



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

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Alysha Lewis-Coleman, Board Chair

Susan Stetzer, District Manager

July 2019 Full Board Minutes

Meeting of Community Board 3 held on Tuesday, July 23, 2019 at 6:30pm at MS 131, 100 Hester Street.

Public Session:

Melissa Sendel & Sam Rafe – Alliance Lower east side Harm Reduction Center. They provide many services, and are moving to the LES, 35 E. Broadway. They want to work together to fight the drug epidemic. They have a variety of services, free of cost.

Chui Min Lei – Manager Community Affairs NY Presbyterian, Lower Manhattan hospital. They are doing focus groups to share concerns or gather input.

Vaylateena Jones, LES power partnership. They are having a meeting on August 12th, Mt Sinai/BI has submitted their certificate of need.

Daniel Hilleman, Ryan Nina, they are having an event Roted in the LES event. August 7, 11-4.

Christine Datz Romero – Exec Director of LES ecology Center – The ESCR and design, they have not heard any details from EDC about the future of the fire boat house. This is the only structure that will remain in the park. They would like to see other solutions.

Harry Bubbins – Village Preservation – RAL development has donated the maximum amount to the Mayors campaign. The tech hub was approved with stipulations and none of which have been implemented, hotel restrictions, tenant protections. 3&4 St, Marks is continuing through the ULURP process for an oversized office tower.

Eileen Bertcher- LKnickerböcker Village TA – in support of the Tanahey renovations. They want the upgrades and renovations, sidewalks and improvements. They want it to be safe. They teach kids how to play.

John Walker – opposed to the demolition of Moffo rink. It has been there for over 10 years. There is a full scale league in place that uses it multiple days a week.

Marcella Coulson – opposed to the development of Moffo rink. There is a women's collective initiative for players in the sport. They want a replacement for the rink.

Zac Hogg - Opposed to the demolition of Moffo rink. This rink is a standard ball hockey rink, the only one in Manhattan. Parks has not provided an option. Parks is working on a replacement, but it won't be around for a year or two.

Leonidas Tolia – Concerns not only on the impact of the ball hockey community, it will impact other residents. Local residents make use of the space all hours. With the soccer fields proposed, the local residents will not be able to use them.

Public Officials:

Mayor Bill de Blasio, Gabrielle Dann-Allel: None

Public Advocate Jumaane Williams: none

Comptroller Scott Stringer, Michael Stinson: None

Borough President Gale Brewer, Brian Lewis: Held an ESCR public hearing in July 17. The Borough Board voted to approve with conditions today. The next step is DCP will vote on July 31. Borough based jails resolution is available on their website. We will continue to push Mt. Sinai to take united health care. Held a public hearing on Zoning loopholes. We are continuing work on the census. The vacant storefront registry passed today. The summer meals program continues. Dominican day parade kick-off event. An immigrant service provider forum, know your rights on August 5th. African American day parade on September 15.

Congressmember Nydia Velazquez, Ling ---: A lot has happened this month, CM has joined her colleagues to stop all nonessential helicopter flights. She is leading the effort to restore two way tolling on Verrazano Bridge to reduce congestion. The threat of ICE raids, has joined to visit the border at Texas to ensure we will fight for immigrant rights. We are holding Know your rights workshops.

Congressmember Carolyn Maloney, Victor Montesinos: None

Assemblymember Yuh-Line Niou, Shivani Gonzalez: We scooped ice cream at Laguardia family days, marched in the Pride Parade. Had a meeting with 1st precinct regarding illegal ticket selling, for ferries. July 29th holding a housing and rent law town hall.

Assemblymember Deborah J. Glick, Charlie Anderson: On July 10, we hosted a SCRIE and DRIE signup event. We had 48 attendees. Participated with the red cross to install smoke alarms.

Assemblymember Harvey Epstein, Mike Schweinsburg:

State Senator Brian Kavanagh, Greer Mayhew: If there are any events you wabnt Sneator to attend please let us know.

State Senator Brad M. Hoylman, Zach Duffy: A nonprofit bought the boys club, we hear it will be used for community purposes. Holding a shred evcent, July 31, at the 14th street loop in Stuyvesant town. We had the Governor sign a bill to provide tax returns for any elected official.

Councilmember Margaret Chin, Marian Guerra: The Council passed resolution to permanently extend the 9/11 first responders act. We introduced legislation to protect tenants displaced by vacate orders. We have a new date, August 25 for the governors island event for the bike helmet give away. Are providing SCRIE assistance and legal services.

Councilmember Carlina Rivera, Sheila Rodriguez: We are now located at 254 E. 4th st. We have a resource fair coming up on July 30. CM continues to press for more answers on the ESCR and accept the CB's recommendations. The office is receiving many calls from Baruch houses about resiliency work and issues.

Members Present at First Vote:

| | | | | | |
|---------------------|-----|----------------------|-----|-------------------|-----|
| David Adams | [P] | Herman Hewitt | [A] | Nancy Ortiz | [A] |
| Yaron Altman | [P] | Trever Holland | [P] | Michael Perles | [P] |
| Jesse Beck | [P] | Linda Jones | [P] | Paul Rangel | [P] |
| Dominic Berg | [P] | Vaylateena Jones | [P] | Carolyn Ratcliffe | [P] |
| Lee Berman | [P] | Tatiana Jorio | [A] | Damaris Reyes | [P] |
| Victoria Berrios | [P] | Meghan Joye | [P] | Richard Ropiak | [P] |
| Lisa Burriss | [A] | Lisa Kaplan | [P] | Robin Schatell | [P] |
| Karlin Chan | [P] | Olympia Kazi | [A] | Heidi Schmidt | [A] |
| Jonathan Chu | [P] | Joseph Kerns | [A] | Laryssa Shainberg | [P] |
| David Crane | [P] | Michelle Koppersmith | [P] | Clint Smeltzer | [P] |
| Felicia Cruickshank | [P] | Mae Lee | [P] | Anisha Steephen | [P] |
| Paul DeRienzo | [A] | Alysha Lewis-Coleman | [P] | Sandra Strother | [P] |
| Eric Diaz | [A] | Han Lo | [A] | Josephine Velez | [P] |
| Alistair Economakis | [A] | Ellen Luo | [P] | Rodney Washington | [A] |
| Shirley Fennessey | [P] | Michael Marino | [P] | Kathleen Webster | [P] |
| Ryan Gilliam | [A] | Alexandra Militano | [P] | Jacky Wong | [A] |
| Debra Glass | [A] | Therese Mitchell | [P] | | |

Minutes:

Minutes of May 2019 were approved, as is.

34 YES 1 NO 0 ABS 0 PNV MOTION PASSED

June 2019 – during the public session Val spoke on behalf of the Lower east side Power partnseship in support of the Flood protection and other requiremnts that positiuvely impaxct the community.

Under New business – VaL Jones gave an update from the world trade center health program survivcors steering committee.

Board Chairperson's Report:

Chairperson Alysha Lewis-Coleman

Thank you to everyone that worked on the ESCR, Borough board approved it today. Please visit Governors island if you want to get away. The Exec committee had a training and we are going to continue to look for training that will benefit everyone. We are hoping to have trainings on SLA issues, and Roberts Rules. We are looking for a seasoned member to help out new members. Michael Marino, our second vice-chair will be handling attendance.

District Manager's Report:

District Manager Susan Stetzer

There is a code red for homeless, extreme heat. Please call 311 and report homeless in need of services if we have another heat wave. We are voting on District Needs Statement tonight, it is the story of our community. It will be submitted to the city in October. We were chosen by the city to focus on rat problems, we did not reach goals this year. The big challenge is mostly private property owners.

Committee Reports:

Executive Committee

no votes necessary

Personnel and Board Member Matters Task Force

- 1. Pay increase for the Community Board 3 Community Associate, Edwin Chan

VOTE: To approve CB 3 staff salary increase for Community Associate Edwin Chan

Whereas, Community Board 3 has funds in its "Personnel Services" budget that the Office of Management and Budget has confirmed is baselined funding that will continue year over year to put toward a salary increase for Edwin Chan; and

Whereas, Edwin Chan has been a Community Associate at CB 3 for the past 21 years; and

Whereas, Edwin has in the last several years, on his own initiative, taken responsibility for managing several administrative functions, including but not limited to: managing fiscal year closeouts, managing the Financial Management System, managing the CB 3 website, managing all paperwork for the office lease, managing the ordering of office supplies and the city vendor accounts; and

Whereas, Edwin has taken over these responsibilities in a very competent manner and with a positive attitude; and

Whereas, Edwin was given a small increase from \$42,565 to \$44,000 plus \$1,300 longevity in July, 2018 and has also received a City negotiated increase; so

Therefore, Be It Resolved that Edwin Chan should receive an approximate 4.4% raise from \$45,008 to \$47, 008 plus \$1,300 longevity.

