



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

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Alysha Lewis-Coleman, Board Chair

Susan Stetzer, District Manager

April 2021 Full Board Minutes

Meeting of Community Board 3 held on Tuesday, April 27, 2021 at 6:30pm via Zoom.

Public Session:

Public Officials:

Mayor Bill de Blasio, Andrew Kunkes:

Public Advocate Jumaane Williams, Phillip Ellison:

Comptroller Scott Stringer, Luke Wolf:

Borough President Gale Brewer, Brian Lewis:

Congressmember Nydia Velazquez, Lingxia Ye:

Congressmember Carolyn Maloney, Victor Montesinos:

Assemblymember Yuh-Line Niou, Shivani Gonzalez:

Assemblymember Deborah J. Glick, Charlie Anderson:

Assemblymember Harvey Epstein, Aura Olavarria:

State Senator Brian Kavanagh, Chantel Cabrera:

State Senator Brad M. Hoylman, Caroline Wekselbaum:

Councilmember Margaret Chin, Kana Ervin:

Councilmember Carlina Rivera, Isabelle Chandler:

Members Present at First Vote:

David Adams	[P]	Trever Holland	[P]	Tareake Ramos	[A]
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	[A]	Joseph Kerns	[A]	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	[A]	Troy Velez	[P]
Ryan Gilliam	[P]	Ellen Luo	[A]	Rodney Washington	[P]
Debra Glass	[P]	Michael Marino	[P]	Kathleen Webster	[P]
Andrea Gordillo	[P]	Alexandra Militano	[A]	Jacky Wong	[P]
Herman Hewitt	[P]	Michael Perles	[P]	Ricky Wong	[A]

Minutes:

Minutes of February 2021 were approved, as is.

40 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Board Chairperson's Report:

Chairperson Alysha Lewis-Coleman

District Manager's Report:

District Manager Susan Stetzer

Committee Reports:

Executive Committee

no votes necessary

37 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. Park Manager update
no vote necessary
3. DDC: East Side Coastal Resiliency Update
no vote necessary
4. Public access at the PS 184 Trust for Public Land playground

VOTE: TITLE: Support for Public access at the PS 184 Trust for Public Land playground

WHEREAS, federal National Disaster Resilience funds were awarded to New York City with a significant component going towards the Brooklyn Bridge-Montgomery Coastal Resilience (BMCR) project, which were intended to protect and provide benefits to the vulnerable coastal Two Bridges neighborhood, including the construction of resilient green playgrounds in the project area¹; and

WHEREAS, the playground at PS 184 was designated as one of the sites for green playground construction funded by this award, with design and project completion done in partnership with the Trust for Public Land²; and

WHEREAS, when the PS 184 park was opened, the City's press release stated that "in addition to serving students, all playgrounds in New York City are open to the public on weekends, after school, and during school breaks"³; and

WHEREAS, since the PS 184/Trust for Public Land playground's grand opening, it has remained locked and inaccessible to the public when not in use by PS 184; and

WHEREAS, the principal of PS 184 has expressed support for expanded public access but has shared concerns with the Community Board about garbage and pet waste that regularly accumulates in the area and the need for the playground to be better maintained for the benefit of the school and the community at large were public hours to be expanded; and

WHEREAS, The city has not funded custodial maintenance at PS 184 that would allow it to be opened to the community after school, on weekends and during the summer; and

WHEREAS, City Council's Preliminary Budget response for FY22 calls for \$2.2M to open 28 Trust for Public Land schoolyards to the public during after school hours, on weekends, and on holidays, including PS 184;

THEREFORE BE IT RESOLVED, Community Board 3 strongly supports the playground at PS 184 being opened to the public with expanded hours (8am to dusk), so that it can be used as a resilient community resource as was promised; and

THEREFORE BE IT FURTHER RESOLVED, Community Board 3 calls for the full funding of any budget items that are needed to expand hours at PS 184 and ensure successful playground operations.

5. Site Plan for the sixth phase of the East River Waterfront Esplanade Project (ERWE), "Brooklyn Bridge – Montgomery Coastal Resiliency" (BMCR)

VOTE: TITLE: To Deny Support for the Site Plan for the sixth phase of the East River Waterfront Esplanade Project (ERWE), "Brooklyn Bridge – Montgomery Coastal Resiliency" (BMCR)

¹ "Sandy Funding Tracker" <<https://www1.nyc.gov/content/sandytracker/pages/hud-cdbg-ndr>>

² Ibid.

