



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

59 East 4th Street - New York, NY 10003
Phone (212) 533-5300
www.cb3manhattan.org - mn03@cb.nyc.gov

Alysha Lewis-Coleman, Board Chair

Susan Stetzer, District Manager

January 2021 Full Board Minutes

Meeting of Community Board 3 held on Tuesday, January 26, 2021 at 6:30pm via Zoom.

Public Session:

Hary Bubins:

Hope Beach Orchard Street Block Association SLA Committee No community discourse on SLA chair and an open town hall regarding open restaurants.

Diem Boyd Public access for internet, digital divide, narrow inequities, lack of transparency in open meetings, David Troutman LES dwellers regarding past resolutions SLA previously provided clear and precise documents and served as a way to understand the method of operation, history, description, this has been useful in closing down establishments that are breaking the rules. Meetings are of the same length and the quality of new meetings is not equal

Ben Carlos Thylis Monroe Street, real estate Thinks it is great that there will be a change in the SLA. Vacancy crisis due to the past president. People are upset about power and not about outcomes for the community Kim Tran resident of Rutgers Street. Observed how restaurants and bars have been a big contributor to happiness. Happy to see two of her favorite bars able to get licenses.

William Thomas Firmly supports new people and new blood to step up and take new leadership. SLA committee deserves a fighting chance

Christopher Lee 22 years as part of Parkside. It's important as a neighborhood draw. There has been a bar here since 1908. They feel that a roof deck is the only way to keep the bar open and alive. Mitigating the noise, and the intrusion. This is not a newcomer. Help the neighborhood to keep the Parkside

Brissia Perez Supporting the building of Parkside roof deck. The lounge is a draw, having a drink on the sidewalk is unsafe.

Michael Jagers Supporting the Parkside, so many businesses are shuttering and there is open drug use. If the parkside closes, the corner can't be revived. Makes the neighborhood safer and supports adjacent businesses. Security business outweighs noise issues. Houston is noisy and drowns out the potential noise from the traffic. Luis Bernal Parkside has been a part of our family's life for 40 years. The LES is losing it's soul. Been hanging out since he's 21. We should allow establishments that are a part of the neighborhood to survive and allow them to build a rooftop

Nora Breen 7th street block association. Lack of business diversity. Overabundance of liquor establishments.

Jody Oberfelder

Stuart Zamsky thank the community board for the open restaurant town hall. Open restaurants should be part of the transportation committee. Encourages that CB3 should model meetings on CB2. There is limited communication in the CB3 meetings. There has only been one town hall in CB3

Laura Sewell EVCoalition Item 5 Via Della Pace, Spelled incorrectly in the resolution, need to better and more accurately describe the operation of the business. History should be described in detail.

Tamara Daly requesting a legitimate townhall regarding the SLA chair and the open restaurants plan.

Requesting a town hall for questions and answers regarding the changes in committees for SLA and Arts and Culture.

Tommy Loeb East Side Costal Resiliency Plan. 2018 plan. The city withheld documents from the borough president. Pratt received 150K to run community advisories board. Submitted a release of information request, and were denied information. Appeal to CB and electeds to become more involved.

Wendy Brawer CB3 received thousands of new trees. Stewardship training. A number of trees have been removed and there should be a priority to public trees.

Susan Peters New Yorkers for wired tech. danger of the wireless towers there are 4K now and 8K planned. Devices and antennas cause a variety of cancers. Please be a watchdog.

Public Officials:

Mayor Bill de Blasio, Andrew Kunkes:

Public Advocate Jumaane Williams, Phillip Ellison:

Comptroller Scott Stringer, Luke Wolf: The city's pension funding will divest \$4B from fossil fuel industry. Fair shot NYC trying to make sure that vaccine is available and accessible. Businesses need to give paid time off to get the vaccine and getting the message out. PPP funding, only 12% took advantage. City needs to be proactive in their efforts to get this funding.

