



THE CITY OF NEW YORK  
MANHATTAN COMMUNITY BOARD 3  
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Alysha Lewis-Coleman, Board Chair

Susan Stetzer, District Manager

November 2021 Full Board Minutes

Meeting of Community Board 3 held on Tuesday, November 23, 2021 at 6:30pm via Zoom.

Public Session:

Andrea Gordillo- Arts and cultural subcommittee will be hosting town hall on Dec 1st

Juliette Walle- Spoke in favor of bill A7858, regarding nutrition information to physicians, to promote health in the community and encouraging passage of the bill.

Jane McNicol- Having a tumultuous time due to drug dealers dealing directly on the block by the Mary Spinks House. Also having a problem with a pop-up shop that attracts additional drug dealers.

Michael Marino- Friends of Corlear having a post-thanksgiving fall cleanup from 10 - 1 pm, next Sunday, Dec 5th, is annual holiday event

Tommy Loeb- They are asking for support from the community board to support their case for East River Park Alienation Case.

Eric Diaz- Announcing that 175 Delancey street is having a Thanksgiving event for older adults.

Anna Marcum- Village Preservation- south of union square resolution- She provided more context and information behind reasoning for historical landmark designation, asking for support for the landmarking proposal.

Juan Rivero- South of union square historic district- Also provided more context and information behind reasoning for historical landmark designation, asking for support for the landmarking proposal

Andrew Berman- village preservation- He cited Moxy Hotel is a partial reason for landmark design. Asking for support for the landmarking proposal.

Public Officials:

Mayor Bill de Blasio, Andrew Kunkes:  
did not report

Public Advocate Jumaane Williams, Phillip Ellison:  
did not report

Comptroller Scott Stringer, Katrina Asante:  
did not report

Borough President Gale Brewer, Brian Lewis:  
Gave an update on CHARAS and the East Coastal Resiliency Program.  
Office is also looking into fulfillment centers, which are similar to warehouses and typically used by amazon for deliveries and curbside composting.

Congressmember Nydia Velazquez, Lingxia Ye:  
not present

Congressmember Carolyn Maloney, Victor Montesinos:  
Voted in support of the build back better act which will be one of the most life changing investments for generations, adding 2 years of free universal pre k and affordable childcare.

Assemblymember Yuh-Line Niou, Amy Vera:  
Assemblymember joined the taxicab strike, where they won their demands for better treatment, receiving millions in debt relief and guarantee to lower the monthly fees of medallion holders. Also planned to introduce the end predatory court fees Act, which will help prevent unnecessary jailing of low-income New Yorkers

Assemblymember Deborah J. Glick, Charlie Anderson:  
There is a plan for the expansion of speed cameras in school zones, including operating times, additional cameras, and use of cameras during the summer. Also looking into introducing bill regarding food delivery trash particularly from sites such as grub hub, uber eats etc.

Assemblymember Harvey Epstein, Aura Olavarria:  
Update regarding the open meetings law, there has been some push for in person meetings/ hybrid meetings due to technological challenges. Also echoed some bills Brad Hoylman mentioned such as elder parole legislation, banning of ghost guns, etc.

State Senator Brian Kavanagh, Greer Mayhew:  
Provided an update on housing matters, namely the emergency rental assistance program. The application for which closed as of Sunday, despite receiving 10k applications a week. So they requested the federal government for assistance. However the homeowners assistance program was approved just last week and will be accepting applications soon. Planned to introduce the all-electric buildings act, and consumer credit fairness act -

State Senator Brad M. Hoylman, Caroline Wekselbaum:  
Reported a bill that was signed into law last week, during transgender awareness week, to require utility companies to allow their employees the use of the restroom of their preferred pronouns. He plans to introduce a bill called rap music on trial-currently prosecutors using artists' work product as evidence in court, exposes bias that judges and juries have against rap music. This bill will raise the standard for admissibility for that kind of evidence. Additionally he is planning to introduce legislation around protecting and supporting local journalism, noting the disappearance of local journalism/ newspapers etc. He is in support of and advocating for legislation S15A regarding elder parole. He also plans to introduce legislation to ban ghost guns (Jose Webster Untraceable Firearms Act). Last legislation mentioned is regarding commercial helicopters and the idea behind it is to force the city to ban concessions with tourist choppers, ban use of Hudson River State Park as helipad and introduce new tort allowing residents to sue chopper companies for nuisance.

Councilmember Margaret Chin, Kana Ervin:  
She filed a bill requesting limiting light pollution. Also chaired a hearing regarding home care workers and the new resolution which will limit maximum hours a home care aide is allowed to work, meaning the end to 24-hour shifts. She also promoted a new mural located on 384 Grand Street. She cosponsored Our City Our Vote Bill which allows certain groups of noncitizens to vote in municipal elections.

