

Jo Hamilton, *Chair*  
Bo Riccobono, *First Vice Chair*  
Sheelah Feinberg, *Second Vice Chair*  
Bob Gormley, *District Manager*



Amanda Kahn Fried, *Treasurer*  
Susan Kent, *Secretary*  
Elaine Young, *Assistant Secretary*

## COMMUNITY BOARD No. 2, MANHATTAN

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December 23, 2009

Mr. Dane E. Christian, Acting Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on December 17, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

### **1. Inter 64 Corp. d/b/a Cinq A Sept, 48 MacDougal St., NYC 10012**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for a new On Premise license in a mixed use building on MacDougal Street between 6<sup>th</sup> Avenue and King St for a 1,900 s.f. bar/restaurant with 17 tables and 50 seats, 1 bar with 10 seats, and a maximum legal capacity of 60 persons; and,

**Whereas**, the applicant stated the hours of operation are 12:00 p.m. – 1:00 a.m. Sunday - Wednesday, 12:00 p.m. – 2:00 a.m. Thursday - Saturday; there will not be a sidewalk café application and no backyard garden; music is background only; and,

**Whereas**, the applicant has no Letter of No Objection but will provide a Letter of No Objection; and,

**Whereas**, the applicant has reached out to members of community prior to submitting this application; and,

**Whereas**, the applicant has submitted a petition with signatures supporting the proposed establishment; and,

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of an On Premise license for **Inter 64 Corp. d/b/a Cinq A Sept**, 48 Macdougall St., NYC.

Vote: Unanimous, with 35 Board members in favor.

Jo Hamilton, *Chair*  
Bo Riccobono, *First Vice Chair*  
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December 23, 2009

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

Dear Mr. Christian:

At its Full Board meeting on December 17, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

### **2. Sbafo N.Y.C., LLC d/b/a Sbafo, 581 Hudson St., NYC 10014**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an On Premise license in a mixed use building on Hudson Street between West 11<sup>th</sup> and Bank Street for a 650 s.f. restaurant with 14 tables and 24 seats and 1 bar with 7 seats, and a maximum legal capacity of 50 persons; and,

**Whereas**, the applicant stated the hours of operation for the establishment are 12 noon – 1:00 a.m. Sunday –Thursday and 12 noon – 2:00 a.m. Friday and Saturday; there will be a sidewalk café application but no backyard garden; music will be background only; and,

**Whereas**, the applicant has agreed to provide menu and food items up until 1 hour prior to closing; and,

**Whereas**, the applicant will not sell or serve pizza by the slice; and,

**Whereas**, there has been no community outreach in a very saturated neighborhood; and,

**Whereas**, the applicant is planning to put in French Doors (based on approval from landmarks if required) which they have agreed to close at 9p.m.; and,

**Whereas**, there is great concern that the kitchen is insufficient to support the menu the applicant presented; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial to the proposed On Premise license for **Sbafo N.Y.C., LLC d/b/a Sabafo, 581 Hudson St., NYC 10014**

Vote: Unanimous, with 35 Board members in favor.

Jo Hamilton, *Chair*  
Bo Riccobono, *First Vice Chair*  
Sheelah Feinberg, *Second Vice Chair*  
Bob Gormley, *District Manager*



Amanda Kahn Fried, *Treasurer*  
Susan Kent, *Secretary*  
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December 23, 2009

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

Dear Mr. Christian:

At its Full Board meeting on December 17, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

### **3. 315 Third Floor Corp. d/b/a 8 St. Kitchen, 16-22 W. 8<sup>th</sup> St., NYC 10011**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an On Premise license for a restaurant in a 1,800 s.f. premise on West 8<sup>th</sup> Street between 5<sup>th</sup> Avenue and MacDougal Street with 8 tables and 60 seats, 1 bar and 8 bar seats and a maximum legal capacity of 70 persons; and,

**Whereas**, the applicant stated the hours of operation will be 11:00 a.m. to 2:00 a.m. Sunday - Saturday; there will be no sidewalk café application and no backyard garden; music will be live and background only; and,

**Whereas**, the applicant has existed with a beer and wine license and shown to be an asset to the neighborhood; and,

**Whereas**, the applicant has agreed to provide menu and food items up until 1 hour prior to closing; and,

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval to the proposed On Premise license for **315 Third Floor Corp. d/b/a 8 St. Kitchen, 16-22 W. 8<sup>th</sup> St., NYC 10011**

Vote: Unanimous, with 35 Board members in favor.