³ <https://www1.nyc.gov/site/dep/news/19-088/student-designed-resilient-green-playground-p-s-184-chinatown-will-improve-health-of#/0>

WHEREAS, the sixth phase of the East River Waterfront Esplanade Project (ERWE), known as Brooklyn Bridge-Montgomery Coastal Resiliency (BMCR) has been referred to Manhattan Community Board 3 for site plan review; and

WHEREAS, this project stretches along the East River waterfront in the Two Bridges neighborhood from the Brooklyn Bridge to Montgomery Street; and

WHEREAS, this is a critical infrastructure project for flood protection in Lower Manhattan and the first of this type in all of NYC; and

WHEREAS, BMCR will provide protection to a vulnerable and low-income neighborhood classified as an "environmental justice area" by NYC environmental justice law, due to factors including history of systemic racism and inequitable resource distribution⁴; and

WHEREAS, the genesis of this project is from the federal "Rebuild by Design" competition that was guided by equitable design principles that would focus not only on physical infrastructure in Lower Manhattan, but also on the 95,000 low-income, elderly, and disabled city residents impacted by Hurricane Sandy⁵, so the site plan must show design outcomes that meet the needs of these vulnerable residents; and

WHEREAS, there remains a number of serious concerns with the overall site plan and programming at BMCR that must be addressed, including:

- The area has no official closing time like a typical public park and is active at all times, despite being directly adjacent to residential blocks
- There are no bathrooms in the site plan, which is unacceptable for an project area of this size that is expected to have a large number of active daily users
- There are no sculptures or other artistic representations along the BMCR section of the East River Waterfront; and

WHEREAS, specific to the "South Active" Sport/Performance Area, the basketball court and other active items proposed between Robert F. Wagner Place and Catherine Slip were moved from the northern portion of the BMCR area to an area which is already heavy with programming and has similar amenities to the concurrent Brooklyn Bridge Esplanade (BBE) project; and

WHEREAS, this design concentrates most of the active infrastructure in the southern part of the BMCR area, near the soon to be built Brooklyn Bridge Esplanade project and fails to balance design elements holistically, creating inequities in terms of the amenities available to the adjacent communities they will serve; and

WHEREAS, specific to the northern "Passive Pocket" and "North Active" BMCR areas, the current design includes a loss of a basketball court, turf field, bocce court, and fitness equipment from an area which would largely serve the lower-income residents of Community District 3 and the designated environmental justice area; and

WHEREAS, fitness equipment was recently installed in this area and has proven to be very popular, especially for the seniors, and there is no need for replacement all of machines with inferior equipment; and

WHEREAS, many fitness elements are being removed and replaced with passive seating, which makes up the majority of the infrastructure in the proposal for the northern area; and

WHEREAS, the new design includes a performance space at Pike Slip, which is not where residents currently perform due to its noisy location underneath the Manhattan Bridge; and

WHEREAS, the area adjacent to Rutgers Slip is by far the most heavily used location along the waterfront, has already been mapped as a "Fitness Park," is where all performances take place due to unique sight lines and noise baffling, and already includes a "step down" that allows for close waterfront views;

THEREFORE BE IT RESOLVED, does not approve of the site plan unless the following overall design issues in the BMCR Site Plan are addressed before final plan approval:

⁴ <https://www1.nyc.gov/site/cpp/our-programs/environmental-justice-study.page>

⁵ <http://www.rebuildbydesign.org/our-work/all-proposals/winning-projects/big-u>

- The addition of more lighting in all areas, not just at view corridors
- There needs to be creative design play with the lighting and fixtures
- Adding flood resiliency signage, markers and historical references
- There needs to be signage that identifies the space and the project itself, like the large signs that identify Parks as we have seen on the west side of Manhattan, which will help with stewardship
- Adding more water fountains, especially near the play areas
- There must be public bathrooms with wash features in the final design with immediate installation of temporary facilities
- As previously expressed in the June 2019 CB 3 resolution, all crosswalks must have crosswalk lights and bollards to avoid dangerous conflicts for pedestrians when crossing streets—especially considering the new play areas for children. This is a pedestrian heavy, NORC area where 90% of the population walk to get to local destinations
- There must be enhanced pedestrian safety measures in the design as we have seen on the west side of Manhattan
- There needs to be more art and culture integrated into the plan
- Adding a storage container for esplanade stewardship, similar to the Parks storage structure shown in the design
- The basketball court should be entirely closed with protective fencing (roller fence gates if maintenance access is needed)
- Adding locked electrical hookups included at the performance stage area
- The same, new fitness equipment that was just installed should remain and not be replaced with new equipment, and the savings should be used for a glider, dog run, and storage
- A dog run should be added at the Market Slip area to balance programming
- The ping pong table should be replaced with gliders for equitable distribution of amenities
- The northern section should be more creative with seating and replace some of the seating with other designed elements so that amenities are distributed more equitably
- There needs to be cameras for safety and to protect critical infrastructure from terrorism
- The Rutgers Slip view corridor must be preserved as a performance area, and the “Fitness Park,” should remain (move this seating to Pike Slip)
- There must be enhanced pedestrian safety measures in the design that reflect the communities desire for a "Pedestrians First" neighborhood

