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COMMUNITY BOARD NO. 2, MANHATTAN

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NEW YORK, NY 10012-1899

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May 11, 2016

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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

1. Principessa Soho LLC, d/b/a The Little Prince, 199 Prince St. 10017 (Renewal of OP license)

A. Whereas, CB2 Manhattan's SLA Licensing Committee requested the Licensee appear for the renewal of its existing on premise liquor license (Lic. #1259036, Exp. 3/31/2016) because it has been operating an illegal exterior sidewalk café over the last two years in degradation to its previously agreed method of operation; and

B. Whereas, when the licensee first appeared and presented its application before CB2 Man. in July/2011 for it on premise license, it affirmatively denied any intention to operate a sidewalk café, rear yard, rooftop or any outside, exterior space in conjunction with its street level, 1000 SF storefront premises to be operated as a restaurant serving Italian food located within a six story mixed use building (Circa 1900) on Prince Street between MacDougal and Sullivan Streets; and

C. Whereas, after the License presented its application to CB2, CB2 Man. recommended approval of the license based on the material representations presented to CB2 Man. and CB2 Man. issued a deny/unless resolution in the Licensee's favor to the NYS Liquor Authority as follows:

David Reuben or LLC to be formed, 199 Prince St. (MacDougal and Sullivan Streets), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for transfer of an existing On Premise license in a mixed use building on Prince Street between MacDougal and Sullivan Streets for a 1,000 s.f. restaurant with 18 table seats, 1 bar with 8 seats, and a maximum legal capacity of 74 persons; and,

Whereas, the applicant states the hours of operation are Sunday, Tuesday through Thursday from 12:00 p.m. to 1:00 a.m. and Friday and Saturday from 12:00 p.m. – 2:00 a.m.; there will not be a sidewalk café application and no backyard garden; music is background only; and,

Whereas, the applicant has agreed to the following stipulations:

- 1. The applicant will limit its closing hours to 1:00 a.m. on the weekdays and 2:00 a.m. on the weekends.*
- 2. The applicant will use only 1 French door. The remaining 2 French doors will be used for emergency purposes.*

Whereas, no one appeared in opposition from the community; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the transfer of an On Premise license for **David Reuben or LLC to be formed, 199 Prince St.** unless those conditions agreed to by applicant relating to the fourth “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 44 Board members in favor.

D. Whereas, despite the licensee’s statements and material representations to CB2 Man. that it would not have a sidewalk café at the premises or extend its liquor license to any exterior uses or services, after the licensee obtained his liquor license to sell alcohol with the NYS Liquor Authority it constructed an illegal café on an exterior platform at the front of the premises and installed permanent planters around the perimeter of the platform placing tables and chairs for eating and drinking over the public sidewalk without any permits or authority to do so and without providing notice to CB2 Man. and/or the NYS Liquor Authority for an alteration of its existing license for this purpose; and

E. Whereas, the sidewalk café has generated numerous complaints from the licensee’s neighbors arising from noise and late night drinking at the unlicensed and illegal cafe, those complaints being registered with numerous 311 complaints over the past two years, in addition to there being three (3) separate violations issued to the licensee from the NYC Department of Consumer Affairs (“DCA”) on August 19, 2014, June 11, 2015 and October 23, 2015 for which the licensee paid fines but failed to cease operations and alcohol service at the illegal cafe; and

F. Whereas, six persons from the neighborhood appeared in opposition to the renewal of the license citing the illegal use of the sidewalk café, the late night drinking and noise emitting from the use of the exterior space and the concerns that such use, in violation of its previously method of operation will encourage further poor and inappropriate conduct if the operator simply pays the fines as a cost of doing business but continues to operate the business in degradation of existing rules and laws; and

G. Whereas, Members of the SoHo Alliance also presented a copy of a Summons issued to the licensee on December 23, 2015 by an Inspector from the City of New York for having an “unauthorized encroachment”, consisting of “an extended dining area/platform built on the public sidewalk” and over City Property in violation of Section 19-133 of the NYC Administrative Code, requiring the licensee to remove the unauthorized encroachment; and

H. Whereas, the licensee conspicuously failed to appear before CB2 Man’s SLA Committee instead sending a Manager who acknowledged the multiple violations from DCA resulting in fines and “litigation” he claimed the business was “fighting” but demonstrated no real insight or understanding into Licensee’s actions or prior representations to CB2 Manhattan; and

I. Whereas, when it was explained to the licensee’s Manager that no permission had ever been issued by the NYS Liquor Authority for the operator to serve alcohol to any portion of the exterior premises, the Manager stated that currently the Licensee was not operating the illegal exterior sidewalk café and stated that it would not continue to use and operate the illegal exterior café thereat, but stopped short of agreeing to cease all future operations at the café until it followed the laws from DCA and from the NYS Liquor Authority to obtain the requisite permission for this purpose; and

J. Whereas, when CB2 Man. requested that the applicant/licensee agree to cease its exterior sidewalk café operations by means of an executed a stipulations agreement with CB2 Man. it refused to do so; and

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** for **Principessa Soho LLC, d/b/a The Little Prince, 199 Prince St. 10017** on its application seeking to renew its existing Restaurant On-Premise liquor license; and

THEREFORE BE IT FURTHER RESOLVED that should this application be considered by the SLA, CB#2, Man, respectfully requests that this item be Calendared to appear before the Full Board of the SLA; and

THEREFORE BE IT FURTHER RESOLVED that CB#2 Man. also respectfully requests that the Liquor Authority review the conduct of the Licensee for violations of their approved “method of operation” and representations presented to the SLA and conduct appropriate enforcement.

Vote: Unanimous, with 39 Board members in favor.

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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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

2. Ambleside Partners, LLC, d/b/a Pravda, 281 Lafayette St. 10012 (Alteration to Existing OP license)

A. Whereas, the applicant and the applicant's attorney appeared before CB2's SLA Licensing committee to present an alteration to an existing on premise license to operate a café and coffee shop with a full service kitchen at street level during the day and a lounge in the basement at night in a two-story commercial building (Circa 1850) on Lafayette Street between Prince Street and Jersey Lane; and

B. Whereas, the applicant also sought to move an interior stand up bar on the first floor and move a bathroom due to a fire sustained at the premises in the past; and

C. Whereas, the first floor and basement premises is approximately 2,500 SF, there will be continue to be 25 tables with 66 seats, 2 stand up bars with 14 seats for maximum legal capacity of 125 persons, there will be no sidewalk café, no exterior rooftop or outdoor space used and all doors and windows will be closed at all times; and

D. Whereas, the hours of operation for the premises will be from 7 AM to 4 AM Sunday through Saturday, music will be quiet and background only, there will be no d.j.s or live music, no private parties, there will be no scheduled performances or events with a cover charge; and

E. Whereas, neighbors living in the immediately adjacent residential building previously appeared to complain of loud, entertainment level music, emitting a loud bumping bass sound from the premises every time the front door was opened to the premises until 3:30 AM on a frequent basis over the last two years, while also shaking and vibrating portions of the adjacent building where the residential neighbors reside; and

F. Whereas, such music levels were in violation of the operators prior agreement with CB2, Man. previously incorporated in their existing license to operate with music played only at background levels; and

G. Whereas, the licensee appeared with his attorney, agreed to stop playing the loud music and promised to work with his neighbors to install sound proofing at the premises to prevent further disruption to neighbors, retaining Acoustilog, Inc., a soundproofing specialist who conducted tests on February 12, 2016 at the premises and who provided a report dated February 16, 2016 and a subsequent letter dated March 7, 2016 providing certain recommendations to help alleviate the existing problems with its neighbors; and

H. Whereas, the licensee agreed to perform and abide by all the recommendations from Acoustilog, Inc. relating to its sound system to recalibrate its existing sound limiter, rebuild a south wall to the premises adjacent to the neighboring residential building, rebuild the ceiling with additional layers of sheetrock, remount and isolate certain outdoor mechanical equipment on the roof top of the premises and used by the Licensee and to install sound locks at the front door; and

I. Whereas, at the request of neighbors the licensee also agreed to have licensed security at the front door of the premises from 11 PM until closings every night and to only operate its late night operations through the same, single door with sound locks every night until closing; and

J. Whereas, the applicant executed a stipulations agreement with CB2 Man. that they agreed would be attached and incorporated in to their method of operation on their OP license and the stipulations are as follows:

1. The premises will be advertised and operated as a café/restaurant and bar with a full service kitchen.
2. The hours of operation will be from 7 AM to 4 AM Sunday through Saturday.
3. There will be no outdoor service and no sidewalk café.
4. All exterior doors or windows will be closed at all times.
5. Music will be quiet, background level inside the restaurant and bar and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged
6. There will be no televisions and the premises will not operate as a Tavern or Sports Bar.
7. There will be no dancing.
8. There will be licensed security at the front door every night from 11 PM until closing.
9. There will be only one entrance/exit for patrons after 10 PM every night.
10. Applicant agrees to and will adhere to all recommendations to soundproof premises from Acoustilog, Inc. report dated March 7, 2016 and additional recommendations from Acoustilog, Inc. letter dated March 7, 2016

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of an alteration license to **Ambleside Partners, LLC, d/b/a Pravda, 281 Lafayette St. 10012** 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 39 Board members in favor.

