



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

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Andrea Gordillo, Board Chair

Susan Stetzer, District Manager

December 2025 Vote Sheet

Executive Committee

no votes necessary

Parks, Recreation, Waterfront, & Resiliency Committee

1. Approval of previous month's minutes
approved by committee
2. Children's Magical Garden: support for reconstruction projects including – Iron Fence, Sidewalk Pavers & Bioswales, an Outdoor stage and community meeting space, and Children's tree house

VOTE: TITLE: To Support the Children's Magical Garden Capital Improvements: La Rosa Artistic Fence, Permeable Sidewalk & Bioswale Upgrades, La Rosa Stage/Community Space, and Children's Tree House Installation

WHEREAS, Children's Magical Garden (CMG) has served the Lower East Side for over 43 years as a free, community-led green space used by neighborhood families and four adjacent schools; and

WHEREAS, CMG was fully restored to community use following a ten-year court case, and with CB3's long-standing support the garden is now entering a critical phase of ecological restoration and community reinvestment; and

WHEREAS, CMG, the More Gardens Fund, and Councilmember Chris Marte's office are collaborating on a multi-part fully funded renovation capital plan to enhance public safety, environmental resilience, cultural engagement, and children's nature play;

WHEREAS, the La Rosa design honors roses planted by CMG founder Carmen Rubio, symbolizing wellness, love, beauty, and protection for neighborhood children; and

WHEREAS, the project spans 150 feet (122' Parks + 28' nonprofit) and incorporates artistic ironwork, permeable sidewalks, and bioswales to improve drainage, reduce flooding, and support tree health; and

WHEREAS, construction will use helical-driven posts, the least intrusive method for preserving tree roots while ensuring structural integrity;

WHEREAS, CMG and Councilmember Marte request Parks' approval of the artistic fence elements and coordination with DEP for bioswale and permeable sidewalk integration;

WHEREAS, the proposed stage on nonprofit-owned Lot 19 provides a permanent space for free performances, storytelling, children's arts, and cultural exchange, extending the rose theme as a symbol of protection and community wellness; and

WHEREAS, helical foundations will again be used to minimize soil disturbance; and

WHEREAS, the project features a nature-based play installation by world-renowned tree-house builder Roderick Romero, built to the highest safety and engineering standards, with minimal impact on roots through helical anchoring; and

WHEREAS, a portion of this installation may extend into Parks-administered land; so

THEREFORE, BE IT RESOLVED THAT:

Manhattan Community Board 3 supports and applauds the spirit of the design, encourages further development of the concepts presented by the Children's Magical Garden, and urges NYC Parks, NYC DEP, NYC Department of Cultural Affairs, GreenThumb, and Councilmember Marte's office to work collaboratively with Children's Magical Garden to ensure these projects advance efficiently, safely, and in a manner that reflects the Lower East Side's cultural, ecological, and child-centered values.

3. ULURP 250306 MMM for the city map change to demap part of Allen Street and map parkland, and

N 250307 ZRM for the accompanying text amendment to preserve Allen Street as a "wide" street for zoning purposes

VOTE: TITLE: To Support City Map Amendment (C 250306 MMM) and Zoning Text Amendment (N 250307 ZRM)

WHEREAS, the New York City Department of Parks and Recreation (Parks) has submitted an application to eliminate, discontinue and close a portion of Allen Street between Delancey Street and Rivington Street and map this area as parkland, consisting of an existing landscaped mall of approximately 9,300 square feet with a long-shuttered restroom facility; and

WHEREAS, since 1929 Parks has maintained the Allen Street malls under an agreement with the Manhattan Borough President, and since 1938 Parks has held jurisdiction over the restroom building, which has remained closed since the 1950s; and

WHEREAS, Community Board 3 has repeatedly called on Parks to reactivate and repurpose this restroom structure for community benefit, and both DOT and Parks have determined that demapping this section of Allen Street and mapping it as parkland is necessary for Parks to gain full site control and manage a potential concession without operational impediments associated with a mapped street right-of-way; and

WHEREAS, the project area is currently mapped at 138 feet wide, defined as a "wide street" under the Zoning Resolution, but the proposed map change would create two narrow streets of approximately 56–57 feet each, thereby necessitating a zoning text amendment to preserve the existing zoning regulations for lots fronting Allen Street in this area; and

WHEREAS, the accompanying Zoning Text Amendment (ZR 12-10) would modify the definition of a wide street to ensure that the two remaining roadways of Allen Street between Delancey and Rivington Streets are each treated as wide streets for zoning purposes, preventing unintended changes to allowable bulk, height, and density for adjacent properties; and

WHEREAS, the proposed action would not alter the physical layout of the street or mall, but would provide Parks with sole management authority to determine future uses of the shuttered restroom building in coordination with the community, including possible concession operation consistent with neighborhood need; and

WHEREAS, the Allen Street Mall serves as an important open space corridor in a densely populated area with limited accessible public open space, and mapping this portion as parkland strengthens long-term protection, stewardship, and potential programming opportunities; so

THEREFORE, BE IT RESOLVED, that Community Board 3 recommends approval of:

- 1) The City Map Amendment (C 250306 MMM) to eliminate, discontinue and close the mid-block portion of Allen Street between Delancey and Rivington Streets and map it as parkland, and
- 2) The Zoning Text Amendment (N 250307 ZRM) modifying ZR 12-10 to maintain existing wide street zoning conditions for lots fronting Allen Street;

BE IT FURTHER RESOLVED, that Community Board 3 requests that Parks continue working with CB3 and local residents to develop a community-driven plan for reactivation of the shuttered restroom building, including exploring public amenities, cultural uses, concessions, or other uses that directly benefit the neighborhood.

