



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

59 East 4th Street - New York, NY 10003

Phone (212) 533-5300

www.cb3manhattan.org - mn03@cb.nyc.gov

Andrea Gordillo, Board Chair

Susan Stetzer, District Manager

May 2024 Full Board Minutes

Meeting of Community Board 3 held on Tuesday, May 28, 2024 at 6:30pm at PS 20, 166 Essex Street.

Public Session:

Michael Fontana - Housing Work, announcement on Harm Reduction and their program to clean up (pick up syringes), Narcan (how to spot overdoses) training, wound care training, HIV training, located 743 – East 9th Street

Chui Man Lai – New Presbyterian Grant for local CBO to support efforts to homelessness services \$7500 - \$150,000. Link <https://www.nyp.org/capacity-building/community-fund>

K Webster – Juneteenth Celebration Mi Finda Kalunga Garden. Chrystie Street African Burial Grounds memorial grounds

Samuel Vasquez – Corlears Hook Park/playground area has been neglected. Calling on elected officials to address the issues in the park and playground.

Damaris Reyes – Participatory Budgets, GOLES (Good Ole Lower East Side) has been leading on outreach for Participatory budgeting voting ends June 12, 2024.

Public Officials:

Mayor Eric Adams, Robin Forst: Efforts to close smoke shops, 75 shops were closed and nearly 6 million dollars in penalties. Mayor is advocating for new migrants to have work permits along with 40 other mayors. Mayor is advocating for CUNY to have a pathway to careers via vocational training.

Question/Comment: Better outreach for the City of Yes.

Answer: City of Yes will be approved by City Council, Ms. Frost will take the statement back to the office.

Question: Where is the money from the smoke shop going:

Answer: Will take the question back to the Office

Public Advocate Jumaane Williams, Curtis Young: Not presented

Comptroller Brad Landers, Evelin Collado: Not present

Borough President Mark Levine, Yiyi Wang: Not present

District Attorney Alvin Bragg, Peter Tse: Closed a fencing operation. DA is concerned about guns in the community, gun buy back will take place in June, no specific date was given.

Congressmember Dan Goldman, Lingxia Ye: The Michelle Go Act, removing the Medicaid cap to ensure beds in hospital. Conducting small business roundtable for the month of May, Small Business Month.

Assemblymember Grace Lee, Fannie Ip: Brown field bill, make sure technological representation, Banking Act, to accept NYCID as identification, introduced a resolution to acknowledged Dan Lee for all his contribution to the Chinatown community.

Assemblymember Deborah J. Glick, Roy Ruiz: Not presented

Assemblymember Harvey Epstein, Chanel Elliott: Proclamation presented to David Crane. Thompsons Square Park movie nights, Hang out Harvey days, dates will be published. September 12th shredding event. Legislative update in report

State Senator Brian Kavanagh, Patricia Olan: Bills passed are located in legislative report published by the Senator, hired new Community Liaison starting on June 12th. NYCHA reopening waitlist begins June 3rd – June 8th.

Councilmember Christopher Marte, Simon Kostelanetz: City of Yes, Economic – most of the suggestion will be included in the text amendment, final vote will be held on June 6th

Asking for 2 ½ billion to support housing. Legislation, Freedom Trail – Bill will be reintroduced to the City Council.

Councilmember Carlina Rivera, Julio Rivas: Acknowledging David Crane's outstanding work on the Community Board 3. Calling for the full restoration to the libraries and the arts. Looking to expand local land ownership.

June 20th will have a Good Clause Town Hall for those who have questions and learn about Good Clause. 311 roof top party calls will be given to the department of building.

