



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

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Alysha Lewis-Coleman, Board Chair

Susan Stetzer, District Manager

July 2020 Full Board Minutes

Meeting of Community Board 3 held on Tuesday, July 28, 2020 at 6:30pm via Zoom.

Public Session:

- CB3 is holding a "Know Your Rights" virtual town hall on Monday, August 3 for workers returning to the office tinyurl.com/DCWPCB32020
- **Vaylateena Jones** – Lower East Side Power Partnership sent a letter to the city supporting the East Side coastal resiliency project. Design work for the project is restarting this week.
- **Tommy Loeb** – After the May board meeting, Mr. Loeb requested a document from CB3 and after filing a FOIL request Mr. Loeb will be able to obtain it. City Council passed the ESCR and made provisions for a community advisement meeting, and the first meeting happened with the public in attendance but the public will not be allowed to join in future meetings even though Mr. Loeb thinks that under the Open Meetings Law they should be allowed to observe.
- **Susan Morse** – Ferry change with the Corlears Hook ferry. The LES route was eliminated and is now on the South Brooklyn route which does not go north especially to the 34th Street hub. The EDC never had any public comment on this change. Ms. Morse came up with a variety of different proposals that would expand access from Corelars Hook. All EDC is concerned about is numbers – so unless there is a groundswell of voices wanting there to be a change to the route. Ms. Morse asks for this to be an item considered by CB3.
- **Russell Frisch (NYC Census)** – You can do the census over the phone or online even if you didn't receive anything in the mail. There is no need for a special code. The census is for EVERYONE. NYC as a whole has a 54% response rate, Manhattan is at 55% response rate, and CB3 is at about 56% response rate, but the nation as a whole is at 62.6% response rate. LES is at 59% and Chinatown is at 53% response rate.

Open Streets

- **John Blasco** – NYCHA/Jacob Riis resident. District Leader for Part 74A. Founding member of Losaida Open Streets Community Coalition. Thanking the transportation committee and CB3 for supporting Open Streets.
- **Laura Sewell** – Representative of the East Village Community Coalition. Supporting transportation committee's resolution item #2 to help FDNY with its response times without compromising needed open streets for residents.
- **Andrew Gilbert** – Volunteer coordinator for Losaida Open Streets Community Coalition. Supporting transportation committee resolution item #2 to find a creative solution that meets the needs of all relevant stakeholders.
- **Sophie Maerowitz** – Founding member of Losaida Open Streets Community Coalition. Former public member of the transportation committee. Avenue B is a crucial public health component for people hoping to spread out. There have been more than 50 volunteers to help manage the street.
- **Kevin Molloy (FDNY Captain)**
 - Experienced delays in responses in particular because of the Avenue B street closure. The FDNY in question is Engine 28, Ladder 11 on 2nd Street between Avenue B and Avenue C.
 - Right now the firefighters need to move barricades in order to go east after going north on Avenue B. For fire responses, there is one company that is expected to come in first and it has a task list. But what's happening in this district is that the first company (Engine 28, Ladder 11) is coming in second which throws the response into mass confusion.
 - Right now there is an Open Streets designation on Avenue B from 6th Street to 14th Street and an Open Restaurants Designation between 2nd Street and 3rd Street.
 - FDNY is looking for concessions that will allow the responders to **not** have to move the barricades.
 - Seconds are important when it comes to fires, especially in "fire proof" buildings such as the NYCHA houses on Avenue D
 - FDNY came up with some solutions:
 - Reverse 2nd Street
 - Put out flexible delineators which would deter regular vehicular traffic, but fire apparatus can drive over them
 - Post security people at intersections that would move barricades for the responders

Public Officials:

Mayor Bill de Blasio, Andrew Kunkes:

- Not in attendance

Public Advocate Jumaane Williams, Lifa Choo:

- Please reach out to Lifa with any issues you have going forward (lchoo@advocate.nyc.com)!

Comptroller Scott Stringer, Michael Stinson:

- Came out with an analysis of the Paycheck Protection Program, only 52% of Manhattan businesses who were eligible were able to access the program
- Put out set of recommendations around opening, some of which have been taken up by DOE.

