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



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

## COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

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July 29, 2016

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

Dear Sir/Madam:

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

**1. Supernatural Wine, Inc. & Supernatural Wines NY, LLC d/b/a La Compagnies de Vin Surnaturels, 247-249 Centre St. 10013** (alteration application to add sidewalk café to existing Tavern Wine lic. #1276029, exp. 5/31/2018).

**A. Whereas**, the applicant appeared before CB2, Manhattan's SLA Licensing Committee seeking an alteration to its existing Tavern Wine license to add service to a sidewalk café while continuing to operate a wine bar and lounge with small plates and a Tapas style menu within a ground floor storefront of a seven story mixed use building (Circa 1900) on Centre Street between Grand and Broome Streets; and,

**B. Whereas**, there was never previously a sidewalk café at the licensed premises and the existing premises has only been operating as a wine bar and lounge since 2013 with hours of operation between 10 AM and 1 AM Sunday through Wednesday and from 10 AM to 2 AM Thursday through Saturday, previous to 2013 the premises being occupied and operated as a graphic design company but never for eating and drinking; and

**C. Whereas**, when the applicant sought to upgrade its class of license to full on premise license in July/2015 CB2 Man. recommended denial of the license upgrade as there was no recognizable or valid public interest in adding another bar to an already saturated area with an existing 27 on premise licenses (not including beer and wine or other pending license applications) within 500 ft.; and,

**D. Whereas**, only small sidewalk cafes are permitted at this location, the sidewalk café being proposed is for three tables and 12 chairs, there being questions as to whether four top tables would be permitted for a “small” café but where the applicant agreed to close the café every night by 11 PM; and

**E. Whereas**, the interior premises will continue to operate as a wine bar and lounge in a 2335 SF space (1453 SF ground floor and 882 SF basement), with 2 tables with 10 seats, couches and lounge seating for an additional 33 seats, 1 large Bar with 15 bar stools for a total seating occupancy of 58, there are hotplates and small electric oven but there is no full service kitchen, two bathrooms and one entrance/exit for patrons; and,

**F. Whereas**, the premises will continue to operate from 10 AM to 1 AM on Sundays, from 11 AM to 1 AM Monday through Wednesday, from 11 AM to 2 AM Thursdays and Fridays and from 10 AM to 2 AM on Saturdays, there are no TVs and music is background consisting of music from ipod/cd's; and

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

1. The premises will be advertised and operated as a full service Wine Bar serving Tapas style small plates of food from 10 AM to 1 AM on Sundays, from 11 AM to 1 AM Monday through Wednesday, from 11 AM to 2 AM Thursdays and Fridays and from 10 AM to 2 AM on Saturdays.
2. The premises will never operate as a Night Club, Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
3. The sidewalk café will close at 11 PM every night.
4. Music will be quiet, background level only and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
5. There will no TVs.
6. The premises will not permit dancing even in the event a Cabaret License is applied for and issued.
7. Will not install operable windows that open out to sidewalk and will close its door by 10 PM every night.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the alteration application to **Supernatural Wine, Inc. & Supernatural Wines NY, LLC d/b/a La Compagnies de Vin Surnaturels, 247-249 Centre St. 10013** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the “Method of Operation” on the Tavern Wine License.

Vote: Unanimous, with 36 Board members in favor.

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

Dear Sir/Madam:

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

**2. West 4th Street Rest. Corp., d/b/a Washington Square Diner, 150 W. 4th St. 10012**  
(Corporate Change RW lic. # SN827603 – with stipulations)

**A. Whereas**, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application for a Corporate Change to an existing Restaurant Wine License SN827603 to remove one shareholder (Isidoros Tsikis) and add three shareholders (George/Elias and Angela Tsikis) to the underlying corporate entity, all within the same family; and

**B. Whereas**, the restaurant has operated for many years as a Diner/Coffee Shop and will continue to operate as Diner/Coffee Shop, there being no change in the existing method of operation within a storefront premises located in a two-story commercial use building (Circa 1900) located on West 4<sup>th</sup> Street between Sixth Avenue and MacDougal Street; and

**C. Whereas**, the interior storefront premises is approximately 1600 SF, a full service kitchen, two bathrooms, there is no sidewalk café, with hours of operation from 12 PM to 12 AM Sunday through Saturday, with 22 tables and 67 interior seats, 1 stand up counter with 7 seats for a total patron seating capacity of 74; and

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

1. The premises will be advertised and operated as a full service Diner and Coffee Shop with a full service kitchen.
2. The premises will operate with hours of operation from 12 PM to 12 AM Sunday through Saturday.
3. The premises will never operate as a Night Club, Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not install operable windows that open out to sidewalk and will close its door by 10 PM every night.
5. Music will be quiet, background level inside the restaurant and bar and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
6. There will be no TVs.
7. The premises will not permit dancing.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the alteration application to **West 4th Street Rest. Corp., d/b/a Washington Square Diner, 150 W. 4th St. 10012** **unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" on the Restaurant Wine License.

Vote: Unanimous, with 36 Board members in favor.

Tobi Bergman, *Chair*  
Teri Cude, *First Vice Chair*  
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Director  
Licensing Issuance Division  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

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

**3. C. Ho on Behalf of an entity to be determined, 121 W. 3<sup>rd</sup> St. 10001** (New Beer and Wine – Previously licensed location)

**A. Whereas**, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to represent an application for a new Beer and Wine license to operate a restaurant with take-out serving Hawaiian style Poke Bowls in a mixed-use building, located on West 3rd Street between MacDougal and 6th Avenue for a 700 sq. ft. storefront premise with one entrance/exit, a full service kitchen, one bathroom, there are 4 tables with 21 seats, 4 seats at a front window counter and no bar, for an occupancy of 25; there is no sidewalk café and no backyard use; and,

**B. Whereas**, the premises was previously operated for years as the Mayabi Sushi Japanese Restaurant; and

**C. Whereas**, the hours of operation are Sunday to Wednesday from 11:00 a.m. to 12:00 a.m. and Thursday through Saturday from 11:00 a.m. to 2:00 a.m. but all alcohol service will be stopped by 12:00 a.m. seven nights a week; this is a full service restaurant with take out delivery services; music will be background only, there will be no d.j. or live music, there will be no scheduled performances or events with a cover charge; and,

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

1. Premises will be advertised and operated as a full service restaurant specializing in Hawaiian Poke Bowls.
2. Will operate with hours of operation Sunday to Wednesday from 11:00 a.m. to 12:00 a.m. and Thursday through Saturday from 11:00 a.m. to 2:00 a.m.
3. There will be no TVs and no bars.
4. Music will be quiet, background level only and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
5. Will stop the service of all alcoholic beverages at 12:00 a.m. every night, seven days a week.
6. Will not install French doors or windows that open out to sidewalk or otherwise.
7. Will close all doors and windows at all times.
8. There will be no exterior premises for the services of alcohol.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of a Beer/Wine license to **C. Ho On Behalf of an entity to be determined, d/b/a TBD, 121 West 3rd St. unless** the statements of the applicant as presented to CB2 are accurate and complete, and that those conditions and stipulations agreed to by the applicant relating to the above-stated stipulations are incorporated into the "Method of Operation" for a BW License.

Vote: Unanimous, with 36 Board members in favor.

Tobi Bergman, *Chair*  
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July 29, 2016

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

Dear Sir/Madam:

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

**4. Jomelo, LLC, d/b/a Socarrat Nolita, 284 Mulberry St. 10012** (New OP – Upgrade to full OP)

**A. Whereas**, the applicant and applicant's attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority to upgrade to a full on premise liquor license from an existing restaurant wine license to continue to operate a Spanish restaurant specializing in Spanish Tapas and Paellas serving lunch and dinner; and

**B. Whereas**, the restaurant has been operated by the current operator with a Restaurant Wine license since 2011 but there has never been an on premise license issued to these premises at any point in the past; and

**C. Whereas**, the applicant submits he will continue to operate the premises as a Restaurant with a full service kitchen, with the same method of operation, same menu, existing staff to remain and with the same closing hours; and

**D. Whereas**, this application is for an on premise liquor license on the ground floor storefront located in a mixed-use 7-story mixed use building (Circa 1910) on Mulberry St. between East Houston and Jersey Sts., with 13 tables and 53 seats, one food counter with 11 seats, no standup bar, one

bathroom, a full service kitchen, this application does not include a sidewalk café, there are no other outdoor areas for patrons and no doors or windows or doors that open out to the public sidewalk from the interior of the establishment; and,

**E. Whereas,** the hours of operation will continue to be Sunday through Thursday from 8 am to 11 pm and from 8 am to 11:30 pm on Saturdays and Sundays, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), there will be no TVs, all doors and windows will be closed by 9 PM except for patron ingress and egress, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes and no movable barriers; and,

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

1. The premises will be advertised and operated as a full service Spanish restaurant specializing in Spanish Tapas and Paellas serving lunch and dinner with a full service kitchen and will operate at all times as a full service restaurant.
2. The hours of operation from Sunday through Thursday from 8 am to 11 pm and from 8 am to 11:30 pm on Saturdays and Sundays.
3. There will be no televisions but the premises will never operate as a Night Club, Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. There will be no French doors or windows installed at the premises and all doors and windows will be close by 9 PM every night.
5. There will be no outdoor service and no sidewalk café.
6. Music will be quiet, background level inside the restaurant and bar and there will be no live music, dj's, promoted events, scheduled performances or any events for which a cover fee is charged.
7. The premises will not permit dancing.
8. There will never be any after-hour events.
9. There will be no boozy brunch, all you can eat/all you drink specials or pitchers of beer.

**G. Whereas,** there are 22 existing licensed premises within 750 feet of the proposed premises, with 1 additional pending license, 14 existing liquor licenses within 500 feet of the proposed premises and an additional 4 beer and wine licenses within 500 ft. of the premises; and

**H. Whereas,** the applicant concedes that there is a church (St. Michael's Chapel) located within 200 feet of the existing premises but states that the Church is currently not being used exclusively for this purpose, establishing an exception to the 200 foot rule prohibiting a liquor license within 200 feet of such institution;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of a new Restaurant On Premises Liquor License for **Jomelo, LLC, d/b/a Socarrat Nolita, 284 Mulberry St. 10012** unless the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the "Method of Operation" on the SLA On Premise License; and

**THEREFORE BE IT FURTHER RESOLVED** that CB2, Man. requests that the NYS State Liquor Authority review the application to determine if the subject premises and application to upgrade the license is prohibited by the 200-foot rule.