6. Parks & EDC: Pier 42 Interim Pier Deck Design Update

VOTE: TITLE: Support for Pier 42 Interim Pier Deck Design Changes

WHEREAS, the Pier 42 interim pier deck is intended to address recreation needs in Community District 3 during the construction of the East Side Coastal Resiliency (ESCR) project, which will require the temporary closure of East River Park and its recreation areas; and

WHEREAS, the Pier 42 interim pier deck is located within an Environmental Justice Area according to the NYC Mayor’s Office of Climate Policy and NYC local law, which defines Environmental Justice Areas as low-income or minority communities, based on US Census data, which have been and continue to be more vulnerable to potential environmental injustices due to factors including history of systemic racism and inequitable resource distribution; and

WHEREAS, the pier deck was previously used as a parking lot/warehouse and requires significant upgrades and amenities to make it a functional, safe, and comfortable park that serves the local community and meets their needs in addition to providing space for recreational activities that would otherwise be served by East River Park; and

WHEREAS, there are specific conditions at Pier 42 that that interim pier deck design must respond to, including the (1) need for shade, as the current pier deck is directly exposed to the sun and lacks greenery, (2) the need for public restrooms as the area is already lacking in bathroom facilities and the number of visitors will likely increase dramatically when the park is open, and (3) infrastructure to encourage stewardship of the new community resource; and

THEREFORE BE IT RESOLVED, Manhattan Community Board 3 has identified the following features which must be included in the Pier 42 interim pier deck design:

- A series of large planters, which can use ESCR plant materials, and provide much needed greenery and shade
- Physical coverage to provide shade for the tables, which are otherwise directly exposed to the sun
- Bathrooms with wash features to meet the significant user demand in the area, which is likely to increase when the interim deck amenities are completed and opened
- A shed to facilitate and encourage park stewardship

- Fences along the water's edge must be lowered to the same height as the rest of the east river esplanade.

7. Vote to adjourn
approved by committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding Parks item 5)

36 YES 0 NO 0 ABS 1 PNV MOTION PASSED (Parks item 5)

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. Asian American Federation: Resources to combat and report Anti-Asian violence
no vote necessary
3. Committee goals for the year
no vote necessary
4. Parent Resource Fair Update
no vote necessary
5. CAB/CEC reports
no vote necessary
6. Vote to adjourn
approved by committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

SLA & DCA Licensing Committee

1. Approval of previous month's minutes and roll call (minutes are deemed approved if no objections)
approved by committee

New Liquor License Applications

2. Pegasus Pizza LLC, 2 St Marks Pl (op)
withdrawn
3. Mictlan Mexico (Orchard 17 Restaurant Corp), 17 Orchard St (op)

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

WHEREAS, Orchard 17 Restaurant Corp. doing business as Mictlan Mexico, is seeking a full on-premises liquor license, in the premises located at 17 Orchard St., between Canal St. and Hester St., New York, New York; and

WHEREAS, this is an application for an establishment with a certificate of occupancy of 71 people, 15 tables and 38 seats with a 15 foot L-shaped bar with 12 seats, hours of operation of 12:00 P.M. to 12:00 A.M all days, with a full kitchen serving Mexican food during all hours of operation, three TVs and background music only, and

WHEREAS, there are 11 full on-premises liquor licenses within 500 feet per the applicant; and

WHEREAS, this location was previously licensed as the Fat Radish since 2010; and

WHEREAS, the applicant currently has held a full on-premises license for Naybi Restaurant Corp. dba Haab at 396 6th Avenue, Brooklyn, NY 11215 since 2017, which had no commercial 311 complaints warranting NYPD action since 2018; and

WHEREAS, there were seven commercial 311 complaints at this location with NYPD action necessary since 2018; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Orchard 17 Restaurant Corp. doing business as Mictlan Mexico, for the premises located at 17 Orchard St, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a Mexican restaurant, with a full service kitchen serving food during all hours of operation,
- 2) its hours of operation will be 12:00 P.M. to 12:00 A.M all days,
- 3) it will have a closed fixed façade with no open doors or windows except its entrance door will close by 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,
- 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" until 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.

4. Seaside Beach Inc, 37 Canal St (op/removal from 171-173 Ave C)
withdrawn

5. Lamia's Fish Market (East Coast Fish Market Inc), 45 Ave B (upgrade to op)

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

WHEREAS, Lamia's Fish Market, seeks an upgrade to a full on-premises liquor license, in the premises located at 45 Avenue B, between East 3rd Street and East 4th Street, New York, New York; and

WHEREAS, this is an application for an establishment with a certificate of occupancy of 198 people, 40 tables with 140 seats with one 18 foot rectangular bar with no more than 12 seats, hours of operation of 4:00 P.M. to 12:00 A.M. Sunday to Thursday and 11:00 A.M. to 1:00 A.M. Friday and Saturday, a full kitchen, serving fish and seafood during all hours of operation, no televisions, ambient recorded background music; and

