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Daniel Miller, *First Vice Chair*  
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Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
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Erik Coler, *Assistant Secretary*

## Community Board No. 2, Manhattan

3 Washington Square Village  
NEW YORK, NY 10012-1899  
[www.cb2manhattan.org](http://www.cb2manhattan.org)

P: 212-979-2272 F: 212-254-5102 E: [info@cb2manhattan.org](mailto:info@cb2manhattan.org)

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

May 30, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**1. 219 Mulberry, LLC d/b/a Ruby's, 219B Mulberry St. 10012 and 219B, LLC d/b/a Ruby's, 219C Mulberry St. 10012 (Existing Restaurant Wine)**

**i. Whereas**, as result of continuing complaints that the Licensee Ruby's (SN #1162545) was not operating its Australian fast casual style café in compliance with its previously agreed upon method of operation and stipulations with its neighbors and with CB2, Man., the Licensee was requested to appear before CB2 Manhattan's SLA Committee to review its method of operation and to review those complaints in an attempt to ameliorate ongoing problems existing between the business and those residents living in the same building; and,

**ii. Whereas**, after expanding its business to add a second (separate and distinct) storefront within a mixed-use, six-story building in January/2017, the Licensee entered into and executed a stipulation agreement with CB2, Man. from which the Licensee agreed would be incorporated in to their method of operation on their liquor license with the NYS SLA, and by such agreement resulted in a recommendation to approve the license subject to those agreed upon stipulations via a deny/unless resolution from CB2, Man. to the NYS SLA in January/2017; and,

**iii. Whereas**, when Ruby's sought to expand its operations to the second storefront within the same tenement style building (circa 1900) in January/2017 there was also opposition presented to that expansion, residents living in the same building with bedroom windows facing an external courtyard voicing significant concerns relating to certain mechanical systems (HVAC and refrigeration compressors) which had been installed and located in the rear exterior of the premises within the courtyard by the Licensee which was loud, not turned off at night and caused vibrations to the surrounding apartments, as well as disruptions by employees from the licensed premises working late

at night using the rear courtyard for business purposes, taking out trash, taking breaks, having conversations, hanging out and on their cell phones while also allowing a rear door to repeatedly bang compounding quality of life issues in the rear courtyard for residents living with a few feet of these late night disturbances and intrusions; and,

**iv. Whereas**, as a result of these concerns the Licensee previously agreed to specifically prohibit use of rear exterior areas of the building/premises by employees, including the service doors leading to rear courtyard after 10 PM every night; and,

**v. Whereas**, despite such agreement residents living in the same building with windows adjacent to the exterior courtyard continued to experience loud and disturbing noise from employees from the restaurant taking out trash and performing other business-related tasks in the rear courtyard after 10 PM on a regular basis, often past midnight, demonstrating a lack of diligence by management to control this problem and a total disregard of the Licensee's previous agreement and stipulations with the adjacent residents, the surrounding Community and CB2, Man.; and,

**vi. Whereas**, residents provided numerous videos of such late-night work activities from employees of the restaurant and undertook a diary to document when the violations had occurred; and.

**vii. Whereas**, a Manager from the Licensee appeared and demonstrated a willingness to correct the late night activities by employees using the courtyard after 10 PM and to strictly adhere to its prior stipulation agreement, the Manager also stating that he had already relocated one compressor from the courtyard and was planning to relocate the other compressor to ameliorate the noise from the mechanical systems, to further address any future complaints in a timely manner, and to work with its residential neighbors to abide by its past agreements essential for the co-habitation of business and the long-standing residents of the building;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends the NYSLA review the noise complaints, and to take all appropriate measures to prevent any further late-night intrusions in the exterior rear courtyard and to enforce the Licensee's existing method of operation on its restaurant wine license.

Vote: Unanimous, with 41 Board members in favor.

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NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**2. Little Italy Speak Easy, Inc., d/b/a Aunt Jake's, 149 Mulberry St. 10013 (OP – expand to 2<sup>nd</sup> floor, alteration method of operation to restaurant, change name to Aunt Jakes)**

**i. Whereas,** the Applicant and his Attorney appeared before CB2 Manhattan's SLA Licensing Committee for an alteration to an existing OP license to expand its interior operation to add a ground/parlor floor level and combine the parlor floor with the basement premises to operate a full-service specialty pasta restaurant and wine bar known as Aunt Jake's, all within a brick three-story, mixed-use townhouse (Circa 1816) on Mulberry Street between Hester and Grand Streets in the historic Little Italy District of Manhattan; and,

**ii. Whereas,** the Applicant previously operated a restaurant called Aunt Jake's at 151 Mulberry Street but he had lost his lease at that address and was now seeking to operator an Italian Restaurant with an identical method of operation at 149 Mulberry Street; and,

**iii. Whereas,** the premises at 149 Mulberry Street has two entrances: the first with stairs up to a parlor floor storefront, the parlor storefront having previously operated as a clothing and handbag store and never previously licensed for the service of alcohol, the second entrance with stairs leading down to a basement premises which previously operated since 2010 as the Mulberry Project and/or My Little Secret Speak Easy (Lic. #1221377;exp. 10/31/2019), a lounge/cocktail bar with accessory outdoor seating in a rear yard; and,

**iv. Whereas,** in the combined interior premises proposed (basement and parlor floors) there will be 28 tables and 67 table seats, 1 bar with 10 bar seats for a total interior patron seating capacity of 77, there will be one TV only, there will not be French doors or operable windows at the front or at the rear

facades of the premises and none is planned for installation, the rear yard being seasonal, for table service and/or dining purposes only, where there will not be any music, no cocktail parties, no exterior heaters and no special events permitted; and,

**v. Whereas**, the Applicant also plans to add a sidewalk café in the future with 2 tables and 4 chairs should it be permissible, and only after he appears before CB2, Man. Quality of Life Committee and subject to a DCA license for this purpose; and,

**vi. Whereas**, the Applicant executed an updated stipulations agreement with CB2, Man. that he agreed would be attached and incorporated on their OP license with respect to the alteration application to combine the parlor and basement levels of the building to operate a full-service restaurant with accessory outdoor dining, and those stipulations are as follows:

1. The combined premises will operate and be advertised as a full-service specialty pasta restaurant.
2. The interior hours of operation will be from 11AM to 12AM Sunday through Thursday, and 11AM to 2AM on Fridays and Saturdays. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a lounge, tavern or sports bar.
4. The premise will have one television.
5. The premises will not permit dancing.
6. All accessory rear yard use will be accessory to the restaurant with table service and/or for seasonal dining purposes only, with no music or exterior speakers, no heaters, no exterior bars and will close by 11 PM Sunday through Thursday and by 12 AM on Fridays and Saturdays. All patrons will be cleared, the lights off and no patrons or staff will remain after stated closing times.
7. If permitted and after appearing before CB2, Man. Quality of Life Committee, will operate a licensed sidewalk café with 2 tables and 4 seats no later than 10PM Sunday through Thursday and no later than 11 PM Fridays and Saturdays. All tables and chairs will be removed at closing and there will be no patrons in the sidewalk café thereafter.
8. The interior premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at any time.
9. All doors and windows will be closed by 9 PM every night.
10. There will be no French doors or operable doors/windows to the front or rear facades of the building and there will be no changes to the existing façade except to change signage or awning.
11. Will obtain a place of assembly permit indicating that basement, first floor and rear yard will operate as one premises.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
13. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
15. The premises will not have dancing, DJ’s, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades.
16. All sidewalk café tables will be reserved for dining patrons only. Licensee will make every effort to ensure the noise and disruption, if any, from the sidewalk café is minimal as possible for neighbors and residents and will take active steps to ensure compliance.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of an alteration to an existing full On Premises license for **Little Italy Speak Easy, Inc., d/b/a Aunt Jake's, 149 Mulberry St. 10013** unless the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the existing "Method of Operation" on the existing On Premise Liquor License.

Vote: Unanimous, with 41 Board members in favor.

