

FULL BOARD MEETING MINUTES
Wednesday, February 13, 2008
NYU MEDICAL CENTER
FIRST AVENUE

Hon. Lyle Frank, Chair

ATTENDANCE

Members answering first roll call:

Arcaro, Barrett, Buchwald, Cervera, Curtis, Frank, Friedman, Garodnick, Goldman, Haile, Hollister, Imbimbo, Judge, LaBarbera, Lilien, McIntosh, Moses, Oddo, Papush, Parrish, Peveri, Reiss, Rubin, Scala, Schachter, Schaeffer, Sepersky, Sherrod, Steinberg, Thompson, Ursillo, Weder, West, Williams, Winfield

Members answering second roll call:

Arcaro, Barrett, Buchwald, Cervera, Collins, Curtis, Dankberg, Disman, Frank, Friedman, Garland, Garodnick, Goldman, Haile, Hollister, Imbimbo, Judge, Knowles, LaBarbera, Lilien, McIntosh, Papush, Parker, Parrish, Peveri, Ross, Rubin, Scala, Schachter, Schaeffer, Sepersky, Sherrod, Simon, Steinberg, Talbot, Ursillo, Weder, West, Williams, Winfield

Excused

Collins, Garland, Greenspan, Ross, Simon,

Absent (Members not present or not answering one or both roll calls):

Dankberg, Disman, Knowles, McGuire, Monterossa, Parker, Rosa, Rosenthal, Talbot,

Member attendance: Present: **35** Absent: **9** Excused: **5**

Guests signed in: Cullen Barrie representing B.P. Scott Stringer; Tina Olechowski representing Cg/M Carolyn Maloney; Romeo Ymalay representing Sen. Tom Duane; Sarra Hale Stern representing Sen. Liz Krueger; Keith Powers representing A/M Jonathan Bing; Nily Rozic representing A/M Brian Kavanaugh; Greg Geller representing C/M Rosie Mendez; Ethel Sussman representing C/M Jessica Lappin, Gretchen Kruesi representing C/M Dan Garodnick; Bryce Bogart, Jimmy Chue, John Ciccio, Kathy Cobbet, Mike Conlon, Kate Crotty, Aurora Erne, Mary Carroll French, Lorraine Hunt, Sofia Hunt, Sandra Stevens, Becce Tucker, K. Weiss-NYPL.

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Meeting Called to Order

Chair Lyle Frank called the meeting to order

Adoption of the February 13th, 2008 Agenda

Agenda Adopted by a Voice Vote

PUBLIC SESSION

Council Member Dan Garodnick wished everyone a Happy Valentine's Day!

He reported that a hotline has been established to deal with legal concerns for tenants. It is part of the City Council Housing Preservation Initiative, to try to address the issue of the loss of affordable housing. It is already receiving approximately 50 calls per day.

Regarding the East River Realty Company (ERRC) proposal to redevelop the former Con Edison Waterside site, the City Planning Commission (CPC) made a few changes to the proposal that he does not regard to be significant, and does not believe significant changes have ever been made since the beginning of the ULURP process. The commercial building was reduced in size from 1.4M to 1.14M square feet, the height of the building on 685 First Ave. was reduced from 721 feet to 600 feet, an incentive was placed on the 700 First Ave. lot where only 80% of the permitted heights would be allowed until the affordable housing is built (a first), and a few minor changes were made to the open space plan.

A City Council joint public hearing with the Zoning & Planning Sub-Committees will be held on February 25, at City Hall, beginning at 3 PM on the ERRC proposal and CB6's 197-a Plan. The sub-committees vote will be held on March 4th, and a vote by the Council Land Use Committee will be held on March 6th. The Full Council vote is tentatively scheduled for March 26, should it pass the Land Use Committee.

C/M Garodnick reported that he had a meeting with Robert Lieber, the new Deputy Mayor for Economic Development, to make him aware of the issues at the First Avenue Properties and the alienation of Robert Moses Playground.

Questions from Gary Papush and Clara Reiss in regards to a non-profit organization overseeing the public plaza at the First Avenue Properties and the M23 Bus route were answered.

Borough President's Report – Hon. Scott Stringer

BP Stringer reported that he voted no in his recommendation on the Solo ULURP application for the 1st Avenue Properties and offered a "road map" for resolution; and stated that he also met with Dep. Mayor Lieber, and believes he is committed to getting things done in the closing days of the Bloomberg administration.

The Borough President reported that an NYU dormitory is coming to 23rd Street and 3rd Ave. He has setup a task force for principles of development with local elected officials and NYU. He asked that CB6 send a representative to the task force.

