

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
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COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE
NEW YORK, NY 10012-1899

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

November 7, 2019

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 October 24, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

1. Mooncake Foods, Inc., d/b/a Mooncake Foods, 112 Sixth Avenue 10013 (Removal Application for RW from 28 Watts St. to 112 Sixth Avenue with-in same building)

I. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present a removal application for an existing Restaurant Wine license to continue to operate a fast-casual Asian Lunch Counter café in a new 600 sq. ft. ground floor storefront located in the same mixed-use, six-story building (Circa 1900) from the location in the building known as 28 Watts St. to another new location in the same building known as 112 Sixth Avenue at the corner of Sixth Avenue and Watts Street in Soho; and,

II. Whereas, the applicant has been operating in the same building for a number of years in a storefront on Watts Street and is moving storefronts within the same corner building, the new storefront being on the Sixth Avenue side at 112 Sixth Avenue, the plan is to continue with the same method of operation as previously operated; and,

III. Whereas, the hours of operation will continue to be 10am to 11pm Monday through Sunday, seven days a week, there will be 14 tables and 30 table seats, a food counter with 7 additional seats for a total seating capacity of 37 in the new space, no TVs, one patron bathroom, no French doors or operable facades, music will be background only; and,

VIII. Whereas, the applicant executed a stipulations agreement with CB2, Man. that will be submitted to the SLA and the applicant agreed those stipulations would be attached and incorporated into the method of operation as a part of the restaurant wine license stating that:

1. The premises will be advertised and operated as a fast-casual, Asian-inspired cafe.

2. The hours of operation will be Sunday through Saturday, every day/night of the week from 10:00 am to 11 pm.
3. 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.
4. The premises will not have televisions.
5. The premises will not operate a backyard garden or any outdoor area, including a sidewalk café, for commercial purposes.
6. The operator will not install French doors, operable windows or open facades.
7. The premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
8. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits & Certificates.
9. Will not make any changes to the existing facade, except to change signage or awning.
10. Will not offer unlimited drink, or unlimited food and drink specials (including no “boozy brunches”), nor will it sell 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 and beer products.
12. Will not have dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, security personnel or a doorman.

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of a removal application for the existing Restaurant Wine license for **Mooncake Foods, Inc., d/b/a Mooncake Foods, 112 Sixth Avenue 10013** **unless** the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 41 Board members in favor.

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Dear Sir/Madam:

At its Full Board meeting on October 24, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

2. SoHo Hummus, LLC d/b/a Nish Nush, 19 Cleveland Pl. 10012 (OP – Method of Operation Change seeking to expand late-night hours, add additional seating in the cellar, increase music volumes and permit French doors and windows to remain open later at night)

I. Whereas, the applicant appeared before CB2’s SLA committee for the purpose of seeking an “alteration” to an existing OP license SN#1306106 issued on July 24, 2018 to **(1)** extend the hours of operation to 2AM 7 days a week, **(2)** change the cellar seating layout and **(3)** keep the front doors and windows open until 9PM; and,

II. Whereas, the premises is located on the ground floor and basement, with patron use of both floors, in a 5-story building (circa 1900) with residential units on the 2nd to 5th floors, the ground floor is approximately 1,200 sq. ft. and the cellar is 700 sq. ft.; the premises is located across the street from Petrosino Square Park and,

III. Whereas, the original application to the SLA in 2017 included 13 tables and 58 seats spread throughout the ground floor and cellar and 1 stand up bar with 7 seats on the ground floor, the applicant stated that during the day until 4PM the premises would be operated as a fast casual restaurant with counter service and after 4PM would operate as a sit down restaurant with table service only and at all times they would be serving variations of traditional Mediterranean vegetarian cuisine; the basement was presented as being used for evening dining service with table service only, no service or stand up bar in the basement; and,

IV. Whereas, the existing license was issued subject to stipulations and conditions imposed by the Members of the New York State Liquor Authority at the February 8, 2018 Full Board meeting; those stipulations and conditions include closing by 11 PM every night, to have a chef/cook on site during all

operating hours, to keep all windows and doors closed at all times, have adequate soundproofing subject to approval by a professional consultant to limit the noise level no more than 60 dB, to play ambient background music only, to have no DJs, no dancing, no promoted events, no pub crawls, no party buses, the velvet rope lines, and no unlimited food/drink specials; the Members additionally stipulated that the maximum occupancy would be 74 or less persons throughout the premises because the applicant stated that they would not seek a Place of Assembly permit; and,

V. Whereas, the applicant had originally stated that there would be a fixed façade with no operable windows, but upon opening in 2018, the applicant had replaced the entire front façade with floor to ceiling accordion doors and operated regularly during all hours of operation with the façade doors and windows open; and,

VI. Whereas, a number of complaints were made to the Liquor Authority indicating among other things that the applicant was operating beyond their approved hours of operation, keeping doors and windows open at all times and playing music above background levels; and,

VII. Whereas, the SLA brought two proceedings against the applicant, the first DO#2934-2018/Case # 129822 for failure to conform to application on 10/5/18 the second DO#1163-2019/Case # 131336 for false material statement on 10/26/2017; the applicant on 5/29/2019 pleaded conditional no contest and the Members of the Authority imposed a civil penalty of \$7,500; and,

VIII. Whereas, at the time of the alteration application in October/2019, a petition in support and a letter in support were presented and 2 speakers appeared in support citing the lack of vegan options in the area and the affordable price points, and encouraged the board to look beyond the applicants past mistakes; and,

IX. Whereas, at the time of the alteration application in October/2019, 9 immediately impacted residents appeared in opposition, including 5 occupants of the 4 remaining rent stabilized units in the same building; complaints included continuing operations beyond the stipulated 11PM closing time, continuing to operate with music that is audible outside the establishment and in the residential hallway impacting quality of life, using curtains to obscure interior patron operations after closing time, operating with an improper d/b/a 19 Cleveland which is not the d/b/a name on file, excessive noise through early morning hours from clean-up operations in the rear alleyway which the applicant refuses to ameliorate despite 10-12 attempts by a building resident, complaints that when problems are raised with restaurant staff excuses are provided without solutions, that patrons regularly block the sidewalk in front of the building while smoking and that there is an improper bench in front of the premises which encourages patrons to loiter outside despite signage requesting that their patrons smoke elsewhere; and,

X. Whereas, the applicant's own website currently as of October/2019, despite the stipulated maximum occupancy of 74 or less patrons, advertises "19 Cleveland hosts private events for up to 160 guests, 130 guests if you would like to enjoy a seated meal. From corporate events to full weddings and ceremonies. Let us show you what Tel Avivian Hospitality stands for."; and,

XI. Whereas, from the first appearance before CB2 in 2017, inconsistent information and actions continue to occur through the current alteration application which makes it difficult to consider any additional changes to the current stipulated hours and method of operation, a permissible operable façade and changes to the floor plans, the prior stipulations and conditions imposed by the Members of the New York State Liquor Authority in February/2018 being set to satisfy the public interest standard, the Applicant thereafter intentionally violating those stipulations and paying significant fines designed to enforce those existing stipulations and conditions, stipulations and conditions designed to ameliorate and mediate the significant impacts posed by the issuance of an on-premise license requiring the public

interest be met, so that this particular eating/drinking businesses and community can continue to co-exist despite being located in a 120 year old 5 story building not designed for the types of impacts presented by this type of liquor license in a landmarked community; and,

XII. Whereas, in October/2019 the applicant states that there would be 66 table seats and 10 bar seats throughout the premises with the new basement configuration as presented for a total of 76 seats; however the detailed diagrams that were presented indicate a total of 90 seats including 46 table seats on the ground floor, 10 bar seats, 20 table seats in the basement and 14 additional lounge/banquet seats; and,

XIII. Whereas, the stipulated maximum capacity of 74 persons imposed at the February 8, 2018 SLA Full Board meeting was done so because despite the certificate of occupancy indicating maximum occupancy on the ground floor of 100 people and 50 people in the basement, the applicant stated that they would not be seeking a Place of Assembly Permit required to operate for public safety for 75 or more patrons and pointed to their intention to operate a seated only restaurant with a total of 65 seats only as indicated in the 500 ft hearing report and stated they had no intention of ever operating beyond 74 total capacity; and,

XIV. Whereas, in October/2019 the applicant stated that they would never seat more than 74 people despite having 90 seats on their diagrams, irrespective of the fact that staff is also included in occupancy numbers and that with over 74 seats the space is configured as a Place of Assembly and subject to additional life safety, fire safety and department of buildings regulations; and,

XV. Whereas, the applicant did not provide evidence of a current Place of Assembly Permit required for businesses operating with more than 74 persons in the interior of a building; and,

XVI. Whereas, this location was previously the subject of litigation between local residents and the Liquor Authority in Cleveland Place Neighborhood Assn. v New York State Liq. Auth., 268 AD2d 6, 10 [1st Dept 2006]; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** for **Soho Hummus, LLC, d/b/a Nish Nush, 19 Cleveland Pl. 10012** on its application seeking an alteration application; 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; and

Vote: Unanimous, with 41 Board members in favor.

