



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

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Tareake Dorill, Board Chair

Susan Stetzer, District Manager

June 2023 Full Board Minutes

Meeting of Community Board 3 held on Tuesday, June 27, 2023 at 6:30pm at PS 20, 166 Essex Street.

Public Session:

Amy Chin (Think! Chinatown) - SLA Item #9

Jan Lee - SLA Item #9

Harry Thuyn - SLA Item #9

Caroline Lau - SLA Item #9

Member of the public - Astor Place

Alex Lee – Support for Land Use #3

William

Laryssa Shainberg - Health & Human Services #3

Public Officials:

Mayor Eric Adams, Robin Forst:

Public Advocate Jumaane Williams, Melissa Danton:

Legislative updates. Worse Landlord Law was passed which holds landlords accountable for payments for negligence. Gethelp@advocate.nyc.gov is available for anyone seeking assistance from the Public Advocate's Office.

Comptroller Brad Landers, Evelin Collado:

Borough President Mark Levine, Yiyi Wang:

District Attorney Alvin Bragg, Peter Tse:

Congressmember Jerrold Nadler, Olivia Glen-Rayner:

Congressmember Dan Goldman, Lingxia Ye:

Legislative updates. Is advocating for E-bike battery regulation at the federal level. Provided elected report.

Assemblymember Grace Lee, Kanielle Hernandez:

Lunar New Year has become a public holiday and ERAP is coming for NYCHA residents. The district office is moving to Grand Street and Allen Street. A SCRIE & DRIE event is being scheduled for Knickerbocker Village.

Assemblymember Deborah J. Glick, Tracy Jackson:

Provided elected report. Closed loopholes on warehousing and "Frankenstein-ing", a loophole that allows landlords to hold rent stabilized units instead of bringing it active. September 21st shred event. The Assemblymember is advocating for seniors to be able to apply for OMNY cards online and will be following closely with MTA as Metrocards begin to phase out.

Assemblymember Harvey Epstein, Chanel Elliott:

State Senator Brian Kavanagh, Patricia Olan:

Councilmember Christopher Marte, Ariel Velez:

Provided elected report. Responding to residents' directly impacted by the 80 Madison St E-bike battery fire tragedy

Councilmember Carlina Rivera, Julio Rivas:

Provided elected report. Councilmember warehousing bill was passed for tenants to report to HPD for any units in bad shape connected to their development so that HPD can begin to work to fix these units to come back live.

Members Present at First Vote:

David Adams	[A]	Debra Glass	[A]	Jailene Rodriguez	[P]
Sarah Rose Batchu	[P]	Andrea Gordillo	[P]	Richard Ropiak	[P]
Lee Berman	[P]	Herman Hewitt	[P]	Thomas Rosa	[A]
Solomon Blecher	[A]	Trever Holland	[P]	Angel Sacarello	[A]
Thanh Bui	[P]	Vaylateena Jones	[P]	Robin Schatell	[P]
Karlin Chan	[A]	Kelvin Joyner	[A]	Arnette Scott	[P]
Ariadna Chua	[A]	Nancy Kong	[P]	Clint Smeltzer	[P]
Vincent Cirrito	[P]	Michelle Koppersmith	[P]	Emma So	[A]
David Crane	[P]	Dianne Lake	[P]	Sandra Strother	[A]
Eric Diaz	[P]	Mae Lee	[P]	Daniel Tainow	[P]
Tareake Dorill	[A]	Michael Levario	[P]	Josephine Velez	[P]
Alistair Economakis	[P]	Amanda Liu	[P]	Rodney Washington	[P]
Jaime Felber	[P]	Laura Lugo	[A]	Joshua Waterman	[P]
Larry Fenn	[A]	Indrani Nicodemus Rivera	[P]	Kathleen Webster	[P]
Nagnouma Fofana	[A]	Grauken Olivares	[P]	July Yang	[A]
Kathryn Freed	[P]	Lainey Perez	[A]		
Ryan Gilliam	[P]	Damaris Reyes	[P]		

Minutes:

Minutes of April 2023 were approved, as is.

33 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Board Chairperson's Report:

Chairperson Tareake Dorill

District Manager's Report:

District Manager Susan Stetzer

Committee Reports:

Executive Committee

- Motion to be voted on at the Full Board Meeting

VOTE: Community Board 3 will form a bylaw taskforce to clarify language where necessary.