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May 30, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**3. Centre Howard, LLC, d/b/a Nickel & Diner, 1 Howard St. 10013 (OP – alteration to extend hours of operation and add service to sidewalk cafe)**

**i. Whereas**, the Applicant and his Attorney appeared before CB2, Manhattan's SLA Licensing Committee for an alteration to existing OP license to add service to a sidewalk café and to extend its hours of operation beyond midnight to continue to operate a full-service diner restaurant serving breakfast, lunch, and dinner in a mixed use 2 story building (Circa 1924) on the corner of Howard and Centre Streets; and,

**ii. Whereas**, the Applicant has only been operating with an on premise license at these premises for nine months, and before opening up his Restaurant the premises previously operated for years as the Lunch Box Buffet 5 Combinations serving Chinese food with communal seating but which closed by 11 PM every night and which was never previously licensed prior to 2017 for the service of alcohol; there also being objections raised by residents upon the Applicant's initial application for an on-premise license subject to the 500-ft. rule; and,

**iii. Whereas**, the Applicant's family also owns the building and performed a gut renovation of the interior premises with some minor changes to the exterior façade of the building, the exterior façade having fixed windows which do not open, the Applicant agreeing upon his initial application for an on-premise license, and again upon the instant alteration application, to maintain fixed windows on its front façade to lessen the noise impacts on the immediate neighborhood; and,

**iv. Whereas**, the Applicant also applied for and obtained a Sidewalk Café permit from the NYC DCA for six tables and 24 seats, and agreed to put away said tables and chairs each evening (but has not done so after initial operation as required by Section 2-55(a) of the NYC Department of Consumer

Affairs regulations for unenclosed sidewalk cafes), per the Applicant appearing before CB2 Man.'s Quality of Life Committee for this purpose but apparently did not understand and/or was advised improperly that he did not need to apply for an alteration of his existing liquor license for the service of alcohol at the sidewalk café, the Applicant ceasing the service of alcohol after being informed of the miscue by the CB2, Man District Office on April 16, 2018, and providing a 30-day notice to CB2, Man. to pursue such alteration with the NYS SLA, the Applicant also agreeing in the future to close the sidewalk café by 10 PM during the week (Sunday through Thursday) and by 11 PM on Fridays and Saturdays; and,

**v. Whereas**, the 3,000 SF interior premises has three patron bathrooms, a dining counter with 21 seats, 18 tables with 56 seats with an additional private dining room with one table and 10 seats for a total interior patron seating capacity of 87, the Applicant agreeing to reduce these patron seat numbers so as to not exceed 74 persons, which is his obligation as the Letter of No Objection from the NYC Building's Dept. dated April 19, 2017 prohibits a greater occupancy; and,

**vi. Whereas**, because the Applicant initially agreed to hours of operation closing by 12 AM every night, hours consistent with his stated method of operation as a diner and local family style restaurant seeking to serve the local neighborhood and not to create a significant impact on the existing neighborhood by closing at a reasonable time with regular restaurant hours, as well as their agreement to maintain a fixed front façade containing noise within the restaurant, CB2, Man. felt that a public interest was being served by adding another OP license to this area despite it being already saturated with liquor licenses, there being 34 existing on premise licenses within a 500-foot radius of the licensed premises and an additional 4 pending on premise licenses within that same radius of the premises; and

**vii. Whereas**, even though the Applicant requested to operate until 2 AM seven days a week, he thereafter agreed to close by 12 AM Sunday through Wednesday and by 1 AM Thursday through Saturday into the future; and

**viii. Whereas**, the Applicant executed an updated stipulations agreement with CB2, Man. that he agreed would be attached and incorporated in to their method of operation on their OP license with respect to the alteration application, and those stipulations are as follows:

1. The premises will operate and be advertised as a full service diner restaurant.
2. The interior hours of operation will be from 11AM to 12AM Sunday through Wednesday, and 11AM to 1AM Thursday through Saturday. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a lounge, tavern or sports bar.
4. The premise will have one television.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes other than a licensed sidewalk café.
7. Will operate a licensed sidewalk café with 6 tables and 24 seats no later than 10PM Sunday through Thursday and no later than 11 PM Fridays and Saturdays. All tables and chairs will be removed at closing and there will be no patrons in the sidewalk café thereafter.
8. The interior premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. All doors and windows will be closed by 9 PM every night.
10. There will be no French doors or operable doors/windows to the front or rear facades of the building and there will be no changes to the existing façade except to change signage or awning.

11. Will not permit occupancy in excess of 74 persons.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
13. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
15. The premises will not have dancing, DJ’s, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of an alteration to an existing full On Premises license for **Centre Howard, LLC, d/b/a Nickel & Diner, 1 Howard St. 10013** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the existing “Method of Operation” on the existing On Premise Liquor License.

Vote: Passed, with 40 Board members in favor, and 1 in opposition (A. Wong).



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May 30, 2018

Director  
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NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**4. My Café, LLC d/b/a Kopi Kopi, 68 W. 3<sup>rd</sup> St 10012 (OP- Alteration to add back yard to license)**

**i. Whereas**, the applicant and applicant's attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application for an alteration to an existing on-premise liquor license (#1269199) to add outdoor seating in the rear yard of their "Indonesian Coffee Bar in Greenwich Village, offering artisanal coffee drinks, Indonesian small plates, ramen and cocktails"; and,

**ii. Whereas**, the licensed premises is located in a five-story (circa 1900) mixed-use building on West 3<sup>rd</sup> Street between Thompson Street and LaGuardia Place in the designated Landmark South Village Historic District in the Greenwich Village neighborhood; and,

**iii. Whereas**, the applicant proposes placing 10 tables with 25 seats in the backyard, more than doubling the current seating for the entire premises, the interior currently being 10 tables and 20 seats; the applicant provided no documentation indicating that the rear courtyard could be used for patron dining, where no patron dining has previously existed; and,

**iv. Whereas**, the existing interior hours of operation are from 7:00 AM to 11 PM Sunday through Wednesday, and 7:00 AM to 12:00 AM Thursday through Saturday, there are no TVs, music is background only, there are no DJs, no promoted events, no scheduled performances or cover fees; and,

**v. Whereas**, the courtyard in question is surrounded by scores of residential apartments, including many with facing bedrooms, and was the focus much neighborhood complaint and frustration in the past as a result of noise generated by commercial uses of backyard spaces, the result of which has been to limit such uses of outside spaces in the courtyard to protect residential quality of life; and,

**vi. Whereas,** the applicant did not make specific outreach to the residential tenants and owners in the surrounding buildings about their plans who would be immediately impacted, but several neighbors, including regular customers of the applicant who would be immediately impacted spoke against the proposal, including a building owner with 9 residential rental units which immediately abut and overlook the proposed rear yard and several residents of the same building in which the rear courtyard is located; the committee also received letters in opposition despite also receiving a letter in support from the Bleecker Area Merchants' & Residents' Association (BAMRA), an organization without members living in the buildings directly affected by the use of the outdoor yard; and,

**vii. Whereas,** the applicant proposes to deploy a polycarbonate para-roof over part of the backyard space to reduce noise impact, said structure not having enclosed sides of covering the entirety of the space but being like a rigid tent, and the applicant did not provide any examples, evidence of permits to construct such an enclosure, or expert testimony as to how this would address community noise concerns, and admitted that it would only muffle and not fully block sound from the use of the backyard; and,

**viii. Whereas,** CB2, Man. opposed the issuance of the current license five years ago primarily due to specific concerns about the potential use of the outside backyard space either current at that time or future use, as the resolution of the time indicates, and said license was issued by the SLA only after applicant removed the outside backyard space from the application and clearly stated it was not a part of the licensed premises and agreed to stipulate to that statement; and,

**ix. Whereas,** the rear yard has never previously been used for commercial use, specifically patron eating and drinking uses, and the elimination of the intrusion into the rear courtyard at the inception of the license created a positive atmosphere; returning the courtyard to this proposed commercial use can reasonably be projected to erode in a significant manner the quality of life of surrounding residential tenants and create a dramatic impact on surrounding and immediately abutting residential owners and tenants;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the presented alteration application seeking to add use of the backyard space for **My Café, LLC d/b/a Kopi Kopi, 68 W. 3<sup>rd</sup> St 10012**; and,

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

Vote: Unanimous, with 41 Board members in favor.

Terri Cude, *Chair*  
Daniel Miller, *First Vice Chair*  
Susan Kent, *Second Vice Chair*  
Bob Gormley, *District Manager*



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NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**5. Joyful Eats Two, LLC d/b/a Mimi Cheng's Dumplings, 380 Broome St. 10012 (New Restaurant Wine)**

**i. Whereas**, the Applicant and Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a restaurant wine license to operate a quick-style Taiwanese Dumpling restaurant within a ground floor storefront of a six-story mixed use building (circa 1910) on Broome Street between Mott and Mulberry Streets in the Nolita neighborhood of lower Manhattan; and,

**ii. Whereas**, the premises was previously operated as a candy store before being recently converted to the fast-casual restaurant specializing in dumplings in 2017, with take-out services, the storefront premises being approximately 700 sq. ft. (in addition to 700 sq. ft. basement ancillary to the business but not for patron uses), with 6 tables and 19 seats in the interior; there are an additional 6 tables and 12 seats in a Department of Consumer Affairs licensed sidewalk café for a total of 31 seats throughout the restaurant, the premises having never previously been licensed for the service of beer and wine, **there currently being no bathroom accessible to patrons** within the storefront premises and the Applicant **failing to present a Valid Certificate of Occupancy or Letter of No Objection from the NYC Building's Dept. permitting eating and drinking uses as the premises**; and,

**iii. Whereas**, in its application the Applicant presented a Letter of No Objection from the NYC Buildings Department dating back to 2010, that could not have been issued to the proposed storefront premises because the proposed premises never previously operated (prior to 2017) for eating and drinking or for the service of alcohol, the Letter of No Objection presented instead being for a separate storefront restaurant (Wild Ginger) operating in an adjacent storefront but not for the proposed storefront premises where the Applicant currently operates; and,

**iv. Whereas**, the hours of operation are from 11:30 AM to 11 PM seven days a week, there are no TVs, music is background only, there are no DJ, no promoted events, no scheduled performances or cover fees; and,

**v. Whereas**, the applicant did not have a plan to construct a bathroom in the premises for patrons instead stating that patrons would be given the option of using a bathroom at Sal's Pizzeria, a separate and distinct business with separate ownership down the block from the Applicant's storefront premises, several storefronts away;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the presented application seeking a new restaurant wine license for **Joyful Eats Two, LLC d/b/a Mimi Cheng's Dumplings, 380 Broome St. 10012**; and,

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

Vote: Passed, with 28 Board members in favor, 11 in opposition (E. Coler, T. Connor, J. Gallagher, R. Goldberg, N. Gottlieb, J. Liff, E. Ma, S. Russo, R. Sanz, S. Sartiano, A. Zelden), and 2 abstentions (K. Berger, G. Silvera-Seamans).