Borough President Gale Brewer, Brian Lewis: Covid Vaccine Task Force working with how to interact with seniors especially on the vaccine. East River Ecology Center and Composting. Carlina Rivera and Monsignor

Sullivan are working on what to do with the Cardinal Spellman Center. NYCHA is frustrating, Smith houses construction and Hamilton Madison houses are major construction hazards and are causing issues with the early childhood center. Forsythe Speed bump issue. Helicopter plan because the hovering noise. Working with NJ on this. Board 3 and 6 had an excellent discussion about open streets. Capital funding is due in February, business and housing funding is available.

Congressmember Nydia Velazquez, Lingxia Ye: A large part of Chinatown did not receive relief pandemic would like for census blocks to fund low income neighborhoods as opposed to zip codes. Trying to inform more about PPP and get information out and protect small business with vaccine

Congressmember Carolyn Maloney, Victor Montesinos: immigration reforms

Assemblymember Yuh-Line Niou, Shivani Gonzalez: NYCHA blueprint and affordable housing town hall. Oath proceeding. Legislative and budgetary town hall.

Assemblymember Deborah J. Glick, Charlie Anderson: New paid sick leave requirements. Rent relief extension closes Feb 1.

Assemblymember Harvey Epstein, Aura Olavarria: commercial eviction moratorium until May 1. Ensuring that commercial tenants can survive. 500M rent relief for commercial tenant support. Residential is 1.3B in hand. MTA pushed for fare hikes, looking for revenue from corporations, millionaires, billionaires. We need to invest in people and not keep cutting funding. If people have jobs, they can pay rent. Issues around NYCHA property on Ave D

State Senator Brian Kavanagh, Greer Mayhew: Declaration of hardships. Trying to halt the untimely evictions of senior from nursing homes.

State Senator Brad M. Hoylman, Caroline Wekselbaum: cosponsor the Covid 19 eviction and foreclosure act. Some upstate bodies are still evicting. End commercial rent tax for a large part of lower Manhattan (Manhattan Mom and Pop relief tax) capping 3rd party delivery tax fees. Two power outages in July 2019, supporting a package of reforms to have nominees as a part of the NYS. Ban facial recognition by law enforcement as well as other biometric measures. Repeal the 'walking while trans ban' allowing law enforcement to bully trans workers. Merchant house museum support.

Councilmember Margaret Chin, Kana Ervin:

Councilmember Carlina Rivera, Isabelle Chandler: the tragedy continues to unfold. Food and food scarcity is an issue. Looking for funds to provide food. Homicide on 3rd and C. Bringing harm reduction services to the people living under the scaffolding. Lighting is an issue. Scaffolding on 32 Ave. C. there is an effort to limit and remove the scaffolding. Working with sex workers with Gouverneur Hospital. Agency coordination with hospitals. Addressing the distrust with vaccines and financially support them and CBOs for vaccine. Open Streets legislation, open restaurants, open retail, open culture. Current open Street expires in September. Open restaurants also expire in September. Please let the council know if there are restaurants out of compliance. Important to keep from having predatory investors on real estate and provide opportunities for non profits to buy property. Question regarding a blanket policy to treat all restaurants as equal.

Members Present at First Vote:

David Adams	[P]	Trever Holland	[P]	Tareake Ramos	[P]
Yaron Altman	[P]	Linda Jones	[P]	Paul Rangel	[P]
Jesse Beck	[P]	Vaylateena Jones	[P]	Damaris Reyes	[P]
Dominic Berg	[P]	Tatiana Jorio	[P]	Richard Ropiak	[P]
Lee Berman	[P]	Lisa Kaplan	[P]	Thomas Rosa	[P]
Karlin Chan	[P]	Olympia Kazi	[P]	Robin Schatell	[P]
Jonathan Chu	[P]	Joseph Kerns	[P]	Heidi Schmidt	[P]
David Crane	[P]	Michelle Koppersmith	[P]	Laryssa Shainberg	[P]
Felicia Cruickshank	[A]	Mae Lee	[P]	Anisha Steephen	[P]
Eric Diaz	[P]	Wendy Lee	[P]	Sandra Strother	[P]
Alistair Economakis	[P]	Alysha Lewis-Coleman	[P]	Josephine Velez	[P]
Shirley Fennessey	[P]	David Louie	[P]	Troy Velez	[P]
Ryan Gilliam	[P]	Ellen Luo	[P]	Rodney Washington	[A]
Debra Glass	[P]	Michael Marino	[P]	Kathleen Webster	[P]
Andrea Gordillo	[P]	Alexandra Militano	[P]	Jacky Wong	[P]
Herman Hewitt	[P]	Michael Perles	[P]	Ricky Wong	[P]