Borough President Gale Brewer, Brian Lewis:

- Schools are not ready to reopen. Need to work on how to improve schools for virtual learning, and only use the schools for specific events like art classes. Searching for tents to have classes outside.
- Speaking to every affordable housing expert available to make a list of what is available
- Working to use waste collected in the city to detect viruses
- BPO will make a stink about NYPD

Congressmember Nydia Velazquez, Lingxia Ye:

- New York needs more money from the federal government
- NY is doing very poorly on the census – NY could stand to lose several congressional seats
- District office is still closed, but you can reach the office at 718-599-3658
- Ling will get back about help for Section 8 and NYCHA residents seeking rent assistance

Congressmember Carolyn Maloney, Victor Montesinos:

- Not in attendance

Assemblymember Yuh-Line Niou, Shivani Gonzalez:

- "Cancel Rent" bill would help all tenants to avoid fees for cancelled rent. Would also set up a small fund for small property owners
- Continuing to distribute PPE and help with unemployment cases

Assemblymember Deborah J. Glick, Charlie Anderson:

- Not in attendance

Assemblymember Harvey Epstein, Aura Olavarria:

- Assembly back in session last week, passed several bills including ones about getting ICE out of NY courts, giving terminal workers benefits, supporting disability rights
- Will do a virtual office opening for 7th Street and Avenue B office on September 17. It's now open on Tuesdays and Thursdays for constituent services.
- Supports the Avenue B open streets initiative

State Senator Brian Kavanaugh, Greer Mayhew:

- Dilligently working on the advisory committee in regards to 70 Mulberry
- Reached out to City Hall regarding upkeep at Pier 35

State Senator Brad M. Hoylman, Caroline Wekselbaum:

- Passed 13 bills last week most proud of the Protect Our Courts bill which passed both houses and the anti-SLAP lawsuits bill.
- Since pandemic started Sen. Hoylman's office has opened 1244 unemployment cases, and closed 858.

Councilmember Margaret Chin, Marian Guerra:

- We need to support small businesses. Many restaurants have applied. There will be a section of Mott Street closed off to have outdoor dining in partnership with the Rockwell Group and DOT.
- Working with fellow councilmembers to repeal commercial rent tax
- Passed a bill to support small building owners to extend property tax payments to October and lower penalties.
- Councilmember Chin said she would continue to follow up with the NYPD about its closures

Councilmember Carlina Rivera, Isabelle Chandler:

- Councilmember Rivera released an op-ed on voting

- Hoping to see constituents at the CB3 town hall on August 3

Members Present at First Vote:

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

Minutes:

Minutes of May 2020 were approved, as is.

47 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Board Chairperson's Report:

Chairperson Alysha Lewis-Coleman

- Encourages all members to continue attending their committee meetings

District Manager's Report:

District Manager Susan Stetzer

- No report

Committee Reports:

Executive Committee

no vote necessary

39 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
no vote necessary

Alterations

3. Honey Bee's, Amor y Amargo, and Mother of Pearl Room (Cien Fuegos LLC), 95 Ave A a/k/a 445 E 6th St (op/alt/change method of operation: change current concepts of Honeybee's, a vegan Texas barbeque whiskey bar, and Mother of Pearl, a vegan tiki bar, to Amor y Amargo, a bitters bar)

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

WHEREAS, Cien Fuegos LLC is applying for an alteration of its full on-premises liquor license for its venues, doing business as Cienfuegos, Mother of Pearl Room and Amor y Amargo, at its two-story premises located at 95 Avenue A a/k/a 445 East 6th Street, at the corner of Avenue A and East 6th Street, New York, New York, to wit changing the method of operation of these businesses from a vegan Polynesian restaurant and tequila bar on the first floor, a vegan Texas barbeque restaurant on the second floor and bitters bar at the 445 East 6th Street storefront to a vegan Spanish tapas restaurant and bitters bar, doing business as Amor y Amargo, on both floors and at both addresses; and

