



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

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Andrea Gordillo, Board Chair

Susan Stetzer, District Manager

February 2026 Vote Sheet

Executive Committee

no votes necessary

Land Use, Zoning, Public & Private Housing Committee

1. Approval of previous month's minutes
approved by committee
2. Proposed Affordable Housing: 88 East 2nd St
no vote necessary
3. Fellow Report: Progress update for Policy Analysis of Affordable Housing Opportunities under City of
Yes in CB 3
no vote necessary
4. Support for modifications to Essex Market management, operations and programming contract
VOTE: To refer back to Committee to ensure we are capturing all stakeholder input.
5. Planning for term limits
no vote necessary
6. Vote to adjourn
approved by committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Transportation, Public Safety, Sanitation & Environment Committee

no meeting scheduled

Parks, Recreation, Waterfront, & Resiliency Committee

1. Approval of previous month's minutes
approved by committee
2. Parks Manager Update
no vote necessary
3. DDC: ESCR Compost Facility Update
VOTE: TITLE: Support for the Design of the East River Park Compost Yard and Educational Building

WHEREAS, NYC Department of Design and Construction and NYC Parks, with Marvel, are proposing a Compost Yard and Educational Building on an approximately one acre site within John V. Lindsay East River Park in the Lower East Side, adjacent to the Corlears Hook Ferry Terminal and Pier 42, to be operated by the Lower East Side Ecology Center; and

WHEREAS, Community Board 3 has long supported accessible, community based composting and environmental education as core public benefits for the Lower East Side, and recognizes that the community has worked for years to ensure that composting would return to East River Park as the park is rebuilt and restored; and

WHEREAS, the facility will process organic material through a Covered Aerated Static Pile composting system with covered aerated concrete bays intended to control odors, protect groundwater, and support heavy equipment; and

WHEREAS, the educational building and site programming are intended to provide public benefits including an outdoor classroom, demonstration garden, office, kitchen, and green roof to support environmental education and community engagement; and

WHEREAS, the site is intended to be open and accessible to community members during hours set by the operator, and to serve as an educational hub that advances the park's ecological mission through native and pollinator focused plantings and a landscape design that links into the broader East River Park green network; and

WHEREAS, the building and landscape design is conceived as "of the park," drawing from existing East River Park structures through a durable material palette including concrete,

metal, glass, and metal grating, so the facility integrates visually and functionally with its surroundings; and

THEREFORE BE IT RESOLVED, that Community Board 3 supports the proposed East River Park Compost Yard and Educational Building as an important community benefit that advances composting, stewardship, and environmental education; and

BE IT FURTHER RESOLVED, that CB3's support is offered with the following expectations to ensure accountability, minimize neighborhood impacts, and reflect the community's long effort to secure the compost yard's return; and

- 1) **Operations, odor, and pests:** The operator should maintain clear odor and vector controls, routine cleaning, and a documented complaint response process with a named point of contact for the community and CB3; and
- 2) **Public access and safety:** Public hours should be clearly posted, and the site should maintain safe separation between public areas and operational areas, with special attention to families, seniors, and school groups; and
- 3) **Ongoing engagement:** The agencies and operator should provide periodic updates to CB3 during final design, construction, and early operations, including a post opening check in within the first operating season; and

BE IT FINALLY RESOLVED, that Community Board 3 requests that the project team and operating partners continue to work collaboratively with the community to deliver a compost facility that is safe, well managed, educational, and worthy of its place in East River Park, while honoring the sustained community effort that made the compost yard's return possible.

4. Planning for term limits—timeline and procedures
no vote necessary
5. Vote to adjourn
approved by committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding Parks item 3)

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

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

1. Approval of previous month's minutes
approved by committee
2. NYC Smoke-Free Informational Presentation
no vote necessary
3. EV Loves: Update on organizing activities

VOTE: TITLE: Community Board 3 supports EVLovesNYC

WHEREAS, EVLovesNYC, a nonprofit mutual aid organization, has been providing food and services to economically insecure New Yorkers since 2020, in response to growing food insecurity in New York City, and

WHEREAS, EVLovesNYC expanded its mission in 2022 with the influx of migrants to NYC to provide support for our newest neighbors, with food, job training, and advocacy, as well as referrals to other agencies, and

WHEREAS, every Sunday, EVLovesNYC volunteers cook about 2,300 meals that distribution partners from around the city distribute into underserved neighborhoods where the meals are shared with New Yorkers at community fridges, churches, mosques, and at tables set up in parks and outside shelters. This dedicated volunteer corps has cooked more than 700,000 meals for distribution to the city's most underserved neighborhoods, and

