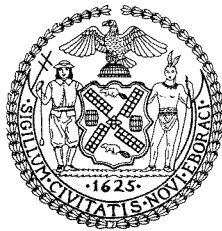


Nicholas Viest
Chair

Latha Thompson
District Manager



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The City of New York Manhattan Community Board 8

April 21, 2014

Kerri J. O'Brien
Deputy Commissioner
State Liquor Authority
80 South Swan Street, Suite 900
Albany, New York 12210-8002

Dear Ms. O'Brien:

I am writing this accompanying letter to the Community Board 8's resolution regarding the application for a liquor license at 116 East 60th Street. The applicant Diwine, Inc. appeared before Community Board 8's Street Life Committee in April without providing all the information requested of them to fairly evaluate their application. Community Board 8 has **DENIED** this application and the enclosed resolution spells out our position.


At the Street Life meeting Diwine Inc. agreed to re appear at the May meeting with the additional information requested by the Committee. Diwine Inc. also specifically agreed not to apply to the SLA prior to this May meeting. The attorney for the applicant has since contacted the Community Board and now states that the applicant is not obligated to honor their agreement to reappear before our board prior to applying.

On behalf of Community Board 8, I strongly request that the SLA **not approve** this application until the applicant re appears before our Street Life Committee and the Community Board has a fair chance to evaluate all of pertinent information regarding this application.

If the applicant appears at our May Street Life Committee hearing, Community Board 8 will submit a resolution to the SLA by Thursday May 22nd, the day after our Full Board meeting.

I appreciate your consideration of this matter.

Sincerely,


Nicholas Viest
Chair

Nicholas Viest
Chair

Latha Thompson
District Manager



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The City of New York Manhattan Community Board 8

April 17, 2014

Kerri J. O'Brien
Deputy Commissioner
State Liquor Authority
80 South Swan Street, Suite 900
Albany, New York 12210-8002

RE: **Divine NYC, Inc., 116 East 60th Street (Park/Lexington Avenue)**-New application for a Liquor, Wine and Beer **Food/Drink: 50/50**

Dear Ms. O'Brien:

At the April 17, 2014 Full Board meeting of Manhattan Community Board 8, the following recommendation was adopted by a vote of 32 in favor, 3 opposed, and 0 abstentions.

WHEREAS approximately 25 residents of 118 East 60th Street appeared before the committee to express concerns about this application, and

WHEREAS these concerns focused on the possibility of ill-behaved and/or drunk patrons of the establishment creating excessive noise, particularly at late hours, or blocking access to their building's circular driveway, and

WHEREAS they were also concerned about trash and food odors that would be produced by the establishment, and

WHEREAS the application as submitted to CB8M at the meeting was incomplete, missing several critical portions including the design and floor plans for the proposed establishment, and

WHEREAS the applicant was dismissive of several proposed stipulations designed to address community concerns, and


WHEREAS the applicant was asked to return to the May 2014 meeting of CB8M's Street Life Committee to continue the discussion, by which time they indicated a complete application including the architect's plans for establishment would be available, and


WHEREAS the applicant agreed to do so and not to submit their applicant to the SLA until after re-appearing before CB8M's Street Life Committee in May 2014 and also agreed to provide confirmation of such in writing to the Board office, and

WHEREAS the applicant has not only failed to provide such confirmation, but on April 15, 2014 his attorney informed CB8M's District Manager that there would be an additional delay in providing the plans, that the applicant would not be ready to reappear at the May 2014 meeting and that the applicant nor his attorney had never agreed to hold off on submitting the application to SLA until they re-appeared before CB8M's Street Life Committee,

THEREFORE BE IT RESOLVED, that the application is **DISAPPROVED**.

Please advise this office of any action taken regarding this matter.

Sincerely, 


Nicholas Viest
Chair



Jonathan Horn & Domenico Minerva
Co-Chairs, Street Life Committee

Cc: Honorable Bill de Blasio, Mayor of the City of New York
Honorable Gale Brewer, Manhattan Borough President
Honorable Liz Krueger, NYS Senator, 26th Senatorial District
Honorable Micah Kellner, NYS Assembly Member, 65th Assembly District
Honorable Dan Quart, NYS Assembly Member, 73rd Assembly District
Honorable Ben Kallos, NYC Council Member, 5th Council District
Honorable Daniel Garodnick, NYC Council Member, 4th Council District