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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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

3. The Wren New York, LLC, d/b/a The Wren, 344 Bowery 10012 (alteration application to add sidewalk café to existing license, lic. #1253507)

A. Whereas, the applicant appeared before CB2, Manhattan's SLA Licensing Committee seeking an alteration to add a sidewalk café to its existing on premise license while continuing to operate a Gastropub serving brunch on the weekends and dinner nightly in a mixed use six-story building at Bowery and Great Jones Street; and,

B. Whereas, there was never previously a sidewalk café at the licensed premises, the proposed occupancy for the sidewalk café is for 6 tables 15 seats and the licensee agreed to close the sidewalk café by 11 PM every night, no other changes to the existing business being sought or requested, the existing method of operation to the interior premises remaining unchanged in all respects continuing to do business as The Wren; and

C. Whereas, the licensee/applicant also presented a letter from the 344 Bowery Board Association, signed by the President, representing the mixed-use building where the licensee currently operates, stating that the operator had a meeting with its residential neighbors located directly above the proposed sidewalk café, that the sidewalk café would close every night at 11 PM, that the café tables would be reserved for dinning guests only, that a meeting would be held one month after the café had opened to see how it is going and to address any concerns of neighbors and that the Wren staff will make every effort to ensure the noise and disruption from the café is as minimal as possible for the residents living above the sidewalk café; and

D. Whereas, the applicant executed a stipulations agreement with CB2 Man. that they agreed would be attached and incorporated in to their method of operation on their OP license and the stipulations are as follows:

1. All prior stipulations and agreements for premises remain in full effect.
2. The premises will be advertised and operated as a Gastropub serving brunch and dinner daily with hours of operation from 11 AM until 2 AM Sunday through Wednesday and from 11 AM until 4 AM Thursday through Saturday.
3. The premises will never operate as a Night Club, Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. All doors and windows will close by 10 PM every night.
5. The sidewalk café will close at 11 PM every night.
6. Will not have DJs, live music events not associated with theatrical performance, promoted events not associated with theatrical performance or any event where a cover fee is charged other than theatrical performance.
7. There will no TVs.
8. The premises will not permit dancing even in the event a Cabaret License is applied for and issued.
9. Music will be quiet, background level inside the gastropub and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
10. There will be no dancing.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the alteration application to **The Wren New York, LLC, d/b/a The Wren, 344 Bowery 10012** **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 OP License.

Vote: Unanimous, with 39 Board members in favor.

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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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

4. 45 B Street Restaurant LLC d/b/a t/b/a, 45 Bond St. 10012 (New OP – Previously Licensed location)

A. Whereas, the applicant and applicant's attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new restaurant on premise liquor license for a previously licensed location for a "modern upscale restaurant serving farm-to-table fare with an emphasis on seasonal, indigenous ingredients and the 'whole beast'; and

B. Whereas, this application is for a new restaurant on premise liquor license located in a mixed use 6 story loft building built in 1899 located on the ground floor and basement on Bond St. between Lafayette St and Bowery for a roughly 2,900 sq. ft. premise (1,700 sq. ft. ground floor and 1,200 sq. ft. basement, both with patron use) with 21 tables and 89 table seats and 1 standup bar on the ground floor with 11 seats and 1 stand up bar in the basement with 4 seats and 4 seats at a kitchen counter for a total of 108 interior seats, this application does not include a sidewalk café and there are no other outdoor areas for patrons, and no benches on the sidewalk, there is an Certificate of Occupancy which states the maximum occupancy is 143 and the applicant will obtain an updated Place of Assembly Permit; and,

C. Whereas, the hours of operation will be Sunday to Wednesday from 8am to 1am and Thursday to Saturday from 8am to 2am (No patrons shall remain after the closing hour), music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 9 p.m. except for patron ingress and egress, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no TV's; and,

D. Whereas, the applicant previously met with one of the local stakeholder organizations, the Noho Bowery Stakeholders, and a number of agreements were discussed and issues reviewed and as a result the applicant presented a list of proposed stipulations to CB2, Man. which they were willing to incorporate into a stipulations agreement with CB2, Man.; and,

E. Whereas, the applicant executed a stipulations agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated into the method of operation on the restaurant on premise license stating that:

1. The premises will be advertised and operated as a “modern upscale restaurant serving farm-to-table fare with an emphasis on seasonal, indigenous ingredients and the ‘whole beast’” and will operate at all times as a full service restaurant.
2. The hours of operation will be Sunday to Wednesday from 8am to 1am and Thursday to Saturday from 8am to 2am. 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 (not including a licensed sidewalk café).
7. There is no sidewalk café included with this application. Any future application for a sidewalk café will not be presented prior to the 2017 sidewalk café season and no guarantees are set forth as to approval of any sidewalk café application by CB2, Manhattan or the recommendation of approval of alcohol service within any future sidewalk café.
8. The premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
9. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. The premises will close all doors and windows at 9pm every night and anytime there is amplified music.
11. Alcohol service will not begin before noon Sunday to Friday. Alcohol service will not begin before 10am on Saturdays.
12. There will never be more than 105 patrons (staff additional) in the premises at any time. This number of patrons, “guests”, is not to be substituted by DOB capacity, which may be greater than the above stated and agreed configuration capacity of the restaurant.
13. The establishment's personnel will manage patron street activity (entering, leaving, congregating or smoking) on the sidewalk immediately in front, and to additionally keep that portion of the sidewalk clean during all hours of operation.
14. The establishment will actively engage in all efforts to keep the sidewalk immediately in front of the premises and gutters free of debris and waste at all times, including the provision of containers in which to store garbage until third-party pick up and that all effort will be made to avoid garbage pick-ups between the hours of 2 AM and 7 AM, seven days a week.

15. Licensee will abide by all the regulations of the Department of Buildings and the Landmark Preservation Commission in the operation of their business at this address, including, but not limited to the Certificate of Occupancy, the Public Assembly Permit and exterior signage, modifications and design.
16. Licensee will assign at least one person (“Community Liaison”) who will be available to speak with local residents during normal weekday business hours concerning any matter related to compliance with the terms of these stipulations. In addition, during non-business hours, the Manager on Duty will serve in this capacity with full authority to enforce the terms of these stipulations in the event emergency contact is required.
17. Licensee agrees to design and operate the venue so as to comply with all NYC Noise Code standards. Should reasonable complaints be made to the Licensee and should any measures taken by Licensee to answer such complaints not be sufficient to abate such sound, the Licensee agrees to, at their own expense, conduct sound testing to assure that any amplified, non-amplified sound or HVAC system sound is not present or audible outside or inside the contiguous residences beyond NYC noise control code levels.
18. Licensee agrees to maintain its mechanical systems to provide industry standard venting and equipment that will minimize and/or prevent kitchen-related venting sound and odors.
19. Licensee agrees that any change in the method of operation, contrary to the terms and restrictions in these stipulations and in the materials submitted to CB2, Man. at the time of the initial application, will be submitted and reviewed for recommendation and approval through CB#2 Manhattan. This also includes the addition of any future sidewalk café, which is not included in this application.
20. Licensee will maintain a reservation system for patrons at all times. Any walk in guests who are unable to be accommodated or guests for whom tables are not yet ready and who are unable to be hosted within the restaurant will not be permitted to queue or loiter in front of the establishment, but will instead be contacted by cell phone or other electronic means by the Licensee when their seating is available. At times, patrons may be encouraged to visit other establishments in the neighborhood until such time their table is ready. All conversations regarding seating and accommodation of guests with Restaurant staff will occur inside the restaurant. At all times, the licensee will use best practices to mitigate any quality of life issues, excess noise or traffic issues in managing their patrons as they come and go.
21. There will be no patron use/service in the basement spaces.

F. Whereas, there are currently approximately 24 On Premise Liquor Licenses within 500 ft of the premises and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant On Premises Liquor License for **45 B Street Restaurant LLC d/b/a t/b/a, 45 Bond St. 10012** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the “Method of Operation” on the SLA On Premise License.

Vote: Unanimous, with 39 Board members in favor.

Tobi Bergman, *Chair*
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Director
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317 Lenox Avenue
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Dear Sir/Madam:

At its Full Board meeting on April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

5. Blue Bell Restaurant, LLC, d/b/a Cantine Parisienne, 153 Elizabeth St. aka 40 Kenmare St. 10012 (Alteration to existing OP license, lic. # 1232139; Exp. 5/31/2017)

A. Whereas, the applicant appeared with his attorney before CB2's SLA Licensing committee to present an application for an alteration for an existing restaurant on premise license to operate a French restaurant located in the ground floor storefront of a eight story Hotel on the corner of Elizabeth and Kenmare Streets (Circa 2006); and

B. Whereas, the alteration application is being presented for the sole purpose of moving a stand up bar within the premises in preparation of transferring the license to another business (The Food Commission LLC d/b/a Bread) in the same ground floor storefront which was also simultaneously heard and reviewed by CB2's SLA Licensing Committee; and

C. Whereas, should the transfer not occur the applicant concedes and agrees that no other proposed changes will occur and the existing method of operation will be maintained in all respects continuing to do business as Cantine Parisienne; and

D. Whereas, the existing storefront premises is operated with approximately 1,800 SF for both ground floor and cellar, with 16 tables with 50 patron seats, 1 bar with 10 patron seats, there will continue to be no TVs, three bathrooms and music will be background only; and

D. Whereas, the hours of operation for the Restaurant will continue to be from 7:00 AM to 12:00 AM Sunday through Saturday seven days/nights a week, the premises will continue operate as a full service French food restaurant, there will be no d.j. or live music, no private parties, there will be no scheduled performances or events with a cover charge; and; and

E. Whereas, the applicant previously presented an alteration application for a sidewalk café (as of 2014) but despite such prior request has never operated the sidewalk café, originally proposed with 42 seats covering approximately 470 Sf. of the public sidewalk in front of the premises closing by 11 PM every night; and

F. Whereas, the applicants executed a stipulations agreement with CB2 Man. that they agreed would be attached and incorporated in to their method of operation on their BW license and the stipulations are as follows:

1. All previously agreed upon stipulations will remain in full effect prior to any transfer of the existing license and those stipulations are as follows:
2. The premises will continue to be advertised and operated as a full service restaurant serving French food.
3. The hours of operation for the restaurant will be from 7:00 AM to 12:00 AM Sunday through Saturday seven days/nights a week.
4. There will be no outdoor areas other than the licensed sidewalk café located on the public sidewalk directly in front of the premises.
5. Any future sidewalk café will close by 11 PM every night.
6. No French or accordion style doors will be installed at the premises and the applicant will close all exterior doors or windows by 9 PM every night.
7. Music will be quiet, background level inside the restaurant and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged
8. There will be no televisions and the premises will not operate as a Bar, Tavern or Sports Bar.
9. There will be no dancing.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an alteration application to an existing on premise license to **Blue Bell Restaurant, LLC d/b/a Cantine Parisienne, 153 Elizabeth St. aka 40 Kenmare St. 10012** **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 39 Board members in favor.

