

**MANHATTAN COMMUNITY BOARD 6
FULL BOARD MEETING MINUTES
Wednesday, February 8, 2012
NYU MEDICAL CENTER
550 FIRST AVENUE**

Hon. Mark Thompson, Chair

ATTENDANCE

Members answering first roll call:

Acaro, Badi, Barrett, Buchwald, Collins, Curtis, Disman, Dubnoff, Eggers, Figueroa, Frank, Friedman, Garland, Gonzalez, Haile, Hollister, Humphrey, Imbimbo, Judge, Keane, Landesman, McKee, Nariani, O'Neal, Paikoff, Papush, Pellezzi, Scala, Schachter, Schaeffer, Scheyer, Seligman, Sepersky, Sherrod, Simon, Steinberg, Thompson, Vigh-Lebowitz, Weder, West, Winfield

Members answering second roll call:

Acaro, Badi, Barrett, Buchwald, Collins, Curtis, Disman, Dubnoff, Eggers, Figueroa, Frank, Friedman, Garland, Gonzalez, Haile, Hollister, Humphrey, Imbimbo, Judge, Keane, Landesman, Marton, McKee, Moses, Nariani, Negrete, O'Neal, Paikoff, Papush, Parrish, Pellezzi, Scala, Schachter, Schaeffer, Scheyer, Seligman, Sepersky, Sherrod, Simon, Steinberg, Thompson, Vigh-Lebowitz, Weder, West, Winfield

Excused: McIntosh, Reiss

Absent: Dankberg, Parise

Guests signed in: Eric Bottcher – Gov. Cuomo; Dan Quart; Dan Garodnick; Shelby Garner – C/M Maloney; Leslie Pena-A/M Kavanagh; Vanessa Diaz-C/M Rosie Mendez; Zach Gamza-Sen. Liz Krueger; Enrique Lopez-Sen. Tom Duane; Jeffrey Lefrancois-A/M Gottfried

Meeting Called to Order

Mark Thompson, Chair, called the meeting to order.

Adoption of the Agenda

Roll Call – Aaron Humphrey

PUBLIC SESSION:

Eric Bottcher-Governor Cuomo's Office: Eric gave a quick summary on the governor's activities. The governor did issue his State of the State address, further the Capital budget came out and if anybody would like to review these reports please see the governor's website for more information.

For information on these and other reports see the Governor's office website at <http://www.governor.ny.gov> or call 518.474.8390

Assembly Member Dan Quart: 1) Proud that the legislature has worked to bring the budget deficit down from 3.5 billion to 1.9 billion which means increases in education and healthcare of 4%. 2) He spoke on MTA's capital construction budget, thanks the Public Safety Environment & Transportation Committee for being so active. The MTA's Capital Construction budget is 9 billion dollars short. That is a gap too large close without being able to issue bonds to finance it, which the legislature is working on for the benefit of 2nd Avenue Subway and additional capital construction projects. 3) His office is aware of and will be looking at ways to address Copia Illegal dancing and the fact that they have been a bad neighbor. 4) His office is offering a clinic for tenants that need assistance.

For information on this and other reports, see the Assembly Member's Report to the People or go to <http://danquart.com>

Council Member Dan Garodnick: 1) With regards to local issue, I have asked the DOT to address the continued safety concern underneath the bridge that connects the mainland to waterside plaza as it was the site of a criminal incident in the fall of last year. The fence that is currently there does not go nearly high enough so his office asked the DOT to close that area off completely. 2) Stuyvesant town Peter Cooper village is still an exciting place to represent my office is working with Tenants Association of which Susan Steinberg is the Vice President to ensure a long and financially secure future. They are in the process of putting together a plan on what they want to do, and will be gauging the community by having house meetings to ascertain the needs of the community, I plan on attending these meetings. 3) I also convened two meetings over past couple of months with representatives with NYU medical centers, Mark, various Council Members regarding the Bellevue Psych building. I want to encourage the city to look at the building again to create an environment to enter the DOHS, but also a significant building that can be of use to the community. 4) I introduced several bills in the last week: a) to increase transparency and better access to government for people with disabilities. This bill would require that when the city issues a license or a permit they would need to provide a QR code so that the information around, b) would charge DOITT with the responsibility of making sure that ALL city agency websites are accessible to people with disabilities. 5) The City Council Consumer Affairs committee will be looking at deceptive practices by home improvement contractors, it is the 2nd highest complaint that comes into the city; most complaints come from the borough of Brooklyn, therefore the City Council Consumer Affairs committee and will hold a meeting on February 14th in Brooklyn. In March the committee will be looking into consumer abuses regarding used car sales and would require the posting and disclosure of buyer's rights at the point of sale as well as making sure that contracts are clearly understood. 6) My office will be happy to speak to anybody about the city budget or city redistricting process. 7) I am looking into community concerns regarding the overcrowded conditions at PS 116. 8) The number one source of complaints to DCA is regarding debt collection and I am working to make ensure that debt collection processes are more transparent so that consumers are aware of who is actually collecting the debt.

