a sidewalk café operating under the temporary Open Restaurants program with no more than 20 tables and 40 seats, the Applicant agreeing to arrange the tables to conform to the previously DCA-approved Travertine LLC sidewalk café at this location with no speakers outside; interior music will be 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, movable barriers or security personnel; and
- iv. **Whereas**, the Applicant is the principal of the next door restaurant at the northeast corner of Kenmare and Elizabeth Streets which goes by the same name (Juicerie LLC d/b/a The Butcher's Daughter SN#1268130), residents and Committee members raised issues around the lack of proper pedestrian right of way on their existing sidewalk due to the expansion of the sidewalk café, the outdoor speaker, the lines and planters further encroaching on the sidewalk, the roadbed structure on Elizabeth Street built under the Open Restaurants program in conjunction with this restaurant not allowing for placement of trash and further constricting this narrow street; the Applicant agreeing to remove the roadbed structure at this location and to have the sidewalk seating conform to their original DCA-approved plans which permitted the same number of seats but in a layout that accounted for proper pedestrian passageway; Kenmare Street being a major pedestrian thoroughfare; additional concerns were raised regarding the two establishments existing next door to each other having the same DBA, the Applicant stating that the underlying corporations were unique and that the businesses would be run as separate and distinct entities; and
- v. **Whereas**, to alleviate any late-night noise emanating from the restaurant due to the operable French doors and to satisfy the public interest standard set forth in the 500-foot rule, the Applicant agreed to close its exterior French doors by 10:00 PM every night, to close the sidewalk café by 10:00 PM every evening, to conform to previous DCA-approved sidewalk café layout and to place any sandwich boards adjacent to the building as opposed to the sidewalk curbside to ensure that the sidewalk remain passable at all times; and
- vi. **Whereas**, this application being subject to the 500 foot rule requiring the Applicant to demonstrate that public interest and public convenience would be served by the granting of a liquor license at this location, where there already is a significant number of licensed establishments in the immediate area, there being 83 active licensed premises within 750 feet of the subject premises, in addition to 14 pending licenses, the Applicant's operating hours and agreed upon stipulations and measures to alleviate any sidewalk congestion establishing public interest; and
- vii. **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 Liquor License, with those stipulations as follows:
 - 1. Premises will be advertised and operated as a plant-based full-service restaurant with the kitchen open and full menu items available until closing every night.

2. The hours of operation will be 8:00 AM to 10:00 PM Sundays through Thursdays and 8:00 AM to 11:00 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 outdoor area for commercial purposes except for certified sidewalk café operating under the temporary Open Restaurants program located immediately adjacent to the storefront with no more than 20 tables and 40 patron seats. Seating will be the same as the previous operator which followed Travertine, LLC. All service will be by wait staff. No roadbed seating.
5. Sidewalk café will close no later than 10:00 PM. All tables and chairs will be removed at this hour. No exterior music, speakers or TVs.
6. Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
7. Will operate independent of Principal's next door restaurant (Juicerie LLC d/b/a The Butcher's Daughter SN#1268130) located at 19 Kenmare, West Unit.
8. Will remove the roadbed structure currently being operated on Elizabeth Street in conjunction with Principal's next door restaurant (The Butcher's Daughter, SN#1268130), and will arrange sidewalk seating as per the originally approved plans. Will remove exterior speaker(s).
9. Sandwich boards in both locations will be adjacent to the building.
10. Will play quiet ambient recorded background music only. No speakers will be placed adjacent to the French doors and all speakers will face towards the interior of the premises. No music will be audible in any adjacent residences at any time.
11. Will not have televisions.
12. Will close all doors and windows at 10PM every night, allowing only for patron ingress and egress.
13. Will not have patron occupancy/service to any portion of the basement of licensed premises.
14. Will not install any French doors, operable windows or open facades in addition to the existing French doors on the eastern side of the licensed premises.
15. Will not make changes to the existing façade except to change signage or awning.
16. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
17. Will not have unlimited 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 bottles of alcohol except for the sale of bottles of beer or wine products. No magnums.
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 doorman or security personnel.
20. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.
21. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new On-Premises Liquor License in the name **Juicerie Nolita, LLC, d/b/a The Butcher's Daughter, 19 Kenmare St. East Unit 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 NYSLA On-Premises Liquor License.

Vote: Passed, 44 Board Members in favor
1 against (C. Dignes)

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



Antony Wong, *Treasurer*
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Dear Sir/Madam:

At its Full Board meeting on January 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

5. Entity to be formed by Iyad Hamsho, 133 Mulberry Street 10013 (OP–Restaurant)

- i. **Whereas**, the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Licensing #1 via video conference to present an application to the NYS Liquor Authority for a new On-Premises Restaurant License to operate a full-service, Italian restaurant on the ground floor of a C6-2G-zoned, six (6)-story mixed-use building (c. 1920) on Mulberry Street between Hester and Grand Streets (Block #236/Lot #7503) the building falling within the designated Special Little Italy District; and
- ii. **Whereas**, the storefront proposed to be licensed was previously operated as a restaurant with an On-Premises Restaurant liquor license (133 Mulberry Operating Corp. d/b/a Aunt Jake's SN#1317186) and a similar method of operation as proposed in this application, the ground floor premises is approximately 3,800 sq. ft.; there will be 15 tables with 44 seats and one (1) bar with eight (8) seats for a total of 52 patron seats; the premises has one (1) door which will serve as patron ingress and egress, and three (3) bathrooms; there is no sidewalk or roadbed seating; and
- iii. **Whereas**, the hours of operation will be from 11:00 AM to 11:00 PM Sundays through Thursdays and 11:00 AM to 12:00 AM Fridays and; there are operable doors which will close by 9:00 PM nightly; music will be 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 and no security personnel; and

- iv. **Whereas**, this application being subject to the 500 foot rule requiring the Applicant to demonstrate that public interest and public convenience would be served by the granting of a liquor license at this location, where there already is a significant number of licensed establishments in the immediate area, there being 65 active licensed premises within 750 feet of the subject premises, in addition to 8 pending licenses, the Applicant having reasonable hours with no outdoor seating, the premises having been previously licensed with slightly later hours and sidewalk seating, the quality of life impacts of this application being the same as or less than the previous occupant; no one from the public came to speak against the application, the Applicant agreeing to stipulations, the public interest being established albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations; 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 Liquor License, with those stipulations as follows:
 - 1. Premises will be advertised and operated as a full-service Italian restaurant with the kitchen open and full menu items available until closing every night.
 - 2. The hours of operation will be from 11:00 AM to 11:00 PM Sundays through Thursdays and 11:00 AM to 12:00 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. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating operating under the Open Restaurants program.
 - 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 all doors and windows at 9PM every night, allowing only for patron ingress and egress.
 - 8. Will not make changes to the existing façade except to change signage or awning.
 - 9. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
 - 10. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
 - 11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
 - 12. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, or velvet ropes or barricades, doorman or security personnel.
 - 13. Will appear before CB2, Man. prior to submitting changes to any stipulation agreed to herein.

