

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



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

Community Board No. 2, Manhattan

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

September 27, 2017

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 September 19, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

1. YN Wine Bar LLC, d/b/a YN Wine Bar, 227 Mott St. Store Front 2 10012 (OP – Corporate Change)

A. Whereas, the applicant and his counsel appeared before CB2, Manhattan’s SLA Licensing Committee to change ownership in an existing business (YN Wine Bar, LLC) to continue to operate an existing neighborhood wine bar and small restaurant (OP lic. #1293546) serving breakfast, lunch and dinner with 5 tables with 16 seats and 1 bar/counter with 12 seats and 2 window seats for a total patron occupancy of 30 within a 460 SF storefront premises in a mixed use building on Mott Street between Spring and Prince Streets; and

B. Whereas, the prior owner is selling 100% of the shares in YN Wine Bar, LLC to a new owner (Satbir Bedi) who lives across the street and in the immediate area where the business operates, the prior owner agreeing to remain with the business for the first six months to provide support for a smooth transition and there being an experienced manager of the business who will continue to manage the business for the new owner into the future, and the existing business will continue to operate with an identical method of operation that has existed at the premises since September/2011; and

C. Whereas, the hours of operation will continue to be from 10 AM to 12 AM Sunday through Thursday and from 10 AM to 2 AM on Fridays and Saturdays, 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 velvet ropes, no moveable barriers, no TVs, no back yard garden and no 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. The premises will be operated as a wine bar and restaurant.
2. Will continue to maintain a comparable food menu that has existed at premises;
3. Will operate with hours of operation from 10 AM to 12 AM Sunday through Thursday and from 10 AM to 2 AM on Fridays and Saturdays.
4. There will be no sidewalk café.
5. All doors and windows will be closed by 10 PM every evening.
6. 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.
7. There will no TVs.
8. The premises will not permit dancing.
9. The premises will not be advertised or operate as a Lounge, Tavern, Bar or Sports Bar.
10. There will be no unlimited food and drink specials, no boozy brunches or bottle service.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of an corporate change application to the existing On-Premise liquor license to **YN Wine Bar LLC, d/b/a YN Wine Bar, 227 Mott St. Store Front 2 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 34 Board members in favor.

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September 27, 2017

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 September 19, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

2. Brothers Harvey LLC, d/b/a Reservoir, 70 University Place 10003 (OP – Corporate Change)

A. Whereas, this application is for a transfer of shares in an existing corporation to continue to operate a Sports Bar and Tavern with an OP license within a 5-story mixed use building located on University Place in a 2,000 sq. ft. storefront premise with one entrance/exit, two bathrooms, there are 19 tables with 59 seats, 1 full service bar with 12 seats for an occupancy of 74; there is no sidewalk café and no backyard use; and,

B. Whereas, an existing owner (Louis Fugazy) is seeking to purchase the shares of another owner so that he would be a 100% owner of the business and the current method of operation will not be changed, there being 12 TVs, the location having previously been soundproofed, there is security personnel Thursdays through Saturday night until closing, all doors and windows will be closed at all times and the hours of operation will continue to be from 11 a.m. to 4:00 a.m. seven days a week, there is a jukebox but music will be background (quiet) and there will be no d.j. or live music, there will be no scheduled performances or events with a cover charge; and,

C. 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. Premises will be advertised and operated as a bar/tavern showing sports with multiple TVs.
2. Will operate with hours of operation from 11:00 a.m. to 4 a.m. seven days a week.

3. Music will be quiet, background level only and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
4. Food will be served at all times.
5. Will not install French doors or windows that open out to sidewalk or otherwise.
6. Will close all doors and windows at all times.
7. Will employ security on Thursday, Friday and Saturday nights until closing.
8. Will not allow lines to form on the sidewalk in front of premises for patrons to enter.
9. All stipulations agreed to with University Place Resident's Association are incorporated into stipulations agreed to with CB2, Man.
10. Patron occupancy will never exceed 74 persons
1. There will be no unlimited food and drink specials, no boozy brunches or bottle service.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of the corporate change application and OP license to **Brothers Harvey LLC, d/b/a Reservoir, 70 University Place 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" for an OP License.

Vote: Unanimous, with 34 Board members in favor.

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Dear Sir/Madam:

At its Full Board meeting on September 19, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

3. KLK Chinese Restaurant, Inc., d/b/a Red Egg, 202 Centre St. 10013 (Restaurant Wine)

- A. Whereas**, the applicant's attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a restaurant wine license to operate a "Hong Kong style dim sum and Cantonese style" restaurant serving lunch and dinner; and
- B. Whereas**, the premise has been previously operated for years as Red Egg, a full service Restaurant and the applicant will continue to operate the premises as a Restaurant with a full service kitchen, with a similar method of operation, albeit under new ownership, with a similar menu, many of the existing staff to remain and similar closing hours; and
- C. Whereas**, the storefront premise is located in a mixed use 6-story mixed use building (Circa 1912) located on the ground floor and basement on Centre St. between Hester and Grand Sts. for a 6,374 sq. ft. premises with 35 tables and 129 table seats and 1 standup bar with 8 seats for a seating occupancy of 137 interior seats, this application does not include a sidewalk café and there are no other outdoor areas for patrons; and,
- D. Whereas**, the hours of operation will be Sunday through Saturday from 10 AM to 11 PM, 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 by 10 p.m. 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, there will be no TV's; and,

E. Whereas, there is a history of problems at this location with the prior owner permitting late night parties beyond the stated hours of operation with DJs in derogation of its method of operation as a restaurant and the current applicant, having been fully briefed in the past regarding those problems and personally agreed that it would never operate in that manner in the future at this location should his license be approved, albeit with limitations and enforceable stipulations being agreed to herein; and,

F. Whereas, this same applicant previously appeared before CB2 Man. in April/2017, seeking an on premise license for the same premises but was not able to obtain such license, the premises being within 200 feet of The American Society of Buddhist Studies, a place of worship located at 214 Centre Street and thus subject to the 200 foot rule; and,

G. 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 full service Cantonese restaurant specializing in Dim Sum with a full service kitchen and will operate at all times as a full service restaurant.
2. The hours of operation from Sunday through Saturday from 10 AM to 11 PM.
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. There will be no outdoor service and no sidewalk café.
6. 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.
7. There will be no televisions.
8. The premises will not permit dancing.
9. There will never be any after-hour events.
10. There will be no all you can eat/all you drink specials or pitchers of beer.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant Wine License for **KLK Chinese Restaurant, Inc., d/b/a Red Egg, 202 Centre St. 10013** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the "Method of Operation" on the SLA Restaurant Wine License.

Vote: Unanimous, with 34 Board members in favor.

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Dear Sir/Madam:

At its Full Board meeting on September 19, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

4. Super Dry Clean, Inc., d/b/a Super Dry Clean Wine Bar, 384 Broome 10013 (Tavern Wine — previously unlicensed location).

