

Brad Hoylman, Chair
Bo Riccobono, First Vice Chair
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Antony Wong, Treasurer
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COMMUNITY BOARD No. 2, MANHATTAN

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NEW YORK, NY 10012-1899

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

1. Celtic Dragon, LLC, d/b/a Lucky 157 Chinese Restaurant & Rathskeller, 157 Lafayette St. 10013

Whereas, the applicant appeared before the committee for a second time; and,

Whereas, this application is for a new, Full On Premise license, in a commercial building (block# 234/lot# 11) on Lafayette Street between Grand and Howard Street for a moderately priced Chinese style restaurant which has 33 tables and 126 seats and 1 bar with 6 seats and a food counter with 14 seats for a total of 146 seats. There will be no sidewalk café and no backyard garden, music will be background only and a maximum legal capacity of 186 persons; and,

Whereas, the applicant stated the hours of operation are Sunday through Thursday from 12:00 p.m. to 2:00 a.m. and Friday and Saturday from 12:00 p.m. to 4:00 a.m. (when originally presented the previous month the proposed hours of operation were 12:00 pm to 4:00 am 7 days a week); and,

Whereas, this application is not unique to the surrounding area; and,

Whereas, the applicant would not consider modifying or decrease the hours of operation that would be more consistent to operating a full service **restaurant**; and,

Whereas, this location has had a history of problems including the last operator, JASL Café d/b/a Moomia SLA Serial Number 1166022, whose On Premise License, CB#2, Man. recommended not be renewed and which the SLA subsequently chose not to renew and that decision was upheld by the courts; and,

Whereas, when the applicant appeared the previous month in February 2012, CB#2, Man. asked the applicant to perform more community outreach, in particular to the building 161 Grand St. abutting the rear of the establishment which had suffered the most from the last operator's licensed establishment to ensure that they were aware of this application, the proposed method of operation and the proposed hours of operation to which the applicant was not pleased, but agreed to do so willingly; and

Whereas, the applicant at this meeting stated that he had tried to reach out to the neighbors in the building in question and had met with them but had not received a response and therefore presumed their were no issues; and,

Whereas, when there was an opportunity for the public to speak, a representative from 161 Grand St who identified himself as the Co-Operative Board President presented a signed petition in opposition from 14 of the 18 Co-operative units in the two buildings comprising the co-operative; he explained that the other 4 owners who had not signed were traveling; he proceeded to state that while the co-operative as a whole had no problems with a restaurant at this location, *they felt that the applicant had not been forthcoming with the building residents in a letter distributed to all building tenants because the applcaint omitted a key issue which were the hours of operation* while the applicant also expressed sympathy for the situation the building residents were in with the previous licensee (a copy of the letter from the applicant was provided to CB#2, Man.); The Co-Op President further explained that the co-operative had a terrible time with the previous licensee Moomia and had to expend significant time and monies to have them shut down; he stated the fundamental problem with the previous operator where the hours of operation and the resulting quality-of-life issues including noise and as such stated that the Co-operative would be willing to support this applicant if they closed at Midnight, similar to other high end restaurants which do not interfere with neighbors quality of life; and

Whereas, there are nine on-premise licenses within 500 ft. and two pending licenses;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends the **denial** to a Full OP License for **Celtic Dragon, LLC, d/b/a Lucky 157 Chinese Restaurant & Rathskeller, 157 Lafayette St. 10003.**

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, *Chair*
Bo Riccobono, *First Vice Chair*
Alison Greenberg, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
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Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

2. Tobsk, LLC, 89 MacDougal St., 10012

Whereas, the applicant appeared before the committee; and,

Whereas, this is an application for a steak restaurant with a jazz lounge in the basement; and,

Whereas, this application is for the transfer of an existing license in a mixed use building on Macdougall Street between Houston and Bleecker (Block # 526 and Lot # 25), for a 3.600 s.f. restaurant that will have 19 tables and 64 seats and 2 bars with 16 seats (the ground floor will be 13 tables and 40 seats and 1 bar with 10 seats and the basement level will be 6 tables and 24 seats and 1 bar with 6 seats) for a total of 80 seats. There will be a sidewalk café in the future but no backyard garden, music will be “live” and background; and,

Whereas, the applicant states that the hours of operation are to be Sunday through Friday from 10:00 a.m. to 4:00 a.m. and Saturday from 11:00 a.m. to 4:00 a.m.; and,

Whereas, the operating hours for this applicant is inconsiderate to an entirely residential street and late night basement lounges have consistently resulted in undue hardship with the associated quality of life issues they present to this residential community and which are rampant in this area; and,

Whereas, the previous tenants operating hours were never past 2:00 a.m. and the use on the first floor was a full service restaurant and the basement was a comedy club; and,

Whereas, the local neighborhood association known as BAMRA (Bleecker Area Merchants’ and Residents’ Association) submitted a resolution they had voted on to deny this applicant based on the fact that the proposed mode of operation would not be followed in practice, as significant operating features seemed inconsistent with their proposal, and a representative from BAMRA spoke in opposition at the hearing; and,

Whereas, 8 additional speakers spoke in opposition identifying the many number of on premise licensed establishments in this area that already do not follow their approved method of operation, cited over saturation and continuing late night noise and traffic in the area; and,

Whereas, the current Certificate of Occupancy does not include use of the basement; and

Whereas, the applicant did not submit a layout for the basement use; and,

Whereas, there are **41 Full OP licenses** within 500 ft. of this location and 167 Full OP licenses from LaGuardia to 6th Avenue and from Bleecker to West 3rd Street, the immediate surrounding neighborhood; and,

Whereas, there are 20 Jazz clubs in Greenwich Village and 8 within 3 blocks of this location concluding that this is not a unique application for this neighborhood and the operators have no experience running a jazz lounge which is a very specific and fickle operation that is difficult to manage successfully; and,

Whereas, CB#2, Man. formally requests the State Liquor Authority to conduct a 500 Ft Rule hearing for this application;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of an On Premise liquor license for **Tobsk, LLC, 89 MacDougal St., 10012.**

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, *Chair*
Bo Riccobono, *First Vice Chair*
Alison Greenberg, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

3. Hersa Hospitality Trust d/b/a Hyatt, 76 E. 13th Street, NYC 10003

Whereas, the applicant appeared for the second time before the committee; and,

Whereas, this application is for a New Full OP Hotel license on the corner of 13th Street and 4th Avenue (Block # 564 and Lot # 45), which will service a 2,230 s.f. Lobby Lounge that has a total of 14 coffee tables and 1 communal table which will seat approximately 48 seats and 1 bar with 12 seats and all of the hotel guestrooms and accompanying mini-bars. There is no sidewalk café at this time and no back yard garden, music will be background only and a maximum legal capacity of 110 persons; and,

Whereas, the applicants originally included the rooftop of the hotel as part of the full OP Hotel license but has now agreed to remove the rooftop from this application; and

Whereas, the applicant states that the hours of operation for the lobby lounge bar (the only bar included in this application) are to be Sunday through Saturday from 6:30 a.m. to 4:00 a.m.; and,

Whereas, the applicant stated that there would be policies in place governing the use of the outdoor terrace spaces that are attached to individual rooms on the second floor so that the hotel would be able to monitor and enforce the maximum occupancy for the terrace spaces, the largest of which is 6 for a corner unit, should impromptu parties be hosted by hotel guests and create a disturbance in the outdoor areas; and,

Whereas, the applicant did significant outreach to the community and established a Memorandum of Understanding (MOU) with the building directly attached to them with the 77 E. 12th Street owners that is included below; that it is also noted that this MOU which includes provisions for the rooftop area which are no longer included in this application and which are not binding on CB#2, Man. and do

not represent the entirety of the neighborhood regarding rooftop use but are presented to illustrate other aspects which are included in this application; it is noted that there was no opposition from 77 E. 12th Street owners to CB2 for the use of the rooftop but again that the rooftop is not part of this application; and

Whereas, the referenced MOU is as follows:

Memorandum of Understanding

This Memorandum of Understanding (this “MOU”) dated as of February 3, 2012, between Hersha Hospitality Trust (“HT”), 132 4th Avenue Restaurant LLC (“Licensee”) and 77 E. 12 Owners, Inc. (“Community”).

Recitals

HT is the contract vendee and pursuant to a contract dated June 14, 2011 will purchase from the developer, Risingsam Union Square LLC, a Hyatt branded hotel located at 76 East 13th Street, New York, NY (the “Premises”). HT has entered into a lease agreement with Licensee for the operation of the restaurant (the “Restaurant”) located on the ground floor and cellar floor of the Premises. HT has also entered into a management agreement with Licensee for, inter alia, the operation of the roof terrace (the “Rooftop”) and the hotel lounge (the “Lounge”). HT is applying for a liquor license for, inter alia, the Rooftop and the Lounge. Licensee is applying for a Liquor License for the Restaurant. HT and Licensee have requested that Community prepare, sign and deliver a letter (the “Letter”) to the Manhattan Community Board Number Two and the New York State Liquor Authority in support of HT’s and Licensee’s applications for liquor licenses for multiple venues on the Premises, including the Rooftop, the Lounge and the Restaurant. Community is willing to do so, in all respects conditioned, however, on HT and Licensee entering into and continuing to comply with the terms and conditions of the MOU, which the parties agree is a legally binding and enforceable contract among them, and HT and Licensee causing the conditions set forth in paragraph 2 to be incorporated into their respective Lliquor Llicenses. By entering into the MOU, the Community confirms that it has no opposition to the liquor license applications of either HT or Licensee, and conditioned upon the continuing adherence to the terms and conditions set forth in the MOU the Community will not offer opposition in the future. Accordingly, in consideration of the mutual premises of this MOU and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. Community shall prepare, sign and deliver the Letter conditioned in all respects on HT and Licensee entering into this MOU, at all times remaining in compliance with each and every one of the following terms, and HT and Licensee agreeing to incorporate, and HT causing Licensee to incorporate, each and every one of the following terms into their respective Licensee’s Lliquor Llicenses:
 - a. Food and beverages, alcoholic or otherwise, may be served on the Rooftop seven days per week between the hours of 11:00 a.m. to a final closing time, at which time all patrons will be required to leave the Rooftop, without exception, as follows: (1) Sunday through Thursday, inclusive, 10:00 pm and (2) Friday and Saturday, 11:00 pm.
 - b. Music at the Rooftop will be recorded and background only and shall at all times be limited to a maximum decibel level of 75 decibels until one (1) hour prior to the required closing time as set forth in paragraph (a) above, at which time, the music shall be lowered to a maximum decibel level of 69 decibels.

The music shall be turned off completely no later than the required closing time as set forth in paragraph (a) above.. No live music of whatsoever nature or description, and no music administered by DJs of any type whatsoever, will be permitted. Neither HT nor Licensee will not apply for a DCA Cabaret License.

- c. Smoking will not be permitted in the Rooftop. Smoking will not be allowed in the Premises and persons leaving the Premises will be requested to smoke on Thirteenth Street.
- d. No cooking of foods will be permitted in the Rooftop, although food warming of food cooked elsewhere on the Premises shall be permitted.
- e. All doors into and out of the Rooftop will close in a controlled manner so that they will be incapable of being slammed or shut quickly.
- f. The maximum occupancy at any given time at the Rooftop will not exceed sixty (60).
- g. HT will erect barriers between the Rooftop and the building located at 77 East 12th Street (the "Building") [as per attached floor plans]. [NOTE: Be sure to attach a copy]

Both HT and the Licensee will discuss with and involve the Community in any changes requiring an amendment to the Liquor Licenses for this Premises, including, without limitation (i) enclosing all or a portion of the Rooftop or, (ii) the sidewalk in front of the Premises, including without limitation, installing outdoor seating on a portion of the sidewalk

- h. The outdoor garden to the immediate west of the Premises shall be solely for the visual enjoyment of patrons, shall not be otherwise accessible by patrons, and patrons shall not be able to enter such garden. The garden will be softly lit (no flood lights) and will be completely turned off by 10 pm.
- i. HT and Licensee shall each provide Community with a working telephone number and the names of two designated persons that Community may call to make complaints or requests. Any changes in numbers or designated persons shall be promptly reported to Community's designated representatives identified below.
- j. HT and Licensee agree to cause their designated representatives identified below to meet with Community on a quarterly basis to discuss issues relevant to the subject matter of this MOU. Additional meetings shall also be held upon the reasonable request of any designated representative.
- k. Lighting on the Rooftop will at all times be focused away from the Building per the attached Lighting Plan.
- l. HT shall post in a location agreeable to Community a sign advising patrons to the effect of the following:

"You are entering a residential neighborhood. Please respect our neighbors by lowering your voices."