4. Parks Manager Update
no vote necessary
5. DDC: ESCR PA1 Status & Timeline
no vote necessary
6. Planning for term limits—timeline and procedures
no vote necessary
7. Vote to adjourn
approved by committee

32 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding Parks items 2, 3)

31 YES 0 NO 0 ABS 1 PNV MOTION PASSED (Parks items 2, 3)

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

1. Approval of previous month's minutes approved by committee
2. NY County Defenders Services: Informational presentation on Treatment Court Expansion Act which provides alternatives to incarceration for individuals with mental health and substance abuse no vote necessary
3. NY Immigration Coalition: Support for three pieces of legislation: 1) New York for All which would prohibit state and local officers from enforcing federal immigration laws and information/resource sharing with federal immigration authorities, 2) Access to Representation Act (S.141/A.270) which would ensure right to universal legal representation in immigration court, 3) Building Unrepresented Immigrant Legal Defense Act (A2689/S4538, BUILD) which would fund infrastructure for legal service providers

VOTE: TITLE: Support for the New York for All Act (S.2235/A.3506)

Whereas, many immigrant New Yorkers and their families live with fear that interactions with government institutions such as police traffic stops, attending school, going to work, or seeking health care could place them at risk of being funneled into federal immigration custody; and

Whereas, when local agencies participate in federal immigration enforcement, it can lead to unconstitutional racial profiling, misuse of local tax dollars, and harmful fear-mongering that damages public safety and community well-being; reduced trust, and increased fear

Whereas, when local officials do not participate in federal immigration enforcement, communities are safer, because residents are more willing to call for help and trust their neighbors and institutions

Whereas New York City has been a sanctuary city since 1989 through multiple policies, laws, and executive orders, and Community Board 3 supports preserving these sanctuary city regulations.¹

Whereas Community Board 3 also supports a Community Education Council 1 resolution to protect NYC Public School students and schools from ICE, and to maintain safe and supportive environment for all students, staff, and families.²

Whereas, the New York for All Act (S.2235/Gounardes and A.3506/Reyes)

- would prohibit state and local officers from enforcing federal immigration laws, sharing information or resources with federal immigration authorities, and diverting state and local resources for federal immigration enforcement (except if there is a valid court order or federal judicial warrant)
- prohibits ICE (US Immigration and Customs Enforcement) and CBP (Customs and Border Protection) from entering non-public areas of state and local property without a judicial warrant, limits access to state information databases, and ensures that people in custody are informed of their rights before any ICE interview; and
- establishes consistent statewide protections
- includes police officers, peace officers, school resource officers, probation agencies or departments, state entities, state employees, municipal corporations, county correctional facilities

Whereas, the New York for All Act responds to increased threats of mass deportations and heightened federal immigration enforcement, which have included raids, scare tactics, and actions that separate New York families, often aided by local law enforcement agencies; and

Whereas, immigrant New Yorkers make up essential parts of the state's workforce, strengthen the economy, and fill critical jobs including home health care, childcare, and construction, and communities are stronger when immigrants can participate fully without fear; and

Whereas, several states including New Jersey, Washington, Illinois, and California have already adopted statewide sanctuary policies, and New York needs consistent statewide protections so that immigrant residents across the state receive the same safeguards; and

¹ March 2025 Community Board 3 Full board minutes.

<https://www.nyc.gov/assets/manhattancb3/downloads/minutes/2025/minutes2025-03.pdf>

² March 2025 Community Board 3 Full board minutes.

<https://www.nyc.gov/assets/manhattancb3/downloads/minutes/2025/minutes2025-03.pdf>

Whereas, immigrant communities deserve respect and a chance to pursue citizenship without fear, and many families who have already endured significant hardship would face catastrophic consequences if mass deportation efforts escalate;

Therefore, Community Board 3 supports the New York for All Act (S.2235/A.3506), and urges New York State to pass this legislation to ensure that state and local officers do not enforce federal immigration laws, do not participate in arrests or detention for immigration purposes, and do not share information or resources with federal immigration authorities

VOTE: TITLE: Support for Access to Representation Act (S.141/A.270) and the Building Unrepresented Immigrant Legal Defense Act (A.2689/S.4538, BUILD)

Whereas, immigrants do not have a right to a government-paid attorney in immigration court. Those who cannot afford to hire a private attorney must find a nonprofit able to help or represent them. Local non-profit organizations in Community District 3, who serve new immigrants report that immigrants now face many legal barriers and challenges, and more than ever, there is a need for immigration legal services and representation. In addition, lack of continued funding for immigration legal service providers makes it difficult to hire and retain staff

Whereas, immigrants comprise more than a quarter of New York State's workforce, including 281,000 entrepreneurs, and over one-third of New York children have an immigrant parent, demonstrating the importance of supporting immigrant families and communities; and

Whereas, applying for asylum in the United States is enshrined in Federal Law. Asylum applications may end up in immigration courts. In recent years, the number of asylum applications filed in immigration courts has generally increased. At the end of the first quarter of FY2023, 749,133 asylum applications were pending in immigration courts.³

Whereas, as of October 2025, 1 in 3 people in New York who were facing immigration proceedings lacked legal representation, putting them at risk of detention in dangerous facilities, permanent family separation, and deportation to unsafe conditions;⁴ and

Whereas, navigating the immigration system without counsel is nearly impossible, and legal assistance should not depend on the ability to pay for a lawyer; and

Whereas, the Access to Representation Act (S.141/A.270, ARA) establishes a right to universal representation, ensuring that anyone at risk of deportation who cannot afford a lawyer will be provided with one; and

Whereas, the Building Unrepresented Immigrant Legal Defense Act (A.2689/S.4538, BUILD) provides funding and infrastructure for legal services providers to create, maintain, and expand programs that protect immigrant communities over the next four years, laying the groundwork for the ARA; and