34 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Parks, Recreation, Waterfront, & Resiliency Committee

1. Approval of previous month's minutes
approved by committee
2. Parks Manager Update
no vote necessary
3. DDC: ESCR / BMCR Update
no vote necessary
4. Basketball City: Update on Community Engagement and community activities
no vote necessary
5. Update District Needs Statement/Budget Priorities for FY'25
no vote necessary
6. Vote to adjourn
approved by committee

34 YES 0 NO 0 ABS 0 PNV MOTION PASSED

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

1. Approval of previous month's minutes
approved by committee
2. DHS: Windsor Hotel, 108 Forsyth St, use for shelter for asylum seekers
no vote necessary
3. DOE: Seward Park High School court: rental by external groups and community use

VOTE: TITLE: Seward Park High School campus use of school field

WHEREAS, historically the community has had use of the field on weekends for sports and individual access by the community at least since 2010, and

WHEREAS, the field was recently renovated and since, without notice, the community is denied access to the field at any time, and

WHEREAS, the field is now rented out during after-school hours by a third-party vendor to organizations who wish to rent the fields for sports events, and

WHEREAS, not only is the community denied access to the local high school campus field that is rented out to outside groups, but neighbors are subject to nighttime stadium lights and yelling and cheering noise that accompanies sports events, and

WHEREAS, the neighboring residences are comprised of many families with young children with bedtimes from 8 pm on, and the community is also a NORC, and

WHEREAS, this residential neighborhood is not zoned for stadium sports which are inappropriate night activities for a residential neighborhood, so

THEREFORE, BE IT RESOLVED that Community Board 3 recommends that the schools making up the Seward Park High School campus work with the neighboring residents to mitigate the quality of life issues caused by the renting of the field for sports events, including night bright lights and noise, and

THEREFORE, BE IT ALSO RESOLVED that all night events should end by 8 p.m. so that the youngest children in the neighboring residences be able to have an appropriate bedtime, and

THEREFORE, BE IT ALSO RESOLVED that the schools making up the Seward Park High School campus work with neighboring residents to carve out time for community access every weekend.

4. Update District Needs Statement/Budget Priorities for FY'25: including: CEC 1, DFTA, Afterschool programs
no vote necessary
5. CAB/CEC reports
no vote necessary
6. Vote to adjourn
approved by committee

34 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding Human Services item 3)

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

SLA & DCA Licensing Committee

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

Alterations

2. Full Tank Moto Cafe (Darkhorse Concepts LLC), 49 Monroe St (upgrade to op/method of operation: add live music, open to 4am daily)
withdrawn
3. Hilot (Avenue C Hospitality LLC), 102 Ave C (op/method of operation: extend closing hours to 2am daily)
withdrawn
4. Sushumai Asian Fusion, 112 Stanton St (upgrade to op/method of operation: change hours from 11am-12am 7 days to 11am-2am Sun-Wed, 11am-4am Thurs-Sat)
withdrawn
5. Two Perrys LLC, 127 Ave C (op/method of operation: add DJ and live music, extend closing hours to 4am daily)
withdrawn
6. Tenement (Tenement Partners LLC), 161 Ludlow St (op/method of operation: amend closing hours to 2am every night)
withdrawn
7. Emilia by Nai (Avoa LLC), 174 1st Ave (wb/method of operation: add Flamenco show Thursday and Saturday, 7pm-7:45pm)

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

WHEREAS, Avoa LLC doing business as Emila by Nai, is seeking a change of operations for its on-premises beer wine license, in the premises located at 174 First Ave, between E 10th and 11th St, New York, New York; and

WHEREAS, this is an application for an establishment with 10 tables and 48 seats with 1 bar with 18 bar seats (12 barstools and 6 counter seats), a full kitchen preparing a "farm to table" menu, serving food during all hours of operation, a live 1 hour flamenco show during dinner hours up to twice a week, with music at all other times consisting of background music from streaming services/playlists on small speakers, with no DJs, and no promoted events, no scheduled events, and no events at which a cover fee is charged; and

WHEREAS, there are 8 full on-premises liquor licenses within 500 feet per the SLA LAMP map and 5 on the same block; and

WHEREAS, this applicant is currently operating with an on-premises beer and wine license at this location. That license was administratively approved by CB 3-Manhattan in February 2021 because it closed by 12 A.M. all days and played recorded background music only. The applicant also operated at the same location previously, from November 2010 through October 2019; and

WHEREAS, the applicant has been operating restaurants serving alcohol in CB 3-Manhattan for 13 years:

- (1) Avoa LLC at 174 1st Ave (currently seeking upgrade) with a on-premises beer and wine license since April 2022, and
- (2) Amigo by Nai LLC at 29 2nd Ave with a full on-premises liquor license since Sept 2020, and
- (3) Nai Tapas Restaurant Corp at 85 2nd Ave with a on-premises beer and wine license from Oct 2018 through Sept 2022, and
- (4) Nai LLC previously at 174 1st Ave with a on-premises beer and wine license from Aug 2010 through Oct 2019.

