



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

59 East 4th Street - New York, NY 10003
Phone (212) 533-5300 - Fax (212) 533-3659
www.cb3manhattan.org - info@cb3manhattan.org

Gigi Li, Board Chair

Susan Stetzer, District Manager

June 2015 Full Board Minutes

Meeting of Community Board 3 held on Tuesday, June 23, 2015 at 6:30pm at PS 20, 166 Essex Street.

Public Session:

1. Joseph Lin from Mayor's Office of Immigrant Affairs – Updates include free ID for those 14 or older that include benefits including membership discounts; it is best to make an appointment and volunteers are needed to interpret
2. Ileana Mendoza from NY County District Attorney's Office – new to district and will work on community relations especially with NYPD
3. Rob Hollander – two concerns including 1) CWG is now in implementation mode and will be in contact with DCP, and encourages DCP to include CWG in negotiations, 2) Basketball courts at Tompkins Square Park are in stalled construction and the nearest court at Dry Dock is also being repaired resulting in poor planning considering schools are dismissed and summer is peak season to use the local parks, and encourages Parks to expedite work done to keep all parts of the park open
4. Grace Mangum from 262 Tenants Association - Monday, June 8th SLA approved a bar at 14 Ave C and petitions have been collected and will be furnished to encourage restrictions including a reduction in hours of operation

Public Officials:

Mayor Bill de Blasio, Alize Beal: no report

Public Advocate Letitia James, Adam Chen: Nail salons are now required to post workers' right and owners are required to provide to employees safety measures in the workplace; Recommendations on enhanced parental participation in Department of Education has also been an issue for James

Comptroller Scott Stringer: no report

Borough President Gale Brewer, Lucille Songhai: LGBT brown bag lunch discussion was held with advocates and constituents to discuss pressing issues; NYCHA townhalls will be held to discuss NextGeneration NYCHA; Along with Squadron and AG there will a forum for Coop members; Community Board engagement session will be held in part with Board members

Congressmember Carolyn Maloney, Victor Montesinos: no report

Congressmember Nydia Velazquez, Iris Quinones: no report

Assembly Speaker Sheldon Silver, Zach Bommer: Lunar New Year is now a school holiday and will be included on DOE calendar next year; worked to move presidential primary to April 19th to not conflict with Passover;

Assemblymember Deborah J. Glick, Charlie Anderson: Office is working on stronger rent laws for tenants; Advocating for Stonewall Inn to be landmarked; Information on conference bills will be released soon including AirB&B legislation

Assemblymember Brian Kavanaugh, Carlos Ortiz: Deal proposed by Governor is highly contentious and still being discussed and the office continues to advocate for a better deal for tenants; tomorrow is Annual Book drive at PS 34 with DYCD and NYPL; Event at PSA4 called Operation Safehouse to register kids and have a movie night

State Senator Daniel L. Squadron, Mauricio Pazmino: Lunar New Year has been passed as a legal school holiday and will be closed on February 8, 2016; Khalief Browder's suicide as Ryker's Island has pushed for legislation to look at inmate treatment; Lifeline benefits should be improved after constituents notified office of disruption

State Senator Brad M. Hoylman, Maya Kurien: Lunar New Year is big news for the community; Rent regulation deal is just a framework and no details have been published to Senate leaders;

Councilmember Margaret Chin, Persephone Tan: Lunar New Year was a big win; Budget advocacy included more funds to assist seniors; rent regulation is still up in the air and the office has tips for stabilized tenants; Fire at 43 Monroe is being addresses and tenant are being assisted; Rent roll back testimony available; Bike safety has been an issue and fatalities and accidents are being considered in improvements

Councilmember Rosie Mendez, Sheila Rodriguez: Rosie Mendez spoke about her time at City Hall and has no details on the city budget and is disappointed it has been finalized without line items being furnished to Council; NYCHA has failed to fix mailboxes and Rosie alerted Greg Smith from Daily News because the waiting was unacceptable; Flores from University Settlement advocated for soccer field improvements and Red Bull sponsored renovation which was just opened for use; There are multiple tenants in our district suffering from harassment and council office has been working with the TPU and CBO's including GOLES and Cooper Square Committee to assist building TA's; Advocated for landmarking of Stonewall Inn

Members Present at First Vote:

David Adams	[P]	Luke Henry	[P]	Nancy Ortiz	[P]
Dominic Berg	[P]	Herman F. Hewitt	[P]	Carolyn Ratcliffe	[P]
Karen Blatt	[P]	Trever Holland	[P]	Damaris Reyes	[P]
Lisa Burriss	[P]	Anne K. Johnson	[P]	Carlina Rivera	[P]
Melvin Cartegen	[P]	Linda Jones	[P]	James Rogers	[A]
Karlin Chan	[A]	Vaylateena Jones	[A]	Richard F. Ropiak	[P]
MyPhuong Chung	[P]	Meghan Joye	[P]	Christopher Santana	[P]
David Crane	[P]	Lisa Kaplan	[P]	Susan Scheer	[P]
Enrique Cruz	[P]	Carol Kostik	[P]	Laryssa Shainberg	[P]
Cathy Dang	[P]	Ben Landy	[P]	Wilson Soo	[P]
Eric Diaz	[P]	Mae Lee	[P]	Nancy Sparrow-Bartow	[A]
Leila Eliot	[P]	Alysha Lewis-Coleman	[P]	Josephine Velez	[P]
Morris Fajtelewicz	[P]	Gigi Li	[P]	Rodney Washington	[P]
David Ford	[P]	William LoSasso	[P]	Kathleen Webster	[P]
Debra Glass	[P]	Chad Marlow	[P]	Thomas Yu	[A]
Jan Hanvik	[A]	Alexandra Militano	[P]	Zulma Zayas	[P]
Dan Ping He	[P]	Chiun Ng	[P]		

Minutes:

Minutes of April 2015 were approved, as is.