Whereas, providing access to attorneys for all immigrants in New York State facing deportation is both a moral imperative and a practical investment in long-term stability, fairness, racial equity, community safety, and economic prosperity; and

Whereas, legal representation dramatically increases the likelihood of a successful outcome in immigration proceedings, with non-detained immigrants represented by lawyers winning at a rate of 60% versus 17% for those without legal assistance, and detained immigrants with lawyers being ten times more likely to win their cases and seven times more likely to be released from custody; and

Whereas, long-term funding and investment in immigration legal services, including \$175 million in FY27 to the NY State Office of New Americans are essential to sustain existing services, expand access, ensure organizations can hire and retain staff to meet growing

³ Asylum Process in Immigration Courts and Selected Trends. <https://www.congress.gov/crs-product/R47504>

⁴ Immigration Court Legal Representation Dashboard. <https://www.vera.org/ending-mass-incarceration/reducing-incarceration/detention-of-immigrants/advancing-universal-representation-initiative/immigration-court-legal-representation-dashboard>

needs; expand immigration law clinics at accredited New York law schools, provide student loan contribution for attorneys committed to pro bono work, have programs to support individuals seeking DOJ accreditation to represent immigrants at risk of deportation

Therefore, it be resolved, Community Board 3 supports the Access to Representation Act (S.141/A.270) and the Building Unrepresented Immigrant Legal Defense Act (A.2689/S.4538, BUILD) and urges the New York State Legislature and Governor to enact these bills to ensure universal legal representation for immigrants and provide long-term infrastructure and funding for legal service providers.

Further resolved, Community Board 3 supports efforts to sustain and expand programs through the Office of New Americans to ensure that immigrant communities across New York State have access to legal representation, due process, and protections under the law.

- 4. Data Collaborative for Justice Report- Informational Presentation Testing Long Term Impact of Bail Reform
no vote necessary
- 5. Planning for term limits – timeline and procedures
no vote necessary
- 6. CAB/CEC reports
no vote necessary
- 7. Vote adjourn
approved by committee

32 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding Human Services items 2, 3)

31 YES 1 NO 0 ABS 0 PNV MOTION PASSED (Human Services item 2)

30 YES 1 NO 0 ABS 1 PNV MOTION PASSED (Human Services item 3)

SLA Licensing & Outdoor Dining Committee

- 1. Approval of previous month's minutes
approved by committee
- 2. Planning for term limits – timeline and procedures
no vote necessary

Alterations

- 3. Cozy Cafe (Cozy Cafe Corp), 43 E 1st St (wb/alt: license adjacent storefront)
withdrawn
- 4. Holiday Inn NYC - Lower East Side (SC Delancey LLC & 150 Delancey Restaurant Inc), 148-150 Delancey St (op/alt: add additional bar and dining area on rooftop, 12 tables with 4 seats each, 15 seats at bar, 6 seats at booths)

VOTE: TITLE: Community Board 3 Recommendation To Deny Roof Top Bar

WHEREAS, SC Delancey, LLC and 150 Delancey Restaurant, Inc. doing business as "The Holiday Inn", is seeking an alteration of an existing op license (adding a rooftop bar), in the premises located at 148-150 Delancey Street, between Suffolk and Clinton Streets, New York, New York; and

WHEREAS, this is an application for a roof top bar, with 11 tables, two booths, 54 seats, and a 20 foot bar with 15 seats, serving food during all hours of operation, hours of operation 12PM – 11PM all days, no televisions and small speakers playing music at background level; and

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

WHEREAS, the "Holiday Inn" hotel has been operating at this location since 2013. The applicant came to the community board in 2016 with an application for the rooftop space and was denied at that time; and

WHEREAS, the applicant operates the ground floor and basement restaurants in the holiday in; and,

WHEREAS, 15 people spoke in opposition to this application and we received 135 letters in opposition due to the close proximity to neighboring apartments, existing noise from the restaurant in the basement which is heard through the basement skylight which is in the courtyard behind the hotel, and sound from the rooftop space would travel through the

space between the buildings that runs the entire length of the block between Suffolk and Clinton and Delancey and Rivington Streets; and

WHEREAS, 21 residents who live within two blocks of the location signed a petition in favor of the application; and

WHEREAS, the applicant is currently advertising a nightclub with Djs and dancing in the basement contrary to existing method of operation. The community board does not have any record of that use being approved. The last approved use the community board has on record was for a full service restaurant. The applicant states he was approved however, his renewal applications to the SLA do not list dancing, so there is a question as to the legality of this use, and if the applicant is adhering to his current license stipulations,

WHEREAS Suffolk Street is already noisy and congested despite being a residential street and cannot bear the burden of increased noise and congestion. Currently there are problems when staff and patrons gather in the ground floor courtyard, which opens to the area behind all of the residential buildings on Suffolk Street, Clinton Street, Delancey Street and Rivington Street which has resulted in persistent complaints of noise from residents. There is a concern by residents who already hear people when they are in the courtyard that allowing a change in the method of operation to use the roof top result in more noise travelling into residential apartments; and

WHEREAS, given the complaints of residents whose windows overlook the courtyard and already experience noise issues, Community Board #3 cannot approve an alteration which would add a rooftop bar to this business, thereby increasing noise and congestion in the area but particularly in residences inches away from the rooftop; and

THEREFORE, BE IT RESOLVED that Community Board #3 moves to deny the application for an alteration of the full on-premises hotel liquor license for SC Delancey LLC, and 150 Delancey Restaurant, located at 148-150 Delancey Street, a/k/a 96 Suffolk Street on the corner of Delancey Street and Suffolk Street, New York, New York.