Members Present at First Vote:

| | | | | | |
|---------------------|-----|--------------------------|-----|---------------------|-----|
| David Adams | [P] | Ryan Gilliam | [P] | Grauen Olivares | [P] |
| Sarah Rose Batchu | [P] | Debra Glass | [A] | Damaris Reyes | [P] |
| Lee Berman | [P] | Charlie Goldensohn | [P] | Jailene Rodriguez | [P] |
| Solomon Blecher | [P] | Andrea Gordillo | [P] | Richard Ropiak | [P] |
| Thanh Bui | [P] | Angel Guzman | [A] | Jayleen Rosario | [A] |
| August Castelli | [P] | Herman Hewitt | [P] | Angel Sacarello | [A] |
| Karlin Chan | [P] | Trever Holland | [A] | Arnette Scott | [P] |
| Ariadna Chua | [P] | Vaylateena Jones | [P] | Clint Smeltzer | [P] |
| Vincent Cirrito | [P] | Ana Kakkar | [P] | Emma So | [A] |
| Eric Diaz | [P] | Nancy Kong | [P] | Sandra Strother | [P] |
| Alistair Economakis | [P] | Michelle Koppersmith | [P] | Daniel Tainow | [P] |
| Larry Fenn | [P] | Dianne Lake | [P] | Zachary Thomas | [P] |
| Tahisha Fields | [P] | Mae Lee | [P] | Josephine Velez | [P] |
| Nagnouma Fofana | [A] | Michael Levario | [P] | Kathleen Webster | [P] |
| John Fout | [P] | Jaja Liao | [P] | Guillermo Zubillaga | [P] |
| Kathryn Freed | [P] | Campbell Munn | [P] | | |
| Shawn Garcia | [A] | Indrani Nicodemus Rivera | [P] | | |

Minutes:

Minutes of March 2024 were approved, as is.

41 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Board Chairperson's Report:

Chairperson Andrea Gordillo – Welcoming new board members. New Member Party on June 23rd in the District Office
City of Yes text amendment will be discussed during July’s Land Use.
CB3 received a grant for parks
East River Waterfront, with both CB3 and CB2 – Townhall June 12

District Manager's Report:

District Manager Susan Stetzer Board members are not volunteers, board members are part time civil servant.
7th and 9th precicent are working to find locations for more bike parking, Community Boards will be working on District Needs and budget. Community Board Website on District Needs
City has received to revised disciplinary no longer allowed to write summons.

SLA topic – 200 foot rule was read and explained
Cananbis Taskforce mentioned the 1000 foot rule

Committee Reports:

Executive Committee

no vote necessary
Training on Youtube

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

1. Approval of previous month's minutes
approved by committee
2. Planning for panel discussion of organizations on bridging the needs of the homeless, unhoused and those facing housing instability in CD3
no vote necessary
3. Alliance for Positive Change: Informational presentation on organization's work
no vote necessary
4. School for Global Leaders: Informational presentation from School for Global Leaders
no vote necessary
5. CAB/CEC reports
no vote necessary
6. Vote to adjourn
approved by committee
Next hosting a Discussion panel on advocacy on homeless, June 6th, at Mount Sinai on Rivington Street

41 YES 0 NO 0 ABS 0 PNV MOTION PASSED

SLA & DCA Licensing Committee

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

Outdoor Dining NYC Applications

2. B&H Dairy Kosher Restaurant, 127 2nd Ave (sidewalk café)
administratively approved with stipulations
23. Whiskey Tavern, 79 Baxter St (roadbed dining)
administratively approved with stipulations

Alterations

3. 8282 (Lion Hospitality LLC), 84 Stanton St (op/method of operation: extend closing hours from 12am to 2am every night)

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

WHEREAS, Lion Hospitality LLC, doing business as 8282, is seeking method of operations change to their a full on-premises liquor license, in the premises located at 84 Stanton Street, between Allen and Orchard Street, New York, New York; and

WHEREAS, this is an application for an establishment with, 12 tables and 24 seats with one sixteen foot bar, with 14 seats, Kitchen open and serving Korean food all hours of operations, with French doors and recorded background music, and

WHEREAS, there are 35 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, The applicant has been operating this location since 2021, and had previously operated Pado at 199 2nd Avenue from 2017 – 2020. Neither locations had any complaints or issues; and

