



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

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Paul Rangel, Board Chair

Susan Stetzer, District Manager

July 2022 Full Board Minutes

Meeting of Community Board 3 held on Monday, July 25, 2022 at 6:30pm via Zoom.

Public Session:

Public Officials:

Mayor Eric Adams:

Public Advocate Jumaane Williams, Socrates Solano:

Comptroller Brad Landers, Evelin Collado:

Borough President Mark Levine, Erik Cuello:

Congressmember Nydia Velazquez, Lingxia Ye:

Congressmember Carolyn Maloney, Victor Montesinos:

Assemblymember Yuh-Line Niou, Hong Hui Yu:

Assemblymember Deborah J. Glick, Tracy Jackson:

Assemblymember Harvey Epstein, Chanel Elliott:

State Senator Brian Kavanagh, Patricia Olan:

State Senator Brad M. Hoylman, Caroline Wekselbaum:

Councilmember Christopher Marte, Jennifer Chiao:

Councilmember Carlina Rivera, Katie Loeb:

District Attorney Alvin Bragg, Lingjun Chen:

Members Present at First Vote:

David Adams	[P]	Andrea Gordillo	[P]	Thomas Rosa	[P]
Yaron Altman	[P]	Kanielle Hernandez	[P]	Robin Schatell	[P]
Sarah Rose Batchu	[P]	Herman Hewitt	[A]	Heidi Schmidt	[P]
Lee Berman	[P]	Trever Holland	[P]	Arnette Scott	[P]
Ana Calderon	[P]	Vaylateena Jones	[P]	Laryssa Shainberg	[P]
Karlin Chan	[P]	Olympia Kazi	[P]	Anisha Steephen	[P]
David Crane	[P]	Jeanette Kim	[P]	Sandra Strother	[P]
Eric Diaz	[P]	Michelle Koppersmith	[P]	Daniel Tainow	[P]
Tareake Dorill	[P]	Mae Lee	[A]	Josephine Velez	[P]
Alistair Economakis	[A]	Wendy Lee	[P]	Troy Velez	[P]
Jaime Felber	[A]	Alysha Lewis-Coleman	[P]	Rodney Washington	[P]
Larry Fenn	[P]	Amanda Liu	[P]	Joshua Waterman	[P]
Shirley Fennessey	[A]	David Louie	[P]	Kathleen Webster	[P]
Kathryn Freed	[P]	Laura Lugo	[P]	Jacky Wong	[A]
Ryan Gilliam	[A]	Paul Rangel	[P]	July Yang	[P]
Debra Glass	[A]	Damaris Reyes	[P]		
Jake Gold	[P]	Richard Ropiak	[P]		

Minutes:

Minutes of May 2022 were approved, as is.

41 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Board Chairperson's Report:

Chairperson Paul Rangel

District Manager's Report:

District Manager Susan Stetzer

Committee Reports:

Executive Committee

no votes necessary

Election for Vice-Secretary

VOTE: To elect Kanielle Hernandez as Vice-Secretary.

38 YES 0 NO 1 ABS 0 PNV MOTION PASSED

By-laws Committee

VOTE: To approve the changes to the by-laws.

I. Board Members

D. Every Board Member is required to serve on one primary committee as appointed by the Board Chairperson and may serve on any additional primary committee, secondary committee, or task force. Appointment to any additional primary committee, secondary committee, or task force shall be at the discretion of the Board Chairperson.

E. No Board Member shall be eligible to serve as a primary committee chairperson until they have completed one year of service on the Board unless, because of unique qualifications or expertise, the Board Chairperson appoints them for that position.

F. No Board Member except the Board Chairperson shall concurrently serve as chairperson of more than one committee, or concurrently hold any office while serving as a committee chair of the Board.

G. Board Members are expected to regularly attend all Full Board meetings and all primary committee, secondary committee, and task force meetings to which they are appointed as members.

1. A Board Member shall be deemed present at a Board meeting, primary committee, secondary committee or task force if they are present for the first and last votes at that meeting. If present at either the first or last vote but not both, a Board Member shall be deemed present at half the meeting.

4. If the Board Member is a member of two primary committees, secondary committee or task forces scheduled at the same time or is assigned to represent Community Board 3 at another meeting, the member is not marked present or absent at the meeting the member is missing, but is noted to be at another meeting. The Board Chairperson shall designate which meeting the member will attend when there is a conflict.

I. Procedures for Removal or Reprimand of a Board Member for Cause

b. Soliciting, receiving, or accepting any remuneration in exchange for a vote on any item under consideration by the Board or any of its primary committees, secondary committee or task forces if there is a Department of Investigation or Conflicts of Interest Board determination that a Board Member had solicited, received, or accepted remuneration.

