



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

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Alysha Lewis-Coleman, Board Chair

Susan Stetzer, District Manager

September 2019 Full Board Minutes

Meeting of Community Board 3 held on Tuesday, September 24, 2019 at 6:30pm at PS 20, 166 Essex Street.

Public Session:

Jerry Kolber – Is against Agenda item #2. Is against the proposed plan as submitted by CPC.

Elliot Meyers – Is against Agenda Item #2. A resident of Suffolk Street and against the GoBroome Complex size of the development. A petition was brought forward with a list of people against the development.

Richard Bergman – Is against the height of the development. He doesn't

Nora Breen – Is against special zoning privileges on land owned by CPC. The requested 40,000 sq ft is considered too much at the expense of light in that area. The concern for more luxury condos. There was an initial meeting with CPC junior representative and her block association that was not productive.

Stephanie Nazario – Is in support of the new development. She is a senior at HS that has afforded her an opportunity to receive services at CPC. She is advocating for additional space for her cohort and explained there is a health concern for existing space conditions and believes the new space would help students coming after her.

Wayne Ho – Representing Chinese – American Planning Council, CEO. Is supporting the development and reminded the board that this is a social services project not a real estate project. Permanent houses and renovation of the synagogue.

Katelyn Andrews – Director of policy at Liveon. Is in support of the development agenda Item #2. Is proud to support projects like the proposed CPC development to fight against the lack of affordable and senior housing.

Bryan Kelly – Representing the Gotham organization to build up the civil realm to create developments for the greater good. Was selected by CPC to help bring forth a number of public benefits at this development. The zoning ask is higher than the zoning currently on this lot, but is not the highest in the district. The building will be contextually as high as the surrounding buildings.

Jansy Butterworth – Event invitation to pool light on October 3rd from 6pm-8pm at Pier 17.

Ryan Gillam – FAB open arts announcement. Open Arts LES Oct 4th – 12th, over 45 organizations offering a free event to support the arts- exhibits, galleries, events, performances. Distributed booklets detailing the event.

Cheryl Lim – Mayors office of Coastal Resiliency on the Brooklyn Bridge, is hosting an event on Oct 2nd 6:30pm-8:30pm at PS 2, to receive input on flood protection from the community.

Jennifer Allen – IOBY represented, national nonprofit crowdfunding platform, seeking projects to receive match dollars for Lower East Side health-related projects. Website is ioby.org/healthy and webinar Friday at 12pm and Oct 29th presentation at Grand Street Settlement. Available until the end of the year.

Daniel Hillenan – Representing Ryan Nena Health Clinic reminding the community of available WIC and teen clinic health services.

Pamela Pier – Representing Village Preservation on the Special Commercial District.

Barbara Caporale – Is against the Mt. Sinai/BIMC taking up more residences in Lower Manhattan. Does not believe their interest is motivated by service but by profit.

Albert Mercado – Is supporting the NYC Mesh – In NYCHA complexes on the LES. This option provides internet connection that competes against other competitors such as Verizon. This is a rising network provider. NYCmesh.net is their website. Currently operating in Brooklyn.

Ryanne Thun – Was assaulted by a homeless man who injured her hand and busted her lip in CB3. She reported being one of several victims of this type of assault. This crime is considered a misdemeanor and wanted to bring this issue to the board's attention.

Marova Righi – Is an outreach coordinator for the Civilian Complaint Review Board (CCRB) inviting the community to next upcoming CCRB meeting Nov 13th at 6pm on 80 Pitt street. Police misconduct complaints are welcomed.

Harry Bubbins – Free education program for local schools announcement. Commended the arts committee on the CHARAS townhall. Moxy hotel opened up across street from Webster Hall, in a building that had 100 residents historically, rent protected, was destroyed to make room for this hotel.

Laura Sewell – Local independent owned businesses map is available for distribution in hard copy and interactive online version.

Public Officials:

Mayor Bill de Blasio, Gabrielle Dann-Allel:

Did not appear

Public Advocate Jumaane Williams:

Did not appear

Comptroller Scott Stringer, Michael Stinson:

Did not appear

Borough President Gale Brewer, Brian Lewis:

Environmental analyst was engaged to conduct a report for the MBPO office in partnership with several councilmembers to oversee the East Side Coastal Resiliency. Announcement of community block grants. Charter revision proposals on November's ballot.

Congressmember Nydia Velazquez, Iris Quinones (update needed):

Non-profit grant funding workshop on Oct 4th Friday 10am-12pm at PS 2. Working resources for community groups looking to start their own 501 c3 and to supplement existing grass roots organizations. Congresswoman's latest legislative activities include a legislation to put limit on income inequality between CO's and other officers.

Congressmember Carolyn Maloney, Victor Montesinos:

Did not appear

Assemblymember Yuh-Line Niou, Shivani Gonzalez:

Involved in many NYCHA Family Day events during the summer. Advocating to ban robo calls. Testified at Bureau based jail conference. Attended Governor's island LMCC art center. Very involved in advocating for the Child Victims Act attending several CBO press conferences and media outreach.

Assemblymember Deborah J. Glick, Charlie Anderson:

Update on the assemblywoman work which includes rent laws, environmental act, etc; two bills related to fake clinics to support women's health for all options. A bill regarding birds' health to navigate safely between buildings (Jacob Javitz center has already began what this bill proposes which decrease bird mortality rates). Pace college job fair is sponsored by the assemblywoman, encouraging participation as Census bureau is accepting applications for jobs. Work is still undergoing to prohibit the Sanitation Dept to park at 10th street (and any residential area) overnight. Advocacy alongside Carlina Rivera for the bus service to continue without any discontinued bus stops.

Assemblymember Harvey Epstein, Mike Schweinsburg:

Advocated for full far metrocards for seniors. Attended town halls during the summer for CEC 1 and CEC 2. A coalition of advocates were formed to tackle high employment for communities of color and people with disabilities. A census bureau job fair was held at LES Girls Club.

State Senator Brian Kavanagh, Venus Galarza-Mullins:

Affordable housing protection legislation was passed. Senior center tours have been taking place to understand better the needs of the centers. Certificate of Needs regarding Mount Sinai is of priority for senator Kavanagh. The City has agreed to open the pathway at Stanton Street. Requesting interns to the office.

State Senator Brad M. Hoylman, Caroline Wekselbaum:

Reported one legislation that went into effect August 14th 2019 the Child Victims Act. Senator Hoylman puts out several resource guides for the community each year and this year's have been produced. A senior resource guide is always provided in hardcopies for distribution. Senator attended the CHARAS townhall yesterday. The senator is supporting his colleagues who advocate for the community feedback on East Side Coastal Resiliency project.

Councilmember Margaret Chin, Marian Guerra:

Participatory Budgeting is coming to District 1 and requesting community feedback to decide which capital projects should be funded. They are in the process of collecting as many participatory budget ideas from the

community as possible. Pop up tables at local events are also available for community leaders/residents. Age discrimination bills are being passed to develop the older adult workforce. This Thursday 10am City Hall committee room is accepting testimony from constituents regarding the sudden film shoots. The 2020 Census rfp was released today for CBO's.

Councilmember Carlina Rivera, Isabelle Jackson:

Update on East Side Coastal Resiliency project, was able to conduct independent review of the project and will provide position soon. Is creating a participatory budget process for District 2 at PS 188 the first community event takes place. The relaxation garden walkthrough is tomorrow morning.

Members Present at First Vote:

David Adams	[P]	Trever Holland	[P]	Michael Perles	[P]
Yaron Altman	[P]	Linda Jones	[P]	Paul Rangel	[P]
Jesse Beck	[P]	Vaylateena Jones	[P]	Carolyn Ratcliffe	[P]
Dominic Berg	[P]	Tatiana Jorio	[P]	Damaris Reyes	[P]
Lee Berman	[A]	Meghan Joye	[A]	Richard Ropiak	[P]
Lisa Burriss	[P]	Lisa Kaplan	[P]	Robin Schatell	[P]
Karlin Chan	[A]	Olympia Kazi	[P]	Heidi Schmidt	[P]
Jonathan Chu	[P]	Joseph Kerns	[P]	Laryssa Shainberg	[P]
David Crane	[P]	Michelle Koppersmith	[P]	Clint Smeltzer	[P]
Felicia Cruickshank	[A]	Mae Lee	[P]	Anisha Steephen	[P]
Paul DeRienzo	[P]	Alysha Lewis-Coleman	[P]	Sandra Strother	[P]
Eric Diaz	[P]	Han Lo	[A]	Josephine Velez	[P]
Alistair Economakis	[P]	Ellen Luo	[P]	Rodney Washington	[P]
Shirley Fennessey	[A]	Michael Marino	[P]	Kathleen Webster	[A]
Ryan Gilliam	[P]	Alexandra Militano	[P]	Jacky Wong	[P]
Debra Glass	[P]	Therese Mitchell	[A]		
Herman Hewitt	[P]	Nancy Ortiz	[P]		

Minutes:

Minutes of June 2019 were approved, as is.

40 YES 0 NO 1 ABS 0 PNV MOTION PASSED

Board Chairperson's Report:

Chairperson Alysha Lewis-Coleman

District Manager's Report:

District Manager Susan Stetzer

New emails for CB3 District staff office are in effect: @cb.nyc.gov. Councilmember Margaret Chin has funded 6 months of Full board streaming with videos posted on the CB3 website before each meeting. Testified at DHS hearing for mandatory income savings plan which is a City complying with State ruling that puts aside 30% of the income of each shelter resident. Budget priorities next month in October are to prioritize City agency funding which include programming and capital expenses. Voting for budget priorities will be for July 2021 – June 2022. Items that have not been researched will not be put into the list. The priority will be towards programs that are important and have not received much attention and funding. Large complaints on Whole Foods on Houston street as a parking lot for "Cryo-Vehicles", that are used during deliveries. Whole Foods corporate representative is very difficult to get a hold of to fix the complaints.

Committee Reports:

Executive Committee

- Dept of Homeless Services proposed rule: certain shelter clients with earned income be required to deposit portion of earned income to a savings account

VOTE: TITLE: Community Board 3 Recommends that Proposed Rule to Mandate that Certain Shelter Residents pay into Income Savings Plan to be delayed for further review by the City and for Repeal by the State

WHEREAS in the 1990s, New York State law required shelter residents (outside of the five boroughs) to pay a portion of their earned income, including income from public benefits, in order to stay in the shelter, and

WHEREAS in 2010, the law was amended and instead asked residents to voluntarily save a portion of earned income in a savings account, but the De Blasio administration said the voluntary program was ineffective, and

WHEREAS in 2018 the exemption for NYC to implement rent for shelter residents expired and

WHEREAS in 2018 the state gave the approval to have the plan to be mandatory rather than voluntary, and

WHEREAS The city is now proposing a savings program where employed homeless persons who reside in a shelter will be mandated to deposit a portion of their earned income, generally 30 percent, to a savings account, with the rationale that the savings will aid those residents in their eventual transition out of the shelter system, and

WHEREAS this proposed City rule will enable the City to comply with State law that residents must pay a form of rent, and

WHEREAS CB 3 recognizes and agrees that paying into a savings account that belongs to the resident instead of paying actual rent for shelter services is preferable to shelters collecting rent from their residents, and

WHEREAS the first phase of the program will begin with employed single adult individuals residing in the city's Department of Homeless Services (DHS) shelters with earned income high enough to make them ineligible for cash assistance and as the program continues, DHS plans on applying the program to additional populations with earned income such as families with children, a move tentatively scheduled for next year. The savings would be maintained by the Department of Social Services (DSS) and would become available once program participants exit the shelter. The savings amount is based on earned income adjusted by how much time the participant spends in the shelter, and

WHEREAS Community Board 3 echoes some of the concerns put forward by nonprofits:

- 1) The program targets money management instead of unaffordable rents. While savings management is important, it does not address the root causes of homelessness which is unaffordable housing.
- 2) It may be very difficult for people to access their monies for their own emergencies. The procedures for releasing the funds for reasons other than to arrange for permanent housing are very unclear, as written the proposed rule
- 3) Residents who do not set aside the required savings would be at risk of losing their shelter services. Shelter residents may often have difficulty managing basics such as food, shelter, medical help. Those who are working must first budget for the above-mentioned basics as well as transportation, meals away from home. In addition, many shelters are not equipped with kitchens for use by the shelter residents resulting in increased food costs for the residents
- 4) People cannot be mandated to save a certain amount of money without first creating a budget that allows them to meet basic needs. Putting away one-third of a very low income generally does not allow a person enough money to live—especially with costs related to working and living while residing in the shelter. Additionally, those who are overwhelmed by this burden may go back to being street homeless.
- 5) The purposed rule does not ensure that financial literacy courses or budget guidance will be easily accessible to all shelter residents.
- 6) It appears residents will be required to buy money orders to deposit money in the savings accounts. These administrative costs should not have to be incurred by shelter residents and residents should be held harmless.

THEREFORE, BE IT RESOLVED; CB 3 does not support the proposed mandatory Income Savings Plan for certain NYC shelter residents, and

THEREFORE, BE IT FURTHER RESOLVED that CB3 calls on the city to delay implementation of this rule until the state has the opportunity to fully review this plan, and

THEREFORE, BE IT FURTHER RESOLVED CB3 calls on the state to allow the city to delay implementation of this rule until the state has the opportunity to fully review this plan, and

THEREFORE, BE IT FURTHER RESOLVED CB3 calls on the state to review and repeal mandatory savings plan for shelter residents and come up with a more supportive plan.

41 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Land Use, Zoning, Public & Private Housing Committee

1. Approval of previous month's minutes approved by committee
2. ULURP No. 200064 ZMM: GO Broome St Development at 60 Norfolk St – zoning map amendment change of an R8 to an R9-1/C2-5 district, zoning text amendment to map MIH, creation of a new Large Scale Residential Development, and new bulk waivers to facilitate a 30-story mixed-use building and a 16-story affordable senior residential building, totaling 488 residential units with 208 affordable units

VOTE: TITLE: ULURP No. 200064 ZMM - GO Broome St Development

WHEREAS, GO Broome LLC and the Chinatown Planning Council Housing Development Fund Company, Inc. are seeking approvals for a project in the area bounded by Broome Street to the north and Grand Street to the south, between Essex Street and Suffolk Street, including the site of the landmarked but fire-damaged Beth Hamedrash Hagodol synagogue (BHH); and

WHEREAS, the Chinese-American Planning Council (CPC) would be the owner of the site and will lease the land to Gotham Organization, who is also purchasing land and development rights from BHH to complete the development site assemblage; and

WHEREAS, as ground lessees, Gotham Organization would develop the site as well as operate two new buildings in partnership with CPC and BHH; and

WHEREAS, the two new buildings—the Norfolk Building and the Suffolk Building—would include general mixed-income housing, 100% affordable senior housing, program and office space for CPC, space for the BHH congregation to establish a cultural heritage center, and ground floor retail space; and

WHEREAS, in total, the project would include 488 mixed-income rental units, with 208 permanently affordable units (43% of the total units); and

WHEREAS, with respect to the Norfolk Building:

- It would be a 16-story, approximately 165-foot tall residential building
- Its residential component would consist exclusively of 115 Affordable Independent Residences for Seniors ("AIRS" rental units)
- It would include 80 studio units and 35 1-bedroom units
- The AIRS units would be targeted at household income bands ranging between 30-80% AMI (\$22,410 to \$68,320 annual household income maximum); and
- It would include approximately 3,800 square feet of community facility gross square feet to be owned by BHH Synagogue as a worship and cultural heritage space; and

WHEREAS, this includes 27 additional affordable senior housing units from the version of the project the development team first presented to the Community Board 3 Land Use Committee in January 2018; and

WHEREAS, with respect to the Suffolk Building:

- It would be a 30-story, approximately 310-foot tall, mixed-use building;
- It would consist of 280 market-rate rental units and 93 affordable Mandatory Inclusionary Housing (MIH) rental units;
- 37 MIH units would be targeted at households earning 40% of AMI (\$29,880-\$46,120 annual household income maximum);
- 37 units would be targeted at households earning 50% AMI (\$37,350 to \$57,650 annual household income maximum);
- 19 units would be targeted at households earning 100% AMI (\$74,700 to \$115,300 annual household income maximum);
- The unit mix would have roughly 25% of the total building units set-aside for 2-bedroom and 3-bedroom apartment layouts;
- It would include approximately 40,000 gross square feet of community facility space to house the new CPC consolidated headquarters;
- It would include approximately 18,750 gross square feet of ground floor retail space on Broome Street; and