WHEREAS, We received a letter from one resident and from the Lower East Side Dwellers in support of this application; and

WHEREAS, 30 residents who live within two blocks of the location signed a petition in favor of the application; and

WHEREAS, Although this is a saturated area, this is a small location, this applicant has operated for three years as a full service restaurant with no complaints from the neighbors, and intends to continue operating with the same method of operation, for this reason we would approval an extension of their hours; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Lion Hospitality LLC, for the premises located at 84 Stanton Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a full service Korean restaurant with kitchen open and serving food all hours,
- 2) its hours of operation will be opening no later than 5:30 PM and closing by 2:00AM Monday through Friday and opening no later that 12:00PM and closing by 2:00AM Saturday and Sunday,
- 3) it will close all outdoor dining allowed under the temporary Open Restaurants program and any other outdoor 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 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, including boozy brunches, 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.

New Liquor License Applications

4. Bowery Oyster Bay (Entity to be formed by Brandon Boccellari), 1 Delancey St (op) withdrawn

5. Carlota (Dulce Ranger LLC), 14A Orchard St (upgrade to op) withdrawn

6. The Fear City Comedy Club (Entity to be formed by Johan E Ankarcrona), 17 Essex St (wb)

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

WHEREAS, entity to be formed by Johan E Ankarcrona, doing business the Fear City Comedy Club, is seeking a wine beer license, in the premises located at 17 Essex, between Hester Street and Canal Street, New York, New York; and

WHEREAS, this is an application for an establishment with of people, 1 table and 60 seats, Mexican food prepared in a food prep, serving food during all hours of operation, recorded music at background levels; and

WHEREAS, the location is not currently licensed; and

WHEREAS, There are eight full on premises licenses within 500 ft per the SLA lamp map

WHEREAS, the applicant has never previously been a license holder but has experience in the industry; and

WHEREAS, 6 residents who live within two blocks of the location signed a petition in favor of the application; and

WHEREAS, A resident appeared with concerns about another establishment serving alcohol, and that the back yard will not be used; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a wine beer license for entity to be formed by Johan E. Ankarcrona, for the premises located at 17 Essex Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a comedy club, with microwavable Mexican food prepared in a food prep area all hours,
- 2) its hours of operation will be opening no later than 5:00 P.M. and closing by 12:00 A.M all days,
- 3) it will not use outdoor space for commercial use,
- 4) it will install soundproofing if needed to prevent noise in neighboring apartments,
- 5) 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,
- 6) it will play ambient background music, consisting of recorded music and djs at background level, and will have live comedy shows, will not have live music, no more than 2 DJs per month, and no more than 12 private parties per year,
- 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, including boozy brunches, 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. Stylus NYC Inc, 48 Clinton St (op)

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

WHEREAS, Stylus NYC Inc. doing business as 'Stylus', is seeking a Private members club license, in the premises located at 48 Clinton Street, between Rivington Street and Stanton Street, New York, New York; and

WHEREAS, this is an application for a members-only Club for the Arts with two floors (ground floor and a cellar), up to 226 people (standing and seated), 28 tables and 86 seats with a stand-up bar, a full kitchen and food preparation area, serving food until 11:00 P.M. all days, no televisions, a projector on the ground floor, live music, DJs, and streaming music from a custom-designed speaker system; and

WHEREAS, there are 14 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, this is a previously unlicensed location that housed a music recording studio for over three decades; and

WHEREAS, the applicants have never held a liquor license; and

WHEREAS, this committee received four emails in support, three of which were from residents who live within two blocks; and

WHEREAS, 33 residents who live within two blocks of the location signed a petition in favor of the application; and