Carter Booth, *Chair*
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Director
Licensing Issuance Division
NY State Liquor Authority
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Dear Sir/Madam:

At its Full Board meeting on October 24, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

3. Green Garden Village, Inc d/b/a Green Garden Village, 214-216 Grand St. 10013 (New Restaurant Wine)

i. Whereas, the Applicant's attorney appeared before Community Board 2, Manhattan's SLA Committee #1 to present an application to the NYS Liquor Authority for a new Restaurant Beer & Wine License to operate a family restaurant with a focus on Chinese food in a ground floor storefront in a mixed use 4-story building (circa 1900); and

ii. Whereas, the Applicant would like to serve authentic Chinese beer with his Cantonese Style food to provide a better experience. The owners experience is over 20 years running and working for a restaurant in an Atlantic City casino as a cook; and

iii. Whereas, the 1,290 sq. ft. premise is located on the ground floor of a 4-story building, the maximum occupancy is 50 people, there will be 11 tables and 50 seats, music will be background only. The hours of operation will be from 7:45am to 11:00pm Sunday through Saturday; and

iv. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the "Method of Operation" of the Restaurant Beer/Wine License, with those stipulations as follows:

1. The premises will be advertised and operated as a full-service Chinese Restaurant.
2. The hours of operation will be 7:45 AM to 11:00 PM, Sunday through Saturday. All patrons will be cleared and no patrons will remain after stated closing times.
3. 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.

4. The premises will not have televisions.
5. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes including a sidewalk cafe.
7. Will not install or utilize French doors, operable windows or open façades.
8. All doors and windows will remain fixed and closed except for patron egress.
9. Will not make changes to the existing facade except to change signage or awning.
10. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
11. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
13. The premises will not have dancing, DJs, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant Wine license for **Green Garden Village, Inc d/b/a Green Garden Village, 214-216 Grand St. 10013** **unless** the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on its Restaurant Wine License.

Vote: Unanimous, with 41 Board members in favor.

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Dear Sir/Madam:

At its Full Board meeting on October 24, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

4. Pelicana E8 St., Inc. d/b/a Pelicana Chicken, 52 E. 8th St. 10013 (New Restaurant Wine)

i. Whereas, the Applicant's attorney and Manager appeared before Community Board 2, Manhattan's SLA Committee #1 to present an application to the NYS Liquor Authority for a new Restaurant Beer & Wine License to operate a family Friendly restaurant focusing on Korean Fried Chicken and Cuisine; and

ii. Whereas, the Applicant would like to serve beer with their food to provide a better experience for their customers; and

iii. Whereas, the 1,500 sq. ft. premises is located on the ground floor of a 6 story residential building, the maximum occupancy is 50 people, there will be 7 tables and 18 seats. There will be background music only, played by an iPod/CD. The hours of operation will be from 11:00am to 10:00pm, Sunday through Saturday; and

iv. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the "Method of Operation" of the Restaurant Beer/Wine License, with those stipulations as follows:

1. The premises will be advertised and operated as a Korean Fried Chicken restaurant.
2. The hours of operation will be 11:00 AM to 10:00 PM, Sunday through Saturday All patrons will be cleared and no patrons will remain after stated closing times.
3. 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.

4. The premises will have no more than 2 Televisions no larger than 46” and will be for advertising/display purposes only. (there will be no projectors)
5. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at any time.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes including a sidewalk cafe.
7. Will not install or utilize French doors, operable windows or open façades.
8. Will not make changes to the existing facade 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. The premises will not have dancing, DJs, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.

THEREFORE, BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant Wine license for **Pelicana E8 St., Inc. d/b/a Pelicana Chicken, 52 E. 8th St. 10013** **unless** the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 41 Board members in favor.

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Dear Sir/Madam:

At its Full Board meeting on October 24, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

5. Flipper's NYC, LLC d/b/a/ Pending, 337 W. Broadway 100013 (RW – Previously Unlicensed Location)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Committee #1 to present an application to the NYS Liquor Authority for a new restaurant wine license to operate the first U.S. outpost of Japan's most popular pancake chain 'Flipper's' which specializes in soufflé pancakes along with other breakfast and dessert foods;

ii. Whereas, the 2,100 sq. ft. premise is located on the Northeast corner of West Broadway and Grand Street in a two-story commercial building and consists of two floors: the 650 sq. ft. ground floor which is used as a grab-and-go café and the building's entire 1,450 sq. ft. upper floor which serves as the restaurant and is accessed by interior stairs. There is a counter with 6 seats on the ground floor and 17 tables with 50 seats on the 2nd floor, the adjacent ground floor space within the same building being occupied by Sanctuary T with a full OP license currently listed as inactive on the NYS SLA website.

iii. Whereas, the premises proposed to be license is previously unlicensed, was operated and occupied for years as the real estate brokerage firm TOWN, and has never be used or occupied for eating and drinking purposes;

iv. Whereas, the hours of operation will be from 10 AM to 9 PM seven days a week, music will be quiet background music only, no open doors or window and no sidewalk café.

v. **Whereas**, no one from the community appeared to either support or oppose the application, but email correspondence in opposition was received, the concern being the over-saturation of liquor licenses in the immediate neighborhood, there being noise complaints in the past regarding the operations of Felix Restaurant and Bar operated across the street at this intersection; and

vi. **Whereas**, members of SLA Committee were concerned about lines on the sidewalk, this Flipper pancake concept being popular and photos of long lines on the sidewalk already coming from location having been produced; and

vii. **Whereas**, the Applicant will obtain a letter of no objection from Department of Buildings for a combined 1st and 2nd floor restaurant; the Applicant will also supply a C of O with the correct address of 337A West Broadway being that there are two establishments with entrances on the ground floor of the building and the other establishment uses 337B West Broadway as its address; and

viii. **Whereas**, the Applicant has executed and has notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation of the Restaurant Wine license, with those stipulations as follows:

1. The Applicant will operate a café/restaurant specializing in Japanese soufflé pancakes, other breakfast food and desserts.
2. The hours of operation will be Sundays through Saturday from 10AM to 9PM. All patrons will be cleared and no patrons will remain after stated closing times.
3. 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.
4. The premises will not have televisions.
5. The premises will not operate a backyard garden or any outdoor area for commercial purposes including a sidewalk cafe.
6. Will not install or utilize French doors, operable windows or open façades.
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at any time.
8. The premises will not have dancing, DJs, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.
9. Doors and windows will be closed at all times except for patrons entering and leaving the premises.
10. Will not make changes to the existing façade except to change signage or awning.
11. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits & Certificates.
12. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
13. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
14. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

THEREFORE BE IT RESOLVED that recommends denial of the new restaurant wine license to Flipper’s NYC, LLC d/b/a/ Pending, 337 W. Broadway 100013 unless the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the SLA On-Premise License.

Vote: Unanimous, with 41 Board members in favor.