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NY State Liquor Authority  
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Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **6. Torishiki USA, Corp., 292 Elizabeth St., 10012 (New Restaurant Wine)**

**i. Whereas**, the Applicant and Attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new restaurant beer and wine license to operate a high-end reservations-only Japanese Yakitori Restaurant with an international following in an C6-2 zoned six story mixed use c.1900 building on Elizabeth Street between East Houston and Bleecker Streets (block #521/ lot #65) in Greenwich Village, the building falls within the designated NYC Landmark NOHO East Historic District; and,

**ii. Whereas**, the two-story premises is roughly 2,400 sq. ft. (ground floor & basement 1,200 sq. ft. each); there are two (2) tables and 15 table seats, a food counter with 16 seats, and one (1) standup bar with 4 seats, for a total of 35 interior seats, all on ground level with the basement level being used for storage and other non-patron auxiliary uses; usage appears to conform to NYC DOB regulations as indicated by a previously issued Letter of No Objection; and,

**iii. Whereas**, proposed hours of operation are Sunday to Saturday from 11AM to 1AM, applicant having initially submitted proposed hours of 11AM to 12AM to the committee, but revising the application prior to the hearing; music will be quiet background not audible in surrounding residences, there will be no DJ, no promoted events, no live music, no private parties, no scheduled performances or cover fees, there will be no TV's; and,

**iv. Whereas**, a number of local residents appeared in opposition to the application as presented, specifically the late hours of operation; they stated that 1 AM closing hours was too late for the street that is primarily residential in character, especially at night, and where other mid-block commercial spaces close early in the evening; that the previous restaurant at the space observed posted closing

hours no later than 11 PM every night, and was nevertheless greatly disruptive; that the traffic of taxis, uber, lyft and other car services would be substantial to such high-end destination dining venue, the application being to open a NYC branch of a world famous, Michelin-starred Tokyo restaurant popular with international business travelers; and said traffic would be particularly disruptive on such a narrow street; that the frequent deliveries to such a restaurant as the applicant proposes would also disrupt traffic in the narrow street in the early morning hours and by day; residents also expressed concern that the only access to the basement storage space for such deliveries was through a sidewalk hatch door that could not be used without obstructing the entrance to the residential apartments above due to the existing configuration which has been an ongoing issue for many years; and,

**vi. Whereas,** the applicant was willing to agree to certain stipulations, but would not agree to reduced hours of operation; and,

**vii. Whereas,** CB2, Man. shares similar concerns to the local residents in opposition and shares their concerns for impacts on quality of life with operating hours past 12AM; and,

**viii. Whereas,** CB2, Man. would remove their recommendation to deny the issuance of this on-premise liquor license if the applicant entered into a stipulations agreement and agreed to submit same to the SLA and agreed that it would be attached and incorporated in to the method of operation on the restaurant beer and wine license stating that:

1. Premise will be advertised and operated as high-end reservations-only omakase style authentic Japanese Yakitori Restaurant with fixed food service price.
2. The hours of operation will be from 11AM to 12AM, 7 days a week.
3. The premises, will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. The premises not have televisions.
5. Will not operate a backyard garden or any outdoor area for commercial purposes.
6. Will play quiet ambient, recorded background music only. No music will be audible in any adjacent residences anytime.
7. Will keep all doors & existing operable windows closed at all times.
8. Will not make changes to the existing façade except to change signage or awning.
9. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
10. Will not have unlimited drink or unlimited food & 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 wine products.
12. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
13. 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/Doorman.
14. Applicant will, with the approval of the NYC Landmarks Commission, change the bulkhead hatch so that usage does not obstruct the neighboring doorway.
15. Ask all car services to pick up at the corner of Houston Street rather than on Elizabeth and ask their customers to make such arrangements.

**ix. Whereas,** the applicant contacted the local block associations in the area and they appeared in opposition as indicated above;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of **Torishiki USA, Corp., 292 Elizabeth St., 10012** on its application seeking a beer and wine license; and

**THEREFORE BE IT FURTHER RESOLVED** that should this application be considered by the SLA, CB2, Man, respectfully requests that this item be Calendared to appear before the Full Board of the SLA for determination and that those stipulations indicated above be imposed on the license.

Vote: Passed, with 40 Board members in favor, and 1 in opposition (R. Sanz).

Terri Cude, *Chair*  
Daniel Miller, *First Vice Chair*  
Susan Kent, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Erik Coler, *Assistant Secretary*

## Community Board No. 2, Manhattan

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May 30, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **7. Topsy Shanghai Restaurant Management, Inc., d/b/a Topsy Shanghai Restaurant, 228 Thompson St. 10012 (New OP – Restaurant)**

- i. Whereas**, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application for a new on premise liquor license to operate a full-service Asian Restaurant in an R-2 zoned five-story, mixed use 1900 building on Thompson Street between West 3<sup>rd</sup> Street and Bleecker Streets (block #537/ lot #11) in Greenwich Village, the building falls within the designated South Village Historic District; and,
- ii. Whereas**, the two-story premises is approximately 3,000 sq. ft., with 2,000 sq. ft. in the ground floor store level and an addition 1,000 sq. ft. in the basement and appears to have a valid Certificate of Occupancy for this usage; and,
- iii. Whereas**, the premises will have 14 tables with an aggregate of 54 seats and one (1) bar with eight (5) seats, for a total of 59 seats and a maximum occupancy of 74, and all seating and service will be on the ground floor, with the basement being used for storage and ancillary purposes only and off limits to patrons; and the applicant stipulated that they would not seek a sidewalk café license now or in the future; and,
- iv. Whereas**, the applicant's proposed hours of operation will be from Sunday through Saturday (every night of the week) 11:00 a.m. to 11:00 p.m.; and the committee received a letter in support of the application by the Bleecker Area Merchants' and Residents' Association (BAMRA); and,



v. **Whereas**, the premises will operate only as a restaurant and never as a lounge, tavern, or sport bar, entertainment consisting of one (1) single television of 60” or less to be located behind the bar and kept on “mute” (without sound) at all times, and quiet ambient background music only, which will never be audible in adjacent residences, there will be no DJ, no promoted events, no cover fees, no velvet ropes, no movable barriers; and,

vi. **Whereas**, the applicant signed and notarized a stipulations agreement with CB2 which includes the following:

1. This will be advertised and operated as an Asian Restaurant only.
2. The hours of operation will be Sunday to Saturday (7 days a week) from 11:00 a.m. to 11:00 p.m.
3. Will operate as a full service restaurant, specifically an “Asian Restaurant” with the kitchen open and full menu items available until closing every night.
4. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
5. There will be no more than one (1) television that is no larger than 60.”
6. Television will be behind the bar and will be kept on “mute” (no sound) at all times.
7. The premises will not operate a backyard garden, or any outdoor area for commercial purposes (stipulation does not extend to licensed sidewalk cafés).
8. Will not have a sidewalk café now or in the future.
9. The premises will play quiet ambient, recorded background music only. No music will be audible in adjacent residences at any time.
10. Will not install French doors, operable windows, or open façades.
11. Will not make change to the existing façade except to change signage or awning.
12. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
13. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
14. There will be no “bottle service” on the sale of bottles of alcohol except for the sale of bottles of wine products.
15. The premises will not permit dancing.

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of the new On Premise license for **Tipsy Shanghai Restaurant Management, Inc., d/b/a Topsy Shanghai Restaurant, 228 Thompson St. 10012, unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 41 Board members in favor.