Vote: Unanimous, with 36 Board members in favor.

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Teri Cude, *First Vice Chair*  
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July 29, 2016

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

Dear Sir/Madam:

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

**5. MHJ Management, LLC, d/b/a TBD, 428 Lafayette Street, 10003 (New OP license)**

**A. Whereas**, the applicant and applicant's attorney appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for an on premise liquor license to operate a full service restaurant on the first and a theater and live music venue in the cellar level of a 5-story commercial/mixed-use building (Circa 1831) building located on Lafayette Street between E. 4<sup>th</sup> Street and Astor Place in the NoHo historic district section of Manhattan; and

**B. Whereas**, the premises was previously operated as the Tango House and Colonnades Restaurant and was previously licensed for the service of alcohol, but is now vacant; and

**C. Whereas**, the certificate of occupancy permits a theater in the cellar and a letter of no objection was presented from the NYC Dept. of Buildings which permit an eating and drinking establishment on the first floor, neither the first floor and cellar are designated or permitted to operate together and in combination with each other but this is what the applicant seeks to do; and

**D. Whereas,** this application is for a 5,600 sq. ft. premises, with 2,800 sq. ft. on the first floor offering a full service restaurant and 3,300 sq. ft. on the cellar level offering a theater and live music venue, that has a total of 17 tables with 80 seats, and two bars with 20 seats, and this application does not include a sidewalk café, there are no other outdoor areas for patrons and no doors or windows or doors that open out to the public sidewalk from the interior of the establishment; and,

**E. Whereas,** the applicant seeks hours of operation on Sunday from 11am to 2am, Monday and Tuesday from 8am to 2am, Wednesday through Friday from 8 am to 4 am, and on Saturday from 11am to 4 am, music in the first floor restaurant will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), and music in the cellar theater / music venue will be live music and live DJ entertainment level, amplified sound, and there will be no TVs and all doors and windows will be closed at all times except for patron ingress and egress;

**F. Whereas,** the applicant submitted with the application and intends to execute a security plan that includes 1 guard in the first floor Private Lounge area and three guards in the Cellar Theater area and an extensive soundproofing plan to minimize transmission of noise to neighbors;

**G. Whereas,** even though its predecessor in the space Tango House, Inc. d/b/a Malbec Bar & Rest. Aka Tango Theater closed by 2 AM Sunday through Thursday and by 2:30 AM on Fridays and Saturdays, when asked if the applicant could operate the cellar theater space with those same hours, the applicant insisted that 4 AM was necessary at the location and without any coherent reasons, would not agree to close by 2 AM; and

**H. Whereas,** representations were made to CB2, Man at the time of the presentation that all the local businesses in the general vicinity operate until 4AM on the pretext that 4AM is an appropriate closing time for the Theater despite the fact that this was misinformation as none of the surrounding eating and drinking business operate until 4 AM and the only one business in the area actually does, that being Joes Pub located across the street, until 12 AM during the week and 2 AM on the weekends; and

**I. Whereas,** CB2, Man. feels strongly that 4AM is inappropriate for a theater at this location, especially for a business that has not even established itself as a good operator or demonstrated a valid public interest in doing so at this time; and

**J. Whereas,** on the other hand CB2, Man. suggests that a more reasonable approach is for the operator to close by 2 AM every night and that the following stipulations be enforced at the SLA:

1. The premises will be advertised and operated as a full service restaurant on the first floor and as a theater and live music venue in the cellar.
2. The premises will operate with hours of operation on Sunday from 8 am to 2am Monday through Friday and from 10 am to 2 am, and on Saturdays and Sundays.
3. The first floor restaurant will never operate as a Night Club, Lounge, Tavern or Sports Bar or allow any portion of the first floor space to be operated in that manner, and the cellar will not operate as a night club or sports bar, but may operate as a theater and music venue.

4. There will be no dancing and no cabaret application or license for the premises.
5. There will be no TVs.
6. There will be no outdoor service and no sidewalk café.
7. Music will be quiet, background level inside the restaurant and bar on the first floor, and the cellar area that contains the theater and live music venue will be properly soundproofed and operated as to minimize noise to neighbors.
8. All doors and windows will be closed at all times except for patron egress.

**F. Whereas**, there are 16 existing licensed premises within 750 feet of the proposed premises, with 2 additional pending licenses, 10 existing liquor licenses within 500 feet of the proposed premises and unknown number of beer and wine licenses; and

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial for **MHJ Management, LLC, d/b/a TBD, 428 Lafayette Street, 10003** on its application seeking a new OP license; and,

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

**THEREFORE BE IT FURTHER RESOLVED** that CB2, Man. respectfully requests that Liquor Authority place this matter before the Full Board of the New York State Liquor Authority for consideration at a regularly scheduled meeting should this application be presented to the Liquor Authority so that the Commissioners may review the recommendation of CB#2 Man.

Vote: Passed, with 31 Board members in favor, and 5 in opposition (S. Aaron, T. Connor, R. Goldberg, R. Sanz, K. Shea).

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



Antony Wong, Treasurer  
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July 29, 2016

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

Dear Sir/Madam:

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

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

**6. 5 Spring Street Corp. d/b/a Sweet & Vicious Bar, 5 Spring St. 10012** (License Renewal of existing license-layover requested to September/2016)

**Whereas**, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on July 12, 2016, the Applicant and its Attorney appeared and then requested **to layover** its application so that it can meet with the Community to resolve significant complaints regarding its operations and use/occupancy of the an exterior rear yard space, agreeing to reappear before CB2 Man. in September/2016 for this purpose;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **5 Spring Street Corp. d/b/a Sweet & Vicious Bar, 5 Spring St. 10012** **until** the Applicant has properly presented their application in front of CB2's SLA Licensing Committee and

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

Vote: Unanimous, with 36 Board members in favor.

Tobi Bergman, *Chair*  
Teri Cude, *First Vice Chair*  
Susan Kent, *Second Vice Chair*  
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317 Lenox Avenue  
New York, New York 10027

Dear Sir/Madam:

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

**7. New York Chapter of the American Institute of Architects, d/b/a N/A, 536 LaGuardia Pl. 10012** (Alteration requested – Applicant did not appear)

**Whereas**, at this month's CB2, Manhattan's SLA Licensing Committee Meeting on July 12, 2016, the Applicant **did not show and failed to appear** with regard to its alteration application for its existing on-premise liquor license;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **New York Chapter of the American Institute of Architects, d/b/a N/A, 536 LaGuardia Pl. 10012 (RW)** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

Tobi Bergman, *Chair*  
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Dear Sir/Madam:

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

**8. Pi Odyssey Corporation d/b/a Pi Bakerie, 512 Broome St. 10013** (BW - lay over at request of applicant and did not appear)

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on July 12, 2016, the Applicant requested **to lay over** it application for a beer and wine license and did not appear; and

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Pi Odyssey Corporation d/b/a Pi Bakerie, 512 Broome St. 10013** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



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

## COMMUNITY BOARD NO. 2, MANHATTAN

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July 29, 2016

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

Dear Sir/Madam:

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

**9. Vishnu Food, Inc., d/b/a OM, 204 Spring St. 10012 (RW - Applicant did not appear )**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on July 12, 2016, the Applicant and his attorney requested **to lay over** this application for a beer and wine license and did not appear before Cb2 Man.;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Vishnu Food, Inc., d/b/a OM, 204 Spring St. 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



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

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July 29, 2016

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

Dear Sir/Madam:

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

**10. LPQ 205 Bleecker, Inc., d/b/a Le Pain Quotidien, 205 Bleecker St. 10012** (RW - layover requested by applicant's attorney and applicant did not appear)

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on July 12, 2016, the Applicant requested **to lay over** this application for a Beer and Wine license and did not appear; and

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **LPQ 205 Bleecker, Inc., d/b/a Le Pain Quotidien, 205 Bleecker St. 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
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July 29, 2016

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

Dear Sir/Madam:

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

**11. Restaurant Associates, Inc. d/b/a t/b/a, 557 Broadway, 11 Floor 10012** (OP- laid over to next month at request of applicant and applicant did not appear)

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on July 12, 2016, the Applicant requested **to lay over** this application for a new on-premise liquor and did not appear; and

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Restaurant Associates, Inc. d/b/a t/b/a, 557 Broadway, 11 Floor 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



Antony Wong, *Treasurer*  
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July 29, 2016

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

Dear Sir/Madam:

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

**12. Café Valdino, Inc. d/b/a V Bar, 225 Sullivan Street, 10012** (Upgrade to OP- withdrawn and will resubmit)

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee Meeting on July 12, 2016, the Applicant requested **to withdraw** this application for an upgrade of an existing beer and wine license and did not appear;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed tavern wine license, restaurant wine license, any other beer and wine license, on premise liquor license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Café Valdino, Inc. d/b/a V Bar, 225 Sullivan Street, 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



Antony Wong, *Treasurer*  
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July 29, 2016

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

Dear Sir/Madam:

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

**13. Virgola, LLC, d/b/a Virgola, 28 Greenwich Ave. 10011 (SN#1280297 - Class Change – Downgrade OP to RW)**

- i. Whereas**, the applicant appeared before Community Board 2, Manhattan’s SLA Licensing committee to present an application to the Liquor Authority for a “downgrade” from an existing On Premise Liquor License (SN#1280297) to a Restaurant Wine License for a “small, quiet cozy raw bar with seafood”; and,
- ii. Whereas**, the applicant 1<sup>st</sup> appeared before CB2, Man. in March 2013 to present an application for a Restaurant Wine License and was subsequently issued license SN#1270294, the applicant appeared a 2<sup>nd</sup> time before CB2 in July 2014 requesting to upgrade their existing Restaurant Wine License to a full Restaurant On Premise Liquor License and was subsequently issued license SN#1280297, they appeared again this month, July 2016 to present an application to downgrade their license back to a Restaurant Wine License; and
- iii. Whereas**, this application is for an “downgrade” as described above for an existing “raw bar with seafood” in a mixed use building located on Greenwich Avenue between West 10th Street and Charles Street in a currently licensed location, for a 354 sq. ft. premise on one floor with 6 tables with 12 table seats, there are no stand up bars but there will be a small service bar in the kitchen, for a total of 12 seats and the maximum occupancy is 15 people as stated on the existing Certificate of Occupancy, there is no sidewalk café and no backyard use; and,