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Bob Gormley, *District Manager*



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Dear Sir/Madam:

At its Full Board meeting on October 24, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

6. Echizen, LLC d/b/a TBD, 135 Sullivan St. North Storefront 10012 (New Restaurant Wine, previously unlicensed location)

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 on premise liquor license to operate an "Omakase Sushi Counter" restaurant in a ground floor storefront of mixed-use six tenement style building on Sullivan Street between Prince and Houston Streets, the building located within LPC's designated South Village Historic District; and

ii. Whereas, the storefront premise was previously operated for years as a bakery, has never been licensed for the service of alcohol or occupied/operated for eating and drinking uses; and,

iii. Whereas, the storefront is small at 360 sq. ft., there will be one sushi counter with twelve seats representing the total seating for patron, there is access to the basement in front via access steel door, the basement being for storage purposes only, there is one bathroom for patrons, windows on the front façade are fixed and will remain unchanged; and

iv. Whereas, the hours of operation will be 12 pm to 11 pm Sunday through Saturday every day/night, music will be background only, there will be no sidewalk café and no exterior area for the service of alcohol; and

v. Whereas, a Letter of No Objection from July/2015 was presented for the building (135 Sullivan), but the Letter of No Objection did not distinguish between the north and south storefronts within the same building, those two storefronts separated by a residential entry into the building, the Applicant agreeing

to obtain a new Letter of No Objection for the north storefront prior to opening, the Letter of No Objection relating to the South storefront within the same building but not the north storefront where the license is being sought; and

vi. Whereas, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the “Method of Operation” of the Restaurant Beer/Wine License, with those stipulations as follows:

1. The premises will be advertised and operated as a sushi counter restaurant.
2. The hours of operation will be 12 pm to 11 pm Sunday through Saturday. All patrons will be cleared and no patrons will remain after stated closing times.
3. 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.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes including a licensed sidewalk cafe.
7. The premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
8. Will not install or utilize French doors, operable windows or open façades.
9. There will be no use of the common areas of the building, including main hallway and stairs for residents.
10. There will be no café furniture placed outside in front of premises.
11. Doors and windows will be closed at all times except for patrons entering and leaving the premises.
12. The premises will not have DJs, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
13. Will obtain valid certificate of occupancy or letter of no objection permitting eating and drinking at premises prior to issuance of license.
14. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
15. Will not make any changes to the existing facade, except to change signage or awning.
16. Will not offer unlimited drink, or unlimited food & drink specials (including no “boozy brunches”), nor will it sell pitchers of beer.
17. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine and beer products.

vii. Whereas, there have been significant concerns with the proliferation of licensed premises on this particular block in the past 10 years, residents living in the building and others living next door and across the street appearing with such concerns, the Applicant not having performed outreach to those living but met with residents at the time this matter was heard, the Applicant having discussed and agreed to the above-reference stipulations after speaking with those living on the same block; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the new restaurant wine license to **Echizen, LLC d/b/a TBD, 135 Sullivan St. North Storefront 10012** **unless** the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” on the Restaurant Wine License.

Vote: Unanimous in favor (7-0)

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
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Dear Sir/Madam:

At its Full Board meeting on October 24, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

7. Citizens of Bleecker, LLC d/b/a N/A, Portion of 155 Bleecker 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 on-premise liquor license to operate a full service cafe restaurant serving Australian - style brunches, healthy breakfasts and lunches in a mixed use four story brick building (Circa 1900) building located on the corner of Bleecker and Thompson Streets within the South Village Historic District; and

ii. Whereas, the storefront space was previously operated since 2016 as **Bobbi Que, LLC, d/b/a Pig Beach**, a neighborhood restaurant serving smoked foods with an OP license; and

iii. Whereas, the storefront premises is approx. 2,220 sq. ft. (ground floor is 1,200 sq. ft. and basement 1,000 sq. ft.- no patron use) with 13 tables and 36 seats and one bar with 12 seats, for a total of 58 patron seats, all front façade windows will remain fixed and non-operable, there will be no outdoor and there are currently no plans for a sidewalk cafe; and,

iv. Whereas, the hours of operation will be 7AM to 12:00AM seven days a week (no patron shall remain after closing hour), the premises will always operate as a full service restaurant and not as a lounge or sports bar, there will be no TV’s, there will be quiet, background music only, no DJs, no promoted events, no live music, no cover fee, no scheduled performances, any windows and doors will closed by 10PM except for patron egress; and

v. Whereas, the applicant also met with the Bleecker Area Merchants’ and Residents’ Association (BAMRA), a representative of BAMRA appeared and stated the organizations support; and,

vi. Whereas, the licensee executed a stipulations agreement with CB2, Man. that will remain and continue to be attached and incorporated into their method of operation on their Restaurant On Premise license and the stipulations are as follows:

1. The premises will be advertised and operated as a full-service restaurant and will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
2. The hours of operation will be from 7AM to 12:00AM seven days a week (no patron shall remain after closing hour).
3. The premises will have no televisions.
4. The premises will not permit dancing.
5. The premises will not operate a backyard garden or any outdoor area for commercial purposes, including a sidewalk cafe.
6. The premises will play quiet ambient-recorded background music only.
7. The premises will not have DJs, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
8. The Premises will not have French Doors, Operable Windows or open facades.
9. The Licensee will not have patron seating or patron eating and drinking in the basement; and
10. There will be no pitchers of beer and no all you can eat/drink specials or boozy brunches; and

vii. Whereas, there are currently approximately 35 on-premise Liquor Licenses within 500 ft. of the premises and an unknown number of Beer/Wine licenses the method of operation as a restaurant and agreed upon stipulations establishing a public interest;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the On Premise license application for **Citizens of Bleeker, LLC, 155 Bleeker St. 10022** **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 relating to the above-stated stipulations are incorporated into the “Method of Operation” on its Restaurant On Premise Liquor License.

Vote: Unanimous, with 41 Board members in favor.

Carter Booth, *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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November 7, 2019

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 October 24, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

8. Selina Operations LES, LLC d/b/a Selina, 138 Bowery 10013 (OP – New Hotel/previously unlicensed location, includes outdoor rooftop restaurant, 2nd floor rear terrace, rooms with balconies and basement space open until 4AM with DJs, live music and performances) (laid over at meeting)

i. Whereas, the Applicant and its Attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new Hotel on premise liquor license to operate a transient hotel in a newly constructed 8-story building on the Bowery between Broome and Grand Streets, the building located within the Special Little Italy District; and

ii. Whereas, prior to the Hotel, a lighting store operated at ground level at this location, closing by 7 pm every day, the location having never been used or occupied for eating and drinking uses or occupancy; and

iii. Whereas, the Hotel will occupy the entire 8-story building, with a roughly 51,000 sq. ft. gross floor interior, in addition to cellar and rooftop, proposing multiple exterior spaces to the Hotel, including 2,250 sq. ft. exterior rooftop restaurant (patron occ. 74), 2,250 sq. ft. exterior 2nd floor deck (patron occ. 61), as well as 8 apartments with 6 outdoor terraces located on the sixth floor, all outdoor spaces to the Hotel facing the rear of the Hotel backing up into six- and seven-story residential apartment buildings located on Elizabeth Street, the Applicant seeks to operate in these outdoor spaces for eating and drinking purposes with the service of alcohol; and

iv. Whereas, the Applicant also seeks to operate in the interior until 4AM every night, planning a full service 3,250 restaurant and bar space on the ground floor with approximately 100 patron seats facing the Bowery, with stairs leading to a 2,200 mezzanine co-working space and down into the cellar where

there will be a 3,100 sq. ft. nightlife club and event space (patron occ. 288) with no fixed seating, one stand-up bar utilizing DJs, live musical performance, dancing and promoted events at entertainment levels; and

v. Whereas, there was significant opposition to the application by those living in four large apartment buildings on Elizabeth Street that have residences facing the rear of the Hotel and directly exposed to the rooftop, 2nd floor terrace and six floor terraces operated by the hotel, a location for these residents prior to the plan for a transient hotel thereat, being one of quiet enjoyment and privacy, with those same residents now having to be subject to the new Hotels impacts, having their bedrooms and residential quarters located immediately adjacent to, without barrier and surrounding the proposed 2nd floor terrace; and

vi. Whereas, the certificate of occupancy for the proposed transient Hotel does not permit eating and drinking on the rooftop or second floor rear terrace, the Applicant stating that they have applied to change such Certificate of Occupancy with the NYC Department of Buildings, changes that purportedly would allow eating and drinking use and occupancy at these exterior spaces at some point in the future; and

vii. Whereas, due to the significant impacts that would be created by the Hotel's second floor exterior terrace, surrounded by so many residential apartments, the Applicant's Sound Eng. suggested that the Hotel build a temporary 14-foot high Dome, approx. 916 sq. ft. in size, which would be made of clear, see-through material connected to a HVAC system allowing cooling in the summer and heating in the winter, permitting activities in the Dome to occur on a year-round basis, the proposal is to the use the Dome for Wellness activities and/or for Eating and Drinking purposes; and

viii. Whereas, in light of the significant opposition received to this application, and desire of the Applicant to conduct further outreach to those appearing at the meeting, the Applicant requested to adjourn its proceedings with CB2, Man. and agreed not to go to the NYSLA without returning and completing its presentation to CB2, Man. in November or December/2019; and

ix. Whereas, those appearing in opposition to this application were unanimously opposed to the Hotel's plans for the exterior operations and 4am closing, the area already being greatly saturated with a significant number of late-night drinking establishments; and

x. Whereas, this application being subject to the Public Interest standard, the proposed use of the second-floor exterior terrace surrounded by residential apartments for eating and drinking would be highly inappropriate; and

xi. Whereas, instead the Hotel may and should rely on the rooftop space for seasonal eating and drinking, where any such exterior dining activities can take place after the proper permits are in place, without music and with a plexiglass sound barrier placed strategically on the Elizabeth Street side of the roof, and where eating and drinking activities can be strategically redesigned away from the edge of the rooftop to prevent those dining at the restaurant from having a visual line of sight down into the privacy of the residential apartments facing the hotel's Elizabeth Street side; and

xii. Whereas, the interior Hotel and cellar event space should close by 2 AM every night, instead of 4 am, as requested, this location having never been licensed previously and there being numerous late night drinking establishments in the area, the 2am closing being reasonable and sufficient for the new Hotel's event space in the cellar to co-exist with the immediate surrounding community already greatly impacted by the presence of a new hotel, a hotel replacing a retail store selling light fixtures;

THEREFORE BE IT RESOLVED that based on the Applicant's request to **layover** this Application to either November or December/2019, CB2, Man. strongly recommends that the NYSLA **deny** the Hotel on premise liquor license for **Selina Operations LES, LLC d/b/a Selina, 138 Bowery 10013** **until** the Applicant has fully presented and completed 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.