5. Pinky Swear (Wallabout Entertainment LLC), 167-171 Chrystie St (op/alt: add rear yard to licensed premises with 5 tables, a fire pit, and 24 seats, update ground floor interior seating layout, add two additional restrooms, additional security guards)

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

WHEREAS, Wallabout Entertainment LLC doing business as Pinky Swear, is seeking an alteration to a full on-premises liquor license to add backyard space with 5 tables, a fire pit, and 24 seats, update ground floor interior seating layout, add two additional restrooms, additional security guards in the premises located at 167 171 Chrystie Street, between Delancey and Rivington, New York, New York; and

WHEREAS, this is an application for an establishment with of 150 people, 32 tables and 91 seats + 12 bar stools with full kitchen, serving food during all hours of operation with four televisions, and recorded music; and

WHEREAS, there are 16 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, The location is currently licensed to the applicant, this is a new building and the applicant is the first tenant of this space; and

WHEREAS, the applicant is the current holder of this license, since 2022; and

WHEREAS, we received an email in opposition from the Bowery Block Association,

WHEREAS, the applicant submitted 7 letters of support from residents in the building,

WHEREAS, 9 residents who live within two blocks of the location signed a petition in favor of the application; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Wallabout Entertainment for the premises

located at 167 171 Chrystie St, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a Full Kitchen Restaurant, serving Continental food during all hours of operation
 - 2) its hours of operation will be opening no later than Mon-Fri 4pm/Sat-Sun 11am and closing by 2am Mon-Sun,
 - 3) it will close all outdoor dining including the back yard, at 9PM Sunday – Wednesday, and 10 PM Thursday – Saturday, no sound including speakers, music, TV monitors and will install sound mitigation to prevent sound from being audible in neighboring apartments
 - 4) it will install soundproofing with a sound engineer to ensure that sound is inaudible in neighboring apartments, including sound mitigation in the back yard,
 - 5) it will have a closed fixed façade with no open doors or windows except my entrance door will close by 10:00 P.M. or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances, or during unamplified live performances or televised sports,
 - 6) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events, scheduled performances, dancing, 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, including boozy brunches, with food,
 - 10) it will not have "happy hours,"
 - 11) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
 - 12) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
 - 13) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints
 - 14) use a reservation testing system to ensure patrons do not loiter outside the premises.
6. N & D Restaurant Corp, 175 2nd Ave (wb/legalize alteration and method of operation change: add additional space on ground floor, change morning and lunch menu concept and modify opening time)

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

WHEREAS, N & D Restaurant Corp doing business as TBD, is seeking an alteration to a beer wine and cider license, in the premises located at 175 2nd Avenue, between 11th and 12th Street, New York, New York; and

WHEREAS, this is an application for an establishment with of 74 people, to legalize an unapproved alteration that expanded into an adjacent vacant space, adding 700 sq. ft on the ground floor and cellar, the updated space includes a sushi counter with 10 seats (registered as a customer bar), 9 tables with 15 seats, and one bathroom and dishwashing area, total 25 tables on the ground floor, serving food during all hours of operation; and

WHEREAS, there are 25 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, The applicant has been operating for 20 years at this location with a Beer/wine license; and

WHEREAS, 36 residents who live within two blocks of the location signed a petition in favor of the application; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a alterations to the Beer/Wine license for N & D Corp, for the premises located at 175 2nd Avenue, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a Sushi Restaurant, with Full Kitchen serving food at all hours of operation,
- 2) its hours of operation will be opening no later than 11:00 A.M. and closing by 10:30 P.M. Monday Through Friday; 11:00 A.M. and closing by 11:30 P.M. Saturday and Sunday

- 3) it will close all outdoor dining allowed under the temporary Open Restaurants program and any other outdoor uses by 10:00 P.M. all days and not have any speakers or TV monitors,
 - 4) it will close any front or rear facade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live non-musical performances, or during unamplified live performances or televised sports
 - 5) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events, scheduled performances, any event at which a cover fee will be charged or dancing,
 - 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
 - 7) it will not host pub crawls or party buses,
 - 8) it will not have unlimited drink specials, including boozy brunches, with food,
 - 9) it will not have "happy hours,"
 - 10) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
 - 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
 - 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.
7. Ray's (Swiss White Int'l LLC), 177 Chrystie St (op/alt: modifying seating arrangements upstairs and downstairs, total number of seats will remain at 44, the number of barstools will decrease to 6 from 10, table count will also decrease from 16 to 10, a few tables will be distributed to the basement space)
- withdrawn

New Liquor License Applications

8. Entity to be formed by Matthew Webber, 31-33 2nd Ave (op) (bar/tavern)

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

WHEREAS, Old Man Bar LLC is seeking a full on-premises liquor license, in the premises located at 31-33 2nd Ave between E. 1st and E. 2nd Streets, New York, New York; and

WHEREAS, this is an application for a bar/tavern with 275 people, 26 tables and 103 seats with 2 bars, 1 on ground floor, one in the basement, 25 seats total with less than a full-service kitchen, serving food during all hours of operation, no TVs and DJs and recorded music; and

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

WHEREAS, this location was previously a pet store from 2015 -2018. Prior to that the building was renovated, and the space was the location of Urge with a full liquor license until 2012

WHEREAS, the applicant has operated 8 other licensed locations for 25 years, including one in CB3, the Ripple Room at 183 Bowery, with no problems,

WHEREAS, two residents that live at 31-33 2nd Avenue appeared and spoke in opposition, with petitions in opposition from 26 tenants and Community Access, as Social Services organization next door submitted a letter in opposition. They had many problems with the previous bar at this location and are concerned about noise, crowds and safety. Three residents that live in the building appeared and spoke in favor, and three residents submitted a letter of support, including one from the building; and

WHEREAS, 40 residents who live within two blocks of the location signed a petition in favor of the application; and