Tobi Bergman, *Chair*
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Dear Sir/Madam:

At its Full Board meeting on April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

6. New York Kimchi, Inc., d/b/a t/b/a, 102 MacDougal Street 10012 (Restaurant Wine, previously licensed location)

A. Whereas, the applicant appeared before CB2 Manhattan's SLA Licensing Committee for a new Restaurant Wine license to operate a full service Korean Restaurant serving lunch and dinner within a 800 SF ground floor storefront in a mixed use six-story building (Circa 1904) on the corner of MacDougal and Bleecker Streets; and

B. Whereas, the premises will be operated as a restaurant with a full service kitchen and with closing hours no later than 11 PM Sunday through Thursday and 12 AM Fridays and Saturdays; and

C. Whereas, there will be 5 tables and 26 patrons seats, no bars, one entrance/exit, one bathroom, no TVs, music will be background only, doors and windows will close by 10 PM every night, there will be no d.j.'s, no promoted events, no live music, no cover fees, no scheduled performances, no back yard garden/outdoor space and no sidewalk café at this time; and

D. Whereas, the applicant executed a stipulations agreement with CB2 Man. that they agreed would be attached and incorporated in to their method of operation on their OP license and the stipulations are as follows:

1. The premises will be advertised and operated as a full service Korean restaurant with a full service kitchen.

2. Will operate with hours of operation from 11 AM to 11 PM Sunday through Thursday and 11 AM to 12 AM Fridays and Saturdays.
3. There will be no sidewalk café at this time.
4. All doors and windows will be closed by 10 PM every evening.
5. Music will be quiet, background level only and there will not be live music, dj's, promoted events, movable ropes or barriers on the sidewalk, scheduled performances or any events for which a cover fee is charged.
6. There will no TVs and the premises will not be advertised or operate as a Lounge, Tavern, Bar or Sports Bar.
7. The premises will not permit dancing.
8. There will be no pitchers of beer.
9. There will be no (unlimited) all you can eat/all you can drink specials.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a restaurant wine license to **New York Kimchi, Inc., d/b/a t/b/a, 102 MacDougal Street 10012** 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 License.

Vote: Unanimous, with 39 Board members in favor.

Tobi Bergman, *Chair*
Teri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Daniel Miller, *Assistant Secretary*

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May 11, 2016

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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

7. Morars, LLC, d/b/a TBD, 36 E 4th St. 10003 (Transfer of existing Restaurant Wine license)

A. Whereas, the applicant appeared with the applicant's attorney before CB2 Manhattan's SLA Licensing Committee for a transfer of an existing Restaurant Wine license to operate a full service Italian Restaurant serving lunch and dinner within an approximately 3,000 SF ground floor storefront (1,500 SF) and basement space (1500 SF for storage purposes only) in a mixed use five story building (Circa 1910) on East 4th Street between Bowery and Lafayette Streets; and

B. Whereas, the premises was previously operated as a Restaurant with a Restaurant Wine license (Aroma; lic. #1156800, exp. 2/28/2017) and the applicant will continue to operate the premises as a Restaurant with a full service kitchen, albeit with a new menu but with the same closing hours no later than 12 AM Sunday through Saturday and with a similar method of operation; and

C. Whereas, there will be 9 tables and 20 patrons seats, one bar with 9 seats, existing French doors at the front façade, one entrance/exit, one bathroom, no TVs, music will be background only, doors and windows will close by 10 PM every night, there will be no d.j.'s, no promoted events, no live music, no cover fees, no scheduled performances, no back yard garden/outdoor space and no sidewalk café at this time; and

D. Whereas, the applicant executed a stipulations agreement with CB2 Man. that they agreed would be attached and incorporated to their method of operation on their OP license and the stipulations are as follows:

1. The premises will be advertised and operated as a full service Italian restaurant with a full service kitchen.
2. Will operate with hours of operation from 12 PM to 12 AM Sunday through Saturday.
3. There will be no sidewalk café or exterior outdoor space at this time.
4. All doors and windows will be closed by 10 PM every evening.
5. Music will be quiet, background level only and there will not be live music, dj's, promoted events, movable ropes or barriers on the sidewalk, scheduled performances or any events for which a cover fee is charged.
6. There will no TVs and the premises will not be advertised or operate as a Lounge, Tavern, Bar or Sports Bar.
7. The premises will not permit dancing.
8. There will be no pitchers of beer.
9. There will be no (unlimited) all you can eat/all you can drink specials.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a restaurant wine license to **Morars, LLC, d/b/a TBD, 36 E 4th St. 10003** **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 License.

Vote: Unanimous, with 39 Board members in favor.

Tobi Bergman, *Chair*
Teri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Daniel Miller, *Assistant Secretary*

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May 11, 2016

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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

8. E2 Lafayette, LLC, d/b/a By Chloe, 240 Lafayette St. 10012 (New OP, previously unlicensed location)

A. Whereas, the applicant appeared before CB2's SLA committee for the purpose of seeking a new OP license for a storefront premises located in a five-story mixed use building (Circa 1900) on Lafayette Street between Spring and Prince Streets; and

B. Whereas, the interior storefront premises is approximately 1,477 SF, was previously occupied and operated as a yogurt shop for two years and previous to that, a retail clothing store business but the premises has never been used or occupied for eating or drinking nor previously licensed for the service of alcohol, there currently being no permit, no 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; and

C. Whereas, the applicant seeks to open a "fast-casual food counter service" restaurant serving vegetarian food with hours of operation from 8:30 AM to 10 PM Sunday through Tuesday and from 8:30 AM until 12 AM Wednesday through Saturday, with 11 interior tables and 32 interior seats, a food counter but no stand up bar for a total patron seating capacity of 32, requiring a complete gut renovation of the premises, the installation of a new full service kitchen and the installation of new mechanical systems where none had existed previously; and

D. Whereas, the applicant failed to provide any building plans or diagrams explaining how it planned to renovate or lay out the space, install and build out the kitchen and install the new

mechanical systems and venting so that they could be reviewed to ascertain the potential impact on the proposed alterations with the immediate neighbors; and

E. Whereas, when the applicant first appeared before CB2, Man. in February/2016 it had not made any recognizable efforts to perform any outreach in the neighborhood area, to those living above and immediately adjacent to the storefront premise, there being two neighbors who appeared before CB2 Man. in February and again in March who demonstrated concerns about noise coming from the proposed premises; and

F. Whereas, in light of such concerns the applicant requested to adjourn and lay over the presentation to March/2016 to perform additional outreach to the neighbors but when the applicant returned in March/2016 it presented a petition with signatures but had not specifically communicated with the same neighbors living above the proposed premises who appeared the month earlier; and

G. Whereas, the applicant has operated another restaurant with a similar method of operation within CB2 Man. on Bleecker Street for nine months, the location has become very trendy and popular where long patron lines extending outside the front door and onto the public sidewalk occur frequently creating exacerbating concerns of disruption and increased noise at the proposed location; and

H. Whereas, the applicant stated that even though the sale of alcohol represented only 1-2% of its sales at the Bleecker Street location, it could not survive without a full on premise license and its business model required the sale of a specialty cocktail; and

I. Whereas, the applicant stated that there were plans for a sidewalk café in the future but that it had not yet applied for such a license and that was not a part of the current application; and

J. Whereas, four people appeared in opposition to the application, including the Friends of Petrosino Square, citing its concerns of adding yet another licensed establishment in an area already overly-saturated with liquor licenses and where there are already 20 licensed establishments within 500 feet of the proposed premises (not including beer and wine) with 3 additional pending licenses, 28 licensed establishments within 750 feet of the proposed premises, there being many other similar and fast-casual food establishments already existing in the area, within CB2, Man. and within walking distances to the proposed premises and where there are other vacant, existing alternative storefronts within CB2, Man. and throughout the Boro of Manhattan and City of New York which have been previously licensed representing a more appropriate location for the applicant's proposed business model other than this unlicensed location in a residential neighborhood; and

K. Whereas, there were additional concerns voiced about the appropriateness of a on-premise license for the applicant's fast-casual business model where there is no table service and where there is only counter service, where a beer and wine license would be a more appropriate license; that the applicant only researched and reviewed storefront locations in the area which had never been licensed and did not seek out other vacant storefront locations that had been previously licensed, that the business will be trendy and create a significant increase in traffic and noise to a location previously unlicensed and which had closed by 9 PM every night, there are already too many liquor licenses, restaurants and bars within walking distance and nearby, many of which have only recently been added to the Area and many bars and restaurants which provide the same or similar services in the area, there being no coherent reason for adding yet another licensed establishment where there is vacancy elsewhere for such purpose, there being no permit for such use or occupancy and there is no public interest established; and

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** for **E2 Lafayette, LLC, d/b/a By Chloe, 240 Lafayette St. 10012** on its application seeking a new OP license; and

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

THEREFORE BE IT FURTHER RESOLVED that if this application is considered by the SLA, despite CB2, Manhattan's recommendation to deny this application, CB2, Man. requests that the SLA conduct a 500 foot hearing because the premises has never been licensed for the service of alcohol at any point in the past.