For information on this and other reports, see the Council Member's East Side Bulletin or go to <http://www.garodnick.com>

Shelby Garner representing Cg/M Carolyn Maloney reported: 1) The Congress Member is working hard to pass a budget that is relevant to most Americans. 2) She is also trying to pass the STOCK ACT that stops congress people from insider trading. 3) She is also working to thwart the passage the American infrastructure and financing act, which would cut dedicated funding of public transportation. 4) Was shocked about Susan G. Komens plan to remove funding from Planned Parenthood, and is very happy that she walked back from the decision to cut funding. 5) Finally, representative Gifford's announced her resignation and thought this is sad we understand and wish for her a speedy complete recovery.

For the full report, see the Congress Member's Community Report or go to www.maloney.house.gov

Zach Gamza representing State Senator Liz Krueger: Lines are drawn and they think that they are unfair, specifically as it relates to CB6 the new lines would cause them to lose much of CB6. They urge the Governor's office to review the lines. Continuing on the deceptive service provider practices he gives the example of legislation to require notification of the person who is switching services is authorized to make that switch as well as getting acknowledge. Cramming 3rd party service will tack on charges to your bills without you r approval, but it becomes difficult on the back end to get that taken off of your bill because and will be introducing legislation to prevent companies from being allowed to do that and even possibly doing business in New York in General. Will be having a senior roundtable on 2/23/12 covering financial preparation for long term care

For information on these and other reports, see the Senator's Community Report or go to <http://www.lizkrueger.com>

Enrique Lopez representing State Senator Tom Duane reported: Drew attention to the pamphlet that was distributed that denoted Senator Duane's support for Governor Cuomo's agenda. 2) Additionally, his office is helping Stein senior center move to a new home.

For information on these and other reports, see the Senator's Community Report or go to <http://www.tomduane.com>

Jeffrey Lefrancois representing Assembly Member Dick Gottfried reported: 1) That the Assembly member is completely opposed to religious services in schools and has issued a statement concerning such. 2) The Vision senior center opened that focuses specifically on individuals who are blind and is very happy to welcome that to the community as it is a first in the city and possibly a first in the country.

For information on these and other reports, please see the Assembly Members Community Report or go to <http://www.dickgottfried.org>

Vanessa Diaz-Lopez representing CM Rosie Mendez reported: 1) Every year the CM has the ability to grant awards to nonprofit community organizations that provide services directly to the council district, and urges any organization or person who knows of a deserving organization to contact the council members office.

For information on these and other reports, please see the Council Members Community Report or go to <http://www.rosiemendez.com>

Leslie Pena representing AM Kavanagh reported: 1) Earlier this month, the city's department of finance published the annual tentative property assessment roll for nonprofits throughout New York City indicating which organizations had failed to renew their tax exempt status and would therefore be subject to taxes beginning in July. In an effort to avoid unnecessary financial difficulties the office reached out to nonprofits and religious institutions that the report said had not renewed their status and helped them correct the error. Any organizations that are having difficulties with government agencies can feel free to contact the Assembly Member's office. 2) Also, it was announced that AM Kavanagh is the co-chair of the State Senators Against illegal guns, and will be having events throughout the year aimed at finding innovative ways to work towards the elimination of senseless gun violence. 3) He is also calling for the passage of a bill requiring the industry to recycle used carpet, which is made from petroleum. 4) Also in conjunction with

State Senator Liz Krueger, AM Gottfried, BP Scott Stringer, CM Dan Garodnick, CM Rosie Mendez, and Congress Member Maloney has written a letter to the DOE Chancellor Walcott asking him to review the school lunch policy for PS 116, where because of overcrowding, school lunches are being given out very early in the day.