44 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Nominating Committee:

Each candidate was given 2-3 minutes to present their candidacy, only one position is contested, and terms begin July 1st, 2015

Nominee for Chair – Gigi Li (42 VOTES)

Nominee for 1st Vice Chair – Herman Hewitt (44 VOTES)

Nominee for 2nd Vice Chair – Alysha Lewis-Coleman (45 VOTES)

Nominee for Secretary – Meghan Joye (45 VOTES)

Nominee for Assistant Secretary – Jamie Rogers (45 VOTES)

Nominee for Treasurer – Enrique Cruz (22 VOTES) and Zulma Zayas (23 VOTES)

Board Chairperson's Report:

Chairperson Gigi Li-

- Set of new member trainings are open to existing members and will be held towards the end of July
- New members should get committee request forms in as soon as possible to be appointed, and existing members who would like to change committees should also notify the Chair as soon as possible, 1 committee is mandatory and there is no restriction
- SYEP is usually a top 5 budget priorities ad 50,000 kids in NYC will access to a job through this program this summer, it is the second highest number of jobs made available to youth

District Manager's Report:

District Manager Susan Stetzer-

- Members who would like committee request forms can email the office or pick them up at the CB office
- Please note that next month's meeting will be at Cooper Union in an air conditioned room.
- I continue to see members at committee meetings with the yellow draft agendas. These are not final agendas and you are taking a risk using them. Meetings may be cancelled or moved to a new location.
- Intercity buses are the cause of a large volume of complaint calls made to office and violations are being issued. However, these summons are not effective as they have become a cost of business for the bus companies.
- Rat indexing by DOHMH happens every year and last year and this year district has done worse in inspections, which may be because inspectors have received training and are more vigilant about violations

- Concerts at Tompkins Square Park has affected quality of life for neighbors because of the noise and the Department of Environmental Protection (“DEP”) has been asked to bring decibel meters to park to make sure volume was compliant. However DEP is short staffed and cannot always assist with this enforcement
- Tompkins Square Park basketball courts are scheduled to be completed week after July 4th, which is behind initial timeline because of delay in delivery of materials.
- Budget review is for a year from now, and questions for agencies to address at consultations have been submitted to appropriate agencies. This will inform our votes on priorities next October.
- September 16th will be the CB 3 budget public hearing and members, CBO's and neighbors are encouraged to attend. DCP is changing the budget process, which is ambiguous at this point, so the district needs should be treated to the same process and revisited if need by later in the year

Committee Reports:

Executive Committee

- Approval of previous month's minutes
VOTE: To table approval of minutes to July 2015 Executive Committee.

44 YES 0 NO 1 ABS 0 PNV MOTION PASSED

Landmarks Committee

1. Approval of previous month's minutes
VOTE: To approve the minutes of May 19, 2015.
2. [Certificate of Appropriateness application for 122 First Avenue](#) (click for info)

VOTE: TITLE: Community Board 3 Resolution to Approve the Certificate of Appropriateness for 122 First Avenue

Whereas, 122 First Avenue is within the East Village/Lower East Side Historic District; and

Whereas, the building is a brick Italianate tenement built in 1853, with Renaissance Revival alterations made in 1908; and

Whereas, the proposal is to install ductwork in the rear of the building; and

Whereas, the duct will be visible from East 7th Street; and

Whereas, the duct will be insulated to protect the brickwork and attached to the mortar between the bricks; and

Whereas, the duct is required to rise 3.6" feet above the roof of the building; and

Whereas, CB 3 recommends that black duct work be used to minimize the visual impact of the duct; so

Therefore be it resolved, CB 3 approves the application to install ductwork in the rear of 122 First Avenue.

3. Support for the NYC Landmarks Law and Value of Preservation on occasion of 50th anniversary
VOTE: TITLE: Community Board 3 Resolution Recognizing the 50th Anniversary of the NYC Landmarks Law and Value of Preservation

Whereas, In 1965 elected officials signed The New York City Landmarks Law mandating the protection of historic resources as part of a comprehensive urban planning process and a "public necessity" that is "required in the interest of the health, prosperity, safety and welfare of the people," and

Whereas, the legitimacy of this process and its public purpose has been upheld by the U.S. Supreme Court, and

Whereas, the Landmarks Law outlines the many reasons for establishing a means to designate and protect buildings and neighborhoods, including fostering civic pride, protecting and enhancing attractions, stimulating tourism and other businesses and overall, strengthening the economy of the city, and

Whereas, the New York Landmarks Preservation Commission has a 50-year record of review and approval of alterations to individual landmarks or buildings located within historic districts, and half of a century later, preservation continues to serve New Yorkers by helping to create a vibrant, livable city, and

Whereas, Preservation Stabilizes Diverse Communities. New York City is not a single monolithic entity but rather a great consolidation of neighborhoods. Preserving the character of those neighborhoods creates stability for the many diverse identities of New York and allows them to flourish without being lost, and

Whereas, Preservation Preserves Affordable Housing. Landmarks and buildings in the city's historic districts in all five boroughs provide protections against demolition, which in turn save hundreds of existing units subject to rent regulation, and

Whereas, Preservation Promotes Investment, Economic Development and Good Jobs. Preservation encourages investment in real estate while stabilizing property values and strengthening the city's tax base. It helps create and protect local jobs in the conservation, reconstruction, manufacturing, film and television, tourism, hospitality and other related industries.

Whereas, Preservation is Sustainable. The greenest building is the one already built. Most old buildings were designed with a sophistication of thought rather than a sophistication of technology, which, in terms of climate control and energy usage, integrates them with the environment in a way that most new buildings do not. Furthermore, repairing, rehabilitating and re-using buildings and materials saves money, fuel and energy without the waste, debris, noise and truck traffic that new construction generates when it involves the demolition of an existing building.

Whereas, CB 3 understands the need to continuing the process of designating historic districts and individual landmarks in our under-designated district.

Whereas, CB 3 contains many buildings of architectural, historic, and cultural significance that are deserving of recognition through designation

Whereas, The New York Times declared that preservation is an "environmental necessity" on the occasion of the a 50th Anniversary New York City Landmarks Law and the Landmarks Preservation Commission in April 2015, now

Therefore be it resolved that, this community board celebrates the 50th Anniversary of the Landmarks law in 2015 and the ongoing value of our community's distinctive character, landmarks and built heritage, and

Be it further resolved that, We urge elected officials and citizens throughout the city to support and defend the New York City Landmarks Law, a strong Landmarks Preservation Commission and the distinctive landmarks, both those that are officially designated and those that are currently unprotected in our community.