C. Duties of Chairperson

6. To appoint or remove chairpersons or co-chairpersons of primary committees of the Board. To appoint or remove chairpersons of secondary committees and task forces of the Board.

7. To appoint members to all primary committees, secondary committees and task forces and to remove members as necessary for the proper functioning of the primary committees, secondary committees, and task forces.

11. The Board Chairperson shall be an ex-officio member of each primary committee, secondary committee and task force and may vote on any agenda item. The Board Chairperson when present at a primary committee, secondary committee or task force meeting (except the Executive Committee) shall not be counted in the quorum except on a ULURP vote.

V. Executive Committee

A. The Executive Committee shall be comprised of the Board Chairperson, First Vice-Chairperson, Second Vice-Chairperson, Treasurer, Secretary, Vice Secretary and all primary committee chairpersons.

VI. Public Members

A. Members of the public may be appointed by the Board Chairperson to serve on primary committees, secondary committees, and task forces.

B. Public members of primary committees, secondary committees and task forces may vote upon items before the primary committees, secondary committees and task forces but may not vote at the Full Board meeting.

C. The term of every public member shall be for one year ending on June 30th of each year but may be extended at the discretion of the Board Chair.

D. Public members may be reappointed by the Board Chair after applying for reappointment by completing an application.

E. Any public member may be removed from a primary committee, secondary committee or task force by the Board Chair if the public member is absent from two consecutive meetings. The public member will be notified of removal in writing either electronically or by regular mail.

VII. Primary Committees

A. The Board shall have such primary committees as are necessary to hear and debate the issues in the district. A primary committee shall be established at the recommendation of Board Chairperson and a majority vote of the Full Board.

B. Primary Committees shall be comprised of no fewer than five committee members, a majority of whom must be Board members. The chairperson and any co-chairpersons of the primary committee must be a Board Member(s) and shall be appointed by the Board Chairperson. At the discretion of the primary committee chairperson the committee may have a vice chair and/or a secretary. The vice chair and/or the secretary shall be appointed by the primary committee chairperson.

C. Each primary committee shall meet once per month (except August) unless the Board Chairperson and/or the chairperson of the committee deem an additional meeting necessary or a meeting unnecessary.

D. A Board Member, other than the Board Chairperson, who is not a member of a primary committee may not vote on any item before the committee unless that item is a ULURP. The Board Chairperson may vote at any primary committee when present at a meeting.

E. Primary Committees shall keep minutes containing a record of all motions taken, as well as attendance and voting records. These records shall be submitted in writing to the Board's office in sufficient time to be incorporated into the vote sheet distributed to the Executive Committee for the succeeding Full Board meeting.

F. A primary committee shall be dissolved or reconstituted as a secondary committee upon recommendation of the Board Chairperson and a majority vote of the Full Board.

VIII. Secondary Committee

A. Secondary committees may be established at the recommendation of the Board Chairperson and majority vote of the Full Board to hear and debate significant topics that do not appear regularly.

B. Secondary committees shall be comprised of Board Members and may include public members appointed by the Board Chairperson. A majority of the members of the secondary committee must be Board Members. The chairperson of the secondary committee shall be appointed by the Board Chairperson.

C. Each secondary committee will only meet when called upon.

D. Secondary committees shall keep minutes containing a record of all motions taken, as well as attendance and voting records. The chairperson of the secondary committee shall report these to the Board office and all votes shall be recommendations to the full board

- E. A secondary committee's recommendation shall not limit in any way the full board' duty to hear the public nor to vote.
- F. A secondary committee shall be dissolved upon recommendation of the Board Chairperson and a majority vote of the Full Board.

IX. Task Forces

- A. Task forces may be established at the recommendation of the Board Chairperson and majority vote of the Full Board for a limited purpose and shall be temporary in nature.
- B. Task forces shall be comprised of Board Members and may include public members appointed by the Board Chairperson. A majority of the members of the task force must be Board Members. The chairperson of the task force must be a Board Member and shall be appointed by the Board Chairperson.
- C. Task forces shall keep minutes containing a record of all motions taken, as well as attendance and voting records. These records shall be submitted in writing to the Board office in sufficient time to be incorporated into the vote sheet distributed to the Executive Committee for the succeeding Full Board meeting.
- D. A task force shall be dissolved upon recommendation of the Board Chairperson and a majority vote of the Full Board.

X. Executive Session

Upon motion and the majority vote of any body of the Board, including the Full Board, a primary Committee, secondary committee, or Task Force, that body may enter into an Executive Session during their regular meeting. Executive Session may be held to discuss only those statutorily identified purposes set forth in the New York State Open Meetings Law. An Executive Session is closed to the public and discussion is limited to the matter for which that body voted to enter into Executive Session. A vote may be taken in the Executive Session, but the vote of each member of that body must be recorded and be publicly available.