Terri Cude, *Chair*  
Daniel Miller, *First Vice Chair*  
Susan Kent, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Erik Coler, *Assistant Secretary*

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May 30, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**8. Zia Maria Little Italy Inc., d/b/a Zia Maria, 138 Mulberry St. 10013 (New OP-Restaurant)**

- i. Whereas**, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application for a new on premise liquor license to operate a full-service Family-Style Italian Restaurant in a R-8 zoned six-story, mixed-use 1915 building on Mulberry Street between Hester and Grand Streets (block #237/ lot #7501) in the Little Italy neighborhood; and,
- ii. Whereas**, the premises is 1,241 sq. ft. and will have a total of 12 tables with 44 seats and a small service bar only without bar seats; premises will also include a basement of unspecified size which will not be used or accessible by patrons, no sidewalk café was included in the application, and the NYC Department of Buildings has issued a Letter of No Objection to eating and drinking establishment in the ground floor premises; and,
- iii. Whereas**, the applicant's proposed hours of operation will be Sunday through Thursday from 11AM to 11PM, and Friday and Saturday from 11AM to 12AM; and,
- iv. Whereas**, the applicant stipulated that they would close all doors and windows no later than 10 pm every night, would operate only as a restaurant and never as a lounge, tavern, or sport bar, and entertainment will consist of quiet background music only, there will be no DJ, no televisions, no promoted events, no cover fees, no velvet ropes, no movable barriers; and,
- v. Whereas**, the applicant signed and notarized a stipulations agreement with CB2, Man. which includes the following:

1. This will be advertised and operated as a family-style Italian Restaurant only.

2. The hours of operation will be Sunday to Thursday from 11AM to 11PM, and Friday and Saturday from 11AM. to 12AM.
3. Will operate as a full-service restaurant, specifically a “family-style Italian Restaurant” with the kitchen open and full menu items available until closing every night.
4. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
5. There will be no televisions.
6. The premises will not operate a backyard garden, or any outdoor area for commercial purposes (stipulation does not extend to licensed sidewalk cafés).
7. The premises will play quiet ambient, recorded background music only. No music will be audible in adjacent residences at any time.
8. All doors and windows will be closed by 10 PM every night.
9. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. There will be no all you can eat/all you drink special or boozy brunches, or pitchers of beer.
11. There will be no “bottle service” on the sale of bottles of alcohol except for the sale of bottles of wine products.
12. The premises will not permit dancing.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of the new On Premise license for **Zia Maria Little Italy Inc., d/b/a Zia Maria, 138 Mulberry St. 10013**, unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 41 Board members in favor.

Terri Cude, *Chair*  
Daniel Miller, *First Vice Chair*  
Susan Kent, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Erik Coler, *Assistant Secretary*

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May 30, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

**9. Paraiso Group, LLC d/b/a TBD, 525 Broome St. 10013 (OP – LAYOVER requested until June/2018]**

**Whereas**, prior to CB2, Manhattan's SLA Licensing Committee #1 Meeting on May 8th, 2018 the Applicant requested **to lay over** this application for a corporate change to an existing restaurant on premise license and indicated that they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Paraiso Group, LLC d/b/a TBD, 525 Broome 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 SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

Terri Cude, *Chair*  
Daniel Miller, *First Vice Chair*  
Susan Kent, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Erik Coler, *Assistant Secretary*

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May 30, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**10. 132 Mulberry St. Rest., Inc. d/b/a Umberto's Clam House, 132-138 Mulberry St. 10013 (OP – Restaurant) (laid over)**

**Whereas**, prior to CB2, Manhattan's SLA Licensing Committee #1 Meeting on May 8th, 2018 the Applicant requested **to lay over** this application for a corporate change to an existing restaurant on premise license and indicated that they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed; and;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **132 Mulberry St. Rest., Inc. d/b/a Umberto's Clam House, 132-138 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 SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

Terri Cude, *Chair*  
Daniel Miller, *First Vice Chair*  
Susan Kent, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
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May 30, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**11. Val City Lounge, LLC, d/b/a N/A, 201 Lafayette St. 10012** (OP – Eating/Drinking Establishment) (laid over)

**Whereas**, at this month's CB2, Manhattan's SLA Licensing Committee #1 Meeting on May 8th, 2018, the Applicant appeared but his Attorney did not, and therefore requested **to lay over** this application for a corporate change to an existing restaurant on premise license and stated that he will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed; and;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Val City Lounge, LLC, d/b/a N/A, 201 Lafayette St. 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

Terri Cude, *Chair*  
Daniel Miller, *First Vice Chair*  
Susan Kent, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Erik Coler, *Assistant Secretary*

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May 30, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**12. Play Earth, Inc. d/b/a Bohemian NY, 57 Great Jones St. 10012** (OP – Restaurant) (expansion of space) (laid over)

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #1 Meeting on May 8th, 2018, the Applicant requested to lay over this application for an alteration to an existing On Premise liquor license;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Play Earth, Inc. d/b/a Bohemian NY, 57 Great Jones St. 10012** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

Terri Cude, *Chair*  
Daniel Miller, *First Vice Chair*  
Susan Kent, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
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May 30, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**13. 320 West Broadway Diner Corp., d/b/a TBD, 320 W. Broadway 10013** (OP – Diner/Restaurant) (Operation as 24 hour diner at base of Soho Grand with alcohol service until 2AM Sun-Wed and 4AM Thur-Sat, includes 1,600 sq. ft. outdoor dining area open until 11PM Sun-Wed/12AM Thur-Sat.) (laid over to June)

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #1 Meeting on May 8th, 2018, the Applicant requested to **lay over** this application for an alteration to an existing On Premise liquor license;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **320 West Broadway Diner Corp., d/b/a TBD, 320 W. Broadway 10013** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.



Terri Cude, *Chair*  
Daniel Miller, *First Vice Chair*  
Susan Kent, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Erik Coler, *Assistant Secretary*

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May 30, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**14. Elmer Kennedy, LLC, d/b/a Pasquale Jones, 86 Kenmare St. 10012 (OP – Restaurant)(Class Change) (laid over to May)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #1 Meeting on May 8th, 2018, the Applicant requested to **lay over** this application to upgrade its restaurant wine license to a full on-premise liquor license;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on-premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Elmer Kennedy, LLC, d/b/a Pasquale Jones, 86 Kenmare St. 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

Terri Cude, *Chair*  
Daniel Miller, *First Vice Chair*  
Susan Kent, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Erik Coler, *Assistant Secretary*

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May 30, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **15. Bondi Sushi, LLC, d/b/a N/A, 251 Mulberry St. 10012 (RW – Restaurant) (withdrawn)**

**Whereas**, prior to CB2, Manhattan's SLA Licensing Committee #1 Meeting on May 8th, 2018, the Applicant requested **to withdraw** this application from further consideration and did not appear to review and discuss this application for on premise license;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed alteration or changes to any existing license for **Bondi Sushi, LLC, d/b/a N/A, 251 Mulberry St. 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

Terri Cude, *Chair*  
Daniel Miller, *First Vice Chair*  
Susan Kent, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Erik Coler, *Assistant Secretary*

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May 30, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**16. 316 Bowery, LLC d/b/a Saxon and Parole, 316 Bowery 10012 (OP – LAYOVER requested until June/2018]**

**Whereas**, at this month's CB2, Manhattan's SLA Licensing Committee #1 Meeting on May 8th, 2018 the Applicant requested **to lay over** this application for a corporate change to an existing on premise license and indicated that they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed; and;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **316 Bowery, LLC d/b/a Saxon and Parole, 316 Bowery 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

Terri Cude, *Chair*  
Daniel Miller, *First Vice Chair*  
Susan Kent, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Erik Coler, *Assistant Secretary*

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May 30, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**17. 62 Greenwich, LLC d/b/a Greenwich Steak House FG, 62 Greenwich Ave. 10011 (OP – Restaurant – Alteration to add Sidewalk Café)**

**i. Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing Committee in May/2018 to present an alteration application to an existing on-premise liquor license SN#1298223 to add a New York City Department of Consumer Affairs Licensed Sidewalk Café #2051460-DCA in front of the premises with 8 Tables and 16 Seats; the premises is operated as a Full Service Restaurant with a Steakhouse theme serving Lunch and Dinner 7 days a week and Brunch on the Weekends; and,

**ii. Whereas**, the existing on-premise liquor license SN#1298223 is governed by an extensive set of stipulations, which are outline in CB2’s September/2016 resolution; all of those stipulations will remain in effect with the exception of the addition of the sidewalk café; and,

**iii. Whereas**, the Applicant executed a stipulations agreement agreeing to the following additional stipulations (Addendum to Stipulations Agreement dated 9/22/2016 for SN#1298223, 62 Greenwich, LLC) which they agreed would be incorporated into the existing “method of operation” on the existing and any reissued on-premise liquor licenses as follows:

1. All previously agreed to stipulations will remain in effect, including those stipulations in the executed stipulations agreement dated 9/22/2016.
2. Licensee (identified as “Tenant” in agreement) continues to agree to at all times adhere to an agreement provided to CB2 Manhattan dated September 13, 2016 by and among RG 910 FRANKLIN LLC, FRANKLIN AVE INVESTORS LLC, ELIZABETH ASSOCIATES, L.L.C., (collectively "62 Greenwich Owner"), 62 GREENWICH LLC and FRANK GOCAJ

(collectively "Tenant"), and ROBERT MICHELETTO and BRIGITTE KLEINE, (collectively "Adjacent Property Owner").

3. The alteration application presented in 5/2018 is only to add a DCA Licensed Sidewalk Café, which will have no more than 8 Tables and 16 Seats.
4. The DCA Licensed Sidewalk Café will at all times adhere to all DCA regulations and always be set up and conform to plans on file with the DCA.
5. All Sidewalk Café tables and chairs will be stacked at the closing of the sidewalk café and be removed from the sidewalk at the closing of the restaurant.
6. The Hours of Operation for the Sidewalk Café will be Sunday to Wednesday from 10AM-10:30PM and Thursday to Saturday from 10AM-11:30PM.
7. No Patrons will remain within the sidewalk café at the stated sidewalk café closing time.