Minutes:

Minutes of November 2020 were approved, as is.

46 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Board Chairperson's Report:

To address issue getting a lot of press—I would like to make the following clarifications;

First, I would like to extend deep appreciation and thanks to Alex for her 19 years of service as chair. She has great expertise and dedication, and she is greatly appreciated.

Second, I would like to clarify what I meant by "in another direction." It was just a way of not going into details—but the reason is that it is time to get newer members of the community board engaged and knowledgeable. They need their turns at seats at the table. This is occurring in other committees also.

Last, I would like to clarify issues of policy. The City Charter requires that community board positions, including policy, be decided by vote at a public meeting. All committees always adhere to this and all committees will continue to adhere to this. There are no policy changes contemplated. When and if any committee contemplates policy changes, this will be taken up at that committee.

I think that covers all questions that have been brought up that need clarification. Some things are internal matters and I cannot engage in that discussion.

There will be a Lunar New Year Zoom celebration on February 21. Jacky and Laryssa are in charge and will be sending you information.

The position of Secretary for the Board is vacant. Per our Bylaws, there will be an election at the next full board—February meeting. Laryssa will be point person; if you are interested in running or would like to nominate someone, please let her know by Feb. 10

District Manager's Report:

District Manager Susan Stetzer

Those of you who attended the Open Restaurants Town Hall can understand why I have been having so much difficulty responding to constituent complaints regarding violations. There is clearly no infrastructure for inspection or enforcement. This has been incredibly frustrating, and I have not been able to do my job properly.

Mae and I attend biweekly Health & Hospital test and trace meetings and vaccine is also discussed. Trever has reminded us of 202 Senior residences that need in-house vaccinations. We will give this information to the Test & Trace staff.

Committee Reports:

Executive Committee

no votes necessary

45 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Landmarks Committee

1. Approval of previous month's minutes and roll call (minutes are deemed approved if no objections) approved by committee
2. Certificate of Appropriateness: 321 E. 6th Street - construction of penthouse on rear roof, installation roof railing, and replacement of windows

VOTE: TITLE: Approval of the Certificate of Appropriateness application to construct a penthouse, install roof railing, and replace windows at 321 East 6th Street

WHEREAS, 321 East 6th Street is a contributing building within the Lower East Side-East Village Historic District; and

WHEREAS, 321 East 6th Street is an Italianate style tenement building constructed in 1853 and altered prior to 1897; and

WHEREAS, the application is to add a penthouse setback on the top floor, to install a steel mesh railing, and to install new windows; and

WHEREAS, the uniformity of the proposed façade fenestration and the proposal to install wood windows is appropriate; and

WHEREAS, the proposed wooden windows would be six over six; however we would like a further investigation of how many lights the original windows had; and

WHEREAS, given the fact that the neighboring synagogue is a lower building with an 8-foot alleyway space between buildings, a portion of the proposed new penthouse is visible from the public way; and

WHEREAS, the proposed material for the penthouse is the same as that of the eastern wall of the building, thus not distinguishing it visually from the historic wall; and

WHEREAS, because the design of the proposed railing was not available to us, we could not determine its impact on the view from the street; so

THEREFORE BE IT RESOLVED, CB 3 approves the proposed modifications with the following suggestions:

- Determine (if possible) the number of lights in the original windows
- Construct the railing using mesh that is as visually neutral as possible and move the railing at the front of the building back so that it is less visible from the street
- Distinguish the original historic eastern wall from the penthouse addition through some minor intervention such as a brick course so that the original pitch of the roof is suggested

3. Vote to adjourn
approved by committee

45 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Land Use, Zoning, Public & Private Housing Committee

no meeting scheduled
tenants fairs scheduled

Transportation, Public Safety, & Environment Committee

1. Approval of previous month's minutes and roll call (minutes are deemed approved if no objections)
approved by committee
2. DOT presentation: Gateway to Chinatown

VOTE: TITLE: Gateways to Chinatown

WHEREAS, the Department of Transportation (DOT) is proposing a Gateway to Chinatown project at the Canal Street Triangle, at the intersection of Canal Street, Baxter Street, and Walker Street; and

WHEREAS, the site is currently home to a kiosk that was funded and built in 2004 as part of 9/11 recovery in Chinatown, and is managed by the Chinatown Partnership; and

WHEREAS, in 2016 outreach and public design forums were held, an RFP was issued to redesign the triangle, and a new proposal was chosen by DOT in 2019 to install a spiral sculpture at the Canal Street Triangle Gateway to Chinatown location; and

WHEREAS, this design proved to be unpopular with the community and DOT has begun to consider new designs and conducted community outreach on possible alternatives; and

WHEREAS, the current proposal includes:

- retention of the existing ginkgo trees, and the addition of 4 new trees
- planted buffer and curb along canal street to safeguard pedestrians
- interactive digital interface- current neighborhood information, exhibits
- improved east west circulation and connection through this site
- permeable pavement for the grove
- fixed seating on the south side
- additional lighting for the site

WHEREAS, the community and committee express concern about the lack of traffic lights at the intersection of Baxter Street and Walker Street, and Walker Street and Canal Street which is contributing to unsafe pedestrian conditions. We would like DOT to propose safety improvements focusing on Walker Street, between Centre Street and Mulberry Street.

THEREFORE BE IT RESOLVED, Community Board 3 recommends the following features be included in the final design:

- retention of the existing ginkgo trees, and the addition of 4 new trees
- planted buffer and curb along canal street to safeguard pedestrians
- interactive digital interface- current neighborhood information, exhibits
- improved east west circulation and connection through this site
- permeable pavement for the grove
- fixed seating on the south side
- additional lighting for the site; and

THEREFORE BE IT RESOLVED, Community Board 3 requests that DOT come back to the Community Board with a final design proposal if timing allows; and

THEREFORE BE IT FURTHER RESOLVED, Community Board 3 requests that DOT come back to the Community Board with a separate proposal to address pedestrian safety concerns caused by the street geometry and traffic signaling for the two blocks of Walker St, between Centre St. and Mulberry St.; and

THEREFORE BE IT FURTHER RESOLVED, Community Board 3 approves of the revised design for the Gateway to Chinatown project at the Canal Street Triangle.

3. Requests regarding mitigations for various traffic issues
no vote necessary
4. Vote to adjourn
approved by committee

45 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding Transportation item 2)

44 YES 0 NO 0 ABS 1 PNV MOTION PASSED (Transportation item 2)

Economic Development Committee

1. Approval of previous month's minutes and roll call (minutes are deemed approved if no objections)
approved by committee
2. RAL + Civic Hall: status update on construction and upcoming leasing opportunities
no vote necessary
3. Support for Chinatown businesses to be included in SBS Covid-19 relief programs

VOTE: TITLE: Support for Chinatown businesses to be included in SBS Covid-19 relief programs

WHEREAS, on November 25, 2020, the New York City Department of Small Business Services (SBS) announced the NYC LMI Storefront Loan program to address the needs of small businesses in Low to Moderate Income (LMI) neighborhoods that are struggling due to the pandemic; and