38 YES 0 NO 2 ABS 0 PNV MOTION PASSED

Transportation, Public Safety, & Environment Committee

1. Approval of previous month's minutes approved by committee
2. Update District Needs Statement for FY'24 no vote necessary
3. NYC DOT Proposal for Doyers St Plaza

VOTE: TITLE: Doyers Plaza Proposal

WHEREAS, DOT has proposed a pedestrian plaza on Doyers Street after receiving an application from the Chinatown Business Improvement District. This will be a permanent pedestrian plaza that will not be open to traffic except for emergency and city service vehicles; and

WHEREAS. From 2017 to 2019 DOT implemented a seasonal street on Doyers Street, which created a time-of-day closure and programming. Since May 2020 Doyers Street has been closed under the open streets program which is a 24-hour closure; and

WHEREAS, Doyers Plaza installation would include the following changes to Doyers Street and Adjacent Streets:

- Fully pedestrianize Doyers with gravel, markings, and planters
- Shorten Bowery crossing distance
- Convert 2hr Metered Parking on Bowery between Doyers and Pell to 3hr Commercial Metered Parking for loading, pickup/dropoff
- Convert No Parking 7AM - 7PM on Bowery between Mott and East Bowery to 2hr Metered Parking

WHEREAS, residents raised concerns about noise and late night activity stemming from either dining or nightlife establishments operating on the block; and

WHEREAS DOT conducted an online survey in which 64% of survey respondents supported the pedestrian plaza. DOT engaged with all the businesses on the block and DOT reported there were no objections.

THEREFORE IT BE RESOLVED CB3 supports the creation of the permanent pedestrian plaza on Doyers street as long as DOT creates enforceable restrictions, ensuring that all outdoor dining end by 10 PM, which is consistent with the standard stipulations CB 3 uses for all SLA licensed establishments, and shall not have TVs or speakers in the outdoor area, which is consistent City regulations for outdoor dining.

4. Lack of transparency and notification regarding Open Streets / Open Restaurants for Summer 2022

VOTE: TITLE: Request for Better DOT Communication About Open Streets and Open Restaurants

WHEREAS, DOT is implementing the Open Streets program for the third summer and also continuing the Open Restaurants program on a temporary emergency basis for the third year; and

WHEREAS, the first year of Open Streets was very popular in areas where the streets created pedestrian space and cultural programming, but there was much confusion at implementation among applicants, precincts, and the community board that was resolved after many hours of investigation and working together; and

WHEREAS, for the current summer program DOT made changes in the program but did not notify the precincts or the community board of the changes and did not seek community feedback based on lessons from the previous year; and

WHEREAS, there is not a comprehensive list of all rules and regulations clearly posted on the DOT website nor do they appear to be distributed to applicants and precincts; and

WHEREAS, the Open Restaurants program is continuing on a temporary basis but has regulations that sometimes change and are sometimes vague, and enforcement that is constantly changing and evolving, but there has not been a set of regulations for this summer season that is comprehensive, addresses problems, and includes community feedback; and

WHEREAS, some Open Restaurants rules change but there is not adequate notice or education to businesses, and notification to community boards, or a comprehensive, clear list of regulations on the DOT website; so

THEREFORE BE IT RESOLVED, that Community Board 3 calls on the Department of Transportation to be more transparent and better notify all stakeholders in Open Streets and Open Restaurants as well as other initiatives and include community board feedback when creating and writing the guidelines and regulations to avoid recurring problems and lack of clarity.

5. Street co-naming application for Morris 'Moishe' Cohen Way on Rivington Street between Essex St and Ludlow St

VOTE: TITLE: Morris "Moishe" Cohen Way Street Co-naming Resolution

WHEREAS: Morris "Moishe" Cohen was born in 1917 in the heart of the Lower East Side. The second of seven siblings, he was the first member of his family to be born and raised in the United States. With so many children, and housing scarce, the family was broken up into several tenement buildings throughout the area, with Morris landing at 108 Rivington Street; and

WHEREAS, After returning from World War II, Morris wasted no time immersing himself back into life on the Lower East Side. Toiling tirelessly at his now historic family business, Economy Candy, he was admired for offering jobs to neighborhood kids and providing a safe haven for all who sought it; and

WHEREAS: Morris served under General McArthur during World War II and upon returning home established his post outside Economy Candy withstanding both boiling and freezing temperatures to provide for both his immediate and extended family, serving as an inspiration for generations to come; and