WHEREAS, 24 residents who live within two blocks of the location, including 1 who lives in the same building, 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 change of operations for its on-premises beer wine license for Avoa LLC, for the premises located at 174 First Ave, New York, New York, unless the applicant agrees to the following signed notarized stipulations that:

- 1) it will operate as a "farm to table" restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be opening no later than 10:00 A.M on Saturday and Sunday and 5:00 P.M. Monday to Friday and closing by 12:00 A.M all days,
- 3) it will not use outdoor space for commercial use,
- 4) it will close any front or rear facade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live non-musical performances, or during unamplified live performances or televised sports,
- 5) it will play ambient background music consisting of recorded music, except for a live 1 hour flamenco performance during dinner hours up to twice a week, and will not have other live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) it will not have "happy hours,"
- 10) it will ensure that there are no wait lines outside and will designate an employee 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.

8. The York (Dos Dudes LLC), 186 Ave B (op/alteration: add backyard space)

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

WHEREAS, Dos Dudes, LLC doing business as The York, is seeking an alteration to their full on-premises liquor license, in the premises located at 186 Avenue B, between 11th and 12th Street, New York, New York; and

WHEREAS, this is an application to 1) license the backyard space for nine (9) tables and eighteen (18) seats, 2) Reduce the counter seating from twelve (12) to three (3) seats, 3) reconfigure the remaining

seats, and 4) reduce the bar seats from twelve (12) to nine (9); with hours of 2:00 P.M. to 2:00 A.M. all days; and

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

WHEREAS, the applicant has been operating at this location since March, 2023.

WHEREAS, eighteen (18) 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 Dos Dudes, LLC for the premises located at 186 Avenue B, New York, New York, unless the applicant agrees to the following signed notarized stipulations that:

- 1) it will operate as a full-service restaurant, serving American food during all hours,
- 2) its hours of operation will be opening no later than 2:00 P.M. and closing by 2:00 A.M All Days.
- 3) it will close all outdoor dining allowed under the temporary Open Restaurants program and any other outdoor uses by 10:00 P.M. all days and not have any speakers or TV monitors,
- 4) it will close any front or rear facade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live non-musical performances, or during unamplified live performances or televised sports,
- 5) it will play ambient background music only consisting of recorded music, and will not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) it may have "happy hours" until 7:00 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 install a covering to mitigate sound in the backyard area,
- 12) it will conspicuously post this stipulation form beside its liquor license inside of its business, and it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

New Liquor License Applications

9. FLA Group LLC, 5 Chatham Sq (op)

VOTE: TITLE: Community Board 3 Recommendation To Deny

WHEREAS, FLA Group LLC pending DBA, is seeking a full on-premises liquor license, in the premises located at 5 Chatham Square, between Mott Street and Doyers Street, New York, New York; and

WHEREAS, this is an application for an establishment with a capacity of 230 people, 24 tables and 64 seats with 2 bars that have 25 seats and 8 seats respectively, serving tavern food in a full kitchen during, no televisions, live music, no more than 10 DJs/month and no more than 6 private parties a year; and

WHEREAS, there are 6 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, this location has previously never been licensed and was most recently a medical imaging center but has been vacant for the past 7 years; and

WHEREAS, the applicant has never held a liquor license, but he has managed the production side of music venues in various capacities for nearly 10 years and most recently at Baby's All Right for the last 6 years; and

WHEREAS, there were 18 commercial 311 complaints from Baby's All Right since 2021; and

WHEREAS, the Committee received 148 emails in opposition to the application and 1 email in support of the application; and

WHEREAS, 15 residents and organizations representing residents spoke in opposition to the application and 2 residents spoke in support of the application during the meeting; and

WHEREAS, 16 residents who live within two blocks of the location signed a petition in favor of the application; and

WHEREAS, the Committee heard public testimony refuting points made by the applicant at the meeting and in the questionnaire that there is a public benefit to this application. In particular, speakers testified that this type of late-night large establishment with a liquor license won't generate early evening business for other Chinatown establishments, while also increasing late-night crowds and traffic and the resulting noise.