WHEREAS, COVID 19 has emphasized the inequalities that previously existed among our different communities as acknowledged by the City administration; and

WHEREAS, the criteria for this loan program is restricted to businesses that are located in low to moderate income areas of New York City as defined by the Department of Housing and Urban Development (HUD) and is organized by zip code; and

WHEREAS, this particular methodology, while not intentional, misses many small businesses whose zip codes have been excluded, particularly Chinatown's zip code 10013 which also encompasses the high-income neighborhoods of Tribeca and SoHo, and 10038 which includes FiDi; and

WHEREAS, wealth disparity between neighborhoods but within single zip codes is more common in Community District 3, which has the second highest gap between the lowest-and highest-income households among NYC community districts¹, and should not be the cause of small businesses failing to qualify for such badly needed programs; and

WHEREAS, in lieu of identifying eligible applicants by zip code, census tract data should be employed as it better identifies potential actual applicants and business owners in need; and

¹ NYU Furman Center. (2020). *State of New York City's Housing and Neighborhoods in 2019*. <<https://furmancenter.org/neighborhoods/view/lower-east-side-chinatown>>

WHEREAS, many small businesses are already in debt to the Federal Small Business Administration for Economic Injury Disaster Loans or Paycheck Protection Program loans, and grants, not loans, are what is needed now; and

WHEREAS, funding for interest free loans specifically targeted to support Chinatown should be dispersed by the local CDFI, Renaissance and beyond executing loans, the CDFI should be funded to conduct in-language outreach for relief programs; and

WHEREAS, Outreach in Chinatown should consist of a collaborative strategy that includes community partners essential to overcome language and cultural barriers and should include these elements: bilingual printed materials consisting of both simplified and traditional Chinese, press conferences geared to Chinese languages, media both traditional and social, along with door-to-door outreach in order to reach the most vulnerable businesses within these immigrant neighborhoods; and

WHEREAS, the first come first served approach now employed in this application process results in an inequitable distribution of resources, phases or rounds of applications would result in a more equitable distribution of resources.

THEREFORE BE IT RESOLVED, that Community Board 3 requests that SBS not use zip codes as exclusive criteria for funding future programs; rather, to use census tract data; and

BE IT FURTHER RESOLVED, that Community Board 3 requests SBS to expand NYC LMI Storefront Loan program to include areas of Chinatown that do not currently qualify and create a targeted outreach program to make such businesses aware of the LMI loan so that they be afforded an equal opportunity at financial support during such a critical time.

- 4. Update on Special District
no vote necessary
- 5. Vote to adjourn
approved by committee

45 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Parks, Recreation, Waterfront, & Resiliency Committee

- 1. Approval of previous month's minutes and roll call (minutes are deemed approved if no objections)
approved by committee
- 2. Parks Manager Update
no vote necessary
- 3. ESCR including signage
no vote necessary
- 4. BMCR (EDC)
no vote necessary
- 5. Esplanade Package 4 update (EDC)
no vote necessary
- 6. Pier 42 - Construction, Update (EDC)
no vote necessary
- 7. Review of Parks closing hours
no vote necessary
- 8. Adopt-a-bench program and related fundraising activities regarding benches
no vote necessary
- 9. Vote to adjourn
approved by committee

45 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 and roll call (minutes are deemed approved if no objections)
approved by committee
- 2. Presentation from Health & Hospitals/Test & Trace
no vote necessary
- 3. DHS: Presentation re Safe Haven planned at 100 Orchard Street
no vote necessary
- 4. Planning for Resource Fair with CEC 1
no vote necessary
- 5. CAB/CEC reports

no vote necessary
6. Vote to adjourn
approved by committee

45 YES 0 NO 0 ABS 0 PNV MOTION PASSED

SLA & DCA Licensing Committee

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

Alterations

2. Broome Street Bakery (254 Broome LLC), 254 Broome St (wb/change method of operation: closing at 2am, operating as a wine bar at night)
withdrawn