Councilmember Carlina Rivera, Isabelle Chandler:

On Dec 3rd, she will be hosting a hearing for mental health. She plans to introduce a bill that will extend gender motivated violence act, pertaining to the statute of limitations to better protect victims of gender motivated violence. She also announced that booster shots are currently available for everyone 18 years and up.

Members Present at First Vote:

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

Minutes:

Minutes of September 2021 were approved, as is.

**47 YES 0 NO 0 ABS 0 PNV MOTION PASSED**

Election of Board Officers:

Chair:	Paul Rangel 39, Abstain 3	Winner: Paul Rangel
1st Vice-Chair:	Eric Diaz 26, Lisa Kaplan 15, Abstain 1	Winner: Eric Diaz
2nd Vice-Chair:	Tareake Ramos 32, K Webster 9, Abstain 1	Winner: Tareake Ramos
Secretary:	Laryssa Shainberg 35, Abstain 7	Winner: Laryssa Shainberg
Vice-Secretary:	Laura Lugo 38, Abstain 4	Winner: Laura Lugo
Treasurer	Herman Hewitt 37, Abstain 5	Winner: Herman Hewitt

Board Chairperson's Report:

Chairperson Alysha Lewis-Coleman

Provided chair report and announced details for the annual holiday party, which will be on Dec 22nd at Lucky Jacks on Orchard Street. The office will also start collecting contributions for office staff. Provided details for the Shang Wang Academy - event 12 - 4 pm art appealing event

District Manager's Report:

District Manager Susan Stetzer

She announced the new website, there were some issues in migrating the information and data from the old one, but it will be looked into. Gave an update on two parks (Tompkins Square Park and SDR park) in CB3 that are becoming troublesome. The police have been more aggressive in moving out homeless people, particularly at Tompkins Square Park. She announced the addition of needle kiosks at the Sara D Roosevelt Park.

Committee Reports:

**Executive Committee**

no votes necessary

**Economic Development Committee**

1. Approval of previous month's minutes  
approved by committee
2. Update on Special District  
no vote necessary
3. Report from Arts & Cultural Affairs Subcommittee  
no vote necessary
4. Vote to adjourn  
approved by committee

**44 YES 0 NO 0 ABS 0 PNV MOTION PASSED**

**Parks, Recreation, Waterfront, & Resiliency Committee**

1. Approval of previous month's minutes (minutes are deemed approved if no objections)  
approved by committee
2. Parks Manager Update  
no vote necessary
3. Parks: Presentation and request for support of proposed design for renovation of Hamilton Fish Park playground

**VOTE: TITLE: To Approve the Proposed Design for Renovation of Hamilton Fish Park Playground**

**WHEREAS**, the playground in Hamilton Fish Park, located in the Lower East Side along East Houston Street between Pitt and Sherriff Streets, will be reconstructed; and

**WHEREAS**, the reconstruction aims to:

- Create an accessible path to playground from street
- Replace the playground safety surface
- Preserve and update the existing play equipment
- Reconstruct the spray shower with separate water supply
- Add swings and freestanding play equipment
- Provide more and varied seating areas
- Increase the park's permeability; and

**WHEREAS**, the pathway leading from the Pitt Street entrance to the playground will also be improved; and

**WHEREAS**, a site analysis was conducted and it was determined that:

- The steps leading to the playground are inaccessible
- The play equipment in the park is in good condition, but the safety surface is in poor condition
- The spray shower is oversized and outdated
- The seating area on the south end of the playground is underutilized; and

**WHEREAS**, the playground reconstruction will include the following changes:

- The existing play units will remain, with updated pieces added
- New safety surface will be added
- A new, smaller spray shower area, with colored concrete will be added
- Spin cups, spinners, play panels, and play cubes will be added
- 10' High swing frame that will include 4 strap, 1 ADA, and 2 bucket swings will be added
- An 8' high chain link fence will be added in the northeast part of the playground to close an unsafe terrace
- A quick coupler, hi-lo drinking fountain, and bottle filler will be added
- Additional seating areas will be added including World's Fair benches and steel café tables
- A pin pong table will be added in the current seating area; and

**WHEREAS**, one tree will be removed from the playground area due to poor condition; and

**WHEREAS**, the redesign will add permeable surfaces to the park, reduce storm water runoff with rain gardens, use recycled material, improve tree health and growing conditions, and use site appropriate resilient plant material; and

**WHEREAS**, new fencing added to the playground includes:

- An 8' chain link fence at the southeast stairway
- 2.5' and 3' steel picket fencing to further enclose play areas and gardens; and

**WHEREAS**, entrances and Exits to the park will not be changed; so

**THEREFORE BE IT RESOLVED**, that Community Board 3 supports the proposed design for the renovation of Hamilton Fish Park Playground.