WHEREAS, this applicant is proposing to operate a two-story vegan Spanish tapas restaurant with a certificate of occupancy of fifty (50) people on the first floor and seventy (70) people on the second floor, thirty (30) tables and one hundred eight (108) seats on both floors and ten (10) tables and

twenty (20) seats at its existing sidewalk cafe, three (3) bars of unspecified sizes with an aggregate twenty-two (22) stools with one (1) bar on the first floor, one (1) bar on the second floor and one (1) bar at the adjoining storefront at 445 East 6th Street, a kitchen open to within one (1) hour of closing, hours of operation of 5:00 P.M. to 2:00 A.M. all days, no televisions and recorded background music; and

WHEREAS, this applicant was denied a full on-premises liquor license by Community Board 3 in October of 2009 unless it agreed to make as conditions of its license stipulations that it would 1) operate as a full-service Cuban restaurant, serving food to within one (1) hour of closing, 2) have hours of operation of 11:00 A.M. to 2:00 A.M. every day, 3) play ambient background music only, consisting of recorded music from an MP3 player, and not have DJs or live music, 4) close its façade doors and windows at 10:00 P.M. every night, 5) employ a hostess on all nights of operation one of whose responsibilities would be to minimize crowding on the sidewalk, and 6) implement its proposed plan for minimizing pedestrian and vehicular traffic; and

WHEREAS, this applicant was then issued a full on-premises liquor license by the SLA on April 23, 2010; and

WHEREAS, an alteration application to change the method of operation of the ground floor was denied by Community Board 3 in November of 2011 unless the applicant agreed to make as conditions of its license amended stipulations that it would 1) operate as a full-service fish and chips restaurant on its ground floor and a full-service Cuban restaurant on its second floor and serve food to within one (1) hour of closing on both floors, 2) close any façade doors and windows at 10:00 P.M. every night, 3) have hours of operation of 11:00 A.M. to 2:00 A.M. all days, 4) play ambient background music only, consisting of recorded music, and not have live music, promoted events, scheduled performances or any event at which a cover fee would be charged, 5) employ a hostess at all times to control noise and congestion from patrons and traffic outside its premise, and 6) minimize pedestrian and vehicular traffic through a traffic plan; and

WHEREAS, the applicant previously applied to and was approved by Community Board 3 in August of 2017 for an alteration to move a ten (10) foot standup bar with six (6) stools to the eastern wall of its second floor; and

WHEREAS, an alteration application to change the method of operation of the second floor to a vegan Texas barbeque restaurant and whiskey bar was denied by Community Board 3 in May of 2018 unless the applicant agreed to make as conditions of its license stipulations that it would 1) operate as a full-service vegan Polynesian restaurant on its ground floor and a full-service vegan Texas barbeque restaurant on its second floor and serve food to within one (1) hour of closing on both floors, and operate its 445 East 6th Street storefront as a bitters cocktail bar, 2) have hours of operation of 5:00 P.M. to 2:00 A.M. all days, 3) have a sidewalk café open no earlier than 11:00 A.M all days and close no later than 10:00 P.M. all days, 4) close any front or rear façade entrance doors at 10:00 P.M. every night or when amplified sound is playing 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 or for any physical alterations without first appearing before Community Board 3, 7) not host pub crawls or party buses, 8) not have unlimited drink specials with food, 9) not have "happy hours," 10) ensure that there are no wait lines outside, designate an employee to oversee patrons and noise on the sidewalk and minimize pedestrian and vehicular traffic through a traffic plan, 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 applicant stated that it was changing its three businesses into one business with one kitchen, one chef and a reduced staff and that the existing bitters bar located at the 445 East 6th Street address would become part of the restaurant; and

WHEREAS, the applicant stated that the façade is now fixed with no open doors or windows; and

WHEREAS, the applicant has operated numerous other eating and drinking establishments within this neighborhood; and

WHEREAS, given the lack of a recent complaint history for these businesses and given that the applicant has operated numerous licensed businesses within this neighborhood, Community Board 3

would support this application with stipulations governing the method of operation of the business;
now

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for an alteration of the full on-premises liquor license for Cien Fuegos LLC, doing business as Cienfuegos, Mother of Pearl Room and Amor y Amargo, at its two-story premises located at 95 Avenue A a/k/a 445 East 6th Street, at the corner of Avenue A and East 6th Street, New York, New York, to wit changing the method of operation of these businesses from a vegan Polynesian restaurant and tequila bar on the first floor, a vegan Texas barbeque restaurant on the second floor and bitters bar at the 445 East 6th Street storefront to a vegan Spanish tapas restaurant and bitters bar, doing business as Amor y Amargo, on both floors and at both addresses unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