- 2. Pay increase for the Community Board 3 Assistant District Manager, James Shelton

VOTE: To approve CB 3 staff salary increase for Assistant District Manager James Shelton

Whereas, Community Board 3 has funds in its "Personnel Services" budget that the Office of Management and Budget has confirmed is baselined funding that will continue year over year to put toward a salary increase for Jim Shelton; and

Whereas, the Assistant District Manager is unquestionably dedicated to the Board and community that he works in; and

Whereas, he has shown exceptional research, analysis, and provided the Board with substantive information and draft resolutions, especially in the area of zoning and housing policy; and

Whereas, Community Board 3's Assistant District Manager, James Shelton, has not received a discretionary raise since being hired in July, 2018; so

Therefore, Be It Resolved, that Community Board 3 approves a base salary increase of \$2,000 for the Assistant District Manager from \$53,170 to \$55,170, an approximate 3.7% increase.

34 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Economic Development Committee

- 1. Approval of previous month's minutes
approved by committee
- 2. Finalize Special District outreach plan
no vote necessary
- 3. District Needs Statement
no vote necessary
- 4. Report from Arts & Cultural Affairs Subcommittee
no vote necessary
- 5. Vote to adjourn
approved by committee

34 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Transportation, Public Safety, & Environment Committee

- 1. Approval of previous month's minutes
approved by committee
- 2. DOT presentation: Gateways to Chinatown project
no vote necessary
- 3. District Needs Statement
VOTE: To approve the District Needs Statement.

Block Parties

- 4. Third Street Music School Settlement Block Party, East 11 St (2nd Ave & 3rd Ave), 9/28
VOTE: Whereas the Third Street Music School wants to host a block party to celebrate its 125th anniversary on Saturday, September 28 on the block of 11th street between 2nd and 3rd Avenues.

The event will be from approximately 11 am to 5 pm with shoulder time for set up and shut down, as sufficient.

- 5. Vote to adjourn
approved by committee

Parks, Recreation, Waterfront, & Resiliency Committee

- 1. Approval of previous month's minutes
approved by committee
- 2. EDC: Minor modifications to Basketball City Entrance
no vote necessary
- 3. EDC: Pier 42 upland park design Phase 1B
VOTE: TITLE: To Support the Pier 42 Upland Design Phase 1B

WHEREAS, Pier 42, located along the East River, is being redeveloped as to reclaim waterfront area as a park and create a resilient waterfront; and

WHEREAS, the rehabilitation of Pier 42 has for many years been the CB 3 # 1 capital budget priority for the community; and

WHEREAS, Phase 1A of the project is focused on the area of Pier 42 that includes the former warehouse shed; and

WHEREAS, Phase 1B of the project is focused on the upland area from Montgomery Street to the southern boundary of East River Park, south of the FDR Drive; and

WHEREAS, Phase 1B will increase the total permeable surface area at Pier 42, which currently consists of 88.22% impervious surface area (130,672 square feet), and will be reduced to 35.4% impervious surface area (52,440 square feet); and

WHEREAS, Phase 1B will include Solar LED Lighting within the park, to be coordinated with tree locations to not restrict light collection and output; and

WHEREAS, the solar Big Bellies will have foot pedals for ease of use: and

WHEREAS, certain elements of the park itself including the comfort station and picnic knoll will be located in elevated areas to account for flood risk and mitigate damage in a flood scenario; and

WHEREAS, during the Pier 42 Phase 1B construction, access to the New York City ferry stop at Corlears Hook will be maintained; and

WHEREAS, the Pier 42 construction footprint has been altered to ensure there is no conflict between the project construction and entrance to Basketball City, which will also be undergoing minor modifications; and

WHEREAS, there will be new pathways added for maintenance access on the elevated deck; and

WHEREAS, at the eastern end of Pier 42, there will be coordination with the ESCR design to create a gradual transition between the two parks, rather than a district retaining wall separating them; and

WHEREAS, the fiberglass seals and turtles currently in East River Park will be replicated with bronze figures and Parks; and

WHEREAS, Parks will continue to work with the original artist who designed the seals and turtles in East River Park to explore relocation to Pier 42: and

THEREFORE BE IT RESOLVED, that Community Board 3 supports the updated Pier 42 Upland Design Phase 1B.

4. DDC: ESCR preliminary design presentation

VOTE: TITLE: ESCR Preliminary Design

WHEREAS, to address vulnerability to coastal flooding and sea level rise, the City of New York is proposing to construct the East Side Coastal Resiliency Project (ESCR), an integrated coastal flood protection system along a portion of the east side waterfront of Community District 3 from Montgomery Street to 14th street; and

WHEREAS, the proposed flood protection system will be installed primarily on City property, including parkland and city street rights-of-way, including a proposed reconstruction of East River Park; and

WHEREAS, in March 2018, Community Board 3 approved of preliminary park redesign plans with a number of conditions attached; and

WHEREAS, in October 2018, after several years of outreach and coordination, the City unveiled a significantly redesigned proposal for the ESCR project that differed from previous iterations; and

WHEREAS, in this new design iteration, several concerns from the March 2018 presentation were addressed in the redesign, including:

- Providing basketball courts both North and South of Houston street
- Lowering of the erected fencing above the barrier areas and to examine more aesthetic designs for this fencing
- Adding more plantings to the concrete barrier areas with an emphasis on increasing overall greenery, shading and reducing exposed concrete; and
- Providing Solar energy lighting along the East River Park Esplanade in appropriate areas
- Preventative measures to discourage skateboarding in design criteria

WHEREAS, the preliminary designs for the ESCR have several elements that were not in the March 2018 plan, including:

- Moving the line of flood protection east toward the river and raising the entire park 8-9 feet above its current elevation to 16.5 feet above sea level
- Adding an access bridge at Corlears Hook
- Adding a total of 1,442 trees (compared to 1,180 trees in the previous design)
- Adding a flyover bridge at the north end of East River Park
- Reconstructing the East River esplanade, including relocation of embayments with direct waterfront access
- Increasing active open space by 2.87 acres and decreased passive open space by 2.87 acres
- Expanding and renovating the 10th Street playground
- Additional BBQ areas in the southern portion of the park
- Enhanced ADA accessible outdoor fitness and challenge area for all groups
- Revisions to the highway fences along the bridges to minimize blocking view corridors

- Relocation and reconstruction of the East River Park Amphitheater
- New Parks buildings, including:
 - A 1,800 SF Tennis House
 - A 5,540 SF Track House
 - An 800 SF Comfort Station at East 10th Street

WHEREAS, in June 2019, Community Board 3 voted to approve with conditions the East Side Coastal Resiliency project; and

WHEREAS, the redesign of the bridge landing area in Corlears Hook Park should reflect the needs of the Friends of group and local residents and allow for a paved event space; and

WHEREAS, Parks continues to discuss the design of the Fire Boat house with the Lower East Side Ecology Center; and

WHEREAS, no final design for the new amphitheater has been presented to CB3 despite the formation of a working group; and

WHEREAS, despite this approval, CB 3 still has serious concerns about the preliminary design of the East Side Coastal Resiliency Project, including:

- Wind energy lighting with appropriate education opportunities for people of all ages
- More signage and wayfinding in the Park to reflect and identify resiliency
- More use of recycled items with an emphasis on world class design
- Reemphasizing that the community demands a world class, site specific, destination park with design elements that reflect these community expectations; so

THEREFORE BE IT RESOLVED, that Parks and DDC return to CB3 before presenting any final designs to PDC and update the committee on designs for the Fire Boat house and the amphitheater; and

THEREFORE BE IT FURTHER RESOLVED, that Parks and EDC address the needs of seniors when designing the amphitheater; and

THEREFORE BE IT FURTHER RESOLVED, that Parks and DDC include permeable pavers where appropriate and increase overall garden square footage; and

THEREFORE BE IT FURTHER RESOLVED, that Community Board 3 conditionally supports the preliminary ESCR design.

5. Proposed installation of a synthetic turf field at Tanahey Playground (ESCR-related improvement)

VOTE: TITLE: To Support the Proposed Installation of a Synthetic Field at Tanahey Playground (ESCR-related improvement)

WHEREAS, due to the closure of East River Park for the construction of the East Side Coastal Resiliency project, the City is proposing improvements at a number of additional area parks to mitigate the loss of open space, recreation areas, and park access; and

WHEREAS, one of these parks is the Tanahey Playground, located on Cherry Street between Market Slip and Catherine Slips; and

WHEREAS, this proposal would include the removal of the current hockey rink and one basketball court, to be converted to a synthetic turf soccer field; and

WHEREAS, this is a much needed resource in the community to accommodate the large demand for not-for-profit youth sports organizations; and

WHEREAS, Parks has prioritized finding space for local youth groups to minimize disruption and travel; and

WHEREAS, Parks has done outreach to Knickerbocker Village, which directly surrounds the park and they are generally supportive of the improvements; and

WHEREAS, Parks will continue to do outreach including nearby Smith Houses; and

WHEREAS, the other two basketball courts would remain and both will be resurfaced, and would continue to be open for other drop-in activity such as tai-chi, as they are now; and

WHEREAS, a fence would go up around the sports area, with a gate that will be locked at night; and

WHEREAS, Parks will use solar generators for lighting to minimize noise and pollution and end all sports activities by 9pm or earlier; and

WHEREAS, these long-awaited and much needed improvements at Tanahey Playground would include spruce-ups to seating areas, plantings, painting, and improved overall lighting; and

WHEREAS, Parks is working with DOT for sidewalk reconstruction around the park's perimeter; and

WHEREAS, Parks will improve conditions at the dog run; so

THEREFORE BE IT RESOLVED, to strongly encourage Parks to find an acceptable temporary and a permanent relocation option to accommodate the adult street hockey leagues and to ensure an outcome that works well for the leagues use; and

THEREFORE BE IT FURTHER RESOLVED, that Parks install solar Big Bellies with foot pedals in high traffic areas; and

THEREFORE BE IT RESOLVED, that Community Board 3 supports the proposed installation of a synthetic turf field at Tanahey Playground and related improvements.