WHEREAS, although this is a previously unlicensed location, this application is for a private members club license, which has to be held by a nonprofit, this space will not be open to the public, it will be restricted to members, which gives them more control over the patrons. The space was previously a sound facility and they are adding additional soundproofing which will cause no impact to nearby residents; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a private members club license for Stylus NYC, Inc., for the premises located at 48 Clinton Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a private, members-only club for the arts, with a full-service kitchen serving small plates until 11 p.m. (all days),
- 2) its hours of operation will be opening no later than 9:00A.M. all days and closing by 12:00 A.M. Sunday-Thursday and 1:00 A.M. Fridays and Saturdays,
- 3) it will not use outdoor space for commercial use
- 4) it will have security only during private members events,
- 5) it will install soundproofing including, additional sheetrock; grout injection in the CMU walls; springs for walls; sound mat for concrete; insulation; interior fabric; door seals; mechanical silencers
- 6) 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,
- 7) it will have live music and DJs at entertainment level, scheduled performances, but no third-party promoted events or any events at which a cover fee is charged;
- 8) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 9) it will not host pub crawls or party buses,
- 10) it will not have unlimited drink specials, including boozy brunches, with food,
- 11) it will not have "happy hours,"
- 12) it will designate an employee for ensuring no loitering, noise or crowds outside,
- 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. Gather (BHA Enterprises Inc), 54 Orchard St (wb)

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

WHEREAS, BHA Enterprises Inc doing business as Gather, is seeking a wine and beer license, in the premises located at 54 Orchard St., between Grand St. and Hester St., New York, New York; and

WHEREAS, this is an application for an establishment with of 74 people, 7 tables and 21 seats with two bars, serving sandwiches, salads, and bowls during all hours of operation with no televisions and background music except during weekends which will have DJs for brunch; and

WHEREAS, there are 22 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, This location is currently unlicensed and currently operated by the applicant as a cafe; and

WHEREAS, this applicant has not previously held a license; and

WHEREAS, there were 1 commercial 311 complaints at this location with NYPD action necessary since 2018 (prior to this applicant opening); and

WHEREAS, 26 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 BHA Enterprises Inc doing business as Gather, for the premises located at 54 Orchard, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a restaurant, with brunch-style food served during all hours of operation,
- 2) its hours of operation will be opening no later than 8:00 A.M and closing by 12:00 A.M Mon – Fri and from 9:00 A.M. to 12:00 A.M. Sat and Sun,
- 3) it will close all outdoor dining allowed under the temporary Open Restaurants program and any other outdoor 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 background music and have a DJ at background level during brunch on weekends, and will not have live music, promoted events, cover charges or scheduled performances,
- 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, including boozy brunches, 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.

9. Jiang Kitchen (65 St Marks Inc), 65 St Marks Pl (op) (WITHDRAWN)
withdrawn

10. 97 Happy KTV Inc, 97 Bowery (op)

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

WHEREAS, 97 Happy KTV Inc., is seeking a full on-premises liquor license in the premises located at 97 Bowery, between Grand and Hester Streets, New York, New York; and

WHEREAS, this is an application for a Karaoke bar with 10 foot bar, 25 feet bar seats, and 14 karaoke rooms, full kitchen, serving food during all hours of operation, using ambient recorded background music; and

WHEREAS, this application was previously K-One Karaoke Bar; and

WHEREAS, there are 3 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, applicant has operated 98 Bowery with a full on-premises liquor license since 2017 with no noise complaints in the last several years; and

WHEREAS, 7 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 97 Happy KTV Inc, for the premises located at 97 Bowery Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) It will operate as a Karaoke Bar, with a kitchen open and serving food during all hours of operation,
- 2) Its hours of operation will be 4:00 P.M. to 4:00 A.M. daily,

- 3) 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,
- 4) It will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged, the karaoke rooms will have entertainment level music,
- 5) It will not apply for any alteration in its method of operation without first appearing before Community Board 3,
- 6) It will not have "happy hours,"
- 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 wait lines outside and will designate an employee responsible to oversee patrons on the sidewalk and ensure no crowds or noise outside,
- 10) It will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 11) It will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

11. Essex Chicken LLC, 115 Essex St (op)

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

WHEREAS, Essex Chicken, LLC., doing business as "Champion Pizza", is seeking a full on-premises liquor license, in the premises located at 115 Essex Street, between Delancey Street and Rivington Street, New York, New York; and