The Franchise & Concession Review committee will hold hearings, and then vote on the cable franchises renewal. He stated that he believes there is a need for a 'civic' channel and a dedicated youth station.

Sandra Duque, representing Comptroller Bill Thompson, introduced herself as the new liaison to Manhattan community boards. She looks forward to working with CB6 in the future.

Tina Olechowski, representing Congress Member Maloney, reported 1) On January 24th the Cg/M attended a meeting with other local elected officials at the Department of Education to discuss District 2's increase in enrollment and planning for the future. 2) On February 11th, Cg/M Maloney held a hearing at City Hall on the sub-prime mortgage crisis in New York City. 3) On February 7th, the Cg/M introduced credit card reform legislation. 4) On February 8th, Congress passed the Economic Stimulus Act.

Sarra Hale-Stern, representing Senator Liz Krueger, 1) thanked C/M Garodnick for his work on the ERRC development site. 2) In Gov. Spitzer's proposed budget, there is a \$400M trust fund for affordable housing, however, the state is now estimating to take in about \$400M less than imagined and cuts will probably be made. 3) Sen. Krueger will attend a meeting being held by New Yorkers 4 Parks, park alienation is on the agenda.

Romeo Ymalay, representing Sen. Tom Duane, reported that 1) The Senator held a tenant harassment forum last week. 2) The Senator met with the Stuyvesant Town/Peter Cooper Village Tenants' Assoc. to discuss many of their issues, including key cards and security vehicles.

Keith Powers, representing Assembly Member Jonathan Bing, reported that 1) the A/M is working with the Treasury Department on promoting the use of Direct Deposit for senior citizens' Social Security money. 2) He continues to support CB6's position on the First Avenue Properties, and thanked CB6 for support for his housing legislation.

Patrick van Keerbergen, representing Assembly Member Brian Kavanagh, introduced himself as the A/M's new Chief of Staff.

He reported that 1) the A/M is currently engaged in the Albany budget process. 2) Currently has his eye on housing, health care, and congestion mitigation. 3) Looking into 'Block the Box' legislation, seeking to change the law from a moving violation into a parking violation, in order to assign the ticket to a car and not a driver.

Greg Geller, representing Council Member Rosie Mendez, 1) thanked the Health, Senior, & Disability Issues Committee for its support of Intro 648, which would provide senior citizens with free legal counsel if faced with eviction. 2) The C/M is a member of the Council's Land Use committee and intends to support C/M Garodnick on the 1st Ave. property issue. 3) C/M Mendez attended a meeting on school overcrowding held at PS 116; her belief is that the city needs to do a better job projecting future development, to prevent overcrowding.

Ethel Sussman, representing Council Member Jessica Lappin, reported that the C/M would hold an East Side Sustainability Summit on Monday, February 25th.

Dan Harris, area resident, urged the Board to vote in favor of the renewal liquor license for Don Vietia.

Karen Weis of the NYPL Epiphany Library informed the Board that the preliminary FY 2009 Budget includes a 5% cut to libraries, and asked for the Board's support to protect the library's funding.

Roll Call – Carol A. Schachter

BUSINESS SESSION

Adoption of January 9th Full Board Minutes

Minutes adopted by a voice vote.

Report from the Chair – Lyle Frank

Lyle thanked Rebecca Haile, Letty Simon, Sandro Sherrod, Harry Ursillo, and Toni Carlina for their work on the Website Committee.

The SLA is becoming very strict, requiring 30-day notice to community boards before they reapply for their license. If the Board is not notified 30-days before their license expires, the license will lapse.

A meeting was held with NYU in regards to the new dormitory proposed at 23rd Street and 3rd Avenue. Lyle thanked the Board members that attended. NYU agreed to attend any CB6 meeting they were invited to regarding this building, and work with the community on any issues of concern.

Lyle thanked Genevieve Cervera, whom is moving out of New York, for her work on the Board, and wished her well.

District Manager's Report – Toni Carlina

Toni stated that she would be remiss in not thanking Assistant District Manager Ryan Shafer for his work on the web-site map.

We have started a CB6 Development Task Force that meets with developers and project managers, and the appropriate city agencies for as-of-right buildings.

Toni spoke with DOB Borough Commissioner Chris Santulli to obtain an inspector who specializes in open space to inspect the public plazas at the Waterside property. This will be arranged within the next few weeks.

After working with the Mayor's Office of Special Enforcement, Tkup Café a/k/a the Comedy Club located at 241 E. 24th St. is now gone.

