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## The City of New York Manhattan Community Board 8

October 18, 2013

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

**RE: Requiring an automatic State Liquor Authority hearing for license renewals applicants who have received two consecutive disapprovals from the Community Board**

Dear Ms. O'Brien:

At the October 16, 2013 Full Board meeting of Manhattan Community Board 8, the following recommendation was adopted by a vote of 33 in favor, 0 opposed, 0 abstention, and 0 not voting for cause.

**WHEREAS**, in most circumstances the State Liquor Authority (SLA) does not hold a public hearing for renewal applicants; and

**WHEREAS**, Community Board 8M regularly receives notice from renewal applicants for whom there is a known problem, which may include: community or 311 complaints, operating in a way that interferes with the quality of life for area residents, running an establishment that puts the safety of its patrons or the community at large in jeopardy and/or running an establishment contrary to prior agreements with the board; and

**WHEREAS**, the purpose of requesting that these renewal applicants appear before the board is to seek solutions to the problems which allow proprietors to run their establishments successfully, but in a manner that addresses the safety and quality of life concerns of the community; and

**WHEREAS**, many times establishments whose operations regularly impose on the community's safety or quality of life refuse to appear before the board or to work with the community to resolve these issues, and will therefore accrue repeated license renewal disapprovals and other negative resolutions over the course of time from the Community Board; and

**WHEREAS**, the SLA seems to rarely take the opinions of the Community Board under consideration in considering renewal applications; and

**WHEREAS**, this allows troublesome operators to not take responsibility for their actions or face any ramifications (except in extremely egregious cases, usually involving specific criminal activity) for operating in a manner that is often dangerous or troublesome to the neighborhoods where these establishments are located; and

**WHEREAS**, if an establishment has received two consecutive disapprovals from the Community Board it is likely that they are operating in a way that is of major concern to the community and have

been unwilling to work with the community to resolve these issues; and

**WHEREAS**, requiring a hearing for licensees who receive two consecutive disapprovals from the Community Board will make operators of liquor license establishments more responsible to the public for their actions and take into account the legitimate concerns of the community;

**THEREFORE, BE IT RESOLVED**, that Community Board 8M urges the SLA to automatically require any license renewal applicant who has received two or more consecutive disapprovals from the Community Board to a public SLA hearing before the issuance of a license renewal is granted;; and

**BE IT FURTHER RESOLVED**, that Community Board 8M requests our elected representatives to enact any necessary enabling legislation to authorize or mandate such a policy if the SLA is unable or unwilling to do so within a reasonable period of time.

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: Hon. Michael Bloomberg, Mayor of the City of New York  
Hon. Scott M. Stringer, Manhattan Borough President  
Hon. Liz Krueger, New York State Senator  
Hon. Dan Quart, New York State Assembly Member  
Hon. Micah Kellner, New York State Assembly Member  
Hon. Jessica Lappin, New York City Council Member  
Hon. Daniel Garodnick, New York City Council Member