WHEREAS, this is an application for an establishment with up to 74 people, 10 tables and 20 seats, a full kitchen and food preparation area, serving food during all hours of operation, two small televisions and small speakers playing background music; and

WHEREAS, there are 35 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, this location is currently a pizza restaurant that is owned/operated by the applicant; from December 2020 through November 2022, this location was licensed for the sale of alcohol under the name "Clucks"; and

WHEREAS, this applicant, Hakki Akdeniz, has owned and operated a restaurant at this location for over four years;

WHEREAS, this Committee received two emails in opposition to granting a full liquor license from residents who live within a block;

WHEREAS, eight (8) 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 Essex Chicken, LLC., for the premises located at 115 Essex Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a restaurant, serving pizza and pasta at all times of operation,
- 2) its hours of operation will be opening no later than 11:00 A.M. and closing by 12:00 A.M. all days
- 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,
- 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, including boozy brunches, with food,
- 9) it may have "happy hours" until 8:00 P.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.

12. Arpeggio1 Hospitality LLC, 120 Orchard St (op)

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

WHEREAS, Arpeggio1 Hospitality LLC doing business as TBD, is seeking a full on-premises liquor license through a sale of assets, in the premises located at 120 Orchard, between Delancey and Rivington St, New York, New York; and

WHEREAS, this is an application for an establishment with of 279 people, 18 tables and 103 seats with 2 bars one in cellar and one on first floor with 16 seats, serving Italian food during all hours of operation in a food prep area with no televisions and background ambient; and

WHEREAS, there are 28 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, the location is currently licensed to 120 Orchard Bar LLC and will transfer the license through a sale of assets; and

WHEREAS, the location has a long history of problems, 13 Little Devils was approved as a nightclub by the SLA without coming to CB3, the gallery bar was raided by the police and closed after being declared a public nuisance, Max Fish was a problem with noise, crowds and violence,

WHEREAS, the applicant has not previously held a license and has over 25 years in the hospitality business; and

WHEREAS, there were 4 commercial 311 complaints at this location with NYPD action necessary since 2018; and

WHEREAS, 8 residents and the Lower East Side Dwellers submitted letters in oppositions to this application; and

WHEREAS, 6 residents spoke in oppositions to this application due to the problems at this location, and the problems in the surrounding neighborhood; 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 Arpeggio1 Hospitality LLC doing business as TBD, for the premises located at 120 Orchard St, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a bar/tavern, with Italian food prepared in a food prep area during all hours of operation,
- 2) its hours of operation will be 2 :00 P.M. to 1:00 A.M. Mon - Thursday; 2:00 P.M. to 2:00 A.M. Fri; 12:00 P.M. to 2:00 A.M. Saturdays; 12:00 P.M. to 1:00 A.M. Sundays,
- 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 have 1 security personnel during the week and 2-4 on the weekends,
- 6) it will install soundproofing in the basement,
- 7) it will play ambient background music only at all times, and will have recorded music, djs and acoustic, unamplified live music, but will not have third-party promoted events, scheduled performances or any event at which a cover fee will be charged. Live music and DJ will be at background, conversational level (maximum) at all times.
- 8) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 9) it will not host pub crawls or party buses,
- 10) it will not have unlimited drink specials, including boozy brunches, with food,
- 11) it may have "happy hours" until 7:00 P.M. each night
- 12) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside],
- 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
- 15) it will ensure that live music will consist of acoustic, unamplified music (without drums) only, live music will end by 11:00 PM all days.