WHEREAS, the public testified that the proposed business is out of context with the cultural character of Manhattan's Chinatown; and

WHEREAS, this location is in close vicinity to dense residential housing, which makes it unsuitable for a late-night large establishment with a liquor license. For example, it is near Confucius Plaza with 1400 residential units, Chatham Green with 440 residential units, Chatham Towers with 220 residential units, as well as numerous smaller residential buildings. All those residences will be negatively affected by the crowds and traffic that will result if this license is granted.

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for FLA Group LLC, for the premises located at 5 Chatham Square, New York, New York, because this application would not provide any public benefit. Instead, this alcohol-centric business would fundamentally alter the character of the Chinatown neighborhood.

10. LES Crepes and Taqueria (Oli and Aurel LLC), 25 Essex St (op)

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

WHEREAS, Oli and Aurel LLC doing business as Les Crepes & Taqueria, is seeking a full on-premises liquor license, in the premises located at 25 Essex Street between Hester and Canal Street, New York, New York; and

WHEREAS, this is an application for an establishment with a capacity of thirty (30) people, four (4) tables, eight (8) seats with an eight foot bar, and four (4) bar seats, with a full kitchen serving food all hours, with hours of 9:00 A.M. to 12:00 A.M. all days, no TVs, recorded background music; and

WHEREAS, there are twenty-four (24) full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, the applicant has operated a restaurant at this location since 2013 and has had an on-premises Beer/Wine license since February 2022 with no issues as well as being the general Manager at Lil Frankie's since 2003, and

WHEREAS, the applicant received a letter of support from Dime Square Block Association; and

WHEREAS, a representative from Space Block Association spoke in opposition to the application during the meeting; and

WHEREAS, sixteen (16) 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 Oli and Aurel LLC, for the premises located at 25 Essex Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a full-service Mexican restaurant, with a full kitchen serving food all hours,
- 2) its hours of operation will be 9:00 A.M. to 12:00 A.M. all days,
- 3) it will close all outdoor dining allowed under the temporary Open Restaurants program and any other outdoor uses by 10:00 P.M. all days and not have any speakers or TV monitors,
- 4) it will have a closed fixed façade with no open doors or windows except an 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 or any event at which a cover fee will be charged,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,

- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) it will not have "happy hours,"
- 10) it will ensure that there are no wait lines outside and will designate an employee 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.

11. Cloud Vietnamese Restaurant (TCICT8289 Inc), 79 Clinton St (op)

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

WHEREAS, TCICT8289 Inc doing business as Cloud Vietnamese Restaurant is seeking a full on-premises liquor license, in the premises located at 79 Clinton Street, between Delancey Street and Rivington Street, New York, New York; and

WHEREAS, this is an application for an establishment with a capacity of seventy-four (74) people, twelve (12) tables and twenty four (24) seats with a fifteen-foot bar with six (6) seat, a full kitchen, serving food during all hours of operation, with hours of 11:00 to 10:00 P.M. Sunday, 11:00 A.M. to 10:30 P.M. Monday through Thursday, 11:00 A.M. to 12:00 A.M. Friday and Saturday, there will be no televisions and background music; and

WHEREAS, there are thirty (30) full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, the applicant has operated a restaurant with a on-premises Beer/Wine License at 433 Dekalb Avenue since 2022; and

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

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for TCICT8289 Inc, for the premises located at 79 Clinton Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a full-service restaurant, with a full kitchen serving food during all hours of operation,
- 2) its hours of operation will be 11:00 A.M. to 10:00 P.M. Sunday, 11:00 A.M. to 10:30 P.M. Monday through Thursday, 11:00 A.M. to 12:00 A.M. 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 or any event at which a cover fee will be charged,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) it will not have "happy hours,"
- 10) it will ensure that there are no wait lines outside and will designate an employee 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. Holy Ground (Yves LLC), 105-107 Eldridge St (op)

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

WHEREAS, Yves LLC, doing business as Holy Ground, is seeking a full on-premises liquor license, in the premises located at 105-107 Eldridge Street, between Broome and Grand Street, New York, New York; and

WHEREAS, this is an application for an establishment with a capacity of 271 people, forty (40) tables and one hundred twenty-five (135) seats with a fourteen-foot bar with fourteen (14) seats, a full kitchen serving food during all hours of operation, with hours of 11 A.M. to 12:00 A.M. Monday to Wednesday, 11:00 A.M. to 2:00 A.M. Thursday to Saturday and 11:00 A.M. to 11:00 P.M. Sunday, with two TVs, a DJ, live jazz music (in the cellar only) and recorded music,