Jo Hamilton, *Chair*  
Bo Riccobono, *First Vice Chair*  
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December 23, 2009

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

Dear Mr. Christian:

At its Full Board meeting on December 17, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

#### **4. Sark Holdings, LLC d/b/a The Duke, 118 Greenwich Ave., NYC 10011**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an On Premise license in a mixed use building on Greenwich Avenue between 7<sup>th</sup> and 8<sup>th</sup> Avenue for a 1,300 s.f. restaurant with 27 tables and 86 seats, 1 bar with 10 seats, and a maximum legal capacity of 110 persons; and,

**Whereas**, the applicant stated the hours of operation are 11:00 a.m. – 2:00 a.m. seven days a week; there is no sidewalk café and no backyard garden application at this time; music is background only; and,

**Whereas**, the applicant has agreed to operate as a full service restaurant only; and

**Whereas**, the applicant has agreed to provide menu and food items up until 1 hour prior to closing; and,

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of an On Premise license for **Sark Holdings, LLC d/b/a The Duke, 118 Greenwich Ave., NYC 10011** unless all conditions agreed to by applicant and are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 35 Board members in favor.

Jo Hamilton, *Chair*  
Bo Riccobono, *First Vice Chair*  
Sheelah Feinberg, *Second Vice Chair*  
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Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on December 17, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

### **5. Red Lion, LLC, 151-153 Bleecker St., NYC 10012**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for a transfer of an existing On Premise license for a restaurant located in a 2,500 s.f. premise in a mixed use building on the corner of Thompson and Bleecker Street with 25 tables and 87 seats with 1 bar with 17 seats; and a maximum legal capacity of 176 persons; and,

**Whereas**, the applicant stated the hours are 11a.m. – 4 a.m. seven days a week; there will be a sidewalk café but no backyard garden; music is background only; and,

**Whereas**, this is simply the adding of a new principle member to the ownership of this company; and,

**Whereas**, the applicant has agreed to supply an updated Certificate of Occupancy and Public Assembly Permit; and,

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval to the proposed transfer of an On Premise license for **Red Lion, LLC, 151-153 Bleecker St., NYC .**

Vote: Unanimous, with 35 Board members in favor.

Jo Hamilton, *Chair*  
Bo Riccobono, *First Vice Chair*  
Sheelah Feinberg, *Second Vice Chair*  
Bob Gormley, *District Manager*



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December 23, 2009

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

Dear Mr. Christian:

At its Full Board meeting on December 17, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

### **6. Glenda McGovern or entity to be formed, 102 MacDougal St., NYC 10012**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an transfer of an existing On Premise license for a restaurant/bar located in a mixed use building located on MacDougal Street between Bleecker and West 3<sup>rd</sup> Street with 8 tables and 24 seats and 1 bar with 12 seats; a maximum legal capacity of 75 persons; and,

**Whereas**, the applicant stated there are no plans to change the previously approved method of operation; the applicant stated the restaurant hours are 11:00 a.m. – 4:00 a.m. seven days a week; there is no sidewalk café and no backyard garden; music is background only; and,

**Whereas**, the neighborhood association known as BAMRA is in full support of this applicant; and,

**Whereas**, this applicant must remove any furniture on the sidewalk because there is no sidewalk café license; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of the proposed transfer of the On Premise license for **Glenda McGovern or entity to be formed, 102 MacDougal St., NYC 10012** unless this applicant agrees to strictly adhere to the 5<sup>th</sup> Whereas stipulation in this resolution.

Vote: Unanimous, with 35 Board members in favor.