WHEREAS: During his lifetime in Lower Manhattan, Morris became a well-known and respected member of both the Lower East Side community at large as well as of the strong Greek/Jewish community within the area. Morris's family continues to support both the Lower East Side and the Greek/Jewish community within it; and

WHEREAS, When Morris passed away in 2015, at the impressive age of 97, neighbors left flowers, notes and remembrances at 108 Rivington Street to memorialize his life, accomplishments and standing within the community; and

WHEREAS: The residents and business owners of Rivington Street, surrounding adjacent blocks and the New York City Community Board 3 constituency remember Morris as if he were a member of their own families and continue to find strength from his legacy to this day. From how it was Morris who encouraged them to join the police force, propose to their spouse of, now, 50+ years, or how he inspired them to open a, now successful, small business of their own, there is no shortage of warm stories about Morris. Some have even said it was considered rude to visit the Lower East Side and not say hello to Morris, the unofficial mayor of Rivington Street; so

THEREFORE, BE IT RESOLVED, the Manhattan Community Board 3's wishes to remember Morris "Moishe" Cohen by formally requesting that the New York City Council and the Mayor of New York City enact legislation to support the co-naming at the northwest corner of Rivington Street and Essex Street to 'Morris "Moishe" Cohen Way' with a sign added beneath the existing Rivington Street sign on the northwest corner of Essex Street.

6. Vote to adjourn
approved by committee

41 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding Transportation items 3, 4)
36 YES 0 NO 0 ABS 1 PNV MOTION PASSED (Transportation items 3, 4)

Economic Development Committee
no meeting scheduled

Parks, Recreation, Waterfront, & Resiliency Committee

1. Approval of previous month's minutes
approved by committee
2. Parks: Informational presentation for temporary art installation on Pier 35
no vote necessary
3. ESCR construction update
no vote necessary
4. Update District Needs Statement for FY'24
no vote necessary
5. Parks Manager Update
no vote necessary
6. Vote to adjourn
approved by committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

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

1. Approval of previous month's minutes
approved by committee
2. Update District Needs Statement for FY'24
no vote necessary
3. CAB/CEC reports
no vote necessary
4. 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
approved by committee
2. Update District Needs Statement for FY'24
no vote necessary

Alterations

3. Time (Time Cafe LLC), 105 Canal St (op/change method of operation: extend hours to 2am daily)
withdrawn

New Liquor License Applications

4. Gonzos (6 St Marks Place LLC), 6 St Marks Pl (2nd & 3rd Floors) (op)

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

WHEREAS, Ferdinando Fregola doing business as Gonzo's, is seeking a catering establishment on-premises liquor license, in the premises located at 6 St. Marks Place (second and third floors only), between Second Avenue and Third Avenue, New York, New York; and

WHEREAS, this is an application for a catering establishment with a certificate of occupancy of 80 people, 11 private rooms and one 20-foot bar on the second floor, American comfort food prepared in a full kitchen, serving food during all hours of operation, two televisions, live and streaming music played at background levels; and

WHEREAS, there are 17 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, this location was previously licensed as a karaoke bar doing business as Saint Marks Karaoke, whose wine and beer license expired in December 2020; and

WHEREAS, the applicant has never previously been a license holder but has worked in this business at Leonardo's located at 2133 Palmer Avenue in Larchmont, New York; and

WHEREAS, this applicant proposes to rent the 11 private rooms as band rehearsal spaces and provide catering/alcohol to the renters but the premises are zoned R8B with a grandfathered use group 6; and

WHEREAS, Community Board 3 obtained in writing from the Department of Buildings that rehearsal space for bands falls under use group 9 and therefore noncompliant for this residentially zoned location, thus rehearsal space for bands is not allowed per the premises' Certificate of Occupancy or Letter of No Objection and the community board will follow up with the Department of Buildings; and

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

WHEREAS, 51 residents who live within two blocks of the location signed a petition in favor of the application, including 12 residents of the adjoining residential building at 8 St. Marks; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a catering establishment on-premises liquor license for Ferdinando Fregola, for the premises located at 6 St. Marks Place, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a catering establishment, with American comfort food prepared in a full kitchen, serving food during all hours of operation,
- 2) its hours of operation will be opening no later than 12:00 P.M. all days and closing by 12:00 A.M. Sunday to Wednesday and 2:00 A.M. Thursday to Saturday,
- 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 recorded and live music (live music can be up to 11 bands of up to four instruments each playing in the private rooms) that will not be audible outside the premises, and will not have DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 6) it will install soundproofing
- 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.