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

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends denial of the application for an On-Premises Restaurant License in the name of **Entity to be formed by Iyad Hamsho, 133 Mulberry Street 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 On-Premises Liquor License.

Vote: Passed, 44 Board Members in favor
1 against (C. Dignes)

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



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
Ritu Chattree, *Assistant Secretary*

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January 27, 2023

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 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

6. TQTO Corp. 99 MacDougal St. 10012 (New RW–Restaurant) *(previously unlicensed)*

- i. **Whereas**, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing Committee #1 via video conference to present an application to the NYS Liquor Authority for a new On-Premises Liquor License to operate quick serve Tex-Mex restaurant on the ground floor of a R7-2 with a C1-5 overlay-zoned, five (5)-story mixed-use building (c. 1900) on MacDougal Street between Bleecker and West 3rd Streets (Block #542/Lot #51), the building falling within NYC LPC's South Village Historic District; and
- ii. **Whereas**, the ground floor premises is approximately 500 sq. ft. and is above grade being accessed by walking up five steps; there will be four (4) tables with 12 seats and one food counter with three (3) seats for a total of 15 interior seats; the premises has one (1) door which will serve as patron ingress and egress and one (1) bathroom; the store front infill being fixed without operable doors or windows that open out to the sidewalk; and
- iii. **Whereas**, the hours of operation will be from 12:00 PM to 9:00 PM Sundays, 1:00 PM to 11:00 PM Mondays through Wednesdays and 1:00 PM to 2:00 AM Thursdays through Saturdays, the service of alcohol will end at 11:00 PM on Thursdays and 1:00 AM Fridays and Saturdays; music will be quiet background only; no TVs; there will be no dancing, DJs,

live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and

- iv. **Whereas**, the premises is a previously unlicensed location and was most recently Honest Chops Burgers from approximately 2016 to 2020; and
- v. **Whereas**, the bathroom is located in the rear of the premises and is accessed by walking down a hallway past the unenclosed kitchen prep area in contradiction of NYC DOHMH rules requiring that patrons not pass through a food preparation area to access the bathroom, the Applicant stating that he will construct a wall but did not have detailed plans and had not yet done the work; and
- vi. **Whereas**, the Applicant is currently open and operating without a liquor license in the premises with the afore-mentioned hours and had appeared before CB2, Manhattan's SLA Committee in December/2022 for an On-Premises liquor license application which resulted in a unanimous denial recommendation by CB2, Man., the only difference being the license class, the On-Premises 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 where there are already two existing licenses in the building (Greenwich Village Comedy Club SN#1263017 and Katiroll Company SN#1263071) in addition there being 120 active licensed premises within 750 feet of the subject premises and 13 pending licenses; and
- vii. **Whereas**, the premises being very small and the stated method of operation being quick serve with a substantial take out business, the downgrade of the license class to beer and wine and the reduction of hours of the service of alcohol mitigating the quality of life impacts of another licensed establishment in the building, the Applicant also agreeing to submit photos of the constructed wall separating the kitchen from the bathroom before applying to the NYSLA for their license; and
- viii. **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 Tex-Mex fast food restaurant with the kitchen open and full menu items available until closing every night.
 - 2. The hours of operation will be 12:00 PM to 9:00 PM Sundays, 1:00 PM to 11:00 PM Mondays through Wednesdays and 1:00 PM to 2:00 AM Thursdays through Saturdays, the service of alcohol will end at 11:00 PM on Thursdays and 1:00 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. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating operating under the Open Restaurants program.

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 all doors and windows at all times, allowing only for patron ingress and egress.
8. Will not install or have French doors, operable windows or open facades.
9. Will not make changes to the existing façade except to change signage or awning.
10. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
11. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
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, or doormen/security personnel.
14. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.
15. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed 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 **TQTO Corp. 99 MacDougal St. 10012, unless** the statements presented by the Applicant are accurate and complete and that the conditions agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Restaurant Wine License.

Vote: Passed, 44 Board Members in favor
1 against (C. Dignes)

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



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
Ritu Chattree, *Assistant Secretary*

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January 27, 2023

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

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 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

7. Diglio Corporation, 59 Grand St. 10012 (OP–Restaurant)

Whereas, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on January 3, 2023 the Applicant requested **to lay over** this application for a On-Premises Restaurant Liquor License to February/2023 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, alteration, transfer or other changes to any existing license for **Diglio Corporation, 59 Grand 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, 45 Board Members in favor

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



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
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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 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

- 8. 66 Greene LLC, fka An Entity to be Formed by Alexander Grant d/b/a TBD, 66 Greene St. 10012, Grnd. Fl. & Bsmt. (TW–Clothing Store with Café)**

Whereas, prior to this month's CB2, Manhattan's SLA #1 Licensing Committee Meeting on January 3, 2023 the Applicant requested **to lay over** this application for a Tavern Wine License to February/2023 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, alteration, transfer or other changes to any existing license for **66 Greene LLC, fka An Entity to be Formed by Alexander Grant d/b/a TBD, 66 Greene 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, 45 Board Members in favor

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



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
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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 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

9. Baotea Mulberry, Inc., 122 Mulberry St. 10013 (RW–Restaurant)

Whereas, prior to this month's Community Board 2, Manhattan's SLA Licensing Committee Meeting on January 3, 2023 the Applicant requested to lay over this application for a Restaurant Wine License to February/2023 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, alteration, transfer or other changes to any existing license for **Baotea Mulberry, Inc., 122 Mulberry 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, 45 Board Members in favor

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



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
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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 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