Carter Booth, *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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November 7, 2019

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 October 24, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

9. CGM LLNR, LLC d/b/a Asia De Cuba, 415 Lafayette St. 10003 (OP Alteration – Restaurant/Lounge - relocate bar and change layout, method of operation change with downstairs lounge, live music, DJs, Comedy/spoken word performance and new food concept)

Whereas, prior to the CB2, Manhattan's SLA Licensing Committee #1 Meeting on October 7th, 2019 the Applicant requested **to layover** this application to November/2019 and 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 **CGM LLNR, LLC d/b/a Asia De Cuba, 415 Lafayette 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.

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
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Antony Wong, *Treasurer*
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November 7, 2019

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

Dear Sir/Madam:

At its Full Board meeting on October 24, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

10. The RealReal Corp. d/b/a The RealReal, 80 Wooster St. 10012 (RW – Café within retail store with exterior service to patio)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 7, 2019 the Applicant requested **withdraw** this application and 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 restaurant wine license or tavern wine license for **The RealReal Corp. d/b/a The RealReal, 80 Wooster St. 10012 until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 41 Board members in favor.

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
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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 October 24, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

11. Bea's Tavern, Inc., d/b/a Botanica Bar, 47 E. Houston St. 10012 (OP – adding bar to the rear of the premises) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 7, 2019 the Applicant requested to layover this application to November/2019 and will submit 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 restaurant wine license or tavern wine license for **Bea's Tavern, Inc., d/b/a Botanica Bar, 47 E. Houston St. 10012 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.

Carter Booth, *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 October 24, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

12. Veg Café, Inc., d/b/a Ananda, 210 Thompson St. 10012 (New RW – laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 7, 2019 the Applicant requested **to layover** this application to November/2019 and requested to adjourn and submit 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 restaurant wine license or tavern wine license for **Veg Café, Inc., d/b/a Ananda, 210 Thompson 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.

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
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Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on October 24, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

13. Luc Levy or Entity to be formed, d/b/a Gypsy Eyes, 264 Bowery 10012 (OP – Previously unlicensed location, 4AM Closing, DJs, security, live music, sidewalk cafe) (laid over)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 7, 2019 the Applicant requested **to layover** this application to November/2019 and requested to adjourn and submit 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 restaurant wine license or tavern wine license for **Luc Levy or Entity to be formed, d/b/a Gypsy Eyes, 264 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.

Carter Booth, *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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NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on October 24, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

14. Russian Samover SoHo, Inc., d/b/a Russian Samover, 517-519 Broome St. 10003 (New OP – Restaurant) (laid over at meeting)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 7, 2019 the Applicant requested **to layover** this application to November/2019 and requested to adjourn and submit 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 restaurant wine license or tavern wine license for **Russian Samover SoHo, Inc., d/b/a Russian Samover, 517-519 Broome 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.

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
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Dear Sir/Madam:

At its Full Board meeting on October 24, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

15. S & A Caterers, Inc., d/b/a Sveta's, 64 Carmine Street 10014 (OP – Restaurant; Change in Method of Operation: Addition of Live Music)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Committee #2 to present an application to the NYS Liquor Authority for a change to the Method of Operation to an existing On-Premise License currently held by the Applicant to enable the Applicant to offer live acoustic music at its restaurant serving European cuisine in a R6 zoned six-story, mixed-use building constructed in 1900 on Carmine St. which is between Bedford St. and Seventh Ave. South (Block #528/Lot #76) and is located in the Greenwich Village Historic District; and

ii. Whereas, aside from the aforementioned change in the Method of Operation the business will continue to function as a full-service restaurant and will continue to serve lunch and dinner in a licensed premises of approximately 2,700 sq. ft., with 19 tables with 52 seats and one (1) stand-up bar with nine (9) seats, for a total of 61 seats in the premises, with one (1) entrance/exit and one (1) restroom; and

iii. Whereas, the Applicant's agreed-to hours of operation shall remain 10:00 AM to 12:00 AM seven (7) days a week; the Applicant can provide non-amplified acoustic instrumental music only, albeit has agreed to close all its existing French doors and windows at all times during the presentation of live music; all other stipulations previously agreed-to remain unchanged and in effect: there will be no DJ's, no promoted events or scheduled performances, no cover fees, and no televisions; and

iv. Whereas, the Applicant has executed and has had notarized an updated Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation of the On-Premise License, with those stipulations as follows:

15. The premises will be advertised and operated as a full-service restaurant serving European cuisine.
16. The hours of operation will be 10:00 AM to 12:00 AM seven (7) days a week.
17. The premises will not operate as a Lounge, Tavern or Sports Bar or allow any portion of the premises to be operated in that manner.
18. The premises will have no televisions.
19. The premises will not operate a backyard garden or any outdoor area for commercial purposes; a sidewalk cafe is not included in this application.
20. The premises will play non-amplified acoustic instrumental music only; no music will be audible in any adjacent residences at any time.
21. All doors and windows will be closed by 10:00 PM every night and at any time live music is being played.
22. No changes will be made to the existing façade except to change the signage or awning.
23. Will comply with the NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
24. There will be no unlimited drink or unlimited drink and food specials; the premises will not have “boozy brunches” or serve pitchers of beer.
25. There will be no bottle service or the sale of alcohol in bottle form, except for the sale of beer and wine products.
26. Will not have any of the following: dancing, DJs, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, or security personnel
27. The Applicant will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the application for a change to the Method of Operation to the existing On-Premise License held by **S & A Caterers, Inc., d/b/a Sveta’s, 64 Carmine Street 10014** unless the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the Method of Operation on the SLA On-Premise License.

Vote: Unanimous, with 41 Board members in favor.

Carter Booth, *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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November 7, 2019

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 October 24, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

16. Grey Dog Carmine, Inc., d/b/a The Grey Dog, 49 Carmine Street 10014 (Application to Correct Previous Alterations for Exiting RW License Operating as Restaurant/Cafe)

i. Whereas, the Applicant's Manager and their Counsel appeared before Community Board 2, Manhattan's SLA Committee #2 to present an application to the NYS Liquor Authority for an alteration to its existing Restaurant Wine License to correct the floor plans currently on file for its cafe serving American comfort food in an R6 zoned four-story, mixed-use building constructed in 1910 on Carmine St. which is between Bedford and Bleecker Sts. (Block #586/Lot #42) and is located in the Greenwich Village Historic District; and

ii. Whereas, the aforementioned alterations were previously performed and the Applicant appeared to correct the plans on file with the NYSLA to accurately reflect the placement of furniture, a change in the location of the front door to the premises, to identify the existing counter as a stand-up bar, and to identify the basement as a place in which alcoholic beverages will be stored; and

iii. Whereas, no actual physical alterations are to be made to the interior premises other than the front door, having been moved to the corner of Carmine and Bedford Streets, with interior foyer, and the business will continue to operate as previously as a cafe serving breakfast, lunch, and dinner in a licensed premises of approximately 1,800 sq. ft. which is comprised of a ground floor space of 1,000 sq. ft. and a basement space of 800 sq. ft. (used for storage only), with 25 tables with 55 seats and one (1) stand-up bar with no (0) seats, and which is used as a service counter; there is one (1) entrance/exit and two (2) restrooms for patrons; and

iv. Whereas, there have been recent complaints received by CB2, Man. and filed with the NYSLA regarding the service of alcohol through open windows to an exterior counter on Carmine Street, where the Licensee built a bar height counter placing a series of exterior stools underneath such exterior counter, causing residents living in the area to provide photos demonstrating the improper service of alcohol to patron sitting on the stools on the Carmine Street sidewalk, the Applicant and his Attorney acknowledging a recent investigation by the NYSLA regarding the improper service of alcohol to the exterior, there being no permit to operate a sidewalk café at this location and the existing restaurant wine license does not permit the service of alcohol to any exterior premises; and

v. Whereas, the Applicant's Manager indicated that he was not previously aware of improper service of alcoholic beverages to the exterior without a permit to do so until recently contacted by the NYSLA and immediately agreed to remove the exterior counter and stools on the sidewalk on Carmine Street the next day to prevent any further opportunity for improprieties; and

vi. Whereas, the Applicant's agreed-to hours of operation shall remain 7:00 AM to 11:30 PM seven (7) days a week; music will continue to be quiet ambient background only and the Applicant further executed a new notarized Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation of the restaurant wine license as follows:

1. The premises will be advertised and operated as a full-service Café/Restaurant.
2. The hours of operation will be 7 am to 11:30 pm, seven days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. 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.
4. The premises will not have televisions.
5. The premises will not operate a backyard garden or any outdoor area for commercial purposes.
6. There will be no sidewalk café.
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at any time.
8. All doors and windows will be closed by 9 pm every night.
9. Will not make changes to the existing façade except to change signage or awning.
10. Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
11. Will not have unlimited drink or unlimited food & drink specials. Will not have "boozy brunches". No pitchers of beer.
12. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.
13. The premises will not have dancing, DJ's, live music, promoted events, cover charges, scheduled performances, velvet ropes or metal barricades or security personnel.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for an alteration to the existing Restaurant Wine License held by Grey Dog Carmine, Inc., d/b/a The Grey Dog, 49 Carmine Street 10014 **unless** the statements presented by the Applicant are accurate and complete, and the Applicant continues to adhere to the conditions and stipulations it has agreed to and which are incorporated into the Method of Operation on the SLA Restaurant Wine License.

Vote: Unanimous, with 41 Board members in favor.

Carter Booth, *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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November 7, 2019

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 October 24, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

17. Houston Hospitality Group, LLC d/b/a Biamo, 178 W. Houston St. 10014 (New Restaurant Wine—previously unlicensed location)

i. Whereas, the applicant appeared with his counsel before CB2's SLA committee for the purpose of seeking a new New Restaurant Wine license for a storefront premises located within a six-story mixed use building on a roadway extension and address on West Houston Street but which is also known as Bedford Street between Sixth Avenue and Downing Street, the building falling within the designated NYC LPC's Greenwich Village Historic District; the applicant had appeared before the same committee in June 2019 for an OP license for which CB2, Man. recommended unanimously to deny such license; and

ii. Whereas, the interior storefront premises are approximately 1,600 sq. ft., were previously occupied and operated for years as a Laundromat and drycleaning business and has neither previously been used nor occupied, with unenclosed rear yard of approximately 500 sq. ft. extending out from the rear of the premises, for eating or drinking, nor previously licensed for the service of alcohol, beer, or wine, there currently being no permit, letter of no objection from the NYC Dept. of Buildings or a current Certificate of Occupancy provided or presented which permits such use and occupancy for eating and drinking for either the interior premises or outdoor rear yard extension; and

iii. Whereas, the applicants believed that the premises was previously used and occupied for eating and drinking many years ago but such assertion was incorrect and in error and that the premises in question was never in fact occupied by or operated for eating and drinking, there being remnants of a ventilation system belonging to another, separate and distinct storefront albeit in the same building but with no rear yard extension; and

iv. Whereas, the applicants seek to open an Italian restaurant and bar serving pastas, pizza, salads and Italian dishes with hours of operation from 11 AM to 11 PM every day/night, with 18 interior tables and 36 interior seats, 1 interior stand up bar with 8 seats for a total interior patron capacity of 44 patron seats, requiring a complete gut renovation of the premises, the installation of a new kitchen and the installation of new mechanical systems where none had existed previously; and

v. Whereas, the applicant's current application did not include the exterior rear yard but the Applicant's counsel made it clear that the Applicant intends to and reserved its right to extend their business operations into the rear yard in the future, the premises also having existing operable windows at the rear which will remain open during operating hours; and

vi. Whereas, the Applicant resubmitted preprinted letters drafted by the Applicant and purportedly signed by residents living in and outside the immediate area but the preprinted letters did not acknowledge their existing plans to operate the rear yard in the future, calling into question the support letters in that local residents and neighbors could not and were not made aware of the applicant's desire and future plans to use the rear yard space, creating additional concerns the Applicant was not being sincere as to its ultimate plans for the premises to be licensed and was seeking to avoid having the back yard extension being subject to the 500-foot rule and its statutory obligation to establish a public interest; and

vii. Whereas, no one appeared in support of the Application; and,

viii. Whereas, the residents living in the same building, residents living in the immediate neighborhood, as well as Bedford Downing Street Block Association and its representatives appeared in opposition to the application at the October meeting just as they had appeared at the June meeting, while still others sent in letters and email correspondence in opposition, all of whom were adamantly opposed to this application, citing concerns for adding yet another licensed establishment on a narrow, residential street that is already overly-saturated with liquor licenses and where there are already 8 licensed establishments running along a two block span of Bedford Street between Carmine Street, Downing Street and Sixth Avenue, there being no public interest in adding yet another licensed location on this primarily residential block and very narrow roadway, in an area where there are so many other establishments already existing and where there are other vacant and unoccupied alternative storefronts on Carmine Street nearby and throughout CB2, Man. that are specifically available for eating and drinking uses, there being no public interest for opening new licensed locations in spaces previously unlicensed and never occupied for eating and drinking because the applicant seeks a lower rent, especially on narrow streets zoned for residential use when so many alternative locations properly zoned in the immediate area are vacant and needing businesses like proposed here to occupy them; and

ix. Whereas, the premises includes a rear courtyard outdoor space that faces the rear windows of a large adjacent residential community composed of multiple residential buildings creating future concerns of noise coming from the proposed premises where there has only been and forever quiet enjoyment and privacy normally associated with a rear yard surrounded by residential apartments; and

x. Whereas, there are already 55 liquor licenses within a 750-foot radius of these premises, many of which have only recently been added to the Area, including 11 pending license applications in this same area, there are many bars and restaurants which provide the same or similar services to the area as proposed in this Application, the application not being unique in any manner, the premises having never been licensed previously, the future extension into the rear yard being planned, there being no coherent reason for adding yet another licensed establishment where there is vacancy elsewhere for such purpose,

there being no permits proffered demonstrating permission to use or occupy as proposed, there being significant opposition presented from the local neighborhood with valid concerns, the immediate area being primarily residential on a narrow roadway already overwhelmed by liquor licenses; and

xi. Whereas, the specific storefront premises proposed to be licensed was previously reviewed with an analogous application known as AROSE HOSPITALITY LLC d/b/a ZEROBEDFORD SN 1293115 in 2016, with CB2, Man. unanimously voting to recommend denial of that license in January/2016 for analogous reasons, and where a 500 foot hearing was held in March 31, 2016 with the Administrative Law Judge concluding after such hearing that the application at the same premises did not meet the statutory burden of demonstrating that the public interest will be served by the granting of said license; and,

xii. Whereas, the NYSLA Board thereafter agreed with CB2, Man. and the Administrative Law Judge that the analogous application for these same premises did not meet the statutory burden of demonstrating that the public interest will be served by the granting of said license, thereby voting to deny the previous license application in 2016; and

xiii. Whereas, nothing has changed in terms of adding yet another licensed establishment at this location and on this narrow, residentially zoned block already saturated from licensed establishments;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** for **Houston Hospitality Group, LLC d/b/a Biamo, 178 W. Houston St. 10014** on its application seeking a new Restaurant 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; and,

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

Carter Booth, *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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November 7, 2019

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 October 24, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