A. Whereas, the applicant and the applicant's attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new Tavern Wine license to operate a New Wine Bar in a storefront location on Grand Street between Crosby Street and Broadway that has never been previously licensed for the sale of liquor; and

B. Whereas, this storefront premise has never previously operated with a liquor license or as an establishment for eating and drinking and previously operated for years as a laundromat; there will be no full service kitchen but the interior premises will be gutted and renovated, there will be no significant mechanical systems installed during the renovation with the exception of air conditioning unit which will be installed on the rear wall, but significantly and at the request of the SLA Committee the exterior façade facing the sidewalk will remain fixed and without any operable windows; and

C. Whereas, the storefront premise is small at approximately 700 Sq. ft. (700 sq. ft. ground floor with an additional 600 sq. ft. of basement space—albeit basement for storage and prep only), one patron bathrooms, one entrance/exit for patrons, 8 tables with 14 seats and 1 bar with 6 seats for a total patron seating capacity of 20, there is no sidewalk café and no other outdoor areas for patrons, the location does not have and will not install operable windows; and,

D. Whereas, the hours of operation will be from 11 AM to 12 AM Sunday through Thursday and from 11 AM to 1 AM on Fridays and Saturdays, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), the front patron entrance door will be closed by 9 PM every night, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, and no televisions; and,

E. Whereas, two persons appeared in opposition to the license application, including the Bowery Block Association, citing the voluminous numbers of new liquor licenses issued by the NYS SLA in this immediate area, there being 52 existing licensed premises within 750 feet of these premises and another 8 pending licenses (not even including beer and wine licenses), there being nothing unique about this application as there as many wine bars, restaurant, bars and late night establishments already existing in the area, this location having never previously been licensed for the service of alcohol and the loss of the laundromat being detrimental to those living in the neighborhood; and

F. 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 Tavern Wine license and the stipulations are as follows:

2. The premises will be advertised and operated as a Wine Bar.
3. The hours of operation will be from 11 AM to 12 AM Sunday through Thursday and from 11 AM to 1 AM on Fridays and Saturdays.
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 have no televisions.
6. The premises will not permit dancing.
7. The premises will not operate a backyard garden, sidewalk cafe or any outdoor area for commercial purposes.
8. Will not install French doors or windows that open out to sidewalk or otherwise.
9. There will be no patron lines outside on the public sidewalk.
10. The premises will play quiet ambient recorded background music only.
11. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
12. Exterior door will be kept closed after 9 PM every night.
13. There will be no unlimited food and drink specials, "boozy brunches, or pitchers of beer.
14. There will be no "bottle service" or sale of bottles of alcohol except for the sale of wine products.
15. A certificate of occupancy or letter of no objection permitting use and occupancy for eating and drinking will be obtained from the Dept. of Buildings prior to issuance of liquor license.

F. Whereas, this application being for the service of Beer and Wine only and thus not subject to the 500 Foot Rule or 200 Foot Rule, there being the Most Holy Crucifix Church located within 90 feet of the premises;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of an alteration application to an existing on premise license to **Super Dry Clean, Inc., d/b/a Super Dry Clean Wine Bar, 384 Broome 10013** unless the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on the Tavern Wine License.

Vote: Unanimous, with 34 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 September 19, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

5. Soho Hummus, LLC, d/b/a Nish Nush, 19 Cleveland Pl. 10012 (New OP)

- A. Whereas**, the applicant appeared before CB2’s SLA committee for the purpose of seeking a “transfer” of an OP license to operate a fast-casual restaurant serving traditional Mediterranean vegetarian cuisine in a storefront premise located in a five-story mixed use building (Circa 1900) on Cleveland Place between Spring and Kenmare Streets and immediately across from Petrosino Square; the previous licensee having closed more than 5 months ago; and
- B. Whereas**, the interior ground floor storefront premise is approximately 1,200 sq. ft. with an additional 700 sq. ft. of basement space—including additional seating for patrons, four bathrooms, was previously occupied and operated as a Mexican Restaurant known as Mexican Radio closing by 10 PM Sunday through Wednesday and by 11 PM Thursday through Saturday, there being a Certificate of Occupancy provided permitting eating and drinking on the cellar and first floor of this building; and
- C. Whereas**, the proposed hours of operation are from 11 AM to 11 PM Sunday through Wednesday and from 11 AM until 2 AM Thursday through Saturday, with 22 interior tables and 50 interior seats, 1 bar located at the front of the premises with 12 seats, a food “to go” counter with no seats for a total patron seating capacity of 62; and
- D. Whereas**, the Applicant presented the proposed “Nish Nash” operation as a “healthy vegetarian option on the go” providing a menu without any alcoholic drinks consisting of inexpensive Falafel and Hummus sandwiches, salads and small platters, non-alcoholic smoothies consistent with two other fast casual Nish Nash locations currently operating in downtown Manhattan without waiter service, the first closing by 9 PM without any liquor license and the second closing by 10 PM every night; and

E. Whereas, the Applicant did not provide valid and reasonable reasons why he needed a full bar and on premise license to operate a fast casual vegetarian restaurant with a limited menu or why he needed to remain open until 2 AM and thereafter acknowledged, even though it was not indicated so in his application submissions to CB2, Man., that what he really planned to do was operate a fast casual restaurant during the day and evening hours but then convert to a wine bar at night with complimentary late night hours; and

F. Whereas, CB2, Man. received multiple correspondence from neighborhood residents in opposition to this application and a resident living directly above the restaurant for many years appeared in opposition, very concerned about the late night hours being proposed, stating that the building is very old, the sound proofing poor, insufficient and that the kitchen noise can be very loud, disturbing and establishing a significant hardship, also citing the prior history of licensing infractions at this same location and bringing up concerns about the prior operator's use of an covered alleyway on the side of the building used to store trash but also being an emergency exit for building residents, the emergency exit at times being unreasonably encumbered by trash bags, as well as vermin; and

G. Whereas, this application being subject to the 500 ft. rule requiring the applicant to demonstrate a recognizable public interest for operating with on premise liquor license in an area that is already greatly saturated with licensed establishments, there being 17 existing on premise licenses within 500 ft. of the subject premises and 37 existing on premise licenses within 750 ft. of the subject premises and an additional 6 licenses pending with the NYS Liquor Authority in this same area without even including the vast numbers of other establishments in the area holding beer and wine licenses; 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, the fast casual vegetarian restaurant not being unique to the area, there being three new fast casual restaurants added in the very immediate area (Pokespot, By Chloe and Chef's Club Counter) with a similar method of operation within walking distance to the proposed premises, all of which operate with a beer and wine license and not an on premise license, each closing no later than 11 PM during the week and 12 AM midnight on the weekends, these fast casual restaurants recently added in the immediate area being more consistent with the other Nish Nash Restaurants already operating in other parts of lower Manhattan with an identical menu as presented, the applicant not providing a coherent reason why this particular restaurant needed full liquor or to operate past 12 AM midnight on the weekends, the hours proposed with the method of operation changing at night to a wine bar concept being a significant increase over the prior operator, there being a significant impact and unreasonable hardship of these later hours on the residents living directly above, the applicant not being able to provide soundproofing to the existing space to ameliorate such hardships in an old building not designed to accommodate the mixed use late night operations proposed, there being existing alternative storefronts within CB2 Man. and throughout the Boro of Manhattan and City of New York which represent a more appropriate location for the applicant's proposed business model after midnight, the applicant thus failing to demonstrate a recognizable public interest here; and,

H. Whereas, there were additional concerns voiced about the appropriateness of an on-premise license for the applicant's fast-casual business model where there is no table service, the applicant during presentation attempting to change his business model to accommodate these concerns and not presenting a credible and appropriate business plan with the late night hours past midnight being unreasonable and inappropriate for this location; and

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

J. Whereas, this location was previously the subject of litigation with Liquor Authority with respect to a Licensee issued at this location prior to Mexican Radio in Cleveland Place Neighborhood Assn. v New York State Liq. Auth., 268 AD2d 6, 10 [1st Dept 2006];

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

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

THEREFORE BE IT FURTHER RESOLVED that if this application is considered by the SLA, despite CB2, Manhattan's recommendation to deny this application, CB2 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: Unanimous, with 34 Board members in favor.