Vote: Passed, with 32 Board members in favor, and 7 in opposition (D. Borelli, T. Connor, J. Gallagher, L. Racusin, R. Sanz, K. Shea, C. Spence).

Tobi Bergman, *Chair*
Teri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Daniel Miller, *Assistant Secretary*

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May 11, 2016

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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

9. The Food Commission, LLC, d/b/a Bread, 153 Elizabeth St. 10012 (Transfer of existing OP license,)

A. Whereas, the applicant and his attorney appeared before CB2's SLA Licensing committee to present an application for a transfer of an existing restaurant on premise license to operate an Italian restaurant located in the ground floor storefront of a eight-story Hotel (Nolitan) on the corner of Elizabeth and Kenmare Streets (Circa 2006); and

B. Whereas, the premises was previously operated as a Restaurant with a On Premise liquor license (Blue Bell Restaurant, LLC, d/b/a Cantine Perisienne; lic. # 1232139, Exp. 5/31/2017) and the applicant will continue to operate the premises as a Restaurant with a full service kitchen and a similar method of operation, albeit with a new menu, a sidewalk cafe and a new food focus with extended hours of operation on the weekends until 1 AM; and

C. Whereas, the applicant has operated its business for approximately 15 years in another location within the same neighborhood and is seeking to relocate its restaurant business to the corner ground floor storefront within the Nolitan Hotel; and

D. Whereas, the existing storefront premises consists of an approximately 1800 SF space (ground floor and cellar), with 18 interior tables with 52 interior patron seats, 1 bar with 9 patron seats, there will continue to be no TVs, three bathrooms and music will be background only; and

D. Whereas, the hours of operation for the Restaurant will continue to be from 7:00 AM to 12:00 AM Sunday through Thursday and from 7:00 AM to 1:00 AM Fridays and Saturdays operate as a full service Italian food restaurant, there will be no d.j. or live music, no private parties, there will be no scheduled performances or events with a cover charge; and

E. Whereas, even though the prior licensee never previously operated a sidewalk café, the applicant proposes to operate such a café over the public sidewalk in front of the premises with 42 seats covering approximately 470 Sf. of the public sidewalk that will close by 11 PM every night; and

F. Whereas, the applicants executed a stipulations agreement with CB2, Man. that they agreed would be attached and incorporated in to their method of operation on their OP license and the stipulations are as follows:

1. The premises will continue to be advertised and operated as a full service restaurant with a full service kitchen serving Italian food.
2. The interior hours of operation for the restaurant will be from 7:00 AM to 12:00 AM Sunday through Thursday and from 7:00 AM to 1:00 AM Fridays and Saturdays.
3. There will be no outdoor areas other than the licensed sidewalk café located on the public sidewalk directly in front of the premises.
4. There will only be table service to the sidewalk café and the sidewalk café will close by 10 PM every night.
5. No French or accordion style doors will be installed at the premises and the applicant will close all exterior doors or windows by 10 PM every night.
6. Music will be quiet, background level inside the restaurant and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged
7. There will be two small televisions but the premises will never operate as a Bar, Tavern or Sports Bar.
8. There will be no dancing.
9. There will be no boozy brunches or unlimited all you can eat/all you can drink specials.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of an alteration application to an existing on premise license to **The Food Commission, LLC, d/b/a Bread, 153 Elizabeth St. aka 40 Kenmare St. 10012** **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: Passed, with 37 Board members in favor, and 2 in opposition (J. Frost, A. Wong).

Tobi Bergman, *Chair*
Teri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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May 11, 2016

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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

10. Nicky Cast Pizza, Inc., d/b/a Denino's Pizzeria & Tavern, 93 MacDougal St. 10012 (New OP – Previously Licensed location)

A. Whereas, the applicant and applicant's attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new restaurant on premise liquor license for a previously licensed location for a "family restaurant serving Pizza and Italian Food; and,

B. Whereas, this application is for a new restaurant on premise liquor license located in a mixed-use 6-story loft building (Circa. 1900) located on the ground floor and basement on MacDougal St. between West 3rd and Bleecker Sts. for a roughly 2,500 sq. ft. premise (1,600 sq. ft. ground floor and 900 sq. ft. basement and no patron use of basement) with 19 tables and 52 table seats and 1 standup bar with 10 seats for a total of 62 interior seats, this application includes a sidewalk café on the public sidewalk directly in front of the premises and there being no other outdoor areas for patrons; and

C. Whereas, the interior hours of operation will be Sunday to Thursday from 11AM to 1AM and from 11 AM to 2 AM on Fridays and Saturdays (No patrons shall remain after the closing hour), the sidewalk café will close by 10 PM every night, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 10 p.m. except for patron ingress and egress, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be 2 small TV's; and

D. Whereas, the applicant executed a stipulations agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated in to the method of operation the stipulations are as follows:

1. The premises will continue to be advertised and operated as a full service restaurant with a full service kitchen serving Italian food.
2. The interior hours of operation for the restaurant will be from 11:00 AM to 1:00 AM Sunday through Thursday and from 1100 AM to 2:00 AM Fridays and Saturdays.
3. There will be no outdoor areas other than the licensed sidewalk café located on the public sidewalk directly in front of the premises.
4. There will only be table service to the sidewalk café and the sidewalk café will close by 10 PM every night.
5. No French or accordion style doors will be installed at the premises and the applicant will close all exterior doors or windows by 10 PM every night.
6. Music will be quiet, background level inside the restaurant and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged
7. There will be two small televisions which will operate without sound and the premises will never operate as a Bar, Tavern or Sports Bar.
8. There will be no dancing.
9. There will be no boozy brunches or unlimited all you can eat/all you can drink specials.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a new on premise license to **Nicky Cast Pizza, Inc., d/b/a Denino's Pizzeria & Tavern, 93 MacDougal St. 10012** 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 39 Board members in favor.

Tobi Bergman, *Chair*
Teri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Daniel Miller, *Assistant Secretary*

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May 11, 2016

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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

11. 125 Hospitality, LLC, d/b/a Groove, 125 MacDougal St. 10012 (OP/Corporate Change)

A. Whereas, the Licensee appeared before Community Board 2, Manhattan's SLA Licensing Committee to present an application to the Liquor Authority for a corporate change of an existing on-premise liquor license for an American style restaurant and bar operating since 2006 with live music performances consisting of Jazz, Blues and Rhythm and Blues music serving lunch and dinner in a mixed use building located on the corner of MacDougal and West 3rd Sts.; and,

B. Whereas, the business will continue to be operated by the same owner/sole shareholder but the corporate structure will be changed from a corporation to a limited liability company, there will be no change in the current method of operation in an approx. 2600 sq ft premises (1,300 sq. ft. ground floor and 1,300 sq. ft. basement) premises with 15 tables and 64 seats and 1 stand up bar with 10 seats for a grand total of 74 interior seats, there is an existing sidewalk café; and,

C. Whereas, the hours of operation for the premises will continue be from 12PM to 4AM seven days a week, music will entertainment levels during performances, all doors and windows will be closed by 10 PM every evening or when music is playing, there will be no d.js., there are 6 TV's; and,

D. Whereas, the applicants executed a stipulations agreement with CB2, Man. that they agreed would be attached and incorporated in to their method of operation on their license and the stipulations are as follows:

1. The premises will be advertised and operated as an American style restaurant and bar offering live music performances consisting of Jazz, Blues and Rhythm and Blues music.

2. The hours of operation will be from 12PM to 4AM seven days a week.
3. There will be no backyard, rooftop or other outdoor space for the service of alcohol other than the sidewalk cafe.
4. There will continue to be six televisions.
5. All doors and windows will be closed by 10 PM every night or at all times when music is being played.
6. There will be no dancing.
7. There will be no patron use of basement.
8. There will be no d.j.s.
9. The sidewalk café will close by 10:30 every evening (no patrons remaining)

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a corporate change of an On Premise Liquor License for **125 Hospitality, LLC, d/b/a Groove, 125 MacDougal St. 10012** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Passed, with 38 Board members in favor, and 1 in opposition (D. Diether).

Tobi Bergman, *Chair*
Teri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Daniel Miller, *Assistant Secretary*

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May 11, 2016

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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

12. Joyful Eats Two, LLC d/b/a Mimi Cheng's Dumplings, 380 Broome St. 10013 (RW)
(Withdrawn at request of applicant)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on April 12, 2016, the principal/applicant requested **to withdraw** this application from consideration and did not appear before CB2 regarding its application; and,

Whereas, this application is for a beer wine or on premise license;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any proposed Beer and Wine or On Premise license to **Joyful Eats Two, LLC d/b/a Mimi Cheng's Dumplings, 380 Broome St. 10013** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board members in favor.