**iv. Whereas,** no community members including those who were party to the original stipulations agreement appeared in opposition and indicated via email that there were no objections to the addition of a sidewalk café;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the above described alteration application to the existing Restaurant On Premise Liquor License for **62 Greenwich, LLC, d/b/a Greenwich Steak House FG, 62 Greenwich Ave. 10011** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the existing "Method of Operation" on the SLA On-Premise Liquor License.

Vote: Unanimous, with 41 Board members in favor.

Terri Cude, *Chair*  
Daniel Miller, *First Vice Chair*  
Susan Kent, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Erik Coler, *Assistant Secretary*

## Community Board No. 2, Manhattan

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

May 30, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **18. Lao Ma Ma La Tang, Incorporated d/b/a N/A, 44-58 E. 8th St. 10003 (RW – Restaurant)**

**i. Whereas**, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new restaurant wine license for a Chinese restaurant that will focus on Chinese food including hotpot, hot spicy stew and other traditional Chinese food; and,

**ii. Whereas**, this application is for a new restaurant wine license; the premises is located in a in a mixed-used residential/commercial building located on the ground floor on the corner of East 8<sup>th</sup> Street and Mercer St. for a roughly 3,500 sq. ft. premise (2,000 sq. ft. ground floor and 1,500 sq. ft. basement – no patron use of basement), with 17 tables and 62 seats, there is no stand-up bar; there are no other outdoor seating areas and a Certificate of Occupancy was provided; and,

**iii. Whereas**, the hours of operation will be from 7AM to 11PM 7 days a week, there is no sidewalk café included with this application, all doors and windows will be closed at 9PM, music will be quiet background only consisting of music from ipod/CDs (i.e. no active manipulation of music – only passive prearranged music), there will be no DJ, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

**iv. Whereas**, the applicant executed a stipulations agreement with CB2, Man. that they agreed would be attached and incorporated in to the method of operation on the new restaurant wine SLA license stating that:

1. This application is for a new restaurant wine license for a Chinese restaurant that will focus on Chinese food including hotpot and hot spicy stew.

2. The hours of operation will from 7AM to 11PM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will operate a full service restaurant; specifically a restaurant specializing in Chinese food as described with the kitchen open and full menu items available until closing every night.
4. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
5. The premise will have not have televisions or projectors.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes not including a licensed sidewalk café.
7. A sidewalk café is not included in this application.
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. All doors and windows will be closed at 9PM every night and anytime there is music.
10. Will not install or have French doors, operable windows or open facades.
11. Will not make changes to the existing façade except to change signage or awning. There are existing sliding doors.
12. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
13. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
14. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
15. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
16. The premises will not have dancing, DJ’s, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.

**v. Whereas**, there are currently approximately 6 On Premise Liquor Licenses and an unknown number of Beer and Wine Licenses within 500 ft of the premises; and,

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a new restaurant wine license for **Lao Ma Ma La Tang, Incorporated, 44-58 E. 8th St. 10003** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 41 Board members in favor.

Terri Cude, Chair  
Daniel Miller, First Vice Chair  
Susan Kent, Second Vice Chair  
Bob Gormley, District Manager



Antony Wong, Treasurer  
Keen Berger, Secretary  
Erik Coler, Assistant Secretary

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May 30, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**19. Pasta & Potatoes, Inc., d/b/a Village Lantern, 167 Bleecker St. 10012 (OP – Bar/Restaurant – Corporate Change SN#1024128)**

**i. Whereas**, the applicant, Ozge Guven-Brady, and her attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a corporate change application for an existing On-Premise Liquor License; the current Principal and owner is the applicant's mother who has not been directly involved in the day to day operations of the existing business for many, many years and now seeks to transfer the current license to her daughter as the sole principal, Ms. Guven-Brady who along with her 2 siblings has been involved in the daily business operation known as the Village Lantern for many years; and

**ii. Whereas**, the existing business operates Sunday from 10AM to 2AM, Monday to Thursday from 11AM to 2AM and Friday to Saturday from 11AM to 4AM; the business is located in a 5,000 SF (2,500 basement/2,500 ground floor) space in a five-story mixed use building in a landmarked building (circa 1900) in a historic, landmarked neighborhood on Bleecker Street between Thompson and Sullivan Streets; there are 35 tables and 68 seats and one standup bar with no seats; there are currently no permits issued by the New York City Department of Buildings for any basement usage other than for storage and the existing letter of no objection for eating drinking use is limited to the ground floor only for 74 or less patrons; and

**iii. Whereas**, for a over a decade the existing business operation has often been a persistent source of noise and noisy crowds, particularly late at night but also during the day when sporting events occur, blasting music through its open doors out to the public sidewalk and for years has been *operating a comedy club in the basement with alcohol service without any alteration to the existing license which does not include the basement as part of their diagramed premise for patrons and contrary to NYC*



*DOB Building Regulations as evidenced by current outstanding DOB violations*; the applicant states that they have gone to great lengths to address those issues, but any recent changes have only come about as the result of enforcement related to illegal use of the basement by the New York City Department of Buildings and a partial vacate order issued by the NYC Department of Buildings, DOB has issued many violations in connection with the illegal use; for decades, the licensee ignored all safety and other regulations and used the basement illegally and to date there is still no resolution to the DOB issues and many violations remain unresolved and open; and,

**iv. Whereas**, the long term illegal use of the basement for the service of alcohol has been raised multiple times to the New York State Liquor Authority; it appears that no enforcement by the SLA took place for this premises; over the years the premises has often been operated well beyond its legal capacity;

**v. Whereas**, based on previous testimony over the years and from observation over time by members of the community who have appeared and sent correspondence over the years and observation by members of the Committee the following complaints have been noted as follows:

1. Entertainment level music and noise emanating from the premises on intermittent late afternoon and early evening hours from DJs, Live Music or Sports Programming on many TVs, up to 10 TVs at certain times, in violation of NYC Noise Code Laws and Ordinances, particularly on weekends and also particularly in warm weather months because the large accordion doors which front the premises often remain open.
2. Contrary to existing stipulations, the large accordion doors and windows which front the premises are not closed on a regular basis resulting in entertainment level music and noise emanating from the premises from DJ's, Live Music or Sports Programming on many large flat screen TVs, up to 10 TV's at certain times, in violation of NYC Noise Code Laws and Ordinances after 11 pm, particularly on weekends in violation of NYC Noise Code Laws and Ordinances and also particularly in warm weather months.
3. The Licensee appears to regularly violate Department of Buildings and other codes as they relate to Occupancy in excess of 74 persons on the ground floor resulting in unsafe conditions, which may be a threat to public safety, particularly on weekends; the licensee indicates 68 interior seats and no seats at the bar, but on busy nights, seats are occupied and there are many standees.
4. The Licensee does not possess a Place of Assembly Permit allowing occupancy above 74 persons but the Licensee allows more than 74 persons into the premises on many weekend evenings.
5. The Licensee has operated an illegal comedy club in the basement and the comedy club has been advertised online and by "barkers" on the street steering customers into the basement, which is contrary to approved uses by the NYC Buildings Department in that patron occupancy is not legally allowed in the basement.
6. The Licensee has had an unauthorized bar and illegally serves liquor to patrons and allows patrons to consume alcohol in the basement of the premises.
7. The Licensee has illegally extended their licensed premises into the basement and added an additional standup bar without filing the proper documentation or notice with CB2, Man. or the Liquor Authority.

**vi. Whereas**, the existing licensee, applicants herein and her siblings have admitted to operating the premises for many years without the direct involvement of the current principal, have a long documented history of quality of life complaints with CB2, Man. which the applicants have repeatedly

promised to resolve in the past but never have, resulting in four license denial recommendations to the SLA from CB2 Man. (April/2012 renewal, February/2014 license transfer, April/2014 renewal and May/2015 license transfer); and

**vii. Whereas**, even though this establishment has been one of the most significant contributors to excessive noise over the years along the Bleecker Street Corridor with over 55 On Premise liquor licenses within 500 feet of this particular establishment, the applicants, who are current and/or former members of Bleecker Area Merchants' & Residents' Association ("BAMRA"), for many years have refused to acknowledge the ongoing problems with the establishment, have denied that there are issues, have failed to provide any recommendations to resolve the noise problems and instead question whether they have to close their doors during the day, evening or at night when entertainment level music is blasting out of the premises onto the public sidewalk; and,

**viii. Whereas**, multiple videos in the past have been presented to CB2 Man.'s SLA Committee demonstrating the open accordion doors late at night with entertainment level music emitting from the establishment out onto the public sidewalk and with barkers on the public sidewalk in front of the premises advertising certain entertainment being provided within the premises; and