4. DDC: BMCR Interim Update  
no vote necessary
5. DDC: ESCR construction update  
no vote necessary
6. Vote to adjourn  
approved by committee

**43 YES 0 NO 0 ABS 1 PNV MOTION PASSED**

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

1. Approval of previous month's minutes  
approved by committee
2. NYC Health + Hospitals/Gotham Health: Gouverneur Clinic: presentation of services  
no vote necessary
3. DHS/Care for the Homeless/AAFE: Safe Haven for 120 adults at 91 E Broadway  
no vote necessary
4. CAB/CEC reports  
no vote necessary
5. Vote to adjourn  
approved by committee

**44 YES 0 NO 0 ABS 0 PNV MOTION PASSED**

**SLA & DCA Licensing Committee**

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

**Alterations**

2. Mother Duck (Orchard Flavor Partners), 167 Orchard St (alt/op/change method of operation: extend closing hours to 2am Sunday-Wednesday and 3am Thursday-Saturday)

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

**WHEREAS**, the applicant, Orchard Flavor Partners LLC is seeking an alteration to its existing full on-premises liquor license to extend the closing hours Tuesday through Saturday for the premises located at 167 Orchard Street, New York, New York; and

**WHEREAS**, this is an application for an establishment with a certificate of occupancy of 165 people, 20 tables and 72 seats with one 20-foot L-shaped bar with ten stools, with a full kitchen open and serving food during until 11:30 P.M. all days, one television, ambient recorded background music; and

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

**WHEREAS**, there are 33 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

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

**WHEREAS**, the applicant was approved by this committee for a full-on premises liquor license in January 2021 provided it agreed to abide by certain stipulations including closing by 12:00 A.M. all nights, closing any doors or windows by 10:00 P.M.,

**WHEREAS**, six members of the community that expressed concerns to the committee in January 2021 about quality of life issues perpetuated by the previous tenant and the saturation of full on-premises liquor licenses in the area;

**WHEREAS**, the basement at this location can only be used for restaurant seating with an open kitchen and will not have a bar;

**WHEREAS**, there were no commercial 311 complaints at this location with NYPD action necessary since the applicant received the license at this location in June 2021 and there are no complaints known by the Community Board 3 office at this location; and

**THEREFORE, BE IT RESOLVED** that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Orchard Flavor Partners LLC for the premises located at 167 Orchard Street, New York, New York; unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that:

- 1) it will operate as a full-service restaurant with a full kitchen open and serving Asian food during all hours of operation,

- 2) its opening hours will be no later than 5:00 P.M. all days, closing by 12:00 A.M. Sunday to Wednesday and 1:00 A.M. Thursday to Saturday,
- 3) it will close all outdoor dining allowed under the temporary Open Restaurants program and any other subsequent uses by 10:00 P.M. all days and not have any speakers or TV monitors,
- 4) it will close any front or rear façade entrance doors at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances or during unamplified live performances or televised sports, and will otherwise have a closed fixed facade with no open doors or windows,
- 5) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) it will not have "happy hours,"
- 10) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons and noise on the sidewalk,
- 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

**New Liquor License Applications**

3. Dim Sum Palace (Dim Sum V Inc), 6 Chatham Sq (op)

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

**WHEREAS**, Dim Sum V Inc. doing business as Dim Sum Palace, is seeking a full on-premises liquor license, in the premises located at 6 Chatham Square, between Mott Street and Chatham Square, New York, New York; and

**WHEREAS**, this is an application for an establishment with a certificate of occupancy of 285 people, 20 tables and 152 seats, a full kitchen serving Chinese food during all hours of operation, one television, ambient recorded background music; and

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

**WHEREAS**, this location was previously licensed with a restaurant wine license as Chatham Square Restaurant Inc. from October 2005 to February 2017; and

**WHEREAS**, this applicant holds three on-premises liquor licenses: Dim Sum Palace Inc. (334 W. 46th Street) since March 1, 2020, Dim Sum Yan Inc. (33 West 33rd Street) since December 13, 2019, and Dim Sum Palace Yan Inc. (28 West 56th Street) since September 1, 2019 and holds a restaurant wine license at one location in Community District 3 as Dim Sum Sam Inc. (59 2nd Avenue) since February 12, 2019; and

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

**WHEREAS**, six residents who live within two blocks of the location signed a petition in favor 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 Dim Sum U Inc., for the premises located at 6 Chatham Square, 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 Chinese food prepared in a full kitchen served during all hours of operation,
- 2) its hours of operation will be opening no later than 9:00 A.M. and closing by 2:00 A.M. all days,
- 3) it will not use outdoor space for commercial use,
- 4) it will have a closed fixed façade with no open doors or windows except my entrance door will close by 10:00 P.M. 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,
- 5) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) it will not have "happy hours,"
- 10) it will make every effort to not have outside lines and to ensure that lines are orderly and do not create noise impact on neighboring residents,
- 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