**iv. Whereas,** the hours of operation will continue to be Sunday to Thursday from 8 a.m. to 12 a.m. and Friday and Saturday from 8:00 a.m. to 1 a.m., music will continue to be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music) from 2 small speakers, the applicant has not installed additional soundproofing, there will be no d.j., no promoted events, no private parties, no scheduled performances or cover fees, no velvet ropes, no movable barriers, there will be no T.V.'s; and,

**v. Whereas,** the applicant again reached out to the community and agreed that they would continue to adhere to all stipulations previously agreed to with their current on-premises liquor license and agreed to executed a new updated stipulations agreement with CB2 reflecting the application to downgrade their existing restaurant on-premise liquor license to a restaurant wine license; and,

**vi. Whereas,** local residents stated in correspondence that the Licensee has adhered to his current stipulations and has had a positive and proactive relationship with the community; and,

**vii. Whereas,** the applicant executed a stipulations agreement with CB2 that they agreed would be attached and incorporated in to the “new” method of operation for the downgraded Restaurant Wine License stating that:

1. These stipulations are for a class change application for a downgrade from On-Premise Liquor to Restaurant Wine presented to CB2 in July 2016.
2. The premises will be advertised as a full service restaurant with raw bar.
3. The hours of operation will be from Sunday to Thursday from 8 am to 12 am and Friday to Saturday form 8 am to 1am. All patrons will be cleared and no patrons will remain after stated closing times.
4. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
5. The premises will not have televisions.
6. The premises will not permit dancing.
7. The premises will not operate a backyard garden or any outdoor area for commercial purposes or patron seating (not including a licensed sidewalk café).
8. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
9. The premises will not have DJ's, live music, promoted events, any event where a cover fee is charged or any scheduled performances.
10. All doors and windows will be closed by 9 pm every night and anytime there is amplified music.
11. There will be no stand up bar.
12. There will be no unlimited drink or all you can eat and drink specials.
13. There will be no sale of beer by the pitcher.
14. There is no sidewalk café included in this application.
15. There will be no change to the existing method of operation as it currently exists with this downgrade to a restaurant wine license.
16. All existing stipulations for the current on-premise liquor license will remain in effect with this downgrade to a restaurant wine license.
17. All stipulations agreed to with the Mid West 10<sup>th</sup> Street Block Association dated 6/25/2014 are annexed and incorporated into this stipulation agreement with CB2, Man. and will continue to be adhered to.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of an “downgrade” from the existing Restaurant On Premise Liquor License (SN#*1280297*) to a Restaurant Wine License for **Virgola, LLC, d/b/a Virgola, 28 Greenwich Ave. Store #2, 10011** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 36 Board members in favor.

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



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

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July 29, 2016

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

Dear Sir/Madam:

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

**14. Josan & Josan, Inc. d/b/a Taco Mahal, 73 7<sup>th</sup> Ave. South 10014 (New RW)**

**i. Whereas**, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing Committee to present an application to the Liquor Authority for a new restaurant wine license for a "family owned restaurant with a new concept in fusion tacos"; and,

**ii. Whereas**, this application is for a new restaurant wine license at a previously unlicensed location which was a newsstand shop in a commercial 2-story building located on 7<sup>th</sup> Ave South Ave. between Bleeker St. and Barrow St. for a roughly 200 sq. ft. premise with 1 stand up bar and food counter and 2 counter tops one with 7 stools and the other with 4 stools for a total of 11 interior seats, there will also be a sidewalk café with no more than 10 tables and 30 seats; there is an existing Certificate of Occupancy; and,

**iii. Whereas**, the hours of operation will be from 7 AM to 12 AM 7 days a week, music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music), all doors and windows will be closed at 10PM except for patron ingress and egress, there will be no d.j., no live music, no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

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

1. Premise will be advertised and operated as a family owned restaurant focused on fusion Tacos.
2. The hours of operation will be Sunday from 7AM to 12AM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing times.
3. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
4. The premises will not have televisions.
5. The premises will not permit dancing.
6. The premises will not operate a backyard garden or any outdoor area for commercial purposes or patron seating (not including a licensed sidewalk café).
7. The premises will play quiet ambient-recorded background music only. No music will be audible in any adjacent residences at anytime.
8. The premises will not have DJ’s, live music, or promoted events.
9. The premises will close all door and windows at 10PM every night and anytime there is amplified music.
10. There will be no unlimited drink or all you can eat and drink specials.
11. There will be no sale of beer by the pitcher.
12. Sidewalk café will conform to approved plans at all times.
13. All alcohol service in sidewalk café will be by waiter service only.
14. Sidewalk Café will be closed at 11PM 7 days a week. No Patrons will remain in the sidewalk café after 11PM and all chairs and tables will be stored accordingly.
15. Will make all efforts to join the adopt a trashcan program run by the New York City Department of Sanitation for the trash can at Barrow St. & 7<sup>th</sup> Ave South.
16. Will actively manage the sidewalk café at all times and keep the area clear of trash.

**v. Whereas**, a local resident appeared in opposition citing oversaturation of licenses, inappropriateness of a sidewalk café because of pedestrian congestion, generation of trash from the fast casual concept and opposition to the large number of outdoor seats in comparison to the interior seats among other issues; and

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

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a new Restaurant Wine License for **Josan & Josan, Inc. d/b/a Taco Mahal, 73 7<sup>th</sup> Ave. South 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 36 Board members in favor.

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



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

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July 29, 2016

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

Dear Sir/Madam:

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

**15. 117 Pinto, Inc. d/b/a TBD, 117 West 10<sup>th</sup> St. 10011 (New RW)**

**i. Whereas**, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing Committee to present an application to the Liquor Authority for a tavern wine license for "a family style restaurant serving Thai food at reasonable prices and normal restaurant hours"; and,

**ii. Whereas**, this application is for a new restaurant wine license at a previously licensed location which is located in a grandfathered commercial space located in a residentially zoned area in a mixed-use 3-story building located on West 10<sup>th</sup> Street between Greenwich Avenue and 6<sup>th</sup> Avenue for a roughly 800 sq. ft. premise (400 ft. ground floor and 400 ft. basement – no patrons in basement) with 11 tables and 22 table seats inside, no stand up bar for a total of 22 interior seats, there is an outdoor rear yard garden of approximately 300 sq. feet with an additional 11 outdoor tables and 22 outdoor tables seats; a recently issued letter of no objection was presented in conjunction with the application which indicates no objection to this use; and,

**iii. Whereas**, the hours of operation for the interior will be Sunday to Thursday from 10AM to 12AM and Friday to Saturday from 10AM to 1AM, the Hours of operation for the rear yard garden will be 10AM to 10PM 7 days a week., music will be quiet background only consisting of music from ipod/cd's (i.e. no active manipulation of music – only passive prearranged music) in the interior, no music in the exterior, all doors and windows will be closed at all times except for patron ingress and egress, there will be no d.j., no promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and,

**iv. Whereas,** the applicant met with local surrounding residents including representatives of the Patchin Place Neighborhood Block Association; the primary area of concern was the operation of the rear yard garden which is surrounded by a large number of residential windows given that restaurant is located in a grandfathered residential building; local residents and the block association have had discussions with previous applicants and were familiar with the many issues of operating this rear yard garden as a result of its previous operation as part of a licensed restaurant; as such, the local residents and restaurant operator were able to memorialize the agreements the operator was willing to make in order to gain the support of local residents; a stipulations agreement was executed by 117 Pinto, Inc. and a representative of local residents; in particular heavy weight was given by CB2, Man. to the express representations made by the applicant in regards to the operation of the rear yard garden and any deviation from these representations would result in CB2, Man. no longer supporting this application and

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

1. Premise will be advertised and operated as a family style full service Thai restaurant serving lunch and dinner as described.
2. This application is for a Restaurant Wine License.
3. Will operate a full service restaurant with the kitchen open and full menu items available until closing hour every night.
4. Hours of operation for the interior will be (open no earlier than and close no later than) Sunday to Thursday from 10AM to 12AM and Friday to Saturday from 10AM to 1AM. All patrons will be cleared and no patrons will remain after stated closing time.
5. Hours of operation for the rear yard garden will be (open no earlier than and close no later than) 10AM to 10PM 7 days a week. All patrons will be cleared and no patrons will remain after stated closing time in rear yard garden.
6. Will not operate as sports bar, tavern, bar or cocktail lounge and will not have TVs or any type of projectors.
7. Will not permit dancing anywhere in the premises at any time and will not seek a NYC DCA Cabaret License.
8. Will not have DJs, live music, promoted events, any event where cover fee is charged, or scheduled performances.
9. The premises will not have velvet ropes, barricades or planters or allow any sidewalk obstructions. There will be no A-frames, sandwich boards or other sidewalk obstructions utilized by the premises.
10. Will play quiet ambient-recorded background music only in the interior. No music will be audible in any adjacent residences anytime. There will be no music in the backyard dining area.
11. Will keep all doors including the front door and windows closed at all times except for patron ingress and egress. If the current bay windows are replaced with windows that have the capability of being opened and closed and/or French doors are installed, then the windows and/or doors will be closed by 9:00PM each day of the week.
12. There will be no private parties or private events booked in the backyard dining area.
13. There will not be a sidewalk café and no application for a sidewalk café will be submitted.
14. Operator will ensure there is minimal noise in front and rear of building during staff operations including trash removal and equipment movement.

15. Operator will make a good faith effort to install an enclosure or sound-abating canopy in the backyard dining area to mitigate noise from patrons dining outside. In advance of using the backyard dining area, the Operator will obtain all the necessary permissions from the applicable New York City agencies so that an enclosure or a canopy can be installed.
16. The premises will obtain all required certificates, permits and related documents and will keep current all certificates, permits and related documents.
17. Installation of any new mechanicals in the rear yard or on the roof including any new HVAC or other equipment will be “state-of-the art” technology such that there is minimal noise produced. Additional soundproofing may be needed if the noise is audible to the residents in adjacent apartments or buildings.