- 1) it will operate as a full-service vegan Spanish tapas restaurant on both floors with a kitchen open and serving food during all hours of operation,
 - 2) its hours of operation will be 5:00 P.M. to 2:00 A.M. Mondays through Fridays and 11:00 A.M. to 2:00 A.M. Saturdays and Sundays,
 - 3) its sidewalk café hours of operation will be 5:00 P.M. to 10:00 P.M. Mondays through Fridays and 11:00 A.M. to 10:00 P.M. Saturdays and Sundays,
 - 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 live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
 - 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
 - 7) it will not host pub crawls or party buses,
 - 8) it will not have unlimited drink specials with food,
 - 9) it will not have "happy hours,"
 - 10) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons and noise on the sidewalk,
 - 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
 - 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.
4. Night Music (Derossi Asia LLC), 111 E 7th St btwn 1st Ave & Ave A (b/alt/change method of operation: from a vegan Indian restaurant to a vegan Mexican restaurant)

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

WHEREAS, Derossi Asia LLC, with a proposed business name of Night Music, has applied for an alteration of its wine beer license for the premises located at 111 East 7th Street, eastern storefront, between First Avenue and Avenue A, New York, New York, to wit changing the type of food served at its restaurant; and

WHEREAS, the questionnaire submitted by the applicant also reflects that it is seeking to eliminate happy hours; and

WHEREAS, this applicant is seeking to operate a vegan Filipino restaurant with a certificate of occupancy of seventy-four (74) people, fourteen (14) tables and forty-four (44) seats, a seventeen (17) foot bar with twelve (12) stools, hours of operation of 5:00 P.M. to 12:00 A.M. all days, a kitchen serving food during all hours of operation, open windows, no televisions and recorded background music; and

WHEREAS, the applicant was administratively approved a wine beer license by Community Board 3 in September of 2015 provided that the applicant agreed to make as conditions of its license stipulations that it would 1) operate as a full-service raw bar and seafood 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. all days, 3) not commercially operate any outdoor areas, 4) close any front 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, 5) play ambient background music only, consisting of recorded music, and not have DJs, live music, 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 host pub crawls or party buses, 8) not have unlimited drink specials with food, 9) have "happy hours" to 8:00 P.M. each night, 10) ensure that there are no wait lines outside and designate an employee to oversee patrons and noise on the sidewalk, 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, this applicant was then issued a wine beer license by the SLA on August 16, 2017; and

WHEREAS, given these circumstances, Community Board 3 will approve this application for the alteration of the wine beer license with stipulations governing the method of operation of the business; now

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for the alteration of the wine beer license for Derossi Asia LLC, with a proposed business name of Night Music, for the premises located at 111 East 7th Street, eastern storefront, between First Avenue and Avenue A, New York, New York, to wit changing the type of food served at its restaurant and eliminating happy hours, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

- 1) it will operate as a full-service vegan Filipino 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. all days,
- 3) it will not commercially operate any outdoor areas,
- 4) it will close any front 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,
- 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 seek a change in class of its liquor license to a full on-premises liquor license without first obtaining the approval of 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.

New Liquor License Applications

5. City Orchard Brewing (City Orchard Brewing Company LLC), 174 1st Ave btwn E 10th & E 11th Sts (wb) withdrawn
6. Cheese Grill (188 Allen St Inc), 188 Allen St btwn E Houston & Stanton Sts (upgrade to op)

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

WHEREAS, 188 Allen St Inc., doing business as Cheese Grille, is applying for a change-in-class of its wine beer license to a full on-premises liquor license for the premises located at 188 Allen Street, between East Houston Street and Stanton Street, New York, New York; and

WHEREAS, this is an application for a grilled cheese and macaroni and cheese restaurant with a certificate of occupancy of seventy-four (74) people, four (4) tables and thirty-six (36) seats with twenty (20) seats at tables and twelve (12) seats at a counter or rail, a six (6) foot service counter with no stools, hours of operation of 11: A.M. to 10:00 P.M. Sundays, 11:00 A.M. to 12:00 A.M. Mondays through Thursdays and 11:00 A.M. to 3:00 A.M. Fridays and Saturdays, a kitchen open during all hours of operation, an open façade, one (1) television and recorded background music; and