Jo Hamilton, *Chair*  
Bo Riccobono, *First Vice Chair*  
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Dear Mr. Christian:

At its Full Board meeting on December 17, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

### **7. Frog Restaurant, Inc., d/b/a Frog, 71 Spring St., NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for the alteration of an existing On Premise liquor license in a commercial building on Spring Street between Crosby and Lafayette Street for a 3,900 s.f. restaurant with 45 tables and 158 seats and 1 bar with 12 seats, and a maximum legal capacity according to their application of 175 persons; and,

**Whereas**, the applicant stated the hours of operation for the establishment are 10:00 a.m. – 2:00 a.m. Sunday –Thursday and 10:00 a.m. – 4:00 a.m. Friday and Saturday; there will be no sidewalk café application and no backyard garden; music will be background only; and,

**Whereas**, the applicant has requested to extend the hours of operation; and,

**Whereas**, the applicant has requested the following interior alterations:

- \* to remove the bar at the front
- \* reduce the current 15' bar to 11'
- \* remove cold room and liquor storage room for more dining seating
- \* adding accessible bathroom
- \* adding sprinklers
- \* adding sprinklers for kitchen
- \* move service bar to the back; and,



**Whereas**, the Certificate of Occupancy only states a maximum capacity of 123 persons; and,

**Whereas**, this applicant is not a principal owner in the business; and,

**Whereas**, this establishment has failed to follow the original methods of operation; and,

**Whereas**, this establishment had been operating beyond the original agreed hours of operation; and,

**Whereas**, this establishment has been operating and ADVERTISING as a Night Club (see attachments) not a restaurant; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial to the proposed alteration to the existing On Premise license for **Frog Restaurant, Inc., d/b/a Frog, 71 Spring St., NYC**; and,

**BE IT FURTHER RESOLVED** that should this applicant continue to proceed with the requested alterations that the Principle/Owner of this establishment need appear before this committee before doing so.

Vote: Unanimous, with 35 Board members in favor.

Jo Hamilton, *Chair*  
Bo Riccobono, *First Vice Chair*  
Sheelah Feinberg, *Second Vice Chair*  
Bob Gormley, *District Manager*



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

Dear Mr. Christian:

At its Full Board meeting on December 17, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

### **9. Tacombi NYC LLC, d/b/a Tacombi NYC, 267 Elizabeth St**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for a beer and wine license in a commercial building on Elizabeth Street between Prince and East Houston Street for a 2,100 s.f. restaurant with 13 tables and 60 seats , and a maximum legal capacity of 64 persons; and

**Whereas**, the applicant stated the hours of operation for the establishment are 8:00 a.m. – 1:00 a.m. Sunday –Thursday and 8:00 a.m. – 2:00 a.m. Friday and Saturday; there will be no sidewalk café application and no backyard garden; music will be background only; and

**Whereas**, the applicant has agreed to provide menu and food items up until 1 hour prior to closing; and

**Whereas**, the applicant will close all doors and windows after 8 p.m.; and,

**Whereas**, there has been very little to no outreach to the neighborhood community; and,

**Whereas**, this applicant offers no asset to the neighboring community; and,

**Whereas**, there has never been a beer and wine License at this address before; and

**Whereas**, this is already an overly saturated area with more than 10 On Premise Licenses; and,

**Whereas**, we ask the SLA to review the 500 ft rule in considering this applicant; and,

**Whereas**, there is great concern by this committee that this applicant plans to involve celebrities and making this a destination location which will only add to the noise and traffic issues of a already overwhelmed neighborhood; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial to the proposed beer and wine license for **Tacombi NYC LLC, d/b/a Tacombi NYC, 267 Elizabeth St.**

Vote: Unanimous, with 35 Board members in favor.

Jo Hamilton, *Chair*  
Bo Riccobono, *First Vice Chair*  
Sheelah Feinberg, *Second Vice Chair*  
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New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on December 17, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

### **10. Marie Arun Teas, Inc., 10 Morton St., NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for a Beer and Wine license in a mixed use building on Morton Street between 7<sup>th</sup> Avenue and Bleecker Street for a 1,000 s.f. restaurant with 8 tables and 20 seats , and a maximum legal capacity of 55 persons; and,

**Whereas**, the applicant stated the hours of operation for the establishment are 8:00 a.m. – 11:00 p.m. Sunday –Wednesday and 8:00 a.m. – 1:00 a.m. Thursday - Saturday; there will be no sidewalk café application but will be serving 12 additional seats in a backyard garden; music will be background and occasional live; and,

**Whereas**, this location has never had a Beer and Wine license; and,

**Whereas**, this applicant has had stop work orders from the DOB for contrary work; and,

**Whereas**, there is great concern regarding the permissibility of construction of this space and the existence of a Certificate of Occupancy; and,

**Whereas**, this applicant originally told the community that it was just a Tea House; and,

**Whereas**, this applicants backyard structure is encroaching on the safety of the neighboring buildings and apartments in the “Air Shaft”; and,

**Whereas**, the community appeared in great force with over 30 neighbors in protest to this applicant; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. strongly recommends denial of a Beer and Wine license to **Marie Arun Teas, Inc., 10 Morton St., NYC**

Vote: Unanimous, with 35 Board members in favor.