4. FY'17 District Needs Statement
no vote necessary

44 YES 0 NO 1 ABS 0 PNV MOTION PASSED

Ethics, By-laws & Procedures Task Force

1. Approval of previous month's minutes
VOTE: To approve the May, 2015 minutes.
2. Discussion of Bylaw revision
no vote necessary
 - Chair Berg reports that bylaws have been sent to members and all are encouraged to review them; Issues raised by members include Majority

44 YES 0 NO 1 ABS 0 PNV MOTION PASSED

Land Use, Zoning, Public & Private Housing Committee

1. Approval of previous month's minutes
VOTE: To approve the minutes of the May, 2015 meeting.
2. Pre-Certification Presentation by the Department of City Planning on Zoning For Quality and Affordability
no vote necessary
3. Development team: Update on Essex Crossing
no vote necessary
4. 79-89 Avenue D, Inclusionary Housing Program Development
no vote necessary

5. Use of Inclusionary Housing Bonus for rehabbing existing units in CB 3
no vote necessary

6. 421-a Application for 211 East 13th Street

VOTE: TITLE: Community Board 3 Resolution to Decline to Support the 421-a Partial Tax Exemption Program Application for 211 East 13th Street

Whereas, the applicant did not appear; and

Whereas, the development provides no affordable housing; and

Whereas, Community Board 3 has a long-standing position against granting 421-a tax exemptions to developments that only provide market-rate housing; so

Therefore be it resolved, Community Board 3 denies the 421-a application for 211 East 13th Street.

7. Informational presentations from legal organizations regarding tenant harassment problems in CB 3
no vote necessary
8. Discussion of CB 3 rezoning based on CWG proposal
no vote necessary
9. Report from Public Housing & Section 8 Housing Subcommittee
no vote necessary
10. District Needs
no vote necessary
- Many items were tabled and will be discussed in July, including issue with rezoning and CWG and DCP
 - Text Amendment information is included on CB3 homepage under "useful links" and includes FAQ, etc.

44 YES 0 NO 1 ABS 0 PNV MOTION PASSED

Health, Seniors, & Human Services Committee

1. Approval of previous month's minutes

VOTE: To approve the minutes of the May, 2015 meeting.

2. FY'17 District Needs Statement & Budget Consult Agenda

no vote necessary

3. Presentation from New York-Presbyterian Hospital on their 2013 Community Service Plan Three Year Comprehensive Report November 2013.

no vote necessary

4. Request for support for Beth Jacob School at 142 Broome St to provide Office of Alcoholism and Substance Abuse Services for substance abuse prevention counseling

VOTE: TITLE: Community Board 3 Resolution to support Counter Force's program at the Beth Jacob School to conduct in school counseling services for students in our community

Whereas, Counterforce plans to provide prevention services at Beth Jacob School; and

Whereas, Counterforce presently provides prevention services in other schools; and

Whereas, Counterforce receives funding from the New York State Office of Alcoholism and Substance Abuse Services; and

Whereas, Counterforce provides individual and group services to children and families; and

Whereas, Counterforce services are provided to students of the school during school hours; and

Whereas, Counterforce provides educational presentations in the classroom; and

Whereas, services are evidence based and focused on at risk students; and

Whereas, services are provided by Professionals usually with a Masters in Mental Health related majors; and

Therefore be it resolved, that Community Board 3 supports Counterforce's program at Beth Jacob School, which receives funding from the New York State Office of Alcoholism and Substance Abuse Services to provide alcohol and substance abuse prevention services to our community.

44 YES 0 NO 1 ABS 0 PNV MOTION PASSED

Youth, Education, & Human Rights Committee

no vote necessary

Economic Development Committee

1. Approval of previous month's minutes
VOTE: To approve the May 2015 Economic Development Committee minutes as written.
2. FY'17 District Needs Statement & Budget Consult Agenda
no vote necessary
3. Presentation on Upper West Side Special Enhanced Commercial District
no vote necessary
4. Continued discussion on potential Special District for CB 3
no vote necessary
 - Memo and resolution is being worked on to encourage DCP to look at special zoning districts

44 YES 0 NO 1 ABS 0 PNV MOTION PASSED

Transportation & Public Safety and Environment Committee

1. Approval of previous month's minutes
VOTE: To approve previous month's minutes.
2. FY'17 District Needs Statement & Budget Consult Agenda
no vote necessary
3. Request for commuter van stop at on Division St btw market & Bowery-length of 4 parking places
VOTE: TITLE: Community Board 3 Resolution of Support for Commuter Van Stop at Division Street between Market and Bowery

Whereas, the commuter van operators have been assigned stops from which to conduct passenger drop off and pick up, and

Whereas, CB 3 understands the value of commuter vans to the community however the community also has concerns about impacts such as noise, idling, litter and sidewalk congestion, and

Whereas, the operators have agreed that they understand and will comply with the rules of operation listed below, and

Whereas, DOT has indicated that they have the authority to revoke the assigned bus stop if the operating rules are not complied with, and

Therefore be it resolved, that CB 3 asks the operators to comply with the following operating rules:

- Clean litter
- No idling
- Cooperative spirit between operators
- No layovers
- Orderly queuing

4. Request for commuter van stop at Market St btw Division & East Broadway-length of 3 parking spaces
no vote necessary
5. EDC: citywide ferry service/proposed locations in CB 3
no vote necessary

6. Consideration of M21 bus stop relocation: west bound change from east of Ave. A to west side of Ave. A
VOTE: TITLE: Community Board 3 Resolution of Support for M21 bus stop relocation: west bound change from east of Ave A to west side of Ave A

Whereas, the M 21 crosstown Houston Street bus currently stops on the north east corner on Houston at Avenue A , and

Whereas, the bus schedule is generally every 10-20 minutes and at times every 30 minutes, and

Whereas, the City is in the process of building a new public space on the northwest side of the same intersection that will have benches and plantings, and

Whereas, it would be a great amenity for residents waiting for the bus to sit and enjoy the public space, so

Therefore be it resolved, that CB 3 asks DOT to move the bus stop from the east side of the Houston Street/Avenue A intersection to the west side at the site of the new public space.

7. Consideration of M 21 bus stop relocation: east bound change from west of Ave A to east side of Ave A

VOTE: TITLE: Community Board 3 Resolution of Support for M 21 bus stop relocation: east bound change from west of Ave A to east side of Ave A

Whereas, the M21 bus traveling eastbound on Houston at Essex Street currently stops on the southwest corner, and

Whereas, the block between Ludlow Street and Essex Street has many tourists stopping to go to Katz's including charter buses and other vehicles that often layover in the bus stop, and

Whereas, city agency cars and trucks also use this block for parking to go into Katz's, and

Whereas, many people run into Katz's to pick up orders, and because of lack of parking will stop in no parking zones and in the crosswalk on Ludlow , and

Whereas, the block to the east of Essex Street is next to a playground and presumably does not generate vehicular trips for this location, and

Whereas, the teachers and staff have designated parking between the school and the playground, and

Whereas, the LES BID representing property owners and businesses in this area support moving the bus stop one block east and creating necessary parking on the block between Ludlow and Essex for the many people driving to these businesses, so

Therefore be it resolved, that CB 3 asks DOT to move the M 21 bus stop from the west side of Avenue A to the east side in order to create parking for the destination businesses on Houston Street and Ludlow Street.