5. La MaMa ETC (La MaMa Experimental Theater Club Inc), 66 E 4th St (op)

this item was moved to not heard at committee - administratively approved

6. La MaMa ETC (La MaMa Experimental Theater Club Inc), 74 E 4th St (op)

this item was moved to not heard at committee - administratively approved

7. Buddha Bodai Kosher Vegetarian Restaurant (Buddha Bodai Two Kosher Vegetarian Restaurant Inc), 77 Mulberry St (op)

withdrawn

8. Snowy Capital LLC, 87 Ludlow St (op)

VOTE: TITLE: Community Board 3 Recommendation To Deny

WHEREAS, Snowy Capital LLC with trade name TBD, is seeking a full on-premises liquor license, in the premises located at 87 Ludlow Street, between Delancey and Broome Streets, New York, New York; and

WHEREAS, this is an application for an establishment with a certificate of occupancy of 85 people, 20 tables and 68 seats: 11 tables with 35 seats and one 10' stand-up bar with 12 seats on the ground floor and 9 tables with 33 seats and one 10' stand-up bar with 9 seats on the cellar floor, a full kitchen, serving food during all hours of operation, no televisions, ambient recorded background music played via recorded media or curated by a DJ; and

WHEREAS, there are 29 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, this location was previously licensed to The Fifth Elephant LLC dba Mini Rex as a karaoke bar until February 2019, which was approved by Community Board 3 in October 2018 for a full-on premises liquor license with stipulations after this board denied the application in April 2017 but the SLA subsequently approved it, including: it would operate as a karaoke tavern, with a kitchen open and serving food during all hours of operation, its hours of operation would be 4:00 P.M. to 12:00 A.M. all days, it would not commercially operate any outdoor areas, it would install soundproofing consistent with the recommendations of a sound engineer and would use a pre-set limiter to control noise and bass, it would employ security personnel all days, but is not currently licensed; and

WHEREAS, prior to Mini Rex, this location was licensed with a full on-premises liquor license doing business as Leftfield from 2012 to 2018, which was open until 1:00 AM all nights, played only ambient recorded background music, was not allowed to use the backyard, operated as a restaurant/tavern and had at least three SLA disciplinary actions in 2017 and 2013; and

WHEREAS, the applicants have never previously been license holders but one applicant has worked in the hospitality industry for five years, specifically as a manager at the PUBLIC Hotel in Community District 3, where there have been five commercial 311 complaints since 2019 and has created quality of life issues for the residents of 10 Stanton Street from noisy patrons; and

WHEREAS, there were zero commercial 311 complaints at this location with NYPD action necessary since 2019 when it became unlicensed; and

WHEREAS, Community Board 3 voted on guidance in September 2021 at its full board meeting indicating that it will not generally grant licenses to previously unlicensed locations in saturated areas, which is posted on the Community Board 3 website, (<https://www1.nyc.gov/assets/manhattancb3/downloads/cb3docs/guidance-to-applicants-on-cb3-licensing-priorities.pdf>) in an effort to direct applications to less saturated areas and to be proactive and transparent in support guidelines; and

WHEREAS, the Community Board 3 district manager said at the committee meeting she has been in constant communication with the 7th Precinct regarding existing quality of life issues in the area and the police responded that it had added capacity but didn't have adequate staffing to deal with the situation; and

WHEREAS, Community Board 3 received a letter in opposition to this application signed by The Orchard Street Block Association, SPaCE Block Association, Lower East Side Dwellers, and The Suffolk Street Block Association, citing the problematic location as having issues with safety, uncontrolled noise, and street traffic and general quality of life issues plaguing the neighborhood coming from the oversaturation of liquor licenses; and

WHEREAS, 67 local residents, including three who live across the street from the location, wrote to the committee in opposition to this applicant, and eight local residents spoke in opposition during the committee meeting, citing a myriad of issues including that: the "street already has too many problems with the DL, Hotel Chantelle and the Broome Open Street which currently drive huge uncontrolled safety and noise problems," "this new license application provides nothing new or positive for the community and only adds to the saturation in the area and feeding the negative impact spiral;" ; and

WHEREAS, three residents, including a resident of 87 Ludlow Street, spoke in favor of the application, citing the positive impact the applicant would have on the neighborhood including working to control quality of life issues; and

WHEREAS, more than 50 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 Snowy Capital LLC at 87 Ludlow Street due to the ongoing quality of life issues in the Lower East Side created by an intense concentration and oversaturation of liquor licenses.