WHEREAS, Cafewal, EVLovesNYC's weekday kitchen and community resource center, opened in October 2024 and serves a cohort of the newest New Yorkers — recently arrived migrants, most of whom fled violent political upheaval in their home countries in French West Africa. At Cafewal they learn real-life job skills by working in the kitchen as well as learn professional food service skills and working English while making daily lunch for the community and cooking and fulfilling catering orders for like-minded organizations around the city, and

WHEREAS, Community Board 3, Manhattan acknowledges the importance of this work in our community and wholeheartedly appreciates and supports this work, so

THEREFORE IT BE RESOLVED, that Community Board 3 Manhattan supports EVLovesNYC's requests for funding from the office of New York City Council Member Harvey Epstein (District 2) and the office of New York State Senator Brian Kavanagh (District 27).

4. Support for LES Community Care Coalition activities including Know Your Rights trainings, outreach, rallies

VOTE: TITLE: Community Board 3 supports and joins the LES Community Care Coalition

WHEREAS, LES Community Care Coalition is a network of community members, elected officials, and community organizations who have mobilized in response to the rise in hateful and harmful policies, and

WHEREAS, the Coalition understands that our community thrives when we are actively nurturing our connectedness and protecting our neighbors, regardless of race, gender identity, sexual identity, immigration status, economic status, religion, disability status, age, or national original, and

WHEREAS, the Coalition's core actions are advocacy, rapid response, and education, so

THEREFORE BE IT RESOLVED, that Community Board 3, Manhattan, will join the LES Community Care Coalition and support and cosponsor activities.

5. Planning for Panel
no vote necessary
6. CAB/CEC reports
no vote necessary
7. Vote to adjourn
approved by committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

SLA Licensing & Outdoor Dining Committee

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

Alterations

2. Cozy Cafe (Cozy Cafe Corp), 43 E 1st St (wb/alt: license adjacent storefront)

VOTE: TITLE: Community Board 3 Recommendation To Deny because the applicant refused to sign the attached stipulations

WHEREAS, Cozy Cafe Corp, is seeking an alteration to their Beer/wine license located at 43 E 1st St, between First and Second Ave, New York, New York. This application is to license the adjacent space; and

WHEREAS, this is an application for an establishment with 16 tables and 64 seats, with a bar with 6 bar seats, with 4 seats at 2 outdoor tables within the building lines, a food prep area preparing Mediterranean, serving food during all hours of operation, 3 televisions, background music with volume control speakers from streaming services/playlists and with DJs on the weekends, with no live music, and no promoted events, no scheduled events, and no events at which a cover fee is charged; and

WHEREAS, there are 14 full on-premises liquor licenses within 500 feet per the SLA LAMP map and 2 on the same block; and

WHEREAS, the applicant is a license holder at several businesses in CD 3:

A beer/wine license for this business, Cozy Cafe, at this same location since June 2005

A beer/wine license for 45 First Ave Corp (Aziza Cafe & Lounge), at 45 First Ave, since June 2013

A full liquor license for Foundation Lounge Corp (Mazaar Bar & Lounge), at 137 Essex St, since April 2015. The SLA disciplinary history shows Case No: 152077 with a \$1,500 penalty on 2/1/2022, and Case No: 117030 with a \$20,000 penalty on 7/21/2017.

A full liquor license for Cocktail Art LLC (Sanatorium), at 14 Ave C, since May 2016. The SLA disciplinary history shows Case No: 124002 with a \$12,000 penalty on 8/10/2018, Case No: 126668 with a \$1,000 penalty on 6/7/2018, and Case No: 120644 with a \$7,500 penalty on 3/9/2018; and

WHEREAS, there were 2 commercial 311 complaints at this location with NYPD action necessary since 2021 these were all for Cozy Cafe; and

WHEREAS, the First Street Block Association opposed this application, with all 33 members voting to oppose, for the same reasons they opposed upgrades in 2018 and 2020 and 2023, primarily complaints about noise related to Cozy Cafe - loud music coming from inside Cozy Cafe when the front door is open, loud customers exiting Cozy Cafe last at night, and music blasting from cars parked and double-parked in front of Cozy Café. They also stated that they have more documented 311 calls that are not showing up in the report; and