Bus Stop Permit Applications

8. [Morning Sun Bus Company Inc, 80 Allen Street](#) (click for info)

VOTE: TITLE: Community Board 3 Resolution to Approve a Curbside Bus Stop for Morning Sun Bus at 80 Allen St

WHEREAS, Morning Sun Bus Company, Inc. has applied for a designated bus stop for curb-side loading/unloading operations located at 80 Allen St, on the east side of the street between Grand and Broome St. The buses will operate under the Morning Sun brand name, providing service between New York and Boston, MA with up to 2 departures daily between the hours of 8:00 and 9:00 am, and 2 arrivals between the hours of 12:00 and 1:00 pm; and

WHEREAS, The bus stop is an existing 110 ft bus stop that would be shared with the Grayline Sightseeing Bus; and

WHEREAS, the applicant has indicated they have an agreement to lease a storefront at 245 Grand St, between the Bowery and Chrystie St, which is a four minute walk to the proposed stop. They have agreed to continue to look for a storefront that is closer to the stop at 80 Allen St; and

WHEREAS, the applicant has entered into an agreement with CB3 to adhere to the following stipulations:

- Tickets will be sold only online, or at a designated ticket agency not on the street.
- Tickets will be sold only for specific boarding times and will not be oversold.
- Tickets will be sold in assigned boarding order system so that customers will not need to arrive early to jockey for positions.
- Sidewalk lines will be single file, and only for the next assigned bus.
- There will be a staff person on duty for every arrival and departure to guide loading / unloading, to have direct contact to dispatch to inform passengers of delays, and to engage in crowd and noise control.
- Trash bags will be used to collect litter and will be kept in storefront, or will leave with the bus.
- Staff will routinely clean up the sidewalk by bus stop.
- Buses will keep to schedules, which will be published online or printed, as much as possible.
- The number of buses at this stop will not exceed the stated number of buses per hour/per day.
- All buses purchased in the future will be equipped with diesel particulate filters and use ultra-low sulfur fuels, and will also be equipped with exhaust gas recirculation emission control technology.
- A storefront will be provided for the use of customers, so they may wait to board their bus and use the restroom facilities.

- Other: All buses will keep to the most direct route between the Williamsburg Bridge and the designated stop unless bridge closures or detours make this impossible – proceeding to the stop along Delancey, Chrystie, Grand, and Allen St; then departing along Allen and Delancey St; now THEREFORE, BE IT RESOLVED, that CB 3 recommends that DOT issue a permit for Morning Sun Bus Company, Inc, to operate their bus service at a designated curbside bus stop located at 80 Allen St, provided that the preceding list of stipulations agreed between the applicant and CB3 will be attached to the DOT permit.

44 YES 0 NO 1 ABS 0 PNV MOTION PASSED

SLA & DCA Licensing Committee

1. Approval of previous month's minutes
VOTE: To approve the minutes of May 2015.

Renewal with Complaint

2. Poco, 33 Avenue B (op)
 item moved to July 2015
3. Kumo Sushi, 214 1st Ave @ E 13th St (bw)

VOTE: TITLE: Community Board #3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

WHEREAS, JRH Restaurant Group Inc., doing business as Kumo Sushi, is seeking the renewal of its wine beer license, for the premise located at 214 First Avenue, at the corner of East 13th Street and First Avenue, New York, New York; and

WHEREAS, this applicant was originally approved for a wine beer license by Community Board #3 in February of 2010, with stipulations that it would 1) operate a full-service Japanese restaurant, with a kitchen open and serving food to within one (1) hour of closing, 2) have hours of operation of 11:00 A.M. to 11:00 P.M. Sundays through Thursdays and 11:00 A.M. to 12:00 A.M. Fridays and Saturdays, 3) have a closed façade, and 4) play recorded background music; and

WHEREAS, this applicant was then heard as a renewal in July of 2013 with complaints of noisy unruly crowds on the sidewalk on weekend nights, lack of management of the sidewalk, lack of responsiveness to complaints, unlimited drink specials, no soundproofing and entertainment level music, and was approved with additional stipulations to 1) not commercially use outdoor space, 2) not have happy hours, 3) not host pub crawls or party buses, 4) have a staff person outside to monitor crowds and noise, and 5) investigate sound mitigation so that sound is inaudible to neighboring residents; and

WHEREAS, Community Board #3 has now received complaints from a building resident that from September of 2014 through April of 2015, he has complained to the applicant about rowdy, drunk patrons outside the business on weekend nights from 9:00 P.M. to 12:00 A.M., failure to control patron crowds and noise on the sidewalk, entertainment level music and the service of drink specials, including Sake Bombs; and

WHEREAS, the applicant has stated that, in an effort to control patron crowds and noise outside, it has employed a security guard to stand at it entrance from 6:00 P.M. to 12:00 A.M. Fridays and Saturdays; and

WHEREAS, the service of Sake Bombs and other drink specials to target young people seeking to get drunk, as evidenced by social media and internet accounts about this business, and the need for security to control patrons indicate that this business is not operating consistent with its method of operation; now

THEREFORE, BE IT RESOLVED that Community Board #3 moves to deny the application to renew the wine beer license for JRH Restaurant Group Inc., doing business as Kumo Sushi, for the premise located at 214 First Avenue, at the corner of East 13th Street and First Avenue, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that

- 1) it will operate as a full-service Japanese restaurant, with a kitchen open and serving food to within one (1) hour of closing,
- 2) its hours of operation will be 11:00 A.M. to 11:00 P.M. Sundays through Thursdays and 11:00 A.M. to 12:00 A.M. Fridays and Saturdays,
- 3) it will not commercially operate any outdoor areas,

- 4) it will close any front or rear façade entrance doors at 10:00 P.M. every night and will otherwise have a closed fixed facade with no open doors or windows,
- 5) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 6) it will employ at least one (1) security guard, Fridays and Saturdays, from 6:00 P.M. to 12:00 A.M., to address patron noise and crowds on the sidewalk,
- 7) it will install soundproofing consistent with the recommendation of a sound engineer so that sound is inaudible to neighboring residents,
- 8) it will not have any unlimited drink specials, even those that accompany food, and drink offerings with unlimited food specials will not exceed three (3) drinks per unlimited meal,
- 9) it will not apply for any alteration in its method of operation without first appearing before Community Board #3,
- 10) it will not have "happy hours,"
- 11) it will not host pub crawls or party buses,
- 12) it will designate an employee to oversee patron crowds and noise on the sidewalk,
- 13) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 14) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