WHEREAS, to facilitate this development several land use actions are necessary, including:

- A zoning map amendment to change an R8 district to an R9-1 district with a C2-5 overlay;
- A zoning text amendment to designate a Mandatory Inclusionary Housing area; and allow the use of the Quality Housing Program;
- A City Planning Commission authorization to eliminate 33 required accessory off-street parking spaces;
- A modification of the Seward Park Extension West Large-Scale Residential Development (LSRD) to update site plan and changes to the zoning lots, an authorization to modify the regulations governing height and setback regarding the existing Hong Ning building, and Special Permits to modify height, setback and streetwall requirements in the LSRD; and

WHEREAS, the CPC community facility space would allow the organization to consolidate various offices, services, and programming under one roof; and

WHEREAS, the new BHH space would incorporate some salvaged elements of the historic landmarked synagogue and will be reserved for BHH use as a cultural heritage center; and

WHEREAS, the proposed development would include a shared, landscaped interior courtyard to be used by the CPC and the BHH Heritage and Cultural Center, and would be accessible to residents of both buildings; and

WHEREAS, the proposed project would include some unmitigated environmental impacts, including traffic impacts at the Delancey Street and Essex Street intersection during the weekday PM peak hour, and Grand Street and Clinton Street intersection during all peak hours; and

WHEREAS, construction activities would generate additional traffic impacts, including unmitigated impacts at the Grand and Clinton Streets intersection during the PM construction peak hours, particularly due to the cumulative trips generated by concurrent construction projects at Essex Crossing (180 Broome Street and 202 Broome Street) and Grand Street Guild;

WHEREAS, Gotham organization has committed to equitably contribute to an independent traffic planning consultant to study the cumulative traffic impacts generated by recently completed and projected development in the immediate area, and propose an alternative traffic master plan to mitigate these growing safety and congestion problems;

WHEREAS, construction, traffic congestion created by it, and the resulting energy consumption by residents and businesses all contribute to the urban heat island effect and general use of non-renewable energy sources, all of which are known contributors to climate change;

THEREFORE BE IT RESOLVED, there must be regular coordinating meetings between the New York City Department of Transportation, the NYPD 7th Precinct, the GO Broome development and property management teams, the development and property management teams at Essex Crossing and Grand Street Guild, adjoining private development, the Community Board, and other relevant stakeholders to address traffic management, staging, and parking concerns during both the construction and operation period of the project;

THEREFORE BE IT RESOLVED, the design of the Community at Broome buildings should integrate modern sustainable measures that reduce the carbon foot print these buildings create; in addition to sustainability standards required by Law, the developers should strive for net zero carbon emissions through intentionally designing for and utilizing any renewable energy and sustainable construction incentives and methods.

THEREFORE BE IT RESOLVED, Community Board 3 recommends to **approve** the GO Broome Street Development (ULURP # C 200064 ZMM) with additional conditions as follow:

- Ensure to build at least overall 50% affordable units and designate additional units for families with moderate and middle incomes.
- Attract former site tenants from all SPURA sites
- Ensure any costs for amenities to affordable units be consistent with percentage of reduced rent for those affordable tenants
- Commit to enhance trees and open space within the project site and on surrounding sidewalks
- Study scenarios to lower the overall building height and bulk. At minimum locate all mechanical and other services elsewhere on the site.

3. HPD Minor Modification of the Seward Park Extension Large Scale Residential Development Plan (LSRD): Remove portion of the Seward Park Extension LSRD that overlaps with the Essex Crossing Large Scale

General Development, subdivide the Seward Park Extension LSRD into two East and West LSRDs
no vote necessary

4. BSA Cal No. 2-10-BZ & 2019-193-BZ: New Mt Sinai Beth Israel facility at 302 East 14th St – Modification of height & setback regulations, modification of street wall location requirements, modification of rear yard regulations, modification of split lot regulations for zoning rights transfer, and modification of signage regulations to facilitate a new Mt Sinai Beth Israel complex including a new 7-story building and renovation of the current NY Eye and Ear Infirmary

VOTE: TITLE: BSA Cal. No. 2-10-BZ & 2019-193-BZ New Mount Sinai Beth Israel hospital facility at 302 East 14th Street

WHEREAS, Mount Sinai Beth Israel (MSBI) hospital, currently located at 1st avenue and 16th Street, is seeking to relocate its services and open up a new consolidated hospital facility at 302 East 14th Street on a site that today is occupied by the New York Eye and Ear Infirmary of Mount Sinai (NYEE); and

WHEREAS, this would include the construction of a new 7-story hospital building, renovation of an existing NYEE building located at 310 East 14th Street, renovation of an existing NYEE building located at 281-222 Second Avenue, and the replacement of a 1-story retail building located at 300 East 14th Street and currently occupied by an optical shop; and

WHEREAS, in order to construct the new facility and accommodate all of its programmatic needs on a site with a number of physical and regulatory constraints, MSBI is requesting several BSA Special Permits and Variances, waivers which they believe are necessary to meet project goals; and

WHEREAS, these waivers include, pursuant to BSA Special Permits:

- Modification of height and setback regulations stated in Zoning Resolution (ZR) 23-662 to rise above the maximum allowable street wall and overall height allowances.
- Modification of Street Wall Location requirements stated in ZR Section 35-651 (b) which would allow for the removal of an existing one-story building at the corner of Second Avenue and East 14th Street (the optical shop);
- Modification of the rear yard equivalent regulations of ZR Section 33-283 to allow a portion of the upper floors of the proposed new building to be located in a required rear yard equivalence area; and

WHEREAS, these waivers include, pursuant to BSA Variances:

- Modification of split lot regulations of ZR 77-02 to allow a transfer of floor area across zoning district boundaries, moving development rights from the C1-7A portion of the zoning lot to the C1-6A portion of the zoning lot;
- Modification of the rear yard regulations of ZR Section 33-26 to allow a portion of the 2nd floor of the new building to be located in a required rear yard area;
- Modification of signage regulations of ZR Sections 32-643, 32-652, and 32-655 to allow nine illuminated accessory signs that exceed area and height allowances for these zoning districts in order to improve wayfinding for hospital access;

THEREFORE BE IT RESOLVED, Community Board 3 recommends **to approve** the New Mount Sinai Beth Israel hospital facility at 302 East 14th Street (BSA Cal. No. 2-10-BZ & 2019-193-BZ) with reservations about minimal backyard clearance between some residential buildings on East 14th street and strongly encourage MSBI to reach out to those buildings and discuss this issue with the residents and other buildings nearby the ER entrance to address the ambulance noise issue.

5. Report from Two Bridges Community Rezoning Co-Application
no vote necessary
6. Report from Public Housing & Section 8 Housing Subcommittee-Capital and & Expense budget priorities
no vote necessary
7. Vote to adjourn
approved by committee

41 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding Land Use items 2, 4)
30 YES 0 NO 9 ABS 2 PNV MOTION PASSED (Land Use item 2)
39 YES 2 NO 0 ABS 0 PNV MOTION PASSED (Land Use item 4)

Transportation, Public Safety, & Environment Committee

1. Approval of previous month's minutes approved by committee
2. Request for paratransit vehicles loading zone for Meltzer Towers (NYCHA senior building); East 2nd outside the building (94 E 1st St)

VOTE: TITLE: Request For DOT To Install A Paratransit Loading Zone Outside Meltzer Towers (NYCHA Senior Housing) on East 2nd Street adjacent to the building

Whereas the Department of Transportation has denied a previous request for an Access-a-Ride loading zone because it was ascertained there was not sufficient activity at the building to warrant a designated loading zone, and

Whereas Community Board 3 is now requesting a loading zone on East 2nd Street outside the Meltzer building (between First Avenue and Avenue A) that would allow other paratransit vehicles in addition to Access-A-Ride, and

Whereas most of Second Street between First Avenue and Avenue A is either parking lots at the back of Village View and First Houses NYCHA development, the Meltzer Towers parking lot, Cardinal Spellman and several residences, and

Whereas there are 231 units of senior residences in this building, and

Whereas 24% of the 231 senior residences in this building are occupied by residents over 85 years old, 67 % of the residents are over 75 years old, so

Therefore, be it resolved that CB3 requests that DOT installs a paratransit vehicle loading zone on East 2nd Street outside the Meltzer building between First Avenue and Avenue A for the use of seniors at Meltzer Towers senior NYCHA housing (94 East 1st Street) to provide accessible transportation to disabled residents.

3. Informational presentation: Mount Sinai Beth Israel new hospital at 302 East 14th / 311-315 E 13th St: loading zone, traffic, & construction plans
no vote necessary

Bus Stop Applications

4. Bus Stop Application for Fun Bus Inc (Pike St at E B'way, west side of Pike St between Division and E B'way) Destination: Atlanta, GA

VOTE: TITLE: Community Board 3 Recommends Denial for urbside Bus Stop for Fun Bus Inc on Pike St from Division St to East Broadway

WHEREAS, Fun Bus, Inc. has applied for a designated bus stop for curbside loading/unloading operations located on the west side of Pike Street between Division Street and East Broadway. The stop would be on the small median (not the sidewalk directly adjacent to the former gas station). The closest street address is 3 Pike Street. The buses will operate under the Fun Bus brand name, providing service between New York and Atlanta with 1 arrival/1 departure daily – daily at 11:00 am and 10:00 pm. Fun Bus would be approved for only one bus at a time loading/unloading; and

WHEREAS, the bus stop is already marked as existing 120-foot bus stop, but currently, it is not assigned to any bus companies for curbside loading/unloading operations. CB3 is considering a separate application from Express Bus, Inc, to also use this location with 17 arrivals/17 departures daily. If approved, there would be a combined 18 arrivals/18 departures at this location; and

WHEREAS, Fun Bus, Inc. has agreed that a storefront at 3 Allen St will be provided for the use of customers, so they may wait to board their bus. Because the storefront is only 25 yards from the designated bus stop, the nuisance and safety issues that can be caused by crowds of passengers will be minimized; and

WHEREAS, Fun Bus, Inc. has agreed that all buses will keep to a route that enters Manhattan through the Holland Tunnel to Houston Street and down Allen Street to the Pike Street stop, and leaves down Pike Street to South Street, unless bridge or street closures make this impossible; and

WHEREAS, the applicant was willing to agree with CB3 to adhere to the following stipulations:

- A storefront will be available for customers during all times of arrivals/departures at this location: 3 Allen St.
- 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.

WHEREAS, the intersection surrounding Pike Street and East Broadway is overwhelmed with bus loading and unloading activities. Both permitted and unpermitted bus operations are inundating this area that is plagued with congestion and safety issues to pedestrians and cyclists:

- Additional congestion caused by buses impedes traffic, including emergency vehicles;
- Interstate buses making dangerous traffic maneuvers in narrow streets;
- Interstate buses often double-park to load/unload rather than pulling to the curb when there are other buses already at the curb;
- Pedestrians are forced to walk into driving and bicycle lanes because of sidewalks congested with interstate bus passengers;
- Across Pike Street, the north-bound MTA buses are unable to pull into the MTA bus stop because of interstate buses parked in the stop. When this occurs, MTA customers are forced to walk into the street; and

WHEREAS, NYPD has reported that this location is a continual problem with noncompliance both by buses with designated stops and buses without designated stops and had issued many summonses. Also, NYPD has reported that pedestrians line-up on the sidewalks surrounding the intersection of Pike Street and East Broadway for hours in advance of departure; and

WHEREAS, when DOT evaluates an application for an interstate permitted bus stop, one criterion that DOT should consider is to prevent oversaturating one area with too many bus stop locations, in order to prevent dangerous street overcrowding and curbside congestion. The intersection of Pike Street and East Broadway is oversaturated by the cumulative impacts of buses with designated stops and buses without designated stops; and

WHEREAS, Fun Bus, Inc. is not currently operating at this location, so if DOT grants its permit, this would increase the saturation of buses at that location; and

THEREFORE, BE IT RESOLVED, that CB3-Manhattan recommends that DOT deny a permit for Fun Bus, Inc. to operate its bus service at a designated curbside bus stop located on the west side of Pike Street between Division Street and East Broadway, near 3 Pike St; and

THEREFORE, BE IT FURTHER RESOLVED, that if DOT grants the permit for Fun Bus, Inc., CB3 asks that the preceding list of stipulations agreed between the applicant and CB3 will be attached to the DOT permit.

5. Bus Stop Application for Express Bus Inc (Pike St from Division St to E B'way, west side, median west of Pike St) Destination: Philadelphia, PA

VOTE: TITLE: Community Board 3 Recommends Denial for a Curbside Bus Stop for Express Bus Inc on Pike St from Division St to East Broadway

WHEREAS, Express Bus, Inc. has applied for a designated bus stop for curb-side loading/unloading operations located on the west side of Pike Street between Division Street and East Broadway. The stop would be on the small median (not the sidewalk directly adjacent to the former gas station). The closest street address is 3 Pike Street. The buses will operate under the Express Bus brand name, providing service between New York and Philadelphia with one arrival and one departure every hour, daily – on the hour between 7:00 am and 11:00 pm. Express Bus would be approved for only one bus at a time loading/unloading; and

WHEREAS, the bus stop is already marked as existing 120-foot bus stop, but currently, it is not assigned to any bus companies for curbside loading/unloading operations. CB3 is considering a separate application from Fun Bus, Inc, to also use this location with 1 arrivals/1 departures daily. If approved, there would be a combined 18 arrivals/18 departures at this location; and

WHEREAS, Express Bus, Inc. has agreed that a storefront at 87 Division St will be provided for the use of customers, so they may wait to board their bus. Because the storefront is around the corner from the designated bus stop, the nuisance and safety issues that can be caused by crowds of passengers will be minimized; and

WHEREAS, Express Bus, Inc. has agreed that all buses will keep to a route that enters Manhattan through the Holland Tunnel to Houston Street and down Allen Street to the Pike Street stop, and leaves down Pike Street to South Street, unless bridge or street closures make this impossible; and

WHEREAS, the applicant was willing to agree with CB3 to adhere to the following stipulations:

- A storefront will be available for customers during all times of arrivals/departures at this location: 87 Division St.
- 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; and

WHEREAS, the intersection surrounding Pike Street and East Broadway is overwhelmed with bus loading and unloading activities. Both permitted and unpermitted bus operations are inundating this area that is plagued with congestion and safety issues to pedestrians and cyclists:

- Additional congestion caused by buses impedes traffic, including emergency vehicles.
- Interstate buses making dangerous traffic maneuvers in narrow streets;
- Interstate buses often double-park to load/unload rather than pulling to the curb when there are other buses already at the curb;
- Pedestrians are forced to walk into driving and bicycle lanes because of sidewalks congested with interstate bus passengers.
- Across Pike Street, the north-bound MTA buses are unable to pull into the MTA bus stop because of interstate buses parked in the stop. When this occurs, MTA customers are forced to walk into the street; and

WHEREAS, NYPD has reported that this location is a continual problem with noncompliance both by buses with designated stops and buses without designated stops and had issued many summonses. Also, NYPD has reported that pedestrians line-up on the sidewalks surrounding the intersection of Pike Street and East Broadway for hours in advance of departure; and

WHEREAS, when DOT evaluates an application for an interstate permitted bus stop, one criterion that DOT should consider is to prevent oversaturating one area with too many bus stop locations, in order to prevent dangerous street overcrowding and curbside congestion. The intersection of Pike Street and East Broadway is oversaturated by the cumulative impacts of buses with designated stops and buses without designated stops; and

WHEREAS, Express Bus, Inc. is currently operating 4 arrivals/4 departures at this location, so if DOT grants its permit for 17 arrivals/17 departures, this would increase the saturation of buses at that location;

THEREFORE, BE IT RESOLVED, that CB3-Manhattan recommends that DOT deny a permit for Express Bus, Inc. to operate its bus service at a designated curbside bus stop located on the west side of Pike Street between Division Street and East Broadway, near 3 Pike St; and

THEREFORE, BE IT FURTHER RESOLVED, that if DOT grants the permit for Express Bus, Inc., CB3 asks that the preceding list of stipulations agreed between the applicant and CB3 will be attached to the DOT permit.

Block Party

- 6. China Day Celebration Cultural Festival, 10/1, Bayard St (Elizabeth & Mott Sts)
no vote necessary
- 7. Vote to adjourn
approved by committee

41 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding Transportation items 2, 4, 5)
40 YES 0 NO 0 ABS 1 PNV MOTION PASSED (Transportation items 2, 4, 5)

Economic Development Committee

- 1. Approval of previous month's minutes
approved by committee
- 2. Review summer outreach plan for Special District
no vote necessary
- 3. Request to Dept of Design & Construction for planning input from local businesses for City projects impacting them.