WHEREAS, in the past the First Street Block association met with the applicant and came to an agreement that the applicant would reduce their hours immediately and if they operate with no problems, when their license is up for renewal in 18 months the Block association would agree to an upgrade at that time. At the meeting, the applicant would not agree to those stipulations; and

WHEREAS, 26 residents who live within two blocks of the location signed a petition in favor of the application; and

WHEREAS, 4 residents spoke in opposition to this application and 2 residents spoke in support,

WHEREAS, the SLA listed the method of operation as tavern serving beer/wine/ cider but they have been operating as a hookah lounge, and in the past they have had belly dancing; and

WHEREAS, the applicant currently has a Beer/Wine License but is advertising margaritas and pina coladas, and does not specify that they are non-alcoholic, which is a violation of their current license; and

WHEREAS, given the history of complaints at this location, as well as the applicant being noncompliant with their stipulations and method of operation, the committee did agree to approve the expansion into the adjacent space, however they are only approving hours until 2AM Sunday – Thursday, and 4AM Friday and Saturday; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Cozy Cafe Corp, for the premises located at 43 E 1st St, New York, New York, because the applicant refused to agree to the following stipulations that;

- 1) it will operate as a cafe, with Mediterranean food prepared in less than a full kitchen, serving food during all hours of operation,
- 2) its hours of operation will be opening no later than 12:00 P.M. all days and closing by 2:00 A.M. Sunday – Thursday, and 4:00AM Friday and Saturday,
- 3) it will close all outdoor dining allowed under the temporary Open Restaurants program and any other subsequent uses by 10:00 P.M. all days and not have any speakers or TV monitors,
- 4) it will 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 employ a doorman/security,
- 6) it will play ambient background music only, consisting of recorded music, and will not have live music, promoted events, scheduled performances or any event at which a cover fee will be charged, no more than 4 private parties a month, ,
- 7) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 8) it will not host pub crawls or party buses,
- 9) it will not have unlimited drink specials with food,
- 10) it may have "happy hours" until 9:00 P.M. each night,

- 11) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
 - 12) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
 - 13) it will provide a telephone number for residents to call with complaints and immediately.
3. 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)

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

WHEREAS, Swiss White Int'l, LLC doing business as "Ray's", is seeking an alteration to its existing OP license, in the premises located at 177 Chrystie Street, between Rivington and Delancey Streets, New York, New York; and

WHEREAS, this is an application for an establishment with up to 74 people, 10 tables and 44 seats, including a stand-up bar on the ground floor, a full kitchen and food preparation area serving food during all hours of operation, one (1) television, and small speakers playing music at background level volume, The proposed alteration is modifying seating arrangements upstairs and downstairs, total number of seats will remain at 44, the number of barstools will decrease to 10 from 6, table count will also decrease from 16 to 10, a few tables will be distributed to the basement space; and

WHEREAS, there are 23 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, this location has been licensed with an on-premises liquor license since at least 2015, dating back to when current applicant purchased the assets from previous ownership; and

WHEREAS, applicant has owned and operated an establishment – with an op-license – at this location since 2015, when the establishment was originally called "Le Turtle", which shuttered in early 2019, reopening as "Ray's" over summer 2019; applicant has also owns and operates two (2) other establishments that hold op-liquor licenses, located in Manhattan Community Districts 5 and 9, since 2008 and 2019, respectively; and

WHEREAS, the applicant has self-disclosed three (3) SLA actions/penalties from 2024; and, since 2015, there were 209 commercial noise-related 311 complaints for both the establishment and the street/sidewalk in front of the address; and

WHEREAS, 82 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 Swiss White Int'l, LLC, for the premises located at 177 Chrystie Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as an American restaurant with a full kitchen and food preparation area serving food during all hours of operation,
- 2) its hours of operation will be opening no later than 5PM and closing by 2AM Monday – Friday, and opening at 1PM closing by 2AM Saturday and Sunday,
- 3) it will close all outdoor dining allowed under the Dining out NYC program or 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, dancing, or any event at which a cover fee will be charged, it may have not more than 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 7PM 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.