Kristen Ellis representing Manhattan BP Scott Stringer reported: BP gave the State of the Borough Address and will focus on his agenda to support workers and affordable housing. Also, the Borough President's office issued a Solar Energy Report which was the culmination of research done by CUNY over the previous six months.

For information on these and other reports see the Borough President's Report at www.mbpo.org or call 212-669-7877.

BUSINESS SESSION:

Chair's Report – Mark Thompson

1. I would like to say thank you to Sandro Sherrod who has been working with the board office to find new ways to distribute the meeting announcements and the agendas.
2. The Bike Share program is coming to NYC and there will be a meeting on February 21st at 6:00PM. Commissioner Sadik-Kahn has been taking into account CB6's recommendations.
3. I would also like to officially introduce Tristian Walker, and thank him for his work in the office. He came into the office and hit the ground running.
4. Thanks to Toni, she came back after being sick and has been doing an amazing job at the office.

District Manager's Report – Toni Carlina

1. Due to the complaints received this week about debris under the FDR at 18th Street the DOS removed 4 truck-loads of debris and has cleaned that area thoroughly from 14th Street to 34th street along the FDR.
2. Also, some of you may know about the New York Comedy Club, we have gotten DOB involved and to date have issued 13 construction violations and 9 ECB violations. The office will be forwarding this information to the SLA.

Treasurer's Report - Bea Disman

Report: The OTPS budget is still good; I understand that we did pay a few bills.

Committee Resolutions & Reports

1. Youth & Education – Maxine McIntosh, Chair

Report: waived

2. Health, Seniors & Disability Issues – Wilbur Weder, Chair

Report: At the next meeting we will have representatives from the Lenox Hill Senior Center explaining what is new with the center. Additionally, Dick Gottfried will be speaking

3. Housing, Homeless & Human Rights Committee – Claude L. Winfield, Chair

Report: waived

4. Budget & Governmental Affairs– Richard Eggers, Chair

Report: Just wanted to let the board know that their meeting will be held this coming Monday

5. **Land Use/Waterfront** – Terrence O’Neal, Chair

a. **DCP #N120132ZRY-Zone Green Text Amendment – Citywide amendment.**

WHEREAS, the Department of City Planning is proposing a city-wide Zone Green Text Amendment to remove zoning barriers to green building features in the City of New York; and,

WHEREAS, the proposed text amendment (DCP #N120132ZRY) would facilitate retrofitting of existing buildings and construction of new buildings with features that help reduce energy consumption and carbon emissions, generate clean and renewable energy, manage storm water on site, reduce urban heat island effect through vegetation on roofs, and otherwise promote a healthy and green city.; and,

WHEREAS, the key elements of the proposal include:

- Allowing external insulation of existing buildings within the property line while exempting it from floor area and yard calculations, and encouraging new high-performance buildings by exempting thicker, more efficient walls from floor area calculations;
- Permitting sun control devices, which can help reduce energy consumption for air conditioning through shading and also reduce energy consumption for lighting by providing glare free natural light (which removes need for artificial lighting). These devices are sometimes prohibited because of projection over required open areas;
- Allowing solar panels, skylights, green roofs and other rooftop features to project above a height limit, and allowing greater volume, similar to what is already allowed in many special purpose districts, above the maximum building height to accommodate modern bulkheads, with requirements for setback and screening of equipment.
- Allowing waivers of floor area and height limits for rooftop greenhouses used for educational and agricultural purposes, by certification of the Chair of the City Planning Commission, on buildings that do not contain residences or sleeping accommodations; and
- On taller buildings and on waterfront blocks, allowing small wind turbines to rise above a maximum height limit, with limits on height and setback from property lines and waterfront access areas; and,

WHEREAS, the application for the city-wide Zone Green Text Amendment was referred out by the City Planning Commission on December 12, 2011; is not subject to the Uniform Land Use Review Procedure (ULURP) and does not require a public hearing by the community board; and,

THEREFORE, be it

RESOLVED, it is the sense of this Board that the amendment proposed in the application will be consistent with preserving the landmark status of buildings whenever it is implemented in such buildings; now,

BE IT FURTHER RESOLVED, that this Board supports the sustainability promoted by the proposed zoning amendment (DCP #N120132ZRY), and recommends that the zoning amendment be sufficiently encompassing and flexible to allow other desirable “green” technologies to be included on buildings as they become feasible.