WHEREAS, although this appears to go against our Community Board guidance of not adding a license to an unlicensed location, and the opposition from residents, we are approving this application because this area of second avenue is a wide avenue, with commercial uses, but more importantly the applicant's history as well as the applicant's agreement to stipulations that will ensure there will not be a negative impact on the area, including extensive soundproofing to ensure no sound is neighboring apartments, ground floor is only recorded background music, will keep the front of the building clear; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Old Man Bar, LLC, for the premises located at 31-33 2nd Ave, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a Bar/Tavern, with less than a full kitchen serving food all hours,
- 2) its hours of operation will be opening no later than 4:00 P.M. and closing by 2:00 A.M all days,
- 3) it will not use outdoor space for commercial use,
- 4) it will employ a doorman all days, 7pm – close,
- 5) it will install soundproofing to ensure sound and vibrations are not audible in neighboring apartments or the Community Access building,
- 6) it will have a closed fixed façade with no open doors or windows except my entrance door will close by 10:00 P.M. or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances, or during unamplified live performances or televised sports,
- 7) it will play recorded background music only on the ground floor, it may have entertainment level music and dancing in the basement only, including up to 10 DJ events per year. It will not have live music, third party promoted events, scheduled performances, or cover fees, and may have up to 10 private parties per year,
- 8) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 9) it will not host pub crawls or party buses,
- 10) it will not have unlimited drink specials, including boozy brunches, with food,
- 11) it may have "happy hours" until 8PM each night,
- 12) it will ensure that there are no wait lines outside [and will designate an employee for ensuring no loitering, noise or crowds outside],
- 13) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 14) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints
- 15) it will have staff to direct smoking patrons away from the front of the building and will keep the front clear at all times.

9. Bar Chucho (Bar Chucho LLC), 37 Market St (op) (restaurant)

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

WHEREAS, Bar Chucho, LLC doing business as "Bar Chucho", is seeking a full on-premises liquor license, in the premises located at 37 Market Street, between Madison and Henry Streets, New York, New York; and

WHEREAS, this is an application for an establishment with up to 74 people, 16 tables and 49 seats, including a stand-up bar, a full kitchen and food preparation area serving food until one (1) hour before closing, one (1) television, and small speakers playing music at background level; and

WHEREAS, there is one 1 full on-premises liquor license within 500 feet per the SLA LAMP map; and

WHEREAS, this location sited "Dali NYC", a restaurant with a full, on-premises liquor license through 2024; and

WHEREAS, applicants own and operate two (2) restaurants in Manhattan and Brooklyn, including "Corima" located within Manhattan CB3 at 3 Allen Street, which has a full on-premises license; and

WHEREAS, six residents spoke in opposition to this application, specifically the later hours, due increasing quality of life problems for this residential neighborhood, as more bars and restaurants are recently opening in this area; and

WHEREAS, 60 residents who live within two blocks of the location signed a petition in favor of the application; and

WHEREAS, this location is within 500 feet of only one full liquor license, so it is not subject to the 500 foot rule, and it is a previously licensed location, with closing hours of 2AM all nights we would agree to support this application; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Bar Chucho, LLC, for the premises located at 37 Market Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a Mexican Taqueria & Bar, with full kitchen and food preparation area serving food all hours of operations,
- 2) its hours of operation will be opening no later than 12PM all days and closing by 12AM Sund – Wednesday, and 2AM Thursday – Saturday,
- 3) it will not use outdoor space for commercial use,
- 4) it will install soundproofing, if necessary, to ensure sound is not audible in neighboring apartments,
- 5) it will have a closed fixed façade with no open doors or windows except my entrance door will close by 10:00 P.M. or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances, or during unamplified live performances or televised sports,
- 6) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events, scheduled performances, dancing, 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, including boozy brunches, with food,
- 10) it may have "happy hours" until 7PM each night,
- 11) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
- 12) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 13) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

10. Arc Hospitality Inc, 40 Ave B (op) (restaurant)

VOTE: TITLE: Community Board 3 Recommendation To Deny

WHEREAS, Arc Hospitality Inc doing business as Almost Santo, is seeking a full on-premises liquor license, in the premises located at 40 Avenue B, between 3rd and 2nd Street, New York, New York; and

WHEREAS, this is an application for an establishment with of 86 people, 34 tables and 76 seats + 8 bar stools with full kitchen serving food during these hours (5pm-11pm Dinner // 11am-3pm Brunch). The hours of operation are Mon-Thu 5pm-1am; Fri-Sat 11am-2am; Sun 11am – 2am with no Tvs and live and recorded music; and

WHEREAS, there are 18 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, this is a currently an unlicensed location. From 2023 -2024 Dora's Restaurant operated with a beer/wine license, however they violated stipulations by having DJs, keeping windows open past 10pm, and allegedly serving liquor without a license. Prior to that, El Carnival opened in 2021 without a liquor license, but were serving alcohol illegally; and

WHEREAS, the applicant is a licensee in Oyster Bay Town since Oct 2023 and has experience working in several restaurants in New York City; and

WHEREAS, 9 residents who live within two blocks of the location signed a petition in favor of the application; and

WHEREAS, the applicant originally stated that they wanted to be open until 1AM during the week and 2AM on weekends to serve members of the hospitality industry after they got off work, however they were closing their kitchen at 11pm, which appears to mean serving the hospitality industry with drinks only, no food and

WHEREAS, at one time this block was one of the worst areas in CB3, the residents, community board and SLA worked very hard to resolve the issues, including revocation of several licenses. In recent years, the quality of life has been improving but is still the center of many complaints regarding late night noise and rowdy behavior, and we are very concerned about increasing the impact on the neighborhood; and

WHEREAS, the committee questioned the applicant about their proposed method of operation and it appeared that the applicant was still determining how they would operate but did not have a complete business plan. There was a discussion about a beer and wine but the applicant said that would not work with their concept; and

THEREFORE, BE IT RESOLVED, Given this history of this location and block, the concern that the application, as presented, would increase the negative impact on the neighborhood, this location previously only had a Beer/Wine license, the lack of clarity about the application, and the operator's lack of experience, Community Board 3 recommends the denial of the application for a full on-premises liquor license for ARC Hospitality Inc for the premises located at 40 Avenue B, New York, New York.