WHEREAS, there are eight full on-premises liquor licenses within 500 feet per the applicant, according to the SLA LAMP map; and

WHEREAS, this location was previously operated by 47 Avenue B Inc., doing business as Le Souk, which had its licensed revoked by the State Liquor Authority for egregious violations; and

WHEREAS, CB3 denied Lami Funti's application for a wine and beer license for Lamia's Fish Market because of the problems with the location and because the applicant was a manager at least one location in CD2 with an adverse history, but the State Liquor Authority granted a wine and beer license to the applicant with closing hours of 12:00 A.M. all days and the location has been operating under the current method of operation since June 2019; and

WHEREAS, there have been no commercial 311 complaints at this location with action by NYPD necessary since 2018; and

WHEREAS, one community member wrote and spoke at the meeting in support of this application and one community member wrote in opposition to this application, and two community members wrote to express that although they did not oppose the upgrade to a full on-premises license, they did not support an extension of the location's closing hours to 1:00 A.M. because Lamia's Fish Market only operated pre-Covid for nine months, and the applicants should return to the community board for extended hours once it has resumed normal operations for at least one year; and

WHEREAS, the applicant will resolve its pending January 2019 Class 1 violation for work without a permit; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Lamia's Fish Market, for the premises located at 45 Avenue B, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a full-service restaurant, with fish and seafood prepared in a full-service kitchen during all hours of operation,
- 2) its hours of operation will be 4:00 P.M. to 12:00 A.M. Sunday to Thursday and 11:00 A.M. to 1:00 A.M. Friday to Saturday,
- 3) it will have a closed fixed façade with no open doors or windows except its entrance will close by 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,
- 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 follow city regulations to not have amplified sound outside unless it has a sound permit,
- 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" until 7:30 P.M. each night,
- 10) it will ensure that there are no wait lines outside,
- 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

6. The Tigerlily Kitchen (Elvis' Cafe LLC), 58 3rd Ave (op)

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

WHEREAS, Elvis' Café LLC doing business as The Tigerlily Kitchen, is seeking a full on-premises liquor license, in the premises located at 58 3rd Avenue, between East 10th Street and East 11th Street, New York, New York; and

WHEREAS, this is an application for an establishment with a certificate of occupancy of 74 people, eight tables and 42 seats with one five foot rectangle bar, hours of operation of 11:00 A.M. to 12:00 A.M. Sunday to Thursday and 11:00 A.M. to 1:00 A.M. Friday to Saturday, healthy Asian fare with gluten-free and vegan options prepared in a full kitchen serving food during all hours of operation, ambient background recorded music; and

WHEREAS, there are 12 full on-premises liquor licenses within 500 feet per the applicant; and

WHEREAS, this location was previously licensed as The Boilery with a wine beer license; and

WHEREAS, the applicant has never previously been a license holder but has worked in the restaurant business for 17 years and was most recently the General Manager of The Paris Café at 119 South Street, New York, NY 10038, which had no commercial 311 complaints since 2018; and

WHEREAS, there were no commercial 311 complaints at this location with action by NYPD necessary since 2018; and

WHEREAS, a resident from the adjacent block, a resident of the block spoke against the application, and another member of the community was opposed to the application; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Elvis' Café LLC, for the premises located at 58 3rd Avenue, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a full service restaurant, with healthy Asian fare served during all hours of operation,
- 2) its hours of operation will be 11:00 A.M. to 12:00 A.M. Sunday to Thursday and 11:00 A.M. to 1:00 A.M. Friday to Saturday,
- 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 will not have "happy hours,"
- 9) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons and noise on the sidewalk,

10) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
11) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

7. Klimat (7th St Sushi Park Inc), 77 E 7th St (upgrade to op)
withdrawn

8. Froth New York LLC, 90 Rivington St (op)

VOTE: TITLE: Community Board 3 Recommendation To Deny

WHEREAS, Froth New York LLC doing business as Froth, is seeking a full on-premises liquor license, in the premises located at 90 Rivington Street, between Ludlow Street and Orchard Street, New York, New York; and

WHEREAS, this is an application for an establishment with a certificate of occupancy of 16 people, five tables and ten seats, hours of operation of 7:00 A.M. to 1:00 A.M. Sunday to Wednesday and 7:00 A.M. to 2:00 A.M. Thursday to Saturday, a food preparation area, serving café style food such as baked goods, pre-made sandwiches, wraps, and breakfast tacos during all hours of operation, no televisions, ambient recorded background music; and

WHEREAS, there are 41 full on-premises liquor licenses within 500 feet per the applicant according to the SLA LAMP map; and

WHEREAS, this is a previously unlicensed locations in an area with many full on-premises liquor licenses; and

WHEREAS, according to the applicant, he operates several other nightlife establishments in CD3, including The Garret East (206 Avenue A), Make Believe (190 Allen Street), Kind Regards (152 Ludlow Street), and at least one establishment in CD2 called Her Name Was Carmen (525-527 Broome Street); and