10. L. Pride, on behalf of an entity to be determined, d/b/a TBD, 83-85 MacDougal St. North Store 10012 (OP–Restaurant)

Whereas, prior to this month's Community Board 2, Manhattan's SLA Licensing Committee Meeting on January 3, 2023 the Applicant requested to lay over this application for a On-Premises Liquor License to February/2023 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, alteration, transfer or other changes to any existing license for **L. Pride, on behalf of an entity to be determined, d/b/a TBD, 83-85 MacDougal St. North Store 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, 45 Board Members in favor

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



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
Ritu Chattree, *Assistant Secretary*

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January 27, 2023

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 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

11. Gi Gi Group, LLC d/b/a TBD, 138 Bowery 10013 (OP–Hotel)

Whereas, prior to this month's Community Board 2, Manhattan's SLA Licensing Committee Meeting on January 3, 2023 the Applicant requested to lay over this application for a On-Premises Hotel Liquor License to February/2023 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, alteration, transfer or other changes to any existing license for **Gi Gi Group, LLC d/b/a TBD, 138 Bowery 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, 45 Board Members in favor

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



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
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January 27, 2023

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 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

12. Phangan Inc., 41 Kenmare Street 10012 (OP–Restaurant)

Whereas, prior to this month's Community Board 2, Manhattan's SLA Licensing Committee Meeting on January 3, 2023, the Applicant requested to withdraw this application for an On-Premises Restaurant Liquor License 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 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 **Phangan Inc., 41 Kenmare Street 10012**, until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the 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, 45 Board Members in favor

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



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
Ritu Chattree, *Assistant Secretary*

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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 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

13. Banter Hospitality Group, LLC d/b/a Banter, 169 Sullivan St. 10014 (Existing OP-Change in Ownership/Method of Operation)

i. **Whereas**, the Applicant and his Attorney appeared before Community Board 2, Manhattan's SLA Licensing Committee to present an application to the Liquor Authority for changes in its method of operation and corporate ownership holding an on premise liquor license, albeit to continue to operate a full service restaurant specializing in breakfast, lunch and brunch service within a ground floor storefront located within a six-story, walk-up tenement style residential building (circa 1900) on Sullivan Street between Bleecker and Houston Streets, this building falling within NYC LPC's designated South Village Historic District; and,

ii. **Whereas**, when the Licensee's current liquor license was granted at the NYSLA in 2017, the NYSLA placed restrictions on the license that prohibited the service of alcohol to any exterior areas to meet the public interest standard for the existing license; and

iii. **Whereas**, in light of the previous restrictions imposed on their license, the Licensee is seeking to add service to the exterior roadbed immediately in front of the licensed premise which initially commenced in response to the Covid Pandemic and NYC's temporary program that allowed for such use of the roadbed; and,

iv. Whereas, the Licensee is also seeking a change in the company's corporate structure that holds the liquor license, with the method of operation as an Australian style restaurant specializing in breakfast, lunch and brunch unchanged and remaining the same; and

v. Whereas, the interior storefront is approximately 1500 sq. ft. (800 sq. ft. ground floor and 700 sq. ft. basement, with the basement being for storage purposes), with 26 tables and 34 patron seats, six counter seats but there being no stand up bar, for a total patron seating occupancy of 40, with one bathroom, no TVs; the store front infill being fixed without operable doors or windows that open out to the sidewalk; and,

vi. Whereas, the hours of operation for the restaurant will continue to be Sunday to Saturday from 8 AM to 4 PM, music in the interior will be background only, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; there is a small exterior patio in front but there will not be any seating or service of alcohol to the exterior patio or narrow public sidewalk; and,

vii. Whereas, concerns were raised regarding the structure built by the Licensee during the Covid Pandemic in that Sullivan Street is very narrow with sheds placed on both sides of the street crowding roadway passage, in addition to the sheds being built in a single row not allowing for trash pickup in the neighborhood, street cleaning and a lack of access between sidewalk and roadway, the Licensee in response agreeing to reduce the structure on both ends by 20% to allow for trash pick up and roadway access; and,

viii. Whereas, the Applicant and Licensee executed and had notarized a Stipulations Agreement with Community Board 2, Manhattan which will be incorporated into the Method of Operation for the On Premise License, with those stipulations as follows:

1. The premises will be advertised and operated as a full-service restaurant, specializing the service of brunch with kitchen open and full menu items available until closing every night.
2. The interior hours of operation will continue to be from Sunday to Saturday 8 AM to 4 PM but may go until 11 PM Sunday through Thursday and until 12 AM Fridays/Saturdays in the future, if needed.
3. Will not operate a backyard garden or other outdoor area for commercial purposes except for temporary roadbed seating operating under the temporary Open Restaurants program. Roadbed seating not exceeding the business frontage of licensed premises consists of 11 tables and 22 patron seats. No benches. Existing roadbed structure will also be altered and reduced by 20% on each side to permit access to roadway from sidewalk at both sides of structure.
4. Roadbed seating will close no later than 4 PM every day. All tables and chairs in roadbed will be secured with no patrons remaining outside at this hour. No exterior music, speakers or TVs.
5. No sidewalk/patio seating.
6. Will not install or have French doors, operable windows or open facades.
7. Will close all doors & windows by 4:00 PM.
8. Will play quiet ambient recorded background music only within interior. No music will be audible in any adjacent residences anytime.

9. 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.
10. Will not have TVs.
11. The premises will not have DJ's, dancing, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
12. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
13. There will be no "bottle service" on 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, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a change in method of operation and change in corporate ownership to an existing on premise liquor license to **Banter Hospitality Group, LLC d/b/a Banter, 169 Sullivan St. 10014** **unless** the statements the Applicant has presented are accurate and complete and that the above-stated conditions and existing stipulations agreed to by the Applicant continue to be incorporated into the Method of Operation on the SLA On Premise License.