13. Lucy's (LUCYSNYC LLC), 135 Ave A (op)
withdrawn

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

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

WHEREAS, El Primo Red Tacos NYC LLC, doing business as Tacos el Porky, is seeking Beer/wine license, in the premises located at 151 Avenue A, between 9th and 10th Streets, New York, New York; and

WHEREAS, this is an application for an establishment with of less than 74 people, 5 tables and 10 seats with a full kitchen serving tacos during all hours of operation, no tvs and accordion windows, and background recorded music; and

WHEREAS, this applicant originally applied to the Community board in August of 2020 but refused to appear before the Committee, and

WHEREAS, This locations was previously unlicensed, as a pizza shop; and

WHEREAS, The applicant has never held a license or worked in New York, but has had a business in Miami, FL and held a license there; and

WHEREAS, We have received a petition in opposition to the backyard use, and late night/early morning hours, signed by 143 nearby residents. The neighbors state that the applicant has been using the backyard for staff use, including cleaning mats, pots and pans and other kitchen equipment late at night causing noise and disturbances, as well as letters in opposition from the church next door, and

WHEREAS, We have received complaints about the applicant giving away and selling margaritas and shots. The applicant states that it was wine/agave based tequila. We have photos of the applicant advertising these drinks, as well as a menu submitted that lists margaritas and shots, with no mention that it is agave based. A resident asked the staff about the drinks and was told that it was real tequila and triple sec and shown a bottle of triple sec, and

WHEREAS, Five residents, including a representative from the 9th St A1 Block Association, a Co-owner representing residents of 149 Avenue A, and a representative from a condo association at 272 E. 10th street appeared to speak in opposition to the late night hours and any use of the back yard,

WHEREAS, Two 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 El Primo Red Tacos LLC, for the premises located at 151 Avenue A, 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 tacos served during all hours of operations,
- 2) its hours of operation will be opening no later than 2:00PM and closing by 10:00PM Sunday through Thursday and opening no later than 2:00 PM and closing by 1:00AM Friday and Saturday,
- 3) it will not use the backyard space for commercial use at all, and will not use the backyard space for operational use after 11:00PM and will close all outdoor dining allowed under the temporary Open Restaurants program and any other outdoor 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, it may have 6 private parties a month,
- 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, including boozy brunches, 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, and
- 13) it will not use the backyard for commercial use at all, and will not use the back yard for operational use after 11:00PM.

- 15. Basketball City (Great Performances / Artists as Waitresses Inc & Basketball City New York LLC), 299 South St (Pier 36) (op)
withdrawn

Items not heard at Committee

- 16. Holiday Cocktail Lounge (75 Saint Marks Place LLC), 75 St Marks Pl (op/alt: license backyard)
administratively denied due to non-compliant zoning
- 17. Joey Roses (Joey Roses LLC), 174 Rivington St (op/corp change)
administratively approved
- 18. Cherry Tavern (Cherry Tavern Inc), 441 E 6th St (op/corp change)
administratively approved
- 19. Mountain House NY LLC, 19-23 St Marks Pl (Upper Level) (wb)
administratively approved
- 20. Verace Pizza & Wine LLC, 40 Rivington St (wb)
administratively approved
- 21. Shinzo Omakase Inc, 89 E 2nd St (wb)
administratively approved
- 22. Lesny Hospitality Corp, 249 Broome St (wb)
withdrawn
- 24. Vote to adjourn
approved by committee

39 YES 2 NO 0 ABS 0 PNV MOTION PASSED (excluding SLA items 6, 7, 8, 12, 14)
 38 YES 3 NO 0 ABS 0 PNV MOTION PASSED (SLA item 6)
 38 YES 3 NO 0 ABS 0 PNV MOTION PASSED (SLA item 7)
 38 YES 3 NO 0 ABS 0 PNV MOTION PASSED (SLA item 8)
 35 YES 6 NO 0 ABS 0 PNV MOTION PASSED (SLA item 12)
 36 YES 5 NO 0 ABS 0 PNV MOTION PASSED (SLA item 14)

Land Use, Zoning, Public & Private Housing Committee

- 1. Approval of previous month's minutes
approved by committee
- 2. DCP: informational presentation on City of Yes: Housing Opportunity citywide text amendment
no vote necessary
- 3. George Janes: informational presentation on City of Yes: Housing Opportunity issues for CB 3
withdrawn
- 4. EDC / Delancey Assoc: Updates on Market Line and Essex Crossing Sites 9 & 10
no vote necessary
- 5. Vote to adjourn
approved by committee