New Liquor License Applications

4. Olio E Piu (Olio East Village LLC), 106 3rd Ave (aka 145 E 13th St) (op) (restaurant)

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

WHEREAS, Olio East Village LLC doing business as Olio E Piu, is seeking a full on-premises liquor license, in the premises located at 106 3rd Ave, between 13th and 14th, New York, New York; and

WHEREAS, this is an application for an establishment with of 156 people, 23 tables and 130 seats with one 16 seat 20' customer bar on the 1st floor and one 14 seat 20' customer bar on the 2nd floor, Full Kitchen, serving food during all hours of operation No Televisions and live jazz trios on occasion; and

WHEREAS, there are 20 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, the location was previously licensed as 30 love; and

WHEREAS, the applicant currently owns and operates 7 restaurants in the city; and

WHEREAS, there were 12 commercial 311 complaints at this location with NYPD action necessary since 2018; and

WHEREAS, 44 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 Olio East Village LLC, for the premises located at 106 3rd Avenue, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a Italian Restaurant, with Food served out of a 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 1:00 A.M. ALL DAYS,
- 3) it will close all outdoor dining allowed under the Dining Out NYC 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 It will play live acoustic jazz no more than 6 times per year, ending by 10pm, but will not have DJs, scheduled performances, any event where a cover is charged, and not more than 12 private events 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," that end by 7pm,
- 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.

5. Matbucha LLC, 126 St Marks Pl (op) (bar/tavern)

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

WHEREAS, Matbucha LLC, is seeking a full on-premises liquor license, in the premises located at 126 Saint Marks Place, between 1st Ave. and Ave. A, New York, New York; and

WHEREAS, this is an application for an establishment with of 74 people, 7 tables and 14 seats with one bar with 8 barstools, Tavern serving Mediterranean food with a full kitchen, serving food during all hours of operation with no televisions, with streaming music; and

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

WHEREAS, this is an unlicensed location; it was previously licensed as East Village Social from 2013 until November of 2021; and

WHEREAS, the applicant and his family have operated Café Mogador at 101 St. Marks Pl. since 1983, and he has worked in it his entire life, and took over about 5 years ago, he has had work experience similar to the proposed business since 2004, and

WHEREAS, there were 18 noise-related commercial complaints where law enforcement responded and took action to fix the condition at this location since 2018; and

WHEREAS, the were 19 residents that spoke in support of this application, and 2 people that were opposed to adding another bar with late hours, in an area that already is loud and crowded late at night; and

WHEREAS, 292 residents who live within two blocks of the location signed a petition in favor of the application; and

WHEREAS, this appears to go against our Community Board guidance of not adding a license to an unlicensed location, especially in saturated and/or problem locations. This location is currently unlicensed and within the last two years, this block and the open street program there has been one of the worst problem areas in the East Village for crowds, late night noise and violations of stipulations. We are approving this based upon the applicant's long history on this block as a good operator; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Matbucha LLC, for the premises located at 126 S. Marks Pl. New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a Tavern, with Mediterranean Food with a full kitchen during all hours of operation,
- 2) its hours of operation will be opening no later than 2:00 P.M. and closing by 1:00 A.M. Sunday; 5:00 P.M - 1:00 A.M. Monday-Wednesday; 05:00 P.M. - 2:00 A.M. Thursday; 5:00 P.M. – 03:00 A.M. Friday & 2:00PM – 3:00AM on Saturday,
- 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 install soundproofing to ensure sound is not audible in neighboring apartments,
- 5) 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,
- 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 07:00 P.M. each night
- 11) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
- 12) it will conspicuously post this stipulation form beside its liquor license inside of its business, and

13) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

6. Good Guy's (Attaboy Cocktails LLC), 134 Eldridge St (South Storefront) (op/unify both space under one legal entity) (bar/tavern)

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

WHEREAS, Attaboy Cocktails LLC doing business as Attaboy, is seeking a full on-premises liquor license, in the premises located at 134 Eldridge St, between Delancey St and Broome St, New York, New York; and

WHEREAS, this is an application for an establishment with of 74 people, 4 tables with 16 seats and one bar with 7 seats, minimally required food consisting of dips, tinned fish and small bites prepared in a food preparation area, serving food during all hours of operation no TVs or DJs and playing background recorded music only; and

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

WHEREAS, the entity currently in this space, Waiting Room 134 LLC is owned and operated by the same principals of the applicant, Attaboy Cocktails LLC: Michael McIlroy and Samuel Ross; and there will be no new owners and the method of operation will remain the same; and

WHEREAS, the applicant has run a cocktail bar with the exact same method of operation in the same building since 2014; and

WHEREAS, there have been more than 100+ commercial 311 complaints at this location with NYPD action necessary since 2018;