**vi. Whereas,** letters in support and a stipulations agreement were presented and no one appeared in opposition;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of a new Restaurant Wine License for **117 Pinto, Inc. d/b/a TBD, 117 West 10<sup>th</sup> St. 10011** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA Restaurant Wine License.

Vote: Unanimous, with 36 Board members in favor.

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



Antony Wong, *Treasurer*  
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July 29, 2016

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

Dear Sir/Madam:

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

**16. TMSI, Inc. and Hudson Yards Catering, LLC or Subsidiary, 412 W. 14th St. 10014 (New OP)**

**i. Whereas**, the applicant appeared before Community Board 2, Manhattan's SLA Licensing committee to present an application to the Liquor Authority for a new on-premise liquor license for a "boutique gallery" that is a "space where people can experience the Lexus brand without getting behind the steering wheel of a Lexus vehicle"; the space consists of "a vehicle display area, modest exhibition and event space complimented by a contemporary restaurant, sitting area and café"; "The venue will be a place where people can be entertained, educated and interact with each other and interact with each other and engage with the latest movements of the Lexus brand"; and,

**ii. Whereas**, this application was previously presented to CB2, Man. in February 2014; as a result of the time period to construct and build out the premises and the selection of a new partner to manage the food and beverage component of the operation, the applicant re-presented their concept and application to CB2, Man. despite no substantive changes to the application; and,

**iii. Whereas**, this application is for a new on premise liquor license in a previously unlicensed location; the premises is located in commercial area located across three floors on 14<sup>th</sup> Street between Ninth Avenue and Washington St. for a roughly 16,500 sq. ft. premise of which approximately 6,700 sq. ft. is public space; there will be a total of 36 tables and 108 seats and 1 bar with 10 seats for a total of 118 seats, there may be additional seating and service bars as needed in the event space located on the third floor, there is no outdoor space in the area to be licensed and the rooftop is specifically

excluded from the licensed premise, the expired temporary Certificate of Occupancy will be amended to reflect the proposed use, the premises is located within a landmark district and all exterior changes will be submitted for approval to the Landmarks Preservation Commission; and,

**iv. Whereas,** the hours of operation will be from 9 am to 12 am seven days a week, for day to day operation of the public space, music will be quiet background only, for events there may be a d.j. with music volumes at entertainment levels and live music, there will be private events and there may be scheduled performances, there will be no “promoted” events, additional soundproofing will be installed by adding an additional layer of glass to existing windows and additional sheet rocking where approved; and,

**v. Whereas,** the interior of the location will consist on the first floor of a café, garage (gallery) and retail space which is 1,707 sq. ft. and will have 5 tables and 25 seats, there will be room for 82 people standing for events, the hours of operation will be from 7 am to 12 am; the second floor will consist of a sitting area and restaurant, the sitting area will be 907 sq. ft. and will have 31 seats and 14 tables with room for 44 people standing, the restaurant will be 1,179 sq. ft. and will have 17 tables, 1 standup bar and 62 seats, the hours of operation of the second floor will be from 11 am to 12 am; the third floor will consist an event space, flexible community space and office space, the event space is roughly 1,236 sq. ft. and there will be room for 103 people standing for events and the hours of operation will be as needed with all events ending by 11 pm; All of the above square footages represent areas usable by guests and do not include service areas, restrooms, stairways, offices, kitchens or storage areas, the closing time will be 11 pm for any events that are held anywhere in the premises; the maximum estimated occupancy will be 363 persons, 107 on the 1<sup>st</sup> floor, 153 on the 2<sup>nd</sup> floor and 103 on the 3<sup>rd</sup> floor; and,

**vi. Whereas,** the food and beverage aspect of the premises and restaurant will be overseen and operated by Hudson Yards Catering, LLC, or a subsidiary which is affiliated with Union Square Events and renowned Chef Danny Meyers; and,

**vii. Whereas,** this premises is subject to the “500 ft. rule” and there are 22 on-premise liquor licenses within 500 ft.; the applicant provided CB2, Man. with a detailed 500’ Public Benefit Statement; and

**viii. Whereas,** the applicant presented a detailed updated security report, a detailed updated traffic study and an acoustic report; and

**ix. Whereas,** in February 2014 the applicant performed extensive community outreach and met with local residents over the course of 5 meetings to discuss their proposal and modified the operation of the premises extensively as a result of those discussions to minimize the impact on the local residential community; prior to the July 2016 CB2 SLA Committee Meeting the Applicants representatives again reached out to stakeholders and interested parties and in addition to the previous letters of support and a previous petition in support, updated letters of support were presented; and

**x. Whereas,** in February 2014 5 members of the community appeared and spoke in support of the proposed premise, one member of the community spoke in opposition citing saturation of licenses, lack of public benefit and traffic impacts; and

**xi. Whereas,** in July 2016 no one appeared in support or opposition; and

**xii. Whereas,** as a result of the extensive community outreach from 2014 and 2016, the applicant provided CB2 Manhattan with a list of updated stipulations which they had discussed with members of the community and which they will adhere to; and,

**xiii. Whereas**, the applicant also executed a stipulations agreement with CB2, Man. that they agreed would be attached and incorporated in to their method of operation on their SLA license and the applicant understands that any variation to these stipulations will require re-application and full Community Board and SLA review; the stipulations are as follows:

1. It is understood that any variation to these stipulations will require re-application and full Community Board and State Liquor Authority review.
2. The areas where food and beverages will be served are divided into 3 distinct spaces. No alcohol will be served before 10 am in any area. Food and beverage service will be provided according to the following:
  - a. 1st floor Café and Garage Gallery: 7am – 12am. The café accommodates 25 seated guests with room for 82 standing patrons between the Café and the Garage Gallery. There will be no alcohol sales or service to the public on the first floor. Alcohol may be served at private/invitation only events.
  - b. 2nd Floor Sitting Area & Bar: 11am-12am. The sitting area will accommodate 31 seated guests and 44 standing patrons.
  - c. 2nd Floor Eatery: 11am-12am. The restaurant will accommodate 62 seated guests which includes 12 private dining seats. The last reservation will be at 10pm.
  - d. 3rd Floor Event Space will accommodate a maximum of 103 guests. All events will end by 11pm
  - e. When used for/in conjunction with events, the 1st floor and/or 2nd floors will close at 11pm rather than 12am.
3. There will be no guest entry after 11pm.
4. All guests will leave all areas by 12am.
5. There will be no more than 350 guests at any one time between all 3 floors.
6. All food and beverage service/catering will be provided by Union Square Events.
7. All 3rd Floor events will be programmed/booked by Lexus/Toyota directly– when not programmed the 3rd floor Event Space will be closed
8. 3rd Floor office space will be used by the applicant and Lexus/Toyota-based associates. The flexible community space will be made available to community based organizations.
9. There will be no 3rd party promoters
10. There will be no bottle service
11. There will be no queuing on the sidewalk
12. There will be no use of ropes or barricades
13. There will be no application for a cabaret license
14. There will be no application for a sidewalk café
15. There will be no application for alcohol service on the roof
16. There will be no transfer of the license; the on-premise license will be surrendered upon leaving the space.
17. Should there be a change in the food service operator, Toyota Motor Sales, USA will select an operator of commensurate quality and reputation and notify the Community Board
18. Proper Security will be employed for events and to address potential noise and traffic concerns
19. Lexus/Toyota (TMSI /HYC) will work with neighboring garages to encourage use of valet service away from 14th Street proper and investigate providing shuttle bus service
20. Lexus/Toyota (TMSI /HYC) will continue to investigate ways to alleviate traffic congestion, both in relationship to its site and for the broader community
21. Appropriate sound proofing measures will be taken as recommended by the contracted sound consultant
22. Signs will be posted adjacent to the main entrance advising patrons to "Please respect our neighbors by lowering your voice", or similar language. (If possible with respect to NYCLPC)

23. There will be a refrigerated garbage room and all waste will be stored in an interior space before it is brought out for removal (exact time of removal will be coordinated with existing carting companies in conjunction with existing pick up routes).
24. Lexus/Toyota and Union Square Events (TMSI /HYC) will clean 18” into the street
25. Lexus/Toyota and Union Square Events (TMSI /HYC) shall provide neighbors and the Community Board with working telephone numbers and the names of designated persons that may be contacted for questions or complaints.
26. Lexus/Toyota and Union Square Events (TMSI /HYC) are committed to meeting regularly with the Community Board and members of the Community to provide updates and address any open questions.
27. There will be no unlimited drink or food and drink specials.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of a new on-premise liquor license for **TMSI, Inc. and Hudson Yards Catering, LLC or Subsidiary, 412 W. 14th St. 10014** unless the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “Method of Operation” on the SLA On Premise Liquor License.

Vote: Unanimous, with 36 Board members in favor.