WHEREAS, several of these locations have garnered community complaints over the years, including the hotel located at 190 Allen Street, where Make Believe – where the applicant is a co-founder, according to his LinkedIn profile – is located in the outdoor space of the 7th Floor, which has required multiple community meetings since it opened due to noise emanating from the outdoor spaces and from which the applicant recently posted videos on his personal social media account showing a DJ playing and patrons dancing, despite the license holder – Allen Operating Company LLC – agreeing to SLA stipulations that it would only have recorded music, no DJs, and no dancing, and patrons not complying with Covid regulations, including standing without masks inside a covered area; and

WHEREAS, the applicant said he is licensed at Her Name Was Carmen (525-527 Broome Street), and applicants for that location agreed to stipulations promulgated by CB2 including that the space would only have quiet background music, no DJs, and no dancing, but many online reviews mention that there is dancing in the basement, and one online review from January 2019 said that the patron "danced until 3:30 A.M" even though the applicant agreed to close by 1:00 A.M. Sunday to Wednesday, 2:00 A.M. Thursday and Friday, and 3:00 A.M Saturday; and

WHEREAS, the operator of Her Name Was Carmen appears to have let its Temporary Certificate of Occupancy lapse in November 2019 (last TCO is 104628397T012,) in violation of its stipulations, and its application for an updated Place of Assembly Permit for their setup and layout was denied (Job #123491649), never seem to have it completed or obtained in violation of their stipulations; and

WHEREAS, a representative of the North Avenue A Block Association reported that The Garret East (206 Avenue A) – where the applicant is a partner, according to his LinkedIn profile – has been a disruption to the neighborhood due to large, noisy lines outside the establishment and reported that he had an unsuccessful meeting with NYPD and the operator in May 2018 to address the issues but the community reports the location is still creating quality of life issues, as evidenced by emails between the representative, operator, and NYPD; and

WHEREAS, 18 local residents spoke or attended the meeting in opposition to the application; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Froth New York LLC for the premises located at 90 Rivington Street, New York, New York because of the overwhelming community opposition, lack of community benefit, and concerns for quality of life in an already saturated and problematic area.

9. LOV (LOV NYC 92 LLC), 92 2nd Ave (op)

withdrawn

10. Little Rebel (K&L Hospitality LLC), 219 2nd Ave (op)

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

WHEREAS, K&L Hospitality doing business as Little Rebel, is seeking a full on-premises liquor license, in the premises located at 219 2nd Avenue, between 13th Street and 14th Street, New York, New York; and

WHEREAS, this is an application for an establishment with a certificate of occupancy of 100 people on the first floor and 150 people in the basement, with the basement with 10 tables and 42 seats, one countertop with no more than four seats, and one 30 foot bar with 23 seats, and a first floor with 12 tables and 34 seats and a ten foot bar with eight seats, hours of operation of 11:00 A.M. to 12:00 A.M. Monday to Wednesday, 11:00 A.M. to 2:00 A.M. Thursday, 11:00 A.M. to 4:00 A.M. Friday and Saturday, and 11:00 A.M. to 12:00 A.M. Sunday, a full kitchen, serving gastropub-style food during all hours of operation all days, six televisions showing local sports without sound, and ambient recorded background music; and

WHEREAS, there are 12 full on-premises liquor licenses within 500 feet per the applicant; and

WHEREAS, this location has long been licensed as Professor Thom's, which previously created quality of life issues especially during bar crawls such as Santa Con; and

WHEREAS, the applicants have never previously been a license holder but they have worked in this business each for a total of 20 years, including as general managers of licensed businesses; and

WHEREAS, there was one commercial 311 complaints at this location with action by NYPD necessary since 2018; and

WHEREAS, three signatories from 219 2nd Avenue and 31 signatories from addresses within a two block radius of 219 2nd Avenue signed a petition in support of the location; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for K&L Hospitality doing business as Little Rebel, for the premises located at 219 2nd Avenue, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a bar, with gastropub-style food served from a full kitchen during all hours of operation,
- 2) its hours of operation will be 11:00 A.M. to 12:00 A.M. Monday to Wednesday, 11:00 A.M. to 2:00 A.M. Thursday, 11:00 A.M. to 4:00 A.M. Friday and Saturday, and 11:00 A.M. to 12:00 A.M. Sunday,
- 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" until 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.