6. District Needs Statement

VOTE: To approve the District Needs Statement.

7. Vote to adjourn

approved by committee

34 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding Parks items 4, 5)

32 YES 1 NO 0 ABS 1 PNV MOTION PASSED (Parks item 4)

34 YES 3 NO 0 ABS 1 PNV MOTION PASSED (Parks item 5)

Land Use, Zoning, Public & Private Housing Committee

1. Approval of previous month's minutes

approved by committee

2. Request for support for Community Healthcare Network's request to EDC to abate current rent at City-owned property to allow CHN to sign lease and build out of new space due to current building demolition for Essex Crossing

VOTE: TITLE: Request for Rent Abatement for Community Healthcare Network's 150 Essex Street location

Whereas, the Community Healthcare Network (CHN) Lower East Side Center is a federally qualified health center, a community-based organization that provides comprehensive primary care and preventive care, including health, oral, and mental health/substance abuse services to persons of all ages, regardless of their ability to pay or health insurance status, and

Whereas, federally funded health care services are a critical component of the health care safety net, and

Whereas, CHN, which has been serving the Lower East Side since 1972, is currently serving approximately 7,000 patients per year. Over 50% of these patients are from the Lower East Side, primarily zip codes 10002 and 10009, with another large group commuting to school or work on the Lower East Side, and

Whereas, CHN has a lease at 150 Essex Street which terminates in December 2021, and

Whereas, Community Board 3 passed a resolution in November, 2018 reflecting its position that CHN provides vital services to the community and requesting that the City support the relocation of CHN prior to the lease termination, and

Whereas, CHN has identified a replacement site for its health center, but the move will result in significant build-out costs and increased operating costs associated with a higher rent and a larger space, and

Whereas, no other viable replacement site has been identified by CHN or the City, and

Whereas, CB3 believes that the loss and displacement of CHN would cause great harm to the community dependent on this critical component of the health care safety net for the Lower East Side, and

Whereas, CHN needs to execute a lease imminently to obtain control over this replacement site, and such lease will immediately commit CHN to new rent payments at this replacement site, and

Whereas, CHN anticipates needing at least one year to identify the capital sources for the build out of the replacement site, and

Whereas, there is a precedent that Essex Market vendors were given rent abatement this year (2019) in the same Essex Crossing Development to mitigate their financial stress before moving into the new site, so

Therefore Be It Resolved, CB3 supports CHN request to abate CHN's rent (or otherwise hold CHN harmless for its rent payments) at 150 Essex Street through lease termination so that these funds can instead be used to partially fund rent payments at CHN's replacement site or to otherwise provide assistance that will allow CHN to fundraise to make up for the buildout and higher rent; and

Be It Further Resolved, CB3 supports CHN request for the allocation of municipal capital funds required to build out new space for a relocated CHN facility, including new market tax credit allocations or other means of supporting CHN's efforts to finance the build out.

3. HPD / DCP Informational (pre-certification) presentation: Minor Modification of the Seward Park Extension Large Scale Residential Development Plan (LSRD). This modification will separate a portion of the Seward Park Extension LSRD that overlaps with the Essex Crossing Large Scale General Development, and subdivide the Seward Park Extension LSRD into two LSRDs

no vote necessary

4. DCP: Zoning Text Amendment N190408 ZRY - Update of Privately Owned Public Spaces symbol, signage requirements, and use of moveable tables and chairs in plazas and arcades

VOTE: TITLE: Zoning Text Amendment N190408 ZRY - Update of Privately Owned Public Spaces symbol, signage requirements, and use of moveable tables and chairs in plazas and arcades

WHEREAS, the New York City Department of City Planning (DCP) has proposed an amendment to the Zoning Resolution related to signage and amenities in privately owned public spaces (POPS); and

WHEREAS, this would (1) facilitate the updating of the existing POPS symbol; (2) require public space signage in various POPS; and (3) permit publicly accessible moveable tables and chairs to be placed in plazas and arcades where they are currently prohibited; and

WHEREAS, the provision of POPS allows developers to receive floor area bonuses in medium- to high-density commercial district and high density residential districts, including areas of Manhattan Community District 3; and

WHEREAS, in 2017, the City adopted new Local Laws requiring signage at all POPS, and in January 2019, DCP, Advocates for Privately Owned Public Space, and the Municipal Art Society held a design competition to solicit a new logo for POPS signage; and

WHEREAS, the proposed zoning text amendment would remove references to the old public space symbol in the Zoning Resolution; and

WHEREAS, the proposed zoning text amendment would add signage requirements to all POPS to make sure the Zoning Resolution is consistent with Local Law and to ensure signage consistency across all POPS; and

THEREFORE BE IT RESOLVED, Community Board 3 approves of the Zoning Text Amendment N190408 ZRY.

5. District Needs Statement

VOTE: To approve the District Needs Statement.

6. Report from Two Bridges Community Rezoning Co-Application

VOTE: TITLE: To Approve Change in Boundaries of the Proposed Special Lower East Side and Chinatown Waterfront District

WHEREAS, Community Board 3 is a co-applicant on the proposal to establish a Special Lower East Side and Chinatown Waterfront District in the Two Bridges neighborhood; and

WHEREAS, the technical assistance team and the representatives for each applicant agree that the originally proposed boundaries for the Special District include areas that are already appropriately zoned and would not benefit from being subject to any additional Special District requirements; and

WHEREAS, specifically, these areas include Tanahey Playground and Cherry Clinton Playground, which are under the jurisdiction and control of the NYC Department of Parks and Recreation and as public parks, are not subject to zoning regulations;

THEREFORE BE IT RESOLVED, Community Board 3 approves of the proposed changes to the boundaries of the Special Lower East Side and Chinatown Waterfront District.

7. Vote to adjourn
approved by committee

34 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Landmarks Committee

1. Approval of previous month's minutes
approved by committee
2. District Needs Statement
VOTE: To approve the District Needs Statement.
3. Vote to adjourn
approved by committee

34 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. District Needs Statement
VOTE: To approve the District Needs Statement.
3. CAB updates
no vote necessary
4. Vote to adjourn
approved by committee

34 YES 0 NO 0 ABS 0 PNV MOTION PASSED

SLA & DCA Licensing Committee

1. Approval of previous month's minutes
approved by committee
2. District Needs Statement
VOTE: To approve the District Needs Statement.

Alterations

3. Rabbit House (Rabbit House Hospitality LLC), 76 Forsyth St (wb/alt/add live music and slide show)
withdrawn

New Liquor License Applications

4. Udon West (Kunitaka Inc), 11 St Marks Pl (wb)
withdrawn
5. Hwa Yuan Szechuan (42-44 East Broadway Restaurant Inc), 42-44 E B'way btwn Catherine & Market Sts
(upgrade/op)

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

WHEREAS, 42-44 East Broadway Restaurant Inc., doing business as Hwa Yuan Szechuan, is applying for a change of class of its wine beer license for the premises located at 42-44 East Broadway, between Catherine Street and Market Street, New York, New York to a full on-premises liquor license, as well as a an alteration of its wine beer license to wit extending its wine beer license to the second story and basement of this location; and

WHEREAS, this is an application for a Chinese restaurant on three (3) floors with a certificate of occupancy of two hundred six (206) people with nine-one (91) people on the first floor, eighty-three

(83) people on the second floor and thirty-two (32) people in a party room in the cellar, fifty-seven (57) tables and one hundred seventy-one (171) seats with five (5) tables and twenty-nine (29) seats in the basement, twenty-five (25) tables and sixty-one (61) seats on the ground floor and twenty-seven (27) tables and eighty-three (83) seats on the second floor, hours of operation of 11:00 A.M. to 11:00 P.M. Sundays through Thursdays and 11:00 A.M. to 12:00 A.M. Fridays and Saturdays, a kitchen open during all hours of operation, a thirty (30) foot bar with fifteen (15) stools, French doors that are kept closed, one (1) television, recorded background music and twenty (20) private parties per year; and