WHEREAS, there are thirty (30) full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, this location was previously licensed as Fontana's Tavern with live music from 2005 to 2017; and

WHEREAS, the applicant has operated various licensed businesses since 2006 in Manhattan and Brooklyn; and

WHEREAS, fifteen (15) residents who live within two blocks of the location, including 5 who live in the same building, 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 Yves LLC, for the premises located at 105-107 Eldridge Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a steakhouse/barbecue restaurant, serving food during all hours.
- 2) its hours of operation will be 11A.M. to 12:00 A.M. Monday to Wednesday, 11:00 A.M. to 2:00 A.M. Thursday to Saturday, and 11:00 A.M. to 11:00 P.M. Sunday,
- 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 an entrance door will close by 10:00 P.M. or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances, or during unamplified live performances or televised sports,
- 5) it will have recorded music, live jazz music in the cellar only, DJs for private events only, and will not have promoted events, scheduled performances, or any event at which a cover fee will be charged, and it will have no more than 30 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 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.

13. Fivedude LLC, 113 Division St (wb)

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

WHEREAS, Fivedude LLC is seeking a on-premises beer wine license in the premises located at 113 Division St, between Pike and Canal St, New York, New York; and

WHEREAS, this is an application for an establishment with 12 tables and 37 seats and 15 counter seats in the ground floor restaurant, with 1 bar and 7 bar seats in the cellar level bar/lounge, a full kitchen preparing omakase sushi and bar food, serving food during all hours of operation, 2 televisions in the cellar floor bar/lounge, background music from streaming services, with no DJs or live music, and no promoted events, no scheduled events, and no events at which a cover fee is charged; and

WHEREAS, this location has never been previously licensed; and

WHEREAS, 1 resident spoke in opposition to the application during the meeting; and

WHEREAS, 8 residents who live within two blocks of the location, including 3 in the same building, signed a petition in favor of the application; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for an on-premises beer wine license for Fivedude LLC, for the premises located at 113 Division St, New York, New York, unless the applicant agrees to the following signed notarized stipulations that:

- 1) it will operate as a bar/lounge serving omakase sushi and bar food, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be opening no later than 5:00 P.M. Tuesday to Sunday and closing by 12:00AM on Sunday, Tuesday, and Wednesday by 1:00 A.M. Thursday to 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 an 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 or any event at which a cover fee will be charged,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) it may have "happy hours" until 8:00 P.M. each night,
- 10) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
- 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 12) it will not have more than 2 TVs that will not play sporting events,
- 13) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

14. Soul Sushi LLC, 151 Rivington St (op)

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

WHEREAS, Soul Sushi LLC, doing business as Soul Sushi, is seeking a full on-premises liquor license, in the premises located at 151 Rivington Street, between Suffolk and Clinton Street, New York, New York; and

WHEREAS, this is an application for an establishment with a capacity of 74 people, 8 tables and 26 seats with 1 bar that seats 8, with a full kitchen serving soul food and sushi during all hours, 3 to 4 televisions, and music playing at a background ambient level; and

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

WHEREAS, this location is currently a sushi restaurant with a full on-premises liquor license with operating hours of 11A.M. – 10:30 P.M. Mondays to Thursdays, 11:30 A.M. – 11:30 P.M. Fridays to Saturdays, and 12PM to 10:30PM Sundays; and

WHEREAS, this applicant has not previously held a license for sale of alcohol; and

WHEREAS, there were 3 commercial 311 complaints at this location with NYPD action necessary since the last 3 years;

WHEREAS, 11 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 Soul Sushi LLC, doing business as Soul Sushi, for the premises located at 151 Rivington between Suffolk and Clinton Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that:

- 1) it will operate as a restaurant, serving soul food and sushi during all hours of operation,
- 2) its hours of operation will be opening no later than 11:00 A.M. Tuesday to Sunday and closing no later than 12:00 A.M. Tuesday to Wednesday, 1:00 A.M. Thursday to Saturday, 10:00 P.M. Sunday,
- 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 an 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 or any event at which a cover fee will be charged,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,

- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) it may have "happy hours" 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.