4. Back Room (Proletariat V. Inc) 98-102 Norfolk St a/k/a 138 Delancey St (op)

VOTE: TITLE: Community Board #3 Recommendation That Licensee Be Made To Operate Consistent With Its Method Of Operation

WHEREAS, Proletariat V. Inc., doing business as Back Room, is seeking the renewal of its full on-premise liquor license, for the premise located at 98-102 Norfolk Street a/k/a 138 Delancey Street, at the corner of Norfolk Street and Delancey Street, New York, New York; and

WHEREAS, this applicant was originally issued a full on-premise liquor license on September 22, 2005; and

WHEREAS, Community Board #3 has received complaints from building residents of 102 Norfolk Street, a twenty-five (25) unit building, as well as from the 102 Norfolk Street Tenants Association, about rowdy, drunk patrons outside the business, failure to control patron crowds and noise on the sidewalk, entertainment level music and bass which can be heard and felt by building residents, DJs and scheduled performances, including burlesque and performances with gunfire which can be heard by building residents, dancing without a cabaret license, patrons and business garbage blocking the residential entrance and patrons accessing the residential lobby which is a security risk for tenants; and

WHEREAS, per a building resident who investigated the original method of operation of this applicant with the SLA, its original application averred that it would have recorded background music and food service, does not include a standup bar in its rear room and has a business address of 138 Delancey Street; and

WHEREAS, consistent with these complaints, this applicant has received Environmental Control Bard violations on May 22, 2015, for failed inspections in which it had been exceeding the legal noise limits and had improperly mounted speakers; and

WHEREAS, the business has received one hundred twenty-seven (127) 311 commercial noise complaints between June of 2010 and May of 2015; and

WHEREAS, the applicant has conceded that it is operating inconsistent from its approved method of operation in that it has live music, DJs, dancing and scheduled performances and has eliminated its kitchen and food service, and **that it has not notified the SLA of these alterations to its method of operation; and**

WHEREAS, the applicant has stated that its business consisted of two (2) addresses, 98-102 Norfolk Street and 138 Delancey Street, which appear to be connected by a passageway in diagrams, and that the applicant has not utilized the 138 Delancey Street address in many years; and

WHEREAS, Community Board #3 believes that the misuse of residential space, excessive noise, inadequate soundproofing, failure to maintain control over the sidewalk and common areas this business shares with residential tenants and wildly inappropriate performances which include

simulated gunfire outdoors and next to residential apartments, is a direct result of this unapproved method of operation; now

THEREFORE, BE IT RESOLVED that Community Board #3 asks that the SLA enforce the approved method of operation for Proletariat V. Inc, doing business as Back Room, for the premise located at 98-102 Norfolk Street a/k/a 138 Delancey Street, at the corner of Norfolk Street and Delancey Street.

Applications within Saturated Areas

5. Amuse Wine Bar (Soul Happy LLC), 121 Ludlow St btwn Rivington & Delancey Sts (op)

no vote necessary

6. JMR Dining LLC, 190-192 Ave B btwn E 11th & E 12th Sts (op)

VOTE: TITLE: Community Board #3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

Understanding that this is a sale of assets of an existing restaurant with a full on-premise liquor license, Community Board #3 moves to deny the application for a full on-premise liquor license for JMR Dining LLC, for the premise located at 190-192 Avenue B, between East 11th Street and East 12th Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

- 1) it will operate as a full-service modern American restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 11:00 A.M. to 12:00 A.M. Sundays through Thursdays and 11:00 A.M. to 2:00 A.M. Fridays and Saturdays,
- 3) it will operate its backyard for sit down dining only and its backyard will have hours of operation of 11:00 A.M. to 9:00 P.M. Sundays through Thursdays and 11:00 A.M. to 10:00 P.M. Fridays and Saturdays,
- 4) it will close any front or rear façade doors and windows at 10:00 P.M. every night or during any amplified performances, including but not limited to DJs, live music and live nonmusical performances,
- 5) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 6) it will not apply for any alteration in its method of operation without first appearing before Community Board #3,
- 7) it will not have "happy hours,"
- 8) it will not host pub crawls or party buses,
- 9) it will insure that there are no wait lines outside and designate an employee to oversee patron crowds and noise on the sidewalk,
- 10) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 11) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints

Community Board #3 is approving this application for a full on-premise liquor license although this is a location in an area with numerous full on-premise liquor licenses because 1) this applicant will operate a restaurant similar to the previous restaurant that operated at this location, 2) this applicant has experience as a chef, and 3) the applicant furnished approximately one hundred ninety-six (196) signatures in support of its application and has the support of its upstairs neighbors.

7. Augurs Well (BAC 115 Corp), 115 St Marks Place btwn 1st Ave & Ave A (upgrade/op)

VOTE: TITLE: Community Board #3 Recommendation To Deny

WHEREAS, BAC 115 Corp., is seeking a change in class of its wine beer license to a full on-premise liquor license for its restaurant bar, doing business as Mike's Burgers and Bar, in the premise located at 115 St. Marks Place, between First Avenue and Avenue A; and

WHEREAS, this applicant applied for a wine beer license to Community Board #3 in April of 2010, with a proposed method of operation as an Asian restaurant closing at 12:00 A.M. all nights, and was denied because of the number of liquor licensed businesses already on this block; and

WHEREAS, this applicant then applied to Community Board #3 for a change in class of its wine beer license to a full on-premise liquor license in September of 2013 and was denied because 1) it had changed its method of operation to a burger bar and restaurant, 2) had closing hours of 2:00 A.M. Sundays through Thursdays and 4:00 A.M. Fridays and Saturdays, and 3) of the number of liquor licensed businesses already on this block; and

WHEREAS, this applicant is again applying for a change in class of its wine beer license to a full on-premise liquor license with a proposed method of operation of a burger bar and restaurant with

proposed hours of operation of 4:00 P.M. to 1:00 A.M. Sundays through Wednesdays and 3:00 P.M. to 2:00 A.M. Thursdays through Saturdays, recorded background music and French doors; and

WHEREAS, it has also informed Community Board #3 that it has filed an endorsement to change its business name to Augurs Well; and

WHEREAS, there are ten (10) wine beer licenses and nine (9) full on-premise liquor licenses on the block of St. Marks Place, between First Avenue and Avenue A, where this business is located; and

WHEREAS, the applicant has stated that the public benefit of upgrading its license is that it is a neighborhood bar and restaurant that serves the local community; and

WHEREAS, notwithstanding that the applicant furnished sixty-seven (67) signatures from area residents in support of its application and seven (7) people appeared in its support, stating that the business is a quiet neighborhood bar with good burgers, it has not stated an adequate public benefit for the approval of its application for a full on-premise liquor license on a residentially zoned street which has nineteen (19) licensed businesses, nine (9) of which have full on-premise liquor licenses; now

THEREFORE, BE IT RESOLVED that Community Board #3 moves to deny the application for change in class of the wine beer license of BAC 115 Corp. to a full on-premise liquor license, with a proposed business name of Augurs Well, for the premise located at 115 St. Marks Place, between First Avenue and Avenue A.