WHEREAS, eleven 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 Attaboy Cocktails LLC, for the premises located at 134 Eldridge St, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a cocktail bar with less than a full kitchen serving food during all hours,
- 2) its hours of operation will be opening no later than 5P.M. and closing by 2 A.M Sunday-Wednesday and 5pm-4AM 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 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 not more than 8 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 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. Spunto Inc, 261 Bowery (op/removal from 65 Carmine St) (restaurant)

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

WHEREAS, Spunto, Inc. doing business as "Spunto", is seeking a new OP license for the for the premises located at 261 Bowery, between E. Houston and Stanton Streets, New York, New York; and

WHEREAS, this is an application for an establishment with up to 74 people, 22 tables and 68 seats, including a stand-up bar, a full kitchen and food preparation area serving food during all hours of operation, one (1) television, and small speakers playing music at background volume level; and

WHEREAS, there are 12 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, this a previously unlicensed location; and

WHEREAS, including "Spunto", applicant has owned and operated five (5) establishments with liquor licenses in Manhattan, which includes, "Pizza Gruppo", located within Manhattan Community District 03 at 98 Avenue B; and

WHEREAS, they will be closing their location on Avenue B and Carmine Street and opening this location; and

WHEREAS, 22 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, we are approving this application because this area of the Bowery is a wide commercial avenue, with commercial uses, but more importantly the applicant's proven history of successful restaurants in our community board and nearby community boards, as well as the very early closing hours as will ensure there will not be a negative impact on the area; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Spunto, Inc., for the premises located at 261 Bowery, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a Pizza/Italian restaurant, with a full kitchen and food preparation area, serving food during all hours of operation,
- 2) its hours of operation will be opening no later than 12PM Saturday and Sunday, and closing by 9:30PM Sunday-Wednesday and by 10PM (Thursday-Saturday),
- 3) it will close all outdoor dining allowed under the Dining out NYC program or any other outdoor uses by 10:00 P.M. all days and not have any speakers or TV monitors,
- 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 6:00 P.M. each night,
- 11) it will ensure that there are no wait lines outside [and will designate an employee for ensuring no loitering, noise or crowds outside],
- 12) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 13) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

8. Vane (355 Bowery Lounge LLC), 355 Bowery (op) (restaurant)

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

WHEREAS, 355 Bowery Lounge LC doing business as Vain, is seeking a New Liquor license, in the premises located at 355 Bowery, between 3rd St & 4th St, New York, New York; and

WHEREAS, this is an application for an establishment with of 74 people, 14 tables and 37 seats with a 9 seat bar Modern American Food with a full kitchen, serving food during all hours of operation no TELEVISIONS, with DJs and Streaming Music; and

WHEREAS, there are 22 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 is a currently licensed location as Short Stories; and

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

WHEREAS, there were six (6) noise-related commercial complaints where law enforcement responded and took action to fix the condition since 2018; and

WHEREAS, 35 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 Something Short LLC, for the premises located at 355 Bowery, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a Restaurant, with American Food with a Full Kitchen during all hours of operation,
- 2) its hours of operation will be Sunday – Wednesday, 10am – 2am, Thursday – Saturday 10am – 4am,
- 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 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, may have up to 6 private parties per year, events with cover charges/ticketed events will only be for instructions/classes from 4-5PM,
- 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.

Items not heard at Committee

9. New KC BBQ & Hot Pot Inc, 285 Grand St (op) (restaurant)
administratively approved
10. Jade & Clover (CK 139 Inc), 139 Chrystie St (op/corp change) (restaurant)
administratively approved
11. Blue Dimsum NY LLC, 19 St Marks Pl (Upper Level) (wb) (restaurant)
administratively approved
12. Ngon Pham NYC Holdings LLC, 85 2nd Ave (wb) (restaurant)
administratively approved
13. House Ume LLC, 210 1st Ave (wb) (restaurant)
administratively approved

Dining Out NYC - Not heard at Committee

14. East Village Pizza, 145 1st Ave (no SLA license) (SWC)

- administratively approved
15. Divin Wine Bar, 170 2nd Ave (SWC)
administratively approved
16. Vote to adjourn
approved by committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding SLA items 6, 7)
36 YES 1 NO 0 ABS 0 PNV MOTION PASSED (SLA item 6)
36 YES 1 NO 0 ABS 0 PNV MOTION PASSED (SLA item 7)

Outreach Task Force

1. List of events
no vote necessary
2. Procedures
no vote necessary
3. Vote to Adjourn
approved by committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

By-Laws Task Force

- Review to comply with attendance regulations with City Charter
By-law changes will be sent separately for 28-day review.