VOTE : 42 in Favor 3 Opposed 0 Abstention 0 Not Entitled

b. **Report:** At the next land use meeting they will be continuing their discussion of the 197a plan.

6. **Parks, Landmarks & Cultural Affairs** – Gary Papush, Chair

a. **142 EAST 19TH STREET- Certificate of Appropriateness**

WHEREAS, the owner of 142 East 19th Street has applied to the Landmarks Preservation Commission for a Certificate of Appropriateness to alter the front façade and construct a rooftop bulkhead, and

WHEREAS, this building located in the Gramercy Park Historic District on a block known since approximately 1909 as “Block Beautiful” was constructed in 1852 and remodeled in 1924, and

WHEREAS, the application was presented to Community Board 6 and the proposed bulkhead will stand away from the front of the roof and is similar in scale to other rooftop additions already approved by Community Board 6 in this historic district including on “block beautiful”, and

WHEREAS, the façade changes to the entrance doors and windows were also found appropriate, now

THEREFORE, be it

RESOLVED, that Community Board 6 recommends approval of this application.

VOTE: 45 in Favor 0 Opposed 0 Abstention 0 Not Entitled

b. **LPC application for 225 E 17th St btw 2nd and 3rd Avenue**

WHEREAS, 225 East 17th Street is in the Stuyvesant Square Historic District, and

WHEREAS, the existing entry canopy was installed without NYC Landmarks Preservation Commission permits and is in violation, and

WHEREAS, as the building was originally constructed as an apartment building but has for many years functioned as a hotel, and

WHEREAS, the building, due to its age and style, contributes to the architectural and historic character of the historic district, and

WHEREAS, the existing canopy is a reversible alteration, and

WHEREAS, canopies were often found historically at apartment building and hotel entrances, and

WHEREAS, although the configuration of the canopy, which does not have end posts at the curb, does not match historic canopies, the configuration recalls these historic designs, and

WHEREAS, the design and color of the canopy do not call undue attention to themselves on the streetscape, now

THEREFORE, be it

RESOLVED, that Community Board 6, Manhattan has no objection to the legalization of the existing entry canopy.

VOTE: 45 in Favor 0 Opposed 0 Abstention 0 Not Entitled

c. **150 EAST 42ND STREET- Certificate of Appropriateness**

WHEREAS, 150 East 42nd Street was constructed in the mid-1950's as home to the Socony-Mobil Oil Company and is a 42 story office building with retail on the street level and was designated as an individual landmark in 2003, and

WHEREAS, an application has been filed for a Certificate of Appropriateness to change a current large retail use to 3 individual retail establishments and to create separate entrances for all three with such entrances placed within existing granite and

WHEREAS, this application has been reviewed by Community Board 6, now

THEREFORE, be it

RESOLVED, Community Board 6 has no objection to the approval of this application.

VOTE: 43 in Favor 2 Opposed 0 Abstention 0 Not Entitled

d. **145 EAST 39TH STREET- Certificate of Appropriateness**

WHEREAS, 145 East 39th Street is an individual designated landmark constructed between 1916-1918 and is being converted to hotel and restaurant use, and

WHEREAS, an application for a Certificate of Appropriateness has been filed to replace non-historic entry and service doors and install new marquees and signage, and

WHEREAS, this application has been reviewed by Community Board 6 and the proposed new canopy and entrance doors found to be appropriate to the landmark, now

THEREFORE, be it

RESOLVED, Community Board 6 has no objection to the approval of this application.

VOTE : 45 in Favor 0 Opposed 0 Abstention 0 Not Entitled

- e. **Report:** The meeting regarding 1 Sutton place south has been postponed. Additionally, we are concerned about the Stuyvesant Square fence as the cost of the materials has doubled.