Toni reported that an establishment different than what the Board reviewed exists at 303-305 E 53rd St. The establishment originally reviewed was called "Cache", which was supposed to have light music, has now opened as a karaoke bar named "Top Tunes". We were promised by the SLA this establishment would not get a license until the Board could re-review, but due to a staff error, the application was approved. SLA CEO Josh Toas is having this application gone through with a fine toothcomb.

Treasurer's Report – Bea Disman

The report was waived due to Bea's absence.

COMMITTEE REPORTS

1) Land Use/Youth & Education – Ed Rubin and Maxine McIntosh, Chairs

a. Reports: In January, a joint meeting was held with the developer of the HS for Art and Design/PS 59 Project. The construction details and sketches of the designed project were reviewed. A major concern is that the construction of the elementary school will take place while students are trying to learn. The developer said sound mitigation measures will be in place, but it is hard to believe that it will not still be a distraction to the students. Ed reported that the building is an as-of-right building; it is a trade off, of the city giving up property to a private developer to build public facilities. Lou Sepersky stated that it is a 75-year lease from the School Construction Authority to a private developer, and suggests that it should trigger ULURP. A letter should be written to Corporation Council requesting that they look further into this matter.

Maxine has learned that the Department of Education (DOE) is putting in a small school, possibly a charter school, at Washington Irving. She is awaiting more details

She also reported that BP Stringer has set up a Task Force on School Overcrowding in Manhattan; the first task force meeting was attended by almost every community education council and community board in the borough. The Task Force is seeking new ways to reduce overcrowding and influence the Capital Budget of the Department of Education.

2) Public Safety, Environment & Human Rights – Fred Arcaro, Chair

a. Report: Fred waived his report.

3) Budget & Governmental Affairs – Dan Williams, Chair

a. Report: Dan reported that C/M Monserrate's Chief of Staff attended his last meeting, advocating that the committee ask the City Council to hold hearings on public oversight of private utilities. The committee did not pass a resolution on the subject, but is committed to working with Dan Garodnick, who heads the Council's Infrastructure Committee.

In the coming months, the committee will look into noise related to debris pick-up at construction sites.

The charter mandated public hearing on the Preliminary Budget and Community Register would take place at the committee's February meeting.

Dan thanked Harry Ursillo for his work on the committee, as he recently stepped down.

4) Housing & Homeless – Claude Winfield, Chair

a. Assembly Bill A08820 in relation to the right of first refusal; as it pertains to Mitchell-Lama Housing purchasing.

WHEREAS New York State is facing an affordable housing crisis resulting in a severe shortage of safe, decent, affordable homes; and

WHEREAS New York State enacted the extremely successful Mitchell-Lama program in the 1950s which created more than 150,000 homes that were affordable to middle income families and created housing developments having 20-30-40 year affordability requirements, after which these developments could be privatized; and

WHEREAS in recent years there has been a significant loss of Mitchell-Lama rental units due to privatization buyouts, resulting in a more than 40% loss of Mitchell-Lama rental units; and

WHEREAS the tenants of Mitchell-Lama, Limited Dividend and federally subsidized rental buildings have few protections if an owner decides to opt out of the subsidy program; and

WHEREAS the State Legislature has the ability to protect low and middle income residents of Mitchell-Lama buildings by granting tenants the right to purchase their buildings at a fair market value in cases of privatization; and

WHEREAS the State Legislature has the duty to provide this protection to tenants “whether it be by creating a right of first refusal or by extending rent stabilization;” and

WHEREAS an increasing crisis of privatizations and opt-outs caused New York City to pass Local Law 79 in 2005 which granted Mitchell-Lama and Section 8 tenants a “right of first refusal;” and

WHEREAS Bill A08820 provides for a reasonable process of notification, including advance notification (12 months) by all owners of Mitchell-Lama, Limited Dividend and federally subsidized housing developments to tenants or tenants associations of their intent to privatize their buildings; and for the tenant or tenants association to notify the owner in writing of their intent to exercise their right of first refusal within 60 days; and

WHEREAS the bill requires that any owner who receives a bona-fide offer for a property to provide the terms and conditions of the offer to the tenants or the tenants association within 15 days; and

WHEREAS tenants choosing not to exercise their right of first refusal shall have the right to remain *in* their prospective dwelling for six months from the date of the conversion or until the lease expires; and

WHEREAS an owner in violation of the bill is liable for a civil penalty of \$5,000 per month per dwelling with a total civil penalty not to exceed \$100,000 per dwelling unit, and

WHEREAS by providing for a right of first refusal, New York State will have the necessary statutory framework needed to preserve affordable and subsidized other housing; now

THEREFORE BE IT

RESOLVED that Community Board 6 urges the New York State legislative bodies to pass Bill A08820 and the Governor to sign it into law, legislation to amend the private finance law in relation to the right of first refusal.