WHEREAS, an application for a full on-premises liquor license for this applicant for a one-story restaurant with a certificate of occupancy of seventy-four (74) people was heard by Community Board 3 in October of 2015 and a wine beer license was denied unless the applicant agreed to make as conditions of its license the stipulations that it would 1) operate as a full-service Chinese restaurant, with a kitchen open and serving food during all hours of operation, 2) have hours of operation of 11:00 A.M. to 11:00 P.M. Sundays through Thursdays and 11:00 A.M. to 12:00 A.M. Fridays and Saturdays, 3) not commercially operate any outdoor areas, 4) close any front or rear façade entrance doors at 10:00 P.M. every night and otherwise have a closed fixed facade with no open doors or windows, 5) play ambient background music only, consisting of recorded 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 any alteration in its method of operation without first appearing before Community Board 3, 7) not have "happy hours," 8) not host pub crawls or party buses, 9) insure that there are no wait lines and designate an employee responsible to oversee patrons and noise on the sidewalk, 10) conspicuously post this stipulation form beside its liquor license inside of its business, and 11) provide a telephone number for residents to call with complaints and immediately address any resident complaints; and

WHEREAS, this business then opened with a wine beer license and has been operating since October 5, 2017; and

WHEREAS, the applicant then applied for a change in class of its wine beer license to a full on-premises liquor license in October of 2017, November of 2017 and June of 2018, but withdrew each of those applications because of community board concern that it had opened and was operating a three-story restaurant with alcohol service on each of its floors although it was only licensed for the ground floor; and

WHEREAS, at the June of 2018 hearing of its application, the applicant conceded that it was serving wine and beer on all floors of its three-story restaurant, although its license was only for the ground floor of this location and Community Board 3 directed the applicant to first apply for an alteration of its wine beer license to address this illegal operation before applying for a change in class of its wine beer license to a full on-premises liquor license; and

WHEREAS, the applicant has now simultaneously applied for an alteration to address its illegal conduct, as well as a change in class of its wine beer license to a full on-premises liquor license for all three (3) floors of its business; and

WHEREAS, the applicant is the landlord of this building and, consequently, had the ability to notify the community board and SLA of the alteration of the plans it originally submitted; and

WHEREAS, the applicant has now stated that it failed to apply for an alteration to extend its wine beer license to all three (3) floors of its business prior to opening because the applicant was poorly advised by its prior representative; and

WHEREAS, Community Board 3 recognizes that the applicant has operated an acclaimed restaurant at this location since October 5, 2017, previously operated a longstanding eating and drinking establishment in this neighborhood and has been a longtime member of this community; and

WHEREAS, the applicant has furnished evidence of community support, in that it provided petition signatures, seventy-two (72) of which are from area residents, and two (2) letters from a Chinatown bank and the Chinatown Business Improvement District, in support of its application; and

WHEREAS, the applicant concedes that there are fifteen (15) full on-premises liquor licenses within five hundred (500) feet of this location; and

WHEREAS, given these circumstances, Community Board 3 will support the alteration of the wine beer license for this applicant but will not now support the change in class of its wine beer license to a full on-premises liquor license for all three (3) floors of its business; and

WHEREAS, understanding this position, the applicant has elected to withdraw its application for a change in class of its wine beer license to a full on-premises liquor license and at this time proceed only with its alteration application; now

THEREFORE, BE IT RESOLVED THAT Community Board 3 recommends the denial of the application for the alteration of the beer wine license of 42-44 East Broadway Restaurant Inc., doing business as Hwa Yuan Szechuan, for the premises located at 42-44 East Broadway, between Catherine Street and Market Street, New York, New York, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that

- 1) it will operate as a full-service Chinese restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 11:00 A.M. to 11:00 P.M. Sundays through Thursdays and 11:00 A.M. to 12:00 A.M. Fridays and Saturdays,
- 3) it will not commercially operate any outdoor areas,
- 4) it will close any front or rear façade entrance doors at 10:00 P.M. every night and will otherwise have a closed fixed facade with no open doors or windows,
- 5) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not have "happy hours,"
- 8) it will not host pub crawls or party buses,
- 9) it will not have unlimited drink specials with food,
- 10) it will ensure that there are no wait lines outside and will designate an employee responsible to oversee patrons and noise on the sidewalk,
- 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

6. Ainsworth EV LLC, 64 3rd Ave (op)
withdrawn

7. Ama Food Group LLC, 190 Ave B btwn E 11th & E 12th Sts (op)

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

WHEREAS, Ama Food Group LLC, with a proposed business name of AMA Rawbar, is seeking a full on-premises liquor license for the premises located at 190 Avenue B, between East 11th Street and East 12th Street, New York, New York; and

WHEREAS, this applicant is proposing to operate an Asian seafood restaurant with a certificate of occupancy of seventy-four (74) people, thirty (30) tables and sixty-four (64) seats inside and ten (10) tables and twenty (20) seats in a backyard, a twenty-two (22) foot bar with ten (10) stools, hours of operation indoors of 4:00 P.M. to 2:00 A.M. Mondays through Thursdays, 4:00 P.M. to 3:00 A.M. Fridays, 11:00 A.M. to 3:00 A.M. Saturdays and 11:00 A.M. to 2:00 A.M. Sundays and hours of operation in the backyard of 11:00 A.M. to 9:00 P.M. Sundays through Thursdays and 11:00 A.M. to 10:00 P.M. Fridays and Saturdays, a kitchen open during all hours of operation, recorded background music and happy hours to 7:00 P.M.; and

WHEREAS, the previous applicant for this location was denied a full on-premises liquor license by Community Board 3 in June of 2015 unless the applicant agreed to make as conditions of its license stipulations that it would 1) operate a full-service modern American restaurant, with a kitchen open and serving food during all hours of operation, 2) have hours of operation of 11:00 A.M. to 12:00 A.M. Sundays through Thursdays and 11:00 A.M. to 2:00 A.M. Fridays and Saturdays, 3) operate its backyard for sit down dining only with hours of operation of 11:00 A.M. to 9:00 P.M. Sundays through Thursdays and 11:00 A.M. to 10:00 P.M. Fridays and Saturdays, 4) close any front or rear façade doors and windows 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 ambient background music only, consisting of recorded 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 any alteration in its method of operation without first appearing before Community Board 3, 7) not have "happy hours," 8) not host

pub crawls or party buses, 9) ensure that there are no wait lines outside and designate an employee to oversee patron crowds and noise on the sidewalk, 10) conspicuously post this stipulation form beside its liquor license inside of its business, and 11) provide a telephone number for residents to call with complaints and immediately address any resident complaints; and

WHEREAS, the full on-premises liquor license for the previous applicant was issued by the SLA on November 12, 2015; and

WHEREAS, there seven (7) full on-premises liquor license within five hundred (500) feet of this location per the applicant but there are eleven (11) full on-premises liquor licenses within five hundred (500) feet of this location per the SLA LAMP map; and

WHEREAS, the applicant has furnished evidence of community support, in that it provided petition signatures, thirty-five (35) of which are from area residents, in support of its application; and

WHEREAS, residents of the apartment facing the backyard of this location appeared to express concern about noise emanating from the backyard if it is commercially used; and

WHEREAS, given these circumstances, Community Board 3 would approve this application for a full on-premises liquor license with stipulations governing its method of operation; now

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Ama Food Group LLC, with a proposed business name of AMA Rawbar, for the premises located at 190 Avenue B, between East 11th Street and 12th Street, New York, New York, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

- 1) it will operate a full-service Asian seafood restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 4:00 P.M. to 12:00 A.M. Mondays through Thursdays, 4:00 P.M. to 2:00 A.M. Fridays, 11:00 A.M. to 2:00 A.M. Saturdays and 11:00 A.M. to 12:00 A.M. Sundays
- 3) it will operate its backyard for sit down dining only with hours of operation of 11:00 A.M. to 9:00 P.M. Sundays through Thursdays and 11:00 A.M. to 10:00 P.M. Fridays and Saturdays,
- 4) it will install additional soundproofing, if necessary,
- 5) it will close any front or rear façade 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 nonmusical performances,
- 6) it will play ambient background music only, consisting of recorded music, and will not have DJs, live music, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 7) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 8) it will not host pub crawls or party buses,
- 9) it will not have unlimited drink specials with food,
- 10) it may have "happy hours" to 7:00 P.M, each night,
- 11) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons and noise on the sidewalk,
- 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.