WHEREAS, this applicant was denied a full on-premises liquor license by Community Board 3 in October of 2017; and

WHEREAS, this applicant was denied a wine beer license by Community Board 3 in November of 2017 unless the applicant agreed to make as conditions of its license stipulations that it would 1) operate as a full-service cheese-focused restaurant, with a kitchen open and serving food during all hours of operation, 2) have hours of operation of 11: A.M. to 10:00 P.M. Sundays, 11:00 A.M. to 12:00 A.M. Mondays through Thursdays and 11:00 A.M. to 3:00 A.M. Fridays and Saturdays, 3) not commercially operate any outdoor areas, 4) close any front or rear façade doors and windows at 11:00 P.M. every

night, when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances, or during any private parties, 5) play ambient background music only, consisting of recorded music, and not have DJs, live music, 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) not have unlimited drink specials with food, 10) ensure that there are no wait lines outside and designate an employee to oversee patrons and noise on the sidewalk, 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, this applicant was then issued a wine beer license by the SLA on July 2, 2019; and

WHEREAS, this premises is located on a wide commercially zoned avenue; and

WHEREAS, there are twenty-seven (27) full on-premises liquor licenses and three (3) pending full on-premises liquor licenses within five hundred (500) feet of this location per the SLA LAMP map; and

WHEREAS, the applicant has stated that the public benefit for approving a full on-premises liquor license for this location is that the business has been open since 2016 and is a stable community business; and

WHEREAS, the principal has no experience operating an eating and drinking business but has managed and then owned the present business; and

WHEREAS, given the small size of this establishment which has been open for three (3) years and given its location on a wide avenue, Community Board 3 would support a change-in-class of the wine beer license of this applicant to a full on-premises liquor license; now

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a change-in-class of the wine beer license to a full on-premises liquor license for 188 Allen St Inc., doing business as Cheese Grille, for the premises located at 188 Allen Street, between East Houston Street and Stanton Street, New York, New York, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

- 1) it will operate as a full-service cheese-focused restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 11: A.M. to 10:00 P.M. Sundays, 11:00 A.M. to 12:00 A.M. Mondays through Thursdays and 11:00 A.M. to 3:00 A.M. Fridays and Saturdays,
- 3) it will not commercially operate any outdoor areas,
- 4) it will close any front or rear façade doors and windows at 11:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances, or during unamplified live performances or televised sports,
- 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 not have "happy hours,"
- 10) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons and noise on the sidewalk,
- 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

7. Avenue A Gourmet LLC, 202 Ave A (op)
withdrawn

8. Down & Out (Down & Out Brooklyn LLC), 503 E 6th St btwn Aves A & B (op)

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

WHEREAS, Down & Out Brooklyn LLC, with a proposed business name of Down & Out, is seeking a full on-premises liquor license for the premises located at 503 East 6th Street, between Avenue A and Avenue B, New York, New York; and

WHEREAS, this is an application for a tavern with a certificate of occupancy of seventy-four (74) people, ten (10) tables and thirty-nine (39) seats, a twenty (20) foot bar with twelve (12) stools, hours of operation of 11:00 A.M. to 3:00 A.M. Sundays through Wednesdays and 11:00 A.M. to 4:00 A.M. Thursdays through Saturdays, a kitchen open during all hours of operation serving seafood and continental food, an open facade, no televisions, recorded background music and four (4) or five (5) private parties per month; and

WHEREAS, the attorney for the applicant stated that although the SLA notice had identified the method of operation of the proposed business as a tavern, the business will be a restaurant with a full menu; and

WHEREAS, this is a currently unlicensed location on a residential side street; and

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

WHEREAS, the prior licensee was then issued a full on-premises liquor license by the SLA on June 19, 2017, opened on or about July of 2017 and closed by August of 2018, after thirteen (13) months in operation; and

WHEREAS, there are twenty-three (23) full on-premises liquor licenses within five hundred (500) feet of this location per the SLA LAMP map; and