- m. The designated representatives of HT are Foiz Ahmed_ and __the General Manager of the Hyatt Union Square Hotel_. The designated representatives of Licensee are _Marco Moreira__ and ___Director of Operations of the Premises Rrestaurant__. The designated representatives of Community are Lauren Angelo Seltzer_____ and Bruce Ortwine_____. Each party shall promptly notify the other parties of any change in a designated representative.
- p. HT The hotel will make its best efforts to have all deliveries and garbage pick-up take place on 13th Street. HT and Licensees agree to store any waste in an interior space before it is brought out for removal (exact time of removal will be determined during discussions with potential carting companies). HT and Licensees will make reasonable efforts to schedule garbage pickup and deliveries at times that have the least impact on the neighborhood and agree to consult the Community before entering into a contract with a carting company. HT and Licensees will make reasonable efforts for there to be no garbage pick-up or deliveries before Midnight or between the hours of 2am and 6 am. HT and Licensees will investigate morning garbage pick-up, which may be coordinated with deliveries.

The hotel will make reasonable effort to tell drivers to shut off their vehicles' engines while making deliveries and pick-ups to reduce noise and pollution.

The Building requested as a courtesy if HT would fund the improvement of the visual appearance of the Wall (the "Wall") bordering the Premises and the Building. HT has agreed to fund the improvement of the appearance of the Wall, which may include synthetic greenery and plantings, in a manner reasonably acceptable to both parties at HT's expense as an accommodation to the Building in a prompt and timely manner,

- n. [Notices]
2. HT shall cause Licensee to perform each of Licensee's obligations under this MOU.
 3. The parties expressly understand, acknowledge and agree that this MOU is a legally binding and enforceable agreement among them and their respective successors and assigns. Without limiting the generality of the foregoing, it is expressly agreed that Community has full standing to enforce each of the terms of this MOU and may exercise all remedies available at law and in equity in the event of a breach by HT or Licensee of any of the terms hereof.
 4. The parties will do and perform all future actions as may be necessary, desirable or otherwise appropriate to carry out the intent of this MOU.

Whereas, the applicants agreed to the following stipulations with CB#2, Man.:

1. That they would agree to and follow the Memorandum of Understanding with the building directly attached to them with the 77 E. 12th Street owners.
2. That all music would be background only.
3. That all doors and windows will be closed by 10:00 p.m. nightly.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends the **denial** to the Full OP Hotel License for **Hersa Hospitality Trust d/b/a Hyatt, 76 E. 13th Street, NYC 10003** unless all the stipulations agreed to in this resolution in the 6th Whereas clause are incorporated into the "Method of Operation"; and,

THEREFORE BE IT FURTHER RESOLVED that this application does not include the rooftop portion of the premise, that CB#2, Man. has made no representations to support or deny the rooftop use at this time and that the applicant must come before CB#2, Man. to submit an Alteration application for consideration by CB#2, Man. and a subsequent recommendation to the SLA either in support or opposition if they ever decide to incorporate the rooftop into their existing Full OP Hotel License.

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, *Chair*
Bo Riccobono, *First Vice Chair*
Alison Greenberg, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

4. 132 4th Avenue Restaurant, LLC, TBD, 132 4th Avenue, NYC, 10003

Whereas, the applicant appeared for a second time before the committee; and,

Whereas, this is an application for an American style Brasserie with American style Tapas inside the Hyatt hotel on the ground floor and basement, not to include the lobby area or lobby bar which is separately licensed; and,

Whereas, this application is for a new Full OP license located in a Hotel on 4th Avenue between 12th and 13th Street (Block # 564 and Lot # 45), for a 5,972 s.f. restaurant (3,612 s.f. in the Cellar and 2,360 s.f. on the ground floor) which has 20 tables and 84 seats and a service bar only in the cellar and 24 tables with 68 seat and 1 bar with 16 seats and 1 counter with 20 seats on the ground floor for a grand total of 188 seats. There will be no sidewalk café at this time and no backyard garden, music will be background only, and a maximum legal capacity of 272 persons; and,

Whereas, the applicant states that the hours of operation are Sunday through Saturday from 6:30 a.m. to 2:00 a.m. (7 days a week); and,

Whereas, the applicants have agreed to the following stipulations:

1. Hours of Operation are Sunday through Saturday from 6:30 a.m. to 2:00 a.m. (7 days a week)
2. That they would agree to and follow the Memorandum of Understanding with the building directly attached to them with the 77 E. 12th Street owners that was signed by their landlords, the Hyatt Hotel described in a following “whereas” clause.
3. That they would agree to shut all doors and windows by 10:00 p.m. nightly.
4. Music will be background only, and there will be no promoted events, D.J.’s or 3rd party promoters.

Whereas, the applicant agreed to these stipulations and there was no opposition from the community in light of the fact that the applicant agreed to the above stipulations; and,

Whereas, it is also noted that this applicant is party to a Memorandum of Understanding (MOU) with Hersha Hospitality Trust (“HT”), 132 4th Avenue Restaurant LLC (“Licensee”) and 77 E. 12 Owners, Inc. (“Community”), a portion of that agreement will also govern this establishment as it relates to this Restaurant as described above, but it is noted that the portion of the agreement that covers use of the rooftop in the building in which this premise is located is not included in this application, that CB2 has made no representations to support or deny the rooftop use at this time and that any use of the rooftop as part of any licensed premise must come before CB2 to submit an application to incorporate that area for consideration of a recommendation from CB2 either in support or in opposition; that 77 E. 12 Owners have presented no opposition to this application; and,

Whereas, the text of the Memorandum of Understanding (MOU) is as follows:

***Memorandum of Understanding**

This Memorandum of Understanding (this “MOU”) dated as of February 3, 2012, between Hersha Hospitality Trust (“HT”), 132 4th Avenue Restaurant LLC (“Licensee”) and 77 E. 12 Owners, Inc. (“Community”).

Recitals

HT is the contract vendee and pursuant to a contract dated June 14, 2011 will purchase from the developer, Risingsam Union Square LLC, a Hyatt branded hotel located at 76 East 13th Street, New York, NY (the “Premises”). HT has entered into a lease agreement with Licensee for the operation of the restaurant (the “Restaurant”) located on the ground floor and cellar floor of the Premises. HT has also entered into a management agreement with Licensee for, inter alia, the operation of the roof terrace (the “Rooftop”) and the hotel lounge (the “Lounge”). HT is applying for a liquor license for, inter alia, the Rooftop and the Lounge. Licensee is applying for a Liquor License for the Restaurant. HT and Licensee have requested that Community prepare, sign and deliver a letter (the “Letter”) to the Manhattan Community Board Number Two and the New York State Liquor Authority in support of HT’s and Licensee’s applications for liquor licenses for multiple venues on the Premises, including the Rooftop, the Lounge and the Restaurant. Community is willing to do so, in all respects conditioned, however, on HT and Licensee entering into and continuing to comply with the terms and conditions of the MOU, which the parties agree is a legally binding and enforceable contract among them, and HT and Licensee causing the conditions set forth in paragraph 2 to be incorporated into their respective Liquor Licenses. By entering into the MOU, the Community confirms that it has no opposition to the liquor license applications of either HT or Licensee, and conditioned upon the continuing adherence to the terms and conditions set forth in the MOU the Community will not offer opposition in the future. Accordingly, in consideration of the mutual premises of this MOU and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

5. Community shall prepare, sign and deliver the Letter conditioned in all respects on HT and Licensee entering into this MOU, at all times remaining in compliance with each and every one of the following terms, and HT and Licensee agreeing to incorporate each and every one of the following terms into their respective Liquor Licenses:

- a) Food and beverages, alcoholic or otherwise, may be served on the Rooftop seven days per week between the hours of 11:00 a.m. to a final closing time, at which time all patrons will be required to leave the Rooftop, without exception, as follows: (1) Sunday through Thursday, inclusive, 10:00 pm and (2) Friday and Saturday, 11:00 pm.
- b) Music at the Rooftop will be recorded and background only and shall at all times be limited to a maximum decibel level of 75 decibels until one (1) hour prior to the required closing time as set forth in paragraph (a) above, at which time, the music shall be lowered to a maximum decibel level of 69 decibels. The music shall be turned off completely no later than the required closing time as set forth in paragraph (a) above. No live music of whatsoever nature or description, and no music administered by DJs of any type whatsoever, will be permitted. Neither HT nor Licensee will apply for a DCA Cabaret License.
- c) Smoking will not be permitted in the Rooftop. Smoking will not be allowed in the Premises and persons leaving the Premises will be requested to smoke on Thirteenth Street.
- d) No cooking of foods will be permitted in the Rooftop, although warming of food cooked elsewhere on the Premises shall be permitted.
- e) All doors into and out of the Rooftop will close in a controlled manner so that they will be incapable of being slammed or shut quickly.
- f) The maximum occupancy at any given time at the Rooftop will not exceed sixty (60).
- g) HT will erect barriers between the Rooftop and the building located at 77 East 12th Street (the "Building") [as per attached floor plans]. [NOTE: Be sure to attach a copy]

Both HT and the Licensee will discuss with and involve the Community in any changes requiring an amendment to the Liquor Licenses for this Premises, including, without limitation (i) enclosing all or a portion of the Rooftop or (ii) the sidewalk in front of the Premises, including without limitation, installing outdoor seating on a portion of the sidewalk

- h) The outdoor garden to the immediate west of the Premises shall be solely for the visual enjoyment of patrons, shall not be otherwise accessible by patrons, and patrons shall not be able to enter such garden. The garden will be softly lit (no flood lights) and will be completely turned off by 10 pm.
- i) HT and Licensee shall each provide Community with a working telephone number and the names of two designated persons that Community may call to make complaints or requests. Any changes in numbers or designated persons shall be promptly reported to Community's designated representatives identified below.

- j) HT and Licensee agree to cause their designated representatives identified below to meet with Community on a quarterly basis to discuss issues relevant to the subject matter of this MOU. Additional meetings shall also be held upon the reasonable request of any designated representative.
- k) Lighting on the Rooftop will at all times be focused away from the Building per the attached Lighting Plan.
- l) HT shall post in a location agreeable to Community a sign advising patrons to the effect of the following:

“You are entering a residential neighborhood. Please respect our neighbors by lowering your voices.”
- m) The designated representatives of HT are Foiz Ahmed_ and __the General Manager of the Hyatt Union Square Hotel_. The designated representatives of Licensee are _Marco Moreira__ and ___Director of Operations of the Premises restaurant __. The designated representatives of Community are Lauren Angelo Seltzerand Bruce Ortwine. Each party shall promptly notify the other parties of any change in a designated representative.
- n) HT will make its best efforts to have all deliveries and garbage pick-up take place on 13th Street. HT and Licensee agree to store any waste in an interior space before it is brought out for removal (exact time of removal will be determined during discussions with potential carting companies). HT and Licensee will make reasonable efforts to schedule garbage pickup and deliveries at times that have the least impact on the neighborhood and agree to consult the Community before entering into a contract with a carting company. HT and Licensee will make reasonable efforts for there to be no garbage pick-up or deliveries before Midnight or between the hours of 2 am and 6 am. HT and Licensee will investigate morning garbage pick-up, which may be coordinated with deliveries.