4. Treasure Club Int'l Inc, 22 Orchard St (North Store) (op)

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

**WHEREAS**, Treasure Club International Inc. doing business as Treasure Club International, is seeking a full on-premises liquor license, in the premises located in the north storefront of 22 Orchard Street, between Hester Street and Canal Street, New York, New York; and

**WHEREAS**, this is an application for an establishment with a Letter of No Objection of 74 people, seven tables and 24 seats with one L-shaped 26-foot bar with eight seats, with food prepared in a full kitchen, serving food during all hours of operation, no televisions, ambient recorded background music; and

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

**WHEREAS**, an application was last heard by this committee for Boys Don't Cry LLC doing business as Boys Don't Cry in May 2013 and approved for a full on-premises liquor license providing that it closed by 2:00 A.M. all days, and then held full on-premises liquor license from August 2013 until October 2021; and

**WHEREAS**, this applicant has never previously been a license holder but was general manager at Black & White, previously located at 86 East 10th Street from 1999 until its closure in October 2020; and



**WHEREAS**, there were 13 commercial 311 complaints at this location with NYPD action necessary since 2018; and

**WHEREAS**, a representative of the Orchard Street Block Association and a resident of 14 Orchard Street wrote to the committee and spoke at the meeting opposing the weekend 4:00 A.M. closing time because of noise complaints on the block impacting quality of life for residences; and

**WHEREAS**, a representative of SPaCE Block Association spoke at the meeting indicating that it had tried to come to an agreement with the applicant, who did not respond, and opposed the 2:00 A.M. closing all nights; and

**WHEREAS**, a resident of Orchard Street spoke in support of the application as a character witness for the applicant and as a supportive local resident, a former employee of Black & White who also lives in the East River Co-op near the location spoke in support of the applicant as a character witness, a patron of Black & White who works from 81 Canal Street spoke in support of the applicant as a character witness, a resident of East 10th Street spoke in favor of the application because she never saw any issues with Black & White, a former patron of Black & White spoke in favor because of the writers' community created by the bar; and

**WHEREAS**, 19 residents who live within two blocks of the location signed a petition in favor 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 Treasure Club International Inc., for the premises located at 22 Orchard Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a bar, with American food prepared in a full kitchen served during all hours of operation,
- 2) its hours of operation will be opening no later than 11:00 A.M. and closing by 2:00 A.M. all days,
- 3) it will close all outdoor dining allowed under the temporary Open Restaurants program and any other subsequent uses by 10:00 P.M. all days and not have any speakers or TV monitors,
- 4) it will close any front or rear facade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live non-musical performances, or during unamplified live performances or televised sports,
- 5) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 6) it will ensure that no sound is audible in surrounding residences and address any soundproofing deficiencies as necessary with a sound engineer,
- 7) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 8) it will not host pub crawls or party buses,
- 9) it will not have unlimited drink specials with food,
- 10) it may have "happy hours" until 8:00 P.M. each night,
- 11) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
- 12) it will conspicuously post this stipulation form beside its liquor license inside of its business, and

13) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

5. Dim Sum Sam Inc, 59 2nd Ave (upgrade to op)  
withdrawn

6. Entity to be formed by Eric Robinson, 67 1st Ave (wb)

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

**WHEREAS**, WARA NYC LLC with the trade name WARA, BATSU!, is seeking a wine and beer license, in the premises located at 67 1st Ave, between E 4th St and E 5th St, New York, New York; and

**WHEREAS**, this is an application for an establishment with a Letter of No Objection for 74 people, 12 tables and 66 seats, serving Japanese-style food prepared in a full kitchen, serving food during all hours of operation, one television, ambient music, and regularly scheduled live comedy and music performances; and

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

**WHEREAS**, this location was administratively approved by Community Board 3 as JM Food And Drink LLC with the trade name WARA for a wine and beer license in December 2018 and is currently licensed through April 2023; and

**WHEREAS**, the applicant has never previously been a license holder in New York City but operates BATSU! comedy performances in multiple locations in New York and Chicago, including below Jebon Sushi and Noodle previously located at 15 St. Marks Place; and