11. Lateshift LLC, 42 Ave B (op) (bar/tavern)

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

WHEREAS, Lateshift LLC doing business as Much Obligated, is seeking a full on-premises liquor license, in the premises located at 42 Avenue B, between 3rd and 4th Street, New York, New York; and

WHEREAS, this is an application for an Bar/Tavern establishment with of 35 people, 6 tables and 27 bar seats with 1 stand-up bard with 10 seats, with a full kitchen and no prep area, serving food during all hours of operation, but with the kitchen closing Wed, Thur, & Sun at 10pm and Fri & Sat at 11pm, its hours of operation Wed-Thu 5:30 p.m. – 1a.m., Fri 5:30 p.m.– 2 a.m., Sat 1 p.m. – 2 a.m., Sun 1 p.m. – 12 a.m. with no TVs and streaming music only; and

WHEREAS, there are 12 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and (only for full liquor and if there are more than 3 full op licenses). This info comes from questionnaire

WHEREAS, this location is currently licensed with a full liquor license to Pig and Butter, which opened in 2023 and closed December 2025; and

WHEREAS, the applicant is a license holder in Brooklyn's Community Board 1 Ctrl-A Concepts (105 Norman Ave) since 12/2023; and

WHEREAS, 21 residents who live within two blocks of the location signed a petition in favor of the application; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Lateshift LLC for the premises located at 42 Avenue B, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a Bar/Taverns with Small Plates/Tapas, with a kitchen open and serving food during all overs of operation],
- 2) its hours of operation will be opening no later than 5:30 P.M. -12AM Sunday, Wednesday and Thursday, 5:30PM – 1AM Friday and Saturday,
- 3) it will not use outdoor space for commercial use
- 4) it will close any front or rear facade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live non-musical performances, or during unamplified live performances or televised sports,
- 5) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events, scheduled performances, dancing, or any event at which a cover fee will be charged, but may have up to 12 private parties per year,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials, including boozy brunches, with food,
- 9) it may have "happy hours" until 07:00 P.M. each night

- 10) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
- 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

12. 88 East Restaurant Corp, 88 E B'way (2nd Fl) (op) (restaurant)

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

WHEREAS, 88 East Broadway Corp. is seeking a full on-premises liquor license, in the premises located at 88 East Broadway, between Forsyth and Market, New York, New York; and

WHEREAS, this is an application for an establishment with of 470 people, 45 tables and 450 seats for a Dim Sum Chinese Banquet Hall with a full kitchen serving food during all hours of operation, no televisions, recorded and live music; and

WHEREAS, there are 18 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, This location is currently unlicensed and is the second floor of the East Broadway mall; and

WHEREAS, The Applicant currently operates a hotel in queens; and

WHEREAS, We received an email from a resident supporting this application and the need for this type of venue in Chinatown; and

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

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for CORPORATION NAME, for the premises located at 88 East Broadway, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a Dim Sum Chinese Banquet hall, with a full kitchen, serving food all hours,
- 2) its hours of operation will be opening no later than 10:00 A.M. and closing by 11:30 P.M. ALL DAYS,
- 3) it will not use outdoor space for commercial use,
- 4) it will have a closed fixed façade with no open doors or windows except my entrance door will close by 10:00 P.M. or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances, or during unamplified live performances or televised sports,
- 5) it will play Live Music and DJs, and dancing during weddings and private events, but not have third party promoted events, cover fees, scheduled performances,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials, including boozy brunches, with food,
- 9) it will not have "happy hours"
- 10) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
- 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

13. Tangny Inc, 97 2nd Ave (op) (restaurant)

There was not a quorum of the committee for this item, and must be moved from the floor.

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

WHEREAS, Tangy Inc. doing business as Tang, is seeking a full on-premises liquor license, in the premises located at 97 Second Ave, between 5th and 6th Streets, New York, New York; and

WHEREAS, this is an application for an establishment with of 100 people, 16 tables and 42 seats with one stand up bar with four seats, and a full kitchen, serving Japanese food during all hours of operation no TV's and streamed/recorded background music; and

WHEREAS, there are 41 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, Her husband operates an establishment with a full license in Manhattan, and she has worked as a manger in her mother's restaurant,

WHEREAS, this location was previously a restaurant with a beer/wine license; and

WHEREAS, 25 residents who live within two blocks of the location signed a petition in favor of the application; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Tangy Inc, for the premises located at 97 Second Ave, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a Japanese restaurant, with food being served during all hours of operation,
- 2) its hours of operation will be opening no later than 11:30AM and closing by 11PM all days,
- 3) it will not use outdoor space for commercial use,
- 4) it will close any front or rear facade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live non-musical performances, or during unamplified live performances or televised sports,
- 5) it will play ambient background music only, consisting of recorded music, and will not have DJs, live music, promoted events, scheduled performances, any event with a cover fee or dancing,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials, including boozy brunches, with food,
- 9) it will not have "happy hours",
- 10) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
- 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

14. Kind Regards (Small Town Creative LLC), 152 Ludlow St (op) (bar/tavern) WITHDRAWN withdrawn

15. Vaidstone Holdings LLC, 170 Ave A (aka 500 E 11th St) (wb) (cafe/bookstore)

There was not a quorum of the committee for this item, and must be moved from the floor.