Alterations

11. The Public New York; Diego; The Roof & Garden; Public Arts (215 Chrystie LLC and IS Chrystie Management LLC), 215 Chrystie St (alt/op/change method of operation: increase the occupancy of the garden space from no more than 40 people to seating for 61 people; allow waitstaff service of food and beverages in the garden space; redesign the seating layout of the ground floor garden and increase the number of tables and seats)

VOTE: TITLE: Community Board 3 Recommendation To Deny

WHEREAS, 215 Chrystie LLC and IS Chrystie Management LLC doing business as The Public Hotel New York, is seeking an alteration to its method of operation to redesign the front garden seating layout, increase the number of table and seats, and permit waitstaff service in the ground floor front garden for the premises located at 215 Chrystie Street between East Houston Street and Stanton Street; and

WHEREAS, the front garden was initially intended as a space for the public and hotel patrons; and

WHEREAS, the Tenant Association Executive Board and a resident from 10 Stanton Street, which directly abuts the premises and shares a parking lot with it, requested that the application be denied because the operators have not addressed many ongoing issues that the tenants have with the operator, including but not limited to: improper garbage disposal on behalf of hotel staff, lack of cleanup of debris left by delivery trucks, overflowing dumpsters resulting in loose garbage being dispersed about the premises, and unattended guests entering the premises freely through the parking lot, smoking, fighting, and loudly talking directly below 10 Stanton Street's windows; and

WHEREAS, eight local residents attended the meeting in opposition to the application; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for an alteration to the method of operation for the premises located at 215 Chrystie Street.

New Liquor License Applications

12. Nick and Nora's (Nick and Nora's LLC), 3 Allen St (op)
withdrawn

13. The Crossett Group LLC, 43 Clinton St (op)

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

WHEREAS, the Crossett Group, LLC doing business as Café Skye, is seeking a full on-premises liquor license, in the premises located at 43 Clinton Street, between Stanton Street and Rivington Street, New York, New York; and

WHEREAS, this is an application for an establishment with a Letter of No Objection of 74 people, six tables with 12 seats with one 16' 1" L-shaped bar with nine seats and one no longer than 6 foot counter with three seats, hours of operation of 11:00 A.M. to 12:00 A.M. Monday to Thursday, 11:00 A.M. to 1:00 A.M. Friday, 9:00 A.M. to 1:00 A.M. Saturday, and 9:00 A.M. to 12:00 A.M. Sunday with a full-service kitchen, serving café-style food during all hours of operation, no televisions, and ambient recorded background music; and

WHEREAS, there are 11 full on-premises liquor licenses within 500 feet per the applicant and the SLA LAMP map; and

WHEREAS, this location as previously licensed with a full on-premises license as Peter Windmill Enterprises LLC doing business as Windmill, with closing hours of 12:00 A.M. Sunday to Thursday and 2:00 A.M. Saturday and Sunday; and

WHEREAS, the applicant has never previously been a license holder but the General Manager was previously licensed from 2015 to 2020 as the owner of Benson's at 188 Essex Street between East Houston Street and Stanton Street, which had no commercial 311 complaints with action by NYPD necessary since 2018; and

WHEREAS, there were no commercial 311 complaints at this location with action by NYPD necessary since 2018; and

WHEREAS, seven residents of 43 Clinton Street and 14 residents of buildings adjacent to or across the street from this establishment signed a petition in support of the application; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Crossett Group, LLC, for the premises located at 43 Clinton Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that
1) it will operate as a café, with healthy café-style fare prepared in a full-service kitchen served during all hours of operation,

- 2) its hours of operation will be opening no later than 11:00 A.M. to 12:00 A.M. Monday to Thursday, 11:00 A.M. to 1:00 A.M. Friday, 9:00 A.M. to 1:00 A.M. Saturday, and 9:00 A.M. to 12:00 A.M. Sunday,
- 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" until 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.

14. Bar Clark LLC, 102 Bayard St (wb)
withdrawn

15. Entity to be Formed by Curt Heugel, 106 3rd Ave (op)

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

WHEREAS, an entity to be formed by Curt Huegel is seeking a full on-premises liquor license, in the premises located at 106 3rd Avenue, between East 13th Street and East 14th Street, New York, New York; and

WHEREAS, this is an application for an establishment with a pending certificate of occupancy of 150 people, 11 tables with 44 seats, one communal table with 12 seats, and one 20 foot bar with 14 seats on the first-floor and 11 tables with 44 seats and one 20 foot bar with 14 seats on the second-floor and a second-floor outdoor terrace with four tables and 10 seats on the second-floor, opening no later than 11:00 A.M. all days and closing by 2:00 A.M. Sunday to Wednesday and closing by 4:00 A.M. Thursday to Saturday, Mexican food prepared in a full-service kitchen, serving a full menu until 2:00 A.M. all nights and a late night menu until 4:00 A.M. Thursdays to Saturday with a kitchen open all hours all nights, no televisions, ambient background music consisting of recorded music selected by a curator and on the weekends no later than 10:00 P.M. an acoustic stand up band with no more than three musicians; and

WHEREAS, there are 19 full on-premises liquor licenses within 500 feet per the applicant and 23 per the SLA LAMP map; and

WHEREAS, this location was previously licensed as the Brazen Fox since 2012 with closing hours of 4:00 A.M. all days, according to an April 2012 CB3 resolution; and