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

**WHEREAS**, 64 residents who live within two blocks of the location signed a petition in favor of the application; and

**THEREFORE, BE IT RESOLVED** that Community Board 3 recommends the denial of the application for a wine and beer license for WARA NYC LLC, for the premises located at 67 1st Ave, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a Japanese-themed interactive restaurant, with Japanese-style food prepared in a full kitchen being served at all hours of operation,
- 2) its hours of operation will be closed Sunday and Monday and opening no later than 1:00 P.M Tuesday to Saturday and closing by 12:00 A.M Sunday through Thursday, and closing by 2:00 AM on Friday through Saturdays,
- 3) it will close all outdoor dining allowed under the temporary Open Restaurants program and any other subsequent uses by 10:00 P.M. all days and not have any speakers or TV monitors,
- 4) it will have a closed fixed façade with no open doors or windows except my entrance door will close by 10:00 P.M. 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,
- 5) it will play ambient recorded background music and live or recorded music during scheduled live performances as part of a Japanese-themed dining experience with interactive entertainment

Tuesday through Saturday and will not have third-party promoters, and it will not have more than 20 private parties in a year,

- 6) it will ensure that no sound is audible in surrounding residences and address any soundproofing deficiencies as necessary with a sound engineer,
- 7) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 8) it will not host pub crawls or party buses,
- 9) it will not have unlimited drink specials with food,
- 10) it will not have "happy hours,"
- 11) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
- 12) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 13) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

7. Gala Dinners LLC, 85 Orchard St (op)

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

**WHEREAS**, Gala Dinners LLC is seeking a full on-premises liquor license, in the premises located at 85 Orchard Street, between Broome Street and Grand Street, New York, New York; and

**WHEREAS**, this is an application for an establishment with a certificate of occupancy of 100 people, and 15 tables and 45 seats with one 20-foot oval shaped bar with six seats indoors and an outdoor patio/back yard with four tables and 12 seats, a full kitchen, serving food during within one hour of closing, no televisions, ambient recorded background music; and

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

**WHEREAS**, this location was previously licensed with a full on-premises liquor license as An Choi – which closed in July 2020 - since November 2011 with stipulations that it close by 12:00 A.M. Sunday to Wednesday and 2:00 A.M. Thursday to Saturday and close its backyard by 9:00 P.M. all days and operate its sidewalk café Sunday to Thursday 12:00 P.M. to 10:00 P.M. and Friday to Saturday 12:00 P.M. to 11:00 P.M.; and

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

**WHEREAS**, a representative of the Orchard Street Block Association wrote to the committee expressing concern about this application because the principals work at Kind Regards, at 152 Ludlow Street, which operates as a club and another resident wrote to the committee asking for the consideration of tighter stipulations including all outdoor dining closing at 9:00 P.M.; and

**WHEREAS**, 35 residents who live within two blocks of the location signed a petition in favor of the application, three residents of 85 Orchard Street/261 Broome Street and two other local residents wrote letters to the committee in favor 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 Gala Dinners LLC, for the premises located at 85 Orchard Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a restaurant, with New American food prepared in a full kitchen and served during all hours of operation,
- 2) its hours of operation will be opening no later than 11:00 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 all outdoor dining allowed under the temporary Open Restaurants program and any other subsequent uses by 10:00 P.M. all days and not have any speakers or TV monitors,
- 4) it will close its backyard by 9:00 P.M. all days and not have any speakers or TV monitors,
- 5) it will close any front or rear facade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live non-musical performances, or during unamplified live performances or televised sports
- 6) 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,
- 7) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 8) it will not host pub crawls or party buses,
- 9) it will not have unlimited drink specials with food,
- 10) it will not have "happy hours,"
- 11) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
- 12) it will use a texting and reservations system to ensure that patrons do not congregate in front of the premises,
- 13) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 14) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

8. 109 Brasserie LLC, 109 Ludlow St (op)  
withdrawn

9. Nudibranch (Nudibranch LLC), 125-127 1st Ave (op)

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

**WHEREAS**, Nudibranch LLC with the trade name Nudibranch, is seeking a full on-premises liquor license, in the premises located at 125-127 1st Ave, between E 7th St and St. Marks Place, New York, New York; and

**WHEREAS**, this is an application for an establishment with a Letter of No Objection of 74 people, 13 tables and 36 seats one stand-up bar with six seats, serving New American/Asian tapas prepared in a full kitchen, serving food during all hours of operation, one television, ambient recorded background music; and

**WHEREAS**, there are 30 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

**WHEREAS**, this location was most recently Ravagh Persian Grill, which was approved by this committee in December 2014 for an upgrade to a full on-premises liquor license after being approved

for a wine beer license in August 2013 with hours of operation of 11:00 A.M. to 10:00 P.M. Sundays through Thursdays and 11:00 A.M. to 12:00 A.M. Fridays and Saturdays; and

**WHEREAS**, the applicants have never previously been license holders but all have worked in the industry for at least 4 years each, including one of the applicants worked across the street at Nightmarket, and two of the applicants worked at Momofuku Ssam, a restaurant in Community District 3; and