New Liquor License Applications

3. Little Canal (Coffeemen's LLC), 26 Canal St (upgrade to op) and (op/change method of operation: change hours to Sun 8am-12am, Mon-Wed 7am-12am, Thur/Fri 7am-2am, Sat 8am-2am)

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

WHEREAS, the applicant, Coffeemen's LLC dba Little Canal, is seeking to obtain a full on premises liquor license for the premises located at 26 Canal Street, New York, New York

WHEREAS, Coffeemen's LLC dba Little Canal has been operating since 2016 and there have been no record of complaints to 311 in the last two years and no record of complaints to the community board in the last two years;

WHEREAS, SPaCE Block Association met with the applicant and supports the application, and there were no community members in opposition to this application;

WHEREAS, the upgrade will be operating with the same stipulations as previously;

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Coffeemen's LLC dba Little Canal for the premises located at 26 Canal 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 restaurant with a full kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be Sunday 8:00 A.M to 12:00 A.M, Monday to Wednesday 7:00 A.M. to 12:00 A.M, Thursday to Friday 7:00 A.M. to 2:00 A.M. and Saturday 8:00 A.M. to 2:00 A.M.,
- 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, including but not limited to DJs, live music and live nonmusical performances or during unamplified live performances or televised sports, 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 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.

4. Dulce Ranger LLC, 14A Orchard St (op)
withdrawn

5. Via Della Pace (48 E Seventh Street Associates Inc), 87 E 4th St (op)

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

WHEREAS, the applicant, 48 E Seventh Streets Associates Inc. dba Villa Della Pace, is seeking to obtain a full on premises liquor license for the premises located at 87 East 4th Street, New York, New York;

WHEREAS, the applicant previously operated Villa Della Pace since 2002 at 48 East 7th Street with no 311 calls or complaints to the office in at least ten years;

WHEREAS, there is community support for the application and no opposition.

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for 48 E Seventh Streets Associates Inc. dba Villa Della Pace for the premises located at 87 East 4th 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 restaurant with a full kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be Monday to Thursday 11:00 A.M. to 1:00 A.M. and Friday to Saturday 11:00 A.M. to 2:00 A.M.,
- 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, including but not limited to DJs, live music and live nonmusical performances or during unamplified live performances or televised sports, 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 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. Time Cafe (Time Cafe LLC), 105 Canal St (upgrade to op)
withdrawn

7. Trapizzino Les LLC, 144 Orchard St (upgrade to op)
withdrawn

8. Orchard Flavor Partners, 167 Orchard St (op)

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

WHEREAS, the applicant, Orchard Flavor Partners LLC is seeking to obtain a full on premises liquor license for the premises located at 167 Orchard Street, New York, New York; and

WHEREAS, the applicant previously operated an Asian noodle restaurant named Republic on Union Square West from 1995 to 2017;

WHEREAS, the previous license holder for 167 Orchard Street did not abide by its stipulations, especially through leaving its doors and windows open late at night and using the basement for parties;

WHEREAS, there were six members of the community that expressed concerns about the previous tenant and the saturation of full on-premises liquor licenses in the area;

WHEREAS, the basement will be used for restaurant seating with an open kitchen and will not have a bar;

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Orchard Flavor Partners LLC for the premises located at 167 Orchard 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 restaurant with a full kitchen open and serving food during all hours of operation,
- 2) its opening hours will be no later than 5:00 P.M., and its hours of operation will be Monday to Friday 5:00 P.M. to 12:00 A.M and Saturday to Sunday 12:00 PM to 12:00 A.M,
- 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, including but not limited to DJs, live music and live nonmusical performances or during unamplified live performances or televised sports, 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 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.