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



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

## COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

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

July 29, 2016

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

Dear Sir/Madam:

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

**17. Whynot My Way, LLC, d/b/a Dominique Bistro & Akashi, 14 Christopher St. 10014 (Existing TW - Alteration, Method of Operation Change and Upgrade SN#1272603 to OP)**

**i. Whereas**, the Licensee and his attorney appeared before CB2's SLA Licensing committee once again on July 14<sup>th</sup>, 2016 to present three separate applications to the New York State Liquor Authority as one co-mingled presentation to CB2, Man. **(1)** an upgrade application of the current Tavern Wine License to a Full Restaurant On-Premise Liquor License, **(2)** an alteration application and **(3)** a change in method of operation application; the Licensee summarized the change as "Dominique Bistro has been operating since May 2013. The venue continues to offer customers exceptional coffee together with an expanded menu featuring classic French dishes and authentic countryside dishes prepared by Chef Dominick Pepe. The jazz room in the basement will be converted into a Japanese dining area to be known as an Omakase Room. The chef in the Omakase Room will offer to customers specialty selections of raw fish consisting of sushi and sashimi."; CB2, Man. was asked by the applicant to have two separate votes on the application, one vote for the request to upgrade application and one vote on the alteration and change in method of operation application; and

**ii. Whereas**, CB2, Man. recently heard a very similar application by this Licensee in December 2015 for the same three combined applications with a different operating method in the basement, a 500 ft. hearing was conducted to address the upgrade component and the matter was scheduled to be heard before the Members of the Authority (under SN#1291495 - inactive); CB2, Man. recommended denying all three applications; the 500 ft. Hearing Report also recommended that the Upgrade component of that application not be approved; after the matter was scheduled to appear before the

Members of the Authority, the applicant chose to discontinue that application; in less than 2 months after making the decision to discontinue that application, the applicant once again provided notice to CB2, Man. of three new applications; and,

**iii Whereas**, much of this resolution covers similar items covered in past resolutions and the resolution presented in December 2015; and,

**iv. Whereas**, in July 2013, **when this Licensee first appeared before CB2, Man. with an application for a Restaurant Wine License for a Coffee Shop, CB2 recommended denial of application for the detailed reasons set forth in the July 2013 CB2 Resolution**; [in July 2013 the proposed operation was only for a coffee shop located on the ground floor with 36 seats (and a sidewalk café with 8 seats which was not permitted because of the residential zoning of the area) with hours of operation from 6 AM to 1 AM 7 days a week, background music from vinyl records and live light jazz and classical trios (un amplified) once or twice a week]; reasons for denial were specific and for cause and there was a recommendation that the applicant return to CB2; July 2013 – Original TW application resolution - Page 40:  
[http://www.nyc.gov/html/mancb2/downloads/pdf/fullboard\\_2013/07july2013\\_fullboard.pdf](http://www.nyc.gov/html/mancb2/downloads/pdf/fullboard_2013/07july2013_fullboard.pdf); and,

**v. Whereas**, after appearing before CB2, Man. in July 2013 and having received notice of CB2's recommendation to deny the application, the Licensee mailed, after the fact, 2 additional alterations and completed CB2 Questionnaires in late July and in August to CB2, but did not return to present those changes to CB2 or request to return – the amendments were to remove the sidewalk café from the application and to add another floor, the basement space, to the premises with an additional 10 tables, 10 couches and 2 chairs for a total of 26 seats in the basement and two additional bathrooms in the basement; This almost doubled the patron capacity of the premises while adding live music in the evening hours and creating a much more significant impact on the surrounding area which is zoned for residential uses only and has very narrow streets; and,

**vi. Whereas**, the Liquor Authority subsequently approved the RW application; and,

**vii. Whereas**, in November 2014, **the Licensee appeared before CB2, Man. to present an alteration application and an upgrade application to full on premise liquor for which CB2 recommended denial of both applications for the detailed reasons set forth in the November 2014 CB2 Resolutions**, the Licensee stated at the time that the premises operated as a bistro over the two floors with two separate entrances and two different operations, with hours of operation from 6 AM to 12 AM Sunday to Wednesday and 6 AM to 1 AM Friday and Saturday; reasons for denial were specific and for cause; November 2014 – Alteration Application & Upgrade from TW to OP - Page 27 & Page 32  
[http://www.nyc.gov/html/mancb2/downloads/pdf/fullboard\\_2014/11%20November%202014.pdf](http://www.nyc.gov/html/mancb2/downloads/pdf/fullboard_2014/11%20November%202014.pdf); and

**viii. Whereas**, at that time in November 2014, the upstairs and downstairs of the premises were operated under different names, the upstairs, Whynot Bistro had quiet mellow music from a vinyl record player and as of January 2014, the basement operated as Whynot Jazz Room, a live music venue with amplified live music and regular live performances; the last questionnaire mailed to CB2, Man. indicates that there would only be small jazz trios once or twice a week without amplification but there was in fact amplified music beyond the scope of the description; and,

**ix. Whereas**, in July 2015, **the Licensee appeared at CB2’s request to present their renewal application for their existing Tavern Wine License for which CB2, Man. recommended denial for the detailed reasons set forth in the July 2015 CB2 Resolution**, a large number of community complaints were outlined in the resolution and *CB2 refers the members of the Authority directly to the July 2015 resolution for a detailed overview of those complaints from members of the community*, July 2015 – TW License Renewal Application – Page 39:  
<http://www.nyc.gov/html/mancb2/downloads/pdf/full%20board%202015/07%20July%202015.pdf>;  
and

**x. Whereas**, as previously described the Licensee again appeared before CB2 in December 2015 to present (1) an upgrade application of the current Tavern Wine License to a Full Restaurant On-Premise Liquor License, (2) an alteration application and (3) a change in method of operation application; the Licensee summarized at that time that “Dominique Bistro opened as Whynot Coffee in May of 2013 and operates as a charming cafe bistro offering customers exceptional coffee with an expanded bistro menu. The cafe plans to be a full service restaurant that will keep a casual atmosphere. The Jazz Room will become a dining room with a pianist playing most nights and on occasion a guitar and/or vocalist will join the pianist and on some nights a jazz trio.”; CB2 recommended denying all three applications; CB2’s December 2015 resolution can be found on Page 27:  
[www.nyc.gov/html/mancb2/downloads/pdf/full%20board%202015/12%20December%202015.pdf](http://www.nyc.gov/html/mancb2/downloads/pdf/full%20board%202015/12%20December%202015.pdf) ;  
and,

**xi. Whereas**, as of December 2015 the Licensee has received five (5) ECB Violations from the New York City Department of Sanitation in 2015 for obstructing the sidewalk with illegal benches; 6 Benches have been regularly placed on the sidewalk over two years bordering the entire Gay St. Façade with seating for up to 17 people – 2 benches with 4 seats, 2 benches with three seats, 1 bench with 2 seats and 1 bench with 1 seat; and,

**xii. Whereas**, as of December 2015 the Licensee has received five (5) New York City Landmarks Preservation Commission Violations, 3 in 2014 and 2 in 2015 for violating “Replacement of storefront at Gay Street facade without permit(s).”, “Installation of awnings at Gay Street facade without permit(s).”, “Alterations of 1st floor windows at Gay Street facade without permit(s).”, “Installation of neon signage ("Jazz Club") and signage at entrance Jazz Room without permit(s).” and “Installation of menu box without permit(s).”

**xiii. Whereas**, as of December 2015 there are records of at least 52 311 calls regarding commercial establishment loud noise/party/loud talking at 14 Christopher St., many of which are noted that the NYPD took action to correct the situation; 11 of those complaints are from after the July 2015 CB2 committee hearing were these issues were raised in detail with the Licensee; and,

**xiv. Whereas**, prior to receiving a restaurant wine license from the Liquor Authority in 2013, this location was **previously unlicensed**, most recently operating as a clothing store for more than 20 years or even longer; the premises is located in a grandfathered commercial space in a residential building located in an **R6 Residential Zoning District** on the charming corner of Christopher St and Gay Street (southern corner); and,

**xv. Whereas**, it continues to be unknown to CB2, Man. exactly what applications that have been filed with the Liquor Authority to date have been approved and what the actual approved method of operation and other relevant factors are; and

**xvi. Whereas**, at the meeting in December 2015 the proposed changes in the alteration application, method of operation change application and upgrade application include (1) full open kitchen will be installed and a full menu will offer French classics and authentic countryside dishes, the trade name will change from Whynot Bistro to Dominique Bistro, (2) The basement space Jazz Room will be converted into a dining area, (3) The wooden benches will be replaced with leather banquettes, (4) A baby grand piano will be placed in the basement space with a pianist playing most nights and on occasion a guitar and/or a vocalist will join the pianist and on some nights a jazz trio, (5) The proposed ground floor seating will increase from 40 seats to 44 seats which include 4 chef's counter seats and 10 bar stools. The number of tables will decrease from 16 to 15 tables. The ground floor stand-up bar will increase in size from 14' to 16.' The number of ground floor bar stools will increase from 2 bar stools to 10 bar stools, (6) the front entrance from the street to the downstairs will be closed most nights and will only be opened when there are private events, (7) a ground floor restroom will be built, (9) the proposed basement seating will be reconfigured and will remain at 26 seats which include 6 bar stools. The number of tables will increase from 10 to 15 tables. An additional 6" x 8' stand-up bar will be installed in the basement with 6 bar stools, (9) One of the two basement restrooms will be removed; and

**xvii. Whereas**, at the meeting in July 2016 the proposed additional changes in the alteration application, method of operation change application and upgrade application include (1) now converting the basement into a Japanese Sushi Restaurant focusing on very high end Omakase service with no more than two seating's per day, (2) keeping the trade name for the ground floor as Dominique Bistro, (3) changing the trade name for the basement to Akashi (4) installing a sushi counter in the basement with 12 seats and adding 4 tables and 11 table seats (5) reopening the front entrance from the street to the downstairs (6) a ground floor restroom will be built, (7) removal of any proposed standup bars or service bars in the basement (8) discontinuing regular patron access during day to day operations from using the interior staircase which will now be for service use by employees only; and

**xviii. Whereas**, in July 2016 the proposal stated that the entire premises is roughly 1,500 sq. ft. on two floors (1,000 sq. ft. ground floor, 500 sq. ft. cellar); the ground floor French bistro restaurant will have 15 tables and 44 seats (one stand up bar with 10 seats, one eating counter with 4 seats, and 30 table seats), the basement Sushi Restaurant will have 4 tables and 23 seats (12 sushi counter seats and has 11 table seats), there will be a grand total of 67, there is an existing Certificate of Occupancy, which indicates maximum occupancy in the basement of 27 seats and on the ground floor of 47; should the premises ever operate with more than 74 persons across the two floors, a Place of Assembly would be required as these two spaces are presented as being operated as one unit; and

**xix. Whereas**, the applicant again in July 2016 presented a petition in support in conjunction with the proposed changes with local signatures of business owners and residents with a brief overview of what the applicant is presenting; letters in support were presented and 11 speakers spoke in support including the current Chef and another employee; those who spoke in support spoke of the charm, the ambiance, the ability to sit inside but because of the large windows be connected to the street and city, a speaker referenced those in opposition and stated that those residents who had concerns were reticent about potential future issues that do not exist, that the premises made the immediate surrounding area more vibrant, that the premises promoted a convivial atmosphere, that living in the neighborhood was an inseparable experience from patronizing this business, that it is an oasis, that the flowers outside are pretty and that the benches were nice to sit on and didn't seem to cause much impact and that they had not noticed any noise issues; and,

**xx. Whereas**, CB2, Man. again respectfully requests that the Authority consider these concerns as it evaluates these 3 applications:

1. The premise has never been licensed for the service of full alcohol (at least for the past 20+ years).
2. As of December 2015, there are approximately 20 On-Premise Liquor Licenses within 500 feet of this location. In contrast, this is a quiet residential side street. Gay Street is a gem world renowned for its character and ambiance. It is one of a handful of narrow one-block streets in NYC. The Greenwich Village Society for Historic Preservation calls Gay St “one of the quaintest and most intriguing streets in the West Village” and “one of the Village’s most charming and literary streets.” It is lined with ground floor residential units.
3. This is a grandfathered commercial space in a residential building located in an R6 Residential Zoning District.
4. There are plenty of coffee shops, bistro style restaurants, French restaurants and high end Japanese sushi restaurants in the area and numerous places with full liquor licenses all offering varying combinations of what this Licensee presents as unique, and in fact licensing this location for Full Liquor would offer nothing unique, and in fact would be detrimental. There are plenty of all of the above in properly zoned areas, some also located in basements.
5. There’s no need for a French bistro restaurant or a high-end sushi restaurant to have a full on premise liquor license.
6. Having a separately named restaurant with a different d/b/a in the basement with no access by patrons from the upstairs venue, meaning there are two business entrances where there should only be one, is wholly inappropriate in a residential neighborhood with R6 zoning and all the characteristics of a residential neighborhood including narrow streets and ground floor apartments in adjoining buildings. The grandfathered space is a space for one business.
7. The existing premise has had sound problems and music leakage and has regularly been heard as several residents have testified with their current method of operation. The previous changes the applicant sought and made only expanded this problem and no significant ongoing steps were made to reduce these issues.
8. While the current changes as of July 2016 mitigate some of the current issues with noise from music leakage, they add another dimension, which is two separate businesses in a space in which there should only be one business with separate clientele, separate operations and separate entrances.
9. The Chef presented as the chef for the basement sushi restaurant has extensive experience working in high end sushi restaurants and most recently worked at another high end sushi restaurant also located with CB2, Man., that Sushi restaurant, which is also located on a predominately residential street in a landmarked and cherished neighborhood, routinely suffers from traffic issues as for hire vehicles wait, idle and stop blocking the street and patrons congregate and smoke outside, the complexities for for hire vehicles cannot be understated because they are unfamiliar with the named streets in Greenwich Village that do not run on a Cardinal axis; and,
10. There is no guarantee that the issuance of this license would result in the applicants claim that he will forever remove the illegal sidewalk benches that he has in past adamantly refused to remove in the past even though this is now his claim, he has argued vociferously in the past that he should be allowed to have a few and those benches adversely affect pedestrian traffic. In place of the illegal benches at the moment, the Licensee has placed planters on the sidewalk which also block the free flow of pedestrians.; and,
11. Because the Licensee seems to have trouble adhering to many regulations at this location, upgrading to a full on-premise license that carries more responsibility is inappropriate.
12. It is wholly inappropriate to operate these premises with separate outdoor entrances to both the ground floor and the basement creating two focal points for congregating and noise.

13. Prior to opening, the applicant improperly/illegally and knowingly altered two very large plate glass non operable windows facing Gay Street to convert them from non-operable plate glass windows to huge operable windows – the Licensee stated he chose the windows himself - the Licensee was aware that this was a landmark district prior to this change – they were issued a violation by the NYC Landmarks Commission on 12/31/2013 for "Alterations of 1st floor windows at Gay Street facade without permit(s)." The applicant also did not file any Department of Building applications to change the windows or other changes. Additionally these illegal installed windows which are not supposed to open are kept open any time the weather is agreeable at all hours creating quality of life issues. The applicant has subsequently presented an approval letter from the NYC Landmarks Commission which states they would approve legalizing certain aspects of the issues for which they were issued violations if they were properly included in NYC Department of Buildings filings, but no evidence was presented that these filings were ever made with the NYC DOB.
14. CB2, Man. takes violations of Landmarks regulations seriously as these designations help protect the historical character of our community, embody what our community looks like and are the root of why the residential portions of our community such as this area are highly sought after areas to live, because the unique historical character here is recognized and protected. The intersection of Gay Street and Christopher Street is the embodiment of why this historic area is world-renowned. For someone to knowingly make such drastic changes while trying to do so undetected is an affront to our Community in CB2, which is home to a significant portion of the landmarked districts in New York City.
15. The original application for the RW included a sidewalk café. It was pointed out to the Applicant that this location is not eligible to have a sidewalk café because it is located within an R6 residential zoning in which sidewalk cafes are not allowed. The applicant went ahead at that time and instead of a sidewalk café which he could not have, he illegally placed 6 benches along the Gay Street Façade that include 17 seats, (this is twice the number of seats he originally applied for in a sidewalk cafe. He does not have a revocable consent from the Department of Transportation to have any sidewalk benches. This is a residentially zoned area with ground floor apartments and these Benches are highly inappropriate even to the casual observer. These benches have occupied the entire Gay street façade. Behind the benches are the large illegally opening windows, which are always open when the weather is nice. If the façade were longer, there would undoubtedly be even more benches. In July 2015, the applicant was request to appear before CB2 for the renewal of his TW License. After that meeting and after receiving 5 ECB violations, the applicant removed 4 of the benches leaving two benches with 8 seats. Immediately prior to applying for these changes in December 2016, the applicant removed all benches, but there are no guarantees that he would not return them to the exterior and his past actions certainly provide no guarantees.
16. The operator originally stated in July 2013 that he would close his illegal windows at the very late hour of midnight even though he would have scheduled live music in the establishment several days a week. According to residents, up until just recently in 2015 an electronic piano has remained through late 2015. It is inappropriate to have live music in an open-air environment with large windows in a Residential District. It is also inappropriate to have any recorded music audible outside the premises though open windows. It is inappropriate in a residential district to keep any illegally converted windows open. At the time, the operator stated he could not close his illegal windows before midnight because in order to close the windows he would need to move tables and chairs where customers would be sitting.
17. During the original application in 2013 - community outreach was limited and occurred during the July 4<sup>th</sup> Holiday Week when many residents were out of town or on vacation.

18. The current hours of operation for this coffee shop and restaurant bistro are beyond what most coffee shops/bistros operate in the West Village who also only have beer and wine licenses, which would beg the question as to how the “late-night operation” with open windows would operate and the quality of life impact this would have with a full liquor license bar located just behind the open windows. In fact several residents who live across the street have testified to this very problem.
19. While the operator has provided pictures to accompany his applications, no pictures were offered in December 2015 with views of the huge open windows and the 6, 4 or 2 illegal benches depending on the date and in fact, great lengths were gone to capture angles that did not show the operable windows or the illegal benches.
20. This application is a classic example of a bait and switch application. It was originally presented to CB2 as a 1-story coffee shop closing at 1 AM latest with occasional light unamplified live jazz music. It is now operating as a bistro aiming to be open until 1AM/2AM, depending on the presentation of the application and the basement is now part of the premises and it is now being operated as a live music venue (including late night). Now in July 2016 the Licensee is again requesting yet another change in a totally different direction for the premises; CB2 and the Community have been told by the Principal that he is essentially doing it his way and that’s the way it is going to be by the Licensee, and at every turn this premises has morphed in an unprofessional manner for a supposed neighborhood establishment extracting as much as possible and going far beyond until cited by enforcement agencies even though certain actions are blatantly illegal and each turn appears to reflect poor character of the operator to the point the authority should consider taking character into consideration in issuing this license or approving any changes.

**xxi. Whereas,** it is hard to understand how the Licensee has again morphed his operation to Dominique Bistro to suit his needs prior to presenting before the Liquor Authority or CB2, Man. in December 2015 given his history with many neighbors, CB2 and the Liquor Authority including other premises beyond CB2, Man. which have had similar issues and this appears to be a continuing disturbing pattern of conduct which engenders no confidence in any proposed changes and it is also disturbing in that these patterns of repeat conduct are repeatedly dismissed as one time only issues by the Licensee even though they occur regularly; attempts to address any issues are confined to the time period immediately prior to any hearings and show no interest in sustained improvement in quality of life improvements; and,

**xxii. Whereas,** just days prior to appearing before CB2, Man. in July 2016 the Licensee was issued a Stop Work Order by the NYC Department of Buildings for “WORK WITH OUT PERMIT/ERECTED FULL HEIGHT PARTITION. AND SOFFIT IN BASEMENT WORK APPROX 50% COMPLETED”; the Applicant explained his Carpenter jumped the gun before being issued a permit; it is precisely this behavior which has been repeatedly shown over and over that give these applications and hollow promises no credit; and

**xxiii. Whereas,** the proposed changes once again supposedly correct past issues, but it was unclear how any of these changes ameliorate any of the ongoing issues in a meaningful manner that they would justify the addition of a separate business operating under a separate d/b/a in the basement or expansion of the ground floor bar or support an upgrade to a full liquor license or any other changes; and

**xxiv. Whereas,** since the inception of Whynot My Way, LLC not a single permit has been applied for with the New York City Department of Buildings for any work until after the previously referred to Stop Work order was issued on 7/11/2016 and an application for general renovation in the basement was filed on 7/12/2016, even though this premise was previously a retail clothing store for at least 20+

years; it is hard to understand how the premises has been constructed to date without any electrical, plumbing or other permits even as the Licensee claims to have already moved bathrooms, built bars, installed a kitchen and fixtures in spaces which were previously empty while used as a retail store and he has said – well everything was just there; and,