41 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Transportation, Public Safety, Sanitation & Environment Committee

- 1. Approval of previous month's minutes
approved by committee
- 2. DOT: Chinatown Connections / Park Row
no vote necessary
- 3. Request that DOT perform pedestrian safety study for intersection at 10th St and Avenue C
VOTE: TITLE: Request that DOT perform pedestrian safety study for intersection at 10th St and Avenue C

WHEREAS, on February 6, 2024, Merle Ratner, an East Village resident well known for her community and social justice activism, was hit, and killed by a tow truck at the intersection of Avenue C and East 10th Street in Community District 3, which generated calls from residents for safety measures at this intersection with a history of traffic accidents; and

WHEREAS, a review of traffic accidents at this intersection revealed a history of being consistently dangerous for both pedestrians and motorists alike: there has been a total of 13 collisions between

March 2019 and March 2024 resulting in 10 injuries and 2 deaths¹ due to Driver Inattention/Distracted and Improper Passing or Lane Usage, making it one of the most dangerous intersections in the East Village; and

WHEREAS, the street geometry at the intersection is irregular with both 10th St and Avenue C changing width on either side. The double yellow line does not line up as you pass through the intersection and DOT has painted dashed lines through the intersection to help vehicles, buses, and bicycles visualize where they should be going; and

WHEREAS, the two fatalities occurred 5 months apart (9/4/23 and 2/5/24) and highlight a pressing need for safety measures in the intersection before more collisions result in fatalities; so

THEREFORE, BE IT RESOLVED that Community Board 3, Manhattan requests that DOT perform a pedestrian safety study based on the police reports on the many incidents for the intersection at East 10th Street and Avenue C to implement pedestrian and vehicle safety measures.

4. LES Ecology Center: Request for support for restoration of funding for the NYC Compost Project

VOTE: TITLE: Request for support for restoration of funding for the NYC Compost Project

WHEREAS, The NYC Compost Project was created by the NYC Department of Sanitation (DSNY) in 1993 to rebuild NYC's soils by providing New Yorkers with the knowledge, skills, and opportunities needed to make and use compost locally and implemented by DSNY-funded teams including Lower East Side Ecology Center; and

WHEREAS, the Lower East Side Ecology Center provides food scrap collection in CB3, as well as outreach and education, and is part of a network of 200 drop-off sites; and

WHEREAS, the Executive Budget is cutting 100% of the funding for NYC Compost Project, which will result in the elimination of all community composting and outreach programs and the loss of 115 green jobs in NYC; and

WHEREAS, community composting in NYC provides local compost processing capacity and is critical to education of NYC residents on the benefits and necessity of composting; and

WHEREAS, community composting programs offer free finished compost to parks and community groups for local stewardship of street trees, rain gardens and other public green spaces; so

THEREFORE, BE IT RESOLVED that CB3 believes the full funding in fiscal year 2025 and beyond, of the NYC Compost Project by Department of Sanitation is necessary for overall health of our environment including climate adaptation and resiliency.

5. Vote to adjourn
approved by committee

41 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding Transportation item 4)

40 YES 0 NO 0 ABS 1 PNV MOTION PASSED (Transportation item 4)

Parks, Recreation, Waterfront, & Resiliency Committee

1. Approval of previous month's minutes
approved by committee
2. Parks Manager Update
no vote necessary
3. EDC: Informational presentation on Blue Highways at Pier 36
no vote necessary
4. DEP: Informational presentation on DEP's Bureau of Coastal Resilience
no vote necessary
5. DDC: ESCR/BMCR update
no vote necessary
6. Parks: Presentation on proposed plan for renovation of Corlears Hook Park playground

VOTE: TITLE: Support for the Corlears Hook Playground Renovation

¹ Jones-Hall, V., Community Ambassador Manhattan South, NYPD. Email communication re: 5-7-9 Precinct Accident Reports and Collision Prone Locations 2019-2024 YTD, April 11, 2024.