8. Black Rose Hospitality Group LLC, 67 Clinton St btwn Stanton & Rivington Sts (op)
no vote necessary
9. Ivan Ramen (Ivan Ramen USA LLC) 25 Clinton St (op)
withdrawn
10. To Be Determined, 14 Avenue C @ E 2nd St (op)

VOTE: TITLE: Community Board #3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

To deny the application for a full on-premise liquor license for Cocktail Art LLC, for the premise located at 14 Avenue C AKA 262 E 2ND Street, at the corner of Avenue C and East 2nd Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

- 1) it will operate as a tavern, specifically a cocktail bar, serving food during all hours of operation,
- 2) its hours of operation will be 4:00 P.M. to 2:00 A.M. all days,
- 3) it will not commercially operate any outdoor areas,
- 4) it will close any front or rear façade entrance doors at 10:00 P.M. every night and will otherwise have a closed fixed facade with no open doors or windows,
- 5) it will install soundproofing,
- 6) it will employ at least one (1) security guard all days,
- 7) it will play ambient background music only, consisting of recorded music and DJs, and will not have live music, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 8) it will not apply for any alteration in its method of operation without first appearing before Community Board #3,
- 9) it will not have "happy hours,"
- 10) it will not host pub crawls or party buses,
- 11) it will insure that there are no wait lines outside and designate an employee to oversee patron crowds and noise on the sidewalk,
- 12) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 13) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

DISCUSSION:

- The space at 14 Ave C should not be considered because it is a previously unlicensed space in a busy intersection
- It is not a saturated area and can straight to SLA bypassing any obligation to prove public benefit
- Outreach has been unacceptable and did not include buildings adjacent or in the radius
- Rent for the space was reported to be \$15,000/month
- The space is not within 200 feet of a house of worship
- Applicant has history with another business in the area

MOTION TO AMEND: Provided this location is not within two hundred (200) feet of East Side Tabernacle, located at 254 E 2nd Street between Aves B and C, Community Board 3 moves to deny the application for a full on-premise liquor license for Cocktail Art LLC, for the premise located at 14 Avenue C AKA 262 E 2ND Street, at the corner of Avenue C and East 2nd Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations of 4PM to 12AM Sunday - Thursday, and 4PM to 2AM Friday and Saturday.

Sidewalk Cafe Application

11. Root & Bone (Root & Bone LLC), 200 E 3rd St btwn Aves A & B

VOTE: TITLE: Community Board #3 Recommendation To Deny Unless Stipulations Agreed To—Change Order Attached

To approve the application for a sidewalk café permit for twelve (12) tables and twenty-four (24) seats for Root & Bone LLC, doing business as Root & Bone, for the premise located at 200 East 3rd Street, between Avenue A and Avenue B, because the applicant has signed a change agreement which will become part of its DCA license that

- 1) its café will consist of twelve (12) tables and twenty-four (24) seats, and
- 2) its hours of operation will be 10:30 A.M. to 10:00 P.M. all days

12. BrickLane Curry House (BLCH I LLC) 99 2nd Ave btwn E 5th & E 6th Sts

VOTE: TITLE: Community Board #3 Recommendation To Deny Unless Stipulations Agreed To—Change Order Attached

To approve the application for a sidewalk café permit for nine (9) tables and twenty-two (22) seats for BLCH I LLC, doing business as Brick Lane Curry House, for the premise located at 99 Second Avenue, between East 5th Street and East 6th Street, because the applicant has signed a change agreement which will become part of its DCA license that

- 1) its café will consist of nine (9) tables and twenty-two (22) seats, and
- 2) its hours of operation will be 12:00 P.M. to 10:00 P.M. Sundays through Thursdays and 12:00 P.M. to 11:00 P.M. Fridays and Saturdays.

Alterations

13. SakaMai (SakaMai LLC), 157 Ludlow Street btwn Stanton & Rivington Sts (op/expand bar; increase number of tables & seats)

VOTE: TITLE: Community Board #3 Recommendation To Approve

Understanding that the applicant is seeking to increase seating for dining, Community Board #3 moves to deny the application for an alteration of the full on-premise liquor license for Sakamai LLC, doing business as SakaMai, for the premise located at 157 Ludlow Street, between Stanton Street and Rivington Street, to wit 1) expanding the standup bar in its front room by seven (7) feet and increasing its stools from five (5) to ten (10), 2) reducing the tables in the front room from six (6) to five (5) and the seats from twenty (20) to sixteen (16), 3) removing the standup bar in the rear dining room and increasing the tables from three (3) to twelve (12) and the seats from eighteen (18) to thirty-eight (38), 4) increasing the tables in the salon from three (3) to eight (8) and the seats from nine (9) to twelve (12), 5) extending its mezzanine dining area by seven (7) feet and its seats from eight (8) to sixteen (16), and (6) amending its weekend operating hours from 11am – 4am Saturdays and Sundays, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized additional stipulation that its hours of operation will be 5PM – 4AM Mondays through Fridays and 11AM – 4AM Saturdays and Sundays.

14. Top Hops Beer Shop (Cask and Cave Inc), 94 Orchard St btwn Broome & Delancey Sts (bw/change in hours)

VOTE: TITLE: Community Board #3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

To deny the application for an alteration of the wine beer license for Cask and Cave Inc., doing business as Top Hops Beer Shop, for the premise located at 94 Orchard Street, between Broome Street and Delancey Street, to wit changing its hours of operation, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that

- 1) it will operate as a craft beer specialty store with a primarily purchase to takeout operation, light fare, one (1) standup bar and one (1) table for wine and beer tastings and serving food during all hours of operation,
- 2) its hours of operation will be 12:00 P.M. to 12:00 A.M. Sundays through Wednesdays and 12:00 P.M. to 2:00 A.M. Thursdays through Saturdays,
- 3) it will play ambient background music only, consisting of recorded music, and not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 4) it will close any front or rear façade entrance doors at 10:00 P.M. every night and will otherwise have a closed fixed facade with no open doors or windows,

- 5) it will not apply for an alteration of its method of operation without first appearing before Community Board #3,
- 6) it will not host pub crawls or party buses,
- 7) it will not have "happy hours,"
- 8) it will insure that there are no wait lines outside,
- 9) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 10) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