**xxv. Whereas,** a number of local residents who live immediately next door and across the street have testified in the past and several appeared again and written correspondence from neighbors who live next door and across the street was again received; the correspondence and testimony states that the residential character of the neighborhood is inappropriate for what is now a continually morphing coffee shop that was first a coffee shop, then a bistro, then a French restaurant, then a live music jazz club and then a piano bar in the basement and now proposed today a French Bistro Restaurant on the Ground Floor and a separate High end Sushi restaurant in the basement; that another licensed establishment that the Licensee owns and operates around the corner, Olio (SN1239338), has flagrantly violated New York City Sidewalk Café Laws in the past until they received violations by both operating their sidewalk café well beyond the hours mandated by law and by having many more tables and chairs than allowed on their sidewalk café license and for placing tables and chairs in front of other establishments beyond their licensed area after those establishments have closed, namely the flower shop next door; it was noted by personal observation by a member of CB2's SLA Licensing Committee that at Olio, tables still remained out well past the allowable hour after the establishment had closed when the tables are supposed to be stacked against the building in the last week of June and the first week of July in 2016; that it was also pointed out that at this establishment, the subject of this application on Gay Street, the Licensee has in the past done the same thing with 4 illegal benches and 19 seats creating an open air patio on the public sidewalk illegally; that the premises has increased the noise and traffic in the area and in particular the illegal operable windows which are open late into the evening and this forces people who live in the immediate area to essentially have this operator and their patrons in their living rooms and bedrooms; that sound leakage from the basement travels directly into the apartments across the street, that the illegal benches have been essentially a breach of the trust of the public space known as the sidewalk and street and that while this may be a legal use for the interior of this commercial space this is still first and foremost a residential neighborhood that is mostly quiet and free from the hustle and bustle of the nearby avenues and upgrading would certainly add to the foot traffic and noise and is counter productive to the character of the neighborhood; residents have repeatedly tried to approach staff and the owner about closing the windows or attenuating sound issues from the basement but the only response were immediately prior to presentations at CB2, Man. and there was no follow up or response, requests directly to staff in person to close windows fell on deaf ears, several people were asked about changes since August 2015 and the response was that rat issues had been mitigated, that some of the benches were removed but two benches with seating for a total of 8 people remained until late 2015, that windows were still open as late as customers were in the premises on most nights in until late 2015 and that in 2016 they were often opened past 10PM – the Licensee had stated in December 2015 that no matter what he would start closing the windows by 10PM of his own volition, one resident sated that they had been in the premises and had counted seating for well beyond 74 persons in the premises in December 2015, another resident testified that there continued to be a flouting of the laws by the principal and the inconsistent operation of the premises with windows open late often and music and noise until recently was wholly unpredictable and a terrific burden on quality of life and that the relationships with the owner were so poor and unprofessional that it was difficult to continue to articulate at this point as there seemed to be no point in trying; at this point it was felt by many neighbors who are having issues that the ongoing saga of applying for changes, withdrawing changes pursuing new changes, all while making promises that are never kept is akin to bullying which necessitates appearances and testimony which is simply repetitive with new examples and no concrete changes; and

**xxvi. Whereas**, CB2, Man. had originally requested that the applicant in July 2013 re-envision his plan for the business in terms of operating within a residentially zoned community and requested that they return to CB2, Man. at a later date with an accurate completed CB2 Questionnaire and a copy of their application to the Liquor Authority reflecting that information, but instead the Licensee chose to avoid the community board, simply mail updated materials reflecting changes they had made that they were aware only exacerbated the situation and went directly to the Liquor Authority; and,

**xxvii. Whereas**, this business already creates a significant noise disturbance and other quality of life issues for some residents who live immediately across the street and in the area and these complaints would be exacerbated and expanded, not mitigated, by upgrading the existing license to a full liquor license; those residents with issues have tried to communicate with the Licensee and his staff but have been rebuffed, attempts to communicate have been in person directly to staff and by telephone and directly with the owner who has no recollection of those complaints and also at previous CB2 committee meetings; the premises previously has advertised live music extensively including on social media, on the radio and draws a crowd from beyond this neighborhood for music events; there is now a plan to operate a high end sushi restaurant which will again become a separate destination location in the basement; there is limited parking in the area and limited areas for car to stop or stand and expanding the basement use to include a high end sushi restaurant will most likely result in additional evening and 2<sup>nd</sup> seating business which will have an impact on parking and vehicular traffic in the area as it does at the similar establishment where the proposed sushi chef currently works; Greenwich Village and the West Village have plenty of coffee shops and bistros and restaurants and high end sushi restaurants and piano bars and jazz venues and live music and the proposed operation is not unique, the premises has been cited for breaking regulations over a long period of time; and

**xxviii. Whereas**, despite the Licensee's ongoing claims that he is "giving up things" in exchange for approval of a restaurant on-premise liquor license, there continue to be ongoing complaints which are not addressed until just prior to presentations and applications and collection of signatures in support does not address those ongoing issues which the Licensee has chosen to allow to linger and perpetuate by not taking full corrective actions immediately; and,

**xxix. Whereas**, CB2 Man. has devoted at least 7 Committee hours over the last few years to presentations by this Licensee with little corrective action, residents have continually appeared and stated their concerns with little attention or corrective action and no improvement in communications or a desire to fix ongoing issues; and

**xxx. Whereas**, in relation to the upgrade to full restaurant on premise license, there are approximately 21 On-Premise Liquor Licenses within 500 feet of this location, this location is subject to the "500 Ft. Rule" and no exceptions appear to apply and therefore CB2, Man. respectfully requests that a "500 ft." hearing be conducted and that this resolution be entered into the record; and

**xxxi. Whereas**, the 500 Foot Hearing Report from January 28<sup>th</sup>, 2016 which covers the majority of materials presented with this application most of which was presented in December 2015 with the exception of the change in method of operation to the basement as a high end sushi restaurant clearly states and CB2, Man. concurs that "There clearly is an oversaturation of licensed premises within 500 feet of this Establishment. The Applicant has failed to meet its burden of establishing public interest in the issuance of this license. There is nothing left to say"; and,

**xxxii. Whereas**, the 500 Foot Hearing Report from the January 28<sup>th</sup>, 2016 further refers to "the cancellation of a license issued to a company in which the Applicant is a principal. (Authority Exhibit No.6) Three of the sustained charges relate directly to the statements of misconduct raised at this hearing. (Authority Exhibit No.6) It is the opinion of this tribunal that this misconduct, if nothing else,

corroborates the statements against the Applicant presented at this hearing and clearly indicates that this principal's qualifications, including his integrity, to be a responsible licensee are nonexistent.”; While the Members of the Authority have since voted to reinstate that License, it is noted that the ongoing issues surrounding the operation at Whynot My Way, LLC were not addressed and it was presented at that time that because of an absence of any SLA violations the Christopher St. operation was in good standing; and

**xxxiii. Whereas,** the changes presented with these applications do not change CB2’s previous position with respect to the upgrade to a full on premise liquor license and CB2, Man. recommends that the same finding would be appropriate for this application that the “Applicant has **NOT** met the statutory burden of demonstrating that public convenience and advantage and the public interest will be served by the granting of this application”; and,

**xxxiv. Whereas,** in relation to the applications to make alterations and changes to the method of operation, the Applicant and his Attorney stated that they would be willing to agree to stipulations including closing the windows early and other reasonable stipulations; and,

**xxxv. Whereas,** it was recognized that what appears to be the current approved or allowable method of operation provides for significant latitude to infringe upon local residents quality of life and that some of the changes as presented while not necessarily agreeable and on their own would not rise to receiving CB2’s endorsement given the past operating history, but with the addition of stipulations along with the changes would ameliorate some existing issues and potentially mitigate future quality of life issues; and,

**xxxvi. Whereas,** CB2, Man. has in the past asked for conditions to be imposed on the Licensee to correct issues but is willing to discontinue those requests if the Licensee agrees to stipulations as outlined below as they pertain only to the Change in Method of Operation and Alterations; and,

**xxxvii. Whereas,** these stipulations are in respect to alterations and changes in the method of operation at the premises currently operating at 14 Christopher St.; CB2, Man. has previously consistently not supported the issuance of any license at this location and does not support an upgrade to an on-premise liquor license at this location; CB2’s support of the changes as described in materials and at the CB2 hearing is because the changes will mitigate current and past operating conditions which have generated complaints which have been detailed extensively in past CB2 Resolutions; and

**xxxviii. Whereas,** provided the applicant executes a stipulations agreement with the stipulations listed below by July 22<sup>nd</sup>, 2016 with CB2, Man. that they agree will be attached and incorporated in to their method of operation on their SLA license with CB2 and if the applicant agrees to follow those stipulations at all times, CB2, Man. will not recommend denying the alteration application and will not recommend denying the change in method of operation application, but will continue to recommend denying the request to upgrade to a full restaurant on-premise liquor license; the stipulations are as follows:

1. Operator acknowledges that CB2, Man. does not support an upgrade to an on-premise liquor license at this location.
2. Premise will be advertised and operated on the ground floor as Dominique Bistro, a full service French restaurant and the basement room will be a Japanese dining area known as Akashi that will serve sushi in Omakase style.
3. The hours of operation will be Sunday to Thursday from 8AM to 12AM and Friday to Saturday from 8AM to 1AM. All patrons will be cleared and no patrons will remain after stated closing times.

4. The premises will not operate as a “lounge”, tavern or sports bar or allow any portion of the premises to be operated in such a manner.
5. The premises will not have televisions.
6. The premises will not permit dancing.
7. The premises will not operate a backyard garden or any outdoor area for commercial purposes or patron seating.
8. There will be never be outdoor benches.
9. The sidewalk on both Gay Street and Christopher Street will be passable at all times and will at all times comply with all ADA requirements, in particular as it relates to the width of the open passable area (i.e. not obstructed by placement of outdoor items, flower boxes or other furniture which reduces clearances to less than ADA requirements). There will be no A-frame signage of any type in the exterior.
10. The premises will play quiet ambient-recorded background music only. The premises will at all times comply with all NYC Noise Codes.
11. If any doors or windows remain in a fixed open position, no music will be played on the interior that will violate NYC noise codes; practically speaking, music will not be audible 15 ft. from the windows or doors.
12. The premises will not have DJ’s, any live music, or promoted events.
13. The premises will not prop open any doors or open any windows in the premises prior to 10AM or after 8PM. All windows and doors will be closed at 8PM except for the two entry doors for patron ingress and egress. All doors and windows will be closed if there is amplified music of any type in excess of NYC Noise code or if it audible more than 15 ft. from the doors and windows. To be clear, windows will only be open between 10AM and 8PM without any exception.
14. The kitchen service door will remain closed at all times except for deliveries.
15. There will be no unlimited drink or all you can eat and drink specials.
16. There will be no sale of beer by the pitcher.
17. There will be no storage of any of the restaurants cleaning tools, supplies or other items in the trash area at the rear of the premises on Gay St. That area is for trash only.
18. The door to the basement will be maintained with operable dampeners or other types of systems that will prevent the door from opening or closing loudly or slamming.
19. Any changes to any existing signage or addition of new signage will comply with all Landmarks Regulations.
20. There will be only 1 standup bar on the ground floor and no service bar. All service to the basement will be by waiter from the ground floor service bar.
21. Patrons will access the ground floor and basement through separate exterior entrances. In the course of day-to-day operations, the operator will not allow patrons to use the interior staircase to travel between floors.
22. A procedure will be put in place so that any complaints received regarding any operational matters are promptly brought to the attention of all managers, principals and owners.
23. The Ground floor will have no more than 47 People total occupancy at any time and no more than 44 seats and the basement will have no more than 27 people total occupancy at any time and 23 seats. Occupancy includes staff. It is acknowledge by the operator that both floors are operated as one premises even if more than one d/b/a name is used to identify each floor to patrons and that the total occupancy of the combined floors will continue to be less than 75 Patrons.
24. The operator will obtain all required certificates, permits, and related documents and will keep current all certificates, permits and related documents. The operator will immediately file to correct any work done without permits or permission of governing agencies. The applicant will obtain all such permits, certificates and related documents prior to any future work on the premises and changes to any existing conditions. All permits, certificates, letter grades and

related documents if required by law will always be conspicuously posted in a highly visible manner easily visible at all times from the exterior of the premises with no obstructions placed in front. Should any inspectors attempt to visit the premises at any time the operator will make best efforts to meet with those inspectors and respond immediately to any notices left to arrange access.