VOTE: 34 For 0 Against 1 Abstain 0 Not Entitled

b. Assembly Bill A06898- in relation to the supervision of certain limited profit housing companies.

Whereas the current law states that the agency “may” but is not required to investigate violations and penalize owners; and

Whereas the Department of Housing and Community Renewal, DHCR, and the Department of Housing and Preservation, HPD, are the supervising agencies under existing law; and

Whereas Assembly Bill A06898 amends subdivision 7 of section 32 of the private housing finance law; and

Whereas this Bill substitutes “Shall” for “May” in directing action by the supervising agency in the event regulations are violated; and

Whereas this Bill has been drafted in response to Mitchell-Lama housing advocates; and

Whereas building owners have recognized and utilized lax enforcement and toleration by supervising agencies in the past to their benefit; and

Whereas Assembly Bill A06898 will remedy current violations and serve as a future deterrent; now

Therefore, be it

Resolved that Community Board 6 supports the passage of Bill A06898, legislation in relation to the supervision of certain limited profit housing companies.

VOTE: 34 For 0 Against 1 Abstain 0 Not Entitled

c. Report: Claude thanked Susan Steinberg and Tom LaBarbera for their help writing the resolutions this month.

He then reported that he and Fred have been regularly attending the East Side Alliance meetings. They have moved their boundaries to 1st Ave. to include the 30th St. Men’s Shelter.

It was reported that today most of the residents at East Midtown Plaza received notice that the Attorney General has approved the black book prospectus for those buildings.

The Housing Committee has been looking at and accounting for all the development that has been going on in this district. There are about 30 developments between E. 53rd and E. 22nd Streets. The list will be in the Housing minutes in next month’s packet.

5) Transportation – Lou Sepersky, Chair

Regarding the proposed Resolution on York City Traffic Congestion Mitigation Commission’s Final Report, there was an amendment to the draft Resolution, moving the 2nd to last “Whereas” as the 2nd “Resolved”, and change the wording in the 1st Whereas to ‘approve’ from ‘oppose’. The amendment was passed by a voice vote, and the Resolution was then referred back to Committee by a Roll Call vote of the Full Board.

b. Report: Health, Senior, and Disability Issues and the Transportation Committees will be working together over the coming months on issues regarding the mobility and transportation for the handicapped.

In March, the committee will look at a heavily revised proposal for the M15 (Bus Rapid Transit).

6) Parks, Landmarks, & Cultural Affairs – Gary Papush, Chair

a. Request by Solar 1 to sell Beer and Wine

WHEREAS, Solar 1 is planning to sell beer and wine at their scheduled events from April to October 2008 and is seeking a position of non-objection from Community Board 6, and

WHEREAS, Community Board 6 adopted such a resolution the last few years with the provisos that sale and consumption be only in their leased black top area and no one may exit that area with those items, and

WHEREAS, Community Board 6 has received no complaints regarding Solar 1's previous events,

THEREFORE, BE IT

RESOLVED, Community Board 6 reaffirms our previous resolutions and does not object to such sales.

VOTE: 35 in Favor 0 Opposed 0 Abstention 0 Not Entitled

b. Report: The committee met on the Irving Berlin House Certificate of Appropriateness application, and the governmental representative from Luxembourg said they needed to get a position from home. The committee will hold this application over until they are ready to proceed.

Gary reported that there would possibly be surveillance cameras placed in our city parks. In addition, in March the Parks Committee will be looking at the NYC2030 plan in relation to parks.

Waterfront Sub-Committee – Ellen Imbimbo, Chair

a. Report: EDC attended the meeting and discussed about Stuyvesant Cove Park. There were several questions raised by the committee that EDC could not answer. The lighting in Stuyvesant Cove Park will supposedly be fixed by May or June. Another topic was on irrigation at the park, which would cost approximately \$50,000, a large amount for the Board to rise, but a relatively small number for the City.

A number of questions were also raised about the Water Club.

