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COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.manhattancb2.org

P: 212-979-2272 F: 212-254-5102 E: info@manhattancb2.org

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May 28, 2025

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 May 22, 2025, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

IRG Thompson LLC dba Lupa 170 Thompson St 10012 (OP–Restaurant) (Transfer)

- i. Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Committee #1 to present an application to the NYS Liquor Authority for an On-Premises Restaurant Liquor License to operate a casual Italian restaurant located on the ground floor of an eight (8)-story mixed-use building (ca. 1826) on Thompson Street between Bleecker and West Houston Streets (Block #525/Lot #35), the building falling within NYC LPC’s designated South Village Historic District; and
- ii. Whereas**, the ground floor premises being roughly 3,860 sq. ft. (the ground floor is approximately 1,700 sq. ft., the cellar is approximately 2,160 sq. ft. with no patron use of the cellar, the cellar being accessed by a sidewalk hatch) there will be 30 tables with 68 seats and one bar with 10 seats for a total of 30 tables and 78 interior patron seats and a legal occupancy of 90 persons; there is one (1) entrances that serves as patron ingress and egress, two (2) exits and two (2) bathrooms; and
- iii. Whereas**, the hours of operation will be Sundays through Saturdays from 11 AM to 12 AM; music will be recorded quiet background only consisting of music from iPod/CDs/streaming services; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, and no movable barriers; no security personnel or doormen; and
- iv. Whereas**, the application also included roadway and sidewalk seating, the sidewalk seating consisting of two (2) tables and five (5) seats on a raised platform adjacent to the storefront premises that the Applicant believed was within the property line, there being no documents from Department of Buildings or other records to support that belief, the Applicant removing the sidewalk seating from the instant application; the roadbed seating will be adjacent to the

curb on Thompson Street and consist of not more than four (4) tables and ten (10) seats and will end at 10 PM nightly; and

- v. **Whereas** the location has operated with an On-Premises Restaurant Liquor License since approximately 1999 under Red Clam LLC dba Lupa (Lic. ID #0340-23-131648); IRG Thompson LLC is an affiliate of Starr Restaurants and is also owned by the current members of Lupa, with the method of operation and DBA name remaining unchanged; and

- vi. **Whereas**, the Applicant has executed and had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be incorporated into the “method of operation” of the On-Premises Restaurant Liquor License and those stipulations are 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 AM to 12 AM Sundays through Saturdays All patrons will be cleared and no patrons will remain after stated closing time.
 - 3. Will not operate a backyard garden or any outdoor area for commercial purposes except for a roadbed seating operating under the Dining Out NYC program consisting of not more than 4 tables and 10 seats. All service will be from within the roadbed seating boundaries to seated patrons only and will follow all rules and regulations of the Dining Out NYC program. No exterior music, speakers or TVs. There will be no waitstaff service over any barriers or outside the areas indicated as patron areas on submitted diagrams. There will be no host stands, bus or service stations on the sidewalk or in the roadway.
 - 4. Roadbed seating will close no later than 10 PM. All tables and chairs will be secured at this hour.
 - 5. There is no sidewalk seating with this application.
 - 6. There is no patron use of the roofed rear yard area and no use by employees aside from access to storage and trash.
 - 7. Will play recorded background music at conversational levels only so as not to cause a disturbance in any adjacent residences at any time..
 - 8. Will not have televisions.
 - 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 or have French doors, operable windows or open facades.
 - 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: dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel or doormen.
 - 17. Will not add more principals as presented to CB2 with greater than 20% share of business prior to submission of original application to the NYSLA.
 - 18. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

19. Will appear before CB2, Man. for change in method of operation/alteration prior to submitting plans for any sidewalk or other outdoor seating.

vi. **Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the public interest would be served by the granting of the On-Premises Liquor License at this location, there being **97 active licensed premises** within 750 ft. and 10 pending licenses according to LAMP; the Applicant's closing hours and 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

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a On-Premises Restaurant Liquor License in the name of **IRG Thompson LLC dba Lupa 170 Thompson St 10012** **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 NYSLA Liquor License in order to create public interest for the issuance of this liquor license.

Vote: Unanimous, 43 Board Members in favor.

We respectfully request that your agency take action consistent with the positions expressed in the above.

Sincerely,



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



Valerie De La Rosa, Chair
Community Board #2, Manhattan

VDLR/em

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



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Community Board 2 Liquor License Stipulations

The original signed and notarized form must be returned to the CB2 office by Friday, May 16, 2025. If not returned 24 hours prior to CB2s full board meeting, the application will be denied.

I, Stephen Starr as a qualified representative of IRG Thompson LLC dba Lupa located at 170 Thompson Street, New York, NY 10012 agree to the following stipulations:

Application Type: [X] OP Restaurant [] RW [] TW [] Alteration [X] Other: Transfer

[X] Premise will be advertised and operated as a Italian Restaurant

[X] Hours of operation:

Sunday: 11 AM to 12 AM Thursday: 11 AM to 12 AM
Monday: 11 AM to 12 AM Friday: 11 AM to 12 AM
Tuesday: 11 AM to 12 AM Saturday: 11 AM to 12 AM
Wednesday: 11 AM to 12 AM

(Premises will open no later than stated opening time and NO patrons will remain after stated closing time.)

- [X] Will operate a full-service Italian restaurant with the kitchen open and full menu items available until closing every night.
[X] Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
[X] Will not operate a backyard garden or any outdoor area for commercial purposes except for a roadbed seating operating under the Dining Out NYC program consisting of not more than 4 tables and 10 seats. All service will be from within the roadbed seating boundaries to seated patrons only and will follow all rules and regulations of the Dining Out NYC program. No exterior music, speakers or TVs. There will be no waitstaff service over any barriers or outside the areas indicated as patron areas on submitted diagrams. There will be no host stands, bus or service stations on the sidewalk or in the roadway.
[X] Roadbed seating will close no later than 10 PM. All tables and chairs will be secured at this hour.
[X] There is no sidewalk seating with this application.
[X] There is no patroun use of the roofed rear yard area and no use by employees aside from access to storage and trash.
[X] Will play recorded background music at conversational levels only so as not to cause a disturbance in any adjacent residences at any time.
[X] Will not have televisions.
[X] Will close all doors and windows at all times, allowing only for patron ingress and egress.
[X] Will not have patron occupancy/service to any portion of the basement of licensed premises.
[X] Will not install or have French doors, operable windows or open facades.
[X] Will not make changes to the existing façade except to change signage or awning.
[X] Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
[X] Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer.
[X] There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.

Will not have: [X] Dancing [X] DJs [X] Live Music [X] Promoted Events [X] Any event where cover fee is charged
[X] Scheduled Performances [X] Velvet ropes or metal barricades [X] Security Personnel/Doorman.

[X] Will not add more principals as presented to CB2 with greater than 20% share of business prior to submission of original application to the NYSLA.

[X] Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.

[X] Will appear before CB2, Man. for change in method of operation/alteration prior to submitting plans for any sidewalk or other outdoor seating.

Residents may contact the Manager/Owner at the following phone number. Any complaints will be addressed immediately

Name: James Roberts Phone Number: 917 508 2650

Signed: [Signature] Print Name: Stephen Starr Dated: 5-12-25
Sworn to this 12th day of May 2025
Commonwealth of Pennsylvania - Notary Seal
Christin Pond, Notary Public
Notary Public Philadelphia County
My Commission Expires August 20, 2028
Notary Number: 1047989

CB2 and Applicant/Licensee request that the SLA add these stipulations to the method of operation conditions of license