Vote: Passed, 40 Board Members in favor

5 against (N. Avanesians, C. Dignes, R. Kessler, Z. Roberts, A. Zeldin)

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



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
Ritu Chattree, *Assistant Secretary*

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January 27, 2023

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 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

14. Perry Street Project LLC d/b/a Perry Street, 176 Perry Street 10014 (Corp. Change)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Committee #2 to present an application to the NYS Liquor Authority for a corporate change of ownership to an existing On Premises License (SN 1160761, exp. 4/30/23); the Applicant will continue to operate a restaurant serving American cuisine in an C1-7 zoned, 15-story mixed-use building constructed in 2001 and located on Perry St. and between West and Washington Sts. (Block #637/Lot #7504); and

ii. Whereas, the Applicant will continue operation of its full-service restaurant without change to its method of operation in a premises with an occupancy of approximately 162 persons; the premises has 20 tables with 65 seats and a stand-up bar with no (0) seats; the premises has 1 entrance/exit and 2 patron bathrooms, with access to the cellar by staircase and limited to staff use only; there will be no outdoor seating aside from an outdoor patio and no sidewalk café or roadbed seating under the Open Restaurants program; and

iii. Whereas, the Applicant's agreed-to hours of operation will be 12:00 PM to 11:00 PM seven days a week; music will be quiet recorded background only; there will be no DJ's, no promoted events, no live music or scheduled performances, no cover fees, and no televisions; and

iv. **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 Restaurant On Premises License, with those stipulations as follows:

1. The premises will be advertised and will operate as a full-service restaurant.
2. The hours of operation will be from 12:00 PM to 11:00 PM seven days a week. The premises will open no later than the stated opening time and no patrons will remain after the stated closing time.
3. The Applicant will operate a full-service restaurant with the kitchen open and the full menu 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. It will not have televisions.
6. It will not operate a backyard garden or any outdoor area for commercial purposes including any sidewalk café and/or roadbed seating operated under the Open Restaurants program.
7. It will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
8. Will close all doors and windows at all times, allowing only for patron ingress and egress.
9. It will not install or have French doors, operable windows, or open façades.
10. It will not make changes to the existing façade, except to change the signage or awning.
11. It will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. It will not have unlimited drink or unlimited food & drink specials. It will not have “boozy brunches” and will not sell pitchers of beer.
13. There will be no “bottle service” or the sale of alcohol by the bottle, except for beer and wine products.
14. The Applicant will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. It 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.
16. It will appear before CB2, Manhattan for an alteration to its license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a corporate change to the existing On Premises License (SN 1160761, exp. 4/30/23) for **Perry Street Project d/b/a/ Perry Street, 176 Perry 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 SLA On Premises License.

Vote: Passed, 44 Board Members in favor
1 against (C. Dignes)

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



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
Ritu Chattree, *Assistant Secretary*

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January 27, 2023

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 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

15. Sushi Sase Inc. d/b/a Sushi 456, 456 Hudson Street 10014 (RW & Temp. Retail Permit)

i. **Whereas**, the Applicant appeared before Community Board 2, Manhattan's SLA Committee #2 to present an application to the NYS Liquor Authority for a new Restaurant Wine License and a Temporary Retail Permit; the Applicant will operate a restaurant serving Japanese cuisine in a C1-6 R-6 zoned, six-story mixed-use building constructed in 1925 on Hudson St. between Barrow and Morton Streets. (Block #584/Lot #7501), and located in the Greenwich Village Historic District; and

ii. **Whereas**, the Applicant will operate a full-service restaurant in a previously-licensed premises totaling approximately 650 sq. ft. and with a proposed occupancy of less than 74 persons; there will be 7 tables with 28 seats and 1 stand-up bar with 7 seats, for a total of 35 patron seats; the premises has 1 entrance/exit and 2 bathrooms and will not have a sidewalk café or roadbed seating under the Open Restaurants program; and

iii. **Whereas**, the Applicant's agreed-to hours of operation will be 12:00 PM to 11:00 PM seven days a week; music will be quiet recorded background only; there will be no DJ's, no promoted events, no live music or scheduled performances, no cover fees, and no televisions; and

iv. **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 Restaurant Wine License and the Temporary Retail Permit, with those stipulations as follows:

1. The premises will be advertised and will operate as a sushi restaurant.
2. The hours of operation will be from 12:00 PM to 11:00 PM seven days a week. The premises will open no later than the stated opening time and no patrons will remain after the stated closing time.
3. The Applicant will operate a sushi restaurant with a full-service kitchen, with the kitchen open and the full menu available until closing every night.
4. The premise will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
5. It will not have televisions.
6. The Applicant will not operate a backyard garden or any other outdoor area for commercial purposes, including any sidewalk café and/or roadbed seating operated under the Open Restaurants program.
7. It will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
8. It will keep all doors and windows closed at all times, allowing only for patron ingress and egress.
9. It will not install or have French doors, operable windows, or open façades.
10. It will not make changes to the existing façade, except to change the signage or awning.
11. It will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
12. It will not have unlimited drink or unlimited food & drink specials. It will not have “boozy brunches” and will not sell pitchers of beer.
13. There will be no “bottle service” or the sale of alcohol by the bottle, except for beer and wine products.
14. The Applicant will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
15. It 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.
16. It will appear before CB2, Manhattan for an alteration to its license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends denial of the application for a new **Restaurant Wine License for Sushi Sase Inc. d/b/a Sushi 456, 456 Hudson Street 10014**, unless the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” of the SLA Restaurant Wine License and the Temporary Retail Permit.

Vote: Passed, 44 Board Members in favor, 1 against (C. Dignes)

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



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
Ritu Chattree, *Assistant Secretary*

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January 27, 2023

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 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

16. 177 1st Ave. LLC, d/b/a Figure Eight, 18 Cornelia St. 10014 (Transfer–Restaurant Wine)

i. Whereas, one of the two Applicants appeared before Community Board 2, Manhattan's SLA Committee to present an application to the NYS Liquor Authority for a transfer of a Restaurant Wine License to operate a restaurant in a ground floor storefront located within a six-story, tenement style residential building (circa 1900) in a residentially only zoned R6 district; the premises is located on Cornelia Street between West 4th and Bleecker St with this building falling within NYC LPC's designated Greenwich Village Historic District; and,

ii. Whereas, the storefront proposed to be licensed was previously operated as a restaurant (Pearl Oyster Bar), is roughly 2300 sq. ft. (1300 sq. ft. ground floor and 1000 sq. ft. basement with the basement being for storage and mechanical systems but not for patrons or the service of alcohol), there is a full-service kitchen, 12 tables with 30 patron seats, one stand-up bar with 15 additional seats for a total indoor seated patron occupancy of 45 persons, there is one (1) patron entry and one (1) patron exit and two (2) patron bathrooms, the store front infill being fixed without operable doors or windows that open out to the sidewalk; and

iii. Whereas, the Applicant's hours of operation will be Sundays to Saturdays from 11:00 AM to 12:00 AM, music will be quiet recorded background only; there will be no DJ's, no promoted events, no live music or scheduled performances, no cover fees, and no televisions; and,