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Director
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NY State Liquor Authority
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Dear Sir/Madam:

At its Full Board meeting on September 19, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

6. Liquor Laboratory Inc., d/b/a Liquor Lab, 474 Broadway (2nd Fl) 10013 (New OP – previously unlicensed location)

A. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a new On Premise license to operate a Beverage Education Center, a business where consumers/groups are educated and educational classes providing mixology and bartending techniques, wine pairing and ice carving in a social environment, all within a second floor location in a four-story commercial use building (Circa 1920) on Broadway between Broome and Grand Streets; and

B. Whereas, this location did not previously operate with a liquor license or as an establishment for eating and drinking but the concept is not to provide eating and drinking to the public but to provide education services and classes only, there being a yoga training facility on the third floor of this same building also providing teaching skills and training; and

C. Whereas, there will be no full-service kitchen but the interior premises will be renovated but there will be no significant mechanical systems installed during the renovation with the exterior façade facing the sidewalk remaining fixed, without any operable windows or doors and there will be no outdoor or exterior uses or occupancy ancillary to the operations; and

D. Whereas, the Applicant also operates another Liquid Laboratory location in midtown Manhattan that offers public mixology classes at \$80 per class session to couples, small groups and individuals to learn the finer art of mixology; and

E. Whereas, the premises is 2,500 Sq. ft., with two bathrooms, one entrance/exit, 22 tables with 43 seats and 1 bar with no seats for a total seating capacity of 43, the seating diagram presented demonstrating a format similar to a class room setting with tables lined up in symmetrical rows; there is no sidewalk café and no other outdoor areas for patrons, the location does not have and will not install operable windows; and,

F. Whereas, the application acknowledged and described an outdoor rear patio ancillary to the premises but the Applicant specifically agreed and stipulated that the outdoor space would never be used or occupied at any time by anyone, including employees; and

G. Whereas, the hours of operation will be from 3 PM to 11 PM every day Sunday through Saturday, 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 two TVs but those TVs will be used for instructional purposes only, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes and no movable barriers; and,

H. Whereas, a number of persons living in the immediate area sent in correspondence and photos in opposition to the application, photos depicting a rear patio to the premises that is exposed and surrounded by residences in adjacent buildings, concerned about patio or roof top party uses creating intrusive loud noise or music in the rear and/or rooftop uses for those residents already living and exposed in the adjacent buildings in this immediate rear area, there also being questions about whether the liquor license and proposed method of operation was permitted and/or whether the use and occupancy violated zoning issues, this building being located in a M1-B5 District, as well as citing the voluminous numbers of existing liquor licenses issued by the NYS SLA in this immediate area, there being 12 existing licensed premises within 750 feet of these premises and another 3 pending licenses (not including beer and wine licenses); and

I. Whereas, this application being subject to the 500 ft. rule requiring the applicant to demonstrate a recognizable public interest for operating with on premise liquor license in an area already saturated with licensed establishments, this application being unique to the extent that it not being proposed for the purpose of eating and drinking such as a restaurant or bar, but rather for the purpose of providing educational classes to the public who sign up and pay for those classes, albeit to educate people on how to mix drinks where there will also be some alcoholic consumption but such consumption will not be primary to the method of operation but rather will be ancillary to the education classes offered; and

J. Whereas, there will be no outdoor uses or occupancy permitted and all activities will occur inside without any potential exterior intrusions; and

L. 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 On Premise license and the stipulations are as follows:

1. The premises will be advertised and operated as a Beverage and Mixology Education Center open to the public.
2. The hours of operation will be from 3 PM to 11 PM Sunday through Saturday.
3. The premises will not operate as a lounge, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will have two televisions for instructional purposes only.
5. The premises will not permit dancing.

6. The premises will not operate a backyard garden, sidewalk cafe or any outdoor area for commercial purposes.
7. Will not install French doors or windows that open out to sidewalk or otherwise.
8. There will be no patron lines outside on the public sidewalk.
9. The premises will play quiet ambient recorded background music only.
10. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
11. Each participant/student will have a seat.
12. There will be no unlimited food and drink specials, "boozy brunches, or pitchers of beer.
13. There will be no "bottle service" or sale of bottles of alcohol except for the sale of wine products.
14. A certificate of occupancy or letter of no objection permitting use and occupancy for eating and drinking will be obtained from the Dept. of Buildings prior to issuance of liquor license.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of an alteration application to an existing on premise license to **Liquor Laboratory Inc., d/b/a Liquor Lab, 474 Broadway (2nd Fl) 10013** unless the statements of the applicant as presented to CB2, Man. 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 Tavern Wine License.

Vote: Passed, with 33 Board members in favor, and 1 in opposition (S. Russo).

Terri Cude, *Chair*
Daniel Miller, *First Vice Chair*
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Dear Sir/Madam:

At its Full Board meeting on September 19, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

7. 135 Tart, LLC, d/b/a Once Upon A Tart, 135 Sullivan St. 10012 (Upgrade to full liquor)

A. Whereas, the applicant presented before CB2, Man. to upgrade their existing Restaurant Wine license to an on-premise license, and to extend their late night hours to 12 AM during the week and 1 AM on the weekends, for the purpose of continuing to operate a café and bakery simultaneously in two separate, unconnected and distinct “North” and “South” storefronts on the ground floor of a 6-story residential building (circa 1900) located on Sullivan Street between West Houston and Prince Streets; and

B. Whereas, the two storefronts were previously operated for many years and until 2015 as a small café and catering business known as “Once Upon a Tart” by a different operator without the service of liquor but serving pastries during daytime hours only and closing by 6 pm daily; and

C. Whereas, prior to 2015 neither storefront was licensed for the sale of beer, wine or liquor nor has either storefront operated as an eating and drinking establishment, these two storefronts being located within a Landmarked residentially zoned block (no commercial overlays) and the commercial use on this ground floor being a grandfathered use permitted to directly serve the immediate needs of the local community; and

D. Whereas, the two storefronts are not connected to each other but each one does have a doorway that leads directly to an interior common hallway used by the residential apartment dwellers in the same building, the two storefronts being divided by this residential hallway representing the only means of egress into and out of the building for the residential dwellers living in the building and where their mail is delivered; and

E. Whereas, the North storefront is approximately 360 sq. ft. space and currently operates as a bakery café until 7PM every evening with 3 tables with 15 seats, no stand-up bar, one bathroom, there is no kitchen and it is not included in the current application even though it is anticipated a future application will be attempted for this storefront in the future; and

F. Whereas, the South Storefront operates as a restaurant at night with hours of operation from 6PM to 11 PM Sunday through Thursday and from 6 PM to 12 AM Fridays and Saturdays within is a 1,200 sq. ft. space, including 16 tables with 36 seats, no stand-up bar, one bathroom, a kitchen, the music is background only and no sidewalk café is permitted at the premises; and