**ix. Whereas**, as current and/or former members of BAMRA it was felt that the applicants should be taking much greater responsibility for their prior actions within their own neighborhood, that they should not only be working with the surrounding neighborhood and residents to alleviate and to ameliorate the on-going problems at this establishment but should also be shutting its exterior doors at all times, preventing crowds and barkers from gathering on or about the public sidewalk in front of the premises and instead setting an example for other businesses to follow in a mixed use neighborhood already over-saturated with late night bars and entertainment establishments; it is noted that there has been some improvement in the last year, but this is a day late and a dollar short considering the long-term flouting of laws and public safety and changes have only resulted from enforcement from the Department of Buildings; and

**x. Whereas**, in CB2, Manhattan's original resolution in regards to the initial application of the current licensee dated June 19<sup>th</sup>, 1997 it states in part:

**“Whereas**, nine feet of French doors kept open in clement weather and a DJ booth (as well as occasional live music) raise the issue of potentially loud noise impacting the street. During considerable discussion, the applicant assured CB2-Man. that it installed soundproofing, will keep the music level down so as not to disturb the residents, and has been and will be responsive to neighbor's complaints; and”

**xi. Whereas**, when the existing licensee appeared before CB2, Man. on December 22, 2005, the licensee and her family agreed that “no changes would be made to the current operation” and that “music would be background only”; and

**xii. Whereas**, there is a current partial vacate order issued by the DOB on January 7, 2017 which remains in effect for the basement portion of the premises associated with DOB Complaint# 1440580 and there are currently 11 open ECB Violations issued by the New York City Department of Buildings, which are indicated as in violation and open with no compliance recorded; some penalties have been paid, but there remain \$7,300 in unpaid fines; and,

**xiii. Whereas**, the 11 open ECB Violations are summarized below:

1. ECB VIOLATION# 35212746Z, 1/6/2017 "FAILURE TO PROVIDE UNOBSTRUCTED EXIT PASSAGEWAY. NOTED: NO CLEAR UNOBSTRUCTED EXIT PASSAGEWAY. NOTED: NO CLEAR UNOBSTRUCTED EGRESS PASSAGEWAY FROM CELLAR LEVEL COMEDY CLUB FOR APPROX 50 PERSONS. VACATE CELLAR" REMEDY: REMOVE ALL OBSTRUCTIONS, IN VIOLATION, VIOLATION OPEN, NO COMPLIANCE RECORDED
2. ECB VIOLATION# 35219155Z, 1/6/2017 "OCCUPANCY CONTRARY TO THAT ALLOWED BY BLDG DEPT RECORDS IN THAT CELLAR IS NOW ARRANGED & OCCUPIED AS PART OF COMEDY CLUB ON 1ST FL. STAGE & SEATING INSTALLED. THERE WERE APPROX 50 PERSONS IN CELLAR AT TIME OF IN" REMEDY: DISCONTINUE ILLEGAL OCCUPANCY, , ADMIT/IN-VIOLATION, VIOLATION OPEN, NO COMPLIANCE RECORDED
3. ECB VIOLATION# 35230014M, 2/16/2017 "FAILURE TO COMPLY WITH THE COMMISSIONER'S ORDER CONTAINED IN SUMMONS/VIOLATION #35212746Z ISSUED ON 01/06/17 AND TO FILE A CERTIFICATE OF CORRECTION PURSUANT TO 28-201.1 AND 1RCNY 102-01. RMDY: COMPLY WITH COMM" REMEDY: COMPLY WITH COMMISSIONER'S ORDER AND/OR FILE A CERTIFICATE OF CORRECTION, IN VIOLATION, VIOLATION OPEN, NO COMPLIANCE RECORDED
4. ECB VIOLATION# 35230015Y, 2/16/2017 "FAILURE TO COMPLY WITH THE COMMISSIONER'S ORDER CONTAINED IN SUMMONS/VIOLATION #35219155Z ISSUED ON 01/06/17 AND TO FILE A CERTIFICATE OF CORRECTION PURSUANT TO 28-201.1 AND 1RCNY 102-01. RMDY: COMPLY WITH COMM" REMEDY: COMPLY WITH COMMISSIONER'S ORDER AND/OR FILE A CERTIFICATE OF CORRECTION, IN VIOLATION, VIOLATION OPEN, NO COMPLIANCE RECORDED
5. ECB VIOLATION# 35232985Y, 4/8/2017 "FAILURE TO COMPLY WITH THE COMMISSIONER'S ORDER CONTAINED IN SUMMONS/VIO # 35219155Z ISSUED ON 01/06/17 & TO FILE A C OF C PURSUANT TO 28-201.1 & 1RCNY 102-01. REMEDY: COMPLY WITH COMMISSIONER'S ORDER &/OR FILE", REMEDY: COMPLY WITH COMMISSIONER'S ORDER AND/OR FILE A CERTIFICATE OF CORRECTION, IN VIOLATION, VIOLATION OPEN, NO COMPLIANCE RECORDED
6. ECB VIOLATION# 35232987H, 4/8/2017 "FAILURE TO COMPLY WITH THE COMMISSIONER'S ORDER CONTAINED IN SUMMONS/VIO # 35212746Z ISSUED ON 01/06/17 & TO FILE A C OF C PURSUANT TO 28-201.1 & 1RCNY 102-01. REMEDY: COMPLY WITH COMMISSIONER'S ORDER &/OR FILE" REMEDY: COMPLY WITH COMMISSIONER'S ORDER AND/OR FILE A CERTIFICATE OF CORRECTION, IN VIOLATION, VIOLATION OPEN, NO COMPLIANCE RECORDED
7. ECB VIOLATION# 35234389R, 6/6/2017 "FAILURE TO COMPLY W/COMMISSIONERS ORDER CONTAINED IN SUMMONS/VIOLATION#35212746Z ISSUED ON 01/06/17 AND TO FILED A COFC PURSUANT OT 28-201.1 AND 1RCNY 102-01.FOR UNOBSTRUCTED PASSAGE FROM THE CELLAR.REM: COMPLY" REMEDY: COMPLY WITH COMMISSIONER'S ORDER AND/OR FILE A CERTIFICATE OF CORRECTION, IN VIOLATION, VIOLATION OPEN, NO COMPLIANCE RECORDED
8. ECB VIOLATION# 35234390Y, 6/6/2017 "FAILURE TO COMPLY W/COMMISSIONERS ORDER CONTAINED IN SUMMONS/VIOLATION#35219155Z ISSUED ON 01/16/17 AND TO FILE A COFC PURSUANT TO 28-201.1 AND 1RCNY 102-01.FOR ILLEGAL USE OF THE CELLAR.REM: COMPLY W/COMMISSIO", REMEDY: COMPLY WITH COMMISSIONER'S ORDER AND/OR FILE A CERTIFICATE OF CORRECTION, IN VIOLATION, VIOLATION OPEN, NO COMPLIANCE RECORDED
9. ECB VIOLATION# 35272497L, 07/27/2017 "OCCUPANCY CONTRARY TO THAT ALLOWED BY DOB RECORDS IN THAT CELLAR IS NOW ARRANGED & OCCUPIED AS PART OF COMEDY CLUB ON 1ST FL.STAGE & SEATINGINSTALLED.THERE WERE APPROX 50 PERSONS IN CELLAR TIME OF IN:" REMEDY: DISCONTINUE ILLEGAL OCCUPANCY, ADMIT/IN- VIOLATION, VIOLATION OPEN, NO COMPLIANCE RECORDED
10. ECB VIOLATION# 35276302K, 7/27/2017 "FAILURE TO COMPLY WITH THE COMMISSIONERS ORDER CONTAINED IN SUMMONS/VIOLATION #35219155Z ISSUED ON 07/06/17 AND TO FILE A CERTIFICATE OF CORRECTION PURSUANT TO 28-201.1 AND 1RCNY 102-01.OCCUPANCY CONTRARY TO THAT ALLOWED BY BLDG DEPT RECORDS IN THAT CELLAR NOW ARRANGED AND OCCUPIED AS PART OF COMEDY CLUB ON 1ST FL STAGE AND SEATING INSTALLED." REMEDY: COMPLY WITH COMMISSIONER'S ORDER AND/OR FILE A CERTIFICATE OF CORRECTION, IN VIOLATION, VIOLATION OPEN, NO COMPLIANCE RECORDED

11. ECB VIOLATION# 35277635N, 9/12/2017 “FAILURE TO COMPLY W/COMM'S ORDER CONTAINED IN SUMM/VIOLATION#35272497L ISSUED ON 07/27/17 AND TO FILE A COFC PURSUANT TO 28-201.1 AND 1RCNY 102-01.FOR ILLEGAL USE OF THE CELLAR.REM:COMPLY W/COMM'S ORDER AND/OR F”, REMEDY: COMPLY WITH COMMISSIONER’S ORDER AND/OR FILE A CERTIFICATE OF CORRECTION, IN VIOLATION, VIOLATION OPEN, NO COMPLIANCE RECORDED

**xiv. Whereas**, CB2, Man. is unaware of any enforcement activities by the SLA which CB2 formally requested in April/2014, and CB2, Man. requests that prior to any review of this application for a Corporate Change, that the Liquor Authority conduct enforcement activity with respect to the above noted issues and review the above noted NYC Department of Buildings Violations and determine whether those violations constitute violations of any existing Liquor Authority Regulations and Rules;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the corporate change application for the existing on-premise liquor license, SN#1024128 for **Pasta & Potatoes, Inc. d/b/a Village Lantern, 167 Bleecker St. 10012.**

Vote: Passed, with 40 Board members in favor, and 1 in opposition (D. Diether).