18. Hiru, LLC d/b/a Lena, 10-12 Morton St. 10014 (New Restaurant Wine)

- i. Whereas**, the Applicant and his Attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application for a new Restaurant Wine license to operate a cafe and wine bar in a ground-floor storefront space within a six-story tenement style building (circa 1910) on Morton Street between Bleecker and 7th Avenue South, the building falling within NYC LPC's designated Greenwich Village Historic District; and,
- ii. Whereas**, the proposed licensed premise was previously operated since 2009 as Bosie Tea Parlor, a bakery, coffee and tea shop with a limited menu with hours of operation between 9 AM to 9 PM daily with a Tavern Wine license, the storefront prior to 2009 having operated as a jewelry retail store, and prior to 2009 not licensed for the service of alcohol and not for eating and drinking purposes; and,
- iii. Whereas**, the Applicant presented a letter of no objection from the NYC Building's Department issued to the Bosie Tea Parlor in June/2009 permitting eating and drinking on the first floor for the premises; and
- iv. Whereas**, subsequent to June/2009 and without notification or alteration application to CB2, Man. or the NYSLA, the storefront premises occupied by Bosie Tea Parlor were altered and expanded to include an exterior airshaft adjacent to the adjoining tenement building (14 Morton) with exterior staircase, where the owner of the building, without any known permits, constructed a concrete block addition to the building enclosing the above-referenced exterior airshaft, the building extension being planned for the Applicant's interior premises on the basement level, where the proposed plans to install a kitchen with convection appliances for the purpose of operating a full service Restaurant at the premises is proposed; and

v. **Whereas**, the applicant cannot produce a letter of no objection from the NYC Building's Dept. for the expanded premises since 2009, and was not able to produce permits showing permission to enclose the exterior shaftway, a portion of the building not visible from the Street but provided in photos from resident's living in both 10 and 14 Morton Streets, those residents being opposed to the expanded footprint for a liquor license, raising concerns of the expanded operations and new kitchen without proper permits being in place, there also being complaints about mechanical systems installed on top of the enclosed shaftway; and

vi. **Whereas**, the interior premises proposed to be licensed is stated to be approximately 1,400 sq. ft. (700 sq. ft. ground floor and 700 sq. ft. basement), with 13 tables and 31 patron seats, 1 stand up bar with 12 bar seats for a total patron seating capacity of 43, no TVs, one patron bathroom, music is background only, albeit with no plan to install soundproofing, there are no operable French doors or windows at the front façade, there is no outdoor seating and no service of alcohol to any exterior premises,

vii. **Whereas**, the Applicant submitted an architectural drawing of the basement premises which included patron seating in the section of the basement where the exterior shaftway was enclosed but the Applicant stated that this basement area would not be for patrons but rather food prep only, the landlord sending a letter indicating that at some point in the future it would obtain the requisite permits for the previously performed modifications to the historic building, raising questions about the failure to obtain such permits prior to doing the construction to alter the building; and

viii. **Whereas**, the proposed hours of operation are from 7 AM to 12 AM seven days a week, residents living in both 10 and 14 Morton Streets appearing in opposition to this application concerned about the additional noise impacts from the wine bar later at night until midnight, the premises being located on a quiet, narrow, mostly residential street, with a narrow sidewalk and bedroom windows of multiple residents directly above the storefront premises, there never being a business operating this late on the immediate block, there also being complaints voiced about the mechanical systems previously installed and anticipated in the future due to the expansion of the footprint of the premises planned to be licensed; and

ix. **Whereas**, the Applicant would not compromise with neighbors who appeared in opposition to this Application as it relates to its late-night hours of operation, the Applicant also producing a petition in support and a letter from the Morton Street Block Association, the letter from the Block Association not incorporating the concerns of residents immediately impacted by this application, those residents appearing in opposition indicating the Block Association failed to reach out to them, those who signed the Block Association letter living across 7th Avenue from the proposed premises to be licensed, not representing the interests of those (living on Morton Street being Bleecker and 7th Ave South) immediately impacted from this particular application, still other email communication coming from those separating their allegiance from the Block Associations as it relates to the position taken on this application and no one appearing from the Block Association to explain their position in light of the significant opposition that did appear;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** for **Hiru, LLC d/b/a Lena, 10-12 Morton St. 10014** on its application seeking a new OP 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; and,

Vote: Unanimous, with 41 Board members in favor.

Carter Booth, *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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November 7, 2019

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 October 24, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

19. Restaurant Associates, LLC d/b/a N/A, 315 Hudson Street, 6th, 9th & 10th Floors 10013
(New Catering OP – Catering Facility; Private Events Only)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Committee #2 to present an application to the NYS Liquor Authority for a new On-Premise License to enable the Applicant to provide alcoholic beverages as part of the catering services it has contracted to provide to Google, LLC (Google) in an M1-6 zoned ten-story, commercial building constructed in 1907 on Hudson St. which is between Vandam and Spring Sts. (Block #597/Lot #12); and

ii. Whereas, the Applicant will be the in-house provider of food and drink services for private, invitation-only events hosted by Google in its offices and will provide such catering services at Google’s instruction for on-site company-sponsored events scheduled no later than 1:00 AM seven (7) days a week; and

iii. Whereas, the Applicant was not able to produce a valid certificate of occupancy for their proposed occupancy and use but agreed and stipulated that its license would not be issued until a valid certificate of occupancy permitting catering services/occupancy on the 6th, 9th and 10th floors; and

iv. Whereas, the Applicant will store and serve alcoholic beverages only in those areas of the 6th, 9th and 10th floors of the premises identified in the floor plans presented to Community Board 2, Manhattan’s SLA Committee #2; and

v. **Whereas**, the Applicant has executed and notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation of the Catering On-Premise License, with those stipulations as follows:

1. The Applicant will operate solely to provide catering services for Google-sponsored private events.
2. The Applicant's hours of operation will no later than 1:00 AM, seven (7) days a week.
3. The Applicant shall serve and store alcoholic beverages only on the 6th, 9th & 10th floors of the premises.
4. The premises will not operate as a Lounge, Tavern or Sports Bar or allow any portion of the premises to be operated in that manner.
5. The premises will not have televisions.
6. The Applicant will not operate a backyard garden or any outdoor area for commercial purposes.
7. The Applicant will play quiet ambient recorded background music only; no music will be audible in any adjacent residences at any time.
8. The Applicant will not install or utilize French doors, operable windows or open façades.
9. The Applicant will comply with the NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
10. The Applicant will not offer unlimited drink or unlimited food and drink specials; it will not offer "boozy brunches" or serve beer by the pitcher.
11. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine and beer products.
12. Will not have any of the following: dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, or security personnel/doormen.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the application for a new On-Premises License to **Restaurant Associates LLC, 315 Hudson Street, 6th, 9th & 10th Floors 10013** unless the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the Method of Operation on the SLA Catering On-Premise License.

Vote: Unanimous, with 41 Board members in favor.

Carter Booth, *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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November 7, 2019

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 October 24, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

20. Restaurant Associates, LLC d/b/a N/A, 345 Hudson Street, 5th & 15th Floors 10013 (Catering OP – Catering Facility; Private Events Only)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Committee #2 to present an application to the NYS Liquor Authority for a new On-Premise License to enable the Applicant to provide alcoholic beverages as part of the catering services it has contracted to provide to Google LLC (Google) in an M1-6 zoned ten-story, commercial building constructed in 1907 on Hudson St. which is between Vandam and Spring Sts. (Block #597/Lot #12); and

ii. Whereas, the Applicant will be the in-house provider of food and drink services for private, invitation-only events hosted by Google in its offices and will provide such catering services at Google’s instruction for on-site company-sponsored events scheduled no later than 1:00 AM seven (7) days a week; and

iii. Whereas, the Applicant was not able to produce a valid certificate of occupancy for their proposed occupancy and use but agreed and stipulation that its catering liquor license would not be issued until a valid certificate of occupancy permitting catering services/occupancy on the 5th and 15th floors; and

iv. Whereas, the Applicant will store and serve alcoholic beverages only in those areas of the 5th and 15th floors of the premises identified in the floor plans presented to Community Board 2, Manhattan’s SLA Committee #2; and

v. **Whereas**, the Applicant has executed and notarized a Stipulations Agreement with CB2, Man. which will be incorporated into the Method of Operation of the Catering On-Premise License, with those stipulations as follows:

1. The Applicant will operate solely to provide catering services for Google-sponsored private events.
2. The Applicant's hours of operation will no later than 1:00 AM, seven (7) days a week.
3. The Applicant shall serve and store alcoholic beverages only on the 5th and 15th floors of the premises.
4. The premises will not operate as a Lounge, Tavern or Sports Bar or allow any portion of the premises to be operated in that manner.
5. The premises will not have televisions.
6. The Applicant will not operate a backyard garden or any outdoor area for commercial purposes.
7. The Applicant will play quiet ambient recorded background music only; no music will be audible in any adjacent residences at any time.
8. The Applicant will not install or utilize French doors, operable windows or open façades.
9. The Applicant will comply with the NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
10. The Applicant will not offer unlimited drink or unlimited food and drink specials; it will not offer "boozy brunches" or serve beer by the pitcher.
11. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine and beer products.
12. Will not have any of the following: dancing, DJs, live music, promoted events, any event where a cover fee is charged, scheduled performances, velvet ropes or metal barricades, or security personnel/doormen.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for a new On-Premises License to **Restaurant Associates LLC, 345 Hudson Street, 5th & 15th Floors 10013** **unless** the statements presented by the Applicant are accurate and complete, and that the above-stated conditions and stipulations agreed to by the Applicant are incorporated into the Method of Operation on the SLA Catering On-Premise License.