9. CC's Cafe (Craft Cooking Inc), 41 Monroe St (op)
 withdrawn

Alterations

Sending back to committee

10. The Parkside Lounge (Sterling Parkside Corp), 317 E Houston St (op/alt/adding rooftop deck)

THIS MOTION DID NOT PASS

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

WHEREAS, Sterling Parkside Corp. dba Parkside Lounge has been operating at 317 East Houston Street since 1997 and there have minimal noise complaints to 311 in the last two years and no record of complaints to the community board in the last two years;

WHEREAS, businesses are struggling to survive during the Covid crisis and this business is seeking an alternation to its method of operation for an outdoor roof deck to contribute to its survival;

WHEREAS, one member of the community sent a letter in opposition to the alteration and a tenant of the adjacent building at 315 East Houston Street spoke to the committee in opposition to the application;

WHEREAS, four members of the community sent letters of support, a tenant of 315 East Houston Street spoke to the committee in support of the application, and at least 11 other members of the community attended in support of the application;

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the method of alteration to add a roof deck for Sterling Parkside Corp. dba Parkside Lounge for the premises located at 317 East Houston 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 roof deck with outdoor seating and no area or bar for congregation or standing,
- 2) its hours of operation will be Monday to Friday 5:00 P.M. to 10:00 P.M and Saturday to Sunday 12:00 P.M. to 10:00 P.M. at which time all patrons must be cleared from the roof deck,
- 3) 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 on the roof.
- 4) it will have no more than 16 tables with 40 seats,
- 5) there will be at least two employees on the roof during all hours of operation, including one security employee; and
- 6) the applicant will not go to the SLA without coming back to CB3 for a change of the method of operation.

THIS MOTION DID NOT PASS

New Liquor License Applications

11. Mi Salsa Kitchen (205 Allen St LLC), 205 Allen St (op)

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

WHEREAS, 205 Allen St LLC dba Mi Salsa Kitchen seeks a full on premises liquor license for the premises located at 205 Allen Street, New York, New York;

WHEREAS, the applicant has not previously been licensed but has managed licensed establishments in New York City for 15 years;

WHEREAS, the location was previously licensed for a full on premises liquor license;

WHEREAS, the applicant reached out to community groups but didn't receive a response;

WHEREAS, the applicant will have live music consisting of a traditional Cuban band of at most four musicians playing a standup bass, acoustic guitar, and acoustic percussion, and a vocalist at background level;

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for 205 Allen St LLC dba Mi Salsa Kitchen, for the premises located at 205 Allen 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 restaurant with a full 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. 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, including but not limited to DJs, live music and live nonmusical performances or during unamplified live performances or televised sports, 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 unscheduled live music, and will not have 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 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.

12. Ernesto's (259 E Broadway LLC), 259 E Broadway (upgrade to op)

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

WHEREAS, applicant 259 E. Broadway LLC dba Ernesto's seeks an upgrade to a full on premises liquor license for the premises located at 259 East Broadway, New York, New York;

WHEREAS, the applicant has been operating since 2019 and there have been no record of complaints to 311 in the last two years and no record of complaints to the community board in the last two years;

WHEREAS, 141 local residents, including many tenants from the building where the applicant is located, signed a petition in favor of the applicant's upgrade to a full on-premises license;

WHEREAS, the applicant contacted 11 community groups and SPaCE Block Association, which works in the immediate environs of the applicant's location, wrote a letter in support of the applicant and nine residents voiced support for the applicant to the committee;

WHEREAS, the upgrade will be operating with the same stipulations as previously;

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for 259 E. Broadway LLC dba Ernesto's for the premises located at 259

East Broadway, 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 restaurant with a full kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 6:00 A.M. to 12:00 A.M. all days,
- 3) it will not commercially operate any outdoor areas,
- 4) it will close any front or rear façade entrance doors 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 or during unamplified live performances or televised sports, 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 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.

