



## COMMUNITY BOARD NO. 2, MANHATTAN

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

October 15, 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 September 18, 2025, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution from August:

**Elmer Kennedy LLC dba Pasquale Jones 86 Kenmare St 10012 (OP–Restaurant) (Class Change) (Lic ID # 0240-22-102503)**

- i. **Whereas**, the Applicant and the Applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 to present a Class Change application from Restaurant Wine to On-Premises Liquor License to continue to operate a wood-fired food and Neapolitan pizza restaurant in the ground floor of a six (6)-story mixed-use, tenement-style building (circa 1900) with 30 residential apartments on the southwest corner of Kenmare and Mulberry Streets (Block #481/Lot #32), the building falling within the Special Little Italy District; and
- ii. **Whereas**, the ground floor storefront is approximately 2,000 sq. ft. with 1,000 sq. ft. on the ground floor and 1,000 sq. ft. in the basement, the basement being used for storage purposes only with no patron use, there are 12 tables and 39 seats and one (1) bar with 12 seats for a total seated patron occupancy of 518 persons; there is one (1) patron entry which serves as patron ingress and egress and two (2) patron bathrooms; there are operable doors and windows on both Kenmare and Mulberry Streets that open out to the sidewalk; the applicant has been operating with sidewalk seating though there is no alteration application included with the instant application to add sidewalk seating; and
- iii. **Whereas**, there is no change in method of operation as part of the instant application from what was agreed to when the Applicant executed a stipulation agreement with CB2, Man. in [June/2015](#), the hours of operation will continue to be from 11AM to 11 PM Sundays and Mondays and 11 AM to 12 AM Tuesdays through Saturdays; music is supposed to be quiet ambient recorded background music; there is no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers and no security personnel/doormen; and
- iv. **Whereas**, the principals of the instant application are also principles of another restaurant within CB2, Man. which is licensed under Kennedy Organics LLC dba Charlie Bird (Lic. ID #0340-23-134978); and

- v. **Whereas**, in [June/2018](#), CB2, Man. previously considered and recommended denial of a proposed upgrade by the Applicant that was identical in every way to the instant application, recommending that the Applicant make a sustained effort to engage residents of 86 Kenmare and ameliorate the very significant and legitimate noise issues from the operations of the restaurant impacting residents ; in [December/2018](#), the Applicant again returned to CB2, Man. for an upgrade to their restaurant wine license while also seeking to extend hours until 2 AM every night, CB2 again recommending denial of the application after hearing the same complaints from the residents as were raised in June/2018, the residents citing continuous violations with the operator's previously agreed upon stipulations as to closing times, music levels, failure to close the sidewalk café and the operable windows by the agreed upon times and a lack of outreach, engagement or responsiveness from the Applicant to their concerns; and
  
- vi. **Whereas**, residents of 86 Kenmare, other nearby residents and the local block association again came to oppose the instant Class Change application, once again citing the same complaints – the type of music played has a lot of bass which travels into the residential apartments on a regular basis, the doors and windows continue to be left open past the agreed upon and stipulated closing time of 9 PM, the premises often remains open past its agreed upon closing time, the sidewalk café operating in a non-compliant manner, having a large speaker located on the ground in the corner playing music, the 10' pedestrian clear path regularly not being maintained, the premises being located on a busy pedestrian corner with a street light and garbage can further adding to the congestion and narrowing the available sidewalk area; the Applicant stating he engages with the neighbors often and turns the music down when receiving complaints, that the music is an R&B playlist which has bass and that he has worked on sound proofing but can only do so much as the building is old; and
  
- vii. **Whereas**, this application being subject to the 500 ft. rule requiring the applicant to demonstrate a recognizable public interest for adding yet another on premise liquor license in an area that is already greatly saturated with licensed establishments, there being 101 active licensed premises within 750 ft. of the subject premises and 12 pending licenses according to LAMP, there also being evidence presented that the operator's previously agreed upon stipulations and method of operation has not been followed as to closing times of the interior restaurant, the exterior sidewalk café, the operable windows/doors to the outside and as to interior music levels, these complaints being the same ones expressed back in 2018, the Applicant unwilling to make adjustments to the method of operation in order to comply with the originally agreed upon stipulations and additionally has made no adjustments to the sidewalk café since CB2's SLA Committee meeting in order to comply with the clear path requirements; and

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the of the application for a new On-Premises Restaurant Liquor License for **Elmer Kennedy LLC dba Pasquale Jones 86 Kenmare St 10012**; and

**THEREFORE BE IT FURTHER RESOLVED** that should this application be considered by the NYSLA, CB2, Man. respectfully requests that this item be calendared to appear before the Full Board of the NYSLA before any license, temporary or otherwise, is issued to this Applicant.

**Vote:** Unanimous, 33 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  
Thomas Donohue, Deputy Commissioner of Licensing, NY State Liquor Authority