9. Sohogo LLC, 91-93 Baxter St (op)
withdrawn

10. Jiang Nan (Friendship Foods One Inc), 103 Bowery (upgrade to op)
withdrawn

11. Entity to be formed by Jess Goldfarb, 109 Ludlow St (op)
withdrawn

12. Ariari NYC LLC, 119 1st Ave (op)

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

WHEREAS, Arirari NYC LLC doing business as TBD, is seeking a full on-premises liquor license, in the premises located at 119 1st Avenue, between East 7th Street and St. Marks Place, New York, New York; and

WHEREAS, this is an application for an establishment with a pending certificate of occupancy of 74 people, 20 tables and 54 seats with one seven-foot bar with three seats, with Korean food prepared in a full kitchen served during all hours of operation, no televisions, ambient recorded background music only; and

WHEREAS, there are 32 full on-premises liquor licenses, excluding the existing license at this location, within 500 feet per the SLA LAMP map; and

WHEREAS, this location is currently licensed with a full on-premises liquor license as Yori NYC Corp doing business as Oiji, which received a license in April 2015 after being approved by Community Board 3 in May 2014 contingent on stipulations including: closing by 12:00 A.M. Sunday to Thursday and 2:00 A.M. Friday to Saturday, ambient recorded background music only, and no happy hours; and

WHEREAS, the applicants operate three restaurants in Manhattan and have held wine beer licenses at Her Name is Han LLC dba Her Name Is Han (17 East 31st Street) since September 2015 and at Take 31 Inc. dba TAKE31 (15 East 31st Street), and a full on-premises liquor license for Mew Izakaya LLC dba Mew Izakaya (53 West 35th Street) since August 2014; and

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

WHEREAS, 27 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 Arirari NYC LLC, for the premises located at 119 1st Avenue, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a restaurant, with Korean food prepared in a full kitchen served during all hours of operation,
- 2) its hours of operation will be opening no later than 11:30 A.M. all days and closing by 12:00 A.M. Sunday to Thursday and 1:00 A.M. Friday to Saturday,
- 3) it will not use outdoor space for commercial use,
- 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 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.

13. Entity to be formed by Curt Huegel, 132 2nd Ave (op)

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

WHEREAS, the entity to be formed by Curt Huegel is seeking a full on-premises liquor license, in the premises located at 132 2nd Avenue, between St. Marks Place and East 9th Street, New York, New York; and

WHEREAS, this is an application for an establishment with a certificate of occupancy of 118 people, 28 tables and 88 seats with one 31-foot-3-inch bar with 7 seats and one 26 foot-11 inch bar with 9 seats, a full kitchen, serving American fusion food during all hours of operation, no televisions, ambient music provided by recordings, DJ-curated, or performed live, and

WHEREAS, there are 21 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, this location has been licensed with a full on-premise liquor license since February 1987 as Two And Eight Gourmet Ltd doing business as Dallas BBQ, before the 500-foot law was passed in 1993 meaning this location is grandfathered, and where there have no complaints in recent history known to the community board; and

WHEREAS, there were zero commercial 311 complaints at this location with NYPD action necessary since 2019; and

WHEREAS, this applicant is currently a license holder at 10 locations in New York, one of which is within CB3 at Jackdaw at 213 2nd Ave, where there have been eight commercial 311 complaints with NYPD action necessary since 2019 and which Community Board 3 approved in December 2018 with stipulations including: closing by 4:00 A.M. all nights, no live music or DJs; and

WHEREAS, a resident close to Jackdaw has made complaints to the Community Board 3 office about Jackdaw causing noise issues, including that the applicants have speakers outside playing amplified music, which is not allowed and in violation of city regulations, and hosted "boozy brunches"; and

WHEREAS, the applicant admitted during the meeting that Jackdaw has a "boozy brunch" in violation of its stipulations with the SLA (https://www.instagram.com/p/Ce_S9CIM9-t/?igshid=NWRhNmQxMjQ%3D; <https://web.archive.org/web/20220308123857/https://www.jackdawnyc.com/>); and

WHEREAS, the questionnaire stated that this was an application for a restaurant but in the meeting the applicant's representative said that the proposed method of operation is as a bar; and

WHEREAS, two residents that live above or adjacent to the proposed operation asking for reasonable hours, soundproofing, and a stipulation against boozy brunches; and

WHEREAS, 32 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 the Entity to be formed by Curt Huegel, for the premises located at 132 2nd Avenue, New York, New York, unless the applicant agrees to the following signed notarized stipulations to mitigate the problems these applicants have presented at their other location in the community board district:

- 1) it will operate as an American fusion restaurant, with a full kitchen preparing food during all hours of operation,

- 2) its hours of operation will be opening no later than 11:00 A.M 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 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 ambient background music, both recorded and an unamplified acoustic guitar player until 9:00 P.M. Friday to Sunday, it will have no more than 1 private event a month, and will not have promoted events, scheduled performances or any event at which a cover fee will be charged,
- 6) it will install soundproofing as necessary in consultation with a sound engineer to ensure that sound is not audible in surrounding residences,
- 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 7:00 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.