8. Ethos Labs LLC, 99 3rd Ave btwn E 12th & E 13th Sts (op)

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

WHEREAS, Ethos Labs LLC, with a proposed business name of The Woodstock, is seeking a full on-premises liquor license for the premises located at 99 Third Avenue, between East 12th Street and East 13th Street, New York, New York; and

WHEREAS, this is an application for restaurant showcasing the 1960s and serving Neapolitan pizza with a certificate of occupancy of seventy (70) people, nineteen (19) tables and fifty-six (56) seats inside and five (5) tables and twenty (20) seats in the backyard, a thirty (30) foot bar with ten (10) stools, hours of operation of 12:00 P.M. to 12:00 A.M. Sundays, 2:00 P.M. to 12:00 A.M. Mondays and Tuesdays, 2:00 P.M. to 2:00 A.M. Wednesdays through Fridays and 12:00 P.M. to 2:00 A.M. Saturdays inside and 12:00 P.M. to 10:00 P.M. all days outside, a kitchen open during all hours of operation, a

closed facade, four (4) televisions, recorded and live music and DJs at background levels, security and happy hours to 8:00 P.M.; and

WHEREAS, the applicant has now amended its application to have no commercial use of the backyard and no live music; and

WHEREAS, the previous applicant for this location was denied a full on-premises liquor license by Community Board 3 in January of 2011 unless the applicant agreed to make as conditions of its license stipulations that it would 1) operate a full-service Thai restaurant, serving food to within one (1) hour of closing, 2) have hours of operation of 11:00 A.M. to 12:00 A.M. Sundays through Thursdays and 11:00 A.M. to 1:00 A.M. Fridays and Saturdays, 3) play ambient background music only, consisting of recorded music, 4) have no open doors or windows and maintain a fixed façade, and 5) not commercially use its backyard and only use it as a herb and vegetable garden; and

WHEREAS, the previous applicant for this location was then denied a change in class of its wine beer license to a full on-premises liquor license and an alteration to extend its closing times to 2:00 A.M. Thursdays through Saturdays by Community Board 3 in November of 2012 unless the applicant agreed to make as conditions of its license stipulations that it would 1) operate a full-service Thai restaurant, with a kitchen open and serving food to within one (1) hour of closing, 2) have hours of operation of 11:00 A.M. to 12:00 A.M. Sundays through Wednesdays and 11:00 A.M. to 2:00 A.M. Thursdays through Saturdays, 3) play ambient background music only, consisting of recorded music, and not have DJs, live music, promoted events, scheduled performances or any events at which a cover fee would be charged, 4) have a closed fixed façade with no open doors or windows, 5) not commercially use its backyard, 6) position its speakers away from its ceiling and façade and set the volume of its speakers, and 7) designate an employee to keep its sidewalk clear of patron crowds and noise; and

WHEREAS, the full on-premises liquor license for the previous applicant was issued by the SLA on August 26, 2013; and

WHEREAS, there are twenty-six (26) full on-premises liquor licenses within five hundred (500) feet of this location many of which advertise as restaurant bars and taverns with recorded and live music and DJs; and

WHEREAS, the applicant provided a public benefit of more affordable individual pizza pies and delivery service; and

WHEREAS, the applicant has furnished evidence of community support, in that it provided petition signatures, twenty-three (23) of which are from area residents, in support of its application; and

WHEREAS, the applicant has operated The Late Late located at 159 East Houston Street, New York, New York, which had a full on-premises liquor license issued by the SLA on June 3, 2014 and has been open since July of 2014, VNYL located at 100 Third Avenue, New York, New York, which had a full on-premises liquor license issued by the SLA on August 25, 2016 and has been open since September of 2016, and The Woodstock located at 446 West 14th Street, New York, New York, which had a full on-premises liquor license issued by the SLA on May 1, 2018 and has been operating since April of 2018; and

WHEREAS, during a hearing of an unrelated application by this applicant in September of 2017, Community Board 3 raised the concern that the applicant was operating The Late Late inconsistent from its stipulations and its method of operation by hosting DJs, live music, promoted events, events with cover fees and dance parties; and

WHEREAS, consistent with these concerns, the applicant entered a no contest plea before the SLA on June 8, 2017, for failure to conform to its application and unlicensed cabaret on October 28, 2016; and

WHEREAS, the applicant has now stated to Community Board 3 that it has been operating The Late Late consistent with its stipulations and its method of operation since its conditional no contest plea on June 8, 2017; and

WHEREAS, notwithstanding that the applicant has experience operating licensed businesses in Community Board 3, given its history of violations and the method of operation of the existing business at this location as a full-service restaurant playing only recorded background music, Community Board 3 will only approve this application with stipulations governing the method of operation of the proposed business as a restaurant, including not having DJs; and

THEREFORE BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Ethos Labs LLC, with a proposed business name of The Woodstock, for the premises located at 99 Third Avenue, between East 12th Street and 13th Street, New York, New York, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that:

- 1) it will operate a full-service pizza restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 12:00 P.M. to 12:00 A.M. Sundays, 2:00 P.M. to 12:00 A.M. Mondays and Tuesdays, 2:00 P.M. to 2:00 A.M. Wednesdays through Fridays and 12:00 P.M. to 2:00 A.M. Saturdays,
- 3) it will not commercially operate any outdoor areas,
- 4) it will close any front or rear façade entrance doors at 10:00 P.M. every night or when amplified sound is playing and will otherwise have a closed fixed facade with no open doors or windows,
- 5) it will play ambient background music only, consisting of recorded music, and will not have DJs, live music, 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 may have "happy hours" to 7:00 P.M. each night,
- 10) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons and noise on the sidewalk,
- 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

9. King of Party Karaoke (KOP KG One LLC), 100 E B'way btwn Pike & Eldridge Sts (op)

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

WHEREAS, KOP KG ONE LLC, with a proposed business name of King of Party Karaoke, is seeking a full on-premises liquor license for the premises located at 100 East Broadway, between Pike Street and Eldridge Street, New York, New York; and

WHEREAS, this applicant is seeking to operate a karaoke venue by appointment only with eighteen (18) karaoke rooms and a common bar waiting area on two (2) floors with an occupancy of approximately two hundred (200) people, thirty-two (2) tables and one hundred twenty (120) seats, a twenty-two (22) foot by six (6) foot bar with seven (7) stools on the second floor, a third floor smoking terrace with no food, drink or music and closing at 12:00 A.M. all days, hours of operation of 11:00 A.M. to 4:00 A.M. all days, a kitchen open during all hours of operation serving a Chinese menu of appetizers, a closed façade, one (1) television or monitor in each room for karaoke, recorded music and live karaoke music and one (1) security guard at the door and additional security if needed; and

WHEREAS, the proposed business would be located on the first through third floors of a commercial building with its entrance located on the first floor and the interior of the business located on the second and third floors; and

WHEREAS, Community Board 3 informed the applicant that New York City smoking regulations prohibits the use of a covered terrace as an outdoor smoking area, which would include most of the proposed outdoor terrace which is overhung by a higher floor; and

WHEREAS, the applicant conceded that it could not use the majority of the outdoor space that it was seeking to license, stated that it is seeking to use only a narrow strip of the outdoor space and will cordon off the remaining space with planters and false walls but had no other plan for prohibiting patrons from accessing this area; and

WHEREAS, given the concerns expressed by Community Board 3 about licensing the entire terrace most of which could not be used for the proposed smoking terrace, the applicant agreed to remove the outdoor space from its method of operation at this time; and

WHEREAS, there are no full on-premises liquor licenses within five hundred (500) feet of this location; and

WHEREAS, there were four (4) letters from area residents and a letter from the Residents of Two Bridges Association, a local tenants association, submitted in opposition to this proposed business given that its late night hours of operation and intended outdoor space are inconsistent with the predominantly quiet residential neighborhood where it would be located; and

WHEREAS, the applicant has no experience operating a similar venue in the United States but listed experience operating a licensed hotpot restaurant located at 136-76 39th Avenue, Flushing, New York, since September of 2018, and intends to employ a manager with approximately one (1) year experience in the United States and many years of experience in China working in a variety of businesses; and

WHEREAS, the applicant has furnished evidence of community support, in that it provided petition signatures, sixty-four (64) of which are from area residents, in support of its application; and

WHEREAS, Community Board 3 recognizes that the SLA has a less stringent review process for this application given the lack of licensed businesses within proximity to this location but also recognizes that the lack of licensed businesses in the immediate area is because this is a predominantly residential neighborhood comprised of families; and

WHEREAS, given the above described circumstances, Community Board 3 will approve this application with stipulations governing the method of operation of the proposed business; now

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for KOP KG ONE LLC, with a proposed business name of King of Party Karaoke, for the premises located at 100 East Broadway, between Pike Street and Eldridge Street, New York, New York, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

- 1) it will operate a karaoke bar with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 11:00 A.M. to 4:00 A.M. all days,
- 3) it will not commercially operate any outdoor areas, including the third-floor terrace,
- 4) it will employ a doorman or security guard at its entrance and an additional security guard within the business during its hours of operation,
- 5) it will install soundproofing within each of the individual karaoke rooms, as well as around the entire commercial space,
- 6) it will close any front or rear façade entrance doors at 10:00 P.M. every night and will otherwise have a closed fixed facade with no open doors or windows,
- 7) it will play recorded background music and may have live music consisting of patrons singing karaoke in the karaoke rooms, and will not have DJs, promoted events, scheduled performances or any event at which a cover fee will be 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 with food,
- 11) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons and noise on the sidewalk,
- 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.