Tobi Bergman, *Chair*
Teri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Daniel Miller, *Assistant Secretary*

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May 11, 2016

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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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

13. TH NYC Restaurant 1 LLC, d/b/a N/A, 177 Prince St. 10012 (OP) (request to layover application to May/2016 and did not appear)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 12, 2016, the Applicant requested **to lay over** its application to May/2016 and did not appear for its application for a beer wine or on-premise license;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **TH NYC Restaurant 1 LLC, d/b/a N/A, 177 Prince St. 10012** **until** the Applicant has properly 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 39 Board members in favor.

Tobi Bergman, *Chair*
Teri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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May 11, 2016

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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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

14. Joy Luck Palace, Inc., d/b/a TBD, 98 Mott St. 10013 (New OP, requested layover to May/2016 and did not appear)

Whereas, prior to this month's CB2 SLA Licensing Committee meeting on April 12, 2016 the principal/applicant requested **to lay over** and adjourn this application to May/2016 for a beer wine license or on premise license and did not appear;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any Beer and Wine or On Premise license to **Joy Luck Palace, Inc., d/b/a TBD, 98 Mott 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 39 Board members in favor.

Tobi Bergman, *Chair*
Teri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
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May 11, 2016

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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

15. KLK Chinese Restaurant, Inc., d/b/a Red Egg, 202 Centre St. 10013 (OP) (layover at request of applicant and did not appear)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 12, 2016, the Applicant requested **to lay over** and adjourn this application for a restaurant wine to on premise license to May/2016 and did not appear;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **KLK Chinese Restaurant, Inc., d/b/a Red Egg, 202 Centre 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 39 Board members in favor.

Tobi Bergman, *Chair*
Teri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Daniel Miller, *Assistant Secretary*

COMMUNITY BOARD NO. 2, MANHATTAN

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May 11, 2016

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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

16. Shi Lin or LLC to be formed, d/b/a Le Pierre, 341 W. Broadway 10013 (lay over at request of applicant and did not appear)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 12, 2016, the Applicant attorney requested **to lay over** this application for a new on-premise liquor license to May/2016;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Shi Lin or LLC to be formed, d/b/a Le Pierre, 341 W. Broadway 10013 until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board members in favor.

Tobi Bergman, *Chair*
Teri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Daniel Miller, *Assistant Secretary*

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May 11, 2016

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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

17. 157 Lafayette Café, LLC, d/b/a Salon de Lafayette St. 10013 (Upgrade to OP-failed to appear)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 12, 2016, the Applicant **failed to appear** and present his application for an upgrade to on-premise liquor license and failed to give any reason for such non-appearance;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **157 Lafayette Café, LLC, d/b/a Salon de Lafayette 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 39 Board members in favor.

Tobi Bergman, *Chair*
Teri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
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May 11, 2016

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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

18. San Remo Group One, LLC, d/b/a San Remo, 201 Lafayette St. 10012 (OP- Applicant Requested layover to May/2016 at meeting)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 12, 2016, the Applicant appeared and requested **to lay over** this application for a new on-premise liquor license to May/2016;

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

Vote: Unanimous, with 39 Board members in favor.

Tobi Bergman, *Chair*
Teri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
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May 11, 2016

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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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

19. Jomelo, LLC, d/b/a Socarrat Nolita, 284 Mulberry St. 10012 (OP-upgrading to OP) (laid over at request of applicant and applicant did not appear)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 12, 2016, the Applicant requested **to lay over** this application for a new on-premise liquor license to May/2016; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Jomelo, LLC, d/b/a Socarrat Nolita, 284 Mulberry St. 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board members in favor.

Tobi Bergman, *Chair*
Teri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
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May 11, 2016

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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

20. Atla Lafayette, LLC, d/b/a TBD, 372 Lafayette St. 10012 (OP- laid over at request of applicant and applicant did not appear)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on April 12, 2016, the Applicant requested **to lay over** and adjourn this application for a new on-premise liquor license to May/2016;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Atla Lafayette, LLC, d/b/a TBD, 372 Lafayette St. 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board members in favor.

Tobi Bergman, *Chair*
Teri Cude, *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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

21. Hao Noodle and Tea, LLC, d/b/a TBD, 401 Sixth Ave. 10014 (New Restaurant Wine)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing Committee to present an application to the Liquor Authority for a restaurant wine license for a "high end Chinese restaurant specializing in flavorful 'flour' based and seasonal foods with an emphasis on Chinese tea ceremony"; and,

ii. Whereas, this application is for a new restaurant wine license at a previously licensed restaurant wine location in a commercial building located on Sixth Ave. between Waverly Pl and West 8th St. for a roughly 3,950 sq. ft. premise (ground floor and basement 1,975 sq. ft. each – no patrons in basement) located on the ground floor with 21 tables and 67 table seats, there is no standup bar and one service bar; there is an existing Certificate of Occupancy; and,

iii. Whereas, the hours of operation will be 11:30AM to 11:30PM 7 days a week, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 10PM except for patron ingress and egress, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

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

1. The premises will be advertised and operated as a high end Chinese restaurant specializing in flavorful “flour” based and seasonal foods with an emphasis on Chinese tea.
2. The hours of operation will be Sunday to Thursday from 1PM to 11PM and Friday to Saturday from 1PM to 12AM. 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 (not including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The Premises will close all doors and windows at 10PM every night and anytime there is amplified music. There will be no French doors, operable windows or open facades.
10. There will be no stand up bar. There will be a service bar only.
11. There will be no all you can drink or all you can eat and drink specials.
12. There is no sidewalk café included in this application.
13. There will be no patron use of basement.

v. Whereas, there are currently approximately 19 On Premise Liquor Licenses within 500 ft of the premises and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a new Restaurant Wine License for **Hao Noodle and Tea, LLC, d/b/a TBD, 401 Sixth Ave. 10014** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 39 Board members in favor.

Tobi Bergman, *Chair*
Teri Cude, *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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

22. Berrak NYC, LLC, d/b/a Nighthawks, 679 Greenwich St. 10014 (Upgrade to Restaurant On-Premise Liquor)

i. Whereas, the applicant appeared before Community Board 2, Manhattan's SLA Licensing Committee to present an application to the Liquor Authority to upgrade from an existing restaurant wine license to a restaurant on-premise liquor license for a full service, family owned Mediterranean Bistro; and,

ii. Whereas, this application contains no other changes except for an upgrade to an on-premise liquor license the premises continues to be located in a mixed use building in a residentially zoned district (R6) located on the ground floor on the Northeast Corner of Greenwich St and Christopher St for a roughly 1,000 sq. ft. premise with 17 tables and 40 seats and 1 bar with 10 seats, for a grand total of 50 seats, there is no sidewalk café included in this application (and it appears a sidewalk café would be precluded by the underlying zoning) and there are no other outdoor areas for patrons, there is an existing Certificate of Occupancy issued by the NYC Department of Buildings; and,

iii. Whereas, the hours of operation will continue to be Sunday to Wednesday from 7 AM to 12 AM and Thursday to Saturday from 7 AM to 2 AM (No patrons shall remain after the closing hour), music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there are no operable French doors or operable windows, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no T.V.'s, there will be no use by patrons of the basement; and,

iv. Whereas, the applicant executed a new stipulations agreement with CB2, Man. that they agreed would be attached and incorporated into the new method of operation on the new restaurant on premises liquor license stating that:

1. Premises will be advertised and operated as a full service, family owned Mediterranean Bistro.
2. A full food menu will be available at all times and the kitchen shall remain open and menu items available until closing every night.
3. The hours of operation are Sunday to Wednesday from 7 AM to 12 AM (midnight) and Thursday to Saturday from 7 AM to 2 AM. No patrons will remain after closing time.
4. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
5. The premises will not have televisions.
6. The premises will not permit dancing.
7. There is no backyard garden.
8. There is no sidewalk café.
9. Sufficient soundproofing is already installed.
10. All doors and windows will be closed at all times except for ingress and egress.
11. There will be no French doors or windows. There are no operable windows.
12. There will be no DJs, live music, promoted events, any events at which a cover is charged or scheduled performances.
13. There will be no all you can drink or all you can eat and drink specials.
14. This will be a restaurant operation only (full-service restaurant until close).

v. Whereas, there are currently approximately 10 On Premise Liquor Licenses within 500 ft of the premises and an unknown number of beer and wine licenses; and,

vi. Whereas, there were some concerns that the premises was located within 200 ft of the Church of St. Veronica located at 149-155 Christopher St., which is a part of the Arch Diocese of NY, but the applicant stated the distance was greater than 200 ft; and,

vii. Whereas, the applicant presented a letter in support from the Christopher Street Block and Merchant Association and a petition in support; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant On-premise liquor license for **Berrak NYC, LLC, d/b/a Nighthawks, 679 Greenwich St. unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 39 Board members in favor.