VOTE: TITLE: Department of Design and Construction Should include Community Board, Businesses, Stakeholders in Planning before City construction Projects impacting the community

Whereas CB 3 has many City reconstruction projects, many of which are ongoing for years, and

Whereas many of the city reconstruction projects have great impacts on local small businesses because they involve actions such as water shutdowns, tearing up the street and / or sidewalk for months or years, closing streets, receiving waivers from holiday embargos, and other actions that impact businesses as well as residents and property owners, and

Whereas such reconstruction projects often make it difficult for small businesses to receive deliveries, get garbage collected or have customers pull up curbside, and

Whereas CB 3 is home to many small businesses that cannot withstand losing business at peak times such as weekends, embargoed times such as Thanksgiving to New Years and special planned embargoes such as Fashion Week, and some religious holidays that serve specific populations, and

Whereas years ago the community boards were invited to DDC "kick off" meetings as an opportunity to both learn about the project as well as to give input which proved to be very valuable in planning up front for the project, and

Whereas for some projects in the past there have also been stakeholder meetings to both notify the community, answer questions, and get input for planning that proved very successful, and

Whereas many construction projects could achieve the same goals of efficiency and timeliness by working with business and planning actions at times that would have less impact on businesses, and

Whereas currently all requests for planning and changes appear to be within the jurisdiction of the contractor alone to decide, and

Whereas the contractors have no vested interested in working with the community and have proven to need monitoring and supervision which have come to light when businesses and property owners and residents reach out to the community board for help, so

Therefore be it resolved that CB 3 believes that the community as a whole will be better served by including businesses as well as residents, property owners, community boards and other stakeholders in planning meetings before projects are started, and

Therefore be it further resolved that contractors alone should not make decisions on construction issues impacting the community.

4. Vote to adjourn
approved by committee

41 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Parks, Recreation, Waterfront, & Resiliency Committee

1. Approval of previous month's minutes
approved by committee
2. EDC & Basketball City: Proposed Improvements to Basketball City Entrance/Drop-Off Area
no votes necessary
3. EDC: Brief Update on BK Bridge-Montgomery Coastal Resilience Project
no votes necessary
4. DDC: Update on ESCR project
no votes necessary
5. Community presentation regarding completion of reconstruction of Allen Street Malls
no votes necessary
6. Vote to adjourn
approved by committee

41 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Health, Seniors, & Human Services / Youth, Education, & Human Rights Committee

1. Approval of previous month's minutes
approved by committee
2. Certificate of Need applications for Mount Sinai Beth Israel New hospital at 302 East 14th Street and Behavioral Health Center at 45 Rivington Street

MOTION 1:

VOTE: TITLE: Mount Sinai Beth Israel Certificates of Need for new Comprehensive Behavioral Health Center at 45 Rivington Street—Insurance needs of community not being met

WHEREAS, Community Board 3 Manhattan (CB 3) intends to comment on the Mount Sinai Beth Israel (MSBI) Certificates of Need (CON) in full before the planned public hearings, and

WHEREAS, at this time, CB 3 has an immediate concern regarding the CON for the Behavioral Health Center proposed for 45 Rivington Street which we wish to bring to the attention of the Public Health and Health Planning Council and NYS Department of Health to address with MSBI; and

WHEREAS, the Behavioral Health Center will focus on a comprehensive care "one-stop" model for services that integrates behavioral health, physical health, and psychosocial services; and

WHEREAS, this programming is based on a recognition of the benefits of community-based behavioral health and preventions services that are integrated with primary care services; and

WHEREAS, the service area these facilities would provide for, including all of Manhattan Community District 3 (CD 3), is comprised of a population where 19.3% of residents live below poverty level and 41% have either public health insurance or no health insurance coverage at all; and

WHEREAS, a project goal outlined in the CON states the Behavioral Health Center will "increase access to appropriate and high-quality healthcare for its behavioral health service population, including not only individuals covered by Medicaid or who are uninsured, but for the entire service population;" and

WHEREAS, in March 2019, Community Board 3 passed a resolution urging Mount Sinai to accept Oxford Health Plans and UnitedHealthcare and all Medicaid and Medicare managed health care plans for behavioral health care coverage, as CD 3 residents are otherwise be functionally denied access to services provided by the new facility on Rivington Street; and

WHEREAS, CB 3 recognizes that Oxford and UnitedHealthcare do not pay as high reimbursement rates as other insurance companies, but nevertheless insist that as a health care provider to the community MSBI accept lower paying insurance as well as higher paying insurance to serve our entire community; and

WHEREAS, other behavioral health care providers, such as Cornell/NY Presbyterian/Gracie Square, do accept these insurance providers but CB 3 residents would be forced to travel outside the

neighborhood for these services that exist in their neighborhood and should be accessible to them; and

WHEREAS, CB 3 has recently seen children in CD 3 turned away from the current MSBI Behavioral Health Services at times of great need and when their families were in crisis because they had United Health Care insurance or United Healthcare Medicaid Managed Care Insurance; and

WHEREAS, denying of health care to residents of CD 3 because of lower reimbursement by certain insurance companies, the current MSBI Behavioral Health facility and the proposed Comprehensive Behavioral Health Center at 45 Rivington Street do not fulfill the goal outlined in the CON to "increase access to appropriate and high-quality healthcare for its behavioral health service population, including not only individuals covered by Medicaid or who are uninsured, but for the entire service population;"

THEREFORE BE IT RESOLVED, that CB 3 asks that NYS Health Department recognize that the denial of certain lower reimbursing insurance policies, namely Oxford Health Plans and UnitedHealthcare and their managed care Medicaid policies, does not fulfill the stated goal in the CON to increase access to appropriate and high quality health care for residents in CD 3 in need of behavioral health services; and

THEREFORE BE IT FURTHER RESOLVED, MSBI is not fulfilling its obligations to the community it is choosing to move into when it denies care to those in need in that very community; and

THEREFORE BE IT FURTHER RESOLVED, CB 3 wishes to bring this need to the attention of the NYS Health Department immediately so that the agency can address this issue with MSBI before the State review.

MOTION 2:

VOTE: TITLE: Request for Community District 3 State and City Elected Officials to Host a Public Meeting on Mount Sinai Beth Israel Certificate of Needs Applications to Allow for Community Input.

WHEREAS, in July 2019, Mount Sinai Beth Israel (MSBI) filed two Certificate of Need applications, one for a new hospital at 302 East 14 Street and one for a Behavioral Health Center at 45 Rivington Street; and

WHEREAS, local community input is vital to assuring that the needs of the residents are met by the behavioral health center and MSBI hospital; so

THEREFORE BE IT RESOLVED, that CB 3 asks that local elected officials at the state and city level host a community-based meeting in the evening to allow for the residents served by Mount Sinai Beth Israel an opportunity to give input regarding the two certificates of need.

MOTION 3:

VOTE: TITLE: Request for the Public Health and Health Planning Council to schedule Mount Sinai Beth Israel's Certificate of Need hearing to be held in New York City

WHEREAS, in July 2019, Mount Sinai Beth Israel (MSBI) filed two Certificate of Need (CON) applications, one for a new hospital at 302 East 14 Street and one for a Behavioral Health Center at 45 Rivington Street; and

WHEREAS, local community input is vital to assuring that the needs of the residents are met by the behavioral health center and MSBI hospital; and

WHEREAS, Community Board 3 Manhattan (CB 3) intends to comment on the MSBI CONs in full before the planned public hearings, and

THEREFORE BE IT RESOLVED, CB3 request that the Public Health and Health Planning Council schedule the committee review of the two MSBI CONs at the next scheduled meeting to be held in New York City, not the meetings in Albany, to allow the local community and local officials to be present for comment.

3. Request for support from Alliance for Positive Change for its move to 35 East Broadway

VOTE: TITLE: Letter of Support for Alliance for Positive Change.

LETTER:

Sharen I. Duke, Executive Director/CEO Alliance for Positive Change

64 West 35th Street, 4th Floor
New York, NY 10001

Re: Alliance LES Harm Reduction Center (LESHRC) Renovation, Empire State Development Grant Funds, 2019 Consolidated Funding Application

Dear Ms. Duke:

Community Board 3, Manhattan (CB 3) is pleased to provide this letter of support for the Alliance for Positive Change (AIDS Service Center of Lower Manhattan, Inc.) application to the New York State Empire State Development (ESD) via the Consolidated Funding Application (CFA) process. The requested funding would provide initial outfitting support following the renovation and program expansion of the Alliance LES Harm Reduction Center's (LESHRC) new home at 35 East Broadway in lower Manhattan.

As you know, community boards are the most local form of government and has an important advisory role in dealing with land use and many other matters relating to their communities' welfare and is the vehicle for communities to participate in decision making for their community

Alliance LES Harm Reduction Center's newly renovated and outfitted program center on 35 East Broadway will expand access to vital harm reduction programming through co-location of mental health and substance use full spectrum services to support active and recovering substance users at any stage of recovery and/or treatment. By providing a welcoming environment for engagement and retention in medical and behavioral health care, Alliance LESHRC will be able to expand syringe exchange, harm reduction education, overdose prevention, recovery support, Medication Assisted Treatment (MAT), and care coordination-- services that are urgently needed in the Lower East Side and adjacent neighborhoods.

Alliance LES Harm Reduction Center is an anchor in the lower Manhattan community, helping some of our city's most underserved, under-resourced, and hardest-to-reach residents make lasting, positive changes towards health, housing, recovery and self-sufficiency, as they navigate life with substance use, mental health, HIV, hepatitis C and other chronic conditions.

Community Board 3, Manhattan is confident in Alliance's capacity to quickly and successfully implement this renovation and program expansion, and we look forward to continuing our collaborative work helping to improve the lives of New Yorkers in need.

Sincerely,

4. Dept of Homeless Services proposed rule: certain shelter clients with earned income be required to deposit portion of earned income to a savings account

VOTE: TITLE: Community Board 3 Recommends that Proposed Rule to Mandate that Certain Shelter Residents pay into Income Savings Plan be delay for further review by the City and for Repeal by the State

WHEREAS in the 1990s, New York State law required shelter residents (outside of the five boroughs) to pay a portion of their earned income, including income from public benefits, in order to stay in the shelter, and

WHEREAS in 2010, the law was amended and instead asked residents to voluntarily save a portion of earned income in a savings account, but the De Blasio administration said the voluntary program was ineffective, and

WHEREAS in 2018 the exemption for NYC to implement rent for shelter residents expired and

WHEREAS in 2018 the state gave the approval to have the plan to be mandatory rather than voluntary, and

WHEREAS The city is now proposing a savings program where employed homeless persons who reside in a shelter will be mandated to deposit a portion of their earned income, generally 30 percent, to a savings account, with the rationale that the savings will aid those residents in their eventual transition out of the shelter system, and

WHEREAS this proposed City rule will enable the City to comply with State law that residents must pay a form of rent, and

WHEREAS CB 3 recognizes and agrees that paying into a savings account that belongs to the resident instead of paying actual rent for shelter services is preferable to shelters collecting rent from their residents, and

WHEREAS the first phase of the program will begin with employed single adult individuals residing in the city's Department of Homeless Services (DHS) shelters with earned income high enough to make them ineligible for cash assistance and as the program continues, DHS plans on applying the program to additional populations with earned income such as families with children, a move tentatively scheduled for next year. The savings would be maintained by the Department of Social Services (DSS) and would become available once program participants exit the shelter. The savings amount is based on earned income adjusted by how much time the participant spends in the shelter, and

WHEREAS Community Board 3 echoes some of the concerns put forward by nonprofits:

- 7) The program targets money management instead of unaffordable rents. While savings management is important, it does not address the root causes of homelessness which is unaffordable housing.
- 8) It may be very difficult for people to access their monies for their own emergencies. The procedures for releasing the funds for reasons other than to arrange for permanent housing are very unclear, as written the proposed rule
- 9) Residents who do not set aside the required savings would be at risk of losing their shelter services. Shelter residents may often have difficulty managing basics such as food, shelter, medical help. Those who are working must first budget for the above-mentioned basics as well as transportation, meals away from home. In addition, many shelters are not equipped with kitchens for use by the shelter residents resulting in increased food costs for the residents
- 10) People cannot be mandated to save a certain amount of money without first creating a budget that allows them to meet basic needs. Putting away one-third of a very low income generally does not allow a person enough money to live—especially with costs related to working and living while residing in the shelter. Additionally, those who are overwhelmed by this burden may go back to being street homeless.
- 11) The proposed rule does not ensure that financial literacy courses or budget guidance will be easily accessible to all shelter residents.
- 12) It appears residents will be required to buy money orders to deposit money in the savings accounts. These administrative costs should not have to be incurred by shelter residents and residents should be held harmless.

THEREFORE, BE IT RESOLVED; CB 3 does not support the proposed mandatory Income Savings Plan for certain NYC shelter residents, and

THEREFORE, BE IT FURTHER RESOLVED that CB3 calls on the city to delay implementation of this rule until the state has the opportunity to fully review this plan, and

THEREFORE, BE IT FURTHER RESOLVED CB3 calls on the state to allow the city to delay implementation of this rule until the state has the opportunity to fully review this plan, and

THEREFORE, BE IT FURTHER RESOLVED CB3 calls on the state to review and repeal mandatory savings plan for shelter residents and come up with a more supportive plan.

5. NYS Nurses Association request for support for safe staffing legislation

VOTE: TITLE: RESOLUTION TO ENDORSE STATE ENACTMENT OF THE "SAFE STAFFING FOR QUALITY CARE ACT"

WHEREAS, according to the United States Department of Health and Human Services (HHS), the inadequacy of nurse and other direct care staffing levels leads to poor patient outcomes; and

WHEREAS, research funded by the federal Agency for Healthcare Research & Quality (AHRQ) has found that hospitals with lower nurse staffing levels have higher rates of pneumonia, shock, cardiac arrests, urinary tract infections and upper gastrointestinal bleeds leading to higher costs and mortality from hospital acquired complications; and

WHEREAS, the Journal of the American Medical Association (JAMA) published research that estimated five additional deaths per one thousand patients occurred in hospitals that routinely staff with a 1:8 nurse to patient ratio compared to those staffing with a 1:4 nurse to patient ratio and that the odds of patient death increased by 7% for each additional patient the nurse must care for at one time; and

WHEREAS, the National Health Institute of Health and other research shows that better staffing policies not only result in better patient outcomes, but also lower the operating costs of health care providers by (a) reducing the recruitment and training expenses resulting from staff burnout and turnover, (b) lowering the penalties and reduced reimbursements imposed to penalize poor patient outcomes and unnecessary readmissions, (c) lowering patient length of stay, (d) reducing legal and malpractice costs, (e) increasing staff productivity due to lower workplace injuries and fatigue, and (f) and increasing patient satisfaction scores and hospital quality ratings; and

WHEREAS, according to a report published by Health Services Research in 2012, nursing homes which have safe staffing ratios have better quality of care in their facilities and improved functional status of the residents; and

WHEREAS, in 2004 California passed the which required hospitals to institute minimum nurse to patient ratios where studies have shown that nurses in California have reported improved patient care outcomes and lower workplace injury rates; and

WHEREAS, the Safe Staffing for Quality Care Act would require all acute care hospitals and nursing homes in New York State to comply with specific minimum nurse-to-patient ratios and staffing requirements, submit a facility staffing plan to the State Department of Health, and require public disclosure of actual hospitals and nursing home staffing levels; and

WHEREAS, ensuring adequate nursing coverage for all patients is an important public health goal that will improve the quality of care in acute care hospitals and nursing homes; now, therefore, be it

THEREFORE, BE IT RESOLVED, that the Manhattan Community Board 3 calls upon the legislature to pass and the governor to enact the "Safe Staffing for Quality Care Act," to ensure that acute care facilities and nursing homes meet appropriate minimum staffing ratios for nurses and direct care staff, and

THEREFORE BE IT FURTHER RESOLVED that Manhattan Community Board 3 commits to pursuing the implementation of minimum safe staffing ratios and standards in the NYC Health & Hospitals system and in all other acute care hospitals and nursing homes that receive funding from or contract to provide patient care services for the City of New York.