7. **Business Affairs & Street Activities Committee** – Carol A. Schachter, Chair

- a. **New On Premises License for Karizma Lounge Corp. d/b/a Karizma, 244 East 51st Street between Second and Third Avenues**

WHEREAS, Managers Valentina Kova and William Watkin and Owner Mohammed Bashir appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on January 26th, having jurisdiction of the premises in the license application process; and

WHEREAS, this venue is to be a hookah bar and restaurant with recorded music, with plans shown us by the applicants to show the ventilating system to be effected; and

WHEREAS, the applicant has signed an Agreement to close at 2AM daily which contains the additional stipulations; and

WHEREAS, there was no one for or against the applicant from the community; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on January 26th and pursuant to all other considerations, CB6M objects to the application unless the Applicant adheres to all the Representations made by the Representative to the Committee, **including the signed and notarized Agreement**, in which case the board has **no objection** to the application.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this Resolution, **including the signed and notarized Agreement**, that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE : 40 in Favor 5 Opposed 0 Abstention 0 Not Entitled

- c. **New On Premises License for Carcaman Inc., d/b/a Da Noi, 214 E. 49th Street Between Second and Third Avenues**

WHEREAS, Attorney Philip Mancuso and Owners Edward Gomez and Luis Gomez appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on January 26th, having jurisdiction of the premises in the license application process; and

WHEREAS, this venue is to be a high-scale fusion Italian establishment, clearing its outdoor patio by midnight; and

WHEREAS, the applicant has signed an Agreement to close at 2AM daily and its patio by midnight, said Agreement containing the usual additional stipulations; and

WHEREAS, there was no one for or against the applicants from the community; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on January 26th and pursuant to all other considerations, CB6M objects to the application unless the Applicant adheres to all the Representations made by the Representative to the Committee, **including the signed and notarized Agreement**, in which case the board has **no objection** to the application.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this Resolution, **including the signed and notarized Agreement**, that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE : 45 in Favor 0 Opposed 0 Abstention 0 Not Entitled

- d. **New On Premises License for Jubilee First Avenue Corp. d/b/a Jubilee, 948 First Avenue between E. 52nd and E. 53rd Streets.**

WHEREAS, Owners Eric Macaire and Ilda Araujo appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on January 26th, having jurisdiction of the premises in the license application process; and

WHEREAS, this venue is known to be a long-standing good neighbor at their E. 54th Street premises and would be expected to carry over the same high standards at this new location; and

WHEREAS, the applicant has signed an Agreement to close at midnight seven days a week, said Agreement containing the usual additional stipulations; and

WHEREAS, there was no one for or against the applicants from the community; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on January 26th and pursuant to all other considerations, CB6M objects to the application unless the Applicant adheres to all the Representations made by the Representative to the Committee, **including the signed and notarized Agreement**, in which case the board has **no objection** to the application.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this Resolution, **including the signed and notarized Agreement**, that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 45 in Favor 0 Opposed 0 Abstention 0 Not Entitled

e. **New On Premises License for Richard Born, d/b/a TBD, 230 East 51st Street between Second and Third Avenues**

WHEREAS, Owner Richard Born appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on January 26th, having jurisdiction of the premises in the license application process; and

WHEREAS, this venue is owned by the POD Hotel as they decided to run the premises themselves, replacing the former East Side Social Club which had closed; and

WHEREAS, this venue will be serving breakfast, lunch and dinner with access from both the street and the hotel lobby; and

WHEREAS, the applicant has signed an Agreement to close at 2 am to the public but allow for hotel clients and their guests to access the venue from the lobby until 4am, such Agreement including the other usual stipulations; and

WHEREAS, there was no one for or against the applicants from the community; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on January 26th and pursuant to all other considerations, CB6M objects to the application unless the Applicant adheres to all the

Representations made by the Representative to the Committee, **including the signed and notarized Agreement**, in which case the board has **no objection** to the application.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this Resolution, **including the signed and notarized Agreement**, that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 45 in Favor 0 Opposed 0 Abstention 0 Not Entitled

g. **New On Premises License for Satyen Shah, d/b/a TBD, 981 Second Avenue between E. 51st and E. 52nd Streets**

WHEREAS, Owner Satyen Shah appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on January 26th, having jurisdiction of the premises in the license application process; and

WHEREAS, this venue is to be a Mexican restaurant closing at 2 a.m. seven days a week; and

WHEREAS, the applicant has signed an Agreement to this effect, said Agreement including the other usual stipulations; and

WHEREAS, there was no one for or against the applicants from the community; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on January 26th and pursuant to all other considerations, CB6M objects to the application unless the Applicant adheres to all the Representations made by the Representative to the Committee, **including the signed and notarized Agreement**, in which case the board has **no objection** to the application.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this Resolution, **including the signed and notarized Agreement**, that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 45 in Favor 0 Opposed 0 Abstention 0 Not Entitled

h. **New Alteration License for RBG Village LLC d/b/a Canzaciti Roadhouse, 380 Third Avenue between E. 27 and E. 28 Street.**