25. The operator will always comply with Landmark regulations and will do no further exterior work unless it is fully compliant and pre-approved by LPC through the available permitting process if required by law.
26. There will never be any type of building or construction or cosmetic repairs, use of tools (especially power tools), plumbing work etc. other than routine cleaning or emergency repairs or work for which an after hours permit was obtained that will occur outside of the hours of operation of the premises. There will never be any type of work done on the premises at night or outside of any allowable hours under regular NYC DOB guidelines unless the NYC DOB expressly permits the work through some sort of after-hours variance/permit.
27. If any application for an on-premise liquor license is denied or discontinued at the New York State Liquor Authority as presented in conjunction with this alteration and change in method of operation or should the Operator chose to not seek to upgrade the existing tavern wine license, or should the operator wait more than 4 months after filing the alteration and change in method of operation to make a determination to file an upgrade application to full liquor, the applicant will submit a class change application to the Liquor Authority for a Restaurant Wine License.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of an upgrade from the existing tavern wine license to an on-premises liquor license, for **Whynot My Way, LLC d/b/a Whynot Coffee, 14 Christopher St. 10014**; and

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the alteration application and change in method of operation application for the existing Tavern Wine License for **Whynot My Way, LLC, d/b/a Dominique Bistro & Akashi, 14 Christopher St. 10014** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations listed above are agreed to by the Applicant and are incorporated into the “Method of Operation” on the SLA On Premise Liquor License; and,

**THEREFORE BE IT FURTHER RESOLVED** that CB2, Man. respectfully requests that another 500 ft. hearing be conducted if it is concluded that the 500 ft. hearing conducted on January 28<sup>th</sup>, 2016 is insufficient, and that the upgrade application be placed before the Members of the Authority for determination; should the Applicant not choose to agree to the listed stipulations above resulting in a recommendation from CB2, Man. to deny the alteration application and to deny the change in method of operation application, CB2, Man. requests that those two matters also be placed before the Members of the Authority for determination.

Vote: Unanimous, with 36 Board members in favor.

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



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

## COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

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July 29, 2016

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

Dear Sir/Madam:

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

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

**18. KGM Partners, LLC, d/b/a Rebel Coffee, 19 8th Ave. 10014 (New RW)**

**Whereas**, after this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on July 14th, 2016, the Applicant requested to **layover** this application for a new tavern wine license because of illness, this was previously laid over in June 2016 in order to meet with residents who the applicant stated he would meet with prior to the meeting but never did, the applicant did meet with residents between the June and July meetings, the applicant has resubmitted the application for consideration at the August CB2 SLA Licensing Committee meeting;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **KGM Partners, LLC, d/b/a Rebel Coffee, 19 8th Ave. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



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

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July 29, 2016

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

Dear Sir/Madam:

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

**19. HSNYC, LLC d/b/a High Street on Hudson, 637 Hudson St. Condo #1 Ground Fl & Basement 10014** (add sidewalk café to existing OP License)

**Whereas**, the applicant filed a 30 day notice with CB2, Man. for an alteration application prior to the July 2016 CB2 SLA Licensing Committee meeting in order to add a sidewalk café to the existing On Premise Liquor License; and

**Whereas**, when the applicant originally filed for this liquor license, the applicant agreed to a set of stipulations that would be incorporated into the method of operation, which covered the operation of any future sidewalk café;

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of an alteration application to add a DCA licensed sidewalk café to the existing restaurant on-premise liquor license for **HSNYC, LLC d/b/a High Street on Hudson, 637 Hudson St. Condo #1 Ground Fl & Basement 10014** **unless** the statements the Applicant has submitted by letter are accurate and complete, and that those conditions and stipulations agreed to by the Applicant at the initial hearing for the issuance of the existing on-premise liquor license continue to govern the “Method of Operation” on the SLA On Premise Liquor License with this inclusion of the DCA licensed sidewalk café.

Vote: Unanimous, with 36 Board members in favor.

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



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

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July 29, 2016

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

Dear Sir/Madam:

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

**20. Rehandari, LLC, d/b/a Kobrick Coffee Co., 24 Ninth Ave. 10014** (withdrawn-will resubmit)

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on July 14th, 2016, the Applicant requested to *again layover* this application for an alteration application for an existing on-premise restaurant liquor license to add a licensed sidewalk café in order to resolve discrepancies presented regarding the interior method of operation from those on file with CB2, Man. and in order to perform additional community outreach and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed and prior to filing any application with the SLA; and,

**Whereas**, at the meeting on May 12<sup>th</sup>, 2016, CB2 Manhattan's SLA Licensing Committee #2 had voted to recommend denial of the application, but due to the various issues unique to this particular application, the Committee voiced that should the applicant choose request to Layover the application, the Committee would rehear the application with the additional information the following month with no guarantees that the position of the Committee would change; the applicant subsequently chose to request to layover the application again and will re-appear;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any type of proposed on premise liquor license alteration application to any existing license for **Renandari, LLC, d/b/a Kobrick Coffee Co., 24 Ninth Ave. 10014** until the Applicant has re-presented their application in front of CB2's SLA Licensing Committee with full and accurate information and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



Antony Wong, *Treasurer*  
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July 29, 2016

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

Dear Sir/Madam:

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

**21. Ancolie NYC, LLC d/b/a Ancolie, 58 W. 8<sup>th</sup> St. 1011 (New RW - withdrawn)**

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

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Ancolie NYC, LLC d/b/a Ancolie, 58 W. 8<sup>th</sup> St. 1011** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
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July 29, 2016

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

Dear Sir/Madam:

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

**22. Dumpling 516 Hudson NY, Inc., d/b/a TBD, 516 Hudson St. 10014 (New RW - withdrawn)**

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

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Dumpling 516 Hudson NY, Inc., d/b/a TBD, 516 Hudson St. 10014** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



Antony Wong, *Treasurer*  
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July 29, 2016

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

Dear Sir/Madam:

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

**23. Gift New York, Inc. d/b/a N/A, 469 Sixth Ave. 10011 (New RW - layover)**

**Whereas**, prior to this months CB2, Manhattan's SLA Licensing Committee #2 Meeting on July 14th, 2016, the Applicant requested to **layover** this application for a new restaurant wine license and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting prior to any filings with the SLA should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Gift New York, Inc. d/b/a N/A, 469 Sixth Ave. 10011** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



Antony Wong, *Treasurer*  
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[www.cb2manhattan.org](http://www.cb2manhattan.org)

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July 29, 2016

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

Dear Sir/Madam:

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

### **24. BKUK 10 Corp., d/b/a TBD, 89 7th Ave. S. 10014 (New OP - Layover)**

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

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **BKUK 10 Corp., d/b/a TBD, 89 7th Ave. S. 10022** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



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

## COMMUNITY BOARD NO. 2, MANHATTAN

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July 29, 2016

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

Dear Sir/Madam:

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

**25. 62 Greenwich, LLC, d/b/a Greenwich Steak House FG, 62 Greenwich Ave. 10011 (New OP - Layover)**

**Whereas**, prior to this month's CB2, Manhattan's SLA Licensing Committee #2 Meeting on July 14th, 2016, the Applicant requested to **layover** this application again for a new restaurant on-premise restaurant liquor license in order to continue to meet with residents who would be immediately impacted by the issuance of a license at this location in order to continue ongoing discussions and they will resubmit the application for consideration at a future CB2 SLA Licensing Committee meeting should they proceed;

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **62 Greenwich, LLC, d/b/a Greenwich Steak House FG, 62 Greenwich Ave. 10011** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



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

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July 29, 2016

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

Dear Sir/Madam:

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

### **26. Butobar, LLC. d/b/a BarButo NYC, 775 Washington St. 10014 (New OP - withdrawn)**

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

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA deny any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Butobar, LLC. d/b/a BarButo NYC, 775 Washington St. 10014** until the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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



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

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July 29, 2016

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

Dear Sir/Madam:

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

**27. Entity to be formed by Reed Adelson, d/b/a N/A, 328 W. 12<sup>th</sup> St. 10014 (New OP - Layover)**

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

**THEREFORE BE IT RESOLVED** that CB2, Man. strongly recommends that the SLA **deny** any type of proposed on premise liquor license, tavern wine license, restaurant wine license, any other beer and wine license, corporate change, class change, alteration, transfer, upgrade or changes to any existing license for **Entity to be formed by Reed Adelson, d/b/a N/A, 328 W. 12<sup>th</sup> St. 10012** **until** the Applicant has presented their application in front of CB2's SLA Licensing Committee and CB2 has forwarded a recommendation to the SLA and requests that the SLA send this Applicant back to CB2, should this application proceed directly to the SLA, in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 36 Board members in favor.

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

Sincerely,



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



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



Tobi Bergman, Chair  
Community Board #2, Manhattan

TB/fa

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