WHEREAS, the applicant now resides in the same neighborhood as the proposed business and has operated an indoor and outdoor beer garden with a full on-premises liquor license located at 272 Meserole Street Brooklyn, New York, since 2014 which recently closed; and

WHEREAS, given these circumstances, Community Board 3 would support a full on-premises liquor license for this applicant with stipulations governing the method of operation for its business, including having earlier closing hours and playing only recorded background music; now

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Down & Out Brooklyn LLC, with a proposed business name of Down & Out, for the premises located at 503 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 as a full-service seafood and continental restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 11: A.M. to 2:00 A.M. all days,
- 3) it will not commercially operate any outdoor areas,
- 4) 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, or during unamplified live performances or televised sports,
- 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 not have "happy hours,"
- 10) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons and noise on the sidewalk,
- 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

9. Entity to be formed by Arthur Karpati and Christopher Brooks, 191 Chrystie St btwn Rivington & Stanton Sts (op)

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

WHEREAS, an entity to be formed by principals Arthur Karpati and Christopher Brooks has applied for a full on-premises liquor license for the premises located at 191 Chrystie Street, between Rivington Street and Stanton Street, New York, New York; and,

WHEREAS, the applicant is proposing to operate a tavern with a certificate of occupancy of two hundred seventy-five (275) people, nineteen (19) tables and seventy-eight (78) seats, a twenty-four (24) foot or twenty-five (25) bar with fifteen (15) stools on the first floor, hours of operation of 11:00 A.M. to 4:00 A.M. all days, a prep area with food service during all hours of operation, recorded and live music and DJs at entertainment levels, security and happy hours to 9:00 P.M.; and

WHEREAS, the previous licensee at this location was denied a full on-premises liquor license by Community Board 3 in September of 2015 unless it agreed to make as conditions of its license stipulations that it would 1) operate as a tavern, serving food during all hours of operation, 2) have hours of operation of 5:00 P.M. to 2:00 A.M. Sundays through Tuesdays and 5:00 P.M. to 4:00 A.M. Wednesdays through Saturdays, 3) have a closed fixed facade with no open doors or windows and keep its entrance door closed at all times, 4) not commercially operate any outdoor areas, 5) install additional soundproofing, if necessary, consistent with the recommendations of a sound engineer, 6) employ security guards all days, 7) play recorded music and have DJs and live music, consisting of live acoustic piano or guitar playing, but not have promoted events, scheduled performances or any event at which a cover fee would be charged, 8) install a sound system consisting of distributed speakers to minimize noise and bass, 9) not apply for any alteration in its method of operation without first appearing before Community Board 3, 10) not have "happy hours," 11) not host pub crawls or party buses, 12) ensure that there are no wait lines outside and designate an employee to oversee patrons and noise on the sidewalk, 13) conspicuously post this stipulation form beside its liquor license inside of its business, and 14) provide a telephone number for residents to call with complaints and immediately address any resident complaints; and

WHEREAS, this premises is located on a wide commercially zoned avenue; and

WHEREAS, there are fourteen (14) full on-premises liquor licenses and one (1) pending full on-premises liquor license within five hundred (500) feet of this location per the SLA LAMP map; and

WHEREAS, one of the two principals lives in the building and operates a business with a full on-premises liquor license located at 532 West 27th Street, New York, New York, which was issued a full on-premises liquor license by the SLA on May 12, 2011, and at 530-542 West 27th Street, New York, New York, which was issued a full on-premises liquor license by the SLA on June 27, 2012, and previously operated two licensed businesses located at 55 West 14th Street, New York, New York, and 425 Lafayette Street, New York, New York; and

WHEREAS, given that this location previously operated as a tavern with a full on-premises liquor license and is located on a wide commercial avenue, Community Board 3 would 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 full on-premises liquor license for the entity to be formed by principals Arthur Karpati and Christopher Brooks for the premises located at 191 Chrystie Street, between Rivington Street and Stanton Street, New York, New York, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