7) Land Use/Health, Senior & Disability Issues - Ed Rubin & Sandro Sherrod, Chairs

a. Beth Israel Medical Center – Application to expand emergency room

WHEREAS, Beth Israel Center ("BIMC") Petrie campus was previously designated a "large scale community facilities development site (the "LSCFD")", in connection with a 1995 authorization pursuant to Zoning Resolution Section 79-21, and

WHEREAS, BIMC asks that we modify the site plan for the "LSCFD" to reflect an enlargement of the LSCFD to include BIMC's property at 321 East 17th Street, Block 923, Lot 15 (the Stitch Property) on the block immediately to the north of the existing LSCFD, and

WHEREAS, BIMC asks that we modify the previously approved Large-Scale Community Facility Development (N 940660ZAM) in connection with the enlargement of the Emergency Room on East 17th Street, the re-location of the loading berths to East 15th Street and the construction of two bridges on the 11th floor of the Dazian Building at the intersection of East 17th Street and Nathan D. Perlman Place, and

WHEREAS, BIMC seeks an authorization pursuant to Zoning Resolution Section 79-32 to allow the transfer of floor area from the Stitch Property to Block 922S and Block 922N to accommodate the proposed canopy and the proposed bridges, and

WHEREAS, these applications are not subject to the Uniform Land Use Review Procedures and do not require a public hearing by the Community Board or the City Planning Commission, now

THEREFORE BE IT

RESOLVED CB 6 has no objections to any of the above actions.

VOTE: 34 in Favor 0 Opposed 1 Abstention 0 Not Entitled

c. Intro 0648-Providing legal counsel for certain tenants subject to eviction, ejectment or foreclosure proceedings.

Whereas, thousands of senior citizens are involved annually in eviction or foreclosure proceedings without suitable legal counsel; and

Whereas, approximately 23,000 seniors utilize the shelter system in New York City; and

Whereas, Intro 0648-2007 seeks to address this by providing legal counsel to those eligible for the Senior Citizens Rent Increase Exemption program, 62 years or older with a disposable household income of \$27,000 or less; and

Whereas, said intro will allow for a civil justice coordinator, under that guidance of the Commissioner of the Department of Homeless Services, to appoint legal counsel to a senior involved in an eviction or foreclosure proceeding upon receiving the request of services from either the senior, a judge, or a designated organization; and

Whereas, an estimated 8,000-10,000 seniors could have benefited from such service last year leading to a significant reduction of homeless seniors; and

Therefore be it

Resolved, that Community Board Six urges the City Council Committee on Aging to pass Intro 0648-2007 and recommend adoption by the full council at its earliest convenience.

VOTE: 34 in Favor 0 Opposed 1 Abstention 0 Not Entitled

d. Reports: Ed stated that the changes being made in the Beth Israel Medical Center application were minor.

Ed also reported that the First Avenue Properties application is now moving from the technical phase at CPC to the political phase at the City Council. He encouraged everyone to testify at the City Council's Public Hearing to let the Council know the Board's position.

Sandro thanked Genevieve for her great work on the committee.

Sandro reported that a resolution on DFTA's new concept papers will be before the Board next month.

8) Business Affairs & Street Activities – Carol A. Schachter, Chair

a. Renewal, OP liquor license for RRES Restaurant Group, LLC, d/b/a Destino, 891 1st Ave. at E. 50th St.

WHEREAS, Bruno Gioffre, Esq., and Anthony Curko, Mgr., appeared before the Business Affairs & Street Activities Committee of Community Board 6 Manhattan (CB6M) on February 7, 2008, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, on the CB6M "Liquor License Questionnaire" sent to the Applicant (and received at the Board office January 23, 2008), the Applicant indicated that the business type of the establishment is a restaurant, and the Applicant's questionnaire also provided the following proposed Operational Information:

- Hours of Operation: Weekdays 5:30 PM – 11 PM; Saturday 5:30 PM – 11:00 PM.
- Capacity: 133. They have a Public Assembly permit.
- Music on-premises: Recorded background music.
- Staging area (waiting lounge): No.
- Windows/doors opened/removed during warmer months: No.
- Wheelchair accessibility: Yes; Restroom accessibility: Yes; and

WHEREAS, the Applicant's renewal application was lost in the mail; as a result, they are unable to serve alcohol and have shut down their business; they were at the committee meeting to request a letter of no objection from CB6M so they could obtain their renewal immediately; the committee is unable to act on behalf of the Full Board and decided to issue a Resolution of no objection instead, to be submitted to the Full Board 2/13/08; and

WHEREAS, members of the committee expressed their concern that the Applicant chose to shut down rather than continue restaurant operation, just without the sale of alcohol; and

WHEREAS, no members of the community were present to speak for or against the Application, but, staff from the restaurant and their supporters spoke in favor of renewal; now

THEREFORE, be it

RESOLVED, that CB6M has no objection to the Renewal, OP liquor license for RRES Restaurant Group, LLC, d/b/a Destino, 891 1st Avenue at E. 50th St.