iv. **Whereas**, despite not being subject to the Covid Pandemic, the Applicant seeks to operate with a roofed, unsecured structure that, which with the assistance of local government representatives, has been designated by the City as abandoned and removal, this particular structure, as well as the immediately adjacent structure belonging to the adjacent restaurant, the Silver Apricot at 20 Cornelia Street, being the subject of criminal activity, including drug use and drug dealing, and prostitution, much of which was publicized by newspapers with graphic photographs published of the illicit activities, the roadbed structures being the gravamen of complaints from local residents living on the block, in addition to the multiple block associations representing the area (Central Village Block Association/West Village Residents/Carmin Block Association), this location being within a residentially R6 zoned only district, the roadway being very narrow, a structure crowding passage for vehicles, disadvantaging handicap access and emergency response to the area, inappropriate now that the pandemic has waned and the temporary program which initially allowed for the structure ending and being replaced with one that will not allow for such structures in the manner being proposed in this application; and,

v. **Whereas**, there was substantial opposition to this Application from residents living on the block and the local block associations, mostly because the Applicants, who operate the Silver Apricot restaurant next door, are seeking to revitalize the shed that has been abandoned and already designated for removal by the City of New York, the Applicants having a history of not cleaning garbage and refuse accumulating in the roadway, contributing to vermin/rodent problems on the block, the Applicants having an adversarial relationship with neighboring building superintendents, with the City of New York being in the process of replacing the existing temporary program with a new one that may allow for dining in roadways but not with the type of unsecured makeshift structure as is the proposed here; and,

vi. **Whereas**, no one appeared in favor of the application from the Community; and,

vii. **Whereas**, with legitimate questions having been raised about the structure in question, regarding safety and the narrowness of the roadway in question, the structure having been abandoned and designated for removal from the City of NY, with the use of structures and the temporary program coming to an end; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the Restaurant Wine License application for 177 1st Ave. LLC, d/b/a Figure Eight, 18 Cornelia St. 10014; 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 SLA.

Vote: Passed, 39 Board Members in favor

6 against (N. Avaneassians, C. Dignes, R. Kessler, Z. Roberts, R. Sanz, A. Zeldin)

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



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
Ritu Chattree, *Assistant Secretary*

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January 27, 2023

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 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

17. Saint Sabino, LLC d/b/a Pending, 113 Greenwich Ave. 10014 (New OP - Restaurant)

i. Whereas, the Applicants and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Committee to present an application to the NYS Liquor Authority for a new On-Premises Liquor License to operate a full service restaurant serving Italian cuisine in a ground floor corner storefront located within a six-story, tenement style residential building (circa 1903) on the southwest corner of Greenwich Ave. and Jane Street, this building falling within NYC LPC's designated Greenwich Village Historic District; and,

ii. Whereas, the storefront proposed to be licensed was previously operated as a restaurant (Benny's Burrito) with a similar method of operation as proposed in this application, is roughly 3165 sq. ft. (1165 sq. ft. ground floor and 2000 sq. ft. basement with the basement being for storage and mechanical systems but not for patrons or the service of alcohol), there is a full-service kitchen, 16 tables with 52 patron seats, one stand-up bar with 12 additional seats for a total indoor seated patron occupancy of 64 persons, there is one (1) patron entry and one (1) patron exit and two (2) patron bathrooms, the store front infill being fixed without operable doors or windows that open out to the sidewalk; and

iii. Whereas, the Applicant's hours of operation will be Sundays to Wednesdays from 11:00 AM to 12:00 AM, and Thursdays to Saturdays from 11:00 PM until 1:00 AM, music will be quiet

recorded background only; there will be no DJ's, no promoted events, no live music or scheduled performances, no cover fees, and no televisions; there will be a sidewalk café with two (2) tables and four (4) patron seats on Jane Street and nine (9) tables and eighteen (18) patron seats on Greenwich Avenue but there is no roadbed dining or other exterior service of alcohol included with this application; and

iv. 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 on premise liquor licenses within 750 feet of the location proposed to be licensed, with 5 additional pending licenses, the method of operation being similar to what was licensed and operated at the same location in the past without significant conflict, the Applicants are known in the immediate community and operate a similar restaurant in the immediate area, the hours of operation are consistent with a full-service restaurant, the agreed upon stipulations being reasonable, the public interest being established albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations; and

v. 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 Restaurant On Premises License, with those stipulations as follows:

1. The Applicant will operate a full-service restaurant with a full-service kitchen serving Italian fare, with the kitchen open and the full menu available until closing every night.
2. The hours of operation will be Sundays to Wednesdays from 11:00 AM to 12:00 AM, and Thursdays to Saturdays from 11:00 PM until 1:00 AM.
3. Will not install or have French doors, operable windows or open facades.
4. The premise 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 any outdoor area for commercial purposes except for sidewalk café seating operating under the temporary Open Restaurants program located immediately adjacent to and limited to storefront frontage width, following diagram submitted and leaving a minimum clearance of 10' to the curbside for pedestrian passage with no more than two (2) tables and four (4) patron seats on Jane Street and with no more than nine (9) tables and eighteen (18) patrons seats on Greenwich Avenue. No roadbed seating.
6. Sidewalk café will close no later than 11 PM. All tables and chairs will be removed at this hour. No exterior music, speakers
7. It will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
8. It will keep all doors and windows closed at all times, allowing only for patron ingress and egress.
9. Will not have televisions.
10. It will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
11. It will not have unlimited drink or unlimited food & drink specials. It will not have “boozy brunches” and will not sell pitchers of beer.
12. There will be no “bottle service” or the sale of alcohol by the bottle, except for beer and wine products.

13. It 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.

14. It will appear before CB2, Manhattan for an alteration to its license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends denial of the application for a new Restaurant On Premises Liquor License to **Saint Sabino, LLC d/b/a Pending, 113 Greenwich Ave. 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 SLA Restaurant On Premises License.