- 1) it will operate as a tavern, with less than a full-service kitchen 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,
- 4) it will employ security guards all days,
- 5) it will install additional soundproofing, as needed,
- 6) it will have a closed fixed facade with no open doors or windows and will keep its entrance door closed at all times,
- 7) it will play recorded music and may have DJs and live music, with live music consisting of acoustic piano or guitar playing, but will not have 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 may have "happy hours" to 9:00 P.M. each night,
- 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

10. Village Square Pizza (The Village Square Pizza Inc), 147 Ave A (wb)
administratively approved
11. Foxface Provisions (Be A Good Neighbor LLC), 189 Ave A (wb)
administratively approved
12. Dumpling Lab Inc, 214 E 9th St (wb)
administratively approved
13. Vote to adjourn
approved by committee

39 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
no vote necessary
3. Vote to adjourn
approved by committee

39 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Land Use, Zoning, Public & Private Housing Committee

1. Approval of previous month's minutes
approved by committee
2. District Needs Statement
no vote necessary
3. Information presentation: development plan for 290 Henry Street - affordable housing at the annex of St Augustine's Church on Madison Street side
no vote necessary
4. DCAS: update on 70 Mulberry
no vote necessary
5. Vote to adjourn
approved by committee

39 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. FDNY: Fire safety concerns regarding Avenue B Open Street

VOTE: TITLE: RESOLUTION TO SUPPORT IMPROVING FDNY ACCESS TO AVENUE B OPEN STREET PROGRAM TO REDUCE EMERGENCY RESPONSE TIME

WHEREAS, the NYC Open Streets program, which opens public roadbeds for pedestrian and cyclist use during the COVID-19 crisis, is currently in place on Avenue B from East 6th Street to East 14th Street from 8:00 am to 8:00 pm all days of the week; and

WHEREAS, the Department of Transportation, without consulting Community Board 3 gave an Open Restaurants designation to Avenue B between 2nd Street and 3rd Street, further impeding FDNY's ability to reach Avenue D.

WHEREAS, when Avenue B was originally proposed as an Open Street from Houston Street to East 14th Street, FDNY expressed concern that this would lead to an increase in response time as units

would have to respond via Avenue A for incidents east of the FDNY firehouse located on East 2nd Street between Avenue B and Avenue C, forcing them to drive an extra block west and another back east past their firehouse, and then begin their normal response; and

WHEREAS, at that time, FDNY made a compromise with the City to implement the program exclusively north of East 6th Street, so that East 6th Street could be used as an eastbound thoroughfare for FDNY Engine 28 and Ladder 11 located on East 2nd Street to quickly and efficiently respond to calls east of Avenue B; and

WHEREAS, over the past two months FDNY has found that responding from the firehouse located on East 2nd Street via East 6th Street is causing delayed responses due to the following conditions on East 6th Street:

- a school zone
- three (3) speed reduction humps
- general disrepair (pothole, lack of adequate traffic lines, etc.)
- difficulty for vehicle operators to navigating the streets due to the size of the apparatus, traffic (vehicle and civilian), and illegal parking, etc.

WHEREAS, the speed humps cause a considerable amount of difficulty as each FDNY vehicle axle has to clear the speed reduction humps at 10 MPH or could cause considerable damage to the vehicle and equipment carried on the apparatus, as well as injury to the members riding in the rear of the vehicle; and

WHEREAS, the locations most impacted by these delayed responses are the NYCHA complexes on Avenue D from Houston Street to 14th Street, particularly the northern section of Avenue D from East 10th Street to East 14th Street, which see an average of 690-750 FDNY responses per month, most commonly for gas odors, stuck elevators, oven/stove fires, and EMS; and

WHEREAS, the FDNY fire companies stationed on East 2nd Street have reported numerous times when other units have arrived ahead them to calls on Avenue D, when under typical circumstances the East 2nd Street companies should have been arriving first, and the Battalion Chief from the FDNY station at 25 Pitt Street has reported instances where he has arrived at calls on Avenue D from Pitt Street before the units stationed much closer on East 2nd Street were able to arrive; and

WHEREAS, the FDNY believes that to continue to respond to the NYCHA complexes on Avenue D via East 6th street is dangerous for the occupants of those complexes due to increased response, as well as dangerous to residents living in the area along East 6th Street, as there are large trucks responding multiple times a day down a narrow street with three unmarked speed reduction humps and a schools zone; and

WHEREAS, FDNY Ladder 11 Captain Eugene Saladis expressed particular concern for the safety of the residents of the 1,200 apartment units in the Jacob Riis NYCHA complex, and stated that minutes rather than seconds are being added to his company's response time to this area; and

WHEREAS, the FDNY believes restoring full traffic up to East 14th Street, or at least up to East 10th Street, is necessary to provide the most efficient and timely response of FDNY units in the area, as East 10th Street is a wide street with no speed humps and would allow for normal response times to the NYCHA complexes on Avenue D.