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

**WHEREAS**, 23 residents who live within two blocks of the location signed a petition in favor 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 Nudibranquio LLC, for the premises located at 125-127 1st Ave, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a New American restaurant, with a full kitchen and menu served at all hours of operation,
- 2) its hours of operation will be opening no later than 5:00 P.M. and closing by 1:00 A.M all days,
- 3) it will not use outdoor space for any commercial usage,
- 4) it will have a closed fixed façade with no open doors or windows except my entrance door will close by 10:00 P.M. 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,
- 5) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) it may have "happy hours" until 7:30 P.M. each night
- 10) it will ensure that there are no wait lines outside and will use a text reservation system to minimize gathering crowds,
- 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

10. Corp to be formed by Brendon McElroy, 125 Rivington St (op)  
withdrawn

11. Down & Out (Down & Out Brooklyn LLC), 503 E 6th St (op)

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

**WHEREAS**, Down & Out Brooklyn LLC DBA Down & Out, is seeking a full on-premises liquor license, in the premises located at 503 East 6th St, NY, NY, 10009 between Avenue A and Avenue B and

**WHEREAS**, this is an application for an establishment with a certificate of occupancy of 74 people, with 10 chairs, 39 seats, and one 20ft bar with 12 seats, with a full kitchen, serving freshest seafood &

Continental cuisine, serving food all hours of operation, ambient recorded background music only, no televisions; and

**WHEREAS**, the only prior licensee for this location was heard and denied by Community Board #3 in June of 2016 and August of 2016 because 1) the location had never been licensed and was previously a longstanding gym, 2) the public benefit stated by the applicant as an "East Los Angeles Chicano" restaurant and as a Latin art gallery was found to be unconvincing in an area with so many licensed businesses and numerous area restaurants offering Southern California-style Mexican, Tex-Mex, Mexican and "Chicano" cuisine, as well as numerous art galleries which operate with no liquor licenses, and 3) the method of operation as a late night restaurant bar would not contribute to the stated public benefit of this community board of increasing retail diversity in an area overwhelmed by nightlife businesses; and

**WHEREAS**, the prior licensee was then issued a full on-premises liquor license by the SLA on June 19, 2017, opened on or about July 2017 and closed by August 2018, after thirteen months in operation; and

**WHEREAS**, this applicant appeared before this committee for the same location and concept in July 2020, was unanimously approved with closing hours of 2:00 A.M. all nights and ambient recorded background music only, signed the stipulations put forth by Community Board #3 and forwarded them to the State Liquor Authority but because it has been more than one year and the applicant did not begin the formal application process with the SLA returned to the committee for reconsideration; and

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

**WHEREAS**, the applicant has more than eight years of experience as a licensed operator in Brooklyn, running similar, less food oriented concepts; and

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

**WHEREAS**, 60 residents who live within two blocks of the location signed a petition in favor 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 Down & Out Brooklyn LLC, for the premises located at 503 East 6th St, NY, NY, 10009 unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a bar / tavern, serving freshest seafood and continental cuisine during all hours of operation
- 2) its hours of operation will be opening no later than 4:00 P.M. Monday to Friday and 11:00 A.M. Saturday to Sunday, closing at 2:00 A.M. all nights,
- 3) it will close all outdoor dining allowed under the temporary Open Restaurants program and any other subsequent uses by 10:00 P.M. all days and not have any speakers or TV monitors,
- 4) It will close any front or rear facade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live non-musical performances, or during unamplified live performances or televised sports.

- 5) it will play ambient background music, consisting of recorded music, and may have an acoustic Jazz night once a week on a weekday, but will not have any other live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board #3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) it will not have "happy hours"
- 10) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds 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.

**Items not heard at Committee**

12. Moxy/East Village/Alphabet Bar & Cafe (US Dev Associates LLC & 11th Street Hospitality LLC), 112 E 11th St (alt/op/change method of operation: extends hours from 4pm-10pm all days to 4pm-11pm all days and from roll-a-cover to fully enclose rooftop terrace lounge during all hours of operation)  
administratively approved
13. The Skinny Bar Lounge (Orchid Street Enterprises LLC), 174 Orchard St (alt/op/convert existing service bar to additional bar)  
administratively approved
14. Frank Grocery (Frank Grocery Corp), 21 1st Ave (North Store) (wb)  
administratively approved
15. LES Crepes & Taqueria (Oli and Aurel LLC), 25 Essex St (wb)  
administratively approved
16. Yu and Me Books LLC, 44 Mulberry St (wb)  
administratively approved
17. Uncle Lou Inc, 73 Mulberry St (wb)  
administratively approved
18. Matsunori Sushi Restaurant Inc, 151 Allen St (wb)  
administratively approved
19. Village East by Angelika (Citadel Cinemas Inc), 181-189 2nd Ave (wb)  
administratively approved
20. Sushi Lab LLC, 320 E 11th St (wb)  
administratively approved
21. All The Kings Horses Cafe LLC, 521 E 12th St (wb)  
administratively approved