14. Gen Korean BBQ (Gen Manhattan NYU LP), 150 E 14th St (wb)

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

WHEREAS, Gen Manhattan NYU LP doing business as Gen Korean BBQ, is seeking a wine beer license, in the premises located at 150 East 14th Street, between 3rd and 4th Avenue, New York, New York; and

WHEREAS, this is an application for an establishment with a certificate of occupancy of 174 people, 46 tables and 159 seats, no bar seating, a full kitchen, serving Korean food during all hours of operation, two televisions, ambient recorded background music; and

WHEREAS, there are 10 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, Community Board 3 approved this location for a full on-premises liquor license for Bizet LLC doing business as 5 Napkin Burger in October 2010 with stipulations including hours of operation from 7:00 A.M. to 12:00 A.M. Sundays through Thursdays and 7:00 A.M. to 2:00 A.M. Fridays, and Saturdays play ambient background music, consisting of recorded music only, maintain a fixed plate glass façade with no open doors or windows, and not commercially use the backyard, and which had no recent SLA adverse history; and

WHEREAS, the applicant has never previously been a license holder in New York but has operated 18 similar licensed businesses in the Los Angeles and Bay areas in California; and

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

WHEREAS, 30 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 beer license for Gen Manhattan NYU LP, for the premises located at 150 East 14th Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a Korean BBQ restaurant, with a full kitchen,
- 2) its hours of operation will be opening no later than 5 P.M. and closing by 4:00 A.M all days,
- 3) it will not use outdoor space for 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 12:00 A.M. each night,
- 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.

15. El Primo Red Tacos (El Primo Red Tacos NYC LLC), 151 Ave A (wb)
 withdrawn

16. 189Drinks LLC, 171 Chrystie St (op)

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

WHEREAS, 189DRINKS LLC doing business as Chin Up, is seeking a full on-premises liquor license, in the premises located at 171 Chrystie Street (north retail), between Delancey Street and Rivington Street, New York, New York; and

WHEREAS, this is an application for an establishment with a pending certificate of occupancy 114 people, fifteen tables and 58 seats, a bar with 15 seats, seafood and a raw bar prepared in a food preparation area served during all hours of operation, no televisions, ambient recorded background music; and

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

WHEREAS, this location was previously a bar until 2016 but has since been vacant as a new development; and

WHEREAS, the applicant has held a full on-premises liquor license for TTBK Inc. doing business as Subject (188 Suffolk Street) in Community Board 3 since 2018, which it received after being approved by Community Board 3 in May 2017 as a bar/tavern with stipulations including: hours of operation of 5:00 P.M. to 4:00 A.M. Mondays through Fridays and 12:00 P.M. to 4:00 A.M. Saturdays and Sunday, ambient recorded background music only, no outdoor space; and

WHEREAS, 69 residents who live within two blocks of the location including eight who live in the building 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 189DRINKS LLC doing business as Chin Up, for the premises located at 171 Chrystie Street New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a bar/tavern, with a food preparation area for a seafood-focused menu and raw bar during all hours of operation,
- 2) its hours of operation will be opening no later than 12:00 P.M. and closing by 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 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 install soundproofing in consultation with a sound engineer to ensure that sound is not audible in surrounding residences,
- 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 7:00 P.M. each night,

- 11) it will ensure that there are no wait lines,
- 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.

17. Oyster City LLC, 200 E 3rd St (op)

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

WHEREAS, Oyster City LLC doing business as Virginia's, is seeking a full on-premises liquor license, in the premises located at 200 East 3rd Street, between Avenue A and Avenue B, New York, New York; and

WHEREAS, this is a restaurant with a certificate of occupancy of 74 people, 25 tables and 52 seats, one counter with two seats and one 10-foot bar with four seats, with neighborhood American food served during all hours of operation from a full kitchen, no televisions, ambient recorded background music; and

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

WHEREAS, this applicant was licensed with a full-on premises license as Oyster City LLC dba Virginia's at 647 East 11th Street which was denied for a full-on premises liquor license by Community Board 3 in December 2014; and

WHEREAS, Community Board 3 then administratively denied a wine beer license for this applicant at 647 East 11th Street in January 2015 unless the applicant agreed that it would make as conditions of its license the stipulations that it would 1) operate a full-service American restaurant, serving food to within half (½) an hour of closing, 2) have hours of operation of 5:30 P.M. to 12:00 A.M. Mondays through Fridays and 11:30 A.M. to 12:00 A.M. Saturdays and Sundays, 3) not commercially operate any outdoor areas, 4) close its façade at 10:00 P.M. every night or during any amplified performances, including but not limited to DJs, live music and live nonmusical performances, 5) play recorded background music and not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee would be charged, 6) not apply for an alteration without first being heard by the community board, 7) not host pub crawls or party buses, 8) not have happy hours, 9) not have wait lines, and 10) provide a telephone number for residents to call with complaints and immediately address any resident complaints; and