Vote: Unanimous, with 41 Board members in favor.

Carter Booth, *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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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 October 24, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

21. Darke Hospitality, LLC, or an entity to be formed by Chef Fadil Arifaj, d/b/a Darke, 15 W. 8th St. 10011 (New OP – Restaurant)

i. Whereas, the Applicant and the Applicant's Representative appeared before Community Board 2, Manhattan's SLA Licensing Committee to present an application to the Liquor Authority for a new on premise liquor license to operate a full service restaurant featuring modern international cuisine on the ground floor and basement within a six-story building (circa 1920) on West Eighth Street between Fifth Avenue and MacDougal Street, this building falling within NYC LPC's designated Greenwich Village Historic District; and,

ii. Whereas, the storefront premise has been previously licensed as a full service restaurant with an On-Premise license but that license was never used, the Applicant is not planning to make any changes to the exterior of the premises, the method of operation being consistent with the prior license for the premises, the certificate of occupancy will be updated; and,

iii. Whereas, the ground floor is approximately 1,800 sq. ft. and the basement is approximately 1,000 sq. ft. with no French doors or operable windows, there will be no sidewalk café or other outdoor areas for the service of alcohol, with 27 total tables with 68 patron seats, 1 bar with 10 patron seats for a total interior patron capacity of 78, there is two bathrooms for patrons, no TV; and,

iv. Whereas, the hours of operation will be from 11:30 AM to 12:00 AM Monday through Thursday, from 11:30 AM to 1:00 AM on Friday, and from 10:00 AM to 1 AM Saturday and Saturday, music will be background only; and,

v. Whereas, the West Eighth Street Block Association sent a letter of support; and,

vi. Whereas, the Applicant executing a stipulations agreement with CB2, Man. that they agreed would be attached and incorporated into their method of operation on their On-Premise license and the stipulations are as follows:

1. The licensed premise will be advertised and operated as a full-service restaurant featuring modern international cuisine.
2. The hours of operation will be from 11:30 AM to 12:00 AM Monday through Thursday, from 11:30 AM to 1:00 AM on Friday, and from 10:00 AM to 1 AM Saturday and Saturday.
3. 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.
4. The premises will have no television.
5. The premises will not permit dancing.
6. The premises will not install or have French doors, operable windows or open facades.
7. The premises will not operate a backyard garden or any outdoor area for commercial purposes or patron seating.
8. All doors and windows will be closed at all times.
9. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
10. The premises will not have DJ’s, live music, cover charges, scheduled performances, velvet ropes or barricades on the sidewalk or promoted events.
11. There will only be 1 standup bar with 10 seats.
12. There will be no pitchers of beer and no all you can eat/drink specials or boozy brunches.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial for an new On Premise license to **Darke Hospitality, LLC, or an entity to be formed by Chef Fadil Arifaj, d/b/a Darke, 15 W. 8th St. 10011** 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 relating to the above-stated stipulations are incorporated into the “Method of Operation” on the On Premise License.

Vote: Unanimous, with 41 Board members in favor.

Carter Booth, *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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November 7, 2019

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 October 24, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

22. Torch & Crown SoHo, LLC d/b/a Torch & Crown Brewing Company, 12 Vandam Street 10013 (Micro Brewer SN#1320015, Combined Craft Manufacturer SN#1320017, Farm Brewer SN#1320012 - Microbrewery with full-service restaurant and exterior beer garden selling on premise alcoholic beverages at retail)

i. Whereas, the Applicant and his Partner appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application for a new Micro-Brewers license with plans to operate a micro-brewery with full service restaurant with exterior beer garden within multiple floors of a 12-story commercial building at 12 Vandam Street between the Avenue of the Americas and Varick Street, a part of the South Village and NYC LPC's designated Charlton-King-Vandam Historic District; and,

ii. Whereas, a portion of the premises on the ground storefront level was previously operated for years as the "Vandam Diner", the Diner being closed in 2013, the building having undergone significant renovations after being sold to new ownership, the Micro-Brewery and Restaurant being proposed will be occupying 8,030 sq. ft. over three stories including first floor, cellar floor and subbasement, internal staircase, 3 patron entrances, 7 bathrooms and freight elevator, the interior premises including restaurant (3,100 sq. ft.) with 20 seat bar, 16 tables with 92 patron seats on the first floor, 30 additional seats at "education tables" in the cellar, the maximum interior occupancy for the premises planned to be 269, the brewery being in the cellar consisting of tanks in which bulk beer will be stored and/or fermented as well as brewing system and walk-in cooler, there will also be a merchandise area with small refrigerators for the sale of canned home-brewed beer; and

iii. Whereas, a large exterior yard for eating and drinking is planned for the restaurant, with 8 tables with 48 patron seats, the exterior space proposed is located in an adjacent vacant lot located next door to the micro-brewer restaurant's first floor premises, the vacant lot being a separate property having a separate block and lot number from the building at 12 Vandam, the commercial building also having a separate entrance at 161 Avenue of the Americas; and

iv. Whereas, the Applicant presented a certificate of occupancy that is not up-to-date and does not reflect the permitted use for a brewery at the premises, the occupancy of a restaurant is permitted albeit at no more than a 74 person occupancy, consistent with the Van Dam Diner which did not include use or ancillary access to the adjacent vacant lot next to the building; and

v. Whereas, the Applicant did not provide any explanation or provide any writing that demonstrated that the proposed restaurant can operate outside on the adjacent vacant lot with separate block and lot from the building where the interior restaurant and brewery is planned; and

vi. Whereas, the vacant lot is approximately 40 ft. (width) by 100 ft. (length), was previously operated as a loading dock and parking area for vehicles, most recently covered with a sidewalk shed due to on-going building façade work; and

vii. Whereas, immediately adjacent to the vacant lot where the Applicant seeks to operate his exterior restaurant space there is a large six story residential apartment building facing the proposed exterior restaurant and beer garden space, the residential building with 24 apartments being unanimously opposed to the exterior plans, there being roughly 40-45 residential windows facing the lot separating the residential and commercial buildings; and

viii. Whereas, the Applicant did not identify its hours of operation for the restaurant and bar in writing but when pressed at the meeting acknowledged that it would remain open until 12am during the week and by 2am on the weekends; with the exterior hours for the exterior yard until 10 pm during the week and 11 pm on the weekends, music is background at the interior only, no plan was presented for exterior noise and privacy mitigation for the apartment dwellers in the adjacent building, those residents living in the adjacent residential apartment building being fully exposed to the proposed exterior operations of the micro-brewer's restaurant; and

ix. Whereas, the Applicant has no experience in operating a restaurant, the Applicant's Partner having operated a restaurant and bar called the "Cannibal" with exterior beer garden on East 29th Street in midtown Manhattan; and

x. Whereas, the Applicant and his Partner stated that the Restaurant will serve wine, beer and all forms of liquor/spirits on premise at retail, this statement being inconsistent with the Applicant's application for Micro-brewers license with the NYSLA, the application filed with the NYSLA stating that "at this time, the on premises restaurant will **not** serve wine or liquor or non-New York State-labeled beer, cider or braggot; should this be the case, applicant will apply for the appropriate on-premises license to offer to offer wine and liquor"; and

xi. Whereas, despite this significant inconsistency between application to the NYSLA and the Applicant's presentation to CB2, Man., the Applicant and his Partner indicated that the new ABC laws for a micro-brewer's license and ancillary restaurant allowed for the service of alcohol on premise, thus not being subject to the 500 foot rule for all such identical applications in NYC, albeit based on certain unidentified "legal advice"; and

xii. Whereas, the NYSLA published a Guideline in 2016 to assist craft brewers and other alcoholic beverage manufacturers in the State of New York for complying with New York ABC laws, the publication specifically stating that the brewery or farm brewery that operates a restaurant, hotel, catering establishment or other food and drinking establishment may sell, for on-premise consumption, the beer it produces and any New York State labeled beer without obtaining an additional license or permit, thereafter advising such brewer that it will need an on premise license “to sell other alcoholic beverages”; and

xiii. Whereas, the Applicant has provided very limited outreach and failed to provide any significant details about the restaurant operations, hours of operation, crowd control, patron occupancy, number of tables and chairs, despite indicating an intention and willingness to work with its residential neighbors to reduce and mitigate the impacts of the proposed operations in the future; and

xiv. Whereas, still others living in the neighborhood and living across the street from the premises to be licensed, as well as the Vandam Block Association, appeared in opposition to the Application, there being many unanswered questions for the restaurant, the exterior yard, those appearing voicing quality of life concerns, all of those who appeared being against the application; and

xv. Whereas, a review of the Alcohol Beverage and Control Act §51-a relating to Farm Brewery license permits the retail service of beer, cider and braggot at the premises only, the addition of alcohol on premise requiring an on-premise license subject to the 500-foot rule; and

xvi. Whereas, this Applicant has neither applied for an on premise liquor license for the proposed restaurant and bar, nor provided CB2, Man. with a 30-day notice triggering such an application, the instant application for Brewer’s license must be limited to the sale of beer, cider and braggot on premise; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** for **Torch & Crown SoHo, LLC d/b/a Torch & Crown Brewing Company, 12 Vandam Street 10013** on its application seeking a Micro Brewer, Combined Craft Manufacturer and Farm Brewer licenses; and