Vote: Passed, 44 Board Members in favor
1 against (C. Dignes)

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



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
Ritu Chattree, *Assistant Secretary*

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January 27, 2023

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 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

18. WF1 LLC d/b/a Pending, 29 Cornelia Street 10014 (New OP)

i. Whereas, the Applicant and the Applicant's attorney appeared before Community Board 2, Manhattan's SLA Committee to present an application to the NYS Liquor Authority for a new On-Premises Liquor License to operate a Japanese-American fusion restaurant in a ground floor storefront located within a six-story, tenement style residential building (circa 1903) on Cornelia Street between Bleecker and West 4th Streets, this building falling within NYC LPC's designated Greenwich Village Historic District; and,

ii. Whereas, the storefront proposed to be licensed has operated in the past as the Cornelia Street Café, with a similar method of operation, the interior storefront is roughly 2100 sq. ft. with 900 sq. ft. ground floor and 1200 sq. ft. cellar, there is a full-service kitchen, with 12 tables and 24 patron seats and 1 stand up bar with 11 additional patron seats on the ground floor, and 8 tables with 18 patron seats and 1 stand-up bar with 5 additional seats in the cellar, for a total indoor seated patron occupancy of 58 persons, there is one (1) double door patron entry/exit and 4 patron bathrooms, the store front infill being fixed without operable doors or windows with the exception of set of existing double doors for entry/exit from the restaurant to the sidewalk; and

iii. Whereas, the Applicant's hours of operation will be Sundays to Tuesdays from 12:00 PM to 1:00 AM, Wednesdays to Saturdays from 12:00 PM to 2:00 AM, music will be quiet recorded

background only; there will be no DJ's, no promoted events, no live music or scheduled performances, no cover fees, and no televisions; and,

iv. Whereas, the Applicant sought to operate with sidewalk seating but was not able to demonstrate that the width or depth of the sidewalk provided the requisite pedestrian clear path required even under the temporary program implemented during the Covid Pandemic, the sidewalk being very narrow, the area being zoned residential and there having never been legally approved sidewalk seating at this location in the past; and,

v. 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 117 active on premise liquor licenses within 750 feet of the location proposed to be licensed, with 12 additional pending licenses, the method of operation being somewhat similar to what was licensed and operated at the same location in the past, the Applicants having met with the local block associations and residents living on the block, working with and compromising with the existing community and stakeholders, there will be no roadbed dinning or structures built in the roadway, the agreed upon stipulations with the neighbors and block associations being reasonable, the public interest being established albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations; and

vi. 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. Will operate a full-service restaurant with a full-service kitchen serving Italian fare, with the kitchen open and the full menu available until closing every night.
2. The hours of operation will be Sundays to Tuesdays from 12:00 PM to 1:00 AM, Wednesdays to Saturdays from 12:00 PM to 2:00 AM.
3. Will not install or have French doors, operable windows or open facades.
4. The premise 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 any outdoor area for commercial purposes including sidewalk café and/or roadbed seating operating under the Open Restaurants program.
6. It will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
7. It will keep all doors and windows closed at all times, allowing only for patron ingress and egress.
8. Will not have televisions.
9. Will utilize electronic messaging and reservation system; patrons will be notified to prevent patrons waiting or lining up outside on sidewalk or in immediate area of restaurant.
10. It will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
11. It will not have unlimited drink or unlimited food & drink specials. It will not have "boozy brunches" and will not sell pitchers of beer.
12. There will be no "bottle service" or the sale of alcohol by the bottle, except for beer and wine products.

13. It 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.

14. It will appear before CB2, Manhattan for an alteration to its license prior to submitting plans for permanent sidewalk or roadbed seating.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new Restaurant On Premises Liquor License to **WF1 LLC d/b/a Pending, 29 Cornelia 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 SLA On Premises License.

Vote: Passed, 40 Board Members in favor

5 against (N. Avanesians, C. Dignes, R. Kessler, Z. Roberts, A. Zeldin)

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



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
Ritu Chattree, *Assistant Secretary*

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January 27, 2023

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 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

19. Hudson Square Services LLC & Apogee Events, Inc., d/b/a TBD, 75 Varick St., 18th Fl. 10013 (New OP – Catering Facility with Rooftop Terrace)

i. Whereas, the Applicant and the Applicant's attorney appeared before Community Board 2, Manhattan's SLA Committee to present an application to the NYS Liquor Authority for a new On-Premise Catering License to operate on the Eighteenth Floor of an eighteen-story commercial office building (circa 1921) at the corner of Varick and Canal Streets in Hudson Square; and,

ii. Whereas, the premises to be licensed consists of the entire penthouse floor with roughly 3974 sq. ft. interior rooftop space with connecting 6591 sq. ft. exterior terrace, there is a full-service kitchen, with an auditorium/meeting place on the west side and with a long interior extending from west to east to a set of elevators, with 5-15 tables and 60-110 patron seats and three stand up bars with the seating being dependent on the type of event scheduled, with the typical occupancy for catering events being between 150 and 350 patrons, there is one (1) set of large double door leading out to the terrace facing Canal Street with those doors being closed any time there is music being played on the interior for any event taking place at the establishment; and

iii. Whereas, the large terrace runs the length of the building exterior on Canal Street with multiple extensions running along the side of Varick Street facing the Holland Tunnel and a second facing due west overlooking the Hudson River, music on the terrace will be quiet recorded

background only; there will be no DJ's, no promoted events, no live music, no scheduled performances, no cover fees, and no televisions on the exterior terrace; and,

iv. Whereas, the Applicant's hours of operation will be Sundays from 10:00 AM to 12:00 AM, Mondays to Thursdays from 8:00 AM to 12:00 AM, Fridays from 8:00 AM to 1:00 AM and Saturdays from 10:00 AM to 1:00 AM, there will be no outside promoters or buy outs, all events will be managed by the Licensee, all doors and windows to the exterior will be closed whenever music on the interior is greater than that of quiet background music, with the volume of music being monitored via the sound system processor using limiters at decibel levels compliant with and restrained by the sound study and interior/exterior recommendations of Acoustilog Inc, dated October 13, 2022, with the report and recommendations being made a part of the Applicant's stipulations and agreement with the community to satisfy the public interest standard required by the 500 foot rule; and,

v. Whereas, the premises to be license has not previously been licensed for the service of alcohol, the terrace having been built out 3 years ago as a tenant amenity, the Applicant presenting a certificate of occupancy permitting the use/occupancy proposed; and,

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, the Applicants having reached out to those local block associations and community residents in the area, as well as Community Board 1 Man., while also providing a site visit to review the terrace to neighbors and CB2 Man., the Applicant presenting a sound attenuation from Acoustilog Inc., agreeing to all the recommendations and limitations outlined in that report to prevent sound from escaping and impacting those living in the surrounding area, the agreed upon stipulations being reasonable, the public interest being established albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations and Acoustilog sound report; and

vi. 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 its Catering Liquor License, with those stipulations as follows:

1. The licensed premise will consist of interior and exterior (terrace) space on 18th Floor of 75 Varick Street.

2. The business holding the license will be advertised and operated as a catering business.

3. The hours of operation will be Sunday 10 AM to 12 AM, Monday to Thursday from 8 AM to 12 AM, Fridays from 8 AM to 1AM and Saturdays from 10 AM to 1 AM. All patrons will be cleared from the premises and no patrons will remain after stated closing time.