**Expansion onto Municipal Property (not heard)**

22. Gray Mare (Meath Trails Inc), 61 2nd Ave (expansion onto municipal property)  
administratively approved
23. 00+CO (Plant Based Pizza NY LLC), 65 2nd Ave (expansion onto municipal property)  
administratively approved
24. Bar Verde (A and D Wine Corp), 65 2nd Ave (expansion onto municipal property)  
administratively approved
25. Coopers Craft & Cocktails (Trim Castle Corp), 87 2nd Ave (expansion onto municipal property)  
administratively approved
26. Arlene's Grocery (95 Stanton Street Rest Inc), 95 Stanton St (expansion onto municipal property)  
administratively approved

- 27. Dig (Dig Inn 127 Fourth Avenue LLC), 127 4th Ave (expansion onto municipal property)  
administratively approved
- 28. The Scratcher Cafe Inc, 209 E 5th St (expansion onto municipal property)  
administratively approved
- 29. Phoenix (Hughes Murray Walsh LLC), 447 E 13th St (expansion onto municipal property)  
administratively approved
- 30. Vote to adjourn  
approved by committee

**38 YES 1 NO 5 ABS 0 PNV MOTION PASSED (excluding SLA item 6)**  
**35 YES 5 NO 4 ABS 0 PNV MOTION PASSED (SLA item 6)**

**Landmarks Committee**  
meeting canceled

**Land Use, Zoning, Public & Private Housing**

- 1. Approval of previous month's minutes  
approved by committee
- 2. Urban fellow update on sustainability resiliency project  
withdrawn
- 3. Two Bridges rezoning update  
no vote necessary
- 4. Vote to adjourn  
approved by committee

**44 YES 0 NO 0 ABS 0 PNV MOTION PASSED**

**Transportation, Public Safety, & Environment Committee**

- 1. Approval of previous month's minutes  
approved by committee
- 2. DDC/DOT: Delancey Street Safety Improvements Project Design Update  
**VOTE: TITLE: Support for Delancey Street Safety Improvements Project**

**WHEREAS,** The Delancey Street Safety Improvements project will address safety issues along Delancey Street from Bowery to Clinton Street, and an additional section on Ridge Street from Delancey Street to Rivington Street.

**WHEREAS,** In addition to safety improvements, the project will increase pedestrian and bicycle accessibility and comfort, improve Delancey Street crossings and add trees, raised planters, and other public space improvements to an expanded Delancey Street median between Suffolk and Clinton Streets.

**Whereas,** The project will also include new traffic signals, street lighting, replacement of water mains, and repair and replacement of sewers along the corridor.

**WHEREAS,** The expanded median will include dedicated east/west walking areas, separated from both the roadway and bicycle lanes, and improving pedestrian access and comfort between Suffolk and Clinton streets.



**WHEREAS,** Where barriers are not present, trapezoidal delineators are used to separate the bicycle lanes and deter bicyclists from using the walking paths. Red detectable warning strips create a visual and tactile demarcation of where the walking path intersects the bicycle paths.

**WHEREAS,** Planter boxes, barrier walls and railings will separate the median from surrounding roadways, and the bicycle lanes from the pedestrian walkways, offering protection to pedestrians and bicyclists.

**WHEREAS,** The expanded median will include Citi racks and a Bike Pump/Maintenance Station, which will benefit the large number of bicyclists that use this corridor.

**WHEREAS,** Additional amenities in the expanded median include city bench seating and trash receptacles. The raised planters will offer additional seating.

**WHEREAS,** Proposed improvements for the corridor from Chrystie Street to Allen Street include sidewalk improvements and extensions, including neck-outs. Widening the center medians, and expanding pedestrian space along the medians, and the installation of a dedicated, raised one-way, east bound bicycle lane, adjacent to the median. From Allen Street to Suffolk Street, the proposal includes a dedicated and protected two-way bicycle lane also adjacent to the median.

**WHEREAS,** Impacts to the community during construction include:

- Roadway lane closures
- Temporary loss of parking
- Temporary relocation of bus stops
- Water main shut-downs
- Night and weekend construction hours, pending NYC DOT OCMC Stipulations.