WHEREAS, Owner John Roder and Manager Timothy Lorito appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on January 26th, having jurisdiction of the premises in the license application process; and

WHEREAS, this alteration is to merely change the shape of the bar and would not affect the bar's size nor the occupancy of the venue; and

WHEREAS, the applicant has signed an Agreement stating they would close their windows at 8:00 pm 7 days a week to alleviate noise concerns, said Agreement including the other usual stipulations; and

WHEREAS, there was no one for or against the applicants from the community on the alteration issue; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on January 26th and pursuant to all other considerations, CB6M objects to the application unless the Applicant adheres to all the Representations made by the Representative to the Committee, **including the signed and notarized Agreement**, in which case the board has **no objection** to the application.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this Resolution, **including the signed and notarized Agreement**, that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 44 in Favor 1 Opposed 0 Abstention 0 Not Entitled

- i. **Corporate Change for On Premises License for 52 Restaurant Group Corp. d/b/a Opal, 251 East 52nd Street on Second Avenue.**

WHEREAS, the applicants did not appear before us at our January 26th meeting to answer any concerns regarding this license; and

WHEREAS, failure to appear rendered the committee unable to make a determination to whether application was in the public interest or to determine the “bona fides” of the application; and

WHEREAS, the 500 foot rule applies and therefore there is no way to determine whether this change is in the public interest; now

THEREFORE, be it

RESOLVED, that Community Board Six objects to this application.

VOTE: 45 in Favor 0 Opposed 0 Abstention 0 Not Entitled

- j. **Renewal of On Premises License for 192 Third Tavern Inc., d/b/a Still Bar & Grille, 192 Third Avenue between E. 17 and E. 18 Streets**

WHEREAS, the applicants did not appear before us at our January 26th meeting to answer any concerns regarding this license; and

WHEREAS, failure to appear rendered the committee unable to make a determination to whether application was in the public interest or to determine the “bona fides” of the application; and

WHEREAS, the 500 foot rule applies and therefore there is no way to determine whether this change is in the public interest; now

THEREFORE, be it

RESOLVED, that Community Board Six objects to this application.

VOTE: 45 in Favor 0 Opposed 0 Abstention 0 Not Entitled

k. **Renewal On Premises License for Roundtable 515 LLC d/b/a Rock & Rose, 303-305 E. 53 Street between First and Second Avenues**

WHEREAS, Owner Sumyo Sone and Managers Guilietta Consalvo and Aaron Readon appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on January 26th, having jurisdiction of the premises in the license application process; and

WHEREAS, this location has a history of problematic venues which were outlined at our meeting in detail; and

WHEREAS, the applicant has signed an Agreement to close at 2 am to seven days a week and to remove a mannequin from the window, such Agreement including the other usual stipulations; and

WHEREAS, a letter was read from the East Midtown Coalition underlining the Board's concerns; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on January 26th and pursuant to all other considerations, CB6M objects to the application unless the Applicant adheres to all the Representations made by the Representative to the Committee, **including the signed and notarized Agreement**, in which case the board has **no objection** to the application.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this Resolution, **including the signed and notarized Agreement**, that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 45 in Favor 0 Opposed 0 Abstention 0 Not Entitled

l. **New DCA unenclosed sidewalk café application (#1417471) for 307 Third Venture LLC d/b/a TBD, 307 Third Avenue between E. 23 and E. 24 Streets**

WHEREAS, the applicants did not appear before us at our January 26th meeting to answer any concerns regarding this application; and

WHEREAS, failure to appear rendered the committee unable to make a determination to whether application was in the public interest or to determine the "bona fides" of the application; and

WHEREAS, this venue had come before us previously for its liquor license under a different operating name and CB6 did not have an opportunity to review this venue as it stands today;
now

THEREFORE, be it

RESOLVED, that Community Board Six objects to this application.

VOTE: 45 in Favor 0 Opposed 0 Abstention 0 Not Entitled

m. Report: The committee is making some great progress with regards to implementing the change agreements, and working in the best interests of the neighborhood.

8. Public Safety, Environment & Transportation – Fred Arcaro. Chair

a. Report: waived

Old/New Business

Second Roll Call – Aaron Humphrey

Meeting Adjourned 9:45 pm