6. Vote to adjourn
approved by committee

41 YES 0 NO 0 ABS 0 PNV MOTION PASSED

SLA & DCA Licensing Committee - August 2019

1. Approval of previous month's minutes
approved by committee

Alterations

2. East Village Tavern (St Vince Group), 158 Ave C @ E 10th St (op/alt/add live music, DJs, karaoke/extend closing to 4am daily)

VOTE: TITLE: Community Board 3 Recommendation To Deny

WHEREAS, St. Vince Group LLC notified Community Board 3 that it is seeking an alteration of its full on-premises liquor license for the premises doing business as East Village Tavern, located at 158 Avenue C, at the corner of East 10th Street and Avenue C, New York, New York, to wit adding live music, DJs and karaoke and extending its hours of operation to 4:00 A.M. all days; and

WHEREAS, the questionnaire the applicant then submitted to the community board indicated that this is an alteration to "remove all stipulations;" and

WHEREAS, this applicant was denied a full on-premises liquor license by Community Board 3 in January of 2018 because 1) the applicant had no experience operating a licensed business and managerial experience at a business which had been located at 40 Avenue B, New York, New York, which had been a known problem because it was operated as a club inconsistent from its stated method of operation as a restaurant, 2) there were eleven (11) full on-premises liquor licenses within five hundred (500) feet of this location according to the applicant but fifteen (15) full on-premises liquor licenses and one (1) pending full on-premises liquor license within five hundred (500) feet of this location per the LAMP map, 3) nearby residents submitted statements and a representative of the East Village Community Coalition, a local residents association, on behalf of numerus constituents,

spoke in opposition to the application, given the close proximity of so many full on-premises liquor licenses, the lack of experience of the applicant, which was declared as a one (1) year period of managerial experience, from April 4, 2004 to March 31, 2004, by one of the partners and the incredible vehicular and traffic congestion and patron crowds and noise on this block of Avenue C, 4) this same organization and these and other residents had appeared for three (3) consecutive months for a number of applications relating to this location to complain about the conditions of congestion, noise and garbage from other licensed businesses on this block and that this storefront, which is located in an old tenement building is inappropriate for a business with a full on-premises liquor license, and 4) the applicant had submitted a statement of public interest, citing its affordable family-friendly menu and lunchtime service, as well as its belief that the addition of its business would add light and safety to a dark corner, which Community Board 3 found unconvincing given that the location is across the street from three (3) businesses adjacent to each other, each with a full on-premises liquor license, within close proximity to so many other licensed businesses, including businesses with affordable menus and lunchtime service, as well as within two (2) blocks of a police precinct located on the same side of Avenue C and given that the area crime statistics did not support the idea that the corner would be made safer by the addition of a licensed business; and

WHEREAS, when this applicant was heard by Community Board 3 in January of 2018, it was proposing to operate a tavern with a certificate of occupancy of seventy-four (74) people, ten (10) tables and forty (40) seats, a bar with thirteen (13) to fifteen (15) stools, a kitchen open all hours serving "classic and new American" food, hours of operation of 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, a façade with no open doors or windows, two (2) televisions, recorded background music, security and happy hours to 8:00 P.M.; and

WHEREAS, this applicant was then issued a full on-premises liquor license by the SLA on July 2, 2018, with stipulations to 1) close at 12:00 A.M. weekdays and 2:00 A.M. weekends, 2) have no live music, jukebox, karaoke, dancing or DJs, 3) install soundproofing to adequately muffle noise from the business and install a sound limiter, 4) not have promoters, promoted events, pub crawls, party buses or velvet ropes, 5) close doors and windows at 9:00 P.M., and 7) not have unlimited drink specials; and

WHEREAS, contrary to the reasons provided by Community Board 3 for the denial of the application for a full on-premises liquor license for this applicant, the SLA incorrectly noted in its July 2, 2018, that the reason this community board had denied the application was the bad history of the previous licensee; and

WHEREAS, without notice to Community Board 3, the applicant then applied to the SLA for an alteration of its full on-premises liquor license and also submitted a letter to the SLA, dated January 10, 2019, in which the applicant proposed that the SLA allow it to extend its hours of operation to 4:00 A.M. all days because other businesses on Avenue C close late and it would then be able to serve breakfast all night and eliminate all other stipulations because the previous applicant had no stipulations; and

WHEREAS, in a decision dated May 29, 2019, the SLA agreed to allow the applicant to extend its closing time to 2:00 A.M. all days but denied amending or removing the other stipulations; and

WHEREAS, the full on-premises liquor license for the prior applicant was first heard by Community Board 3 in January of 2008, and denied unless the applicant agreed to make as conditions of its license stipulations that it would 1) operate as a full-service restaurant, serving food to within one (1) hour of closing, 2) close its accordion doors at 10:00 P.M. every night, 3) have only background music, and 4) close no later than 2:00 A.M. all nights; and

WHEREAS, the prior applicant was then issued a full on-premises liquor license by the SLA on July 30, 2008; and

WHEREAS, Community Board 3 then denied an alteration of the full on-premises liquor license for the previous licensee in August of 2010, after it had been operating its business for approximately two (2) years without complaints, to wit removing any restriction on operating hours and permitting live music, unless it agreed to make as conditions of its license stipulations that it would 1) maintain its method of operation as a tavern restaurant, serving food to within one (1) hour of closing, 2) close any doors and windows by 10:00 P.M. every night, and 3) play recorded music only except that live acoustic musicians were permitted to perform once a week; and

WHEREAS, the previous business permanently closed in November of 2016; and

WHEREAS, this applicant has now been operating this business for only thirteen (13) months; and

WHEREAS, two (2) nearby residents living in a building across the street from this business, one of whom spoke on behalf of himself and eight (8) other tenants, appeared in opposition to this application, stating that the previous business had live music and karaoke every night until 4:00 A.M. and the noise had been unbearable and they are concerned that this will happen again if this applicant is permitted to have live music, karaoke and closing times of 4:00 A.M. all days; and

WHEREAS, a representative of the East Village Community Coalition, a local residents association, on behalf of numerous constituents, spoke in opposition to this application, given that the applicant is not abiding by its existing stipulations because it keeps its doors and windows open past 9:00 P.M., has been open later than 12:00 A.M. weekdays which she believed were its weekday closing times and offers a boozy brunch, as well as because she had received numerous complaints from residents about noise from this business; and

WHEREAS, a letter was submitted by residents of 649 East 9th Street in opposition to this application given that there are already too many late-night venues along Avenue C and, as a result of those businesses, there is chronic nighttime traffic and pedestrian noise, and the extension of its hours of operation and relaxation of its stipulations would result in this business further contributing to these conditions; and

WHEREAS, a letter was submitted by a former resident of the building in opposition to this application, stating that he had to move out of the building because of the unbearable noise from the business and because of the retaliatory actions of the applicant in response to his complaints and a lawsuit he filed against the applicant; and

WHEREAS, the business has received twenty-six (26) 311 commercial noise complaints in the period in which the business has been open, four (4) of which have required a police response to correct; and

WHEREAS, the Facebook page of the business advertises regular drink specials which are so low in price that they may be illegal, has a photograph of a sandwich board on a posting from July 18, 2019, which includes statements that the "kitchen [is] open to 11:00 P.M." and "Let's get drunk!;" and had at least one advertised event where the applicant noted that the business had five (5) televisions and a giant projection screen; and

WHEREAS, the webpage of the business notes that it hosts beer pong; and

WHEREAS, there are at least two (2) YELP reviews noting the unlimited drink special at lunch, including a review dated October 21, 2018, which praised a very specific "all you can drink" brunch special offered by the business, in which the patron was entitled to "all you can drink" alcohol for twenty-five dollars (\$25.00) for the first hour and fifteen dollars (\$15.00) for the second hour; and

WHEREAS, in response to the above-stated complaints about its method of operation, the applicant has stated that 1) the lawsuit filed by the former resident of its building was dismissed and he was the person who made almost all of the 311 calls, 2) its kitchen is only open until 11:00 P.M. when the business closes early, 3) it did not install soundproofing because it determined that the existing soundproofing was adequate, 4) it removed two (2) televisions in July and now has three (3) televisions and a projection screen and 5) it conceded that it hosts beer pong; and

WHEREAS, given that Community Board 3 recommended the denial of this application in part because of the inexperience of the applicant and the concern that the business would not be operated as a tavern with a family-friendly menu as originally proposed by the applicant and given that, after six (6) months of operation, there is evidence that the business is being operated inconsistent from its stipulations by hosting events, unlimited drink specials and having its façade open past 9:00 P.M., inconsistent from its application in that has had five (5) televisions and a giant projection screen, inconsistent from its initial characterization of its business by having regular drink specials, unlimited drink specials and hosting beer pong, has sought alteration of its license without notice to Community Board 3 and has already generated complaints regarding noise from the business and from patrons in front of the business, Community Board 3 cannot now endorse the removal of the stipulations imposed upon the applicant by the SLA; now

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for an alteration of the full on-premises liquor license of St Vince Group LLC, doing business as East Village

Tavern, in the premises located at 158 Avenue C, at the corner of East 10th Street and Avenue C, New York, New York, to wit removing all of the stipulations imposed by the SLA.

New Liquor License Applications

3. Strings Ramen New York Corporation, 188 2nd Ave @ E 12th St (op)

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

WHEREAS, Strings Ramen New York Corporation initially appeared before Community Board 3 seeking a full on-premises liquor license to operate a Japanese ramen restaurant, in the premises located at 188 Second Avenue, at the corner of East 12th Street and Second Avenue, New York, New York; and

WHEREAS, the applicant is proposing to operate a restaurant with a certificate of occupancy of one hundred twenty-four (124) people, ten (10) tables and forty-five (45) seats, no bar, hours of operation of 12:00 P.M. to 10:00 P.M. all days, a kitchen open during all hours of operation, six (6) monitors and recorded background music; and

WHEREAS, the previous licensee for this location was administratively approved a wine beer license by Community Board 3 in April of 2016 with stipulations that it would 1) have a kitchen open and serving food during all hours of operation, 2) have hours of operation of 11:00 A.M. to 12:00 A.M. all days, 3) not commercially operate any outdoor areas, 4) 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) 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 would be charged, 6) not apply for any alteration in its method of operation without first appearing before Community Board 3, 7) not host pub crawls or party buses, 8) not have unlimited drinks specials with food, 9) ensure that there are no wait lines outside, 10) conspicuously post this stipulation form beside its liquor license inside of its business, and 11) provide a telephone number for residents to call with complaints and immediately address any resident complaints; and

WHEREAS, the wine beer license for the previous licensee was issued by the SLA on October 3, 2016, and expired on September 30, 2018; and

WHEREAS, there two (2) full on-premises liquor licenses within five hundred (500) feet of this location per the applicant but there are fifteen (15) full on-premises liquor licenses within five hundred (500) feet of this location per the SLA LAMP map; and

WHEREAS, the applicant has stated that the public interest of adding another full on-premises liquor license to this area is that "some people want cocktails" and serving specialty cocktails paired with ramen is culturally appropriate, however, the applicant did not furnish a draft or proposed menu as evidence of how it would pair cocktails with ramen; and

WHEREAS, the applicant furnished petition signatures, thirteen (13) of which are from area residents, in support of its application; and

WHEREAS, the applicant has no experience operating a licensed business but has eighteen (18) years' experience managing eating and drinking establishments, most recently as a manager for two (2) years at the business located at 15 Union Square West, New York, New York, which had a full on-premises liquor license issued by the SLA on September 7, 2017; and

WHEREAS, Community Board 3 was concerned about granting a full on-premises liquor license to this applicant given that 1) this application is for a full on-premises liquor license for a noodle shop in a location which has previously operated as a restaurant with a wine beer license and which never had any business with a full on-premises liquor license, 2) this location is in close proximity to numerous other businesses with full on-premises liquor licenses, 3) there are numerous ramen restaurants in the surrounding area which operate with no or lesser liquor licenses, 4) the applicant has provided an insufficient public interest in granting it a full on-premises liquor license and its application did not reflect that the applicant wanted to pair specialty cocktails with ramen in support of its stated public interest, and 5) the applicant lacks experience operating a licensed business; and

WHEREAS, given the concerns of Community Board 3, the applicant has now stated that it will apply for a wine beer license; now

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a wine beer license for Strings Ramen New York Corporation, for the premises located at 188 Second Avenue, at the corner of East 12th Street and Second Avenue, New York, New York, 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 Japanese ramen 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 10:00 P.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 or when amplified sound is playing and will otherwise have a closed fixed facade with no open doors or windows,
- 5) it will play no music during its day-to-day operation 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 or for any physical alterations without first appearing before Community Board 3,
- 7) it will not seek a change in class to a full on-premises liquor license without first obtaining the approval of Community Board 3,
- 8) it will not have "happy hours,"
- 9) it will not host pub crawls or party buses,
- 10) it will not have unlimited drink specials with food,
- 11) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons 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.

4. Nolita Pizza (Toscana Pizza Inc), 128 2nd Ave btwn E 7th St @ St Marks Pl (wb)

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

WHEREAS, Toscana Pizza Inc. is seeking a wine beer license to operate a pizza and pasta restaurant in the premises located at 128 Second Avenue, between East 7th Street and Saint Marks Place, New York, New York; and

WHEREAS, the applicant is proposing to operate a restaurant with a certificate of occupancy of thirty-five (35) people, four (4) tables and eight (8) seats, a seven (7) foot service counter with no stools, hours of operation of 11:00 A.M. to 2:00 A.M. Sundays through Thursdays and 11:00 A.M. to 4:00 A.M. Fridays and Saturdays, a kitchen open during all hours of operation and recorded background music; and

WHEREAS, the previous applicant for this location was heard for a wine beer license by Community Board 3 in September of 2016 and denied unless the applicant agreed to make as conditions of its license stipulations that it would 1) operate as a full-service Indian street food restaurant, with a kitchen open and serving food during all hours of operation, 2) have hours of operation of 11:00 A.M. to 2:00 A.M. all days, 3) not commercially use any outdoor areas, 4) close any front or rear façade entrance doors at 10:00 P.M. every night or when amplified sound is playing and otherwise have a closed fixed facade with no open doors or windows, 5) 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 would be charged, 6) not apply for any alteration in its method of operation without first appearing before Community Board 3, 7) not seek a change in class of its liquor license to a full on-premises liquor license without first obtaining the approval of Community Board 3, 8) not have "happy hours," 9) not host pub crawls or party buses, 10) not have unlimited drink specials with food, 11) ensure that there are no wait lines outside and designate an employee to oversee patrons and noise on the sidewalk, 12) conspicuously post this stipulation form beside its liquor license inside of its business, and 13) provide a telephone number for residents to call with complaints and immediately address any resident complaints; and

WHEREAS, the applicant furnished petition signatures, sixty-three (63) of which are from area residents, in support of its application; and

WHEREAS, the applicant has experience operating the same business located at 69 Seventh Avenue South, New York, New York, from 2004 to 2019; and

WHEREAS, given these circumstances, Community Board 3 would approve this application for a wine beer license with stipulations governing its method of operation, including stipulations that it serve alcohol no later than 2:00 A.M.; now

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a wine beer license for Toscana Pizza Inc., with a proposed business name of Nolita Pizza, for the premises located at 128 Second Avenue, between East 7th Street and Saint Marks Place, New York, New York, 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 Italian pizza and pasta 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 2:00 A.M. Sundays through Thursdays and 11:00 A.M. to 4:00 A.M. Fridays and Saturdays but alcohol service will end at 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 or when amplified sound is playing 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 not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not seek a change in class to a full on-premises liquor license without first obtaining the approval of Community Board 3,
- 8) it will not have "happy hours,"
- 9) it will not host pub crawls or party buses,
- 10) it will not have unlimited drink specials with food,
- 11) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons 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.