10. Entity to be formed by Charalambos Nicolaou, 78-80 E 4th St btwn 2nd Ave & Cooper Sq (op)
withdrawn

11. The Kitchen Sink (Kitchen Sink Bistro Inc), 88B 2nd Ave (op)
withdrawn

12. Kindred LLC, 342 E 6th St Store 4 btwn 1st & 2nd Aves (op)

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

WHEREAS, Kindred LLC, with a proposed business name of Kindred, is seeking a full on-premises liquor license for the premises at 342 East 6th Street, between First Avenue and Second Avenue, New York, New York; and

WHEREAS, the applicant is proposing to operate an Italian American restaurant with a certificate of occupancy of seventy-four (74) people, thirteen (13) tables and twenty-eight (28) seats, a ten (10) foot bar with seven (7) stools, hours of operation of 5:00 P.M to 12:00 A.M. Mondays through Fridays and

11:00 A.M. to 12:00 A.M. Saturdays and Sundays, a kitchen serving food during all hours of operation, recorded background music and thirty (30) private parties per year; and

WHEREAS, the applicant has stated that this is a sale of assets of the previous business which operated as a full-service restaurant with a full on-premises liquor license; and

WHEREAS, the previous applicant for this location was denied a full on-premises liquor license by Community Board 3 in May of 2011 unless the applicant agreed to make as conditions of its license stipulations that it would 1) operate a full-service Mediterranean Asian fusion restaurant, serving food to within one (1) hour of closing, 2) have hours of operation of 5:00 P.M. to 1:00 A.M. Sundays and Mondays and 5:00 P.M. to 2:00 A.M. Wednesdays through Saturdays, 3) close any façade doors and windows at 10:00 P.M. every night, and 4) play ambient background music only, consisting of recorded music, and not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee would be charged; and

WHEREAS, the full on-premises liquor license for the previous applicant was issued by the SLA on April 10, 2014; and

WHEREAS, there twenty-seven (27) full on-premises liquor licenses within five hundred (500) feet of this location per the SLA LAMP map; and

WHEREAS, there is a house of worship, to wit the Sixth Street Community Synagogue located at 324 East 6th Street, on this block which the applicant has stated is more than two hundred (200) feet from this location; and

WHEREAS, the applicant has furnished evidence of community support, in that it provided petition signatures, eighty-two (82) of which are from area residents, in support of its application; and

WHEREAS, the applicant has operated The Ruffian Wine Bar located at 125 East 7th Street, New York, New York, with a wine beer license since December of 2015; and

WHEREAS, provided that this location is not within two hundred (200) feet of a house of worship, given the history of this applicant in this community and the moderate hours proposed for this business, Community Board 3 would approve this application for a full on-premises liquor license with stipulations governing its method of operation; now

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Kindred LLC, with a proposed business name of Kindred, for the premises located at 324 East 6th Street, between First Avenue and Second Avenue, New York, New York, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

- 1) it will operate a full-service Italian American restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 5:00 P.M to 12:00 A.M. Mondays through Fridays and 11:00 A.M. to 12:00 A.M. Saturdays and Sundays,
- 3) it will not commercially operate any outdoor areas,
- 4) it will close any front or rear façade entrance doors at 10:00 P.M. every night or when amplified sound is playing and will otherwise have a closed fixed facade with no open doors or windows,
- 5) it will install soundproofing,
- 6) it will play ambient background music only, consisting of recorded music, and will not have DJs, live music, promoted events, scheduled performances or any event at which a cover fee will be charged and will have no more than thirty (30) 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 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 to oversee patrons and noise on the sidewalk,
- 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.

13. The Pineapple Club LLC, 509 E 6th St btwn Aves A & B (op)

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

WHEREAS, The Pineapple Club LLC is seeking a full on-premises liquor license for the premises located at 509 East 6th Street, between Avenue A and Avenue B, New York, New York; and

WHEREAS, the applicant is proposing to operate an American Polynesian restaurant on two (2) floors with a certificate of occupancy of one hundred forty (140) people, forty (40) tables and one hundred one (101) seats, a twenty (20) foot bar with twelve (12) stools on the ground floor and a fourteen (14) foot bar with eight (8) stools in the basement, hours of operation of 5:00 P.M. to 12:00 A.M. Mondays through Wednesdays, 5:00 P.M. to 4:00 A.M. Thursdays through Saturdays and 5:00 P.M. to 10:00 P.M. Sundays, a kitchen open to within one (1) hour of closing, recorded music and DJs at background levels, a doorman Thursdays through Saturdays and happy hours to 7:00 P.M.; and

WHEREAS, the applicant has withdrawn its intention to have DJs as part of its method of operation; and

WHEREAS, this premises is located on a residentially zoned street, zoned R7B, and was previously operated as a restaurant with a full on-premises liquor license; and

WHEREAS, the previous licensee for this location was denied a full on-premises liquor license by Community Board 3 in July of 2016 unless the applicant agreed to make as conditions of its license stipulations that it would 1) operate a full-service new American restaurant, with a kitchen open and serving food to within one (1) hour of closing and having food service during all hours of operation, 2) have hours of operation of 5:00 P.M. to 2:00 A.M. Mondays through Fridays and 11:00 to 2:00 A.M. Saturdays and Sundays, 3) close any front façade doors and windows at 10:00 P.M. every night or during any amplified performances, including but not limited to DJs, live music and live nonmusical performances, and keep any doors and windows in its rear enclosure closed at all times, 4) not commercially operate any outdoor areas, 5) play ambient background music only, consisting of recorded music, and not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee would be charged, and have no more than six (6) private parties per year, 6) not apply for any alteration in its method of operation without first appearing before Community Board 3, 7) not have "happy hours," 8) not host pub crawls or party buses, 9) not have unlimited drink specials with food, 10) not have wait lines outside and designate an employee responsible to oversee patrons on the sidewalk and ensure no crowds or noise outside, 11) conspicuously post this stipulation form beside its liquor license inside of its business, and 12) provide a telephone number for residents to call with complaints and immediately address any resident complaints; and

WHEREAS, the full on-premises liquor license for the previous applicant was issued by the SLA on April 13, 2017; and

WHEREAS, there thirty (30) full on-premises liquor licenses and two (2) pending full on-premises liquor licenses within five hundred (500) feet of this location per the SLA LAMP map; and

WHEREAS, the applicant has furnished evidence of community support, in that it provided petition signatures, forty-three (43) of which are from area residents, in support of its application; and

WHEREAS, the applicant states that it has no experience operating licensed businesses but has unspecified experience managing licensed businesses; and

WHEREAS, given these circumstances, Community Board 3 would approve this application for a full on-premises liquor license with stipulations governing its method of operation, including earlier closing times more consistent with the location of this business on a residentially zoned street and with the experience of the applicant, now

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for The Pineapple Club LLC for the premises located at 509 East 6th Street, between Avenue A and Avenue B, New York, New York, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

- 1) it will operate a full-service American Polynesian restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 5:00 P. M. to 12:00 A.M. Mondays through Wednesdays, 5:00 P.M to 2:00 A.M. Thursdays and Friday, 11:00 A.M to 2 A.M. Saturdays and 11:00 A.M. to 12:00 A.M Sundays,

- 3) it will not commercially operate any outdoor areas,
 - 4) it will close any front or rear façade entrance doors at 10:00 P.M. every night or when amplified sound is playing and will otherwise have a closed fixed facade with no open doors or windows,
 - 5) it will play ambient background music only, consisting of recorded music, and will not have DJs, live music, 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" to 7:00 P.M. each night,
 - 10) it will use both floors of the business as dining rooms for its restaurant and will not have a separate bar or lounge on one floor,
 - 11) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons and noise on the sidewalk,
 - 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. Entity to be formed by Bryan Zaslow and Jo Ellen Gabel, 99 Stanton St btwn Orchard & Ludlow Sts (op)

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

WHEREAS, an entity to be formed by principals Bryan Zaslow and Jo Ellen Gabel is seeking a full on-premises liquor license for the multi-story premises located at 99 Stanton Street, between Ludlow Street and Essex Street, New York, New York; and

WHEREAS, this applicant was heard for a corporate change at this location by Community Board 3 in May of 2019 because of community concern that a multistory location that had been operated for fifteen (15) years by a responsible and responsive licensee with minimal negative impact on its surrounding neighbors was being purchased and the applicant agreed at that time to withdraw its application to engage in community outreach; and

WHEREAS, this applicant is proposing to operate a restaurant on the first floor, ground floor and mezzanine with a certificate of occupancy on hundred fifty-five (155) people, thirty-nine (39) tables and one hundred forty-two (142) seats with twenty-one (21) tables and seventy-six (76) seats on the first floor, fifteen (15) tables and forty-six (46) seats on the second floor and one (1) table and six (6) seats on the mezzanine, a twenty-five (25) foot bar with eight (8) stools on the second floor, hours of operation of 11:00 A.M. to 2:00 A.M. all days, a kitchen open during all hours of operation, garage doors as the façade, one (1) television on the second floor, recorded and live music and DJs at background levels, security and happy hours to 9:00 P.M.; and