The hotel will make reasonable effort to tell drivers to shut off their vehicles’ engines while making deliveries and pick-ups to reduce noise and pollution.

The Building requested as a courtesy if HT would fund the improvement of the visual appearance of the wall (the “Wall”) bordering the Premises and the Building. HT has agreed to fund the improvement of the appearance of the Wall, which may include greenery and plantings, in a manner reasonably acceptable to both parties at HT’s expense as an accommodation to the Building in a prompt and timely manner,

o) [Notices]

- 2. HT shall cause Licensee to perform each of Licensee’s obligations under this MOU.
- 3. The parties expressly understand, acknowledge and agree that this MOU is a legally binding and enforceable agreement among them and their respective successors and assigns. Without limiting the generality of the foregoing, it is expressly agreed that Community has full standing to enforce each of the terms of this MOU and may exercise all remedies available at law and in equity in the event of a breach by HT or Licensee of any of the terms hereof.

4. The parties will do and perform all future actions as may be necessary, desirable or otherwise appropriate to carry out the intent of this MOU.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to the new full on premise liquor license for **132 4th Avenue Restaurant, LLC, TBD, 132 4th Avenue, NYC, 10003 unless** all the stipulations agreed to in this resolution in the 5th “whereas” clause are incorporated into the “Method of Operation”.

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, Chair
Bo Riccobono, First Vice Chair
Alison Greenberg, Second Vice Chair
Bob Gormley, District Manager



Antony Wong, Treasurer
Susan Kent, Secretary
Keen Berger, Assistant Secretary

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

5. Scott Conant Management, LLC d/b/a SCM Culinary Suite, 598 Broadway, 10012

Whereas, the applicant appeared a second time before the committee; and,

Whereas, SCM Culinary Suite plans to be a private event space accommodating 30 guests for private dinners and 50 guests for cocktail receptions. The expansive loft space will have a kitchen for cooking demonstrations, photo shoots and other events; and,

Whereas, this application is for a catering license in a commercial building on Broadway between Houston and Prince Street (Block # 511 and Lot # 15), for a 3,075 s.f. loft which will have 1 table with 30 seats and 2 walk up bars with no seats and some additional lounge seating for 14 for a total seating capacity of 44. There is no sidewalk café and no back yard garden, music will be background only and a maximum legal capacity of 50 persons; and,

Whereas, the applicant states that the hours of operation are Sunday though Saturday from 6:00 p.m. to 12:00 a.m.; and,

Whereas, the applicant was originally sent back to do continuing community outreach in light of opposition from building legal live/work loft tenants and returned with a set of stipulations and no community member appeared in opposition; and,

Whereas, the stipulations the applicant agreed to are as follows:

1. During the week, daily trash is discarded after 4:00 p.m. with additional pickups to be scheduled on an event basis which would follow directly after the event at 1:00 a.m.
2. A professional doorman will be present on the ground floor at the building entrance at each event and will limit access to the building to invited guests and will control crowding, noise and security though out the lobby.

3. Clients will be required to provide guest lists prior to their events for use by the professional doorman to limit uninvited guests and the general public from entering into the building and to comply with occupancy.
4. There will be no use of the freight elevator located at 132 Crosby Street on the other side of the building and the applicant will only use the passenger elevator located on the 598 Broadway side of the building.
5. An acoustical engineer will be hired to minimize noise issues.
6. Pest Elimination Systems will be used every week.
7. Hours of operation are Sunday through Saturday from 6:00 p.m. to 12:00 a.m.
8. No live music, no D.J. and all music will be background only.
9. A licensed security person will be hired for any event that has 20 people or more.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends the **denial** to the Catering License for **Scott Conant Management, LLC d/b/a SCM Culinary Suite, 598 Broadway, 10012** unless all the stipulations agreed to in this resolution in the 6th “Whereas” clause are incorporated into the “Method of Operation”.

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, Chair
Bo Riccobono, First Vice Chair
Alison Greenberg, Second Vice Chair
Bob Gormley, District Manager



Antony Wong, Treasurer
Susan Kent, Secretary
Keen Berger, Assistant Secretary

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

6. 45 Mercer Restaurant, LLC, 45 Mercer St., NYC 10013

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new full OP license in a mixed use building on Mercer Street between Broome and Grand Street (Block # 474 and Lot # 18), for a 2,000 s.f. affordable neighborhood Italian /American restaurant, which will have 19 tables and 60 seats and 1 bar with 9 seats for a total of 69 seats. There is no sidewalk café and no back yard garden, music will be background only and a maximum legal capacity of 74 persons; and,

Whereas, the applicant states that the hours of operation are Sunday through Thursday from 8:00 a.m. to 11:00 p.m. and Friday and Saturday from 8:00 a.m. to 12:00 a.m.; and,

Whereas, the applicant agreed to follow the same stipulations agreed to by the last applicant who did not pursue a liquor license at the location which they agree will be incorporated into their method of operation on their liquor license. Those stipulations are:

1. The applicant will limit its hours of operation by closing at 11:00 p.m. Sunday through Thursday and 12:00 a.m. Friday and Saturday.
2. The applicant will remove the stage that was erected by the prior licensee if it has not already been removed.
3. The applicant has agreed specifically that all music will be “quiet ambient music” at all times.
4. The applicant will keep the front doors and windows closed at all times, meaning the doors will never be propped open at any time.

Whereas, the applicant submitted a strong show of community outreach which included a letter of support from the SoHo Alliance and The Lower East Side BID, an Affidavit stating notices were hand delivered to 6 surrounding buildings, a petition with 144 signatures and a series of copied emails from neighbors that also supported this application; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** to the new full on premise liquor license for **45 Mercer Restaurant, LLC, 45 Mercer St., NYC 10013** **unless** all the stipulations agreed to in this resolution in the 4th “whereas” clause are incorporated into the “Method of Operation”.

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, Chair
Bo Riccobono, First Vice Chair
Alison Greenberg, Second Vice Chair
Bob Gormley, District Manager



Antony Wong, Treasurer
Susan Kent, Secretary
Keen Berger, Assistant Secretary

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

7. 202 Centre Corp. d/b/a Red Egg, 202 Centre St., 10013 (SLA Serial Number 1206246)

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the alteration of an existing license # 1206246 to **increase the hours of operation to 4:00 a.m. 7 days a week, extend the bar by an additional 26 feet and allow D.J.'d music from 11:00 p.m. to 4:00 a.m. 7 days a week** in a mixed-use building (M1-5B) on Centre Street between Hester and Grand Street (Block # 235 and Lot # 1), for a 6,374 s.f. restaurant that has 39 tables with 96 seats and 1 bar with 21 seats. CB2 did approve a sidewalk café in May of 2010 but no back yard garden, music **was** background only but would now include a live D.J. and a maximum legal capacity of 148 persons; and,

Whereas, the applicant states that the hours of operation **were** 8:00 a.m. to 11:00 p.m. 7 days a week but is now requesting the NEW HOURS OF OPERATION to be Monday through Friday from 11:00 a.m. to 4:00 a.m. and Saturday and Sunday from 10:00 a.m. to 4:00 a.m.; and,

Whereas, this operator originally appeared before CB#2, Man. in April of 2008 with an application to open a Chinese Restaurant with operating hours of 8 a.m. to 11 p.m. with accompanying details supporting that exclusive use and supplied signed and notarized affidavit to CB2 and the SLA which is on file with the SLA stating that the hours of operation would be from *8:00 am to 11:00 pm seven days a week only, that music would be background only* and that the would abide by all *NYC departments and safety organizations regulations* not limited to the New York City Department of Buildings and the New York City Fire Department and would obtain all required certificates, permits and related documents and CB#2, Man. fully supported this application based of that affidavit and belief that with the method of operation presented at that time that this establishment was in the "public interest" and recommend approval despite this applicant's proposed license being subject to the "500 ft rule" for restaurant use only with the attached stipulations; and,

Whereas, this operator is no longer acting within the guidelines of their application and affidavit, and consistently operates outside of their approved “method of operation” and have in fact become a night club in the later hours of operation after 11pm for at least the previous 6 months and they directly faced CB2’s SLA committee and stated that they do occasionally have special late night events for “corporate clients” and some special events during Fashion Week but not on a regular basis and that they were still a restaurant when that activity was occurring despite the personal observance of members of the committee, and other CB#2, Man. Board Members who live in close proximity, and members of the community who have seen late night nightclub activity on an ongoing basis for approximately 6 months on a regular basis, if not at least 3-5 nights a week, every week for that time and that that late night activity has been the fodder of numerous ongoing press coverage, that food as described in their original application is not served and that the activity only stopped after a MARCH operation in which NYPD, DOB, FDNY and SLA investigators were present early in the morning of February 4, 2012/night of February 3, 2012 and issued at least 6 violations and that the “illegal” activities continued for a week after to accommodate already scheduled fashion week activities after discussion with the enforcement division of the State Liquor Authority to reach a compromise; and,

Whereas, this operator originally applied for a restaurant with 1,873 s.f. but are now stating that their restaurant is 6,374.25 s.f. without clarification and stated that they would apply for increased occupancy with the DOB under an alternate filing to include a night club setup without tables and chairs but did not include a specific number; and,

Whereas, as part of the March Operation on February 4, 2012, the NYC Department of Buildings issued a violation, ECB Violation 34925163K which states that their Occupancy was Contrary to their Certificate of Occupancy for 148 persons and that there were approximately 250 people in the premise which clearly indicates a willful disregard for regulations and their own signed affidavit; and,

Whereas, CB#2, Man. feels that this license was issued by the NY State Liquor Authority to a restaurant for restaurant use only and that this type of alteration to include late night nightclub activity and the associated loud music, dancing and other activity is not appropriate to the type of license issued to this establishments; and,

Whereas, the community has been contacting CB#2, Man.’s District Office with photos and videos regarding the nightclub behavior that has been documented, along with the lines of people waiting to get in, movable barricades, door person’s with guest lists, congestion, press articles, and other characteristics of night clubs; and,

Whereas, CB#2, Man. would consider extending hours of operation for a restaurant only use as described in 2008 to reasonable restaurant hours to match their existing business which occurs before 11 p.m. with stipulations clearly prohibiting all late night club activity should the applicant choose to reappear before CB#2, Man. to discuss this, but CB#2, Man. will not support a 4:00 a.m. nightclub at this location and will not support the attempt of the applicant to mislead this Community Board and the community at large as to what their actual operation is through nuanced statements and reinterpretations of what is clearly nightclub behavior; and,

Whereas, even though there is extensive press coverage in almost all NY Press outlets detailing the establishment’s late night activity, the applicant presented to CB#2, Man. a press package of articles covering the opening of their restaurant and coverage of their food service but glaringly omitted any of the contemporary press coverage which is focused on the late-night club activity at this location, including being nominated as one of the “5 hardest doors in New York City” by eater.com; and,

Whereas, CB#2, Man. can simply not at all condone this type of application as it is a clear case of “bait and switch” that is constantly referred to in public meetings with the SLA and it presents a licensee who willfully disregards their agreements and is not forthcoming and presents a picture through glaring omissions of an operation that is clearly not as they portray;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends the **denial** to the alteration to a Full OP License for **202 Centre Corp. d/b/a Red Egg, 202 Centre St., 10013**; and,

THEREFORE BE IT FURTHER RESOLVED, that CB#2, Man. recommends this operator’s license be revoked for such outrageous disregard for the law and their community should this late nightclub activity continue under their current license.