VOTE: 35 in Favor 0 Opposed 0 Abstention 0 Not Entitled

d. Transfer, On Premise liquor license for 780 Rest. Associates Corp., d/b/a Ribot, 780 3rd Ave., btw E. 48th & E. 49th Sts.

WHEREAS, Anthony Pilarinos, Dir. of Operations, appeared before the Business Affairs & Street Activities Committee of Community Board 6 Manhattan (CB6M) on February 7, 2008, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, on the CB6M “Liquor License Questionnaire” sent to the Applicant, the Applicant indicated that the business type of the establishment is a restaurant, and the Applicant’s questionnaire also provided the following proposed Operational Information:

- Hours of Operation: Noon – 11:00 PM, 7 days a week.
- Capacity: 126. Public Assembly permit: yes.
- Music on-premises: Recorded background music.
- Staging area (waiting lounge): No.
- Windows/doors opened/removed during warmer months: No.
- Patron use of Outdoor Areas: None.
- Wheelchair accessibility: Yes; Restroom accessibility: Yes; and

WHEREAS, this is a transfer of liquor license from 780 Rest. Associates Corp. to Ribot, the current acting corporation; and

WHEREAS, the Applicant has agreed to provide a copy of the SLA Application to CB6M (with sensitive information blacked out); and

WHEREAS, the Applicant currently owns the following establishment(s) in NYC:

- Dean’s Family Style Pizzeria Restaurant, 215 W. 85th St., NYC
- Dean’s Family Style Pizzeria Restaurant, 801 2nd Ave., NYC
- Dean’s Family Style Pizzeria Restaurant, 349 Greenwich St., NYC; and

WHEREAS, no members of the community were present to speak against the Application; now

THEREFORE, be it

RESOLVED, that CB6M supports the Transfer, On Premise liquor license for 780 Rest. Associates Corp., d/b/a Ribot, 780 3rd Ave., btw E. 48th & E. 49th Sts.

VOTE: 35 in Favor 0 Opposed 0 Abstention 0 Not Entitled

g. New, On Premises liquor license for Gramercy Thai, Inc., d/b/a Lantern, 311 2nd Ave. at E. 18th St.

WHEREAS, Kevin Leathers, Esq., appeared before the Business Affairs & Street Activities Committee of Community Board 6 Manhattan (CB6M) on February 7, 2008, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, on the CB6M “Liquor License Questionnaire” sent to the Applicant (and received at the Board office January 8, 2008, the Applicant indicated that the business type of the establishment is a restaurant, and the Applicant’s questionnaire also provided the following proposed Operational Information:

- Hours of Operation: Weekdays 11:00 AM – 11:00 PM; Weekends 11:00 AM – 11:30 PM.
- Capacity: 60. Public Assembly permit: Not required.
- Music on-premises: background.
- Staging area (waiting lounge): No.
- Windows/doors opened/removed during warmer months: Yes.
- Patron use of Outdoor Areas: None.
- Wheelchair accessibility: Yes; Restroom accessibility: Yes; and

WHEREAS, the applicant provided plans/drawings for the committee to consider; and

WHEREAS, the Applicant stated the SLA Application has been filed and has agreed to provide a copy of the Application to CB6M (with sensitive information blacked out); and

WHEREAS, the Applicant currently owns or has owned the following establishment(s) in NYC:

- Namjit, Inc., 36 E. 8th St. (Cafetasia)
- Lantern, Montague St., Brooklyn Hgts., NY; and

WHEREAS, no members of the community were present to speak for or against the Application; and

WHEREAS, in its discussion of the application, the committee took into consideration

- the presentation by the Applicant
- the fact that a 500-foot SLA Hearing was required
- there were no people from the community to speak to the application; now

THEREFORE, be it

RESOLVED, that CB6M supports the New, On Premises liquor license for Gramercy Thai, Inc., d/b/a Lantern, 311 2nd Ave. at E. 18th St.

VOTE: 35 in Favor 0 Opposed 0 Abstention 0 Not Entitled

h. New, On Premises liquor license for Fiasco Group, LLC, d/b/a Bar Milano, 323 3rd Ave. at E. 24th St.