Tobi Bergman, *Chair*
Teri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
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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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

23. 4 Charles Street Restaurant LLC (Corp to be formed by Brendan Sodikoff), d/b/a TBD, 4 Charles St. 10014 (On Premise Liquor)

i. Whereas, the attorney for the applicant and a manager not empowered to make decisions for the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for an on-premise liquor license for a basement premises located in 3 story building (circa 1910) on Charles St. between Greenwich Avenue and Waverly Place; and

ii. Whereas, the premises is located on the basement level (1,000 sq ft for seating and kitchen) and sub cellar (500 sq ft for storage use only) with 12 tables and 40 table seats and 1 standup bar with 4 bar seats for a total of 44 seats; there currently being no permit, no 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; and,

iii. Whereas, the applicant seeks to open a "small restaurant that will focus on steak and fish" with hours of operation 8AM to 4AM 7 days a week, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no security personnel, no televisions, no d.j., no promoted events, no scheduled performances or cover fees, no private parties; and,

iv. Whereas, the applicant failed to provide any plans or diagrams showing the details of the kitchen layout; and,

- v. Whereas** the applicant represented that the premises currently has a valid Certificate of Occupancy and all appropriate permits, yet none were produced as requested and no explanation was provided; and,
- vii. Whereas** the applicant had previously notified CB2 of their intent to file a liquor license at this location and was placed on the CB2 agenda in January 2016, but they then withdrew that notice; and,
- viii. Whereas** the Standardized Notice Form for Providing 30-Day Advanced Notice to a Local Municipality or Community Board for this application was sent to CB2, Man. on March 3, 2016 and was received by CB2 on March 7th, 2016; and,
- ix. Whereas**, the applicant submitted their application to the New York State Liquor Authority on March 30, 2016 which is less than 30 days after providing notice to CB2, Man.; and,
- x. Whereas**, the applicant provided no justification or reasoning for operating the establishment beyond 12AM during the week and 1AM on the weekends other than that the law does not require them to work with its neighbors to come to a reasonable compromise and solution so that the business will operate in the future in a responsible manner in this residential community; the prior licensee was always closed by 12AM with no patrons remaining 7 days a week; and,
- xi. Whereas**, the principal does own and operate other restaurants, but does not reside in New York City, has not previously been licensed by the New York State Liquor Authority, did not appear before CB2, Man. and has no experience operating a restaurant in New York City or in a residential neighborhood in New York City; and,
- xii. Whereas** a manager who works for the applicant appeared but was unable to provide much information regarding the method of operation of the establishment including hours of operation or any details on how this applicant would run this establishment except to say they would operate between the hours of 8AM and 4AM, they would manage the premises professionally, that they would keep notes on problem patrons, that they would not restrict guests or their behavior at all and that there would be no additional impact of the community beyond the impact of the restaurant that was previously at the location but which closed by 12AM 7 days a week; he was unable to articulate any specifics on what this meant, the character or feel of the premises, the proposed name, how details of the operation would be managed or how this would be accomplished, whether patrons would be able to be seated for drinks only; he further stated that there would be no impacts from noise or traffic, but could not provide any details on how this might be accomplished or why this would be the case especially in light of the fact that there was extreme concern from local residents about the impact of patrons and operations and impacts on quality of life after 12AM on this residential street surrounded by residential apartment units; and,
- xiii. Whereas** an extensive cocktail menu was provided including drinks that serve 4 patrons at once in addition to a food menu; and,
- xiv. Whereas**, the applicant presented petitions in support and explained that they had several people obtaining signatures in support from individuals on the street in the immediate days prior to the applicants appearance before CB2, Man. and previously in January 2016, various petitions were presented stating support for a “restaurant” named Bavettes Prime Rib or 4 Charles St Restaurant depending on which petition was presented with various hours of operation indicated or none at all; a local resident who was approached to sign the petition on the day of CB2’s hearing stated he was told by the petitioner that while the form stated 4AM they would actually close completely at 2AM, but

they did not have this on the form; it was also stated that various contradictory information was stated to those approached and the applicant stated that the trade name was still to be determined even though it was presented to some local residents as Bavettes Prime Rib; it remains unclear what was actually represented verbally to those who signed the petition; and,

xv. Whereas, the manager for the applicant stated that this new operation as presented would be the same style operation as the previous operator, El Charro Restaurant (4 Charles Street Rest Inc.) and would continue to operate as a friendly neighborhood establishment; it was pointed out that El Charro Restaurant closed no later than 12AM and often by 11PM on all nights of the week and that operations past that time would impact quality of life of neighborhood residents as use beyond 12AM had not occurred at this premises in the past; and,

xvi. Whereas, the applicant held no open house and did not reach out directly to their immediate neighbors in immediately surrounding buildings including contiguous buildings; and,

xvii. Whereas, a significant number of letters in opposition were received with concerns specifically expressed as to the late hours of operation, lack of understanding as to the method of operation, concerns related to impacts on noise, traffic and overall quality of life and the lack of any proper outreach on behalf of the applicant who had apparently been looking at this space for months; and,

xviii. Whereas, a number of local residents who live on the block and immediately next door to the applicant's location, including representatives of building co-ops, appeared in opposition to the issuance of this license as presented; their concerns included that (1) the applicant did not even bother to reach out directly to those who live immediately next door or on the block; (2) that the hours of operation are well beyond the hours of operation of other established neighborhood restaurants including the restaurant previously at this location; (3) that a neighborhood friendly restaurant should operate in line with neighborhood friendly hours of operation in a heavily residential neighborhood; (4) that the actual operator and principal could not be bothered to appear himself at the hearing or could not host an open house meeting prior to the meeting to present his operation which made it difficult to understand how this was intended to be a neighborhood friendly business; (5) that meat and seafood were not original concepts in this neighborhood and their was great concern that instead of a good focus on food that there would be a focus on louder music and cocktails which would take this far away from the style of operation of the previous operator; (6) that there were concerns that as they do at other establishments cars and taxis would be waiting at later hours for patrons impeding the traffic on Charles street which would result in horn honking, (7) there were concerns about the impact of noise from the increased hours of operation over the restaurant previously at this location; (8) that because of the location of this establishment in a residential neighborhood an increased amount of foot traffic from patrons and noise from conversations would be generated at later hours in the evening; and,

xix. Whereas, the applicant stated that there are 5 licenses located within 500 feet of the premises, but there are actually 21 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses; and,

xx. Whereas, there is concern with the inconsistency of information and accuracy of information that has been presented to CB2, Man.;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial for **4 Charles Street Restaurant LLC (Corp to be formed by Brendan Sodikoff), d/b/a TBD , 4 Charles St. 10014** on its application seeking a new OP license; and

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

THEREFORE BE IT FURTHER RESOLVED that it is respectfully requested that despite any representations by the Applicant, that if this application is to be considered by the Liquor Authority that a 500 foot hearing be conducted to determine the actual and relevant facts so that they may be considered; and,

THEREFORE BE IT FURTHER RESOLVED that should the Liquor Authority consider the issuance of this license in light of concerns outlined above, that the following stipulations be considered to be applied to the issuance of any license: **(1)** hours of operation no later than 8AM to 12AM Sunday to Thursday and 8AM to 1AM Friday to Saturday-no patrons remaining after closing hour; **(2)** quiet ambient recorded background music only; **(3)** operation as a full service restaurant only **(4)** no DJ's or live music **(5)** no patron dancing **(6)** no televisions **(7)** no operable windows and door closed at 9PM **(8)** No private parties.

Vote: Unanimous, with 39 Board members in favor.

Tobi Bergman, *Chair*
Teri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



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May 11, 2016

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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

24. Good Manners, LLC, 15 E. 12th St. 10003 (New Restaurant On Premise Liquor)

i. Whereas, the Applicant appeared again before Community Board 2, Manhattan's SLA Licensing Committee for a second time after having laid over for one month to meet with local residents and multiple block associations to present an application to the Liquor Authority for a new restaurant on premise liquor license for a "all day restaurant serving sustainably sourced new American food and beverages"; and,

ii. Whereas, this application is for a new restaurant on-premise liquor license in a location previously licensed with a restaurant wine license in a mixed-use building located on East 12th St. between University Place and Fifth Ave. for a roughly 1,800 sq. ft. premise (939 sq. ft. ground floor and 860 sq. ft. basement – no patrons in basement) with 18 tables and 44 table seats, 1 standup bar with 10 bar seats for a total of 54 seats; there is an existing certificate of occupancy; and,

iii. Whereas, the hours of operation will be Sunday from 11AM to 12AM, Monday to Thursday from 7:30AM to 12AM, Friday from 7:30AM to 1AM and Saturday from 11AM to 1AM, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 9PM except for patron ingress and egress, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

iv. Whereas, the Applicant executed a stipulations agreement with CB2, Man. that they agreed to submit to the SLA and agreed would be attached and incorporated in to the method of operation on the restaurant on-premise liquor license stating that:

1. The premises will be advertised and operated as an all day restaurant serving sustainably sourced new American food and beverages.
2. The hours of operation will be Sunday from 11AM to 12AM, Monday to Thursday from 7:30AM to 12AM, Friday from 7:30AM to 1AM and Saturday from 11AM to 1AM. 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 or patron seating (not including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. The Premises will not have French doors, operable windows or open facades and will close all doors by 9PM every night and anytime there is amplified music.
10. There is no sidewalk café.
11. There will be no all you can drink or all you can eat and drink specials.
12. Air conditioning and other mechanicals will be placed on roof.
13. Rear windows will be replaced with double paned windows.
14. Rear windows will be outfitted with light shades and plantings.
15. Exhaust venting will be replaced and run up rear of building to code 10ft from all windows and roofline.
16. Roll down gates over rear windows will be removed.
17. No patron access to rear yard.
18. Will post “please respect the neighbors” type sign in visible location in front of premises.

v. Whereas, the applicant met with various residents and members of the local block associations surrounding this location who originally appeared in opposition to the issuance of this license to discuss ways in which to mitigate the impacts of the change in use to this location to a full service restaurant from a bakery style operation and to address issues as they relate to noise and intrusion into the rear yards of adjoining residences and issues with the rear windows as they currently exist; as a result of those discussions, the applicant agreed to a series of stipulations which are indicated above and the residents removed their objections to the issuance of the license; and,

vi. Whereas, there are currently approximately 16 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses; and,

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a new Restaurant On-Premise Liquor License for **Good Manners, LLC, 15 E. 12th St. 10003**, unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 39 Board members in favor.