15. LJP Productions LLC, 189 E B'way (op)

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

WHEREAS, LJP Productions LLC doing business as TBD, is seeking a full on-premises liquor license, in the premises located at 189 East Broadway, between Jefferson and Rutgers St, New York, New York; and

WHEREAS, this is an application for an establishment with 23 tables and 59 seats with 1 bar with 8 bar seats, plus 12 outdoor tables and 32 seats under the Open Restaurants program, with a full kitchen preparing seafood, serving food during all hours of operation, no televisions, background music from recorded music and vinyl records on small speakers [there is no sound-proofing], with no DJs or live music, and no promoted events, no scheduled events, and no events at which a cover fee is charged; and

WHEREAS, there are 7 full on-premises liquor licenses within 500 feet per the SLA LAMP map and 5 on the same block; and

WHEREAS, this location was previously licensed with a full on-premises liquor license by Dishful Inc doing business as Cafe Petisco until January 2021; and

WHEREAS, the applicant is a license holder at SC Delancey LLC & LJP Productions LLC d/b/a Retro Bar & Grill at 148-150 Delancey St since May 2013. It is a restaurant in the basement level of a Holiday Inn; and

WHEREAS, the applicant submitted two letters in support of the application, including one from the Dimes Square Block Association; and

WHEREAS, 1 resident spoke in support of the application and 1 resident from SPACE Block Association spoke in opposition to the application; and

WHEREAS, 87 residents who live within two blocks of the location, including 13 in the same building (all of the residents in the building), 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 LJP Productions LLC, for the premises located at 189 East Broadway, New York, New York, unless the applicant agrees to the following signed notarized stipulations that:

- 1) it will operate as a seafood restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation for the first four months will be: opening no later than 5:00 P.M. Monday to Wednesday and 12:00 P.M. Thursday to Sunday and closing by 2:00 A.M. Monday to Sunday,
- 3) its hours of operation after the first four months will be opening no later than 5:00 P.M. Monday and 12:00 P.M. Tuesday to Sunday and closing by 2:00 A.M. Monday to Sunday,
- 4) 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,
- 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 or any event at which a cover fee will be charged,
- 7) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 8) it will not host pub crawls or party buses,
- 9) it will not have unlimited drink specials with food,
- 10) it may have "happy hours" until 7:00 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.

16. Shiso (Shiso LLC), 214 E 9th St (op)
withdrawn

17. Oscura NYC (Oscura 247 LLC), 247 Eldridge St (op)

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

WHEREAS, Oscura 247 LLC doing business as Oscura 247 is seeking a full on-premises liquor license, in the premises located at 247 Eldridge Street, between East Houston Street and Stanton Street, New York, New York; and

WHEREAS, this is an application for an tavern/bar with less than a full kitchen, an occupancy of seventy-four (74) people, Five (5) tables with eighteen (18) seats, a side rail with eight seats, and a twelve foot bar, with ten seats, a food preparation area, serving food during all hours of operation, hours of operation 3:00P.M. to 2:00A.M. all days, two televisions, entertainment level music, with DJs and no private parties; and

WHEREAS, there are forty-seven (47) full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, the applicant has operated Beetle House at 206 E. 6th Street since 2021, with no issues; and

WHEREAS, there were five commercial 311 complaints at this location with NYPD action necessary since 2020; and

WHEREAS, seven (7) residents who live within two blocks of the location signed a petition in favor of the application; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Oscura 247 LLC, for the premises located at 247 Eldridge Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a Tavern/Bar, with less than a full kitchen serving food during all hours of operation,
- 2) its hours of operation will be opening no later than 3:00 P.M. and closing by 2:00 A.M. all days,
- 3) it will not use outdoor space for commercial use,
- 4) it will have a closed fixed façade with no open doors or windows except an 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 music, consisting of recorded music and DJs at background levels, and will not have live music, promoted events, scheduled performances or any event at which a cover fee will be charged and will have no private parties,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) it will not have "happy hours,"
- 10) it will ensure that there are no wait lines outside and will designate an employee 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. Sushi Lab (Sushi Lab LLC), 320 E 11th St (upgrade to op)

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

WHEREAS, Sushi Lab LLC doing business as Sushi Lab, is seeking a full on-premises liquor license, in the premises located at 320 East 11th Street, between First and Second Avenue, New York, New York; and

WHEREAS, this is an application for an establishment for 74 people, 4 tables and 12 seats with 1 sushi bar with 8 seats, Sushi and Japanese Cuisine prepared in a full kitchen and food preparation area, serving food during all hours of operation, recorded music at background levels only; and

WHEREAS, there are 13 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, the location has an active on-premises beer/wine license held by the applicant; and