Jo Hamilton, *Chair*  
Bo Riccobono, *First Vice Chair*  
Sheelah Feinberg, *Second Vice Chair*  
Bob Gormley, *District Manager*



Amanda Kahn Fried, *Treasurer*  
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NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Mr. Christian:

At its Full Board meeting on December 17, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

### **11. Mika Food, LLC, d/b/a Bala Boosda, 214 Mulberry St., NYC 10012**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for a Beer and Wine license in a mixed use building on Mulberry Street between Prince and Spring Street for a 1,200 s.f. restaurant with 22 tables and 52 seats and 1 bar with 4 seats, and a maximum legal capacity of 56 persons; and,

**Whereas**, the applicant stated the hours of operation for the establishment are 11:00 a.m. – 12:00 a.m. seven days a week; there will be no sidewalk café application and no backyard garden; music will be background only; and,

**Whereas**, the applicant has agreed to provide menu and food items up until 1 hour prior to closing; and,

**Whereas**, the applicant will confirm that air conditioning units will have sound baffle and any noise levels from the units are within legal limits; and,

**Whereas**, there will be no use of any parts of the backyard by staff, no garbage will be stored there, and no use or access by customers; and,

**Whereas**, all the back windows will remain closed at all times including before and after hours of operation; and

**Whereas**, the applicant will not have any French Doors or French Windows facing the front or backyard; and,

**Whereas**, the applicant will provide all exhaust / ventilation systems to be extend to roof line and all noise levels remain within legal limits; and,

**Whereas**, the applicant has signed an agreement which includes all these stipulations with the community; and

**Whereas**, there is a petition against the applicant with 15 signatures; and,

**Whereas**, the address on this application has never had a liquor license of any kind prior; and,

**Whereas**, the community also request the name of the business is spelled **Balaboosta** at the applicant's premise and should be so noted on his application to the SLA; and,

**Whereas**, we ask the SLA to review the 500 ft rule in considering this applicant; and,

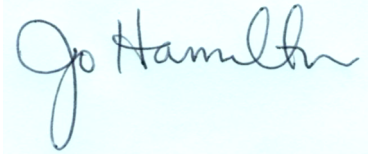
**Whereas**, this committee would like to note that this applicant had come before this committee before and was denied a full On Premise License, but has come back for the Beer and Wine License with an agreement from the community; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of the proposed Beer and Wine license for **Mika Food, LLC, d/b/a Bala Boosda, 214 Mulberry St., NYC 10012** unless this applicant agrees to strictly adhere to all Whereas stipulation in this resolution.

Vote: Unanimous, with 35 Board members in favor.

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

Sincerely,

A handwritten signature in blue ink that reads "Jo Hamilton". The signature is written in a cursive style and is set against a light blue rectangular background.

Jo Hamilton, Chair  
Community Board #2, Manhattan

A handwritten signature in black ink that reads "Raymond Lee". The signature is written in a cursive style.

Raymond Lee, Chair  
SLA Licensing Committee  
Community Board #2, Manhattan

JH/fa

cc: Hon. Jerrold Nadler, Congressman  
Hon. Thomas Duane, NY State Senator  
Hon. Deborah Glick, Assembly Member  
Hon. Scott Stringer, Man. Borough President  
Hon. Christine Quinn, Council Speaker  
Hon. Alan Jay Gerson, Council Member  
Hon. Rosie Mendez, Council Member  
Sandy Myers, CB2 liaison, Man. Borough President's office  
Lolita Jackson, Manhattan Director, Commissioner, CAU  
Thomas J. O'Connor, Deputy Commissioner for Government Affairs, NYS Liquor Authority  
Applicant