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, Chair
Bo Riccobono, First Vice Chair
Alison Greenberg, Second Vice Chair
Bob Gormley, District Manager



Antony Wong, Treasurer
Susan Kent, Secretary
Keen Berger, Assistant Secretary

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

8. New York Shakespeare Festival & Joe's Pub LLC/MGR, 425 Lafayette ST., North Store 10003

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the alteration of the full OP license to add an additional 2,000 s.f. room on a mezzanine level and 1 additional bar in that area in a commercial building on Lafayette Street between 8th Street/Astor and 4th Street (Block # 544 and Lot # 16), for a total of 4,000 s.f. restaurant and mezzanine lounge, which will have a total of 69 tables and 190 seats and 3 bar with 26 seats and lounge or single seating of 55 seats. There is no sidewalk café and no back yard garden, music will be background only and a maximum legal capacity of 300 persons; and,

Whereas, the alteration increases seating by adding 19 tables and 66 seats and 1 bar with 18 seats; and,

Whereas, the applicant states that the hours of operation are Sunday through Saturday from 6:00 p.m. to 2:00 a.m.; and,

Whereas, this alteration is part of the **Public Theatre's** remodeling plan which will give patrons access to the restaurant, Joe's Pub, from within the theatre lobby; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends the **approval** to the Full OP License for **New York Shakespeare Festival & Joe's Pub LLC/MGR, 425 Lafayette ST., North Store 10003.**

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, Chair
Bo Riccobono, First Vice Chair
Alison Greenberg, Second Vice Chair
Bob Gormley, District Manager



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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

9. II Commendatore Restaurant, inc. d/b/a Casa Bella Ristorante, 127 Mulberry St., 10013

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the alteration of the full OP license #1025300 to add 27 tables and 90 seats in front of the restaurant for the specific events of the Mulberry Street Mall and the San Gennaro Feast; the premise is located in a mixed use building on Mulberry Street on the corner of Hester and Mulberry (Block # 206 and Lot # 16), which will then have a total proposed occupancy of 262 seats during those two event only. There is a separate sidewalk café but no back yard garden, music will be background only and the interior of the premise has a maximum legal capacity of 172 persons; and,

Whereas, the alteration for these two events only, the Mulberry Street Mall and the San Gennaro Feast, increases seating by adding 45 tables and 90 seats on the street in front of the restaurant and includes no additional bar in that area; and,

Whereas, the applicant states that the regular hours of operation for the interior of the premise and the existing NYC DCA sidewalk café are Sunday through Thursday from 12:00 p.m. to 12:00 a.m. and Friday and Saturday from 12:00 p.m. to 1:00 a.m.; and during these two events, the Mulberry Street Mall and the San Gennaro Feast, the applicant will follow all regulations and hours that the events operate under except that they will not operate beyond the regular hours as described above; and,

Whereas, this operator has repeatedly ignored the regulations of their sidewalk café for over 4 years and has been cited by the NYC Department of Consumer Affairs (DCA) several times for adding additional tables and chairs beyond what they are licensed to have by the city on the sidewalk and as recently as June 2011 and photographs by residents were submitted as additional proof; and,

Whereas, City Council Member Chin had to become involved and established the following stipulations as a condition of their sidewalk café license and their use of the street during the Mulberry Mall :

1. Operator will only use 11 tables and 21 seats as the permit allows.
2. All tables and chairs in the sidewalk café will be placed on the elevated concrete platform which is surrounded by a metal containment fence which measures 4'6" x 72'4" and is located in front of the restaurant on Mulberry Street.
3. When the Mulberry Street Mall is in operation, they will only have tables and chairs set up in allotted area which included Mulberry and Hester Streets. (No use of Hester Street)
4. The usable area will be marked so that all employees know where the seating set up for mall begins and ends.
5. There will not be any menu boards or A-Frames on NYC property.

Whereas, the applicant must follow the agreed stipulations for both the sidewalk café and the privileged Mulberry Street Mall;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends the **denial** to the alteration to add the Mulberry Mall to the License for **Il Commendatore Restaurant, Inc. d/b/a Casa Bella Ristorante, 127 Mulberry St., 10013** unless all the stipulations agreed to in this resolution in the 6th Whereas clause are incorporated into the "Method of Operation"; and,

THEREFOR BE IT FUTHER RESOLVED that any violations regarding the sidewalk café and or the Mulberry Mall should result in revoking the right to serve alcohol in the on street seating area for the Mulberry Mall and should also result in revocation of the right to serve alcohol in the licensed portion part of their premise that covers the existing sidewalk café until the applicant is able to demonstrate that they can adhere to the same laws that all other restaurants adhere to.

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, Chair
Bo Riccobono, First Vice Chair
Alison Greenberg, Second Vice Chair
Bob Gormley, District Manager



Antony Wong, Treasurer
Susan Kent, Secretary
Keen Berger, Assistant Secretary

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

10. 9GJ Bar & Restaurant, Inc. d/b/a Acme, 9 Great Jones St., 10012

Whereas, this applicant appeared before the committee; and,

Whereas, this application is for a Corporate Change of Principal ownership of a full OP license #1025227 (exp. 11/30/2012) in a mixed use building on Great Jones Street between Broadway and Lafayette (Block # 530 and Lot # 12), for a 3,800 s.f. restaurant that will have 55 tables with 133 seats and 2 bars with 26 seats (the ground floor will have 25 tables and 72 seats and 1 bar with 16 seats and the cellar space will have 30 tables and 61 seats and 1 bar with 10 seats) for a grand total of 159 seats. There is no sidewalk café and no back yard garden, music will be background only and a maximum legal capacity of 201 persons; and,

Whereas, the operator presented an application to CB2 which states that the hours of operation are Sunday from 10:00 a.m. to 2:00 a.m. and Monday and Tuesday from 11:00 a.m. to 2:00 a.m. and Wednesday through Friday from 11:00 a.m. to 4:00 a.m. and Saturday from 10:00 a.m. to 4:00 a.m., however, these were not the hours submitted to the SLA and the operator has now not agreed to any closings before 4:00 a.m.; and,

Whereas, a Corporate Change in Principal Ownership allows for the broadest interpretation of the term “method of operation” and in fact does not account for the intricate stipulations or considerations applied by a community board to a venue nor does it include representations taken on their face value made by the previous principles that are being removed from the license; and,

Whereas, CB#2, Man. believes that with the corporate change, all principals’ would continue to maintain the business in the same manner that was previously established, i.e. if it was a family style restaurant that served breakfast, lunch and dinner that is would continue to do so; and,

Whereas, this application is the first “Corporate Change” heard by CB#2, Man. as a result in the recent change in New York State laws regarding Community Board notification, but it also followed a change in the method of operation several months prior that was filed by the previous applicant who did not complete those changes and reopen his establishment and instead negotiated a “Corporate Change” that includes the principles on this application who then reopened the establishment; and,

Whereas, the Liquor License application for CB#2, Man. asks to describe the proposed operation and the applicants’ written response is “basically maintaining the Acme restaurant that has served the community for over 15 years” which then in fact made changes that did not mirror this prior establishment and is a fine example of the difference between an understanding and the ability to legally interpret the term “Method of Operation”; and,

Whereas, CB#2, Man. believes this application should have been filed as a New License and not a corporate change, not withstand the nuances of a corporate change; and,

Whereas, CB#2, Man. would appreciate it if the SLA could clarify the parameters that differentiate between a Corporate Change and a New license and a change in method of operation and how they relate to each other as in this case where the trade name remains the same but the operation is unrecognizable to the past operation so that CB2 can better guide the community; and,

Whereas, CB#2, Man. would like to support the change in New York State Laws that require Community Board notification for Corporate Changes to an SLA issued license, but requests that the SLA review its policies as to the relationship of changes in “method of operation” to those cases where a “corporate change” follows either before or after the change in “method of operation”; CB#2, Man. understands where a “Corporate Change” has a legitimate role in the case of commerce, but a “Corporate Change” should not result in a unrecognizable establishment from the previous entity; and

Whereas the applicant did reach out to the community and the community agreed to the following stipulations but only after having already attained approval for their “corporate change” with the SLA and after numerous discussions in which the applicant was not willing to agree to any stipulations, but acquiesced after extensive discussions with community representatives and with a representative of the SLA; and,

Whereas, the stipulations in the form of an agreement are as follows:

AGREEMENT

Agreement made this 13th day of March 2012 by and between Noho Bowery Stakeholders, Inc. (“Noho”) having an address at _____ and 9 GJ Bar & Restaurant, Inc. d/b/a Acme having an office and place of business at 9 Great Jones Street, New York, New York (“Acme”)

Whereas, the parties are desirous of establishing a method of operation for the restaurant which will allow Acme’s business to succeed without causing inconvenience or nuisance to the neighbors and residents of the surrounding area. Towards that end, certain points have been agreed upon and they are:

1. That on February 2, 2012 the parties exchanged contact information as well as the phone numbers for the General Manager of ACME, as the contact accessible, at any time during the operation of the premises from opening to 4:00 AM; Monday through Sunday, The person or persons connected with these phone numbers will take immediate responsibility for

neighbor/neighborhood issues that arise; such issues may include but are not limited to crowd control associated with the restaurant and its patrons, disorderly conduct by patrons on the public right of way fronting the premises.

Non-emergency issues such as garbage and sanitation may be resolved within 48 hours of notice.

This contact information will also be utilized to exchange information regarding any special events planned either by the neighborhood or operator that will impact the normal conditions of business, residency or living.

Should these contacts or their phone numbers change, both parties agree to immediately notify each other with substituting information.

2. Acme agrees to provide, at its own expense, a means and protocol for garbage storage and collection that:

- 1) prevents vermin access
- 2) will not cause refuse to escape from its container – solid or liquid-or be left on the street.
- 3) will be picked up before 3 AM when restaurant personnel are available to speedily assist in its removal by a carting company and to clean up any residual garbage; or after 6 AM when restaurant personnel will soon be available to collect solid containers left on the street (should this be the storage option utilized) and sweep and wash down the sidewalks by 8 AM daily.

3. Acme agrees to maintain an exterior video camera for the purpose of monitoring sidewalk traffic, conditions, and patron activity for all hours of operation. Acme further agrees to provide personnel whose principal function it is to regularly monitor said video camera.

At any time that the premises reaches or anticipates reaching a capacity of 125 persons or greater, dedicated security personnel will be employed at a ratio of one per 75 persons present. Such security personnel will also be regularly employed between the hours of 10:00 PM to 4:15 AM (or until the last patron has left the premises) Wednesday through 4:15 AM Sunday morning.

The use of velvet ropes or outside waiting lines will be discouraged at all times. In the event of the need for outside congregation of patrons – by virtue of a planned or spontaneous events or circumstance, said security personnel will be physically present on the sidewalk to manage and oversee said congregation and to assure that residential neighbors and other pedestrians have right of way as well as relief from elevated noise levels or other environmental or physical inconvenience that may arise as a result of Acme’s operation of the business.

4. Acme warrants that the restaurant is legally configured for restaurant use, and will remain for the full period of this license and any subsequent renewals by these corporate owners, set-up in the following manner.

The current configuration of the restaurant is as follows:

Ground floor	25 Tables
	72 Seats
	16 Bar Stools

Below Grade	30 Tables
Cellar Space	61 Seats
	10 Bar Stools

Acme further warrants that at no time will there be less seating except for the private parties requiring less seating and that the public assembly stated for this and subsequent liquor license renewals will be for no more than 159 patrons. Any changes in patron capacity, seating and/or use will be duly set forth in an Alteration Application for review by the Community Board and submitted as prescribed by the New York State Liquor Authority.

If during the period covered by the initial SLA license Acme shall substantially abide by the above provisions and shall not cause undue inconvenience or discomfort to residents and businesses in the area. NOHO Bowery Stakeholders, Inc. agrees not to oppose renewal of said SLA license.

That both parties agree to continue a dialogue and continue to work together to insure a mutually harmonious existence for all.