5. Mehanata NYC Inc, 113 Ludlow St btwn Rivington & Delancey Sts (op)
withdrawn

6. Ding Hui Inc, 58 3rd Ave btwn E 10th & E 11th Sts (op)

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

WHEREAS, Ding Hui Inc. initially appeared before Community Board 3 seeking a full on-premises liquor license to operate a Creole seafood restaurant, in the premises located at 58 Third Avenue, between East 10th Street and East 11th Street, New York, New York; and

WHEREAS, the applicant is proposing to operate a restaurant with no listed certificate of occupancy, eight (8) tables and forty-two (42) seats, a five (5) foot bar with no stools, hours of operation of 12:00 P.M. to 10:30 P.M. Sundays through Thursdays and 12:00 P.M. to 11:30 P.M. Fridays and Saturdays, a kitchen open to within one (1) hour of closing, an undescribed facade, no televisions and recorded background music; and

WHEREAS, the previous applicant for this location was administratively approved a wine beer license by Community Board 3 in November of 2015 with stipulations that it would 1) operate a full-service restaurant with a kitchen open and serving food during all hours of operation, 2) have hours of operation of 11:00 A.M. to 12:00 A.M. all days, 3) not commercially operate any outdoor areas, 4) 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) 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 would be charged, 6) not apply for any alteration in its method of operation without first appearing before Community Board 3, 7) not host pub crawls or party buses, 8) ensure that there are no wait lines outside, 9) conspicuously post this stipulation form beside its liquor license inside of its business, and 10) provide a telephone number for residents to call with complaints and immediately address any resident complaints; and

WHEREAS, the wine beer license for the previous licensee was issued by the SLA on December 29, 2016; and

WHEREAS, there twelve (12) full on-premises liquor licenses within five hundred (500) feet of this location per the applicant but there are seventeen (17) full on-premises liquor licenses and one (1) pending hotel on-premises liquor license within five hundred (500) feet of this location per the SLA LAMP map; and

WHEREAS, the applicant has stated that the public interest of adding another full on-premises liquor license to this area is that it would serve specialty cocktails paired with its menu items and bring long-term stability to the neighborhood; and

WHEREAS, the applicant furnished petition signatures, ten (10) of which are from area residents, in support of its application and two (2) area residents appeared in support of its application; and

WHEREAS, the applicant has operated a restaurant located at 50 Third Avenue, New York, New York, since May of 2019, which had a wine beer license issued by the SLA on December 19, 2018, and is seeking to model the proposed restaurant after a restaurant that has been operating on the Upper West Side for the past four (4) months; and

WHEREAS, a representative of the East Village Owner Renters Association, a local residents association, appeared and submitted one hundred sixty-six (166) petition signatures from area residents in opposition to this application and a representative of the 70 East 10th Street Building Association and two (2) area residents appeared because 1) the location has never had a full on-premises liquor license, 2) there are twelve (12) full on-premises liquor licenses and one (1) pending on-premises hotel liquor license within five hundred (500) feet of this location and forty (40) licensed businesses within one (1) block of this location, and 3) the applicant did not engage in outreach to the community and posted its notice of community board hearing in a location not easily seen by passersby; and

WHEREAS, Community Board 3 was concerned about granting a full on-premises liquor license to this applicant given that 1) this application is for a full on-premises liquor license in a location which has never had any business with a full on-premises liquor license, 2) this location is in close proximity to numerous other businesses with full on-premises liquor licenses, 3) the applicant has provided an insufficient public interest for granting it a full on-premises liquor license by merely stating that it wants to serve cocktails with seafood and by asserting that it will be a stabilizing influence on the community without having any long-term operating experience, and 5) the applicant lacks experience operating a licensed business in that the only licensed businesses operated by the applicant or anyone overseeing the proposed business have only been operating three (3) to four (4) months; and

WHEREAS, given the concerns of Community Board 3, the applicant has now stated that it will apply for a wine beer license; now

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a wine beer license for Ding Hui Inc. for the premise located at 58 Third Avenue, between East 10th Street and East 11th Street, New York, New York, 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 seafood 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 10:30 P.M. Sundays through Thursdays and 12:00 P.M. to 11:30 P.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 or when amplified sound is playing 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 not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not seek a change in class to a full on-premises liquor license without first obtaining the approval of Community Board 3,
- 8) it will not have "happy hours,"
- 9) it will not host pub crawls or party buses,
- 10) it will not have unlimited drink specials with food,
- 11) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons 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.

7. Entity to be formed by Donald Frazer, 503 E 6th St (op) withdrawn
8. Allen Street Tavern (SDAI209 & SAMR786 & D0E2 & #MNVA0101 & SNOA0928 Partners LLC), 97 Allen St (op) withdrawn
9. Entity to be formed by Charalambos Nicolaou, 78-80 E 4th St btwn 2nd Ave & Cooper Sq (op)

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

WHEREAS, an entity to be formed by principal Charalambos Nicolau is seeking a full on-premises liquor license to operate a restaurant tavern in the premises located at 78-80 East 4th Street, between Second Avenue and Cooper Square, New York, New York; and

WHEREAS, the applicant is proposing to operate a restaurant tavern with a certificate of occupancy of one hundred fifty (150) people, twelve (12) tables and fifty-seven (57) seats inside and five (5) tables and fourteen (14) seats at a sidewalk café and use of the sidewalk café area as a smoking and waiting area after the café closes, a twenty-four (24) foot bar with ten (10) stools, hours of operation of 2:00 P.M. to 4:00 A.M. Mondays through Fridays and 12:00 P.M. to 4:00 A.M. Saturdays and Sundays inside and 12:00 P.M. or 2:00 P.M. to 10:00 P.M. all days outside, a kitchen serving food during all hours of operation consisting of a menu of burgers, hotdogs and salads, three (3) televisions and one (1) movie projector, recorded music and DJs at background and entertainment levels, movie screenings all days, security and happy hours to 8:00 P.M.; and

WHEREAS, the previous licensee operated a restaurant tavern with a full on-premises liquor license that was issued by the SLA on January 11, 2010; and

WHEREAS, there twenty-one (21) full on-premises liquor licenses within five hundred (500) feet of this location per the applicant but there are twenty-two (22) full on-premises liquor licenses and two (2) pending full on-premises liquor licenses within five hundred (500) feet of this location per the SLA LAMP map; and

WHEREAS, the purported public interest of adding another full on-premises liquor license to this area is that it would include regular showings of classic and independent films and films from new filmmakers on a block that has been designated an arts block; and

WHEREAS, the applicant furnished petition signatures, thirty (30) of which are from area residents, in support of its application, although none were from the building where the business will be located; and

WHEREAS, the applicant has no experience operating a licensed business, but one principal has experience working in family-operated movie theatres and an unidentified café in Queens, New York, and the other principal has experience as a music director, DJ and hotel manager; and

WHEREAS, residents of the building appeared to complain that the existing soundproofing is inadequate because they could hear music and televisions from the previous business, doing business as Stillwater Bar and Grill, in their apartments and stated that they had been working with the community board and the Ninth Precinct to resolve their complaints; and

WHEREAS, consistent with these complaints, there were ten (10) 311 commercial noise complaints about the previous business within the past year; and

WHEREAS, the applicant has contracted with a sound engineer for recommendations about installing soundproofing and mitigating sound in the apartments above the business; and

WHEREAS, given the concerns expressed by neighboring residents but recognizing that this is a previously licensed location and the proposed method of operation will include the showing of classic and independent films, Community Board 3 would support this application for a full on-premises liquor license with stipulations governing the method of operation of the business which includes ensuring that sound is inaudible in neighboring apartments; now

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for an entity to be formed by principal Charalambos Nicolaou, for the premises located at 78-80 East 4th Street, New York, New York, between Second Avenue and Cooper

Square, unless the applicant agrees before the SLA to make as conditions of the 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 2:00 P.M. to 4:00 A.M. Mondays through Fridays and 12:00 P.M. to 4:00 A.M. Saturdays and Sundays,
- 3) it will operate its sidewalk café for sit-down dining only, with an awning extended over the café during its hours of operation, its hours of operation will be 2:00 P.M. to 10:00 P.M. Mondays through Fridays and 12:00 P.M. to 10:00 P.M. Saturdays and Sundays and its sidewalk café area will not be used for waiting or smoking patrons while its café is not operating,
- 4) it will install soundproofing consistent with the recommendations of a sound engineer and in cooperation with affected building residents and sound from the business will be inaudible in neighboring apartments,
- 5) it will close any front or rear façade entrance doors at 10:00 P.M. every night or when amplified sound is playing and will otherwise have a closed fixed facade with no open doors or windows,
- 6) it will play ambient background music, consisting of recorded music generally and DJs two (2) times per week, and will not have live music, promoted events, scheduled performances or any event at which a cover fee will be charged but may have scheduled performances consisting only of daily film showings as part of its method operation with sound playing slightly higher than ambient level but still inaudible in neighboring apartments,
- 7) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 8) it may have "happy hours" to 8:00 P.M. each night,
- 9) it will not host pub crawls or party buses,
- 10) it will not have unlimited drink specials with food,
- 11) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons 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.

10. Williamsburg Pizza (Williamsburg Pizza 14th Street LLC), 226 E 14th St (wb)
withdrawn

Items not heard at Committee

11. Entity to be formed by 48 Bowery Street NY NY, 48 Bowery (wb)
withdrawn

12. Friendship Foods One Inc, 103 Bowery (wb)
no vote necessary

13. Ruby's (Ruby's East Village LLC), 198 E 11th St (wb)
no vote necessary

14. Flam Able LLC, 204 Ave B (corp change)
no vote necessary

15. Vote to adjourn
approved by committee

40 YES 0 NO 1 ABS 0 PNV MOTION PASSED

SLA & DCA Licensing Committee - September 2019

New Liquor License Applications

1. Approval of previous month's minutes
approved by committee

Alteration

2. Casa Mezcal (Compas Group New York LLC), 86 Orchard St btwn Broome & Grand Sts (op/alt/convert service bar to customer bar in basement, add service bar on 2nd floor)

VOTE: TITLE: Community Board 3 Recommendation To Deny In Part and To Deny In Part Unless Stipulations Agreed To—Stipulations Attached

WHEREAS, Compas Group LLC notified Community Board 3 that it is seeking an alteration of its full on-premises liquor license for the premises doing business as Casa Mezcal, located at 86 Orchard Street, between Broome Street and Grand Street, New York, New York, to wit converting the service bar in the basement to a standup bar and adding a service bar to the second floor; and

WHEREAS, the questionnaire the applicant then submitted to the community board indicated that this is an alteration to 1) reconfigure the ground floor seating from five (5) tables and twenty-two (22) seats to eleven (11) tables and twenty-eight (28) seats and enlarge the ten (10) foot by three (3) foot

bar to a twenty-nine (29) foot bar with ten (10) stools, 2) reconfigure the basement seating from thirteen (13) tables and fifty-four (54) seats to eight (8) tables and thirty-five (35) seats consisting of lounge seating and change the six (6) foot service bar to a ten (10) foot standup bar with no stools, 3) extend its liquor license to the second floor and change its method of operation from an art gallery to a dining area with twelve (12) tables and thirty-seven (37) seats and an eight (8) foot service bar, 4) having recorded and live music and DJs at background level on the ground and second floors and at entertainment levels in the basement; and

WHEREAS, although the applicant submitted a diagram depicting the proposed use of the second floor as a lounge, the applicant stated that the diagram is not correct, and the actual proposed use of the second floor is as a dining room; and

WHEREAS, the applicant has stated that it is applying for these alterations to increase its revenue and it believes that these alterations should be approved because of the longstanding good history of the business in the community; and

WHEREAS, this applicant was denied a full on-premises liquor license by Community Board 3 unless the applicant agreed to make as conditions of its license stipulations that it would 1) operate as a cultural location, celebrating Mexican cultural, and consisting of a ground floor, family friendly café, serving traditional clay stew pots and mescal, a basement consisting of a live music and cinema with alcohol service from wait staff only and no bar, a second floor consisting of an art gallery with no alcohol service, a third floor consisting of a print workshop with no alcohol service and a rooftop which would have no commercial use but would have a herb garden dedicated to traditional meals offered in its café, and 2) only transfer its license to a another non-profit or arts based business.

WHEREAS, the applicant was issued a full on-premises liquor license by the SLA on March 22, 2010; and

WHEREAS, there are now twenty-two (22) full on-premises liquor licenses and three (3) pending full on-premises liquor licenses within five hundred (500) feet of this location per the SLA LAMP map; and

WHEREAS, the applicant provided petition signatures on a page with a heading detailing its business, twelve (12) of which are from area residents, and submitted an additional five and a half (5½) pages containing signatures but no headings; and

WHEREAS, the Orchard Street Block Association and two (2) area residents submitted letters in opposition to this application because the extension of the hours of operation and proposed use of the basement as a club is untenable in an area already overwhelmed by late-night noise and vehicular and pedestrian congestion and noting an existing partial vacate order for the premises that was issued in February of 2019; and

WHEREAS, the applicant stated that the Department of Buildings issued a partial vacate order for the second and third floors and basement in February of 2019, which the applicant is in process of addressing and which pertains to unapproved plans filed nine (9) years ago; and

WHEREAS, the applicant has stated that, although its webpage advertises hours of operation of 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, it is not extending its hours of operation but is maintaining the same hours of operation of 12:00 P.M. to 2:00 A.M. Sundays through Wednesdays and 12:00 P.M. to 4:00 A.M. Thursdays through Saturdays it was approved when it first applied for its liquor license; and

WHEREAS, Community Board 3 has found that the applicant is not operating its business consistent with its stipulations and method of operation, in that the applicant appears to have abandoned the cultural elements of the method of operation of its business early in its operating history as it has now conceded that 1) it ceased showing films or hosting cultural live music in the basement shortly after it opened the business and now regularly hosts amplified live music and DJs, 2) it has used the second floor for eating and drinking, although it is supposed to operate as an art gallery with no liquor license, 3) it never opened a print shop on the third floor as part of its method of operation as a Mexican cultural center; and 4) it never used the roof as a herb garden for the food in its café; and

WHEREAS, consistent with its statement that it illegally extended its liquor license to the second floor, a statement by the applicant posted on YELP indicates that the second floor is used for art shows, private events and "large reservations" and patron reviews on YELP on August 12, 2011, May 10, 2012, June 13, 2013, October 11, 2014, February 7, 2015, March 1, 2015, March 2, 2015, March 16, 2016,

March 28, 2016, August 12, 2016, April 25, 2018 and July 8, 2018 reference being seated for dining on the second floor; and

WHEREAS, the photographs of the business that were submitted by the applicant to Community Board 3 seem to reflect that the alterations to the ground floor and basement, to wit extension of the ground floor bar and reconfiguration of the basement seating to lounge seating, have already been done, in that the ground floor bar appears to be far greater than ten (10) feet long and the basement is already configured with perimeter lounge seating with few tables; and

WHEREAS, given that the applicant has conceded that it illegally extended its liquor license to the second floor, Community Board 3 cannot support the application for the alteration of its full on-premises liquor license by extending it to the second floor; and

WHEREAS, although the applicant is no longer operating this location as the Mexican cultural center it represented it would be when it was heard for its application for a full on-premises liquor license, given the lack of complaints regarding this business, Community Board 3 would support the requested alterations for the ground floor and basement with stipulations governing the method of operation of the business; now

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for an alteration of the full-liquor license for Compas Group LLC, doing business as Casa Mezcal, located at 86 Orchard Street, between Broome Street and Grand Street, New York, New York, to wit extending its liquor license to the second floor and changing the second floor method of operation from an art gallery to a dining area with twelve (12) tables and thirty-seven (37) seats and an eight (8) foot service bar; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 recommends the denial of the application for an alteration of the full-liquor license for Compas Group LLC, doing business as Casa Mezcal, located at 86 Orchard Street, between Broome Street and Grand Street, New York, New York, to wit reconfiguring the ground floor seating from five (5) tables and twenty-two (22) seats to eleven (11) tables and twenty-eight (28) seats and enlarging the ten (10) foot by three (3) foot bar to a twenty-nine (29) foot bar with ten (10) stools and reconfiguring the basement seating from thirteen (13) tables and fifty-four (54) seats to eight (8) tables and thirty-five (35) seats consisting of lounge seating and changing the six (6) foot service bar to a ten (10) foot standup bar with no stools, 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 Mexican restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will 12:00 P.M. to 2:00 A.M. Sundays through Wednesdays and 12:00 P.M. to 4:00 A.M. Thursdays through Saturdays,
- 3) it will not commercially use any outdoor space,
- 4) it will close any front or rear façade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances,
- 5) it will play ambient background music, consisting of recorded music, on the ground floor and may have DJs and live music Thursdays through Saturdays playing no later than 1:00 A.M in the basement, with live music consisting of no more than four (4) instruments or players, but will not have 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 or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) It may have "happy hours" to 7:00 P.M. each night,
- 10) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons 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.