WHEREAS, the applicant is also licensed at nine other establishments outside CD3, and one location within CD3 at 213 2nd Avenue as Host 213 LLC doing business as Jackdaw, which had two commercial 311complaints at this location with NYPD action necessary since 2018; and

WHEREAS, there has been two commercial 311complaints at this location with NYPD action necessary since 2018; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for entity to be formed by Curt Huegel, for the premises located at 106 3rd Avenue, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a restaurant, with Mexican food prepared in a full-service kitchen served during all hours of operation all days,
- 2) its hours of operation will be opening no later than 11:00 A.M. all days and closing by 2:00 A.M. Sunday to Wednesday and closing by 4:00 A.M. Thursday to Saturday
- 3) its outdoor second floor terrace will open no earlier than 10:00 A.M. and all patrons must be removed from the outdoor space by 10:00 P.M.

- 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 selected by a curator and on the weekends no later than 10:00 P.M. an acoustic stand-up band with no more than three musicians and will not have promoted events, scheduled performances or any event at which a cover fee will be charged,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) it may have "happy hours" until 7:00 P.M. each night
- 10) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons and noise on the sidewalk,
- 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

16. Entity to be Formed by Michael Perry, 127 Ave C (op)

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

WHEREAS, Two Perrys LLC doing business as Two Perrys, is seeking a full on-premises liquor license, in the premises located at 127 Avenue C, between East 8th Street and East 9th Street, New York, New York; and

WHEREAS, this is an application for an establishment with a pending Letter of No Objection of 74 people, four tables with 13 seats, two counters with seven seats, and one 28 foot 11 inch bar with 10 seats, hours of operation of 7:00 A.M. to 12:00 A.M. Sunday to Wednesday and 7:00 A.M. to 2:00 A.M. Thursday to Saturday, American comfort food prepared in a full-service kitchen, serving food during all hours of operation, one television, ambient recorded background music; and

WHEREAS, there are 11 full on-premises liquor licenses within 500 feet per the applicant and 12 per the SLA LAMP map; and

WHEREAS, this location was previously licensed as Mos Eisley LLC doing business as Loverboy, which according to the SLA LAMP map closed at 2:00 A.M. Sunday to Wednesday and 4:00 A.M. Thursday to Saturday; and

WHEREAS, the applicant has never previously been a license holder; and

WHEREAS, there has been one commercial 311 complaint at this location with NYPD action necessary since 2018; and; and

WHEREAS, six neighbors sent a letter requesting a wine beer license instead of a full on-premises license for this location due to the applicant's lack of experience and quality of life issues perpetuated by other licensed establishments in the immediate vicinity; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Two Perrys LLC, for the premises located at 127 Avenue C, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a café, with American comfort food prepared in a full-service kitchen served during all hours of operation,
- 2) its hours of operation will be opening no later than 7:00 A.M. all days and closing by 12:00 A.M. Sunday to Wednesday and 2:00 A.M. Thursday to Saturday,
- 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" until 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.

17. Lotus Grand LLC & Camilla New York LLC, 324 Grand St (op)
 withdrawn

Items not heard at Committee

18. Dreamers Coffee LLC, 54W Henry St (wb)
 administratively approved
19. The Ground (Chinatown United Food Services LLC), 130 Madison St (wb)
 administratively approved
20. Pig & Butter (The Bedstuy Restaurant Group LLC), 134 Ludlow St (wb)
 administratively approved
21. Sushi by M (Sushibym2 LLC), 300 E 5th St (wb)
 administratively approved
22. Woman in Wine LLC, 413 E 12th St (wb)
 administratively approved
23. Vote to adjourn
 approved by committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding SLA items 6, 10, 16)

31 YES 6 NO 0 ABS 0 PNV MOTION PASSED (SLA item 6)

36 YES 1 NO 0 ABS 0 PNV MOTION PASSED (SLA item 10)

32 YES 5 NO 0 ABS 0 PNV MOTION PASSED (SLA item 16)

Landmarks Committee

1. Approval of previous month's minutes and roll call (minutes are deemed approved if no objections)
 approved by committee
2. Lower East Side Preservation Initiative: current Requests for Evaluation - a) University Settlement, 184 Eldridge Street; b) Educational Alliance, 197 East Broadway; c) Former Young Men's Benevolent Association, currently Mikvah of the Lower East Side, 311 East Broadway

VOTE: TITLE: To support, for reasons of culture, history and architecture, the requests for evaluation for:

- **University Settlement, 184 Eldridge Street**
- **Educational Alliance, 197 East Broadway**
- **Former Young Men's Benevolent Association, later the Grand Settlement, and presently the Mikvah of the Lower East Side, 311 East Broadway**

WHEREAS, settlement houses are integral to the history of the Lower East Side as new immigrants were assisted in learning English and finding their way in a new land; and

