

**LAND USE COMMITTEE
WEDNESDAY, DECEMBER 10, 2003– 7:00PM
HUNTER COLLEGE SCHOOL OF SOCIAL WORK
129 EAST 79TH STREET
AUDITORIUM**

Present: Elizabeth Ashby, Deirdre Breslin, Richard Burg, Barbara Chocky, Christina R. Davis, Edith Fisher, William Friedland Carolyn Greenberg, Susan Grossman, Michael Levin, Laura Lijewski, Jacqueline Ludorf, Noel MacMahon, Laura Mayer, Kenneth Mills, Kenneth M. Moltner, Jane Parshall, John Pawlowski, Diane Phillipotts, Nneka Pope, Margaret Price, Dan Quart, Judith Schneider, M. Barry Schneider, Helene Simon, Teri Slater, Cos Spagnoletti, Nicholas Viest, Elaine M. Walsh, Charles S. Warren, Hedi White

Absent: Arthur Brown, Conrad Foa, Alana Frumkes, Zachary Greenhill, Glen Hardy, Caroline Harris, Linda Hoffman, David Liston, Myrna Manners, Margery Perlmutter, Jerome Polansky, Jocelyn Strauber

Excused: Joie Anderson, Ruth Halberg, Charles Lucas, H. Patrick Stewart, Judith Trachtenberg, Betty Cooper Wallerstein

Charles S. Warren, Chair, called the meeting to order 7:08 PM.

- 1. Public Hearing: N 030228 ZRY** – The Department of City Planning has received an application submitted by Columbia University and the New York City Economic Development Corporation, to amend Article VII, Chapter 4 of the New York City Zoning Resolution.

WHEREAS, the above referenced application seeks to amend Article VII, Chapter 4 of the New York City Zoning Resolution; and

WHEREAS, Community Board 8M held a public hearing regarding this matter,

BE IT RESOLVED, that Community Board 8M recommends approval of the above referenced proposed text amendment change.

This resolution was not passed by a vote of 7 in favor, 11 opposed and 10 abstentions and 1 not voting for cause.

- 2. Public Hearing:** The Community Assistance Unit proposed to amend Chapter 1 of Title 50 of the Official Compilation of Rules of the City of New York relating to street activity permits. *Following a discussion which included board members and members of the public – there was no one present to represent the Community Assistance Unit – Community Board 8 agreed to write a letter to the Commissioner of the Community Assistance Unit requesting clarification of the proposed amendments to Chapter 1 Title 50 of the Official Compilation of Rules of the City of New York relating to street activity permits.*

3. **Informational Presentation:** Mr. J.G. Kennelly of the Department of Consumer Affairs discussed sidewalk café enforcement as it relates to the Department of City Planning's proposal to change the unenclosed sidewalk café regulations.

1. **Street Life Committee:**

I. **Applications to the New York State Liquor Authority for liquor license.**

- a. **D&J Manhattan Inc—1599 York Avenue (84th/85th), application for a new beer and wine license**

WHEREAS, this is a new establishment in this building,

WHEREAS, the applicant has installed soundproofing insulation,

WHEREAS, the establishment will be called Nargila,

WHEREAS, the hours are 11AM – 11PM,

WHEREAS, they will be closed Friday night and Saturday before sundown,

WHEREAS, neighbors in the building who attended the meeting had their questions answered,

BE IT RESOLVED, that the application is approved and that the applicant has stipulated that he will not use the backyard for patrons.

This resolution was passed by a vote of 29 in favor, 0 opposed and 0 abstentions.

- d. **1081 LLC—1081 Third Avenue (63rd/64th), application for a new on-premises liquor license**

WHEREAS, this is a new application for an establishment called Jade Garden,

WHEREAS, the food/liquor ratio is 90/10,

WHEREAS, the hours are 11AM – 12AM,

WHEREAS, the delivery bicycles will be kept inside,

WHEREAS, the owner has agreed to comply with all 19th Precinct bicycle regulations,

BE IT RESOLVED, that the application is approved.

This resolution was passed by a vote of 29 in favor, 0 opposed and 0 abstentions.

- e. **Sabroso Inc—117 East 60th Street (Park/Lexington), application for a new restaurant beer and wine license**

WHEREAS, this is a new application for an establishment with a food/liquor ratio of 90/10,

WHEREAS, the hours of operation are 11AM – 10PM,

WHEREAS, the owner agrees to abide by all 19th Precinct bicycle regulations,

BE IT RESOLVED, that the application is approved.

This resolution was passed by a vote of 29 in favor, 0 opposed and 0 abstentions.

- g. **240 East 75th Street Corp, d/b/a Pastappunto—240 East 75th Street (2nd/3rd), application for the renewal of an on-premises liquor license**

WHEREAS, this is a renewal for an establishment which was previously located at 1427 Second Avenue,

WHEREAS, several neighbors objected to having this establishment being in this building because of concerns about noise and quality of life issues,

WHEREAS, several other residents of the block spoke on behalf of the owner as a responsible person who has been a super in two buildings on this street,

WHEREAS, there will be soundproofing installed,

WHEREAS, the food/liquor ratio is 75/25,

WHEREAS, the hours are 12 Noon – 11PM,

WHEREAS, there will be no live music,

WHEREAS, there will be 40 seats with approximately 14 – 16 tables,

WHEREAS, there will be delivery but no bicycles,

BE IT RESOLVED, that the application is approved only on the following conditions:

1) There will be no use of the backyard area

2) The applicant files an amended application with the New York State Liquor Authority reflecting no use of the backyard area.

This resolution was passed by a vote of 21 in favor, 2 opposed and 5 abstentions.

j. Sultan Palace Corp-1435 Second Avenue, application for renewal of restaurant wine license

WHEREAS there were two complaints listed by the department of consumer affairs,

WHEREAS the first complaint was for belly dancing which is legal,

WHEREAS the second complaint was for the wrong number of chairs and tables but was found without merit at the hearing,

BE IT RESOLVED THAT the application is approved.

This resolution was passed by a vote of 29 in favor, 0 opposed and 0 abstentions.

k. Caffe Centrale - 5-7 East 59th Street (Fifth Avenue), application for the renewal of an on-premises liquor license

WHEREAS this is for a new restaurant with 41 tables and 150 seats,

WHEREAS the hours are 7:30AM – 12AM,

WHEREAS there is no live music,

WHEREAS the food liquor ratio is 90/10,

WHEREAS there will be no deliveries,

BE IT RESOLVED THAT the application is approved

This resolution was passed by a vote of 24 in favor, 0 opposed and 3 abstentions.

2. Application to the Department of Consumer Affairs for Cabaret Licenses

a. 333 East 60th Street Corp, d/b/a Scores—333 East 60th Street (1st/2nd), application for a new cabaret license

WHEREAS, several residents spoke in support of the establishment as a good neighbor,

WHEREAS, the residents also felt that the area was more secure and that previous traffic issues have been addressed,

BE IT RESOLVED, that the application is approved.

This resolution was passed by a vote of 26 in favor, 0 opposed and 1 abstention.

With no further business the meeting was adjourned at 9:05PM