New Liquor License Applications

3. Down and Out (Down and Out Brooklyn LLC), 503 E 6th St (op) withdrawn
4. Omar's, 302 Broome St btwn Forsythe & Eldridge Sts (op)

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

WHEREAS, an entity to be formed by principal Omar Hernandez, with a proposed business name of Omar's, is seeking a full on-premises liquor license for the premises located at 302 Broome Street, between Forsythe Street and Eldridge Street, New York, New York, and

WHEREAS, this applicant is proposing to operate a continental restaurant on two (2) floors with a certificate of occupancy of one hundred forty-eight (148) people with a certificate of occupancy of seventy-four (74) people per floor, thirteen (13) tables and sixty-nine (69) seats with thirteen (13) tables and thirty-one (31) seats on the ground floor and thirty-eight (38) seats consisting of lounge seating in the basement per a diagram, hours of operation of 5:00 P.M. to 2:00 A.M. Sundays and Mondays and 5:00 P.M. to 4:00 A.M. Tuesdays through Saturdays, a thirty-two (32) foot bar with seven (7) stools on the ground floor and a twenty-nine (29) foot bar with eight (8) stools in the basement, a kitchen open and serving food during all hours of operation, no televisions, recorded and live music and DJs at background levels, security and happy hours to 8:00 P.M.; and

WHEREAS, the applicant has stated that this is a sale of assets of an existing restaurant and art space with a full on-premises liquor license; and

WHEREAS, the previous licensee was denied a full on-premises liquor license by Community Board 3 in July of 2013, unless the applicant agreed to make as conditions of its license stipulations that it would 1) operate as a full-service restaurant and art space, with a kitchen open and serving food during all hours of operation of the restaurant, 2) have hours of operation of 1:00 P.M. to 2:00 A.M. Sundays and Mondays and 1:00 P.M. to 4:00 A.M. Tuesdays through Saturdays, with the art space open during all hours of operation and the restaurant operating from 5:00 P.M. to 2:00 A.M. Sundays and Mondays and 5:00 P.M. to 4:00 A.M. Tuesdays through Saturdays, 3) have a closed fixed façade with no open doors or windows, 4) play ambient background music only, consisting of recorded music and DJs, and not have live music, promoted events, scheduled performances or any event at which a cover fee would be charged, 5) not have "happy hours," 6) not host pub crawls or party buses, 7) not commercially use any outdoor areas, and 8) employ security guards Thursdays through Saturdays, from 10:00 P.M. to 4:00 A.M., and otherwise as needed; and

WHEREAS, the previous licensee was then heard for the renewal of its full on-premises liquor license by Community Board 3 in June of 2016 because of one hundred forty-four (144) 311 commercial noise complaints with the preceding year, chronic noise complaints and violations for allowing alcohol outside according to the 5th Precinct and residents complaining that the business was operating as a club by erecting velvet ropes on the sidewalk, having wait lines outside and patrons blocking the sidewalk and street, hosting scheduled performances, promoted events and live music, permitting dancing and not serving food, and Community Board 3 recommended that the SLA either revoke the full on-premises liquor license or enforce the method of operation that was approved by the SLA as a full-service restaurant and art space, with no live music, scheduled performances, promoted events, events with cover fees or dancing and, further, imposing closing hours of 12:00 A.M. Sundays through Thursdays and 1:00 A.M. Fridays and Saturdays, consistent with this method of operation; and

WHEREAS, the existing business has had eighty-three (83) 311 commercial noise complaints in the past year, forty-one (41) of which occurred between 10:00 P.M. and 12:00 A.M. and forty-two (42) of which occurred between 12:00 A.M. and 4:00 A.M., with thirty (30) of noise complaints requiring a police response to correct; and

WHEREAS, there are nine (9) full on-premises liquor licenses within five hundred (500) feet of this location per the SLA LAMP map; and

WHEREAS, the applicant has stated that there is a house of worship, to wit Guan Gong Temple, located at 294 Broome Street, between Forsythe Street and Eldridge Street, New York, New York, within ninety-three (93) feet of this location although the applicant believes that it is not exclusively operated as a house of worship; and

WHEREAS, the applicant provided petition signatures, one hundred eight (108) of which are from area residents, and one (1) building resident appeared in support of its application; and

WHEREAS, the applicant operated a business located at 21 West 9th Street, New York, New York, from 2013 to 2018, and operated an unidentified business on the Upper East Side for three (3) years; and

WHEREAS, provided that this location is not within two hundred (200) feet of a house of worship, given that this is a sale of assets of an existing business with a full on-premises liquor license and that the applicant has represented that its business will operate as a full-service restaurant, Community Board 3 would approve this application for a full on-premises liquor license with stipulations governing its method of operation; now

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for an entity to be formed by principal Omar Hernandez, with a proposed business name of Omar's, for the premises located at 302 Broome Street, between Forsythe Street and Eldridge Street, New York, New York, 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 continental restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will 5:00 P.M. to 2:00 A.M. Sundays and Mondays and 5:00 P.M. to 4:00 A.M. Tuesdays through Saturdays,
- 3) it will not commercially use any outdoor areas,
- 4) it will install additional soundproofing,
- 5) it will close any front or rear façade entrance doors at 10:00 P.M. every night or when amplified sound is playing and will otherwise have a closed fixed facade with no open doors or windows,
- 6) it will play ambient background music only, consisting of recorded and unamplified live acoustic music, with live music consisting of no more than four (4) instruments or players playing no later than 12:00 A.M on the first floor and without restriction on time in the basement, and may have DJs on both floors using the existing sound system and playing at ambient background level on the first floor, but will not have 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 or for any physical alterations without first appearing before Community Board 3,
- 8) it will not host pub crawls or party buses,
- 9) it will not have unlimited drink specials with food,
- 10) It may have "happy hours" to 8:00 P.M. each night,
- 11) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons 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.

5. Kissaka Omakase LLC, 319 Bowery btwn E 1st & E 2nd Sts (op)

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

WHEREAS, Kissaki Omakase LLC, with a proposed business name of Kissaki Omakase, is seeking a full on-premises liquor license for the premises located at 319 Bowery, between East 1st Street and East 2nd Street, New York, New York; and

WHEREAS, this applicant is proposing to operate a Japanese Omakase restaurant with a certificate of occupancy of forty-eight (48) people, two (2) tables and six (6) seats and a fifty (50) foot sushi counter with twenty-six (26) seats, hours of operation of 12:00 P.M. to 12:00 A.M. Sundays through Thursdays and 12:00 P.M. to 1:00 A.M. Fridays and Saturdays, a kitchen open and serving food during all hours of operation, recorded background music and seating only by reservation; and

WHEREAS, this premises has never housed a business with a liquor license, was previously operated as a longtime opera house and is located on Bowery, a wide avenue; and

WHEREAS, there are seven (7) full on-premises liquor licenses within five hundred (500) feet of this location per the applicant but sixteen (16) full on-premises liquor licenses within five hundred (500) feet of this location per the SLA LAMP map; and

WHEREAS, the applicant stated that the public interest in adding another full on-premises liquor license to this area is the increasing desire for omakase restaurants and the need to occupy a location that has long been empty; and

WHEREAS, the applicant provided petition signatures, two (2) of which are from area residents, in support of its application; and

WHEREAS, the applicant has no experience operating a licensed business but has eighteen (18) years of experience working in eating and drinking establishments, twelve (12) of which have been as a sushi chef; and

WHEREAS, given that the method of operation of this location as a small full-service restaurant with early closing times and seating patrons only through a reservation system would have little impact on the wide avenue where it will be located, Community Board 3 would approve this application for a full on-premises liquor license with stipulations governing its method of operation; now

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Kissaki Omakase LLC, with a proposed business name of Kassaki Omakase, for the premises located at 319 Bowery, between East 1st Street and East 2nd Street, New York, New York, 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 Japanese Omakase 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 Thursdays and 12:00 P.M. to 1:00 A.M. Fridays and Saturdays; and
- 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 or when amplified sound is playing 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 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 or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) it will not have "happy hours,"
- 10) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons 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.

6. LTS East LLC, 201 E 10th St a/k/a 160 2nd Ave @ 2nd Ave (op)

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

WHEREAS, LTS East LLC, with a proposed business name of Lions, Tigers & Squares Detroit Pizza, initially appeared before Community Board 3 seeking a full on-premises liquor license for the premises located at 210 East 10th Street a/k/a 160 Second Avenue, at the corner of East 10th Street and Second Avenue, New York, New York; and

WHEREAS, this applicant is proposing to operate a gourmet pizza restaurant with a certificate of occupancy of seventy-four (74) people, twelve (12) tables and forty-eight (48) seats, a ten (10) foot bar with six (6) stools, hours of operation of 11:00 A.M. to 4:00 A.M. all days inside and closing at 12:00 A.M. and 1:00 A.M. at a sidewalk café, a kitchen open during all hours of operation and recorded background music; and

WHEREAS, Community Board 3 informed the applicant that it would have to separately apply for a sidewalk café permit given that there is no active sidewalk café permit at this location and a sidewalk café would not be considered as part of this application; and

WHEREAS, the last licensee for this location was denied a wine beer license by Community Board 3 in November of 2011 unless the applicant agreed to make as conditions of its license stipulations that it would 1) operate as a full-service Italian pizza restaurant, serving food to within one (1) hour of closing, 2) have hours of operation of 11:00 A.M. to 3:30 A.M. all days, 3) play ambient background music, consisting of recorded music only, and not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee would be charged, 4) maintain a closed fixed façade and have no open doors or windows, and 5) have no standup bar and serve alcohol at tables only; and

WHEREAS, it was then denied a change in class of its wine beer license to a full on-premises liquor license by Community Board 3 in September of 2015 unless the applicant agreed to make as conditions of its license stipulations that it would 1) operate as a full-service Italian pizza restaurant, with a kitchen open and serving food during all hours of operation, 2) have hours of operation of

11:00 A.M. to 3:30 A.M. all days, 3) operate its sidewalk café no later than 11:00 P.M. all days and only seat patrons at its café who are ordering food, 4) close any front or rear façade entrance doors at 10:00 P.M. every night and otherwise have a closed fixed facade with no open doors or windows, 5) 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 would be charged, 6) not apply for any alteration in its method of operation without first appearing before Community Board 3, 7) have "happy hours" to 8:00 P.M. each night, 8) not host pub crawls or party buses, 9) ensure that there are no wait lines outside and designate an employee to oversee patrons and noise on the sidewalk, 10) conspicuously post this stipulation form beside its liquor license inside of its business, and 11) provide a telephone number for residents to call with complaints and immediately address any resident complaints; and

WHEREAS, there are nineteen (19) full on-premises liquor licenses within five hundred (500) feet of this location per the applicant and the SLA LAMP map; and

WHEREAS, the applicant furnished a proximity report from the SLA website indicating that Saint Marks Church in the Bowery, located at 131 East 10th Street, at the corner of Second Avenue and East 10th Street, New York, New York, is three hundred seventy (370) feet from this location which seems incorrect given that it is directly across the street from this location; and

WHEREAS, the applicant operates a similar business located at 111 MacDougal Street, New York, New York, which had an eating place beer license issued by the SLA on July 28, 2011, located at 457 West 17th Street, New York, New York, which had a full on-premises liquor license issued by the SLA on October 28, 2011, located at 22-56 31st Street, Astoria, New York, which had a tavern wine license issued by the SLA on November 4, 2011, located at 59 Fifth Avenue, Brooklyn, New York, which had an eating place beer license issued by the SLA on December 19, 2015, located at 18 Wyckoff Avenue, Brooklyn, New York, which had a full on-premises liquor license issued by the SLA on January 19, 2017, and located at 9102 Fourth Avenue, Brooklyn, New York, which had an eating place beer license issued by the SLA on March 3, 2017; and

WHEREAS, the applicant was approved an eating place beer license for 328 East 14th Street by Community Board 3 in December of 2007 unless the applicant agreed to make as conditions of its license stipulations that it would 1) operate as a gourmet pizza restaurant, consisting primarily of delivery service, and serve food during its hours of operation, and 2) have hours of operation of 9:00 A.M. to 1:00 A.M. every day; and

WHEREAS, the applicant was denied a wine beer license for another storefront located at 328 East 14th Street by Community Board 3 in July of 2011 because the applicant was unable to control crowds and noise in front of its existing East 14th Street business, was allowing patrons to drink alcohol outside and was operating past its stipulated hours of operation; and

WHEREAS, the applicant provided no petition signatures or other documentation in support of its application; and

WHEREAS, Community Board 3 was concerned about granting a full on-premises liquor license to this applicant given that 1) this application is for a full on-premises liquor license for an in part quick-serve pizza restaurant with a full on-premises liquor license in a location which has previously operated as a full-service restaurant, 2) consistent with this method of operation, the layout includes a takeout counter and self-serve seating, 3) the applicant provided no evidence of community support, 4) the location is within five hundred (500) feet of nineteen (19) full on-premises liquor licenses which have caused vehicular congestion and noise along Second Avenue, and 5) although a proximity report from the SLA website indicates that Saint Marks Church in the Bowery, located at 131 East 10th Street, at the corner of Second Avenue and East 10th Street, New York, New York, is three hundred seventy (370) feet from this location, that measurement seems incorrect given that the church is directly across the street from this location; and

WHEREAS, given the concerns of Community Board 3, the applicant has now stated that it will apply for a wine beer license for this business; now

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a wine beer license for LTS East LLC, with a proposed business name of Lions, Tigers & Squares Detroit Pizza, for the premises located at 201 East 10th Street a/k/a 160 Second Avenue, at the corner of East 10th Street and Second Avenue, New York, New York, 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 gourmet pizza 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 4:00 A.M. all days,
- 3) it will close any front or rear façade entrance doors at 10:00 P.M. every night or when amplified sound is playing and will otherwise have a closed fixed facade with no open doors or windows,
- 4) 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,
- 5) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 6) it will not host pub crawls or party buses,
- 7) it will not have unlimited drink specials with food,
- 8) it will not have "happy hours,"
- 9) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons 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.

7. Taco Mix, 158 Delancey St btwn Suffolk & Clinton Sts (op)

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

WHEREAS, Taco Mix Delancey LLC, with a proposed business name of Taco Mix, initially appeared before Community Board 3 seeking a full on-premises liquor license for the premises located at 158 Delancey Street, between Suffolk Street and Clinton Street, New York, New York; and

WHEREAS, this applicant is proposing to operate a Mexican restaurant with a certificate of occupancy of twenty-three (23) people, three (3) tables and ten (10) seats, a six (6) foot by two (2) foot counter, hours of operation of 11:00 A.M. to 11:00 P.M. Sundays, 10:00 A.M. to 12:00 A.M. Mondays through Thursday and 10:00 A.M. to 1:00 A.M. Fridays and Saturdays, a kitchen open during all hours of operation, five (5) monitors to display the menu, recorded background music and happy hours to 8:00 P.M.; and

WHEREAS, the applicant stated that it is seeking a full on-premises liquor license to serve margaritas to its customers; and

WHEREAS, this is a previously unlicensed location; and

WHEREAS, there are three (3) full on-premises liquor licenses within five hundred (500) feet of this location per the applicant but five (5) full on-premises liquor licenses within five hundred (500) feet of this location per the SLA LAMP map; and

WHEREAS, the applicant provided petition signatures, six (6) of which are from area residents, in support of its application; and

WHEREAS, the applicant has no experience operating a licensed business but noted experience in the family business, an unlicensed business of the same name as proposed by the applicant, which has operated in East Harlem for more than twenty (20) years and the applicant stated that it is intending to employ a manager with ten (10) years of experience working in restaurants; and

WHEREAS, the Suffolk Street Block Association submitted a letter stating that it was concerned about approving a full on-premises liquor license for an applicant with no experience operating a licensed business, in a previous unlicensed location and without any apparent public interest; and

WHEREAS, Community Board 3 was concerned about granting a full on-premises liquor license to this applicant given that 1) this application is for a full on-premises liquor license for a quick-serve Mexican restaurant in a location which has never had any business with a liquor license, 2) consistent with its method of operation as a fast-food versus full-service restaurant, its layout includes three (3) bar height tables with limited seating and service at a counter, 3) the applicant has no experience operating a licensed business, 4) there is minimal evidence of community support, and 5) the Suffolk Street Block Association expressed concern about approving a full on-premises liquor license for this applicant with no experience operating a licensed business, in a previous unlicensed location and without any apparent public interest; and

WHEREAS, given the concerns of Community Board 3, the applicant has now stated that it will apply for a wine beer license for this business; now

THEREFORE, BE IT RESOLVED that Community Board 3 moves to deny the application for a wine beer license for Taco Mix Delancey LLC, with a proposed business name of Taco Mix, for the premises located at 158 Delancey Street, between Suffolk Street and Clinton Street, New York, New York, 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 fast-casual Mexican 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 11:00 P.M. Sundays, 10:00 A.M. to 12:00 A.M. Mondays through Thursdays and 10:00 A.M. to 1:00 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 or when amplified sound is playing 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 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 or for any physical alterations without first appearing before Community Board 3,
- 7) it will not seek a change in class to a full on-premises liquor license without first obtaining the approval of Community Board 3,
- 8) it will not host pub crawls or party buses,
- 9) it will not have unlimited drink specials with food,
- 10) it may have "happy hours" to 8:00 P.M. each night,
- 11) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons 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.