WHEREAS, Community Board 3 then denied Virginia's for an upgrade to a full on-premises liquor license in March 2016 but was subsequently granted a full on-premises liquor license by the SLA with stipulations that it close by 12:00 A.M. all nights; and

WHEREAS, Virginia's at 647 East 11th Street closed in January 2022 (<https://ny.eater.com/2022/1/7/22851679/nyc-restaurant-closings-january-2022>) and there were zero commercial 311 complaints at 647 East 11th Street with NYPD action necessary since 2018; and

WHEREAS, this location was most recently Root & Bone where there were zero commercial 311 complaints at 200 East 3rd Street with NYPD action necessary since 2018; and

WHEREAS, 24 residents who live within two blocks of the location signed a petition in favor of the application; and

WHEREAS, a neighbor of the former Virginia's at 647 East 11th Street wrote in support of this application and three other character witnesses wrote to support the applicant; and

WHEREAS, a resident that lives across the street spoke at the meeting and supported the application if the applicants agreed to close by 12:00 A.M. all nights and outdoor dining closes at 10:00 P.M. all nights; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Oyster City LLC, for the premises located at 200 East 3rd Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a restaurant, with American food 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. 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 install soundproofing as necessary to ensure there are no sounds audible from the premises in adjoining residences,
- 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 have "happy hours" that end by 5:00 P.M.
- 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.

18. Keybar (GHD Inc), 208 Ave A (removal from 432 E 13th St to 208 Ave A, downgrade from op to wb)
 withdrawn

Items not heard at Committee

19. Lava Ground LLC, 4 St Marks Pl (wb)
 withdrawn

20. Chef Tan NYU Inc, 37 St Marks Pl (wb)
 administratively approved

21. Don Ceviche NYC Corp, 57 1st Ave (wb)
 administratively approved

22. 61 Hester LLC, 61 Hester St (wb)
 administratively approved

23. Chakra (Pak Chee LLC), 317 E 5th St (wb)
 administratively approved

24. Miso Japanese Cuisine (Miso Sushi Inc), 328 E 6th St (wb)
 administratively approved

25. Opulent 536 Corp, 540 E 5th St (wb)
 administratively approved

26. Vote to adjourn
 approved by committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Landmarks Committee

no meeting scheduled

Land Use, Zoning, Public & Private Housing Committee

1. Approval of previous month's minutes
 approved by committee
2. Update District Needs Statement for FY'24
 no vote necessary
3. Vote to adjourn
 approved by committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Arts & Cultural Affairs Subcommittee

1. Approval of previous committee minutes
 approved by committee
2. Update District Needs Statement for FY'24
 no vote necessary
3. Vote to adjourn
 approved by committee

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]	Andrea Gordillo	[P]	Thomas Rosa	[P]
Yaron Altman	[P]	Kanielle Hernandez	[P]	Robin Schatell	[P]
Sarah Rose Batchu	[P]	Herman Hewitt	[A]	Heidi Schmidt	[P]
Lee Berman	[P]	Trever Holland	[P]	Arnette Scott	[P]
Ana Calderon	[A]	Vaylateena Jones	[P]	Laryssa Shainberg	[P]
Karlin Chan	[P]	Olympia Kazi	[A]	Anisha Steephen	[P]
David Crane	[P]	Jeanette Kim	[A]	Sandra Strother	[P]
Eric Diaz	[P]	Michelle Koppersmith	[A]	Daniel Tainow	[P]
Tareake Dorill	[P]	Mae Lee	[P]	Josephine Velez	[P]
Alistair Economakis	[A]	Wendy Lee	[A]	Troy Velez	[P]
Jaime Felber	[A]	Alysha Lewis-Coleman	[P]	Rodney Washington	[P]
Larry Fenn	[P]	Amanda Liu	[P]	Joshua Waterman	[P]
Shirley Fennessey	[A]	David Louie	[P]	Kathleen Webster	[P]
Kathryn Freed	[P]	Laura Lugo	[P]	Jacky Wong	[A]
Ryan Gilliam	[A]	Paul Rangel	[P]	July Yang	[P]
Debra Glass	[A]	Damaris Reyes	[P]		
Jake Gold	[P]	Richard Ropiak	[P]		

Meeting Adjourned