G. Whereas, residents from the same building where the subject premises is located appeared in opposition to the application very concerned about the later night hours being proposed and the upgrade to full liquor, stating that the building is very old, the multiple storefront premises were never properly designed for an eating and drinking establishment with the residential portion of the building being too close, the sound proofing poor and insufficient, the noise being disturbing and establishing a hardship, presenting a history of how the current and former operator used the common residential hallway on a regular basis to operate the combined businesses in the two storefronts and how the hallway has been used to gain access to its cold storage facilities located in a basement, further demonstrating concerns regarding the failure of the current operator to keep an access gate locked, a gate which is used by the operator to take the trash out and which travels on one side of the building to a rear area being adjacent to residential terraces and residential windows in two separate residential buildings, the gate being regularly left open and unlocked by employees of the business, residents presenting recent photos of how the gate is being left open overnight by the applicant's employees and business creating significant security concerns for the existing residents of the buildings; and

H. Whereas, immediate neighbors living on the same block also appeared in opposition to the instant application, providing petitions against signed by other neighbors, as well as photographs demonstrating large crowds on the sidewalk in front of the restaurant and how the applicant places chairs and tables on the public sidewalk for use by patrons in derogation of the operator's previous agreements and stipulations while outlining their concerns as to the proliferation and over-saturation of liquor licenses on this block, establishing that prior to 2009 there was only one licensed premises on this residentially zoned block but as of 2015 there are now six such licensed premises, all replacing different types of small businesses, such as a dry cleaners, butcher shop and hair salon that directly served and supported the neighborhood, with additional concerns about future and additional applications at other potential locations within the same block, speaking to a significant increase in noise levels from the new licensed establishments being operated with late night hours that did not previously exist, the width of the Street being narrow and intimate; and

I. Whereas, other neighbors living in the immediate neighborhood also appeared in support of the application stating that they frequent the business and that the applicant should be given the opportunity to serve full liquor to be competitive with other numerous eating and drinking establishments in the Soho area; and

J. Whereas, CB2, Man. remains with considerable concerns that the licensee and applicant, despite promises and stipulations in the past, can operate both storefronts properly without using the interior common residential hallway in the same building, there being a history at the premises of the interior residential hallway use in order to operate the business in either storefront, that the cold storage facilities in the rear and basement underneath the North Shorefront is not exclusively being accessed from a hatch at the front exterior of the north storefront premises, that the exterior passageway that reaches around the building from Sullivan Street is not being properly locked, and that trash is being

piled up along the passageway creating a fire hazard to residents, the two storefronts being located within a 100+ year old residential, tenement-style building which was never properly designed, renovated or situated for the use and operation of multiple eating and drinking establishments such that has been attempted, the commercial interference with the residential uses and impact being a significant and unreasonable intrusion on the existing residents of the building; and

K. Whereas, in addition, there has always been complaints and concerns voiced to CB2, Man. with regard the operator's use of tables and chairs on the public sidewalk in front of the premises—the residential zoning on this particular block prohibiting sidewalk cafes as all changes in use and occupancy must be enclosed—the applicant further agreeing in 2015 to stop placing outdoor seating in front of both storefronts as a part of his future method of operation incorporated into his beer/wine license; and

L. Whereas, this application being subject to the 500-ft. rule requiring the applicant to demonstrate a recognizable public interest for adding yet another on premise liquor license on a narrow roadway in a residentially zoned block in an area that is already greatly saturated with licensed drinking establishments, there being 14 licensed premises and three pending licenses within 500 ft. of the premises (including beer and wine) and 36 within 750 ft. (including beer and wine) of the premises, the existing business not being unique to the area, the later hours until 12 AM during the week and 1 AM on the weekends presenting an unreasonable hardship in a building and area designated and zoned for residential uses only, the existing storefronts within an old building not designed to accommodate the mixed-use of the late-night operations proposed, the applicant not demonstrating an ability to abide by its prior stipulations, the operator having previously agreed in 2015 not to seek an upgrade to an on premise license at these premises, most notable because the storefront premises was not a proper and acceptable fit for eating and drinking, the applicant thus failing to demonstrate a recognizable public interest;

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial for **135 Tart, LLC d/b/a Once Upon a Tart, 135 Sullivan 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, Man. 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 requests that the SLA conduct a 500 foot hearing.

Vote: Unanimous, with 34 Board members in favor.

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



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

Community Board No. 2, Manhattan

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September 27, 2017

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 September 19, 2017, 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:

8. Sugar Beets, Inc., d/b/a Maman, 237-239 Centre St. 10013 (Alteration to add additional storefront - withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on September 12, 2017, the Applicant requested to withdraw its application from further consideration;

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 **Sugar Beets, Inc., d/b/a Maman, 237-239 Centre St. 10013** **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 34 Board members in favor.

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



Antony Wong, *Treasurer*
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September 27, 2017

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 September 19, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

9. Dobra Café Sotto, Inc., d/b/a Despana Fine Foods & Tapas Café, 408 Broome St. 10013
(RW — laid over at request of Applicant).

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on September 12, 2017, the Applicant requested to **lay over** this application for an on premise license to October/2017;

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 **Dobra Café Sotto, Inc., d/b/a Despana Fine Foods & Tapas Café, 408 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 34 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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September 27, 2017

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 September 19, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

10. Great Jones Distillers, LLC, d/b/a Great Jones Distiller, 686 Broadway 10012 (OP – Distillery, previously unlicensed location – withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on September 12, 2017, the Applicant and his counsel requested to **withdraw** this application from further consideration, there being no patron bathroom accessible within the premises as previously presented;

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 **Great Jones Distillers, LLC, d/b/a Great Jones Distiller, 686 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 34 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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September 27, 2017

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 September 19, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

11. A not-for-profit entity to be formed by Scott Sartiano, d/b/a Zero Bond, 0 Bond St. aka 670 Broadway 10012 (OP – Private Members Club—previously unlicensed) (Laid over)

Whereas, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on September 12, 2017, the Applicant requested to lay over this application for an on premise license to October/2017;

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 **A not-for-profit entity to be formed by Scott Sartiano, d/b/a Zero Bond, 0 Bond St. aka 670 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 34 Board members in favor.

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



Antony Wong, *Treasurer*
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September 27, 2017

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 September 19, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

12. Entity to be formed by Gerard Doyle, d/b/a The Home Place, 228 Thompson St. 10012 (OP - Tavern) (withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on September 12, 2017, the Applicant requested to **withdraw** this application for an on premise license from further consideration;

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 **Entity to be formed by Gerard Doyle, d/b/a The Home Place, 228 Thompson St. 10012 until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 34 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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September 27, 2017

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 September 19, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

13. Hu Holdings, LLC, d/b/a Hu Kitchen, 78 5th Ave. 10011 (RW SN#1262180 – Corporate Change)

- i. Whereas**, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for corporate change for a restaurant wine license SN#1262180 for a non-waiter fast casual restaurant focused on healthy foods with breakfast, lunch, soup, salads with a limited selection of organic wines, hard ciders and beers and some packaged grocery items; and,
- ii. Whereas**, this application is for a corporate transfer for a restaurant wine license for a location in a commercial building located on 5th Avenue between 13th St. and 14th St. for a roughly 2,817 sq. ft. premise located on the ground floor and mezzanine (2,089 sq. ft. ground floor, 728 sq. ft. mezzanine) with 25 tables and 66 table seats and 1 standup bar with 5 bar seats and a wall counter with 9 seats for a total of 80 interior seats; there is current temporary certificate of occupancy, the temporary certificate of occupancy will be kept current at all times until a final Certificate of Occupancy is obtained; the premises also presented a current Place of Assembly Permit; and,
- iii. Whereas**, the hours of operation will be Sunday from 8AM to 12AM and Monday to Saturday from 7AM to 12AM, 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 fast casual restaurant as described.
2. The hours of operation will be Sunday from 8AM to 12AM and Monday to Saturday from 7AM 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 or projectors.
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 not have French doors, operable windows or open facades and will close all doors and windows at 10 PM except for patron ingress and egress.
10. There is no sidewalk café.
11. There will be no unlimited drink specials or unlimited all you can eat and drink specials.
12. There will be no sales of pitchers of beer.
13. Licensee will continue to update and keep current Temporary Certificate of Occupancy.