WHEREAS, each of the settlement houses is architecturally interesting;

WHEREAS, Regarding University Settlement:

- built in 1898 in a neo-Federal style, by the architects Howells & Stokes;
- noteworthy for the fine quality of its architectural design and detailing;
- the first settlement house in America;
- although a sixth floor was added sometime before 1905, the design is compatible; and does not interfere with the original architectural conception of the building; and

WHEREAS, regarding Educational Alliance:

- founded in 1889, built in 1891, by the architects Brunner & Tryon;
- expanded to the east in a compatible architectural style in the early 1900s;
- combines elements of the Romanesque revival and renaissance revival styles;
- architectural design and details are of a high quality;
- building is remarkably intact despite modest changes over time; and

WHEREAS, Regarding 311 East Broadway:

- built in 1905, by the Young Men's Benevolent Association, by the architects Sass and Smallheiser;
- architecture combines the Flemish revival style and the Beaux Arts style;

- its exuberance was recognized by the newspapers of the time;
- while the building has lost portions of its ornaments, most of the architectural features of the buildings remain intact; and

WHEREAS, these buildings tell an exceptionally important story of life in the lower east side and immigration into our city and country; so

THEREFORE BE IT RESOLVED, CB 3 supports the requests for evaluation for these three buildings of cultural, historic, and architectural significance and urges the Landmarks Preservation Commission to consider them for designation.

3. Vote to adjourn
approved by committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Land Use, Zoning, Public & Private Housing

1. Approval of previous month's minutes and roll call
approved by committee
2. DCP Informational Presentation: Citywide Text Amendment: Elevate Transit: Zoning for Accessibility (zoning incentives for MTA subway accessibility)
no vote necessary
3. Committee goals for the year
no vote necessary
4. Vote to adjourn
approved by committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Transportation, Public Safety, & Environment

1. Approval of previous month's minutes and roll call (minutes are deemed approved if no objections)
approved by committee
2. Public Advocate: Advocacy for community & businesses regarding Open Restaurant implementation and enforcement
no vote necessary
3. DOT: Avenue C Protected Bike Lane – Report Back from Business and Resident Outreach
no vote necessary
4. South Street from Pike Slip to Rutgers Slip: Change of parking regulations from bus parking to alternate side of street parking

VOTE: TITLE: South Street Bus Parking

Whereas in 2011 the City installed 3-hour metered bus parking on South Street from Pike Slip to Rutgers Slip to create bus parking for visitors to 9/11 memorial and museum, and

Whereas at the time that the bus parking was created the Extell buildings were not yet occupied by residents, and

Whereas the current situation on this block is bus parking both at the meters and at non-metered areas without enforcement for time or parking restrictions, and

Whereas this block has also become an unofficial layover for MTA express buses, and

Whereas both the tour buses and the MTA express buses are often idling, causing major pollution issues in a residential area, and

Whereas this area is designated as an environmental justice area by the NYC Dept of Health and is being used to serve as a parking lot for the wealthier neighboring community, and

Whereas residents of the area have requested that DOT change this block to alternate side street parking and DOT is currently reviewing the proposal but has stated they would add a resolution from CB 3 to the review process, so

Therefore, be it resolved that Community Board 3 supports residents' request to change the regulations for South Street from Pike Slip to Rutgers Slip from meter bus parking and no standing

except for buses to metered parking for noncommercial vehicles that would not include buses, or if that is not possible to review alternate side parking for that block.

5. Committee goals for the year
no vote necessary
6. Vote to adjourn
approved by committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding Transportation item 4)
34 YES 2 NO 0 ABS 1 PNV MOTION PASSED (Transportation item 4)

Economic Development Committee
no meeting scheduled

Old Business

- By-Law Amendment to allow electronic voting at virtual meetings under extraordinary circumstances

The election of officers shall be conducted by written ballot unless, under extraordinary circumstances such as those in effect during the imposition of Executive Order No. 202.1 suspending Article 7 of the Public Officers Law which allows for remote meetings, remote voting methods that comply with open meeting law will be utilized.

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Vote to adjourn

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Members Present at Last Vote:

David Adams	[P]	Trever Holland	[P]	Tareake Ramos	[A]
Yaron Altman	[P]	Linda Jones	[P]	Paul Rangel	[P]
Jesse Beck	[P]	Vaylateena Jones	[A]	Damaris Reyes	[P]
Dominic Berg	[A]	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	[A]	Joseph Kerns	[A]	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	[A]	David Louie	[A]	Troy Velez	[P]
Ryan Gilliam	[P]	Ellen Luo	[A]	Rodney Washington	[P]
Debra Glass	[P]	Michael Marino	[P]	Kathleen Webster	[P]
Andrea Gordillo	[P]	Alexandra Militano	[A]	Jacky Wong	[P]
Herman Hewitt	[P]	Michael Perles	[P]	Ricky Wong	[A]

Meeting Adjourned