WHEREAS, Department of Parks and Recreation has proposed plans for the renovation of the Corlears Hook Playground as part of the East Side Coastal Resiliency, located on Jackson Street, Cherry Street, and FDR Drive in Community District 3 that aim to address the following goals:

- Create a thriving public space with options for passive and active recreation,
- Upgrade play equipment for 2-5 and 5-12 year old play areas,
- Provide spray shower for summer cooling and recreation,
- Develop a passive seating area and gathering space,
- Provide interactive play elements such as game tables or ping pong; and

WHEREAS, the following Project Priorities were identified at the Parks Partners Listening Session: Play, Security, Water, Green, Seating, and Adult Features; and

WHEREAS, the proposed plan will include the following to address community issues:

- More site lighting, and create a buffer between play area and dog run,
- Create water play areas and install a drinking fountain with bottle filler,
- Preserve existing trees and add new canopy and ornamental trees,
- Increase permeability from 11% to 19% with increased permeable surfaces and site appropriate resilient plant material, among other sustainable practices,
- Add more benches, tables, and accessible seating; and

WHEREAS, \$1 million in capital budget allocations for the project (\$450k from Councilmember Carlina Rivera in FY21 and \$550k from Borough President Gale Brewer in FY22) has already been secured; so

THEREFORE, BE IT RESOLVED, that CB3 supports the renovation of Corlears Hook Playground with the following conditions:

- Adding additional Big Belly trash cans or similar waste receptacles
- Adding seatbacks to some of the seating areas
- Continuing the outreach to local neighbors and CB3 throughout the design and construction
- Installing a decorative fence as a buffer between the play area and the dog run; and

THEREFORE, BE IT FURTHER RESOLVED, that the \$1 million already earmarked for this project should be used to supplement any additional costs of the playground renovation and/or for other capital improvement projects within Corlears Hook Park.

7. Vote to adjourn
approved by committee

41 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding Parks item 6)
40 YES 0 NO 0 ABS 1 PNV MOTION PASSED (Parks item 6)

Vote to adjourn

41 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Members Present at Last Vote:

| | | | | | |
|---------------------|-----|--------------------------|-----|---------------------|-----|
| David Adams | [P] | Ryan Gilliam | [P] | Grauen Olivares | [P] |
| Sarah Rose Batchu | [P] | Debra Glass | [A] | Damaris Reyes | [P] |
| Lee Berman | [P] | Charlie Goldensohn | [P] | Jailene Rodriguez | [P] |
| Solomon Blecher | [P] | Andrea Gordillo | [P] | Richard Ropiak | [P] |
| Thanh Bui | [P] | Angel Guzman | [A] | Jayleen Rosario | [A] |
| August Castelli | [P] | Herman Hewitt | [P] | Angel Sacarello | [A] |
| Karlin Chan | [P] | Trever Holland | [A] | Arnette Scott | [P] |
| Ariadna Chua | [P] | Vaylateena Jones | [P] | Clint Smeltzer | [P] |
| Vincent Cirrito | [P] | Ana Kakkar | [P] | Emma So | [A] |
| Eric Diaz | [P] | Nancy Kong | [P] | Sandra Strother | [P] |
| Alistair Economakis | [P] | Michelle Koppersmith | [P] | Daniel Tainow | [P] |
| Larry Fenn | [P] | Dianne Lake | [P] | Zachary Thomas | [P] |
| Tahisha Fields | [P] | Mae Lee | [P] | Josephine Velez | [P] |
| Nagnouma Fofana | [A] | Michael Levario | [P] | Kathleen Webster | [P] |
| John Fout | [P] | Jaja Liao | [P] | Guillermo Zubillaga | [P] |
| Kathryn Freed | [P] | Campbell Munn | [P] | | |
| Shawn Garcia | [A] | Indrani Nicodemus Rivera | [P] | | |

Meeting Adjourned