v. Whereas, there are currently approximately 13 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 corporate change for the existing Restaurant Wine License SN#1262180 for **Hu Holdings, LLC, d/b/a Hu Kitchen, 78 5th Ave. 10011** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 34 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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September 27, 2017

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 September 19, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

14. E2 185 Bleecker, LLC d/b/a By Chloe, 185 Bleecker Street 10012 (OP – Corporate Change SN# 1283949)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for corporate change for a on-premise liquor license for a full service restaurant with full service kitchen serving healthy vegan fare; the corporate change will not entail adding any new members, only removals and an increase in ownership percentages; and

ii. Whereas, this application for a corporate transfer for an on-premises liquor license is for a location in a commercial building located on the corner of MacDougal and Bleecker St. for a roughly 940 sq. ft. premise located on the ground floor with 11 tables and 45 table seats and 1 standup bar with no seats and a sidewalk café with 5 tables and 10 chairs; a letter of no objection form the NYC Department of Buildings was presented; and

iii. Whereas, the hours of operation will be from 7 AM to 11 PM Sunday through Tuesday, from 7 AM to 12 AM on Wednesdays and from 7 AM to 1 AM Thursday through Saturday, 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 re-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 on-premise liquor license stating that:

1. Premises will be advertised and operated as a fast, casual, Vegan restaurant.
2. Will operate from 7 AM to 11 PM Sunday through Tuesday, from 7 AM to 12 AM on Wednesdays and from 7 AM to 1 AM Thursday through Saturday. All patrons will be cleared and no patrons will remain after stated closing times.
3. The sidewalk café will close by 10 PM every night seven days a week. No Patrons will remain in the sidewalk café after 10PM.
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 or projectors.
6. The premises will not permit dancing.
7. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
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 not have French doors, operable windows or open facades and will close all doors and windows at 10 PM except for patron ingress and egress.
11. All service of alcohol will be served tableside by wait staff.
12. Will install a sound limiter to ensure that music does not exceed NYC noise codes.
13. The Operator shall not install illuminated signage or lighting, on or within the Establishment that would adversely and unreasonably disturbs residents living near the Establishment.
14. The Operators shall not place refuse at the curb except as close to pick up as possible and will make best efforts to coordinate garbage pick up times with other establishments.
15. The Operator shall have an English-speaking manager or Owner on duty, capable of adequately communicating with residents of the community, to be present at the Establishment during all hours of operation.

v. Whereas, there are currently approximately 37 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 corporate change for the existing on-premise liquor SN#1283949 for **E2 185 Bleecker, LLC d/b/a By Chloe, 185 Bleecker Street 10012** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 34 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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September 27, 2017

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 September 19, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

15. E2 Lafayette, LLC d/b/a By Chloe - 240 Lafayette Street 10012 (RW SN#1295189, Corporate Change)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for corporate change for a restaurant wine license for a fast casual vegan restaurant; the corporate change will not entail adding any new members, only removals and an increase in ownership percentages; and,

ii. Whereas, this application for a corporate transfer for a restaurant wine license is for a location in a mixed-use building located on the Lafayette Street between Prince and Spring Street for a roughly 1,477 sq. ft. premise located on the ground floor with 11 tables and 32 seats, a food counter, but no stand up bar; there is an existing Certificate of Occupancy; and,

iii. Whereas, the hours of operation will be from 8:30 AM to 10 PM Sunday through Tuesday and from 8:30 AM until 12 AM Wednesday through Saturday, 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 re-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. Premises will be advertised and operated as a fast casual vegan restaurant.
2. Will operate from 8:30 AM to 10 PM Sunday through Tuesday, from 8:30 AM to 12 AM on Wednesdays through Saturday. All patrons will be cleared and no patrons will remain after stated closing times.
3. There is no sidewalk café.
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 or projectors.
6. The premises will not permit dancing.
7. The premises will not operate a backyard garden or any outdoor area for commercial purposes (not including a licensed sidewalk café).
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
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 not have French doors, operable windows or open facades and will close all doors at 10 PM except for patron ingress and egress.
11. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
12. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.

THEREFORE BE IT RESOLVED that CB2, Man. recommends denial of a corporate change for the existing on-premise liquor SN#1283949 for **E2 185 Bleecker, LLC d/b/a By Chloe, 185 Bleecker Street 10012** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant On Premise Liquor License.

Vote: Unanimous, with 34 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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September 27, 2017

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 September 19, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

16. KUT Operating Corp., d/b/a KUT, 301 Sixth Ave. 10014 (RW – Restaurant – Previously Unlicensed)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee in July, August and September/2017 to present an application to the Liquor Authority for a restaurant wine license for a kebab, sandwiches and salads restaurant; the premises is immediately adjacent to and in the same building and connected through an interior door to another business the applicant will operate as a creperie; but that location will not be licensed for beer/wine or liquor; and,

ii. Whereas, this application is for a new restaurant wine license in a currently unlicensed premise most recently operated as a nail salon and spa located in a landmarked mixed use building on the ground floor located on Sixth Avenue just off the corner of Carmine St. with 5 tables and 10 seats, and 10 high top seats; there is no standup bar, there is no sidewalk café and there are no other outdoor areas for patrons, the applicant provided a Certificate of Occupancy; and,

iii. Whereas, the hours of operation will be 11AM to 11PM 7 days a week, all patrons will be cleared and no patrons will remain after stated closing times, 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 as stipulated, there will be no d.j., no promoted events, no live music, no private parties, no scheduled performances or cover fees, there will be no TV's; and,

iv. Whereas, the Applicant agreed to execute 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. Premise will be advertised and operated as a kebab, sandwiches and salads restaurant.
2. The hours of operation will be 11AM to 11PM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
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 on the interior. All music levels and volumes will at all times comply with all New York City Laws and Regulations and will not be audible in adjacent residences at anytime.
8. The premises will not have DJ’s, live music, cover charges or promoted events.
9. All doors and windows will be closed at 10PM every night and anytime there is amplified music. All doors will remain closed after 10 pm except for patron ingress and egress. There will be no French Doors, operable windows or open facades.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
12. Beer will be served in bottles or cans only.
13. Beer & Wine service licensed premises will be restricted to kebab, sandwich, salad restaurant only; beer and wine service will not occur in creperie location (see diagrams of licensed premises).
14. Venting & mechanicals will adhere to all codes. In addition, all venting in rear of buildings near residential terraces will be additionally shielded so not hot to touch.

v. Whereas, the applicant originally appeared before CB2, Man. in August 2017; at that time immediately impacted residents in the building and adjoining buildings and the local Block Association appeared and expressed concerns regarding the ventilation systems that were to be installed by the Applicant which they believe would egregiously infringe on the unique landmarked rear courtyard and it became clear that in the applicants filing to the Landmark Preservation Commission that the applicant failed to disclose that the new ventilation system would be installed within a landmarked interior courtyard which is clearly denoted in the LPC Historic Designation report, but under a different address; In August, the applicant agreed to layover the application and to decide whether they would share the mechanical drawings and landmark application with those impacted residents; when the applicant’s representative returned in July, they did not provide the materials for CB2 to review, they agreed to return in September; In September 2017 the Applicants representative appeared and provided in advance copies of all mechanical drawings and DOB submissions; the immediately impacted residents had obtained on their own the LPC filings; The impacted residents expressed their dismay with the applicants difficulty in providing public documents which they had to obtain independently and after reviewing those documents noted that they were not as egregious as expected, but that there were concerns with the hot kitchen exhaust be vented through mechanical systems immediately adjacent to residential terraces; the applicant agreed to further insulate those ventilation systems that were near the terraces so that they would not be hot to touch and would not present a danger to children or adults and agreed to make this a stipulation of their license; and,

vi. Whereas, there are currently approximately 22 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 **KUT Operating Corp., d/b/a N/A, 301 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 34 Board members in favor.