Whereas, in the course of several appearances that the licensee, “9GJ Bar & Restaurant, Inc. d/b/a Acme”, has had with CB#2, Man. over the last few years for several matters it has been repeatedly asked what the interpretation of the endorsement on the Certificate of Occupancy #113504 dated October 6, 1997 means, which states “*The Eating And Drinking Establishment In The Cellar And The Eating And Drinking Establishment At The First Floor Are Two Separate Entities And Shall Always Remain Separate”; the applicant has stated that it is not relevant because all the appropriate fire stopping material has been put in place and that it is old terminology that is not longer relevant and that their architect believes the premise is in compliance with NYC DOB regulations, notwithstanding a ‘dumb waiter’ that connects the two floors or the method of operation as described to CB2 and the SLA which indicates the premise is operated as one establishment with free flow of employees and patrons throughout the two floors and food service from the ground floor kitchen to the basement etc.; however, CB2’s DOB Liaison has stated verbally that the endorsement is self explanatory and was placed on the Certificate of Occupancy as a matter of public safety and should be in effect for the premise notwithstanding any fire stopping materials; and,

Whereas, given the confusion described in the previous “whereas” clause between the applicants representatives and/or architects and statements made by DOB representatives on the face value of the described endorsement on the Certificate of Occupancy, CB#2, Man. asks that the New York City Department of Buildings review the current operation of “9GJ Bar & Restaurant, Inc. d/b/a Acme” to determine whether it is in accordance with the current Certificate of Occupancy in effect for the building;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends the **denial** to the corporate change to the License for 9GJ Bar & Restaurant, Inc. d/b/a Acme, 9 Great Jones St., 10012 unless all the stipulations agreed to in this resolution in the 12th “Whereas” clause are incorporated into the “Method of Operation”.

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, Chair
Bo Riccobono, First Vice Chair
Alison Greenberg, Second Vice Chair
Bob Gormley, District Manager



Antony Wong, Treasurer
Susan Kent, Secretary
Keen Berger, Assistant Secretary

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

11. Deborah Aliotta, d/b/a Belladonna Café, 191 Prince St., NYC 10012

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new Beer and Wine license in a mixed use building on Prince Street on the corner of Sullivan and Prince Street (Block # 518 and Lot # 43), for a 1,100 s.f. family pizzeria restaurant, which will have 6 tables and 12 seats, a window counter with 3 seats and a service bar only. There is no sidewalk café and no back yard garden, music will be background only and a maximum legal capacity of 40 persons; and,

Whereas, the applicant states that the hours of operation are Sunday from 9:00 a.m. to 10:30 p.m. and Monday through Thursday from 9:00 a.m. to 11:30 p.m. and Friday and Saturday from 9:00 a.m. to 12:00 a.m.; and,

Whereas, this location has never been licensed by the SLA before and CB2 would prefer not to add to the already saturated neighborhood by licensing this location; and,

Whereas, the operator did do some community outreach and did submit a petition with 88 signatures in support of the relocation to this address; and,

Whereas, the operator has run a family restaurant for 31 years on Spring Street; and,

Whereas, the operator agreed to the following stipulations:

1. They will always run a restaurant only.
2. They will never operate past 12:00 a.m. midnight.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends the **denial** to the new Beer and Wine License for . **Deborah Aliotta, d/b/a Belladonna Café, 191 Prince St., NYC 10012** unless all the stipulations agreed to in this resolution in the 7th Whereas clause are incorporated into the “Method of Operation”.

Vote: Unanimous, with 30 Board members in favor.

Brad Hoylman, Chair
Bo Riccobono, First Vice Chair
Alison Greenberg, Second Vice Chair
Bob Gormley, District Manager



Antony Wong, Treasurer
Susan Kent, Secretary
Keen Berger, Assistant Secretary

COMMUNITY BOARD No. 2, MANHATTAN

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

12. Super Gourmet Food Corp. d/b/a Thunder Jacksons, 169 Blecker St., NYC (Serial Number 1200248)

Whereas, this application is for the renewal of the Full On-Premise liquor license for Super Gourmet Food Corp. d/b/a Thunder Jacksons, 169 Blecker St., NYC, SLA serial number 1200248 which has already been renewed by the SLA on March 1, 2012, but for which the applicant failed to appear in January 2012 at CB#2, Man.'s SLA Licensing Committee Meeting after having been asked to appear regarding numerous complaints from the community; and,

Whereas, the applicant's manager appeared before the committee at this meeting; and,

Whereas, the manager of this location, Gabe Dorato, did appear and listened to the concerns of the community and was asked to have the owners reach out to the chair of CB#2, Man.'s SLA committee to discuss correcting the issues and concerns of the neighborhood; and,

Whereas, the Bleecker Area Merchants' and Residents' Association (BAMRA) specifically requested this operator to appear before the CB#2, Man. SLA Committee to discuss complaints that have been continuing for the past few years; and,

Whereas, these complaints have been the following:

1. Regularly exceeding its legal capacity of 62 patrons, especially on Friday and Saturday nights and during sports events.
2. The bar's large windows on both Bleecker and Sullivan Streets are kept open at all hours with music blasting, in all but the worst weather.
3. Piles of litter and vomit are frequently seen on the sidewalks outside the bar.
4. The location is sometimes so over crowded with patrons that pedestrians are forced to walk in the street.

Whereas, these conditions are unacceptable in a residential neighborhood that is already crowded with bars and restaurants; and,

Whereas, there are many bars and restaurants who are good neighbors and should not have their own patrons disturbed by this operator; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of the renewal of the proposed liquor license to **Thunder Jacksons, 169 Bleecker St., NYC**, unless the operator begins to legally manage their establishment and address the concerns of the neighborhood; and,

THEREFORE BE IT FURTHER RESOLVED that CB#2, Man. will be prepared to request an outright denial of this license if corrections are not taken prior to the next renewal and if the situation persists in the interim, CB#2, Man. will call for appropriate enforcement action in order to establish a record of non-compliance.

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, Chair
Bo Riccobono, First Vice Chair
Alison Greenberg, Second Vice Chair
Bob Gormley, District Manager



Antony Wong, Treasurer
Susan Kent, Secretary
Keen Berger, Assistant Secretary

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

13. Barbossa, 232 Elizabeth St

Whereas, this application was for the renewal of their Full On-Premise liquor license; and,

Whereas, the applicant did appear before the committee; and,

Whereas, the applicant was brought before the committee to respond to neighborhood complaints that were submitted by a Juan Alurralde of 235 Elizabeth St, NY,NY; and,

Whereas, the applicants were unable to speak with Mr. Alurralde because Mr. Alurralde had stepped out during the meeting and was unaware that the committee had called this applicant out of turn on the agenda by the request of a committee member; and,

Whereas, the applicant agreed to uphold the previous stipulations that were negotiated between the community and the operator and adopted by CB#2, Man. which were as follows:

1. Barbosa will not seek or transfer to other operators their Beer and Wine license.
2. They will install signage and verbally communicate the need to respect the residents.
3. No noise emanating from the establishment shall be heard in the apartments at 232 Elizabeth Street and sound attenuation of the walls and ceiling are installed.
4. The back of the building shall be off limits to restaurant guest and staff.
5. They will endeavor to increase public safety by adequately controlling access to the premises.
6. All doors and windows shall be closed by 10:00 p.m.
7. If the applicant obtains a permit for a sidewalk café that they will operate to the strict letter of the law. No benches at any time.
8. Garbage pick-ups shall occur with consideration to the residents' workday and sleeping schedule.
9. Hours of operation are 8:30 a.m. to 11:30 p.m. Sunday through Saturday.
10. The restaurant is closed by 12:00 a.m. meaning dark with no personnel inside and all noise ceased.
11. Any private parties must occur within the hours of operation.

12. All music is to be background only.

Whereas, there were no other community representatives regarding this application; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends denial of the renewal of the proposed liquor license to **Barbossa, 232 Elizabeth St**, unless the operator agrees to uphold their previously agreed stipulations.

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, Chair
Bo Riccobono, First Vice Chair
Alison Greenberg, Second Vice Chair
Bob Gormley, District Manager



Antony Wong, Treasurer
Susan Kent, Secretary
Keen Berger, Assistant Secretary

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, 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:

14. Entity to be formed by Abraham Meborah, 99 MacDougal St., 10012

Whereas, this application was for a new full On-Premise License; and,

Whereas, the applicant requested a layover of the application to the next CB#2, Man. SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **Entity to be formed by Abraham Meborah, 99 MacDougal St., 10012** **until the applicant has presented their application in front of the SLA Licensing Committee 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 45 Board members in favor.

Brad Hoylman, Chair
Bo Riccobono, First Vice Chair
Alison Greenberg, Second Vice Chair
Bob Gormley, District Manager



Antony Wong, Treasurer
Susan Kent, Secretary
Keen Berger, Assistant Secretary

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

15. Hermant Phul on behalf an entity t/b/dTBD, 192 Bleecker St., 10012

Whereas, this application was for a new full On-Premise License; and,

Whereas, the applicant has withdrawn from consideration of the application to CB#2, Man. SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **Hermant Phul on behalf an entity t/b/dTBD, 192 Bleecker St., 10012** **until the applicant has presented their application in front of the SLA Licensing Committee 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 45 Board members in favor.

Brad Hoylman, *Chair*
Bo Riccobono, *First Vice Chair*
Alison Greenberg, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
Keen Berger, *Assistant Secretary*

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

16. Santur Enterprises, LLC, 90 W. Houston St., 10012

Whereas, this application was for a new full On-Premise License; and,

Whereas, the applicant has withdrawn from consideration of the application to CB#2, Man. SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **Santur Enterprises, LLC, 90 W. Houston St., 10012** until the applicant has presented their application in front of the SLA Licensing Committee 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 45 Board members in favor.

Brad Hoylman, Chair
Bo Riccobono, First Vice Chair
Alison Greenberg, Second Vice Chair
Bob Gormley, District Manager



Antony Wong, Treasurer
Susan Kent, Secretary
Keen Berger, Assistant Secretary

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

17. Nikoll Vataj or Entity to be formed, TBD, 59 5th Avenue., 10003

Whereas, this application was for a new full On-Premise License; and,

Whereas, the applicant requested a layover of the application to the next CB#2, Man. SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **Nikoll Vataj or Entity to be formed, TBD, 59 5th Avenue., 10003 until the applicant has presented their application in front of the SLA Licensing Committee 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 45 Board members in favor.

Brad Hoylman, *Chair*
Bo Riccobono, *First Vice Chair*
Alison Greenberg, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
Keen Berger, *Assistant Secretary*

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

18. Gokarna, Inc., d/b/a Plan B, 244 Mulberry St., 10012

Whereas, this application was for a new full On-Premise License; and,

Whereas, the applicant requested a layover of the application to the next CB#2, Man. SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed liquor license for **Gokarna, Inc., d/b/a Plan B, 244 Mulberry St., 10012 until the applicant has presented their application in front of the SLA Licensing Committee 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 45 Board members in favor.

Brad Hoylman, *Chair*
Bo Riccobono, *First Vice Chair*
Alison Greenberg, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
Keen Berger, *Assistant Secretary*

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

19. Pear Tree Café Corp. d/b/a Buskers, 92 W. Houston 10012

Whereas, this application was for an alteration to their SLA License; and,

Whereas, the applicant requested a layover of the application to the next CB#2, Man. SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed liquor license for **Pear Tree Café Corp. d/b/a Buskers, 92 W. Houston 10012** until the applicant has presented their application in front of the SLA Licensing Committee 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 45 Board members in favor.

Brad Hoylman, Chair
Bo Riccobono, First Vice Chair
Alison Greenberg, Second Vice Chair
Bob Gormley, District Manager



Antony Wong, Treasurer
Susan Kent, Secretary
Keen Berger, Assistant Secretary

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

20. GMG Industries, Inc., d/b/a Tresanti, 40-42 Thompson St., 10013

Whereas, this application was for an alteration to their SLA License; and,

Whereas, the applicant requested again to layover of the application to the next CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed liquor license for **GMG Industries, Inc., d/b/a Tresanti, 40-42 Thompson St., 10013** **until the applicant has presented their application in front of the SLA Licensing Committee 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 45 Board members in favor.

Brad Hoylman, *Chair*
Bo Riccobono, *First Vice Chair*
Alison Greenberg, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
Keen Berger, *Assistant Secretary*

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

21. Lignoranti, LLC d/b/a Oficina Latina, 24 Prince St., 10012

Whereas, this application was for an alteration to their SLA License; and,

Whereas, the applicant has withdrawn from consideration of the application to CB#2, Man. SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **Lignoranti, LLC d/b/a Oficina Latina, 24 Prince St., 10012** until the applicant has presented their application in front of the SLA Licensing Committee 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 45 Board members in favor.