WHEREAS, this location was last approved a full on-premises liquor license by Community Board 3 in July of 2004 provided the applicant furnish a signed notarized stipulation that it would 1) maintain the method of operation as a full-service restaurant, 2) serve food to within one (1) hour of closing, and 3) not bring in outside promoters or DJs; and

WHEREAS, Community Board 3 administratively approved a corporate change in 2014

WHEREAS, the previous full on-premises liquor license at this location was then issued by the SLA on January 8, 2015; and

WHEREAS, this location has operated as a multi-story full-service restaurant, doing business as Stanton Social, for the past fifteen (15) years; and

WHEREAS, there are forty-three (43) full on-premises liquor licenses within five hundred (500) feet of this location; and

WHEREAS, the applicant consists of principals and partners with either 1) no experience operating a licensed business, 2) experience operating a license business outside of this state and limited experience working in two (2) licensed businesses between 2002 and 2003, 3) experience operating businesses that the partner has not identified and the community board could not investigate, or 4) experience operating various licensed businesses, as well as a promotion ticket events company; and

WHEREAS, the applicant has furnished evidence of community support, in that it provided petition signatures, thirty-nine (39) of which are from area residents, in support of its application; and

WHEREAS, the LES Dwellers, a local residents organization, submitted a letter and a representative appeared and submitted eighty-three (83) resident statements, and four (4) other area residents appeared, all in opposition to a full on-premises liquor license for this applicant given that there are 1) forty-three (43) full on-premises liquor licenses and two (2) pending full on-premises liquor licenses within five hundred (500) feet of this location, 2) given that there are nine (9) venues with full on-premises liquor licenses within the immediate area of this location, excluding the multiple hotels with hotel on-premises liquor licenses and multiple public venues which has made this area the most overburdened in a community already overburdened with licensed businesses, 3) the applicant has added a partner who was not represented to be part of the application when the applicant last met with community residents and who the community was unable to investigate, 4) given the lack of public benefit of adding a large-scale eating and drinking venue with live music and DJs and an open façade to this already overburdened area, and 5) given the concern about replacing a large-scale business that had little impact on this area with a business that would have a high risk operator whose principle experience has been as a promoter whose company appears to only promote for clubs, has promoted illegal open-bar events and has already advertised a promoted event for this location for Halloween of 2019; and

WHEREAS, a resident who lives in the neighboring building of 101 Stanton Street, representing himself and the other residents of his building, appeared in opposition to this application because 1) his neighborhood has been a nightmare for fifteen (15) years, with loud people and music from the surrounding businesses preventing his ability to sleep, and 2) he is concerned about the additional impact of this proposed new large-scale business replacing the existing business in an already nightmarish area because the previous licensee was a very decent person who immediately addressed complaints and whose business had little impact on the surrounding neighborhood; and

WHEREAS, notwithstanding that the applicant has agreed to amend its application in some respects, given the concerns that the principal operator of this business will be the partner with the experience as a promoter and given the proposed size and method of operation of the proposed business, the already overburdened area it is located in and community opposition to the addition of a full on-premises liquor license at this location, Community Board 3 can only support this application with stipulations governing its method of operation as a full-service restaurant; now

THEREFORE BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for an entity to be formed by principals Bryan Zaslow and Jo Ellen Gabel for the premises located at 99 Stanton Street, between Ludlow Street and Essex Street, New York, New York, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

- 1) it will operate a full-service Mediterranean restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 11:00 A.M to 2 A.M. all days,
- 3) it will not commercially operate any outdoor areas,
- 4) it will install soundproofing consistent with the recommendations of a sound engineer and in collaboration with affected residents of the adjacent buildings,
- 5) it will close any front or rear façade entrance doors at 10:00 P.M. every night or when amplified sound is playing and will otherwise have a closed fixed facade with no open doors or windows,
- 6) it will play ambient background music only, consisting of recorded music, and will not have DJs, live music, promoted events, scheduled performances or any event at which a cover fee will be charged, will not use internal or outside promoters, will have no ticketed sales of any kind, including for restaurant related events and will have no full buyouts of the business,
- 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" to 8:00 P.M. each night,
- 11) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons and noise on the sidewalk,
- 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.

15. Nolita Pizza (Toscana Pizza Inc), 128 2nd Ave (wb)
withdrawn

16. Ainsworth Social (AinsworthEV LLC), 299 Bowery @ E Houston St (op)

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

WHEREAS, Bowery Restaurant LLC, with a proposed business name of Ainsworth Social, is seeking a full on-premises liquor license for the premises located at 299 Bowery, at the corner of East Houston Street and Bowery; and

WHEREAS, this applicant is proposing to operate an American grill restaurant with a certificate of occupancy of two hundred ninety-six (296) people, fifty-four (54) tables and one hundred fifty-three (153) seats, a forty (40) foot bar with ten (10) stools, hours of operation of 11:00 A.M. to 12:00 A.M. Sundays through Wednesdays and 11:00 A.M. to 2:00 A.M. Thursdays through Saturdays, a kitchen open during all hours of operation, no answer about its façade, ten (10) televisions and recorded music generally and DJs for corporate events twenty (20) times per year at entertainment levels; and

WHEREAS, the previous applicant for this location was denied a full on-premises liquor license by Community Board 3 in July of 2007 unless the applicant agreed to make as conditions of it license stipulations that it would 1) operate a full-service French American restaurant, serving food to within one (1) hour of closing, 2) close by 1:00 A.M. Mondays through Thursdays, 2:00 A.M. Fridays and Saturdays and 12:00 A.M. Sundays, 3) keep garbage indoors to within one (1) hour of pickup, 4) develop a pedestrian and vehicular traffic congestion plan, and 5) have no DJs, live music, promoted events or events at which a cover fee would be charged; and

WHEREAS, the previous applicant was approved a sidewalk café permit by Community Board 3 in August of 2010 with stipulations that it would 1) have fifteen (15) tables and thirty (30) seats, and 2) have hours of operation of 12:00 P.M. to 11:00 P.M. Mondays through Thursdays, 12:00 P.M. to 12:00 A.M. Fridays, 11:00 A.M. to 12:00 A.M. Saturdays and 11:00 A.M. to 10:00 P.M.; and

WHEREAS, the applicant was notified by Community Board 3 that, given that there is no longer an active sidewalk café permit, the applicant must apply for any sidewalk café separate from this application; and

WHEREAS, there are fourteen (14) full on-premises liquor license within five hundred (500 feet of this location per the SLA LAMP map; and

WHEREAS, a representative of the Bowery Alliance of Neighbors, a local residents association, appeared to express concern about the addition of a large-scale chain sports bar to this location; and

WHEREAS, the applicant has furnished evidence of community support, in that it provided petition signatures, thirty-five (35) of which are from area residents, in support of its application; and

WHEREAS, the applicant has operated Ainsworth brand licensed businesses at 122 West 26th Street, New York, New York, since July of 2009, 121 Fulton Street, New York, New York, since April of 2011, 247 West 30th Street, New York, New York, since May of 2013, 45 East 33rd Street, New York, New York, since June of 2014 and 64 Third Avenue, New York, New York, since August of 2017; and

WHEREAS, given these circumstances, Community Board 3 would approve this application for a full on-premises liquor license with stipulations governing its method of operation; now

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Bowery Restaurant LLC, with a proposed business name of Ainsworth Social, for the premises located at 299 Bowery, at the corner of East Houston Street and Bowery, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

- 1) will operate a full-service American grill restaurant, with a kitchen open and serving during all hours of operation,
- 2) its hours of operation will be 11:00 A.M. to 12:00 A.M. Sundays through Wednesdays and 11:00 A.M. to 2:00 A.M. Thursdays through Saturdays,
- 3) it will close any front or rear façade entrance doors at 10:00 P.M. every night or when amplified sound is playing and will otherwise have a closed fixed facade with no open doors or windows,
- 4) it will play ambient background music only, consisting of recorded music, and will not have live music, promoted events, scheduled performances or any event at which a cover fee will be charged, and will have no more than thirty (30) private parties or corporate events per year for which it may have DJs provided it have them no later than 9:00 P.M. during any event; and

- 5) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 6) it will not host pub crawls or party buses,
- 7) it will not have unlimited drink specials with food,
- 8) it may have "happy hours" to 7:00 P.M. each night,
- 9) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons and noise on the sidewalk,
- 10) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 11) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

17. Sweatshop LES (Sweatshop LES LLC), 110 Delancey St basement btwn Ludlow & Essex Sts (wb)

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

WHEREAS, Sweatshop LES LLC, with a proposed business name of Sour Mouse, is seeking a wine beer license for the premises located at 110 Delancey Street, basement level, between Ludlow Street and Essex Street, New York, New York; and