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



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

Community Board No. 2, Manhattan

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September 27, 2017

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 September 19, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

17. Embe Restaurant Corp., d/b/a 57 Osteria, 57 W. 10th St. 10011 (RW – Restaurant)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a restaurant wine license for a Italian seafood osteria strictly vegetarian and vegan without any meats or poultry catering to all the neighborhood and other nearby clientele; and,

ii. Whereas, this application is for a new restaurant wine license in a previously licensed premise located in a mixed use building on the basement level on West 10th St. between 5th and 6th Avenues for a roughly 1,554 sq. ft premise with 14 tables and 35 seats, 1 food counter with 6 seats, and 1 standup bar with 4 seats, there is no sidewalk café and there are no other outdoor areas for patrons, there is a Certificate of Occupancy; and,

iii. Whereas, the hours of operation will be Sunday from 11AM to 11PM, Monday to Thursday from 5PM to 12AM and Friday and Saturday from 11AM to 1AM, all patrons will be cleared and no patrons will remain after stated closing times, 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 as stipulated, there will be no d.j., no promoted events, no live music, no private parties, no scheduled performances or cover fees, there will be no TV's; and,

iv. Whereas, the Applicant agreed to execute 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. Premise will be advertised and operated as an Italian seafood osteria, strictly vegetarian with vegan fare.
2. The hours of operation will be Sunday from 11AM to 11PM, Monday to Thursday from 5PM to 12AM and Friday and Saturday from 11AM to 1AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
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 on the interior. All music levels and volumes will at all times comply with all New York City Laws and Regulations and will not be audible in adjacent residences at anytime.
8. The premises will not have DJ’s, live music, cover charges or promoted events.
9. All doors and windows will be closed at 9PM every night and anytime there is amplified music. All doors will remain closed after 9PM except for patron ingress and egress. There will be no French Doors, operable windows or open facades.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
12. On Friday & Saturday Nights, will not seat patrons after midnight.

v. Whereas, the applicant provided petition in support and a letter in support was received; and

vi. 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;

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of a new Restaurant Wine License for **Embe Restaurant Corp., d/b/a 57 Osteria, 57 W. 10th St. 10011** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 34 Board members in favor.

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



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

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September 27, 2017

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 September 19, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

18. Kuni's Corporation, d/b/a Ikinari Steak, 205A Bleecker St. 10012 (RW – Restaurant)

- i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a restaurant wine license for a casual steak house; the concept is currently operated in Japan as a chain and there is one other location in the East Village; steak is served by any weight requested; and,
- ii. **Whereas**, this application is for a new restaurant wine license in a previously unlicensed premise located in a mixed use building on the ground floor and basement on Bleecker Street between Macdougall Street and 6th Avenue for a roughly 1,030 sq. ft. premise (723 sq. ft. ground floor and 307 sq. ft. basement, no patrons prep only) with 7 tables and 23 seats, there is no standup bar, there is no sidewalk café and there are no other outdoor areas for patrons, there is a Certificate of Occupancy; and,
- iii. **Whereas**, the hours of operation will be 11AM to 11PM 7 days a week, all patrons will be cleared and no patrons will remain after stated closing times, 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 as stipulated, there will be no d.j., no promoted events, no live music, no private parties, no scheduled performances or cover fees, there will be no TV's; and,
- iv. **Whereas**, the Applicant agreed to execute 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. Premise will be advertised and operated as a casual steak house.

2. The hours of operation will be 11AM to 11PM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
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 on the interior. All music levels and volumes will at all times comply with all New York City Laws and Regulations and will not be audible in adjacent residences at anytime.
8. The premises will not have DJ’s, live music, cover charges or promoted events.
9. All doors and windows will be closed at 10PM every night and anytime there is amplified music. All doors will remain closed after 10 pm except for patron ingress and egress. There will be no French Doors, operable windows or open facades.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
12. New kitchen ventilation system will be installed to local code and will run full length to roof.
13. There will be no patron lines outside and if necessary an electronic alert system will be used for waiting patrons
14. There will be no sidewalk café.
15. Will coordinate garbage pickup with other businesses.
16. There will be table service only for patrons.
17. No speakers will be installed on structural walls (brick walls).
18. There may be one television for use as a promotional screen; but not for TV programming or sports.

v. Whereas, the applicant met with the local merchant and resident association which expressed concerns with a few issues including sound, ventilation, sidewalk café, crowd control and garbage collection and those issues were addressed by the applicant who agreed to incorporate stipulations to address those matters above; and,

vi. Whereas, there are currently approximately 28 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 **Kuni’s Corporation, d/b/a Ikinari Steak, 205A Bleecker 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 Wine License.

Vote: Unanimous, with 34 Board members in favor.

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



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

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September 27, 2017

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 September 19, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

19. YS Pastry, LLC, d/b/a Patisserie Fouet, 15 E. 13th St. 10003 (OP – Restaurant, Previously Unlicensed)

- i. Whereas**, the Applicant appeared a 2nd time 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 full service patisserie and café; a full On Premise liquor license is only necessary in order to prepare pastry food products using liquor; and,
- ii. Whereas**, this application is for a new restaurant on-premise liquor license in a previously unlicensed location located in a 2-story commercial building on the ground floor and basement on 13th Street between 5th Ave and University Place for a roughly 1,840 sq. ft. premise (1,000 sq. ft. 1st floor, 840 sq. ft. basement, no patron use) with 12 tables and 24 seats and 2 food counters with 13 seats, there is no stand up bar, but there will be 1 service bar; there is no outdoor seating area; the applicant provided a Certificate of Occupancy; and,
- iii. Whereas**, the hours of operation will be 7AM to 11PM 7 days a week, all patrons will be cleared and no patrons will remain after stated closing times, 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 all times as stipulated, there will be no d.j., no promoted events, no live music, no private parties, no scheduled performances or cover fees, there will be no TV's; and,
- iv. Whereas**, the applicant 1st appeared before CB2, Man. in August/2017 at which time there was community opposition from 2 Block Associations in the immediate area; the applicant agreed to meet with members of the Block Associations and return in September; the concerns of the members of the