Brad Hoylman, Chair
Bo Riccobono, First Vice Chair
Alison Greenberg, Second Vice Chair
Bob Gormley, District Manager



Antony Wong, Treasurer
Susan Kent, Secretary
Keen Berger, Assistant Secretary

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

22. Michael G. Fanelli, Inc. d/b/a Fanellis, 94 Prince St., NYC 10012

Whereas, this application is for a Corporate Change of a full OP License; and,

Whereas, the applicant has withdrawn from consideration of the application to CB2 SLA Licensing Committee meeting; and,

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed Corporate Change of the liquor license for **Michael G. Fanelli, Inc. d/b/a Fanellis, 94 Prince St., NYC 10012** until the applicant has presented their application in front of the SLA Licensing Committee 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 45 Board members in favor.

Brad Hoylman, Chair
Bo Riccobono, First Vice Chair
Alison Greenberg, Second Vice Chair
Bob Gormley, District Manager



Antony Wong, Treasurer
Susan Kent, Secretary
Keen Berger, Assistant Secretary

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

23. Café Mercato, Inc. d/b/a Silver Spoon, 53 E. 8th St., NYC 10003

Whereas, this application is for a new Beer and Wine license; and,

Whereas, the applicant did not appear before the committee for a second time, nor did they withdraw their application or request a layover;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends **DENIAL** of any proposed liquor license to **Café Mercato, Inc. d/b/a Silver Spoon, 53 E. 8th St., NYC 10003** **until the applicant has presented their application in front of the CB2, Manhattan SLA Licensing Committee; and requests that the SLA send this applicant back to CB2, Manhattan should this application proceed directly to the SLA, in order that this important step not be avoided and the concerns of the community be fully heard.**

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, Chair
Bo Riccobono, First Vice Chair
Alison Greenberg, Second Vice Chair
Bob Gormley, District Manager



Antony Wong, Treasurer
Susan Kent, Secretary
Keen Berger, Assistant Secretary

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

24. Shinon Inc., 37 Kenmare St., NYC 10012

Whereas, this application is for a new Beer and Wine license; and,

Whereas, the applicant requested a layover of the application to the next CB#2, Man. SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends **DENIAL** of any proposed liquor license to **Shinon Inc., 37 Kenmare St., NYC 10012 until the applicant has presented their application in front of the CB2, Manhattan SLA Licensing Committee; and requests that the SLA send this applicant back to CB2, Manhattan should this application proceed directly to the SLA, in order that this important step not be avoided and the concerns of the community be fully heard.**

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, Chair
Bo Riccobono, First Vice Chair
Alison Greenberg, Second Vice Chair
Bob Gormley, District Manager



Antony Wong, Treasurer
Susan Kent, Secretary
Keen Berger, Assistant Secretary

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

25. Culture Project, Inc., 45 Bleeker St., NYC 10012

Whereas, this application is for a new Beer and Wine license; and,

Whereas, the applicant requested a layover of the application to the next CB#2, Man. SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends **DENIAL** of any proposed liquor license to **Culture Project, Inc., 45 Bleeker St., NYC 10012** **until the applicant has presented their application in front of the CB2, Manhattan SLA Licensing Committee; and requests that the SLA send this applicant back to CB2, Manhattan should this application proceed directly to the SLA, in order that this important step not be avoided and the concerns of the community be fully heard.**

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, Chair
Bo Riccobono, First Vice Chair
Alison Greenberg, Second Vice Chair
Bob Gormley, District Manager



Antony Wong, Treasurer
Susan Kent, Secretary
Keen Berger, Assistant Secretary

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

26. Village Lantern, 167 Bleecker St., NYC 10012

Whereas, this application is for the renewal of a On-Premise license; and,

Whereas, the applicant requested a layover of the application to the next CB2 SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends **DENIAL** of any proposed liquor license to **Village Lantern, 167 Bleecker St., NYC 10012 until the applicant has presented their application in front of the CB2, Manhattan SLA Licensing Committee; and requests that the SLA send this applicant back to CB2, Manhattan should this application proceed directly to the SLA, in order that this important step not be avoided and the concerns of the community be fully heard.**

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, *Chair*
Bo Riccobono, *First Vice Chair*
Alison Greenberg, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
Keen Berger, *Assistant Secretary*

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

27. Chelsea Morning Partners, LP, 99 Bank St., 10014

Whereas, after this month's CB#2, Man.'s SLA Licensing Committee meeting on March 15th, 2012, but prior to CB#2, Man.'s March Full Board executive session, the applicant requested to withdraw from consideration on March 22, 2012 their application for a new On-Premise Liquor license for a full service, sit down restaurant with ancillary bar service in a residential cooperative building for a 5,518 s.f. premise, of which 3,960 s.f. is on the ground floor and 1,558 s.f. in the basement for accessory use, with 40 tables and 129 seats and 1 bar with 8 seats for total of 137 seats; and,

Whereas, the recommendation of CB#2, Man.'s SLA Licensing Committee to the Full Board of CB#2, Man. in March 2012 was to deny the application based on many factors including significant community opposition; and,

Whereas, the applicant has already submitted a 30-day notice to appear in front of CB#2, Man.'s SLA Licensing Committee in April 2012 to present an alternative application with significant changes;

THEREFORE BE IT RESOLVED that CB#2, Man. respectfully requests that the SLA withhold any decision on this matter until Chelsea Morning Partners, LP, 99 Bank St., 10014 has re-presented a new application in April 2012 to CB2's SLA Licensing Committee and CB2, Manhattan has forwarded a recommendation to the SLA on the new proposal.

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, Chair
Bo Riccobono, First Vice Chair
Alison Greenberg, Second Vice Chair
Bob Gormley, District Manager



Antony Wong, Treasurer
Susan Kent, Secretary
Keen Berger, Assistant Secretary

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

28. Tac 14 Corp. d/b/a Garota de Ipanema, 242 W. 14th St. 10011

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new tavern (bar) with food on-premise liquor license in a previously unlicensed location for a neighborhood tavern with food menu in a mixed commercial/residential brownstone building for a 2,000 s.f. premise with a 1,500 s.f. accessory basement and a 160 s.f. outdoor area in the front of the establishment within the premises property line with 12 tables and 48 table seats and 1 bar with 18 seats for a total of 66 seats; and,

Whereas, the applicant states the hours of operation are from noon to 4 a.m seven days a week;

Whereas, the applicant stated that the music would be at entertainment level from a jukebox; there are no plans to install sound proofing; there is an existing tin ceiling and a commercial tenant on the floor immediately above; there will be no promoted events; no scheduled performances; no outside promoters; no events at which a cover fee is charged; there may be private parties if requested; there are no plans to manage or address vehicular traffic or crowd control on the sidewalk; they will not utilize velvet ropes, movable barriers or other similar equipment; there will be a food menu available and a sample menu with 18 items was presented including kabobs, sausage, wings, calamari and an assortment of fried foods; and,

Whereas, while the principles for the corporation on this application operate another bar on the same block and states that they will close that bar when this one is opened, however, the other location, Tejo Rest, Inc, SLA serial number 1024966 located at 252 West 14th St., is operated as a separate entity and is a different corporation and it is reasonable to anticipate that another licensed establishment will apply for a liquor license at that space and claim that because the location was previously licensed a liquor license should be granted; and,

Whereas, this location has never been previously licensed and was last operated as an adult video store; and

Whereas, this location has an outdoor area in the front of the location within the building line which would be part of the licensed premise and would be utilized for patrons drinking during evening hours and is not subject to NYC DCA Sidewalk regulations; and,

Whereas, there are currently 17 licensed on-premise liquor license establishments within 500 ft, including **9 within 100 ft**, most of which operate as late night drinking establishments and include several rowdy bars and nightclub type venues; and,

Whereas, CB#2, Man. received several letters stating opposition to licensing a new bar at this location, including letters from the former Chair of CB#2, Man.'s SLA Licensing Committee and the former Chair of CB2 and CB4's Joint 14th Street Area Committee, stating that the principle's other location on the street has been a part of the unruliness of this stretch of late-night drinking establishments of rowdy bars and nightclubs; that licensing this space will exacerbate an already untenable situation in the immediate area which has been the subject of numerous complaints regarding quality of life issues particularly later in the evenings after 11pm; that more late night bars, in particular in a previously unlicensed space in a brownstone building, will continue to expand this situation when the community has worked hard over the years to clean up the area; they explained that the situation was originally created because 14th Street is the dividing line between CB2 and CB4 and there was little communication between the two community boards in regards to licensing new establishments until a Joint Committee was formed; and they stated that while little can be done to reverse the existing conditions in the area, licensing additional locations is not appropriate and this particular applicant in this location does not meet the standards of "Public Interest" even if stipulations were agreed to; and,

Whereas, several members of the community appeared in opposition to granting this license at the meeting and stated that the licensee's current location is part of the ongoing late-night complaints in the area, that the area is full of trash as a consequence of late-night activity in the area, that drug sales continue to occur on the block, that in the last 8 years the situation of licensing late-night establishments has created a wild west atmosphere on many nights, that the proximity of the major subway station on the corner exacerbates the situation as many unruly late night revelers travel through the area to arrive or go home on the subway, that the soundproofing plans are inadequate and that there is adamant opposition to licensing any outdoor space for a bar; and,

Whereas, one person appeared in support citing the applicant's history of operating on the block;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of a new On Premise license for **Tac 14 Corp. d/b/a Garota de Ipanema, 242 W. 14th St. 10011**.

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, *Chair*
Bo Riccobono, *First Vice Chair*
Alison Greenberg, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
Keen Berger, *Assistant Secretary*

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

29. Clew Z. Angus (USA), Inc. d/b/a Niu Noodle, 15 Greenwich Ave., 10014

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new on-premise liquor license via a transfer for a Ramen/Noodle restaurant in a commercial building on Greenwich Avenue between West 10th St. and Christopher St. for a 1,636 s.f. premise with a 1,500 s.f. accessory basement with 24 tables and 48 seats (of which 5 tables and 10 seats are located in an enclosed sidewalk café) and 1 bar with 9 seats for a grand total of 57 seats and a maximum occupancy (excluding the enclosed sidewalk café) of 74 people; and,

Whereas, this application includes the existing enclosed sidewalk café; the only physical changes from the previous operation, Innovation 2010, Inc., d/b/a Ample, SLA Serial Number 1240434, will be removing the refrigerated sushi case and the only operational changes will be a change in food style which will remain as Asian food, but will concentrate on ramen/noodle, dim sum/dumpling and Teppan rice dishes; service will be eat in, take out and delivery; and,

Whereas, the applicant stated that the hours of operation will be Monday to Thursday from 11:30 a.m. to 11 p.m. and Friday to Sunday from 11:30 a.m. to 12 a.m.; there will be no backyard garden; music is quiet background only; there will be no Karaoke and no dancing at the establishment; and,

Whereas, the applicant executed a stipulations agreement that they agreed would be attached to their method of operation on their full on-premise license stating that:

1. The hours of operation will be Monday to Thursday from 11:30 a.m. to 11 p.m. and Friday to Sunday from 11:30 a.m. to 12 a.m. (no patrons will remain at the end of the hours of operation).
2. Doors and windows will remain closed at all times.
3. The kitchen shall be in full operation until one hour prior to closing.
4. Music will be quiet background only.
5. There will be no karaoke, no dancing and no cabaret activity; and

Whereas, under NYC Department of Consumer Affairs regulations, the applicant must not install or use speakers, TVs or any other sound reproducing device in any sidewalk café, either enclosed or unenclosed;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of an on-premise liquor license for **Clew Z. Angus (USA), Inc. d/b/a Niu Noodle, 15 Greenwich Ave., 10014** **unless** the statements the applicant has presented are accurate and that those conditions and stipulations agreed to by the applicant relating to the 5th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, *Chair*
Bo Riccobono, *First Vice Chair*
Alison Greenberg, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
Keen Berger, *Assistant Secretary*