Tobi Bergman, *Chair*
Teri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Daniel Miller, *Assistant Secretary*

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May 11, 2016

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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

25. 2nd City West Village, LLC, d/b/a 2nd City, 525 Hudson St. 10014 (New Restaurant On Premise Liquor)

WILL SEND OUT IN A SEPARATE EMAIL AND MAILING.

Tobi Bergman, *Chair*
Teri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Daniel Miller, *Assistant 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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

26. Bleecker Pizza, LLC, d/b/a Bleecker Street Pizza, 69th Ave. South 10014 (New Restaurant Wine)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a transfer of a restaurant wine license for a Pizzeria; the owners are changing from a Corporation to an LLC; the principals have been operating the establishment since 2004; and,

ii. Whereas, this application is for a "transfer" of a restaurant wine license at a currently licensed location in a commercial building located on the corner of 7th Avenue South and Bleecker St. for a roughly 450 sq. ft. premise located on the ground floor with 10 tables and 30 table seats, and a sidewalk café with 3 tables and 6 seats; there is no standup bar; there is an existing Certificate of Occupancy; and,

iii. Whereas, the hours of operation are Sunday to Thursday from 10AM to 2AM and Friday to Saturday from 10AM to 4AM, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 10PM except for patron ingress and egress, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes; and,

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

1. The premises will be advertised and operated as a Pizzeria; and,
2. The hours of operation will be Sunday to Thursday from 10AM to 2AM and Friday to Saturday from 10AM to 4AM. 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 (not including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
9. There will be no French doors, operable windows or open facades.
10. There will be no all you can drink or all you can eat and drink specials.

v. Whereas, several letters were received expressing concerns with the manner in which the operator handles their trash from patrons; the specific concerns were that **(1)** a large amount of trash bags are placed throughout the evening on the curb impeding pedestrian traffic at this corner well before the hours at which time the operator closes; **(2)** that the NYC Dept. Of Sanitation trash can immediately in front of the premises on the corner is often overflowing with the operators patrons’ trash resulting in paper plates and napkins blowing down adjacent residential historic streets (Barrow and Commerce) becoming trapped in flower beds, along stoops and in the gutter; **(3)** that the operator should be power washing more regularly the sidewalk surrounding the establishment to match the cleanliness of the adjacent businesses; and **(4)** that delivery bikes are constantly locked up in front of the premises impeding pedestrian traffic flow; and,

vi. Whereas, the operator stated that he would look into ways to address the trash issues including potentially storing trash in the basement prior to taking out, emptying the DSNY trash can at the end of each evening and more regularly cleaning the sidewalk in front of the premises; and,

vi. Whereas, there are currently approximately 33 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a “transfer” application for an existing Restaurant Wine License for **Bleecker Pizza, LLC, d/b/a Bleecker Street Pizza, 69 7th Ave. South 10014 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 39 Board members in favor.

Tobi Bergman, *Chair*
Teri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Daniel Miller, *Assistant Secretary*

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May 11, 2016

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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

27. Off Cuts, LLC, d/b/a Quality Eats, 19 Greenwich Ave. 10014 (OP Alteration to include Sidewalk Café)

Whereas, the Licensee sent a Standardized Notice Form for Providing 30-Day Advanced Notice to a Local Municipality or Community Board dated March 10, 2016 to Community Board 2 Manhattan to provide notice of an alteration application to add a newly licensed Department of Consumer Affairs sidewalk café to the licensed premises; and,

Whereas, the proposed licensed sidewalk café was presented to CB2, Manhattan's SLA Licensing Committee #2 in June 2015 as part of their original presentation to CB2, but was not included in their application to the SLA at the time;

Whereas, in June 2015 the Licensee agreed to a set of stipulations in conjunction with the issuance of their Restaurant On-Premise Liquor License; a portion of the stipulations covered the operation of the sidewalk café; and,

Whereas, CB2, Man. chose not to rehear this application as it was covered in CB2's resolution from June 2015;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny this alteration application as described in the Standardized Notice Form for Providing 30-Day Advanced Notice to a Local Municipality or Community Board dated March 10, 2016 for **Off Cuts, LLC, d/b/a Quality Eats, 19 Greenwich Ave. 10014** unless the statements the Licensee has previously made and represented continue to be accurate and complete, and that those conditions and stipulations agreed to by the Applicant in June 2015 continue to be included in the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 39 Board members in favor.

Tobi Bergman, *Chair*
Teri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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May 11, 2016

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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

28. Aramark Educational Service, LLC, 60 Washington Square S. 10th Fl. 10012 SN1022656
(Catering Establishment OP License – Corporate Change)

Whereas, the Licensee sent a Standardized Notice Form for Providing 30-Day Advanced Notice to a Local Municipality or Community Board dated March 3, 2016 to Community Board 2 Manhattan to provide notice of a corporate change application due to internal restructuring that has resulted in changes to the officers of the corporation and principals; and,

Whereas, the Licensee has stated that there are no changes to the method of operation for this catering establishment; and,

Whereas, CB2, Man. chose not to hear this application;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** this corporate change application as described in the Standardized Notice Form for Providing 30-Day Advanced Notice to a Local Municipality or Community Board dated March 3, 2016 for **Aramark Educational Service, LLC, 60 Washington Square S. 10th Fl. 10012 SN1022656** **unless** the statements the Licensee has made to CB2 in correspondence are accurate and complete, and that there are no changes to the existing “Method of Operation” on the SLA Catering Establishment On Premise Liquor License.

Vote: Unanimous, with 39 Board members in favor.

Tobi Bergman, *Chair*
Teri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

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

29. 228 Bleecker, LLC d/b/a Aria, 117 Perry St., Store #2 10014 SN#1239342 (OP Renewal - layover)

Whereas, members of the local community and the local residents association, the West Village Residents Association requested that the renewal application for Aria be placed on the Agenda for CB2, Manhattan's SLA Licensing Committee #2 Meeting on April 14th, 2016 well in advance of the expiration of the existing license on May 31, 2016 in order to again raise complaints regarding the Licensees adherence to agreed upon stipulations and other complaints; a similar request was made two years ago and the licensee appeared at that time but there seem to be continuing issues; and,

Whereas, prior to this months CB2, Manhattan's SLA Licensing Committee #2 Meeting on April 14th, 2016, the Licensee requested to **layover** this item so that they could have a dialogue with members of the community prior to appearing before CB2 Manhattan; the Licensee agreed to appear in May 2016 before CB2;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA deny any type of renewal to any existing license for **228 Bleecker, LLC d/b/a Aria, 117 Perry St., Store #2 10014 SN#1239342** until the Applicant has presented their renewal 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 with respects to the renewal of this License.

Vote: Unanimous, with 39 Board members in favor.

Tobi Bergman, *Chair*
Teri Cude, *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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

30. Fifty One Merchants, LLC, d/b/a Via Carota, 51 Grove St. (OP Alteration to add additional space - Layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on April 14th, 2016, the Applicant requested to **layover** this application for an alteration application to add additional space to an existing restaurant on premise liquor license SN#1275555;

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 **Fiftyone Merchants, LLC, d/b/a Via Carota, 51 Grove 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 39 Board members in favor.

Tobi Bergman, *Chair*
Teri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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May 11, 2016

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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

31. Deviled Food, LLC, d/b/a Diablo Royale, 189 W. 10th St. (OP Alteration - Withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on April 14th, 2016, the Applicant requested to **withdraw** this application for an unknown alteration to an existing restaurant on premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed; and,

Whereas, CB2, Man. has passed a number of resolutions related to the operation of this premises which have not been favorable and respectfully requests that those resolutions be reviewed in conjunction with any future applications for this premises;

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 to any existing license, requests for extension of hours of operation, transfer, upgrade or changes to any existing license for **Deviled Food, LLC, d/b/a Diablo Royale, 189 W. 10th St. 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 39 Board members in favor.

Tobi Bergman, *Chair*
Teri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Daniel Miller, *Assistant Secretary*

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May 11, 2016

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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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

32. Major Dough SoHo 463, LLC, d/b/a Sadelle's, 463 W. Broadway 10012 (OP Alteration - withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on April 14th, 2016, the Applicant requested to withdraw this application for an alteration to an existing restaurant on premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting 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, requests for extension of hours of operation, transfer, upgrade or changes to any existing license for **Major Dough SoHo 463, LLC, d/b/a Sadelle's, 463 W. Broadway 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 39 Board members in favor.

Tobi Bergman, *Chair*
Teri Cude, *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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

33. Whitney Museum of American Art, Whit Food II, LLC, Hudson Yards Catering LLC, d/b/a *Untitled*, 99 Gansevoort St. 10014 (OP Alteration - Withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on April 14th, 2016, the Applicant requested to **withdraw** this application for an alteration to an existing restaurant on premise liquor license to add an additional outdoor bar and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting 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, requests for extension of hours of operation, transfer, upgrade or changes to any existing license for **Whitney Museum of American Art, Whit Food II, LLC, Hudson Yards Catering LLC, d/b/a *Untitled*, 99 Gansevoort 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 39 Board members in favor.