**WHEREAS,** The community liaison will address questions, attend meetings and distribute project materials to keep the community informed and notified. Materials include:

- Project Information Card (PIC)
- Community Advisories
- Weekly Bulletins
- Quarterly Newsletters

**WHEREAS,** This project will be coordinated with the following nearby projects:

- Williamsburg Bridge Rehabilitation Project (Summer 2022 to Summer 2025 (projected))
- Essex Crossing Expanded Sidewalk/Pedestrian Plaza
- NYC Transit Project at Forsyth Street

**WHEREAS,** The raised planters add soil depth and further protect and enclose the median from the surrounding roadways. Plants will include the following: Serviceberry, Butterfly Weed, Wild Bergamot, Inkberry shrub, Pink Giant Glory of the Snow, and Coneflower.

**WHEREAS,** Trees will add life and shade to the median, and include the following species: London Planetree, Japanese Pagoda Tree, and Thornless Honey locust.

**WHEREAS,** The project design is expected to be finalized by June 2022. Construction is expected to start in Spring 2023 and be completed by Spring 2027.

**THEREFORE, BE IT RESOLVED,** CB 3 supports the Delancey Street Safety Improvement Project as it will bring important improvements to safety, public space, and infrastructure along the corridor; and

**THEREFORE BE IT FURTHER RESOLVED,** that DOT should consider having a two way protected bike lane for the entirety of the project between the Bowery and the Williamsburg Bridge.

3. Citi Bike Share Infill Presentation/additional locations

**VOTE: TITLE: Requesting Improved Collaboration and Planning with DOT Bike Share**

**Whereas,** DOT planned and sited 14 new Citi Bike Stations, two station extensions, and two equipment swaps in CD3, and

**Whereas,** CD 3 has shown increasing need and demand for additional Citi bikes, and additional stations and capacity are needed, and

**Whereas,** CD3 is a densely populated mixed-use district. Many of CD3's streets are narrow, congested and packed with a diversity of competing needs and uses. Holistic transportation planning and site design are crucial to ensure that there is space for all needs and elements of the street, and

**Whereas,** DOT presented the new and altered station locations and layouts to CB3 for the purpose of gathering input and feedback from the community, and

**Whereas,** CB3 was not provided with the proposed locations before the meeting, therefore board members did not have time needed to provide informed input into where these stations should be sited, and impacted residents were not notified to be able to give input, and

**Whereas,** In addition, DOT should have a master plan that takes a comprehensive look at competing uses of the street and ensures that each use is carefully considered and holistically considered in the street design, so that streets are accessible and to ensure there is proper space for all uses and elements. These uses and elements include, but are not limited to:

- Bus Stops
- Permanent basket and garbage containers
- Loading and unloading and no standing zones for passengers and businesses
- Street seating
- Bicycle racks
- Citi Bike Stations
- Outdoor dining sheds, roadbed seating, and sidewalk seating
- Vehicle parking

**THEREFORE, BE IT RESOLVED,** that CB3 requests that DOT collaborates more extensively with CB3 during its planning process by providing more detailed information and adequate time for the community board to review and provide informed input into DOT proposals. The planning process should also holistically consider all street uses and elements to ensure there is space for all; and

4. DOT: Neighborhood loading zone—proposed expansion in CB 3

no vote necessary

5. Vote to adjourn

approved by committee

**44 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding Transportation 2, 3)**

**43 YES 0 NO 0 ABS 1 PNV MOTION PASSED (Transportation 2, 3)**

Vote to adjourn

**44 YES 0 NO 0 ABS 0 PNV MOTION PASSED**

Members Present at Last Vote:

David Adams	[P]	Linda Jones	[P]	Paul Rangel	[P]
Yaron Altman	[P]	Vaylateena Jones	[P]	Damaris Reyes	[P]
Jesse Beck	[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	[P]	Jeanette Kim	[P]	Heidi Schmidt	[P]
David Crane	[P]	Michelle Koppersmith	[P]	Laryssa Shainberg	[P]
Eric Diaz	[P]	Mae Lee	[P]	Anisha Steephen	[P]
Alistair Economakis	[P]	Wendy Lee	[P]	Sandra Strother	[A]
Jaime Felber	[P]	Alysha Lewis-Coleman	[P]	Daniel Tainow	[P]
Shirley Fennessey	[P]	David Louie	[P]	Josephine Velez	[P]
Ryan Gilliam	[P]	Laura Lugo	[P]	Troy Velez	[P]
Debra Glass	[P]	Ellen Luo	[A]	Rodney Washington	[P]
Andrea Gordillo	[P]	Michael Marino	[P]	Kathleen Webster	[P]
Kanielle Hernandez	[P]	Alexandra Militano	[A]	Jacky Wong	[P]
Herman Hewitt	[P]	Michael Perles	[A]	Ricky Wong	[P]
Trever Holland	[P]	Tareake Ramos	[P]		

Meeting Adjourned