4. There will be no DJ, dancing or live music located outside on exterior rooftop terrace.

5. Music levels outside will be ambient recorded background music only (i.e. low background music limited to 80 dBC and 78 dBA measured 3 feet from any speaker as indicated in initial sound report). Notwithstanding this requirement, which may be more restrictive, at no time will NYC noise regulations be violated. It is also understood that at no time will any music

from the roof be audible in other buildings, become a quality of life issue or impact local residents. Licensee will make best efforts to resolve complaints.

6. There will be a master sound limiter for both interior and exterior that will be installed and calibrated by a certified acoustical engineer (i.e. Acoustilog, Inc.) to initial sound report specifications with levels to remain unchanged and the limiter secured to avoid tampering with exclusive control by senior facility management only. There will be an annual inaugural sound review each spring for the outdoor area conducted by same to ensure compliance with initial sound report and initial levels set.

7. There will be no additional sound equipment utilized in the outdoor terrace (ie speakers, amplifiers, microphones) other than the permanently installed speakers.

8. There will be no televisions or projectors or similar in the rooftop exterior space.

9. All speakers will be installed/placed lower than the existing perimeter wall barriers.

10. Licensee will adhere to Acoustilog, Inc. October 13, 2022 sound report recommendations as presented to CB2, A copy of which is on file.

11. The licensee will make best efforts to not permit guests to create any unreasonable loud noises, yelling, shouting, singing or any other objectionable behavior or use of any noisemakers and will have a staff member to manage guests in the exterior area at all times. The anticipated volume of patron voices is normal conversational volume.

12. The Licensee will obtain all required certificates, permits and related documents including a Certificate of Occupancy prior to opening and will keep current all certificates, permits and related documents.

13. There will be no event where a cover fee is charged or scheduled performances with ticketing for entry.

14. There will be no velvet ropes or barricades used to control patrons.

15. All doors and windows will remain closed anytime music is being playing on the interior.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new Catering Liquor License to **Hudson Square Services LLC & Apogee Events, Inc., d/b/a TBD, 75 Varick St., 18th Fl. 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 SLA Catering License.

Vote: Passed, 44 Board Members in favor

1 against (C. Dignes)

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



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
Ritu Chattree, *Assistant Secretary*

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January 27, 2023

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 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

20. 232 14th Street, LLC d/b/a Between Us, 232 W. 14th St. 10014 Cellar & Sub-Bsmt. 10011 (New OP-Restaurant/Tavern with Rear Yard)

i. Whereas, the Applicants and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Licensing Committee for reconsideration and to present an application to the NYS Liquor Authority for a new On-Premises Liquor License to operate a restaurant in a semi-sub surface storefront within a five-story mixed-use tenement style building (c. 1900) on West 14th Street St. between 7th and 8th Avenues in Greenwich Village; and

ii. Whereas, the ground floor storefront proposed to be licensed was previously operated as a restaurant known as Crooked Knife, the storefront being roughly 2,700 sq. ft. consisting of a 1600 sq. ft. below grade ground floor and 1100 sq. ft. subbasement, the subbasement being for storage, boiler, and office uses only, there is no patron use of the subbasement, the interior storefront having a full service kitchen with 21 tables with 53 patron seats, one (1) seventeen foot stand up bar without any designated bar seating for a total seated patron occupancy of 53 seats; the premises has one (1) entry/exit with an exterior staircase leading down from the public sidewalk which serves as the only patron ingress and egress and one (1) bathroom; and

iii. Whereas, the Applicants also seek to operate in a large rear yard space from the interior storefront through a single rear doorway and staircase, the applicant indicating the unmeasured

rear yard is roughly 1500 sq. ft., with 12 large picnic style tables and 52 exterior patron seats, the rear storefront also having a row of operable casement windows that open out into the rear yard; and

iv. Whereas, the proposed hours of operation are from 6:00 PM to 4:00 AM Monday through Friday, Saturdays and Sundays from 11:00 AM to 4:00 AM, and for the exterior rear yard the proposed hours are from 6:00 PM to 12:00 AM Monday through Friday and from 11:00 AM to 12:00 AM on Saturdays and Sundays; music for the interior will include live music and live DJs on the weekends but despite the live music and DJs the applicants insist that music levels will be quiet background only, with the live music being acoustical jazz music without amplification, and there will be no dancing, no promoted events, no scheduled performances or cover fees; and

v. Whereas, the applicant provided a certificate of occupancy for 232 West 14th St. from 2018 which did not state nor permit eating and drinking use or occupancy to the exterior rear yard and placed a maximum capacity for the interior sub grade cellar level storefront at 64 persons, with concerns being raised as to the sufficiency of the emergency egress from the rear yard and premises to be licensed through the individual doorways and stairwells located at both the front and rear of the premise proposed to be licensed, with the proposed occupancy being in excess of that permitted, there also being no public assembly permit being presented demonstrating the proposed occupancy was reviewed by the NYCFD; and,

vi. Whereas, residents living adjacent to and directly exposed to the premises and rear yard proposed to be licensed appeared on this application opposing the use of the rear yard, explaining that during the COVID pandemic the predecessor restaurant in the same space (the Crooked Knife) tore down a fence separating the two rear yards of 232 West 14th St. and the neighboring building at 234 West 14th St., and without filing any alteration to its existing license with the NYSLA, or seeking permission from the NYC Department of Buildings, had placed tables and seats in the adjacent rear yard and was using both rear yards for eating/drinking and the of service alcohol, with such use and occupancy being in derogation of the terms of its liquor license, while also creating significant intrusions of noise and privacy to their quality of life, with their bedrooms and living quarters facing a rear donut consisting of numerous residential buildings, all of which are exposed to the use of the large rear yards belonging to both these two buildings (232 and 234 W. 14th) with the prior operators also having left their windows open in the rear, playing excessively loud music creating further, unreasonable intrusions on those living in the immediate rear donut, the applicants indicating that the ownership of the two buildings are by the same ownership entity; and,