Terri Cude, *Chair*  
Daniel Miller, *First Vice Chair*  
Susan Kent, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Erik Coler, *Assistant Secretary*

## Community Board No. 2, Manhattan

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May 30, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**20. Kanekei, Inc. d/b/a Kanekay Ramen, 535 Hudson St. Basement 10014 (RW – Restaurant, Previously Unlicensed, Basement only)**

**i. Whereas**, the applicant appeared before CB2’s SLA Licensing committee to present an application for a new restaurant wine license in a previously unlicensed basement only location for a “Japanese ramen noodle restaurant with no MSG - Vegetarian friendly”; and,

**ii. Whereas**, the premises is located in the basement of a 5-story mixed use residential building with an indicated address on Hudson Street according to materials presented to CB2, Man. by the applicant, but the actual entrance is a staircase leading to the basement located on the residential side street Charles St., the building itself is located on the Northwest corner of Charles St. and Hudson St. with two existing eating and drinking establishments on the ground floor in the same building, the proposed basement premises is in a 1,700 sq. ft. space with 10 tables and 26 seats and 1 stand up bar with 7 seats; a recently issued certificate of occupancy was presented by the applicant; and,

**iii. Whereas**, the hours of operation presented are 12PM to 10:30PM 7 days a week, music will be quiet background only consisting of music from ipod/CDs (i.e. no active manipulation of music – only passive prearranged music, no sound proofing will be installed, there will be no DJ, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no TV’s; and,

**iv. Whereas**, for illustration, there are 18 on-premise liquor licenses and 6 beer & wine license within 500 feet of the proposed premises including a restaurant wine license in the same building with an adverse history spanning over 6 years with CB2, Man., including issues with respect to quality of life impacts from operations, mechanical equipment and compliance with DCA regulations with respect to

their existing sidewalk café, mechanical equipment and ongoing complaints from local neighbors (see CB2 resolutions for Slice West Village Ltd. SN#1229971), there is another 3<sup>rd</sup> food establishment operating in the building as a bakery and another small retail space; there are an additional 17 on-premise liquor licenses and 6 beer and wine licenses within 750 ft.; and,

**v. Whereas**, this basement location was recently constructed and has never been used for an eating and drinking establishment and the access entrance stairwell has never been used for any members of the public to access any type of similar business at this location; it should be noted that it would seem feasible that an interior stairway accessed from the Hudson St. side of the building could be constructed for appropriate access to the basement which would not infringe on local residents; and,

**vi. Whereas**, this location was the subject of a recent application for an on-premise liquor license for All the Little Owls, LLC d/b/a Nitecap, SN# 1295015, which was denied at the New York State Liquor Authority Full Board Meeting on November 8<sup>th</sup>, 2016 with opposition from CB2, Man. and from many local residents and community groups; local residents brought to CB2's attention the following comments made by Chairman Bradley at that hearing (Video Transcript 5:14:00 to 5:15:00) that "No matter how much effort he made I don't know that it would ever solve the issues this space would create. It's not the music...It's more the exit and entrance and just the hustle and bustle which you are so close to the residential building, residential windows and as Commissioner Ford has pointed out it has never been licensed. It's probably a place I would like to go but I can guarantee you that it is not a place [where] I would like to sleep."; and

**vii. Whereas**, the overarching issue at this location is that this basement space with access stair from Charles St. was recently built and immediately abuts a ground floor long term occupied rent regulated apartment such that every single patron, employee and all deliveries and anyone else who enters and exits this establishment passes inches from a residential apartment living room and bedroom windows; the entrance is also within 10 ft. of several other residences; those residential apartments having never been infringed upon previously by any type of business, let alone any type of business operating past 6PM; specific complaints were raised that the landlord seeking an eating and drinking high turnover establishment amounted to more than just perception of tenant harassment but equated to actual tenant harassment; there being a potential to create an entrance from a currently unoccupied very small retail space on Hudson St. recently vacated by Monocle by constructing an interior stairway, which would alleviate this problem; and

**viii. Whereas**, a number of emails, petitions from residents of adjoining buildings and letters were received in opposition and 7 speakers spoke in opposition, among the issues raised were **(1)** that there are already an overwhelming number of liquor licenses in the immediate area and while not subject to the 500-ft rule, this location was wholly inappropriate due to the infringement on local residents for any business operating past normal business hours past 6pm given the location of the entrance on a residential side street with residences located as close as several inches, residents provided many examples of similar basement operations that are all service type businesses which close at 6-7PM; **(2)** that while casual, this premises would become part of the larger higher turnover casual restaurants which should be located on Avenues and not residential side streets; **(3)** this premises would increase the amount of foot traffic on a residential street, and the stairs leading to the basement are next to and directly below residential windows and no measures for sound attenuation from patrons using the stairwell was presented to mitigate impacts to the residential bedrooms located directly above, no appropriate measures for crowd control were presented or for managing smokers and the rear wall of the basement in the newly constructed basement addition backs onto a residential quiet internal courtyard and gardens and there were concerns noise would leak into the residential rear yard donut through doors, windows and walls from the proposed premises at the rear basement level; **(4)** the premises has never previously been licensed; **(5)** the building landlord has done nothing to address

existing and ongoing noise issues from ventilation and rooftop mechanicals and rooftop parties from residential tenants and businesses and adding another newly constructed licensed premises will exacerbate current noise issues; (5) existing mechanicals including ventilation and AC units from the two existing eating and drinking premises in the building continue to create noise problems and have not been remedied (see CB2 resolutions for SN1229971) and any new mechanicals and venting from this new establishment will only add to and exacerbate the existing conditions; e; (7) this basement space is inappropriate for this proposed purpose as a drinking or eating and drinking establishment and this use for a eating and drinking establishment in the basement has been objected to by the local block association since 2012 – a petition sent to the landlord in opposition with 159 signatures dated 2012 before the construction of the basement began and regarding the build out and change of the basement use was presented; (8) this is a residential neighborhood dominated by working families and individuals and incursion of eating and drinking establishments into basements and other inappropriate locations is exacerbating the issues related to “alcohol tourism”; (9) it was repeatedly articulated that this is just simply the wrong place for this type of operation, Hudson Street has already been narrowed from 5 lanes to 2 lanes with two lanes for parking and a protected bike lane – adding another destination location in a basement results in added cab and for hire vehicle trips and people driving in which results in blocked traffic as cars have to stop in one of only two traffic lanes, the area is “not saturated, its soaked”; and,

**ix. Whereas,** several petitions in opposition to the issuance of a restaurant wine license for this applicant with signatures of immediate local residents were presented, a petition from 2012 to the landlord of the proposed premises indicating opposition to the construction of the proposed premises for an eating and drinking establishment with 159 signatures of immediate local residents was also presented; and,

**x. Whereas,** the principal indicated that he owned an operated another restaurant, but failed to disclose it was a licensed premise with a Restaurant Wine License located in a proper store front retail space at 129 2<sup>nd</sup> Avenue; and

**xi. Whereas,** the applicant’s attorney explained that he was only retained after his client had executed a lease agreement having not been told by the landlord of the issues with respect to known overwhelming opposition from local residents to the construction of the basement space and opposition to its use as an eating and drinking establishment; his attorney further explained that this proposed use would close earlier than the previously applied for business with a full liquor license closing at 10:30PM, that there is now a Certificate of Occupancy which allows this use, that this is a restaurant and not a bar, that this will not be a destination location, that this is a small operation – reduced to 33 seats, that the premises was lawfully applied for and properly converted to this use, the entrance is legal, the changes were approved by the NYC Landmarks Preservation Committee, that a business with or without the need of an SLA license would open at the space; any food deliveries would be handled by a third party service such that their staff would come and go as need for deliveries; venting and other aspects of kitchen build out would be provided by the landlord; and,

**xii. Whereas,** residents responded to the applicant’s attorney and stated that this portion of Charles St. where the entrance is located is residential, mentioned the above referenced issues with the tenants windows and perception of landlord harassment, that while approved for this use - the approved use actually encompasses many residential compatible uses and a number of examples of compatible uses were presented for similar spaces including a skateboard shop, a barber shop, a tailor, professional services etc. all of which close within normal business hours and no later than 7 or 8PM if not earlier, the building manager of the adjacent building appeared and explained the concerns of the neighboring building including the recent basement build out and noise impacting the interior residential donut and the door which opens onto the shared interior courtyard; she explained that there are 18 residential

bedroom units over looking the newly built space; she expressed concern of the residents of her building that should a license be approved at this location even for this type of seemingly low impact use, it would lead to more licenses constantly seeking to expand their use when no similar use to this should be approved, that it is not the residents fault that the applicant did not seek more information or conduct additional due diligence; and,