WHEREAS, Joe Denton, Owner, Jason Denton, Owner, and Erick Kleinman, Chef/Partner, appeared before the Business Affairs & Street Activities Committee of Community Board 6 Manhattan (CB6M) on February 7, 2008, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, on the CB6M “Liquor License Questionnaire” sent to the Applicant (and received at the Board office January 17, 2008, the Applicant indicated that the business type of the establishment is a restaurant, and the Applicant’s questionnaire also provided the following proposed Operational Information:

- Hours of Operation: 7 days a week 6:00 AM – 3:00 AM; the restaurant is in the Hotel Marcel and will provide room service.
- Capacity: 100. Public Assembly permit: will be required.
- Music on-premises: recorded background; sound proofing will be installed.
- Staging area (waiting lounge): No.

- Windows/doors opened/removed during warmer months: No.
- Patron use of Outdoor Areas: None.
- Wheelchair accessibility: Yes; Restroom accessibility: Yes; and

WHEREAS, the applicant provided plans/drawings for the committee to consider and a sample menu; and

WHEREAS, the Applicant stated the SLA Application has not been filed but has agreed to provide a copy of the Application to CB6M (with sensitive information blacked out) when it is; and

WHEREAS, the Applicant currently owns or has owned the following establishment(s) in NYC:

- Inoteca, 98 Rivington St., NYC
- Ino, 21 Bedford St., NYC
- Lupa, 170 Thompson St., NYC; and

WHEREAS, the presenters stated they will not be using the basement space (formerly the illegal operation “Coal” by a previous owner); the space is not part of their lease; and

WHEREAS, in its discussion of the application, the committee took into consideration

- the presentation by the Applicant
- the fact that a 500-foot SLA Hearing was required
- there were no comments from the community; now

THEREFORE, be it

RESOLVED, that CB6M supports the New, On Premises liquor license for Fiasco Group, LLC, d/b/a Bar Milano, 323 3rd Ave. at E. 24th St.

VOTE: 35 in Favor 0 Opposed 0 Abstention 0 Not Entitled

j. New, On Premises liquor license for P&G Ventures, LLC, d/b/a Haven, 244 E. 51st St. btw 2nd & 3rd Aves.

WHEREAS, Robert Bookman, Esq., and Bershan Shaw, Owner, appeared before the Business Affairs & Street Activities Committee of Community Board 6 Manhattan (CB6M) on February 7, 2008, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, on the CB6M “Liquor License Questionnaire” sent to the Applicant (and received at the Board office January 28, 2008, the Applicant indicated that the business type of the establishment is a restaurant/bar, and the Applicant’s questionnaire also provided the following proposed Operational Information:

- Hours of Operation: Sunday – Tuesday 4 PM – 12 AM; Wednesday 4 PM – 2 AM; Thursday – Saturday 4 AM – 2:30 AM.
- Capacity: 75. Public Assembly permit: is required.
- Music on-premises: recorded background, with occasional guitar performances.
- Staging area (waiting lounge): No.
- Windows/doors opened/removed during warmer months: No.
- Patron use of Outdoor Areas: None.

- Wheelchair accessibility: Yes; Restroom accessibility: Yes; and

WHEREAS, the applicant provided plans/drawings for the committee to consider; and

WHEREAS, the Applicant stated the SLA Application has not been filed but has agreed to provide a copy of the Application to CB6M (with sensitive information blacked out) when it is; and

WHEREAS, no members of the community were present to speak for or against the Application; and

WHEREAS, in its discussion of the application, the committee took into consideration

- the presentation by the Applicant
- the fact that a 500-foot SLA Hearing was required
- there were no comments from the community; now

THEREFORE, be it

RESOLVED, that CB6M supports the New, On Premises liquor license for P&G Ventures, LLC, d/b/a Haven, 244 E. 51st St. btw 2nd & 3rd Aves.

VOTE: 35 in Favor 0 Opposed 0 Abstention 0 Not Entitled

k. New, On Premises liquor license for Lesly Bernard or Corp to be formed, d/b/a TBD, 243 E. 14th St. btw 2nd & 3rd Aves.