WHEREAS, the applicant has had a full on-premises liquor license for Logans Sanctuary LLC at 130-132 West 47th Street since 2014 and has not had any SLA reports and action in the last 5 years; and

WHEREAS, there were 7 commercial 311 complaints at this location with NYPD action necessary since 2000; and

WHEREAS, 8 residents who live within two blocks of the location signed a petition in favor of the application; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Sushi Lab LLC, for the premises located at 127 Avenue C, New York, New York, unless the applicant agrees to the following signed notarized stipulations that:

- 1) it will operate as an omakase sushi restaurant, with sushi and Japanese cuisine served during all hours of operation,
- 2) its hours of operation will be opening no later than 11:00 A.M. on all days Monday to Sunday and closing by 12:00 A.M. on all days Monday to Sunday,
- 3) it will close all outdoor dining allowed under the temporary Open Restaurants program and any other outdoor uses by 10:00 P.M. all days and not have any speakers or TV monitors,
- 4) it will close any front or rear facade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live non-musical performances, or during unamplified live performances or televised sports,
- 5) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) it will not have "happy hours,"
- 10) it will ensure that there are no wait lines 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

19. Amor Y Amargo, Honeybee's & Mother of Pearl Room (Cien Fuegos), 95 Ave A (op/corp change) administratively approved
20. Nom Wah Tea Parlor (Nom Wah Restaurant Inc), 13 Doyers St (wb) administratively approved
21. Wild Rabbit Coffee Inc, 110 E 7th St (wb) administratively approved
22. Sip and Co East Village (Proper Cafe Management LLC), 433 E 9th St (wb) withdrawn
23. Rosella Bar Miller (Little Fish Reserve LLC), 620 E 6th St (wb) administratively approved

Item 24 will be heard at Committee

24. Update District Needs Statement for FY'25
no vote necessary
25. Vote to adjourn
approved by committee

34 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding SLA items 9, 10, 11, 12, 13, 14, 17)

33 YES 1 NO 0 ABS 0 PNV MOTION PASSED (SLA items 9, 10, 11, 12, 13, 14, 17)

Land Use, Zoning, Public & Private Housing Committee

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

2. DCAS: Support for Assignment, amendment and restatement of the lease for East Broadway Mall (88 East Broadway) pursuant to Section 384(b)(4) of the New York City Charter 88 E Broadway (mall)

VOTE: TITLE: East Broadway Mall – Assignment, Amendment and Restatement of Lease

WHEREAS, The East Broadway Mall at 88 East Broadway is a critical community and economic asset. A safe, well-managed, and thriving mall at 88 East Broadway is a key component of economic development for East Broadway and for Chinatown; and

WHEREAS, DCAS manages the East Broadway Mall. It is important to the City that the East Broadway Mall be a thriving business hub in Chinatown and a place that supports small business owners. The current conditions of the premises have negatively impacted the small businesses that call East Broadway Mall home; and

WHEREAS, the current tenant of the East Broadway Mall, pursuant to a lease dated as of March 1, 1985, is in default under the lease and filed for bankruptcy in 2019 after the City commenced proceedings against said tenant in 2018. Following the bankruptcy filing, the leasehold mortgagee exercised its right to bring in a new tenant to operate East Broadway Mall. The proposed new operator of East Broadway Mall, Broadway East Group, LLC (BEG LLC), is seeking to accept assignment of the current lease, and DCAS is willing to approve such an assignment; and

WHEREAS, DCAS and New York City Land Development Corporation (NYCLDC) intend to enter into a new lease for the East Broadway Mall to, among other things, provide an additional term and renewal term and require improvements to East Broadway Mall; such new lease will then be assigned by NYCLDC to BEG LLC, and, immediately thereafter, DCAS and BEG LLC will enter into an amended and restated lease with a 20 year term and a 10 year renewal option; and

WHEREAS, BEG LLC will invest a minimum of \$5,000,000 to improve the building within 16 months of the lease effective date and then pay market-rate rent; and

WHEREAS, the lease with BEG LLC will also require that all existing subtenants be allowed to remain in the mall under their respective current sublease terms, for a two (2) year period; and

WHEREAS, the Department of Citywide Administrative Services (DCAS) attended Manhattan Community Board 3's Land Use, Zoning, Public & Private Housing Committee in June 2023 to present on the above-described new lease for East Broadway Mall; and

WHEREAS, DCAS intends to seek Borough Board approval, pursuant to Section 384(B)(4) of the New York City Charter, to enter into the above-described new lease for the East Broadway Mall.