THEREFORE BE IT RESOLVED, that DOT and FDNY explore options to give FDNY quicker access to Avenue D, specifically the NYCHA complexes on the northern stretch of Avenue D, short of completely opening Avenue B between East 6th Street and East 10th Street. Potential solutions could include:

- reversing East 2nd Street between Avenue B and Avenue C to accommodate eastbound traffic;
- removing the barricades on Avenue B in favor of flexible delineators that FDNY vehicles could drive over;
- creating a dedicated first-responder northbound lane on Avenue B between East 2nd Street and East 10th Street that would allow for an Open Street in the western lane and a full closure above East 10th Street that would need to be at least 15' wide and clearly delineated;
- removing parking on East 4th Street as well as parking on the east side of Avenue B between east 6th Street and east 10th Street to widen the street to accommodate FDNY vehicles; and

- creating an Open Streets grid between 14th and Houston Street and Avenues A and C similar to the LES Open Streets grid that would remove the need for barriers on every cross-street intersecting with Avenue B.

FURTHER RESOLVED, that if those options aren't feasible or won't give FDNY quicker access to Avenue D, the City should remove the Open Street installation on Avenue B from East 6th to 10th Street and the Open Restaurants designation for Avenue B between 2nd Street and 3rd Street, in order to protect public safety by providing for efficient and timely response of FDNY units in the area;

FURTHER RESOLVED, that if those options are feasible and will protect public safety, the City should reconsider whether the Open Street installation on Ave B could be extended from East 2nd Street to East 14th Street as originally proposed.

THEREFORE BE IT FURTHER RESOLVED, since the safety of our residents is of the highest priority as well as the need for Open Streets, particularly during the COVID emergency, we ask that the city resolve this without delay.

3. DOT: Open Restaurants & Open Streets: Restaurants Q & A
no vote necessary
4. District Needs Statement
no vote necessary
5. Vote to adjourn
approved by committee

39 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding Transportation item 2)

38 YES 0 NO 0 ABS 1 PNV MOTION PASSED (Transportation item 2)

Economic Development Committee

1. Approval of previous month's minutes
approved by committee
2. SBS: informational presentation on assistance available for small businesses
no vote necessary
3. District Needs Statement
no vote necessary
4. East Village Independent Merchants Assoc: information presentation on recovery plan
no vote necessary
5. Vote to adjourn
approved by committee

39 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Parks, Recreation, Waterfront, & Resiliency Committee

1. Approval of previous month's minutes
approved by committee
2. DDC: East Side Coastal Resiliency (ESCR) project update
no vote necessary
3. Parks: Tree Taskforce update
no vote necessary
4. DSNY: update on TLC taxi staging at Basketball City
no vote necessary
5. District Needs Statement
no vote necessary
6. Parks Manager Update
no vote necessary
7. Vote to adjourn
approved by committee

39 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
no vote necessary
3. CAB/CEC reports

no vote necessary
4. Vote to Adjourn
approved by committee

39 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Vote to adjourn

39 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Members Present at Last Vote:

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

Meeting Adjourned

Public In Attendance

- Tommy Loeb
- Laura Sewell, East Village Community Coalition
- Donald Moy, Grace Faith Church, City Grace Church
- Dianne Lake
- Marielle Villar Martiney
- Rocio Pena Burgos
- Matt Phifer, VP of Education & Employment, Henry Street Settlement
- Sophie Maerowitz, Loisaida Open Streets Community Coalition (LOSCC)
- Joshua Waterman- East Village resident
- Tunisia Riley, former public member
- Christine Datz Romero LES Ecology Center