13. Entity to be formed by Allen Bontempo, Mario Riva and Sergio Riva, 199 Bowery (op)
withdrawn

14. 127 Fourth Avenue Restaurant LLC, 127 4th Ave (op)

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

WHEREAS, applicant 127 Fourth Avenue Restaurant LLC seeks a full on premises liquor license for the premises at 127 4th Avenue, New York, New York;

WHEREAS, 127 4th Avenue was previously licensed with a full on-premises liquor license;

WHEREAS, the applicant for 127 4th Avenue has operated a similar location at 496 LaGuardia Place since 2016 with minimal noise complaints;

WHEREAS, one member of the community spoke in favor of the application.

WHEREAS, another member of the community noted that the previous tenant left their façade open past 10 PM and began offering discounted drink specials;

WHEREAS, there will be 34 tables inside with 108 seats and a 40' bar with 20 seats;

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for 127 4th Avenue for the premises located at 127 4th 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 kosher steak restaurant with a full kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be Sunday to Wednesday 11:00 A.M. to 12:00 A.M, Thursday 11:00 A.M. to 2:00 A.M., Saturday no earlier than 5:00 P.M. to 2:00 A.M,
- 3) it will close any front or rear façade entrance doors 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 or during unamplified live performances or televised sports, 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 live music, DJs, 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 may have "happy hours" to 6:00 P.M. each night,

- 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.

15. Get Back LLC, 63 Clinton St (op)

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

WHEREAS, Get Back LLC is applying for a full on-premises license at 61-63 Clinton Street and there have been no record of complaints to 311 in the last two years and no record of complaints to the community board about this location in the last two years;

WHEREAS, this location was previously licensed with a full on premises liquor license;

WHEREAS, the applicants have not operated a licensed business but have managed a licensed business located at 217 Eldridge Street for the past three years;

WHEREAS, the premises will have 35 tables with 96 seats, two counters with nine seats, and a J-shaped bar with 12 seats;

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Get Back LLC the premises located at 61-63 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 full service restaurant with a full kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be Sunday to Thursday 11:00 A.M to 12:00 A.M and Friday to Saturday 11:00 A.M. to 1:00 A.M.,
- 3) it will close any front or rear façade entrance doors 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 or during unamplified live performances or televised sports, 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 live music, DJs, 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 may have "happy hours" to 7:00 P.M. each night,
- 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.

16. Una Pizza Napoletana (Pizzaiolo Napoletano LLC), 175 Orchard St (upgrade to op) withdrawn

Items not heard at Committee

17. Yopparai (Oec International Inc), 69A Clinton St (wb) administratively approved

18. Vote to adjourn approved by committee

45 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Vote to adjourn

45 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Members Present at Last Vote:

David Adams	[P]	Dominic Berg	[P]	Jonathan Chu	[P]
Yaron Altman	[P]	Lee Berman	[P]	David Crane	[P]
Jesse Beck	[P]	Karlin Chan	[P]	Felicia Cruickshank	[A]

Eric Diaz	[P]	Joseph Kerns	[A]	Richard Ropiak	[P]
Alistair Economakis	[P]	Michelle Koppersmith	[P]	Thomas Rosa	[P]
Shirley Fennessey	[P]	Mae Lee	[P]	Robin Schatell	[P]
Ryan Gilliam	[P]	Wendy Lee	[P]	Heidi Schmidt	[P]
Debra Glass	[P]	Alysha Lewis-Coleman	[P]	Laryssa Shainberg	[P]
Andrea Gordillo	[P]	David Louie	[P]	Anisha Steephen	[P]
Herman Hewitt	[P]	Ellen Luo	[P]	Sandra Strother	[P]
Trever Holland	[P]	Michael Marino	[P]	Josephine Velez	[P]
Linda Jones	[P]	Alexandra Militano	[P]	Troy Velez	[P]
Vaylateena Jones	[P]	Michael Perles	[P]	Rodney Washington	[A]
Tatiana Jorio	[P]	Tareake Ramos	[P]	Kathleen Webster	[P]
Lisa Kaplan	[P]	Paul Rangel	[P]	Jacky Wong	[P]
Olympia Kazi	[P]	Damaris Reyes	[P]	Ricky Wong	[P]

Meeting Adjourned