WHEREAS, Robert Bookman, Esq., and Lesly Bernard, Owner, appeared before the Business Affairs & Street Activities Committee of Community Board 6 Manhattan (CB6M) on February 7, 2008, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, on the CB6M “Liquor License Questionnaire” sent to the Applicant (and received at the Board office February 6, 2008, the Applicant indicated that the business type of the establishment is a restaurant, and the Applicant’s questionnaire also provided the following proposed Operational Information:

- Hours of Operation: Weekdays 5 PM – 3 AM; Weekends 6 PM – 4 AM.
- Capacity: 100, after renovations. Public Assembly permit: is required.
- Music on-premises: recorded.
- Staging area (waiting lounge): None.
- Windows/doors opened/removed during warmer months: No.
- Patron use of Outdoor Areas: None.
- Wheelchair accessibility: grandfathered; and

WHEREAS, the applicant provided plans/drawings for the committee to consider; the location was the Blue Mahoe; and

WHEREAS, the Applicant stated the SLA Application has not been filed but has agreed to provide a copy of the Application to CB6M (with sensitive information blacked out) when it is; and

WHEREAS, the Applicant currently owns or has owned the following establishment(s) in NYC:

- Tillman's Bar & Lounge, W. 26th St. btw 6th & 7th Ave., NYC; and

WHEREAS, fare served will be "gourmet Japanese tapas", a new concept; and

WHEREAS, no members of the community were present to speak for or against the Application; and

WHEREAS, in its discussion of the application, the committee took into consideration

- the presentation by the Applicant
- the fact that a 500-foot SLA Hearing was required
- there were no comments from the community; now

THEREFORE, be it

RESOLVED, that CB6M supports the New, On Premises liquor license for Lesly Bernard or Corp to be formed, d/b/a TBD, 243 E. 14th St. btw 2nd & 3rd Aves.

VOTE: 35 in Favor 0 Opposed 0 Abstention 0 Not Entitled

m. Renewal, Restaurant Liquor license for Musso's the Captain's Table, Inc., d/b/a Don Veitia, 860 2nd Ave. at E. 46th St.

WHEREAS, Angkana "Bee" Amsa-ngiam, Mgr., appeared before the Business Affairs & Street Activities Committee of Community Board 6 Manhattan (CB6M) on February 7, 2008, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, on the CB6M "Liquor License Questionnaire" sent to the Applicant (and received at the Board office January 18, 2008, the Applicant indicated that the business type of the establishment is a restaurant, and the Applicant's questionnaire also provided the following proposed Operational Information:

- Hours of Operation: Weekdays 12 PM – 10 PM; Weekends 11 AM – 10 PM.
- Capacity: 64. Public Assembly permit: Not required.
- Music on-premises: Recorded background.
- Staging area (waiting lounge): None.
- Windows/doors opened/removed during warmer months: No.
- Patron use of Outdoor Areas: None.
- Wheelchair accessibility: Yes; Restroom accessibility: Yes; and

WHEREAS, the Applicant stated the SLA Application has been filed and has agreed to provide a copy of the Application to CB6M (with sensitive information blacked out); and

WHEREAS, members of the community were present to speak for the Application and had the following comments to make

- The establishment is indeed a white tablecloth restaurant and a good neighbor
- This is exactly the kind of place residents want in the neighborhood and support it; and

WHEREAS, in its discussion of the application, the committee took into consideration

- the presentation by the Applicant
- the favorable comments from the community; now

THEREFORE, be it

RESOLVED, that CB6M supports the Renewal, Restaurant Liquor license for Musso's the Captain's Table, Inc., d/b/a Don Veitia, 860 2nd Ave. at E. 46th St.

VOTE: 35 in Favor 0 Opposed 0 Abstention 0 Not Entitled

n. Renewal, On Premises liquor license for Turtle Bay Tavern Corp., d/b/a Turtle Bay Grill & Lounge, 987 2nd Ave. btw E. 52nd & E. 53rd Sts.

WHEREAS, no one representing the Applicant appeared before the Business Affairs & Street Activities Committee of Community Board 6 Manhattan (CB6M) on February 7, 2008, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, it is the policy of CB6M to issue an automatic negative resolution for no-shows; and

WHEREAS, in its discussion of the application, the committee took into consideration

- There was no presentation by the Applicant
- CB6M's policy on no-shows; now

THEREFORE, be it

RESOLVED, that CB6M opposes the Renewal, On Premises liquor license for Turtle Bay Tavern Corp., d/b/a Turtle Bay Grill & Lounge, 987 2nd Ave. btw E. 52nd & E. 53rd Sts.

VOTE: 35 in Favor 0 Opposed 0 Abstention 0 Not Entitled

o. Report: A letter will be written to the State Liquor Authority in regards to The Water Club's application and their disregard of their lease.

Toni, Lyle and a general 'Community Board 6 subpoenas have been received to testify at the Tonic East Revocation Hearing before the SLA. Toni has called the Law Department seeking representation. Carol will be testifying at the Redemption hearing at the end of February as well.

Old/New Business

Second Roll Call – Carol A Schachter

Meeting Adjourned at 10:40pm