New Liquor License Applications

15. 104 Bayard F & B LLC, 104 Bayard Street (op)
withdrawn
16. Samesa (Samesa Orchard LLC), 121 Orchard St (op)
withdrawn
17. Verdura (Derossi Veg LLC), 130 E 7th St btwn 1st Ave & Ave A (bw)

VOTE: TITLE: Community Board #3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

To deny the application for a wine beer license for DeRossi Veg LLC, for the premise located at 130 East 7th Street, between First Avenue and Avenue A, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

- 1) it will operate as a full-service vegan restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 5:00 P.M. to 12:00 A.M. all days,
- 3) it will not commercially operate any outdoor areas,
- 4) it will close any front or rear façade doors and windows at 10:00 P.M. every night or during any amplified performances, including but not limited to DJs, live music and live nonmusical performances,
- 5) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 6) it will not apply for any alteration in its method of operation without first appearing before Community Board #3,
- 7) it will not seek a change in class of its liquor license to a full on-premise liquor license,
- 8) it will not have "happy hours,"
- 9) it will not host pub crawls or party buses,
- 10) it will insure that there are no wait lines outside,
- 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

18. The Unicorn NYC LLC, 105 Henry St (bw)
withdrawn
19. To be Determined, 125 E 7th St (bw)
no vote necessary
20. To Be Determined, 49 Monroe St btwn Market St & Pike Slip (op)

VOTE: TITLE: Community Board #3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached (WITH AMENDMENT)

WHEREAS, 49 Monroe Holdings LLC is seeking a full on-premise liquor license to operate a restaurant, in the premise located at 49 Monroe Street, between Market Street and Pike Slip; and

WHEREAS, this is a new application for a full on-premise liquor license for an American restaurant with a certificate of occupancy of one hundred twenty (120) people, hours of operation of 5:00 P.M. to 2:00 A.M. Mondays through Thursdays, 5:00 P.M. to 4:00 A.M. Fridays, 11:00 A.M. to 4:00 A.M. Saturdays and 11:00 A.M. to 1:00 A.M. Sundays, a thirty-five (35) foot bar with twelve (12) stools, recorded background music, and one (1) to two (2) security guards per night; and

WHEREAS, this street is residentially zoned R7-2, this location has never housed a licensed business and was previously operated as a glass works factory and ***it is the belief of Community Board #3 after consultation with the Department of Buildings that this commercial premise is not zoned to permit an eating and drinking establishment; and***

WHEREAS, although the applicant stated it was seeking to operate a restaurant, it submitted plans which depict a large open area with DJ booth; and

WHEREAS, the applicant has no experience working in or operating licensed businesses and furnished inadequate documented support for its application, in that it provided few signatures from area residents in support of its application, only a couple of which appear to be from Chinese residents who are the predominant population in this neighborhood; and

WHEREAS, the Orchard Street Block Association appeared in opposition to this application and submitted petition signatures from residents in opposition to this application from the 51 Monroe Street Tenants Association and the 53 Monroe Street Tenants Association; and

WHEREAS, Community Board 3 is opposed to a change in zoning that would permit this applicant to operate an eating and drinking establishment in this location, and

WHEREAS, if the Department of Buildings permit zoning for this business, Community Board 3 recognizes that there are no full on-premise liquor licenses within five hundred (500) feet of this small residential side street, so would approve very restricted stipulations; now

THEREFORE, BE IT RESOLVED that, provided it is legally zoned for use as an eating and drinking establishment, Community Board #3 moves to deny the application for a full on-premise liquor license for 49 Monroe Holdings LLC, for the premise located at 49 Monroe Street, between Market Street and Pike Slip, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

- 1) it will operate as a full-service American restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 5:00 P.M. to 11:00 P.M. Mondays through Fridays and 11:00 A.M. to 11:00 P.M. Saturdays and Sundays,
- 3) it will not commercially operate any outdoor areas,
- 4) it will install soundproofing consistent with the recommendations of a sound engineer,
- 5) it will close any front or rear façade entrance doors at 10:00 P.M. every night and will otherwise have a closed fixed facade with no open doors, windows or skylights,
- 6) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 7) it will not apply for any alteration in its method of operation without first appearing before Community Board #3,
- 8) it will not have "happy hours,"
- 9) it will not host pub crawls or party buses,
- 10) it will insure that there are no wait lines outside and designate an employee to oversee patron crowds and noise on the sidewalk,
- 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

DISCUSSION:

- Item 20 had an issue regarding zoning and DOB confirmed there was a change to 49 Monroe Street from residential to commercial to accommodate this new business, and committee members encourage language to oppose use different from original intention; SLA does not have discretion to oppose this use and the resolution would have no impact; L. Kaplan and A. Militano proposed an additional whereas: "CB3 is opposed to any zoning change ... and 500 feet from

21. Bowery Hospitality Associates LLC , 199 Bowery (op)
withdrawn

22. Katz Deli (Katz Delicatessen of Houston St Inc), 205 E Houston St @ Ludlow St (op)

VOTE: TITLE: Community Board #3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

To deny the application for a change in class of the existing beer license to a full on-premise liquor license for Katz Delicatessen of Houston Street Inc., doing business as Katz's Deli, for the premise located at 205 East Houston Street, at the corner of East Houston Street and Orchard Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

- 1) it will operate as a full-service restaurant, specifically a traditional delicatessen, with a kitchen open and serving food during all hours of operation,
- 2) it will not commercially operate any outdoor areas,
- 3) it will have a closed fixed faced with no open doors or windows,
- 4) it will play ambient background music only, consisting of recorded music, and will not have DJs, promoted events, scheduled performances or any event at which a cover fee will be charged, and

recorded and live music will be played at private events only and will not be part of the day-to-day operations of the business,

- 5) it will serve alcohol at private events only when the business is otherwise closed to the public and will end any private events by 12:00 A.M.,
- 6) it will not apply for any alteration in its method of operation without first appearing before Community Board #3,
- 7) it will not have "happy hours,"
- 8) it will not host pub crawls or party buses,
- 9) it will designate an employee to oversee patron crowds and noise on the sidewalk, and
- 10) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 11) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints

Community Board #3 is approving this application for a full on-premise liquor license although this is a location in an area with numerous full on-premise liquor licenses because 1) this applicant has a longstanding history of one hundred twenty-seven (127) years as a good operator, 2) this restaurant operates with early closing hours weekdays, 3) the applicant furnished sixty-six (66) petition signatures in support of its application, and 4) it is seeking to obtain a full on-premise liquor license to serve alcohol at private events only and not change the day-to-day operations of its iconic business.