8. Williamsburg Pizza (Williamsburg Pizza 14th Street LLC), 226 E 14th St btwn 2nd & 3rd Aves (wb)

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

WHEREAS, Williamsburg Pizza 14th Street LLC, with a proposed business name of Williamsburg Pizza, has applied for a wine beer license for the premises located at 226 East 14th Street, between Second Avenue and Third Avenue, New York, New York; and

WHEREAS, this applicant is proposing to operate a specialty pizza restaurant with a certificate of occupancy of six (6) people with a plan to amend the certificate of occupancy or obtain a letter of no objection, eight (8) tables and twenty-four (24) seats and a rail with eight (8) stools, a six (6) foot service bar, hours of operation of 13:00 A.M. to 2:00 A.M. all days, a kitchen open during all hours of operation, recorded background music and happy hours to 7:00 P.M.; and

WHEREAS, this is an unlicensed location, that was previously operated as a pizza restaurant, and which is located along 14th Street, a wide avenue; and

WHEREAS, the applicant has operated the same business located at 277 Broome Street, New York, New York, since March of 2016, which had a wine beer license issued by the SLA on March 1, 2016, and one of its partners operates a restaurant located at 355 Bowery, New York, New York, which had a full on-premises liquor license issued by the SLA on February 8, 2019; and

WHEREAS, the applicant provided petition signatures in support of its application, twenty-eight (28) of which are from area residents most of whom live in the building where the business will be located; and

WHEREAS, given the history of the applicant in this community, Community Board 3 would approve this application for a wine beer license with stipulations governing its method of operation; now

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a wine beer license for Williamsburg Pizza 14th Street LLC, with a proposed business name of Williamsburg Pizza, for the premises located at 226 East 14th Street, between Second Avenue and Third Avenue, New York, New York, 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 quick-serve specialty pizza restaurant, with a kitchen open and serving food during all hours of operation
- 2) its hours of operation will be 11:30 A.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 or when amplified sound is playing 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 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 or for any physical alterations without first appearing before Community Board 3,
- 7) it will not seek a change in class to a full on-premises liquor license without first obtaining approval from Community Board 3,
- 8) it will not host pub crawls or party buses,
- 9) it will not have unlimited drink specials with food,
- 10) it may have "happy hours" to 7:00 P.M. each night,
- 11) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons 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.

9. Omar's Kitchen, 29 Clinton St btwn E Houston & Stanton Sts (op)

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

WHEREAS, an entity to be formed by principal Omar Walters, with a proposed business name of Omar's Kitchen, has applied for a full on-premises liquor license for the premises located at 29 Clinton Street, between East Houston Street and Stanton Street, New York, New York; and

WHEREAS, this applicant is proposing to operate a Caribbean restaurant with no listed certificate of occupancy, twenty (20) tables and forty (40) seats, a ten (10) foot bar with five (5) stools, hours of operation of 7:00 A.M. to 11:00 P.M. Sundays, 7:00 A.M. to 1:00 A.M. Mondays through Thursdays, and 7:00 A.M. to 2:00 A.M. Fridays and Saturdays, a kitchen open during all hours of operation, windows, a "mini display," recorded background music and happy hours to 7:00 P.M.; and

WHEREAS, this location has been operated as a restaurant or restaurant tavern under different corporate names but with the same principal since 2003 who was last denied a full on-premises liquor license by Community Board 3 in April of 2017 unless the applicant agreed to make as conditions of its license stipulations that it would 1) operate as a full-service modern Lebanese restaurant, with a kitchen open and serving food during all hours of operation, 2) have hours of operation of 4:00 P.M. to 1:00 A.M. Mondays through Thursdays, 4:00 P.M. to 2:30 A.M. Fridays, 10:00 A.M. to 2:30 A.M. Saturdays and 10:00 A.M. to 1:00 A.M. Sundays, 3) not commercially operate any outdoor areas, 4) close any front façade doors and windows at 10:00 P.M. weekdays and 11:00 P.M. Fridays and Saturdays or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances, 5) play ambient background music only, consisting of recorded music and DJs, and not have live music, promoted events, scheduled performances or any event at which a cover fee would be charged and have DJs no more than twenty (20) times per year and amplify them only with the existing restaurant sound system, 6) not apply for any alteration in its method of operation without first appearing before Community Board 3, 7) not host pub crawls or party buses, 8) not have unlimited drink specials with food, 9) ensure that there are no wait lines outside and designate an employee to oversee patrons and noise on the sidewalk, 10) conspicuously post this stipulation form beside its liquor license inside of its business, and 11) provide a telephone number for residents to call with complaints and immediately address any resident complaints; and

WHEREAS, the last licensee at this location was denied a full on-premises liquor license by Community Board 3 in February of 2019 unless the applicant agreed to make as conditions of its license stipulations that it would 1) operate as a full-service plant-based Mediterranean restaurant, with a kitchen open and serving food during all hours of operation, 2) have hours of operation of 11:00 A.M. to 10:00 P.M. all days, 3) close any front façade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances, 4) not commercially operate any outdoor areas, 5) play ambient background music only, consisting of recorded music, and not have DJs, live music, promoted events, scheduled performances or any event at which a cover fee would be charged, 6) not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board

3, 7) not have "happy hours," 8) not host pub crawls or party buses, 9) not have unlimited drink specials with food, 10) not have wait lines outside and designate an employee to oversee patrons and noise on the sidewalk, 11) conspicuously post this stipulation form beside its liquor license inside of its business, and 12) provide a telephone number for residents to call with complaints and immediately address any resident complaints; and

WHEREAS, there are fourteen (14) full on-premises liquor licenses and one (1) pending full on-premises liquor license within five hundred (500) feet of this location; and

WHEREAS, the applicant provided petition signatures, twenty-eight (28) of which are from area residents, in support of its application; and

WHEREAS, the applicant has no experience operating a licensed business but has been a full-time chef for eight (8) years, operating a catering business and working as a private chef, and intends to employ a manager with experience managing licensed businesses; and

WHEREAS, given that the applicant is seeking to operate a full-service restaurant with hours of operation which include daytime hours of operation in a location which has operated as restaurant with a full on-premises liquor license, Community Board 3 would approve this application for a full on-premises liquor license with stipulations governing its method of operation; now

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for an entity to be formed by principal Omar Walters, with a proposed business name of Omar's Kitchen, for the premises located at 29 Clinton Street, between East Houston Street and Stanton Street, New York, New York, unless the applicant agrees before the SLA to make as conditions of the license the following signed notarized stipulations that

- 1) it will operate as a full-service Caribbean restaurant, with a kitchen open and serving food during all hours of operation
- 2) its hours of operation will be 7:00 A.M. to 11:00 P.M. Sundays, 7:00 A.M. to 1:00 A.M. Mondays through Thursdays, and 7:00 A.M. to 2:00 A.M. Fridays and 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 when amplified sound is playing, 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 or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) it may have "happy hours" to 7:00 P.M. each night,
- 10) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons 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.

10. Mehanata NYC Inc, 113 Ludlow St btwn Rivington & Delancey Sts (op)

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

WHEREAS, Mehanata NYC Inc. is applying for a full on-premise liquor license for a three-story restaurant and dance music venue, doing business as Mehanata Bulgarian Bar, for the premises located at 113 Ludlow Street, between Rivington Street and Delancey Street; and

WHEREAS, per the applicant, this is an application to add another principal, to wit Dimeter Georgiev, to the corporation and change the corporate name but otherwise maintain the method of operation and business name of the existing business; and

WHEREAS, this is an application for a restaurant dance club music venue on the ground floor, basement and mezzanine with a certificate of occupancy of two hundred eighty (280) people, fourteen (14) tables and sixty (60) seats, no listed hours of operation but hours of operation on its webpage of 8:00 P.M. to 4:00 A.M. Thursdays through Saturdays, a kitchen open during all hours of operation, a nineteen (19) foot bar on the ground floor and a fifteen (15) foot bar in the basement,

recorded and live music and DJs at entertainment levels, promoted events, scheduled performances and events with cover fees, one (1) private party per month and security; and

WHEREAS, the original application for a full on-premises liquor license for a full-service restaurant with cultural live music in the basement level and dance and music workshops during the day was approved by Community Board 3 in April of 2006 with stipulations to 1) have any musicians stop playing at 11:00 P.M. and have the restaurant close at 1:00 A.M. Sundays through Thursdays, 2) have any musicians stop playing music and close the business at 4:00 A.M. Fridays and Saturdays, 3) employ a doorman every day, 4) serve food to within one (1) hour of closing, 5) have any musicians perform in the basement level only, 6) coordinate any and all events with the 7th Precinct, and 7) provide contact information for the community to contact management; and

WHEREAS, when the business opened, it was already operating as a dance club music venue, doing business as Mehanata Bulgarian Bar, open only Thursdays through Saturdays, with closing hours of 4:00 A.M. all days of operation; and

WHEREAS, as a consequence of how the business was being operated, it accrued numerous violations sustained charges, conditional no contest pleas and settlements before the SLA; and

WHEREAS, at least one of these violations pertains to unlimited drink specials associated with the use of an "ice cage," which involves patrons paying a flat fee to enter the cage and consume unlimited shots of vodka within a specified time period; and

WHEREAS, as a consequence of how the business was being operated and its numerous violations, Community Board 3 has denied applications for full on-premises liquor licenses for different corporations at this location in July of 2006, February of 2008, October of 2011, understanding that at least one principal and the method of operation remained the same; and

WHEREAS, Community Board 3 had no recommendation for a corporate change application it heard in October of 2016 but noted that the applicant was still operating the "ice cage," although it represented that it only allowed a limited number of shots per use which it believed to be consistent with the law; and

WHEREAS, there twenty-nine (29) full on-premises liquor licenses within five hundred (500) feet of this location per the applicant and there are three (3) pending full on-premises liquor licenses within five hundred (500) feet of this location per the SLA LAMP map; and

WHEREAS, the applicant furnished petition signatures, twenty (20) of which are from area residents, in support of its application, although some are from area businesses; and

WHEREAS, a fifteen (15) year resident of the street appeared in opposition to this application, stating that 1) the applicant is one of the worst operators in the immediate area, it has numerous violations including violations in 2015 for sale of alcohol off-premises and open containers and that he has observed patrons drinking outside, 2) he has observed that the applicant uses a metal barricade that blocks the sidewalk, there are crowds outside and on the sidewalk making it impassable for pedestrians and the effect of all of the patrons outside is "debaucherous," and 3) that the location still has a temporary certificate of occupancy and it and the public assembly permit for this location are unclear and it is unclear if the kitchen is permitted at all or permitted where it is now located; and

WHEREAS, although Community Board 3 did not approve the present method or hours of operation of this business, it understands that this is an existing business which is only changing its corporate name and adding a principal and which will, therefore, be approved; now

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the full on-premise liquor license for Mehanata NYC Inc., doing business as Mehanata Bulgarian Bar, for the premises located at 113 Ludlow Street, between Rivington Street and Delancey Street, New York, New York, 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 Bulgarian restaurant and dance club music venue, with a kitchen open and serving food during all hours of operation,
- 2) it will operate from 12:00 P.M. to 2:00 A.M. Sundays and 5:00 P.M. to 4:00 A.M., Mondays through Saturdays,
- 3) it will not commercially operate any outdoor areas,

- 4) it will employ security guards, at least two (2) of which will be outside in front of the business during its hours of operation,
- 5) it will have a closed fixed facade with no open doors or windows,
- 6) it will play recorded and live music and may have promoted events, scheduled performances and events with cover fees and will have no more than two (2) DJs at any time,
- 7) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 8) it will not host pub crawls or party buses,
- 9) it will not have unlimited drink specials with food,
- 10) it may have "happy hours" to 9:00 P.M. each night,
- 11) it will ensure that there are no wait lines, ropes or barricades outside and will designate an employee to oversee patrons 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.

11. Forsythia (JDS Restaurant LLC), 9 Stanton St btwn Chrystie St & Bowery (wb)

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

WHEREAS, JDS Restaurant LLC, with a proposed business name of Forsythia, has applied for a wine beer license for the premises located at 9 Stanton Street, between Chrystie Street and Bowery, New York, New York; and

WHEREAS, this applicant is proposing to operate an Italian restaurant with a certificate of occupancy of seventy-four (74) people, five (5) tables and twenty-four (24) seats, an eight (8) foot bar with four (4) stools, hours of operation of 12:00 P.M. to 1:00 A.M. Sundays, 6:00 P.M. to 1:00 A.M. Mondays through Thursdays and 12:00 P.M. to 2:00 A.M. Fridays and Saturdays, a kitchen open to within one (1) hour of closing, an open façade and recorded background music; and

WHEREAS, the last licensee at this location was denied a full on-premises liquor license by Community Board 3 in January of 2018 unless the applicant agreed to make as conditions of its license stipulations that it would 1) operate as a full-service Jewish soul food restaurant, with a kitchen open and serving food to within one (1) hour of closing, 2) have hours of operation of 5:00 P.M. to 12:00 A.M. Sundays and Mondays and 5:00 P.M. to 3:30 A.M. Tuesdays through Saturdays, 3) close any front or rear façade entrance doors at 10:00 P.M. every night or when amplified sound is playing and otherwise have a closed fixed facade with no open doors or windows, 4) not commercially operate any outdoor areas, 5) play ambient background music only, consisting of recorded music, and not have DJs, live music, promoted events, scheduled performances or any event at which a cover fee would be charged, 6) not apply for any alteration in its method of operation without first appearing before Community Board 3, 7) have "happy hours" to 8:00 P.M. each night, 8) not host pub crawls or party buses, 9) not have unlimited drink specials with food, 10) not have wait lines outside and it designate an employee to oversee patrons and noise on the sidewalk, 11) conspicuously post this stipulation form beside its liquor license inside of its business, and 12) provide a telephone number for residents to call with complaints and immediately address any resident complaints; and

WHEREAS, the applicant provided petition signatures, eighty-six (86) of which are from area residents, in support of its application; and

WHEREAS, the applicant has no experience operating a licensed business but has three (3) years of culinary experience and intends to employ a general manager with ten (10) to fifteen (15) years of experience working in eating and drinking establishments; and

WHEREAS, given that the applicant is seeking a wine beer license to operate a full-service restaurant with moderate hours of operation, Community Board 3 would approve this application for a wine beer license with stipulations governing its method of operation; now

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a wine beer license for JDS Restaurant LLC, with a proposed business name of Forsythia, for the premises located at 9 Stanton Street, between Chrystie Street and Bowery, New York, New York, unless the applicant agrees before the SLA to make as conditions of the license the following signed notarized stipulations that

- 1) it will operate as a full-service Italian 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 1:00 A.M. Sundays, 6:00 P.M. to 1:00 A.M. Mondays through Thursdays and 12:00 P.M. to 2:00 A.M. Fridays and 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 when amplified sound is playing, 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 or for any physical alterations without first appearing before Community Board 3,
- 7) it will not seek a change in class to a full on-premises liquor license without first obtaining approval from Community Board 3,
- 8) it will not host pub crawls or party buses,
- 9) it will not have unlimited drink specials with food,
- 10) it will not have "happy hours,"
- 11) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons 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.