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

30. Macelleria Butcher Shop, LLC, TBD, 611 Hudson St. a/k/a 317 W. 12th St. 10014

Whereas, the applicant appeared before the committee, and

Whereas, this is an application for an on-premise liquor license for a traditional Italian restaurant serving rustic Northern Italian cuisine in combination with a butcher shop in a 2-story 2,400 s.f. (1,300 s.f. ground floor and 1,000 s.f. basement) premise located in mixed-use building on the corner of Hudson St. and West 12th St. with 1 bar and 6 seats and a total of 25 tables and 80 seats (86 including bar seats) of which, 11 tables and 28 seats are located on the 1st floor, 8 tables and 16 seats in an existing 200 s.f. enclosed sidewalk café, and 6 tables and 36 seats in the basement and the maximum occupancy excluding the enclosed sidewalk café is less than 75; and,

Whereas, the applicant stated that the hours of operation are Sunday to Thursday from 11:30 a.m. to 11 p.m. and Friday to Saturday from 11:30 a.m. until 11:30 p.m.; music will be quiet background only and the sound system will include several small speakers located throughout the restaurant; music will be from ipod/cd's and MUZAK business music services will control all music played at the premises through play lists using the science of how music affects the behavior of customers; there will be no tv's however the applicant may use a projector to display images; there will be no promoted events, scheduled performances, outside promoters; this application includes the enclosed sidewalk cafe; that the establishment will operate as a restaurant and butcher shop; the applicant will secure all necessary NYC DOB permits and permissions to include the basement portion of the premise which was previously used for storage accessory to the ground floor establishment prior to using the basement; and

Whereas, the ground floor and existing sidewalk café were previously licensed, most recently by 611 Hudson Street Corp, serial number 1025729; and,

Whereas, several members of the community appeared in support of the applicant; and,

Whereas, the applicants are closing their establishment located at 48 Gansevoort St. operating as Macelleria Restaurant, Inc. which has an on premise liquor license, serial number 1100172 and is opening this establishment; and,

Whereas, the applicant executed a stipulations agreement that they agreed would be attached to their method of operation on their full on-premise license stating that:

1. The applicant will close all doors and windows by 10 pm
2. The basement will be a sit down restaurant only
3. The hours of operation will be Sunday to Thursday from 11:30 a.m. to 11 p.m. and Friday to Saturday from 11:30 a.m. until 11:30 p.m. (i.e. all patrons will be gone from the premise at the end of the hours of operation); and

Whereas, under NYC Department of Consumer Affairs regulations, the applicant must not install or use speakers, TVs or any other sound reproducing device in any sidewalk café, either enclosed or unenclosed;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of an on-premise liquor license for **Macelleria Butcher Shop, LLC, TBD, 611 Hudson St. a/k/a 317 W. 12th St. 10014** **unless** the statements the applicant has presented are accurate and that those conditions and stipulations agreed to by the applicant relating to the 6th “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, Chair
Bo Riccobono, First Vice Chair
Alison Greenberg, Second Vice Chair
Bob Gormley, District Manager



Antony Wong, Treasurer
Susan Kent, Secretary
Keen Berger, Assistant Secretary

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

31. K&K Lounge, Inc., 21 7th Ave. South 10014

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new On Premise license (via a “transfer”) for a Retro 1940’s lounge in a 2 story 3,000 s.f. premise with 1,500 s.f. on the ground floor and second floor in a mixed use building at the corner of 21 7th Avenue South between Leroy St. and Morton St. with 70 table seats and 2 stand up bars with 28 bar seats for a total of 98 seats with a maximum legal capacity of 109 persons; and,

Whereas, the applicant stated the hours of operation are Sunday and Monday from 1:00 p.m. to 2:00 a.m. and Tuesday through Saturday from 1:00 p.m. to 4:00 a.m.; there will be a sidewalk café application in the future and it is not included in this application, but no backyard garden;

Whereas, there will be no live music of any kind and the applicant states that the music format on the 1st floor will not include a live d.j. format and will be at ambient background music levels that allow conversation “where our guests can actually have a conversation without raising their voices while enjoying a cocktail and appetizers” and on the 2nd floor music will be at entertainment levels with live d.j., ipod and mixed cd’s; music in keeping with the theme of the establishment of a retro 1940’s lounge on the first floor will be in keeping with music styles from that time period in addition to similar acts from later time periods and on the second floor music will be a combination of top 40’s music combined with 1940’s swing music; and,

Whereas, the applicant will serve a food menu consisting of appetizers and paninis; and,

Whereas, there are at 27 licensed on-premise liquor licenses within 500 ft. and this location is currently licensed as 217 S LLC, SLA Serial Number 1240417; and,

Whereas, the applicant executed a stipulations agreement that they agreed would be attached to their method of operation on their full on-premise license stating that:

1. The applicant will limit its hours of operation to Sunday and Monday from 1:00 p.m. to 2:00 a.m. and Tuesday through Saturday from 1:00 p.m. to 4:00 a.m. At the end of the hours of operation all patrons will have already left the premises.
2. The applicant will maintain at a minimum a security staff of 2 security guards at the door and 1 security in the interior on each floor for a total minimum-security staff of 4.
3. The applicant will not hire or utilize any outside promoters.
4. There will be no live dj's utilized on the ground floor and music on the ground floor will be at quiet ambient background levels.
5. The applicant will not exceed their legal maximum occupancy of 109 people at any time and will keep current at all times their NYC Place of Assembly Permit.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of an on-premise liquor license for **K&K Lounge, Inc., 21 7th Ave. South 10014** **unless** the statements the applicant has presented are accurate and that those conditions and stipulations agreed to by the applicant relating to the 7th "whereas" clause above are incorporated into the "Method of Operation" on the SLA On Premise license.

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, *Chair*
Bo Riccobono, *First Vice Chair*
Alison Greenberg, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
Keen Berger, *Assistant Secretary*

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

32. 103 GW12 d/b/a Monument Lane, 103 Greenwich Ave. 10014 (serial number: 1245048)

Whereas, the applicant appeared before the committee; and,

Whereas, this application is an application to add a sidewalk café to the licensed premise for an additional 8 tables and 16 seats and the hours for the sidewalk café portion of the licensed premise will be: Sunday from 12 p.m. to 11 p.m., Monday to Wednesday from 11 a.m. to 11 p.m., Thursday to Saturday from 11 a.m. to 12 p.m. as agreed to via stipulations with the Mid West 12th St. Block Association and CB#2, Man.; and,

Whereas, the applicant currently operates, in a mixed use building on Greenwich Avenue on the corner of Greenwich and West 12th St., a 2200 s.f. restaurant with 27 tables and 58 seats, 1 bar with 7 seats, and a maximum legal capacity of 74 persons; the applicant's hours of operation for the establishment are Sunday through Wednesday from 11am to 1am and Thursday through Saturday from 11am to 3:30 am; there is no backyard garden; music is background only; the applicant provides menu and food items up until 1 hour prior to closing and,

Whereas, the applicant has obtained a "Letter of No Objection" for the establishment; and,

Whereas the applicant has executed a stipulations agreement agreeing that the hours of operation for the sidewalk café are Sunday from 12 p.m. to 11 p.m., Monday to Wednesday from 11 a.m. to 11 p.m., Thursday to Saturday from 11 a.m. to 12 p.m. meaning that all patrons will be gone from the sidewalk café area and the tables and chairs removed and agreed that the stipulation would be added to their method of operation for their on-premise liquor license; and,

Whereas, no one appeared in opposition from the community;

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends denial to the proposed extension of the licensed premise for **103 GW12 d/b/a Monument Lane, 103 Greenwich Ave. 10014**, serial number 1245048, to include the sidewalk café unless the applicant continues to abide by the conditions outlined in CB#2, Man.'s resolution dated October 22, 2009 (attached) and abides by the stipulations executed as described in the 5th “whereas” clause above and that the stipulation is incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, Chair
Bo Riccobono, First Vice Chair
Alison Greenberg, Second Vice Chair
Bob Gormley, District Manager



Antony Wong, Treasurer
Susan Kent, Secretary
Keen Berger, Assistant Secretary

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

33. The Bowery Kitchen, LLC, 220 Bowery 10012

Whereas, the applicant appeared before the committee for a second time, and,

Whereas, this application is for a restaurant wine license for an Italian restaurant on the first floor with accessory basement used for storage (2,820 s.f. total: 1st floor 1,260 s.f. and basement 1,560 s.f.) in a 4 story lodging house on Bowery located between Prince St and Spring St with 29 tables and 60 seats, 1 bar with 6 seats for a total of 66 seats with a maximum occupancy that will be 74 with hours of operation from 7am to 2am seven days a week and this application does include a sidewalk café; and,

Whereas, the applicant stated that the location will operate as a full service restaurant servicing neighborhood residents and travelers to The Bowery House which is located above the premise; that the doors and windows will be closed by 10 pm; music will be “low enough so that it is not heard on the street” when the doors or windows are open; that there will be no tv’s; music will be quiet back ground only from ipod/cd’s; there will be no promoted events, no scheduled performances, no outside promoters; velvet ropes and movable barriers will not be used; and,

Whereas, the applicant states that there will be a kitchen, that there will be a chef employed at the premise and that the hours that the chef will devote to the premise are from open until close; and,

Whereas, the applicant will install soundproofing using a professional sound engineer, small speakers will be used, all surfaces will be constructed of ¾” thick acoustical grade homasote paneling, demising walls shall be built using acoustical batt insulation, storefront shall have glass with a 1” acoustically insulated, double pane construction, all joints and seams will be sealed with acoustic caulking to acoustically isolate the space from both neighboring tenants and the sidewalk; and,

Whereas, the premises that The Bowery Kitchen, LLC will occupy has never been licensed before and was previously a restaurant supply store and there is also a licensed premise existing in the same building holding a full on-premise license, Icon LLC, d/b/a R Bar, serial number 1119873; and,

Whereas, a copy of the lease provided to CB#2, Man. indicates that the term of the lease for the location ends on April 29th, 2013, which is only 13.5 months from the time of this resolution; and,

Whereas, this premise is located on the ground floor of a 4 story building in which a lodging house is located and has an entry door inside the establishment that has direct access into the lodging house; the second floor is occupied by long term legal residents/tenants; the principles on this application operate a separate establishment in the lodging house called The Bowery House for short term/overnight guests with inexpensive cubicle rooms, on the 3rd and 4th Floors and also the roof top which according to DOB records can accommodate up to 74 persons; and,

Whereas, several members of the community appeared at a previous meeting and at this meeting and indicated concerns that this location has not been previously licensed, that there are **27** on-premise licenses within 500 ft, that this location is connected to a new “hotel” called the Bowery House that rents rooms and beds in cubicle rooms to young tourists and the principals are the owners of that business, that music will be loud on the street when the establishments front doors are open, that patrons of the restaurant will take alcohol from the restaurant into the “hotel” on the upper floors of the building and rooftop which has an interior connecting door, that the applicants have no prior experience running a licensed premise in New York, and that the applicant will combine this space with the existing licensed premise in the same building in the future to create an extremely large establishment including this previously unlicensed space, which they adamantly object to; and,

Whereas, the applicant executed a stipulations agreement that they agreed would be attached to their method of operation on their SLA license stating that:

1. The hours of operation will be from 7 a.m. to 2 a.m. 7 days a week; i.e. at 2 a.m. the premise will be closed and all patrons will have left.
2. The applicant will not allow any alcohol to leave the premise.
3. The applicant will not sell alcohol “to go”; i.e. no bottles or six packs of beer or bottles of wine will be sold to go, for delivery or will otherwise.
4. The applicant will close all doors and windows at 10 pm 7 days a week and no music will be heard outside the premises on the street when the doors and windows are open.
5. The applicant agrees that food will be served until closing

THEREFORE BE IT RESOLVED that CB#2, Man. recommends **denial** of a beer and wine license for **The Bowery Kitchen, LLC, 220 Bowery 10012** **unless** the statements the applicant has presented above are accurate and that those conditions and stipulations agreed to by the applicant relating to the 9th “whereas” clause above are incorporated into the “Method of Operation” on the SLA restaurant wine license.