Block Associations included the hours of operation, the open window configuration, noise generated from mechanicals, quality of life issues, impacts on pedestrian and vehicular traffic and parking, serving minors pastries with alcohol and how ultimately why a liquor license was in fact needed at this location;

v. Whereas, the applicant and Block Associations met prior to the September/2017 CB2 SLA Committee meeting and agreed to a number of stipulations with each other and an signed set of stipulations was presented to CB2, Man. which the applicant asked to be included in CB2's stipulations as a show of good faith with the local residents; and

vi. Whereas, the Applicant agreed to execute 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. Premise will be advertised and operated as a full service patisserie and café.
2. The hours of operation will be 7AM to 11PM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a "lounge", tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
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 on the interior. All music levels and volumes will at all times comply with all New York City Laws and Regulations and will not be audible in adjacent residences at anytime.
8. The premises will not have DJ's, live music, cover charges or promoted events.
9. All doors and windows will be closed at all times. There will be no French Doors, operable windows or open facades.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have "boozy brunches". No pitchers of beer.
11. There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.
12. Liquor will only be used by the operator in the preparation of food products only.
13. Beer & Wine products only will be available to customers. Drinks with liquor will not be served to customers.
14. Operator will adhere to all stipulations agreed to with local residents (see attached).

vii. Whereas, there are currently approximately 13 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-Premise Liquor License for **YS Pastry, LLC, d/b/a Patisserie Fouet, 15 E. 13th 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 34 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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September 27, 2017

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 September 19, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

20. Just Burger. LLC, d/b/a Burger 101, 270 Bleecker St. 10014 (RW – Restaurant)

- i. Whereas**, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a restaurant wine license for a family restaurant specializing in burgers; and,
- ii. Whereas**, this application is for a new restaurant wine license in a previously licensed premise located in a mixed-use building on the ground floor and basement on 8th Avenue between Horatio Street and Jane Street for a roughly 1,250 sq. ft. premise (650 sq. ft ground floor and 600 sq ft basement, no patrons prep only) with 13 tables and 28 seats, there is no standup bar and 1 service bar, there is no sidewalk café and there are no other outdoor areas for patrons, the applicant provided a Letter of No Objection; and,
- iii. Whereas**, the hours of operation will be Sunday to Thursday from 11AM to 11PM and Friday and Saturday from 11AM to 1AM, all patrons will be cleared and no patrons will remain after stated closing times, 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 as stipulated, there will be no d.j., no promoted events, no live music, no private parties, no scheduled performances or cover fees, there will be no TV's; and,
- iv. Whereas**, the Applicant agreed to execute 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. Premise will be advertised and operated as a family restaurant specializing in burgers.
2. The hours of operation will be Sunday to Thursday from 11AM to 11PM and Friday and Saturday from 11AM to 1AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
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 on the interior. All music levels and volumes will at all times comply with all New York City Laws and Regulations and will not be audible in adjacent residences at anytime.
8. The premises will not have DJ’s, live music, cover charges or promoted events.
9. All doors and windows will be closed at 10PM every night and anytime there is amplified music. All doors will remain closed after 10 pm except for patron ingress and egress. There will be no French Doors, operable windows or open facades.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
12. No windows will ever be modified to open i.e. no accordion, French or garage style doors/windows.
13. There is no sidewalk café.
14. The last seating for patrons on Friday and Saturday night will be at 12AM.

v. Whereas, the applicant met with the local block association and the block association was in support of the application provided that the applicant adhere to the stipulations above in particular as it related to not changing the front façade, the block association only objected to the hours of operation on Friday and Saturday and as such the applicant agreed that no patrons would be seated after midnight on Fridays and Saturday; and,

vi. Whereas, there are currently approximately 22 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 **Just Burger. LLC, d/b/a Burger 101, 270 Bleecker St. 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 34 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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September 27, 2017

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 September 19, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

21. Asami Sushi, Inc., d/b/a Asami Sushi & Ramen, 513 6th Ave. 10011 (RW – Restaurant)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a restaurant wine license for a sushi, ramen and dim sum restaurant which has already been open and operating for 9 months with no beer/wine service; and,

ii. Whereas, this application is for a new restaurant wine license located in a mixed-use building on the ground floor on 6th Avenue between West 13th and West 14th St. for a roughly 1,000 sq. ft. premise with 11 tables and 34 seats and 1 sushi bar with 6 seats, there is no standup bar, there is no sidewalk café and there are no other outdoor areas for patrons, there is an existing Certificate of Occupancy; and

iii. Whereas, the hours of operation will be Sunday to Thursday from 11AM to 11PM and Friday to Saturday from 11AM to 12AM, all patrons will be cleared and no patrons will remain after stated closing times, 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 as stipulated, there will be no d.j., no promoted events, no live music, no private parties, no scheduled performances or cover fees, there will be no more than 1 TV; and,

iv. Whereas, the Applicant agreed to execute 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. Premise will be advertised and operated as a sushi, ramen and dim sum restaurant.

2. The hours of operation will be Sunday to Thursday from 11AM to 11PM and Friday to Saturday from 11AM to 12AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will have no more than 1 television, no larger than 40 inches in size.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
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 on the interior. All music levels and volumes will at all times comply with all New York City Laws and Regulations and will not be audible in adjacent residences at anytime.
8. The premises will not have DJ’s, live music, cover charges or promoted events.
9. All doors and windows will be closed at 10PM every night and anytime there is amplified music. All doors will remain closed after 10 pm except for patron ingress and egress. There will be no French Doors, operable windows or open facades.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
12. There is no sidewalk café.

v. Whereas, there are currently approximately 12 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 **Asami Sushi, Inc., d/b/a Asami Sushi & Ramen, 513 6th Ave. 10011** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 34 Board members in favor.

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



Antony Wong, *Treasurer*
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September 27, 2017

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 September 19, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

22. 1 Perry, LLC, d/b/a Rosemary's Pizza, 1 Perry St. aka 57 Greenwich Ave. 10014 (OP – Restaurant)

i. Whereas, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing committee in September/2017 to present an application to the Liquor Authority for a high-end pizza restaurant that will eventually be fully operational as a high-end pizza & Italian food restaurant; as part of the proposed application, the applicant plans to install accordion doors across a significant portion of the façade of this corner location where solid walls and small windows previously existed; and,

ii. Whereas, the Applicant first appeared before CB2, Man. in August/2017 at which time the Applicant agreed to return in September so as to conduct additional outreach to immediately impacted residents in order that notification could be provided that indicated that part of the application included a significant alteration to the façade of the building which would create many new large openings where none previously existed; and,

iii. Whereas, this application is for an on-premise liquor license in a previously licensed premise which was abandoned by the previous licensee and is located in a mixed-use building on the ground floor and basement on the corner of Greenwich Avenue and Perry Street for a roughly 2,412 sq. ft. premise (1,452 sq. ft. on the ground floor and 960 sq. ft. basement, no patrons in basement) with 15 tables and 60 seats and 1 stand up bar with 6 seats, the applicant plans to submit an application for a future sidewalk café along the Greenwich Avenue portion of the premises, there are no other outdoor areas for patrons, the applicant stated that there was a Letter of No Objection issued by the NYC Department Of Buildings, but no actually copy of that letter was provided; and,

iv. Whereas, the hours of operation will be Sunday to Wednesday from 11AM to 12AM and Thursday to Saturday from 11AM to 1AM, all patrons will be cleared and no patrons will remain after stated closing times, 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 Sunday to Thursday at 9PM and Friday to Saturday at 10PM as stipulated, there will be no d.j., no promoted events, no live music, no private parties, no scheduled performances or cover fees, there will be no TV's; and,

v. Whereas, the Applicant agreed to execute 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. Premise will be advertised and operated as a high-end pizza restaurant.
2. The hours of operation will be Sunday to Wednesday from 11AM to 12AM and Thursday to Saturday from 11AM to 1AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
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 on the interior. All music levels and volumes will at all times comply with all New York City Laws and Regulations and will not be audible in adjacent residences at anytime.
8. The premises will not have DJ's, live music, cover charges or promoted events.
9. All doors and windows will be closed Sunday to Thursday at 9PM and Friday and Saturday at 10PM and anytime there is amplified music. All doors will remain closed at those times except for patron ingress and egress.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
12. Will utilize an electronic alert system, if necessary, so that there are no patron lines.
13. Door on Perry Street on 7th Ave side of premises will not be used after 10PM Sunday to Thursday and 11PM Friday and Saturday.
14. Any future sidewalk café will close at 11PM with last patron seating at 10PM. No patrons will remain in sidewalk café after 11PM.