**xiii. Whereas,** there were strenuous protests raised when it was revealed that the landlords responsibility to the applicant was that the landlord would be building out the kitchen etc. and deliver the premises “turnkey” ready for operation as opposed to the tenant leasing the space and building out the space themselves indicating the land lord’s desire to only have an eating and drinking space in the basement, this was a significant point to local residents because they indicated that it showed the landlord was set on attracting a high impact eating and drinking type tenant for this inappropriate basement space that would have an immediate impact on local residents and also create an overwhelming impact on rent regulated and protected tenants immediately butting, one just inches from the proposed entrance in an untenable fashion; and,

**xiv. Whereas,** additional concerns were raised with respect to take out business and all staff running up and down the stairs in addition to patrons and vendors coming and going; it was pointed out that casual restaurant operations such as this with low turnover times often have lines outside in this day and age; and,

**xv. Whereas,** in addition, there were concerns that while the applicant explained this was an ADA compliant newly created basement space; it was pointed out that this newly created space was not compliant with the “spirit” of the American with Disabilities Act in that there was not true and equal access to all in that mobility impaired patrons would need to enter through the residential building entrance and take an elevator to the basement; and,

**xvi. Whereas,** there are already many fast casual restaurants which provide the same or similar services for comparable priced food in the area, there being no coherent reason for adding yet another licensed establishment where there are vacancies in previously licensed locations elsewhere for such purpose;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial to **Kanekei, Inc. d/b/a Kanekay Ramen, 535 Hudson St. Basement 10014** on its application seeking a new restaurant wine license; and

**THEREFORE BE IT FURTHER RESOLVED** that should this application be considered by the Liquor Authority, CB2, Man, respectfully requests that this item be calendared to appear before the Full Board of the Authority and that CB2 and any interested community members be notified in advance of the meeting.

Vote: Unanimous, with 41 Board members in favor.



Terri Cude, *Chair*  
Daniel Miller, *First Vice Chair*  
Susan Kent, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Erik Coler, *Assistant Secretary*

## Community Board No. 2, Manhattan

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NEW YORK, NY 10012-1899  
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May 30, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

**21. Lindsey Buffet Restaurant, Inc., d/b/a Kumo Sushi, 282 Bleecker St. 10014 (Corporate Change RW - Withdrawn)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on May 10th, 2018, the Applicant requested to **withdraw** this application for a corporate change and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Lindsey Buffet Restaurant, Inc., d/b/a Kumo Sushi, 282 Bleecker St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

Terri Cude, *Chair*  
Daniel Miller, *First Vice Chair*  
Susan Kent, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Erik Coler, *Assistant Secretary*

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May 30, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **22. Spice 39, Inc. d/b/a Spice, 39 E. 13th St. 10003 (Corporate Change OP – Withdrawn)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on May 10th, 2018, the Applicant requested to **withdraw** this application for a corporate change and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Spice 39, Inc. d/b/a Spice, 39 E. 13th St. 10003** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

Terri Cude, *Chair*  
Daniel Miller, *First Vice Chair*  
Susan Kent, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
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May 30, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**23. 228 Bleecker, LLC, d/b/a Aria, 117 Perry St. Store #2, 10014 (Alteration/Method of Operation Change OP – Restaurant - Extend hours of operation by 1 hour nightly - layover)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on May 10th, 2018, the Applicant requested to layover this application for an alteration to an existing restaurant on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed; there is community opposition;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of alteration application or proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, transfer, upgrade or changes to any existing license for **228 Bleecker LLC, d/b/a Aria, 117 Perry St. Store #2, 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

Terri Cude, *Chair*  
Daniel Miller, *First Vice Chair*  
Susan Kent, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Erik Coler, *Assistant Secretary*

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May 30, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **24. City Winery New York LLC, 143 Varick St. 10013 (OP – Restaurant, Live Music and Event Space – to add large rooftop with outdoor bar) (withdrawn)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on May 10th, 2018, the Applicant requested to **withdraw** the alteration application for an alteration to add a new outdoor rooftop and rooftop bar to an existing restaurant on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed; there is community opposition;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of alteration application or proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, transfer, upgrade or changes to any existing license for **City Winery New York LLC, 143 Varick 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 SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

Terri Cude, *Chair*  
Daniel Miller, *First Vice Chair*  
Susan Kent, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
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May 30, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**25. Moon Wrap, LLC, d/b/a Wolfnight's, 235 Blecker St. 10014 (New Beer & Cider – Quick Service Wraps Restaurant Proposed 4AM closing - withdrawn)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on May 10th, 2018, the Applicant requested to **withdraw** this application for a new restaurant wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed; there is community opposition;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Moon Wrap, LLC, d/b/a Wolfnights, 235 Blecker St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

Terri Cude, *Chair*  
Daniel Miller, *First Vice Chair*  
Susan Kent, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Erik Coler, *Assistant Secretary*

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May 30, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **26. LUV TEA HQ, LLC, d/b/a N/A, 37A Bedford St. 10014 (New Tavern Wine - Withdrawn)**

**Whereas**, after this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on May 10th, 2018, the Applicant requested to **withdraw** this application for a new tavern wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **LUV TEA HQ, LLC, d/b/a N/A, 37A Bedford St. 10014** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

Terri Cude, *Chair*  
Daniel Miller, *First Vice Chair*  
Susan Kent, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Erik Coler, *Assistant Secretary*

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May 30, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**27. Fiaschetteria West, Ltd. d/b/a Fiaschetteria Pistoia, 114 Christopher St. 10014 (New RW – layover)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on May 10th, 2018, the Applicant requested to **layover** this application for a new restaurant wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of alteration application or proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, transfer, upgrade or changes to any existing license for **Fiaschetteria West, Ltd. d/b/a Fiaschetteria Pistoia, 114 Christopher St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

Terri Cude, *Chair*  
Daniel Miller, *First Vice Chair*  
Susan Kent, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Erik Coler, *Assistant Secretary*

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May 30, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**28. Entity to be formed by John Fraser and Massimo Lusardi, d/b/a TBD, 225 W. 4th St. 10014 (OP- Restaurant/Bar, DJ, Live Music, Sidewalk Cafe) (withdrawn)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on May 10th, 2018, the Applicant requested to layover this application for a new restaurant on-premise liquor license with a sidewalk café and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed; there is community opposition to the application;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Entity to be formed by John Fraser and Massimo Lusardi, d/b/a TBD, 225 W. 4th St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.



Terri Cude, *Chair*  
Daniel Miller, *First Vice Chair*  
Susan Kent, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Erik Coler, *Assistant Secretary*

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May 30, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **29. Dinerland Comedy, LLC d/b/a Comedy Village, 186 W. 4th St. 10014 (OP – Tavern Comedy Club) (withdrawn)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on May 10th, 2018, the Applicant requested to **withdraw** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of alteration application or proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, transfer, upgrade or changes to any existing license for **Dinerland Comedy, LLC d/b/a Comedy Village, 186 W. 4th St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

Terri Cude, *Chair*  
Daniel Miller, *First Vice Chair*  
Susan Kent, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Erik Coler, *Assistant Secretary*

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May 30, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**30. Perry & Hudson, LLC, d/b/a TBD, 551 Hudson St. 10014 (OP – Restaurant, includes Sidewalk Cafe) (laid over)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on May 10th, 2018, the Applicant requested to **layover** this application for a new restaurant on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of alteration application or proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, transfer, upgrade or changes to any existing license for **Perry & Hudson, LLC, d/b/a TBD, 551 Hudson St. 10014** **4 until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

Terri Cude, *Chair*  
Daniel Miller, *First Vice Chair*  
Susan Kent, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Erik Coler, *Assistant Secretary*

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May 30, 2018

Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on May 24, 2018, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **31. Stereo MC, LLC, d/b/a TBD, 18 Ninth Ave. No. 2 10014 (OP – Bar/Lounge, DJ) (withdrawn)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on May 10<sup>th</sup>, 2018, the Applicant requested to **withdraw** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed; there is community opposition to this application;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Stereo MC, LLC, d/b/a Provocateur, 18 Ninth Ave. No.2 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

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

Sincerely,



Robert Ely, Chair  
SLA Licensing 1 Committee  
Community Board #2, Manhattan



Carter Booth, Chair  
SLA Licensing 2 Committee  
Community Board #2, Manhattan



Terri Cude, Chair  
Community Board #2, Manhattan

TC/fa

cc: Hon. Jerrold L. Nadler, Congressman  
Hon. Nydia M. Velázquez, Congresswoman  
Hon. Carolyn Maloney, Congresswoman  
Hon. Brad Hoylman, NY State Senator  
Hon. Brian Kavanagh, NY State Senator  
Hon. Deborah J. Glick, NY State Assembly Member  
Hon. Yuh-Line Niou, NY State Assembly Member  
Hon. Gale Brewer, Man. Borough President  
Hon. Corey Johnson, NYC Council Speaker  
Hon. Margaret Chin, NYC Council Member  
Hon. Carlina Rivera, NYC Council Member  
Jacqueline Held, Deputy Commissioner of Licensing, NY State Liquor Authority  
Michael Jones, Chief Deputy Chief Executive Officer, NY State Liquor Authority  
Jonathan Rodriguez, Hearing Bureau, NY State Liquor Authority  
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