THEREFORE BE IT FURTHER RESOLVED that the service of alcohol on premise be **denied** until the Applicant gives notice to CB2, Man. for an on premise license subject to the 500 foot rule; and

THEREFORE BE IT FURTHER RESOLVED that the exterior premises proposed for the restaurant be denied in its entirety; and 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; and,

Vote: Unanimous, with 41 Board members in favor.

Carter Booth, *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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November 7, 2019

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 October 24, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

23. Professional On-Site Management, Inc., d/b/a Sixth Avenue Tavern, 102 Washington Pl. 10014 (New OP – Bar/Tavern—previously unlicensed location)

i. Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 10, 2019 the Applicant **failed to appear** and further provided no information to CB2 Manhattan regarding its failure to appear;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed liquor license, corporate change, alteration, transfer or other application for **Professional On-Site Management, Inc., d/b/a Sixth Avenue Tavern, 102 Washington Pl. 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

THEREFORE BE IT FURTHER RESOLVED that CB2, Man. requests the NYSLA send this Applicant back to CB2, Man. 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.

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
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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 October 24, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

24. R&G Soho LLC d/b/a Piccola Cucina Enoteca, 184 Prince Street 10012 (OP – Existing Restaurant; Review of Method of Operation)

i. Whereas, the Licensee of **Piccola Cucina Enoteca** (Lic. # 1233248), Phillip Guardione, was requested to appear before CB2, Man., there being many complaints from people living in the surrounding neighborhood regarding the Restaurant's on-going operations; and

ii. Whereas, in September, the manager of Piccola Cucina Enoteca at 184 Prince St. and its Licensing Representative appeared before Community Board 2, Manhattan's SLA Committee #2 to discuss the true nature of the restaurant's day-to-day operations and the negative impacts it has been creating on the community; and

iii. Whereas, a large number of residents, including a Building Manager representing multiple residential buildings in the immediate area, appeared and provided detailed examples of unwanted behavior that in some cases represented violations of their method of operation on their on-premise license.

iv. Whereas, the following are among the most serious complaints presented to the Committee:

1. The business is being operated as a lounge, not as a restaurant; a party-like atmosphere is actively promoted and birthday celebrations, during which the overly-loud music volume increases further, are said to occur as many as ten times a night.
2. On a nightly basis, unacceptably loud music can be heard on the street and in nearby residences and patrons are allowed to dance on the tables and chairs; patrons are also encouraged to bang on pots and pans.

3. The business routinely operates and sells alcohol well past the hour allowed by its license; it is said to never close before 1:00 AM.
4. Customers have been seen drinking alcoholic beverages obtained in the restaurant on the street and it does not appear any effort is made to prevent this.
5. The business is operating an illegal sidewalk cafe.
6. Attempts by individual residents to discuss problems were repeatedly met by the Licensee's Management with hostility and threats against their persons.

v. Whereas, additionally, it was revealed that the problems at Piccola Cucina Enoteca are likewise seen at its sister restaurants Piccola Cucina Osteria, located at 196 Spring St., and at Piccola Cucina Estiatorio, located at 75 Thompson St. Further, the bad behavior exhibited at the Prince St. location was said to fuel comparable bad behavior witnessed at both the Spring St. and Thompson St. locations.

vi. Whereas, the restaurant's manager, who acknowledged the restaurant ritual of banging on pots and pans to celebrate birthdays, also managed the Piccola Cucina restaurants on Spring and Thompson Sts., also claiming that the severity of the complaints made were exaggerated. The Licensee's representative, who accompanied the Manager denied prior knowledge of the complaints and bad behavior, but acknowledged the seriousness of the complaints and promised to relay the community's concerns to his client, Mr. Guardione, who failed to appear and was requested to appear in October, the Licensee's Representative requesting to lay over this item for another 30 days, and to return in October with Mr. Guardione; and

vii. Whereas, a day prior to Community Board 2, Manhattan's SLA Committee #2 the Licensee's Representative contacted CB2, Man. to indicate that Mr. Guardione would again not be available on to attend Community Board 2, Manhattan's SLA Committee #2 meeting on October 10th, 2019, requesting to lay over this matter once again to November to respond to the complaints being made; and

viii. Whereas, people living in the surrounding Community again appeared on October 10th, 2019 voicing their continued complaints regarding the Licensee's operations, not having been notified of the late request of the owner to adjourn this matter yet again, those living in the neighborhood questioning Mr. Guardione's motive for the adjournment in that they had observed him at the location a few hours prior to the meeting;

THEREFORE BE IT RESOLVED that at the Licensee's request, CB2 Man. will lay over this matter until its November/2019 scheduled meeting for the purpose of reviewing the complaints being made against **R&G Soho LLC d/b/a Piccola Cucina Enoteca, 184 Prince Street 10012.**

Vote: Unanimous, with 41 Board members in favor.

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
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November 7, 2019

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 October 24, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

25. Bruschetta Bar 1, LLC d/b/a Bruschetta Bar, 94-96 Christopher St. 10014 (OP – Restaurant in two combined storefronts, one of which was previously unlicensed, with service to a combined exterior backyard patio with backyard bar; withdrawn at this time and plans to resubmit for November)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 10th, 2019 the Applicant requested **to withdraw** this application for a new on-premise liquor license from further consideration with the NYSLA;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed liquor license, corporate change, alteration, transfer or other application for **Bruschetta Bar 1, LLC d/b/a Bruschetta Bar, 94-96 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.

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
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November 7, 2019

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 October 24, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

26. Fortuna Realty Hotel SoHo LLC & 523 Greenwich Restaurant, LLC d/b/a Mav SoHo, 523 Greenwich St. 10013 (OP – Hotel Restaurant) (withdrawn-may resubmit in future)

Whereas, before this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 10, 2019 the Applicant requested **to withdraw** this application for a transfer of an on-premise liquor license from further consideration with the NYSLA;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, corporate change, alteration, transfer or other changes to the existing license for **Fortuna Realty Hotel SoHo LLC & 523 Greenwich Restaurant, LLC d/b/a Mav SoHo, 523 Greenwich 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.

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
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Licensing Issuance Division
NY State Liquor Authority
317 Lenox Avenue
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on October 24, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

27. N & B 95th Restaurant, Inc., d/b/a Taqueria Meza, 95 7th Ave. So. 10014 (Corp. change – laid over to Nov.)

Whereas, before this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 10, 2019 the Applicant requested **to layover** this application to November/2019 and requested to adjourn and submit 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, corporate change, alteration, transfer or other changes to the existing license for **N & B 95th Restaurant, Inc., d/b/a Taqueria Meza, 95 7th Ave. So. 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.

Carter Booth, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



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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 October 24, 2019, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

28. Chillhouse 75, LLC, d/b/a ChillHouse, 75 Varick St. 10013 (Restaurant Wine – previously unlicensed location) (laid over requested to Nov.)

Whereas, before this month's CB2, Manhattan's SLA Licensing Committee Meeting on October 10, 2019 the Applicant requested **to layover** this application to November/2019 and requested to adjourn and submit 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, corporate change, alteration, transfer or other changes to the existing license for **Chillhouse 75, LLC, d/b/a ChillHouse, 75 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.

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

Sincerely,



Cormack Flynn, Chair
SLA Licensing 1 Committee
Community Board #2, Manhattan



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



Carter Booth, Chair
Community Board #2, Manhattan

CB/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
Adam Roberts, Deputy Commissioner of Licensing, NY State Liquor Authority
Michael Jones, Deputy Chief Executive Officer, NY State Liquor Authority
Jonathan Rodriguez, Hearing Bureau, NY State Liquor Authority
SLA Examiners