THEREFORE, IT BE RESOLVED CB3 supports the above described lease for the East Broadway Mall which will bring in a new operator to improve the building while protecting the existing businesses that operate there.

3. This Land is Ours Community Land Trust/Cooper Square Committee: Support for affordable housing plan for 326-332 E 5th Street Development Site

VOTE: TITLE: Support for affordable housing plan for 326-332 E 5th Street Development Site

WHEREAS, 326-332 East 5th Street ("the Parcel") is currently owned by the New York City Department of General Services and serves as 48 parking spaces for the New York Police Department; and

WHEREAS, the Parcel is in an R8B zoning district, which restricts the height of any building on the parcel to 75 feet or seven stories, and an allowable floor-area ratio of 4.0, allowing 52,000 square feet of floor area; and

WHEREAS, under current zoning, the lot could sustain 76 apartments; and

WHEREAS, the Parcel could also be redeveloped to create a landscaped rear yard that could be open to the public; and

WHEREAS, by leveraging incentives and financing options, every apartment developed on the parcel could be designated affordable for seniors at 30–80 percent of area median income, depending on the mix of affordability levels; and

WHEREAS, Council Member Carlina Rivera has secured the Parcel for use as low-income housing as a part of the SoHo-NoHo Rezoning Effort in 2021; and

WHEREAS, the project could include underground parking to replace the spaces available presently on the Parcel.

WHEREAS, the project, if developed, shall comply with all requirements under the Americans with Disabilities Act.

THEREFORE, BE IT RESOLVED that Manhattan Community Board 3 supports the above-described affordable development at 326–332 E 5th Street.

4. This Land is Ours Community Land Trust/Cooper Square Committee/6th St Community Center: Support for affordable housing plan for 638-644 E 6th Street Development Site
no vote necessary
5. Update District Needs Statement/Budget Priorities for FY'25
no vote necessary
6. Vote to adjourn
approved by committee

34 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding Land Use item 3)

33 YES 1 NO 0 ABS 0 PNV MOTION PASSED (Land Use item 3)

Transportation, Public Safety, Sanitation & Environment Committee

1. Approval of previous month's minutes
approved by committee
2. DOHMH: Presentation on Rat Mitigation Zone
no vote necessary
3. DDC/DOT: review of Delancey Street traffic redesign plans
no vote necessary
4. Update District Needs Statement/Budget Priorities for FY'25
no vote necessary
5. Vote to adjourn
approved by committee

34 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Economic Development Committee / Arts & Cultural Affairs Committee

1. Approval of previous month's minutes
approved by committee
2. Update District Needs Statement/Budget Priorities for FY'25: BIDS, merchant group
no vote necessary
3. Joyce Theatre Co new facility at 287 E 10 St (former Boys Club)
no vote necessary
4. Vote to adjourn
approved by committee

34 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Vote to adjourn

34 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Members Present at Last Vote:

David Adams	[A]	Larry Fenn	[A]	Mae Lee	[P]
Sarah Rose Batchu	[P]	Nagnouma Fofana	[P]	Michael Levario	[P]
Lee Berman	[P]	Kathryn Freed	[P]	Amanda Liu	[P]
Solomon Blecher	[A]	Ryan Gilliam	[P]	Laura Lugo	[A]
Thanh Bui	[P]	Debra Glass	[A]	Indrani Nicodemus Rivera	[P]
Karlin Chan	[A]	Andrea Gordillo	[P]	Grauken Olivares	[P]
Ariadna Chua	[A]	Herman Hewitt	[P]	Lainey Perez	[A]
Vincent Cirrito	[P]	Trever Holland	[P]	Damaris Reyes	[P]
David Crane	[P]	Vaylateena Jones	[P]	Jailene Rodriguez	[P]
Eric Diaz	[P]	Kelvin Joyner	[A]	Richard Ropiak	[P]
Tareake Dorill	[A]	Nancy Kong	[P]	Thomas Rosa	[A]
Alistair Economakis	[P]	Michelle Koppersmith	[P]	Angel Sacarello	[A]
Jaime Felber	[P]	Dianne Lake	[P]	Robin Schatell	[P]

Arnette Scott
Clint Smeltzer
Emma So
Sandra Strother

[P] Daniel Tainow
[P] Josephine Velez
[P] Rodney Washington
[A] Joshua Waterman

[P] Kathleen Webster
[P] July Yang
[P]
[P]

[P]
[A]

Meeting Adjourned