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

WHEREAS, Vaidstone Holdings, LLC, is seeking a license for the sale of wine, beer and cider in the premises located at 170 Avenue A, between E. 10th and E. 11th Streets, New York, New York; and

WHEREAS, this is an application for an establishment with up to 75 people, 8 tables and 34 seats, including a customer bar, no kitchen, a food preparation area serving food during all hours of operation, no televisions, live (acoustic) music, and small speakers playing music at background level; and,

WHEREAS, there are eight (8) full on-premises liquor licenses within 500 feet per the SLA LAMP map; and,

WHEREAS, this location previously sited a 7-11, which held a retail liquor license from 2014-2024;

WHEREAS, applicant has never held a license for the sale of alcohol; and

WHEREAS, 66 residents who live within two blocks of the location signed a petition in favor of the application; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a wine, beer & cider license for Vaidstone Holdings, LLC, for the premises located at 170 Avenue A, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a Cafe and Bookstore, with no kitchen, a food preparation area serving food during all hours of operation,
- 2) its hours of operation will be opening no later than 11 AM and closing by 12 AM all days,
- 3) it will not use outdoor space for commercial use,
- 4) it will install soundproofing, if necessary to ensure sound is not audible in neighboring apartments,
- 5) it will have a closed fixed façade with no open doors or windows except my entrance door will close by 10:00 P.M. or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances, or during unamplified live performances or televised sports,
- 6) it will play recorded background music, no DJs, live music, promoted events, scheduled performances, dancing, or any events 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, including boozy brunches, with food,
- 10) it may have a "happy hour" that will end at 7PM.
- 11) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
- 12) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 13) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

16. Moim Hospitality LLC, 176 1st Ave (wb) (restaurant)

There was not a quorum of the committee for this item, and must be moved from the floor.

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

WHEREAS, Moim Hospitality LLC doing business as is seeking a beer, wine, and cider license, in the premises located at 176 1st avenue, between 10th and 11th Street, New York, New York; and

WHEREAS, this is an application for an establishment with of 40 people, 12 tables and 24 seats with 30 foot bar with 10 seats, Full kitchen, serving food during all hours of operation No TVs, streamed music at background levels ; and

WHEREAS, there are 31 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and (only for full liquor and if there are more than 3 full op licenses). This info comes from questionnaire

WHEREAS, The location is previously unlicensed and a former bagel shop; and

WHEREAS, The applicant has never held a license before; and

WHEREAS, Describe any support and/or opposition to the application – for constructive reasons; and

WHEREAS, 15 residents who live within two blocks of the location signed a petition in favor of the application; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Moim Hospitality LLC, for the premises located at 176 1st Avenue, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a Korean Italian Restaurant, with Full a kitchen serving food at all hours
- 2) its hours of operation will be opening no later than 10:00 A.M. and closing by 12:00 A.M. Sunday- Thursday; 10:00 A.M. and closing by 1:00 A.M. Friday -Saturday,
- 3) it will not use outdoor space for commercial use,
- 4) it will close any front or rear facade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live non-musical performances, or during unamplified live performances or televised sports,
- 5) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials, including boozy brunches, with food,
- 9) it may have "happy hours" until 7:00 P.M. each night
- 10) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
- 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

17. Take Care Hospitality LLC, 197 2nd Ave (op) (bar/tavern)

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

WHEREAS, Take Care hospitality LLC is seeking a full on-premises liquor license, in the premises located at 197 Second Ave, between 12th and 13th Streets, New York, New York; and

WHEREAS, this is an application for an establishment with of 74people, 17 tables and 42 seats with one stand up bar with ten seats, with a full kitchen serving Filipino-American food, during all hours of operation. There will be no TV's and background recorded music only, and

WHEREAS, there are 41 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, This location is currently licensed to Aces, with a full liquor license. This location was previously Black Emperor from 2018 to 2021 with a full on-premises liquor license; prior to that is was Schoolbreds, from 2007-2017 with a full liquor license; and

WHEREAS, applicant has never previously been a license holder but has managed several bars in the area, Mister Paradise on First Avenue and the Library on Avenue A; and

WHEREAS, there were 6 commercial 311 complaints at this location with NYPD action over the last three years; and

WHEREAS, 63 residents who live within two blocks of the location signed a petition in favor of the application; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Take Care hospitality LLC, for the premises located at 197 2nd Ave New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a Tavern, serving Filipino-American food during all hours of operation,
- 2) its hours of operation will be opening no later than 4PM and closing by 4AM Monday-Friday and opening no later than 2PM and closing by 4AM Saturday and Sundays,
- 3) it will not use outdoor space for commercial use,
- 4) it will close any front or rear facade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live non-musical performances, or during unamplified live performances or televised sports,

- 5) it will play ambient background music only, consisting of recorded music, and will not have live music, Djs, scheduled performances, promoted events, any event with a cover, scheduled performances and dancing,
 - 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
 - 7) it will not host pub crawls or party buses,
 - 8) it will not have unlimited drink specials, including boozy brunches, with food,
 - 9) it may have "happy hours" until 7 P.M. each night,
 - 10) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
 - 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
 - 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.
18. Canyon NY Foundation Inc, 200 Broome St (op) (museum/restaurant)
withdrawn
19. Muncheese Pizzeria LLC, 244 E 13th St (wb) (bar/tavern)
withdrawn
20. Hi-Fi to the People LLC, 301 Grand St (op) (bar/tavern)

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

WHEREAS, Hi FI To the People, LLC is seeking a full on-premises liquor license, in the premises located at 301 Grand Street between Eldridge and Allen Street, New York, New York; and

WHEREAS, this is an application for an establishment with of 85 people, 27 tables and 85 seats with Two bars, 15 feet on 1st floor and 8 feet on second floor, with less than a full service kitchen serving food all hours, no tvs, with live music; and