vii. 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 late night license establishment at this location, the immediate area already being greatly saturated with late-night drinking establishments and liquor licenses, there being 50 active on premise liquor licenses within 750 feet of the location proposed to be licensed, with 4 additional pending licenses, the proposal of operating until 4 AM being inconsistent with the Applicant's statements and application that it seeks to operate as a full service restaurant, the use/occupancy of the rear yard for eating and drinking not being allowed, with valid concerns having been raised as to patron occupancy levels which must include patrons eating/drinking in the rear yard, as well as emergency egress to and

though multiple single doorways coupled with staircases on either sides of those doorways, the Applicant not willing to withdraw the rear yard from the instant application, or operate with more appropriate hours consistent with that of a full service restaurant, with this particular block already being greatly saturated with late night licensed establishments; and

viii. Whereas, upon reconsideration, the Applicant demonstrated a willingness to discontinue the use of the rear yard as there has never been a legal use of the rear yard at this location for eating and drinking purposes, but still sought to operate until 4AM despite its proposed method of operation being that of a restaurant, with the Applicant not having previously held a liquor license at any point in her past; and,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends denial of the application for a new On Premise Liquor License for **232 14th Street, LLC d/b/a Between Us, 234 West 14th Street Cellar & Sub-Bsmt. 10011**; 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; and,

BE IT FURTHER RESOLVED that if this application is considered by the SLA, despite CB2, Manhattan's recommendation to deny this application, CB2 requests that the SLA conduct a 500-foot hearing.

THEREFORE, BE IT FURTHER RESOLVED, that if despite CB2, Man.'s objections to this Application, should the NYSLA not find good cause to deny this Application, CB2 Man. recommends in the alternative that the following stipulations be imposed on any future On Premise Liquor license for **232 14th Street, LLC d/b/a Between Us at 234 West 14th Street Cellar & Sub-Bsmt. 10011**:

1. The premises will be advertised and operated as a full-service restaurant with kitchen open and full menu items available until closing every night.
2. The interior hours of operation will be Sunday 11:00 AM to 12:00 AM, Monday through Thursday from 6:00 PM to 12:00 AM, Fridays from 6:00 PM to 2:00 AM and Saturdays from 11:00 AM to 2:00 AM.
3. The Applicant will not operate a backyard garden or any other outdoor area for commercial purposes.
4. There will be no sidewalk or roadbed structures. No exterior music, speakers or TVs.
5. Will not install or have French doors, operable windows or open façades and will keep closed all doors & windows at all times.
6. Will play quiet ambient recorded background music on the interior only. No music will be audible in any adjacent residences anytime.
7. There will be no TVs and 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.
8. The premises will not have DJ's, dancing, live music, promoted events, any event where a cover fee is charged or any scheduled performances.

9. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.

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

Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits and Certificates.

Vote: Passed, 44 Board Members in favor
1 against (C. Dignes)

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



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
Ritu Chattree, *Assistant Secretary*

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January 27, 2023

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

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

Dear Sir/Madam:

At its Full Board meeting on January 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

21. Thai Smile Restaurant Inc. d/b/a Tue Thai Food, 3 Greenwich Ave, Store #4 10014 (New OP – Restaurant) (laid over)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on January 5, 2023 the Applicant sought more time and requested **to lay over** this application to February/2023, thereafter 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 **Thai Smile Restaurant Inc. d/b/a Tue Thai Food, 3 Greenwich Ave, Store #4 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, 45 Board Members in favor

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



Antony Wong, *Treasurer*
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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 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

22. Hao Noodle and Tea LLC, d/b/a Madam Zhu's Kitchen, 401 Ave. of the America 10014 (New RW—Restaurant) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on January 5, 2023 the Applicant requested **to lay over** this application over to February/2023, 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 **Hao Noodle and Tea LLC, d/b/a Madam Zhu's Kitchen, 401 Ave. of the America 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, 45 Board Members in favor

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



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
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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 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

23. The Beer Garage II, LLC d/b/a The Beer Garage, 118 Christopher St. 10014 (Class Change to OP)(failed to appear)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on January 5, 2023 the Applicant **failed to appear** on this application, providing no information as to why it did not appear before this Community Board on its license application, or seeking to adjourn or lay over the application for a future date for this purpose; 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 **The Beer Garage II, LLC d/b/a The Beer Garage, 118 Christopher 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, 45 Board Members in favor

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



Antony Wong, *Treasurer*
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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 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

24. Cara Jecm LLC, d/b/a Mad Morton, 13-15 Morton St. aka 47 7th Ave. S. 10014 (OP – Restaurant) (Extending operating hours) (laid over to February 2023)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on January 5, 2023 the Applicant requested to lay over this application over to February/2023, 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 **Cara Jecm LLC, d/b/a Mad Morton, 13-15 Morton St. aka 47 7th Ave. S. 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, 45 Board Members in favor

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



Antony Wong, *Treasurer*
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January 27, 2023

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 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

25. Grey Dog Carmine Inc. d/b/a The Grey Dog, 49 Carmine St. 10014 (OP – Alteration) (Withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on January 5, 2023 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 **Grey Dog Carmine Inc. d/b/a The Grey Dog, 49 Carmine 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, 45 Board Members in favor

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



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
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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 19, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

26. Realmuto 117 7th Avenue South LLC, d/b/a Pending, 117 7th Ave. South 10014 (New RW – Restaurant) (laid over to February 2023)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on January 5, 2023 the Applicant requested **to lay over** this application over to February/2023, 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 **Realmuto 117 7th Avenue South LLC, d/b/a Pending, 117 7th Ave. South 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, 45 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 Committee
Community Board #2, Manhattan



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



Jeannine Kiely, Chair
Community Board #2, Manhattan

JK/fl

cc: Hon. Daniel Goldman, Congressman
Hon. Brad Hoylman-Sigal, NY State Senator
Hon. Brian Kavanagh, NY State Senator
Hon. Deborah J. Glick, NY State Assembly
Hon. Grace Lee, State Assembly Member
Hon. Brad Lander, NYC Comptroller
Hon. Michael Levine, Man. Borough President
Hon. Erik Bottcher, NYC Council Speaker
Hon. Christopher Marte, NYC Council Member
Hon. Carlina Rivera, NYC Council Member
Thomas Donohue, Deputy Commissioner of Licensing, NY State Liquor Authority