vi. Whereas, the applicant contacted a nearby block association which did not appear to have members on this block, presented a petition in support, and hosted an open house to which they invited immediately impacted residents, some of who signed a separate petition and an online petition; the applicant agreed to a number of stipulations indicated above intended to mitigate quality of life issues including closing the operable façade accordion doors at specific times and to stop using the door located on Perry St. closer to 7th Ave South and to closing any future sidewalk café at 11PM with the last seating in the sidewalk café at 10pm; the applicant stated that all steps would be taken to ensure that no patron lines would exist outside the establishment; the applicant verbally stated that they would adhere to all Landmark regulations and follow all proper procedures; and,

vii. Whereas, there are questions regarding whether this application meets the public interest standard in light of the impact of the full operable façade and operating hours; but the earlier closing hours of the façade windows seems to address these concerns to some extent; and,

viii. Whereas, there are currently approximately 18 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 **1 Perry, LLC d/b/a Rosemary's Pizza, 1 Perry St. aka 57 Greenwich 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 34 Board members in favor.

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



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

Community Board No. 2, Manhattan

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September 27, 2017

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 September 19, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

23. St. Tropez Wine Bar, LLC, d/b/a St. Tropez Wine Bar, 302-304 W. 4th St. 10014 (RW – 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 “an intimate French restaurant featuring the cuisine of Provence authentically prepared and served in a warm and convivial atmosphere, featuring reasonably priced appetizers, entrees and desserts, specializing in wines uniquely designated to complement [the] menu”; and,

ii. Whereas, this modified application is for a new restaurant wine license in a landmarked building in a residentially-zoned area which had previously not had an on-premise liquor license and had previously been operated as a café with hours of operation from 7AM to 11PM with complaints and an adverse history with the Liquor Authority; In an unusual exception, the applicant was afforded the opportunity to convert their application into a new application for a restaurant wine license at the same meeting and was provided the opportunity to present the new application; and,

iii. Whereas, this application is for a new restaurant wine license in a premises located in a residential building on the ground floor and basement on West 4th St. between Bank St. and West 12th St. for a roughly 1,050 sq. ft. premise (750 sq. ft. ground floor and 300 sq. ft. basement, no patrons or cooking in basement, prep only) with 10 tables and 36 seats, and 1 stand up bar with 12 seats, and four small counters with 8 seats for a total of 56 seats; there is no sidewalk café and there are no other outdoor areas for patrons, the applicant provided a Letter of No Objection; and,

iv. Whereas, the hours of operation will be Monday to Wednesday from 12PM to 12AM and Thursday to Saturday from 12PM to 1AM, all patrons will be cleared and no patrons will remain after stated closing times, 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 as stipulated, there will be no d.j., no promoted events, no live music, no private parties, no scheduled performances or cover fees, there will be no TV's; and,

v. Whereas, the Applicant agreed to execute 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. Premise will be advertised and operated as a French Restaurant.
2. The hours of operation will be Monday to Wednesday from 12PM to 12AM and Thursday to Saturday from 12PM to 1AM. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises, or any portion of the premises will not operate as a “lounge”, tavern or sports bar.
4. The premise will not have televisions.
5. The premises will not permit dancing and will never seek a NYC DCA Cabaret License.
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 on the interior. All music levels and volumes will at all times comply with all New York City Laws and Regulations and will not be audible in adjacent residences at anytime.
8. The premises will not have DJ's, live music, cover charges or promoted events.
9. All doors and windows will be closed at 9PM every night and anytime there is amplified music. All doors will remain closed after 9PM except for patron ingress and egress. There will be no French Doors, operable windows or open facades.
10. Will not have unlimited drink or unlimited food & drink specials. Will not have “boozy brunches”. No pitchers of beer.
11. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of wine products.
12. There will be no outdoor benches.
13. Basement Hatch will be closed at all times except for deliveries.
14. There will be no cooking in the basement.
15. This is a restaurant wine application.
16. Operator will upgrade mechanicals to address noise issues and venting issues that have occurred in the past.
17. Will not change the front façade.

vi. Whereas, the applicant provided a petition and stated that they had contacted local block associations; whereas several parties appeared in opposition and correspondence was received in opposition from directly impacted parties; concerns included hours of operation, quality of life issues, concerns over changes to the façade in this highly residential area, correction of past issues including eliminating illegal cooking in the basement and non-complaint mechanical systems that emanated noise above approved levels; the applicant agreed to a number of stipulations attesting to their commitment to eliminate the underlying problems at the location which is in a residential zoned area; in the past it was noted that this location had been a beloved neighborhood bookstore which had no adverse impact on quality of life issues in the area; and,

vii. Whereas, there are currently approximately 11 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 **St. Tropez Wine Bar, LLC, d/b/a St. Tropez Wine Bar, 302-304 W. 4th St. 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 34 Board members in favor.

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



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

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September 27, 2017

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 September 19, 2017, 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:

24. Chick & Co, LLC, d/b/a Cocu, 26 Carmine St. 10014 (RW – Restaurant – Layover)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on September 14th, 2017, the Applicant requested to **layover** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of 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 **Chick & Co, LLC, d/b/a Cocu, 26 Carmine 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 34 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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September 27, 2017

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 September 19, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

25. PAALI Enterprises, Inc., d/b/a Nisi, 298-300-302 Bleecker St. 10014 (OP – Restaurant Alteration SN#1280172 – layover)

Whereas, prior to CB2, Manhattan's SLA Licensing Committee #2 Meeting on September 14th, 2017, the Applicant requested to layover this application and will resubmit the application in September or some other future date; the application had previously been **laid over** at CB2, Manhattan's SLA Licensing Committee #2's Meeting on July 13th, 2017 and August 10th, 2017; this application is an alteration application for an existing on-premise liquor license SN# 1280172 to add an additional storefront, an additional rear yard and an additional bar in a separate building connected only through an open rear yard outdoor pathway, the application was laid over in order to among other things demonstrate that their existing use of the current rear yard is properly permitted and to explain how they intend to secure the proper DOB building paperwork for the newly acquired space and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **PAALI Enterprises, Inc., d/b/a Nisi, 298-300-302 Bleecker St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 34 Board members in favor.

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



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
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September 27, 2017

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 September 19, 2017, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

26. Entity to be formed by Alessandro Borgonone, d/b/a TBD, 13 Barrow St. 10014 (OP – Restaurant - withdrawn)

Whereas, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on September 14th, 2017, the Applicant requested to **withdraw** this application for a new on-premise liquor license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan 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 an **Entity to be formed by Alessandro Borgonone, d/b/a TBD, 13 Barrow 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 34 Board members in favor.

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

Sincerely,



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



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



Terri Cude, Chair
Community Board #2, Manhattan

TC/fa

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