WHEREAS, there are 18 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, this location was previously unlicensed; and

WHEREAS, the applicant has never previously been a license holder; and

WHEREAS, 51 residents who live within two blocks of the location signed a petition in favor of the application; and

WHEREAS, although this is an unlicensed location, we are approving this application because this area of Grand Street is primarily commercial, with limited residential uses, no residential uses abutting this building, and the applicant will be occupying the entire building, including the basement and a residential unit on the top floor; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for HI FI TO THE PEOPLE LLC, for the premises located at 301 Grand Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a Bar/Tavern with less than a full service kitchen, serving food all hours,
- 2) its hours of operation will be opening no later than 10am – 12am Sunday – Wednesday, and 10AM – 2AM Thursday – Saturday,
- 3) it will not use outdoor space for commercial use,
- 4) it will have a closed fixed façade with no open doors or windows except my entrance door will close by 10:00 P.M. or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances, or during unamplified live performances or televised sports,
- 5) it will play have DJs and Live music at background level, but will not have promoted events, any event with a cover fee, scheduled performances, or dancing. It may have up to 20 private parties per year,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials, including boozy brunches, with food,
- 9) it may have "happy hours" until 8P.M. each night,

- 10) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
 - 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
 - 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints
 - 13) Alcohol service will be limited to the ground and first floor.
21. DJF Collective LLC, 422 E 9th St (wb) (cafe/bar)

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

WHEREAS, DJF Collective, LLC is seeking a Wine/Beer license, in the premises located at 422 E. 9th Street, between First Avenue and Avenue A, New York, New York; and

WHEREAS, this is an application for an establishment with up to 74 people, 13 tables and 38 seats, including one 14 foot stand-up bar, with a less than full service kitchen but serving food during all hours of operation, no televisions, and small speakers playing music at background volume; and

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

WHEREAS, this location is currently unlicensed, but from 2010-2022, the craft beer establishment "Good Beer" was here with a Beer/Wine license; this business, which was primarily a retail off premises business, closed at 10pm on week ends and 7pm during the week. After that establishment closed, it was an illegal cannabis store, which has subsequently closed; and

WHEREAS, applicants do not have hospitality experience in New York City and have never previously been license holders, but have worked in the hospitality industry in New Hampshire for, collectively, over 12 years; and

WHEREAS, 75 residents who live within two blocks of the location signed a petition in favor of the application; and

WHEREAS, a representative from the 9th Street Block association spoke in opposition and submitted a letter of opposition as well as 59 petition signatures from residents in the immediate area in opposition, due to no public benefit to adding another licensed establishment at this location, specifically with late hours in a space that is currently unlicensed, which would bring noise and people on the street to a residential side street in an area that is already oversaturated with licenses. We received letters from the North Avenue A Neighborhood Association as well as the East Village Community Coalition, expressing the same concerns; and

WHEREAS, after a discussion the applicant agreed to close at 12:00AM all nights,

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for DJF Collective, LLC for the premises located at 422 E. 9th Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a café/bar with less than a full service kitchen, serving food all hours,
- 2) its hours of operation will be opening no later than 10:00 A.M. and closing by 12:00 A.M. all days,
- 3) it will not use outdoor space for commercial use,
- 4) it will have a closed fixed façade with no open doors or windows except my entrance door will close by 10:00 P.M. or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances, or during unamplified live performances or televised sports,
- 5) It will install soundproofing if necessary,
- 6) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events, scheduled performances, dancing, or any event at which a cover fee will be charged and may have up to 2 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 seek a change in class without first obtaining approval from CB3,
- 9) it will not host pub crawls or party buses,
- 10) it will not have unlimited drink specials, including boozy brunches, with food,
- 11) it may have "happy hours" until 7:00 P.M. each night,
- 12) it will ensure that there are no wait lines outside [and will designate an employee for ensuring no loitering, noise or crowds outside,
- 13) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 14) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

Items not heard at Committee

22. Babysips (Babysips LLC), 176 Rivington St (wb/method of operation: add Monday service)
administratively approved
23. Sozo Bowery LLC, 319 Bowery (op) (bar/tavern)
administratively approved
24. Raku (Koufuku LLC), 342 E 6th St (Store 6 / West Store) (upgrade to op) (restaurant)
administratively approved

Dining Out NYC - Not heard at Committee

25. Eel Bar (Twin Eagles LLC), 252 Broome St (RWC)
administratively approved
26. Vote to adjourn
approved by committee

32 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding SLA items 8, 9, 20, 21)
30 YES 2 NO 0 ABS 0 PNV MOTION PASSED (SLA item 8)
29 YES 3 NO 0 ABS 0 PNV MOTION PASSED (SLA item 9)
29 YES 3 NO 0 ABS 0 PNV MOTION PASSED (SLA item 20)
31 YES 1 NO 0 ABS 0 PNV MOTION PASSED (SLA item 21)

Land Use, Zoning, Public & Private Housing Committee

1. Approval of previous month's minutes
approved by committee
2. Planning Fellow project presentation and work plan for Policy Analysis of Affordable Housing Opportunities under the City of Yes in CB3
no vote necessary
3. Review of Essex Market Management, Operations, & Community Programming post closing of Market Line
no vote necessary
4. Planning for term limits—timeline and procedures
no vote necessary
5. Vote to adjourn
approved by committee

32 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Transportation, Public Safety, Sanitation & Environment Committee

1. Approval of previous month's minutes
approved by committee
2. DOT: NYC DOT Reimagining Canal Street Redesign Proposal
no vote necessary
3. Consideration of administrative approval for some block parties
no vote necessary
4. Planning for term limits—timeline and procedures
no vote necessary
5. Vote to adjourn
approved by committee

32 YES 0 NO 0 ABS 0 PNV MOTION PASSED