Tobi Bergman, *Chair*
Teri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Daniel Miller, *Assistant Secretary*

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May 11, 2016

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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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

34. CGM 13, LLC, d/b/a all'onda, 22 E. 13th St. 10003 (OP) (extend hours of operation)
(SN#1269193 OP alteration - Withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on April 14th, 2016, the Applicant requested to **withdraw** this application for an alteration to an existing restaurant on premise liquor license (SN#1269193) to extend the hours of operation and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed; and,

Whereas, there were community residents who are immediate contiguous residents who appeared in March 2016 at CB2, Manhattan's SLA Licensing Committee #2 Meeting to register their opposition to any extension of hours of operation and to register complaints regarding their current method of operation and noise issues even though the application was not heard;

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, requests for extension of hours of operation, transfer, upgrade or changes to any existing license for **CGM 13, LLC, d/b/a all'onda, 22 E. 13th St. 10003** **until** the Applicant has presented their application in front of CB2's SLA Licensing

Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 39 Board members in favor.

Tobi Bergman, *Chair*
Teri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Daniel Miller, *Assistant Secretary*

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May 11, 2016

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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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

35. Pasticceria Rocco, Inc., d/b/a Pasticceria Rocco Inc., 243 Bleeker St. 10014 (New RW - Layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on April 14th, 2016, the Applicant requested to **layover** this application for a new restaurant wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting 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 **Pasticceria Rocco, Inc., d/b/a Pasticceria Rocco Inc., 243 Bleeker 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 39 Board members in favor.

Tobi Bergman, *Chair*
Teri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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Dear Sir/Madam:

At its Full Board meeting on April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

36. Luis Skibar or a Corporation TBD, d/b/a TBD, 173 Seventh Ave. South 10014 (New OP - Withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on April 14th, 2016, the Applicant requested to **withdraw** this application for a new restaurant on premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting 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 **Luis Skibar or a Corporation TBD, d/b/a TBD, 173 Seventh Ave. South 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 36 Board members in favor.

Tobi Bergman, *Chair*
Teri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Daniel Miller, *Assistant Secretary*

COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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

May 11, 2016

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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

37. 62 Greenwich, LLC, d/b/a Greenwich Steak House FG, 62 Greenwich Ave. 10011 (OP) (New OP - Withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on April 14th, 2016, the Applicant requested to **withdraw** this application for a new restaurant on premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed; and

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **62 Greenwich, LLC, d/b/a Greenwich Steak House FG, 62 Greenwich Ave. 10011 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 39 Board members in favor.

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

Sincerely,



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



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



Tobi Bergman, Chair
Community Board #2, Manhattan

TB/fa

cc: Hon. Jerrold L. Nadler, Congressman
Hon. Deborah J. Glick, NY State Assembly Member
Hon. Brad Hoylman, NY State Senator
Hon. Daniel L. Squadron, NY State Senator
Hon. Gale Brewer, Man. Borough President
Hon. Corey Johnson, Council Member
Hon. Margaret Chin, Council Member
Hon. Rosie Mendez, Council Member
Jacqueline Held, Deputy Commissioner of Licensing NY State Liquor Authority
Michael Jones, Chief Deputy Chief Executive Officer, NY State Liquor Authority
Jonathan Rodriguez, Hearing Bureau, NY State Liquor Authority
SLA Examiners

Tobi Bergman, *Chair*
Teri Cude, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Daniel Miller, *Assistant Secretary*

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April 29, 2016

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 April 21, 2016, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

45 B Street Restaurant LLC d/b/a t/b/a, 45 Bond St. 10012 (New OP – Previously Licensed location)

A. Whereas, the applicant and applicant’s attorney appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new restaurant on premise liquor license for a previously licensed location for a “modern upscale restaurant serving farm-to-table fare with an emphasis on seasonal, indigenous ingredients and the ‘whole beast’” ; and,

B. Whereas, this application is for a new restaurant on premise liquor license located in a mixed use 6 story loft building built in 1899 located on the ground floor and basement on Bond St. between Lafayette St and Bowery for a roughly 2,900 sq. ft. premise (1,700 sq. ft. ground floor and 1,200 sq. ft. basement, both with patron use) with 21 tables and 89 table seats and 1 standup bar on the ground floor with 11 seats and 1 stand up bar in the basement with 4 seats and 4 seats at a kitchen counter for a total of 108 interior seats, this application does not include a sidewalk café and there are no other outdoor areas for patrons, and no benches on the sidewalk, there is an Certificate of Occupancy which states the maximum occupancy is 143 and the applicant will obtain an updated Place of Assembly Permit; and,

C. Whereas, the hours of operation will be Sunday to Wednesday from 8am to 1am and Thursday to Saturday from 8am to 2am (No patrons shall remain after the closing hour), music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 9 p.m. except for patron ingress and egress, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no TV's; and,

D. Whereas, the applicant previously met with one of the local stakeholder organizations, the Noho Bowery Stakeholders, and a number of agreements were discussed and issues reviewed and as a result the applicant presented a list of proposed stipulations to CB2, Man. which they were willing to incorporate into a stipulations agreement with CB2, Man.; and,

E. Whereas, the applicant executed a stipulations agreement with CB2 that they agreed to submit to the SLA and agreed would be attached and incorporated into the method of operation on the restaurant on premise license stating that:

22. The premises will be advertised and operated as a “modern upscale restaurant serving farm-to-table fare with an emphasis on seasonal, indigenous ingredients and the ‘whole beast’” and will operate at all times as a full service restaurant.
23. The hours of operation will be Sunday to Wednesday from 8am to 1am and Thursday to Saturday from 8am to 2am. All patrons will be cleared and no patrons will remain after stated closing times.
24. 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.
25. The premises will not have televisions.
26. The premises will not permit dancing.
27. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
28. There is no sidewalk café included with this application. Any future application for a sidewalk café will not be presented prior to the 2017 sidewalk café season and no guarantees are set forth as to approval of any sidewalk café application by CB2, Man. or the recommendation of approval of alcohol service within any future sidewalk café.
29. The premises will play quiet ambient recorded background music only. No music will be audible in any adjacent residences at any time.
30. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
31. The premises will close all doors and windows at 9pm every night and anytime there is amplified music.
32. Alcohol service will not begin before noon Sunday to Friday. Alcohol service will not begin before 10am on Saturdays.
33. There will never be more than 105 patrons (staff additional) in the premises at any time. This number of patrons, “guests”, is not to be substituted by DOB capacity, which may be greater than the above stated and agreed configuration capacity of the restaurant.
34. The establishment's personnel will manage patron street activity (entering, leaving, congregating or smoking) on the sidewalk immediately in front, and to additionally keep that portion of the sidewalk clean during all hours of operation.
35. The establishment will actively engage in all efforts to keep the sidewalk immediately in front of the premises and gutters free of debris and waste at all times, including the provision of containers in which to store garbage until third-party pick up and that all effort will be made to avoid garbage pick-ups between the hours of 2 AM and 7 AM, seven days a week.

36. Licensee will abide by all the regulations of the Department of Buildings and the Landmark Preservation Commission in the operation of their business at this address, including, but not limited to the Certificate of Occupancy, the Public Assembly Permit and exterior signage, modifications and design.
37. Licensee will assign at least one person (“Community Liaison”) who will be available to speak with local residents during normal weekday business hours concerning any matter related to compliance with the terms of these stipulations. In addition, during non-business hours, the Manager on Duty will serve in this capacity with full authority to enforce the terms of these stipulations in the event emergency contact is required.
38. Licensee agrees to design and operate the venue so as to comply with all NYC Noise Code standards. Should reasonable complaints be made to the Licensee and should any measures taken by Licensee to answer such complaints not be sufficient to abate such sound, the Licensee agrees to, at their own expense, conduct sound testing to assure that any amplified, non-amplified sound or HVAC system sound is not present or audible outside or inside the contiguous residences beyond NYC noise control code levels.
39. Licensee agrees to maintain its mechanical systems to provide industry standard venting and equipment that will minimize and/or prevent kitchen-related venting sound and odors.
40. Licensee agrees that any change in the method of operation, contrary to the terms and restrictions in these stipulations and in the materials submitted to CB2, Manhattan at the time of the initial application, will be submitted and reviewed for recommendation and approval through CB#2 Manhattan. This also includes the addition of any future sidewalk café, which is not included in this application.
41. Licensee will maintain a reservation system for patrons at all times. Any walk in guests who are unable to be accommodated or guests for whom tables are not yet ready and who are unable to be hosted within the restaurant will not be permitted to queue or loiter in front of the establishment, but will instead be contacted by cell phone or other electronic means by the Licensee when their seating is available. At times, patrons may be encouraged to visit other establishments in the neighborhood until such time their table is ready. All conversations regarding seating and accommodation of guests with Restaurant staff will occur inside the restaurant. At all times, the licensee will use best practices to mitigate any quality of life issues, excess noise or traffic issues in managing their patrons as they come and go.
42. There will be no patron use/service in the basement spaces.

F. Whereas, there are currently approximately 24 On Premise Liquor Licenses within 500 ft. of the premises and an unknown number of beer and wine licenses;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant On Premises Liquor License for **45 B Street Restaurant LLC d/b/a t/b/a, 45 Bond St. 10012** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the “Method of Operation” on the SLA On Premise License.

Vote: Unanimous, with 39 Board members in favor.

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

Sincerely,



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



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



Tobi Bergman, Chair
Community Board #2, Manhattan

TB/fa

cc: Hon. Jerrold L. Nadler, Congressman
Hon. Deborah J. Glick, NY State Assembly Member
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Hon. Daniel L. Squadron, NY State Senator
Hon. Gale Brewer, Man. Borough President
Hon. Corey Johnson, Council Member
Hon. Margaret Chin, Council Member
Hon. Rosie Mendez, Council Member
Kerri O'Brien, 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