WHEREAS, this applicant is seeking to operate a tavern and game room with ping pong and shuffle board, no listed certificate of occupancy, six (6) tables and thirty-two (32) seats consisting of couches and tables, a fifteen (15) foot bar with eight (8) stools, hours of operation of 12:00 P.M. to 4:00 A.M. all days, a prep area serving a limited bar menu during all hours of operation, no televisions, recorded background music and live music consisting of acoustic jazz music at entertainment levels, jazz performances and open mike comedy nights and security as needed; and

WHEREAS, this premises is a previously unlicensed basement level retail space located on a wide commercial avenue; and

WHEREAS, there are twenty-five (25) licensed establishments within one (1) block of this location per the applicant; and

WHEREAS, the applicant has operated a coffee wine bar located at 172 Rivington Street for the past three (3) years; and

WHEREAS, the applicant has furnished evidence of community support, in that it provided petition signatures in support of its application, nineteen (19) of which are from area residents, and two (2) area residents and patrons of its existing business appeared in support of the applicant, stating that it is a conscientious and respectful business operator; and

WHEREAS, given the above described circumstances, Community Board 3 will support this application with stipulations governing its method of operation; now

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a wine beer license for Sweatshop LES LLC, with a proposed business name of Sour Mouse, for the premises located at 110 Delancey Street, between Ludlow Street and Essex Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

- 1) it will operate as a tavern game hall or room with ping pong tables and shuffleboard, with less than a full-service kitchen serving food during all hours of operation,
- 2) its hours of operation will be 12:00 P.M. to 4:00 A.M. all days,
- 3) it will not commercially operate any outdoor areas,
- 4) it will close any front or rear façade entrance doors at 10:00 P.M. every night or when amplified sound is playing and will otherwise have a closed fixed facade with no open doors or windows,
- 5) it will play ambient background music, consisting of recorded music, as part of its general operation and may have acoustic unamplified live jazz music, and it will not have DJs, promoted events or any event at which a cover fee would be charged,
- 6) it may have scheduled performances consisting of an open mike stand-up comedy night, two (2) nights per week, between 7:00 P.M. and 10:00 P.M.,
- 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 to oversee patrons and noise on the sidewalk,
- 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.

Corporate Change with Complaint

18. Cocktail Art LLC, 14 Ave C (corp change)
withdrawn

New Liquor License Applications

19. Book Club Bar LLC, 197 E 3rd St btwn Aves B & C (wb)

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

WHEREAS, Book Club Bar LLC, is seeking a wine beer license for the premises located at 197 East 3rd Street, between Avenue B and Avenue C, New York, New York; and

WHEREAS, this applicant is seeking to operate a bookstore wine bar with a certificate of occupancy of seventy-four (74) people, five (5) tables and thirteen (13) seats inside and three (3) tables and eleven (11) seats outside, a twenty (20) foot by five (5) foot bar with an unspecified number of stools, hours of operation of 8:00 A.M. to 12:00 A.M. all days inside and closing at 10:00 P.M. all days outside, a prep area serving limited food during all hours of operation, accordion doors, no televisions, recorded and live acoustic background music and happy hours to 7:00 P.M.; and

WHEREAS, this is an unlicensed location on a residentially zoned street; and

WHEREAS, the previous licensee at this location was heard for its original application for a full on-premises liquor license by Community Board 3 in May of 1997, and was approved after it represented that it would operate as a full-service restaurant, with hours of operation of 5:00 P.M. to 4:00 A.M. all days, no commercial use of any outdoor areas, a kitchen and a full menu; and

WHEREAS, the previous licensee was then heard by Community Board 3 for the renewal of its full on-premises liquor license in February of 2008, because there had been resident complaints of noise from patrons and music and lack of oversight and control of patrons in front of the business and in its backyard and it was approved provided it agreed to stipulations to 1) use an installed limiter, 2) employ licensed security guards Fridays and Saturdays and other days as needed to control noise and crowds outside, 3) maintain crowds and noise in the front of the business and in the backyard, and 4) immediately address resident complaints; and

WHEREAS, the previous licensee was then denied its renewal by Community Board 3 in December of 2015, and Community Board 3 asked that the SLA either revoke its full on-premises liquor license or enforce the method of operation as a restaurant with no commercial use or any outdoor areas that was approved by the SLA; and

WHEREAS, the SLA then revoked the full on-premises liquor license of the previous licensee, the revocation was appealed after the death of the licensee and the SLA then cancelled the license; and

WHEREAS, the East 4th Street A-B Block Association and a resident from the street submitted letters, and a resident from the street appeared, to express concern about commercial use of the backyard given the significant persistent complaints about the previous licensee; and

WHEREAS, the applicant consists of principals who have lived in the immediate neighborhood for eight (8) years and ten (10) years and who have taken courses and worked with a consultant to prepare to operate a bookstore and one of the principals has three (3) years' experience as a server in Wisconsin; and

WHEREAS, the applicant has furnished evidence of community support, in that it provided petition signatures in support of its application, thirty (30) of which are from area residents, and one (1) area resident submitted a letter in support of this business as a small business; and

WHEREAS, given the above described circumstances, Community Board 3 will support this application with stipulations governing its method of operation, which include limiting the backyard use; now

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full-liquor license for Book Club Bar LLC for the premises located at 197 East 3rd Street, between

Avenue B and Avenue C, New York, New York, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

- 1) it will operate a bookstore wine bar, with less than a full-service kitchen serving food during all hours of operation,
- 2) its hours of operation will be 8:00 AM to 12:00 PM all days,
- 3) its hours of operation for its rear yard will be 10:00 A.M. to 9:00 P.M. all days,
- 4) it will install soundproofing in the rear yard according to the recommendations of a sound engineer,
- 5) it will close any front or rear façade 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 nonmusical performances and during events associated with the bookstore,
- 6) it will play ambient background music only, consisting of recorded music generally and live acoustic unamplified music consisting of no more than one (1) musician playing no more than one (1) time per week no later than 9:00 P.M., but will not have DJs, promoted events, scheduled performances or any event at which a cover fee will be charged but may have book signings and other book-related events,
- 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" to 7:00 P.M. each night,
- 11) it will not have unlimited drink specials with food,
- 12) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons and noise on the sidewalk,
- 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.

Items not heard at Committee

20. The Ground (Chinatown United Food Services LLC), 49 Monroe St (wb)

no vote necessary

21. Khiladi (Khiladi LLC), 175 Ave B (wb)

no vote necessary

22. Mokyō (Thursday Namu LLC), 109 St Marks Pl (wb)

no vote necessary

23. Arping Restaurant 45 Inc, 45 Division St (wb)

no vote necessary

24. Shanghai 21 Inc, 21 Mott St (wb)

no vote necessary

25. Ayack LLC, 156 2nd Ave (wb)

no vote necessary

26. Jing Fong Restaurant Inc, 14-20 Elizabeth St (corp change)

no vote necessary

27. Vote to adjourn

approved by committee

34 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding SLA items 9, 14, 17)

34 YES 1 NO 0 ABS 0 PNV MOTION PASSED (SLA items 9, 14, 17)

Vote to adjourn

34 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Members Present at Last Vote:

| | | | | | |
|---------------------|-----|---------------------|-----|----------------------|-----|
| David Adams | [P] | Paul DeRienzo | [A] | Meghan Joye | [P] |
| Yaron Altman | [P] | Eric Diaz | [A] | Lisa Kaplan | [P] |
| Jesse Beck | [P] | Alistair Economakis | [A] | Olympia Kazi | [A] |
| Dominic Berg | [A] | Shirley Fennessey | [P] | Joseph Kerns | [A] |
| Lee Berman | [P] | Ryan Gilliam | [A] | Michelle Koppersmith | [P] |
| Victoria Berrios | [P] | Debra Glass | [A] | Mae Lee | [P] |
| Lisa Burriss | [A] | Herman Hewitt | [A] | Alysha Lewis-Coleman | [P] |
| Karlin Chan | [P] | Trever Holland | [P] | Han Lo | [A] |
| Jonathan Chu | [A] | Linda Jones | [P] | Ellen Luo | [P] |
| David Crane | [P] | Vaylateena Jones | [P] | Michael Marino | [P] |
| Felicia Cruickshank | [P] | Tatiana Jorio | [A] | Alexandra Militano | [P] |

| | | | | | |
|-------------------|-----|-------------------|-----|-------------------|-----|
| Therese Mitchell | [P] | Richard Ropiak | [P] | Sandra Strother | [P] |
| Nancy Ortiz | [A] | Robin Schatell | [P] | Josephine Velez | [P] |
| Michael Perles | [P] | Heidi Schmidt | [P] | Rodney Washington | [A] |
| Paul Rangel | [P] | Laryssa Shainberg | [P] | Kathleen Webster | [P] |
| Carolyn Ratcliffe | [P] | Clint Smeltzer | [P] | Jacky Wong | [A] |
| Damaris Reyes | [P] | Anisha Steephen | [P] | | |

Meeting Adjourned