12. Nai Tapas (Nai Tapas Restaurant Corp), 85 2nd Ave @ E 5th St (upgrade to op)
withdrawn

13. Cafe 247 (Cafe 247 NYC LLC), 247 Eldridge St btwn E Houston & Stanton Sts (op)
withdrawn

14. 72 Cibao Restaurant Corp, 72 Clinton St (wb)
withdrawn

15. Takahachi (KTM 7 Inc), 85 Ave A btwn E 5th & E 6th Sts (wb)

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

WHEREAS, KTM 7 Inc., with a proposed business name of Takahachi, is seeking a wine beer license for the premises located at 85 Avenue A, upper level, between East 5th Street and East 6th Street, New York, New York; and

WHEREAS, the applicant is proposing to operate a Japanese restaurant with no listed certificate of occupancy, twelve (12) tables and forty (40) seats, a fifteen (15) foot by nineteen (19) foot bar with fifteen (15) stools, hours of operation of 5:00 P.M. to 12:00 A.M. Sundays through Thursdays and 5:00 P.M. to 12:30 A.M. Fridays and Saturdays, a kitchen open to within half (½) an hour or one (1) hour of closing, a closed façade and recorded background music; and

WHEREAS, the applicant has stated that this is a sale of assets of the previous business which operated as a full-service Japanese restaurant, doing business as Takahachi, with a wine beer license that was issued by the SLA on October 6, 2003; and

WHEREAS, the applicant has been the chef at the existing restaurant for the past nineteen (19) years and intends to maintain its method of operation, business name and staff; and

WHEREAS, the applicant provided petition signatures, ten (10) of which are from area residents, in support of its application and one (1) area resident and patron submitted a letter in support of this applicant; and

WHEREAS, given the longstanding good history of this applicant and business in this community and the intention of the applicant to maintain the existing business, Community Board 3 would approve this application for a full on-premises liquor license with stipulations governing its method of operation; now

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a wine beer license for KTM7 Inc., with a proposed business name of Takahachi, for the premises located at 85 Avenue A, upper level, between East 5th Street and East 6th Street, New York, New York, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

- 1) it will operate a full-service Japanese restaurant, with a kitchen open and serving food to within half (½) an hour of closing,

- 2) its hours of operation will be 5:00 P.M to 12:00 A.M. Sundays through Thursdays and 5:00 P.M. to 12:30 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 or when amplified sound is playing 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 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 or for any physical alterations without first appearing before Community Board 3,
- 7) it will not seek a change in class to a full on-premises liquor license without first obtaining approval from Community Board 3,
- 8) it will not host pub crawls or party buses,
- 9) it will not have unlimited drink specials with food,
- 10) it will not have "happy hours,"
- 11) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons 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.

16. The Jetty (Hippoe Holdings LLC), 36 Allen St (wb)
 withdrawn

17. Entity to be formed by 48 Bowery Street NY NY, 48 Bowery btwn Canal & Bayard Sts (op)

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

WHEREAS, Canal Arcade LLC has applied for a full on-premises liquor license for the premises located at 48 Bowery, between Canal Street and Bayard Street, New York, New York; and

WHEREAS, this applicant is proposing to operate a Japanese sushi and Omakase restaurant with a certificate of occupancy of seventy-four (74) people, an eighteen (18) foot by seven (7) foot sushi counter with ten (10) stools in the back room and a eight (8) foot by eleven (11) foot bar with nine (9) stools in the front room, hours of operation of 11:30 A.M. to 2:00 A.M. all days, a kitchen open to within one (1) hour of closing, a closed façade, no televisions, recorded background music and twelve (12) private parties per year; and

WHEREAS, this is an unlicensed location, that was previously operated as a restaurant, and which is located along a commercial arcade accessed from Bowery, a wide commercial avenue; and

WHEREAS, the applicant has operated a restaurant located at 1 Howard Street, New York, New York, since 2017 which was approved for a full on-premises liquor license by the SLA on August 15, 2017; and

WHEREAS, the applicant owns and operates other commercial and real estate businesses within the immediate neighborhood; and

WHEREAS, although the applicant counted thirteen (13) full on-premises liquor licenses within five hundred (500) feet of this location, there appear to be only two (2) full on-premises liquor licenses within five hundred (500) feet of this location per the SLA LAMP map; and

WHEREAS, the applicant provided petition signatures, seventeen (17) of which are from area residents, in support of its application and no one appeared in opposition to this application; and

WHEREAS, given the history of the applicant in this community and the limited number of full on-premises liquor licenses within five hundred (500) feet of this location, Community Board 3 would approve this application for a full on-premises liquor license with stipulations governing its method of operation; now

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Canal Arcade LLC, for the premises located at 48 Bowery, between Canal Street and Bayard Street, New York, New York, 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 Japanese sushi and Omakase restaurant, with a kitchen open and serving food during all hours of operation

- 2) its hours of operation will be 11:30 A.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 or when amplified sound is playing 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 DJs, live music, promoted events, scheduled performances or any event at which a cover fee will be charged and will have no more than twelve (12) private parties per year,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) it will not have "happy hours,"
- 10) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons 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.

18. Rumba NYC Bar & Grill Corp, 185 Ave C (Store 3&4) btwn E 11th & E 12th Sts (op)

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

WHEREAS, Rumba NYC Bar & Grill Corp. has applied for a full on-premises liquor license for the premises located at 185 Avenue C, Stores 3 & 4, between East 11th Street and East 12th Street, New York, New York; and

WHEREAS, this applicant is proposing to operate a Spanish restaurant with a certificate of occupancy of seventy-five (75) people, fourteen (14) tables and twenty-eight (28) seats, a fourteen (14) foot bar with eleven (11) stools and a rail with three (3) stools, hours of operation of 2:00 P.M. to 12:00 A.M. Sundays through Thursdays and 2:00 P.M. to 2:00 A.M. Fridays and Saturdays, a kitchen open during all hours of operation, windows, two (2) televisions, unspecified background music and happy hours to 8:00 P.M.; and

WHEREAS, the applicant stated that it is intending to play recorded background music only and is not seeking to have DJs or live music; and

WHEREAS, this is a previously licensed location; and

WHEREAS, the last applicant for a full on-premises liquor license at this location was denied by Community Board 3 in February of 2016, because of concerns regarding the limited experience of the applicant, the incomplete food menu and the proposed late-night hours of operation but was then issued its license by the SLA on August 25, 2016; and

WHEREAS, prior to the last applicant, this location had been operated as a Latin restaurant with a full on-premises liquor license, doing business as Cafecito, for at least twelve (12) years; and

WHEREAS, there are six (6) full on-premises liquor licenses within five hundred (500) feet of this location per the applicant but nine (9) full on-premises liquor licenses and one (1) pending full on-premises liquor license within five hundred (500) feet of this location per the SLA LAMP map; and

WHEREAS, the applicant provided petition signatures, eighty-seven (87) of which are from area residents, in support of its application; and

WHEREAS, the applicant has operated a lounge restaurant located at 2152 Westchester Avenue, Bronx, New York, since 2015, which was approved for a full on-premises liquor license by the SLA on December 17, 2015, and for which it furnished a letter of good standing from Bronx Community Board 9; and

WHEREAS, an area resident appeared to express concern about this proposed new business given that the previous business which represented itself to be a restaurant had loud music and patrons, a façade open late at night and patrons fighting in front of the business; and

WHEREAS, given these circumstances, Community Board 3 would approve this application for a full on-premises liquor license with stipulations governing its method of operation, now

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Rumba NYC Bar & Grill Corp., for the premises located at 185 Avenue C, Stores 3 & 4, between East 11th Street and East 12th Street, New York, New York, 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 food during all hours of operation,
- 2) its hours of operation will be 2:00 P. M. to 12:00 A.M. Sundays through Thursdays and 2:00 P.M to 2:00 A.M Fridays and 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 when amplified sound is playing, 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 or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) it may have "happy hours" to 8:00 P.M. each night,
- 10) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons 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.

19. Entity to be formed by Eugene Lennon, 269 E Houston St a/k/a 188 Suffolk St @ Suffolk St (op)

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

WHEREAS, an entity to be formed by principal Eugene Lennon has applied for a full on-premises liquor license to operate a tavern in the premises located at 269 East Houston Street a/k/a 188 Suffolk Street, at the corner of Suffolk Street and East Houston Street, New York, New York; and

WHEREAS, this applicant is proposing to operate a tavern with a certificate of occupancy of seventy-four (74) people, eight (8) tables and thirty (30) seats and a fourteen (14) foot counter rail with seven (7) stools, a twenty-seven (27) foot bar with twelve (12) stools, hours of operation of 11:00 A.M. to 4:00 A.M. Mondays through Fridays and 12:00 P.M. to 4:00 A.M. Saturdays and Sundays, a kitchen open during all hours of operation serving "pub fare," a closed facade, two (2) televisions, recorded background music and live music during brunch, one (1) private party per month, no security and happy hours to 8:00 P.M.; and

WHEREAS, although now unoccupied, this premises was last operated as a tavern with a full on-premises liquor license and Community Board 3 understands that this location has been continuously license since 1937, and has been successively operated as a tavern by different entities; and

WHEREAS, the last licensee for a full on-premises liquor license at this location was denied by Community Board 3 in March of 2014 unless the applicant agrees to make as conditions of its license stipulations that it would 1) operate a full-service restaurant, to wit a gastro pub, with a kitchen open and serving food during all hours of operation, 2) have hours of operation of 4:00 P.M. to 4:00 A.M. Mondays through Thursdays and 7:00 A.M. to 4:00 A.M. Fridays and Saturdays, 3) 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 would be charged, 4) not commercially use any outdoor areas, 5) have a closed fixed façade with no open doors or windows, 6) install additional soundproofing, if necessary, 7) ensure that if it rents its establishment for a private event, it would remain responsible for overseeing congestion and noise on the sidewalk, 8) not apply for any alteration in its method of operation without first appearing before Community Board 3, 9) not have "happy hours," 10) not host pub crawls or party buses, 11) designate an employee to oversee patron congestion and noise on the sidewalk, and 12) provide a telephone number for residents to call with complaints and immediately address any resident complaints; and

WHEREAS, there are nine (9) full on-premises liquor licenses within five hundred (500) feet of this location per the applicant but ten (10) full on-premises liquor licenses within five hundred (500) feet of this location per the SLA LAMP map; and

WHEREAS, the applicant provided petition signatures, seventeen (17) of which are from area residents, in support of its application; and

WHEREAS, the applicant has operated Trinity Pub located at 229 East 84th Street, New York, New York, since 1995, which was approved for a full on-premises liquor license by the SLA on March 21, 1996, Juke Bar located at 301 East 12th Street, New York, New York, since 2018, which was approved a full on-premises liquor license by the SLA on November 13, 2018, Gael Pub located at 1465 Third Avenue, New York, New York, from 2004 to 2018, and Banshee Pub located at 1373 First Avenue, New York, New York, from 2000 to 2018; and

WHEREAS, given the history of the location and the applicant, and given that the applicant is proposing to operate a business similar in method of operation to the previous business, Community Board 3 would approve this application for a full on-premises liquor license with the stipulations governing its method of operation, now

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for an entity to be formed by principal Eugene Lennon for the premises located at 269 East Houston Street a/k/a 188 Suffolk Street, at the corner of Suffolk Street and East Houston Street, New York, New York, unless the applicant agrees before the SLA to make as conditions of the license the following signed notarized stipulations that

- 1) it will operate as a tavern, with less than a full kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 11:00 A.M. to 4:00 A.M. Mondays through Fridays and 12:00 P.M. to 4:00 A.M. Saturdays and Sundays,
- 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, when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances, including live acoustic music,
- 5) it will play ambient background music, consisting of recorded music, as part of its regular operation and may have acoustic live music consisting of no more than three (3) players or instruments playing Saturdays and Sundays no later than 9:00 P.M. but will not have DJs, promoted events or any event at which a cover fee will be charged and will have no more than one (1) private party per month,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) it may have "happy hours" to 8:00 P.M. each night,
- 10) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons 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.

20. Suave Bar & Restaurant LLC, 112 Rivington St btwn Ludlow and Essex Sts (op)
withdrawn

21. Encore Hospitality LLC, 245 Bowery @ Stanton St (op)
withdrawn

22. Essex Chicken LLC, 115 Essex St btwn Rivington & Delancey Sts (wb)

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

WHEREAS, Essex Chicken LLC has applied for a wine beer license for the premises located at 115 Essex Street, between Rivington Street and Delancey Street, New York, New York; and

WHEREAS, this applicant is proposing to operate a quick-serve chicken restaurant with a certificate of occupancy of seventy-four (74) people, ten (10) tables and twenty-four (24) seats, a ten (10) foot by four (4) foot bar with eight (8) stools, hours of operation of 11:00 A.M. to 11:00 P.M. Sundays, 11:00 A.M. to 12:00 A.M. Mondays through Wednesday, 11:00 A.M. to 1:00 A.M. Thursdays and 11:00 A.M. to 3:00 A.M. Fridays and Saturdays, a kitchen open during all hours of operation, French doors, two (2) televisions and recorded background music; and

WHEREAS, this is an unlicensed location, that was previously operated as a salad restaurant, and which is located along Essex Street, a wide avenue; and

WHEREAS, the applicant has operated the previous business at this location, as well as seven (7) unlicensed pizzerias in New York City, including a pizzeria located at 123 Essex Street, New York, New York, which has operated since 2011; and

WHEREAS, the applicant provided petition signatures, twenty-eight (28) of which are from area residents, in support of its application and two (2) residents of the area who are also active in nonprofit organizations in the community appeared in support of the applicant who they described as a generous contributor to and supporter of this community; and

WHEREAS, the LES Dwellers, a residents' organization, submitted a letter requesting that the applicant consider earlier closing times; and

WHEREAS, given the history of the applicant in this community, Community Board 3 would approve this application for a wine beer license with stipulations governing its method of operation, including earlier closing times Fridays and Saturdays; now

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a wine beer license for Essex Chicken LLC, for the premises located at 115 Essex Street, between Rivington Street and Delancey 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 quick-serve chicken 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 11:00 P.M. Sundays, 11:00 A.M. to 12:00 A.M. Mondays through Wednesday, 11:00 A.M. to 1:00 A.M. Thursdays and 11:00 A.M. to 2:00 A.M. Fridays and 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 when amplified sound is playing, 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 or for any physical alterations without first appearing before Community Board 3,
- 7) it will not seek a change in class to a full on-premises liquor license without first obtaining approval from Community Board 3,
- 8) it will not host pub crawls or party buses,
- 9) it will not have unlimited drink specials with food,
- 10) it will not have "happy hours,"
- 11) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons 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.

Items not heard at Committee

23. Entity to be formed by Jae Lee, 507 E 6th St (wb)
no vote necessary
24. THTG Inc, 115 Delancey St (Stall 45) (wb)
no vote necessary
25. Otaku Katsu (Grandromeda LLC), 137 Rivington St (wb)
no vote necessary
26. Broome Street Bakery (254 Broome LLC), 254 Broome St (wb)
no vote necessary
27. Oh! Chicken LLC, 115 Essex St (wb)
no vote necessary
28. Once More Thai (Ammarit Inc), 6 Clinton St (wb)
no vote necessary
29. Joes Steam Rice Rolls (JSRR 1 LLC), 36 St Marks Pl (wb)
no vote necessary
30. Z Shanghai (Zheli Shanghai Inc), 19 St Marks Pl (wb)
no vote necessary
31. Zen 6 (20X Hospitality LLC), 328 E 6th St (corp change)
no vote necessary

32. Vote to adjourn
approved by committee

40 YES 0 NO 1 ABS 0 PNV MOTION PASSED (excluding September SLA items 4, 7, 17)

38 YES 2 NO 1 ABS 0 PNV MOTION PASSED (September SLA items 4, 7)

39 YES 0 NO 1 ABS 1 PNV MOTION PASSED (September SLA item 17)

Landmarks Committee

meeting canceled

Vote to adjourn

40 YES 0 NO 1 ABS 0 PNV MOTION PASSED

Members Present at Last Vote:

David Adams	[P]	Trever Holland	[P]	Michael Perles	[P]
Yaron Altman	[P]	Linda Jones	[P]	Paul Rangel	[P]
Jesse Beck	[P]	Vaylateena Jones	[P]	Carolyn Ratcliffe	[P]
Dominic Berg	[P]	Tatiana Jorio	[P]	Damaris Reyes	[P]
Lee Berman	[A]	Meghan Joye	[A]	Richard Ropiak	[P]
Lisa Burriss	[P]	Lisa Kaplan	[P]	Robin Schatell	[P]
Karlin Chan	[A]	Olympia Kazi	[P]	Heidi Schmidt	[P]
Jonathan Chu	[P]	Joseph Kerns	[P]	Laryssa Shainberg	[P]
David Crane	[P]	Michelle Koppersmith	[P]	Clint Smeltzer	[P]
Felicia Cruickshank	[A]	Mae Lee	[P]	Anisha Steephen	[P]
Paul DeRienzo	[P]	Alysha Lewis-Coleman	[P]	Sandra Strother	[P]
Eric Diaz	[P]	Han Lo	[A]	Josephine Velez	[P]
Alistair Economakis	[P]	Ellen Luo	[P]	Rodney Washington	[P]
Shirley Fennessey	[A]	Michael Marino	[P]	Kathleen Webster	[A]
Ryan Gilliam	[P]	Alexandra Militano	[P]	Jacky Wong	[P]
Debra Glass	[P]	Therese Mitchell	[A]		
Herman Hewitt	[P]	Nancy Ortiz	[P]		

Meeting Adjourned