23. Han Dynasty (Han Dynasty NYU Corp), 90 3rd Ave btwn E 12th & E 13th Sts (op)

VOTE: TITLE: Community Board #3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

To deny the application for a change in class of the existing wine beer license to a full on-premise liquor license for Han Dynasty NYU Corp., doing business as Han Dynasty, for the premise located at 90 Third Avenue, between East 12th Street and East 13th Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

- 1) it will operate as a full-service Chinese restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 12:00 P.M. to 12:00 A.M. Sundays through Wednesdays and 12:00 P.M. to 2:00 A.M. Thursdays through Saturdays,
- 3) it will not commercially operate any outdoor areas,
- 4) it will close any front or rear façade doors and windows at 10:00 P.M. every night or during any amplified performances, including but not limited to DJs, live music and live nonmusical performances,
- 5) it will play ambient background music only, consisting of recorded music, and will not have DJs, live music, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 6) it will not apply for any alteration in its method of operation without first appearing before Community Board #3,
- 7) it will not have "happy hours,"
- 8) it will not host pub crawls or party buses,
- 9) it will insure that there are no wait lines outside and it will designate an employee to oversee patron crowds and noise on the sidewalk, and
- 10) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 11) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

24. Legit Café Inc, 99 Allen St (bw)

withdrawn

25. To Be Determined, 37 Canal St (op)

withdrawn

26. The John Lamb (Delancey Square Hospitality LLC), 119 Orchard St (op)

withdrawn

27. Huertas (Molinero LLC), 107 1st Ave btwn E 6th & E 7th Sts (op)

VOTE: TITLE: Community Board #3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

To deny the application for a change in class of the existing wine beer license to a full on-premise liquor license for Molinero LLC, doing business as Huertas, for the premise located at 107 First Avenue, between East 6th Street and East 7th Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

- 1) it will operate as a full-service Spanish restaurant, with a kitchen open and serving food during all hours of operation,

- 2) its hours of operation will be 10:30 A.M. to 12:00 A.M. Sundays, 11:30 A.M. to 12:00 A.M. Mondays through Thursdays, 11:30 A.M. to 1:00 A.M. Fridays and 10:30 A.M. to 1:00 A.M. Saturdays,
- 3) it will not commercially operate any outdoor areas,
- 4) it will install soundproofing, if needed,
- 5) it will close any front or rear façade doors and windows at 10:00 P.M. every night or during any amplified performances, including but not limited to DJs, live music and live nonmusical performances,
- 6) it will play ambient background music only, consisting of recorded music, and will not have DJs, live music, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 7) it will not apply for any alteration in its method of operation without first appearing before Community Board #3,
- 8) it may have "happy hours" to 7:00 P.M. each night,
- 9) it will not host pub crawls or party buses,
- 10) it will insure that there are no wait lines outside and it will designate an employee to oversee patron crowds and noise on the sidewalk, and
- 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints

Community Board #3 is approving this application for a full on-premise liquor license although this is a location in an area with numerous full on-premise liquor licenses because 1) this applicant has developed a reputation as an innovative restaurant, and 2) the applicant furnished one hundred twenty-two (122) petition signatures in support of its application, thirty-six (36) letters of support from patrons and business affiliates and six (6) people appeared to speak on its behalf as a great restaurant.

Corporate Change with Complaint

28. Sapphire Lounge (Saff Inc), 249 Eldridge St (op)
item was moved to not heard at committee
29. Fat Baby (NYCJB's LLC), 112 Rivington St btwn Orchard & Essex Sts (op/corporate change)
no vote necessary
30. FY'17 District Needs Statement
no vote necessary

Items not heard at Committee

31. Boxcar Lounge (Oops of New York Inc), 168 Ave B (op/corporate change)
no vote necessary
32. Benemon (Drak Inc), 108 E 4th St (bw)
no vote necessary
33. Kikoo (Jimmy's Sushi Buffet Inc), 141 1st Ave (bw)
no vote necessary

39 YES 3 NO 3 ABS 0 PNV MOTION PASSED (SLA Item 10 w/Motion to Amend)

44 YES 0 NO 1 ABS 0 PNV MOTION PASSED (Vote Sheet including SLA 10 w/Amendment)

Parks, Recreation, Cultural Affairs, Landmarks, & Waterfront Committee

1. Approval of previous 2 month's minutes
VOTE: To approve previous 2 month's Park's committee minutes.
2. FY'17 District Needs Statement & Budget Consult Agenda
no vote necessary
3. Public art proposal for Tompkins Square Park
no vote necessary
4. Report from Arts Subcommittee
no vote necessary
5. Report from Parks Manager
no vote necessary

Block Party

6. United Fujianese American Assn, Asia World Peace Day, Market St (Henry & E Broadway), 8/15/15
no vote necessary

44 YES 0 NO 1 ABS 0 PNV MOTION PASSED

Members Present at Last Vote:

David Adams	[P]	Karen Blatt	[P]	Melvin Cartegena	[P]
Dominic Berg	[P]	Lisa Burriss	[P]	Karlin Chan	[A]

MyPhuong Chung	[P]	Linda Jones	[P]	Damaris Reyes	[P]
David Crane	[P]	Vaylateena Jones	[P]	Carlina Rivera	[P]
Enrique Cruz	[P]	Meghan Joye	[P]	James Rogers	[A]
Cathy Dang	[P]	Lisa Kaplan	[P]	Richard F. Ropiak	[P]
Eric Diaz	[P]	Carol Kostik	[P]	Christopher Santana	[P]
Leila Eliot	[P]	Ben Landy	[A]	Susan Scheer	[P]
Morris Fajtelewicz	[P]	Mae Lee	[P]	Laryssa Shainberg	[P]
David Ford	[P]	Alysha Lewis-Coleman	[P]	Wilson Soo	[P]
Debra Glass	[P]	Gigi Li	[P]	Nancy Sparrow-Bartow	[A]
Jan Hanvik	[A]	William LoSasso	[P]	Josephine Velez	[P]
Dan Ping He	[P]	Chad Marlow	[P]	Rodney Washington	[P]
Luke Henry	[P]	Alexandra Militano	[P]	Kathleen Webster	[P]
Herman F. Hewitt	[P]	Chiun Ng	[P]	Thomas Yu	[P]
Trever Holland	[P]	Nancy Ortiz	[P]	Zulma Zayas	[P]
Anne K. Johnson	[P]	Carolyn Ratcliffe	[P]		

Meeting Adjourned