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, Chair
Bo Riccobono, First Vice Chair
Alison Greenberg, Second Vice Chair
Bob Gormley, District Manager



Antony Wong, Treasurer
Susan Kent, Secretary
Keen Berger, Assistant Secretary

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, 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:

34. Marie Arun Teas, Inc. d/b/a Bosie 10 Morton St. (serial number 1227361)

Whereas, no representative appeared at the CB#2, Man. SLA Licensing Committee meeting on March 15th, 2012, in response to a request to appear to address community concerns regarding the renewal of this restaurant wine license and following a statement from a representative of the applicant Marie Arun Teas, Inc. d/b/a Bosie 10 Morton St. that while the Principle would be unable to attend, a manager would be present to address community concerns in regards to the renewal of the license regarding noise complaints and issues surrounding staff use of outdoor areas but they did not appear; and

Whereas, 4 members of the community appeared and explained their frustrations in resolving ongoing noise issues that seemed correctable;

THEREFORE BE IT RESOLVED, CB#2, Man. requests that the principle of Marie Arun Teas, Inc. d/b/a Bosie 10 Morton St., SLA Serial Number 1227361 appear at the April 2012 CB#2, Man. SLA Licensing Committee Meeting on April 12, 2012 to address the concerns noted above prior to CB#2, Man. issuing a recommendation to the SLA and asks that the SLA take into account the lack of appearance of the applicant after statements that they would appear while reviewing the renewal of this license and support CB#2, Man.'s request that the applicant appear before CB#2, Man. to address these issues in order that the community have a forum to address their concerns.

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, Chair
Bo Riccobono, First Vice Chair
Alison Greenberg, Second Vice Chair
Bob Gormley, District Manager



Antony Wong, Treasurer
Susan Kent, Secretary
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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

35. Entity to be formed by George Forgeois, TBD, 225 Varick St., 10013

Whereas, at this months CB#2, Man. SLA Licensing Committee meeting on March 15th, 2012, the applicant requested a layover of consideration of their application for the above referenced location to a future CB#2, Man. SLA Licensing Committee meeting and agreed to return before the Committee at that time to re-present his application;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed liquor license for an **Entity to be formed by George Forgeois, TBD, 225 Varick St., 10013** until the applicant has presented their application in front of CB#2, Man. SLA Licensing Committee and CB#2, Man. has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB#2, Man. should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, Chair
Bo Riccobono, First Vice Chair
Alison Greenberg, Second Vice Chair
Bob Gormley, District Manager



Antony Wong, Treasurer
Susan Kent, Secretary
Keen Berger, Assistant Secretary

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

36. La Villette, LLC, 10 Downing St., 10014

Whereas, prior to this month's CB#2, Man. SLA Licensing Committee meeting on March 15th, 2012, a representative of the applicant La Villette, LLC, 10 Downing St. requested to withdraw their application for consideration from CB2's SLA Licensing Committee for the above referenced location;

THEREFORE BE IT RESOLVED, that should the applicant proceed directly to the SLA, CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **La Villette, LLC, 10 Downing St., 10014** until the applicant has presented their application in front of CB#2, Man. SLA Licensing Committee and CB#2, Man. has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB#2, Man. should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, Chair
Bo Riccobono, First Vice Chair
Alison Greenberg, Second Vice Chair
Bob Gormley, District Manager



Antony Wong, Treasurer
Susan Kent, Secretary
Keen Berger, Assistant Secretary

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

37. William T. Oreid d/b/a The Jade Hotel Greenwich Village, 52 W. 13th St. 10011

Whereas, prior to this months CB#2, Man. SLA Licensing Committee meeting on March 15, 2012, the applicant's attorney requested a layover of consideration of the application for the above referenced applicant and location to a future CB#2, Man. SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **William T. Oreid d/b/a The Jade Hotel Greenwich Village, 52 W. 13th St. 10011** until the applicant has presented their application in front of CB2 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 45 Board members in favor.

Brad Hoylman, *Chair*
Bo Riccobono, *First Vice Chair*
Alison Greenberg, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
Keen Berger, *Assistant Secretary*

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

38. An entity to be formed by Kenneth Friedman and April Bloomfield, TBD, 264 Bleecker St. 10014

Whereas, prior to this months CB#2, Man. SLA Licensing Committee meeting on March 15, 2012, the applicant's attorney requested a layover of consideration of the application for the above referenced applicant and location to a future CB#2, Man. SLA Licensing Committee meeting; and,

Whereas, the applicant's attorney also notified CB#2, Man. that the applicant was amending the statutory thirty-day notice of intention to file an application with the State Liquor Authority to include a change to the license type which will now be restaurant wine instead of full on-premise liquor, that the principal April Bloomfield will no longer be a principle on the license and that the applicant will keep the phone number of the current licensee at the premise.

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **Kenneth Friedman and April Bloomfield, TBD, 264 Bleecker St. 10014** until the applicant has presented their application in front of CB#2, Man. SLA Licensing Committee and CB#2, Man. has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB#2, Man. should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, Chair
Bo Riccobono, First Vice Chair
Alison Greenberg, Second Vice Chair
Bob Gormley, District Manager



Antony Wong, Treasurer
Susan Kent, Secretary
Keen Berger, Assistant Secretary

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

39. Sway Lounge, LLC, 305 Spring St., 10013 (SLA Serial Number 1125551)

Whereas, prior to this months CB#2, Man. SLA Licensing Committee meeting on March 15, 2012, the applicant's attorney requested a layover of consideration of the alteration application for the above referenced applicant and location to a future CB#2, Man. SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any alteration to the existing liquor license for **Sway Lounge, LLC, 305 Spring St., 10013** until the applicant has presented their application in front of CB#2, Man. 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 45 Board members in favor.

Brad Hoylman, *Chair*
Bo Riccobono, *First Vice Chair*
Alison Greenberg, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
Keen Berger, *Assistant Secretary*

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

40. Lucky 13 Associates, d/b/a Catch, 21-27 9th Ave., 10014 (SLA Serial Number 1254224)

Whereas, the applicant's attorney requested to withdraw the alteration application to add a terrace space to the existing licensed premise for the above referenced Applicant for consideration from CB#2, Man.'s SLA Licensing Committee and stated that the Applicant would not file this application until presenting this matter to CB#2 Man.;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed alteration to add additional space to the existing licensed premise for **Lucky 13 Associates, d/b/a Catch, 21-27 9th Ave., 10014** until the applicant has presented their alteration application in front of CB#2, Man. SLA Licensing Committee and CB#2, Man. has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB#2, Man. should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, *Chair*
Bo Riccobono, *First Vice Chair*
Alison Greenberg, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
Keen Berger, *Assistant Secretary*

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

42. Brass Monkey, LLC d/b/a Brass Monkey, 55 Little W. 12th St. 10014

Whereas, after this month's CB#2, Man. SLA Licensing Committee meeting on March 15th, 2012, but prior to CB#2, Man.'s March full board meeting, the applicant requested withdraw from consideration their application to add new floor area on the ground floor of an adjacent space for the above referenced location and stated that they will resubmit the application to be heard at the April Meeting of CB#2, Man.'s SLA Licensing Committee meeting and agreed to return before the Committee at that time to re-present his application with additional information;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA deny any proposed alteration to the liquor license for **Brass Monkey, LLC d/b/a Brass Monkey, 55 Little W. 12th St. 10014** until CB#2, Man. has forwarded a recommendation to the SLA on the proposed alteration with additional information to be presented by the applicant in April 2012.

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, Chair
Bo Riccobono, First Vice Chair
Alison Greenberg, Second Vice Chair
Bob Gormley, District Manager



Antony Wong, Treasurer
Susan Kent, Secretary
Keen Berger, Assistant Secretary

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

43. 450 Hudson LLC, 450 Hudson St. 10014

Whereas, prior to this month's CB#2, Man. SLA Licensing Committee meeting on March 15, 2012, the applicant's attorney requested a layover of consideration of the application for the above referenced applicant and location to a future CB#2, Man. SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **450 Hudson LLC, 450 Hudson St. 10014** until the applicant has presented their application in front of CB#2, Man. SLA Licensing Committee and CB#2, Man. has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB#2, Man. should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, *Chair*
Bo Riccobono, *First Vice Chair*
Alison Greenberg, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
Keen Berger, *Assistant Secretary*

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

44. P S New York Group, Inc. d/b/a P S Burgers, 35 Carmine St. 10014

Whereas, prior to this month's CB#2 SLA Licensing Committee meeting on March 15, 2012, the applicant's attorney requested a layover of consideration of the application for the above referenced applicant and location to a future CB#2, Man. SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **P S New York Group, Inc. d/b/a P S Burgers, 35 Carmine St. 10014** until the applicant has presented their application in front of CB2's SLA Licensing Committee and CB#2, Man. has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB#2, Man. should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 45 Board members in favor.

Brad Hoylman, *Chair*
Bo Riccobono, *First Vice Chair*
Alison Greenberg, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
Keen Berger, *Assistant Secretary*

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March 30, 2012

Dana E. Christian, 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 March 22, 2012, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

45. David Ruggerio or Entity to be formed, 337 W. Broadway 10013

Whereas, prior to this month's CB#2, Man. SLA Licensing Committee meeting on March 15, 2012, the applicant's attorney requested a layover of consideration of the application for the above referenced applicant and location to a future CB#2, Man. SLA Licensing Committee meeting;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly recommends that the SLA **deny** any proposed liquor license for **David Ruggerio or Entity to be formed, 337 W. Broadway 10013** until the applicant has presented their application in front of CB#2, Man.'s SLA Licensing Committee and CB#2, Man. has forwarded a recommendation to the SLA and requests that the SLA send this applicant back to CB#2, Man. should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 45 Board members in favor.

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

Sincerely,



Richard Stewart, Co-Chair
SLA Licensing Committee
Community Board #2, Manhattan



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



Brad Hoylman, Chair
Community Board #2, Manhattan

BH/fa

cc: Hon. Jerrold L. Nadler, Congressman
Hon. Sheldon Silver, NY State Assembly Speaker
Hon. Thomas K. Duane, NY State Senator
Hon. Daniel L. Squadron, NY State Senator
Hon. Deborah J. Glick, Assembly Member
Hon. Scott M. Stringer, Man. Borough President
Hon. Christine C. Quinn, Council Speaker
Hon. Margaret Chin, Council Member
Hon. Rosie Mendez, Council Member
Pauline Yu, CAU
Kerri O'Brien, Deputy Commissioner of Licensing NY State Liquor Authority
Michael Jones, Deputy Chief Executive Officer, NY State Liquor Authority

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*

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ATTACHMENT FOR NUMBER 32

November 4, 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 October 22, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

4. Corp. to be formed, 103 Greenwich Ave., NYC

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 on the corner of Greenwich and West 12th St. for a 2200 s.f. restaurant with 27 tables and 58 seats, 1 bar with 7 seats, and a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation for the establishment are; Sunday through Wednesday from 11am to 1am and Thursday through Saturday from 11am to 3:30 am; there will currently not be a 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 agrees to maintain these hours of operation for one year and if there is no community opposition they may return to this committee to request a change in said hours of operation; and,

Whereas, the applicant will obtain a "Letter of No Objection" or valid "C of O" prior to opening the establishment; and,

Whereas, no one appeared in opposition from the community;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial to the proposed On Premise license for **Corp. to be formed, 103 Greenwich Ave., NYC**, unless those conditions agreed to by applicant relating to fourth through sixth “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 39 Board members in favor.

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

Sincerely,



Jo Hamilton, Chair
Community Board #2, Manhattan



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