Jim Clynes Chairman

Latha Thompson District Manager



505 Park Avenue, Suite 620 New York, N.Y. 10022-1106 (212) 758-4340 (212) 758-4616 (Fax) www.cb8m.com - Website info@cb8m.com - E-Mail

The City of New York Manhattan Community Board 8 Public Hearing Street Life Committee

Tuesday May 5, 2015, Lenox Hill Hospital 130 East 77th Street, (Lexington-Park) Michael Bruno Presentation Room 7:00 p.m.

Minutes

Applications will only be approved based upon the applicants' agreement to the following stipulations:

- 1. The applicant will abide by the bicycle guidelines.
- 2. The applicant will not use electric bikes.
- 3. The applicant will keep the front of the establishment clean.
- 4. The applicant will not place A-frames in front of the establishment.
- 5. The applicant will be denied if they participate in bar-crawls.

Members Present: Albert Barrueco, Matthew Bondy, Jonathan Horn, Jacqueline Ludorf, Laurence Parnes, Abraham Salcedo, Cory Evans (**Public Member**) Excused Absence: Cos Spagnoletti

Unanimous Cafe Approvals: 2d, 2e, 2f, 2g, 2h, 2i, 2j, 2k, 2l, 2m, 2n, 2o, 2p, 2q, 2r, 3a, 3b, 3c, 3d, 3e Unanimous Cafe DisApprovals: 2c Non- unanimous Café Approvals: 2a, 2b Unanimous SLA Approvals: 5a, 5b, 5c, 5d, 5e, 5f, 5h, 5i, 5j, 5k, 5l Non- unanimous SLA Approvals: 4a No recommendation SLA: 5g

- 1. Complaints:
 - a. <u>Third Avenue Ale House, 1644 Third Avenue (@92nd Street)</u> -Excessive number of tables and chairs and use of café later hours than legal

Addressed in 2a below

b. <u>Shoga Sushi & Oyster Bar, 1698 Second Avenue(@88th Street)</u>-Delivery personnel using motorized bikes, not wearing a vest, no business identification was visible.

DID NOT APPEAR

2. <u>Renewal Applications to the Department of Consumer Affairs and/or Department of City</u> <u>Planning for a Sidewalk Cafe:</u> a. <u>Third Avenue Ale House, 1644 Third Avenue (@92nd Street) –</u> Renewal application for unenclosed sidewalk café with 35 tables and 70 chairs. DCA #1453505-DCA. Due Date June 14, 2015

WHEREAS there are was a question regarding the accurate number of tables and chairs allowed, and

WHEREAS there were concerns from the public about the narrowing and blocking of the sidewalk due to the café, in particular the presence of the barriers during hours of non operation, and

WHEREAS it was pointed out that the tables and chairs were not laid out in accordance with the approved plans.

BE IT RESOLVED THAT the application is **approved** subject to the following stipulations which were agreed to by the applicant and are to be incorporated in the license's method of operation:

- The number of tables and chairs approved shall be 32 tables and 64 chairs.
- Additionally the applicant shall ensure that the arrangement of the tables and chairs are not altered and that the sidewalk is not blocked due to the café
- That the barriers for the café will be taken down and set aside so to not encumber the sidewalk.
- That the tables and chairs be laid out in accordance with the approved plans

Approved by a vote of 4-0-1

Yes: Jonathan Horn, Abraham Salcedo, Jacqueline Ludorf, Cory Evans (Public Member) Abstain: Larry Parnes

b. <u>MJAJ Food Corp., dba Eats, 1055 Lexington Avenue (@75th Street)</u>-Renewal application for an enclosed sidewalk cafe with 11 tables and 22 seats. DCA #1388513. Due Date May 7, 2015. Laid over from April. Did not appear

WHEREAS there are no changes to the café, and

WHEREAS no one from the public objected, and

BE IT RESOLVED THAT the application is approved.

Approved by a vote of 4-0-1

Yes: Jonathan Horn, Abraham Salcedo, Jacqueline Ludorf, Cory Evans (Public Member) Abstain: Larry Parnes

c. <u>Eat Lexington 87LLC., dba Eli's Essentials, 1291 Lexington Avenue (@87th Street)-</u> Renewal application for an unenclosed sidewalk café with 4 tables and 8 chairs. DCA #1474655-DCA. Due Date May 21, 2015.

WHEREAS there are no changes to the café, and

WHEREAS there were complaints from members of the public who objected to the café due to the location and argued that there was not sufficient space at that location as it is a heavily trafficked corner, and

WHEREAS there were photos showing that the establishment appears to block portion of the sidewalk when they have deliveries

BE IT RESOLVED THAT the application is **disapproved**.

Approved by a vote of 7-0-

Yes: Jonathan Horn, Abraham Salcedo, Larry Parnes, Jacqueline Ludorf, Albert Barrueco, Matthew Bondy, Cory Evans (**Public Member**)

d. <u>Lenny's 77th Street LLC., dba Lenny's, 1481 Second Avenue (77th/78th)</u>-Renewal application for an enclosed sidewalk café with 9 tables and 24 chairs. DCA #1239318-DCA. Due Date May 15, 2015.

WHEREAS there are no changes to the café, and

WHEREAS no one from the public objected, and

BE IT RESOLVED THAT the application is **approved**.

Approved by a vote of 7-0-0

Yes: Jonathan Horn, Abraham Salcedo, LarryParnes, Jacqueline Ludorf, Albert Barrueco, Matthew Bondy, Cory Evans (**Public Member**)

e. <u>Lenny's 77th Street LLC., 1481 Second Avenue (77th /78th)</u>-Renewal application for an unenclosed sidewalk café with 15 tables and 30 chairs. DCA #1237547-DCA. Due Date May 17, 2015.

WHEREAS there are no changes to the café, and

WHEREAS no one from the public objected, and

BE IT RESOLVED THAT the application is **approved**.

Approved by a vote of 7-0-0

Yes: Jonathan Horn, Abraham Salcedo, Larry0 Parnes, Jacqueline Ludorf, Albert Barrueco, Matthew Bondy, Cory Evans (**Public Member**)

f. <u>804 Lexington Avenue Restaurant Inc., dba Burger Heaven, 804 Lexington Avenue</u> (<u>62nd/63rd</u>)-Renewal application for a unenclosed sidewalk café with 7 tables and 28 chairs. DCA #1175917-DCA. Due Date May 23, 2015.

WHEREAS there are no changes to the café, and

WHEREAS no one from the public objected, and

BE IT RESOLVED THAT the application is **approved**.

Approved by a vote of 6-0-0

Yes: Jonathan Horn, Abraham Salcedo, Larry Parnes, Jacqueline Ludorf, Albert Barrueco, Cory Evans (**Public Member**)

g. <u>200 East 81st Restaurant Corp., dba Beyoglu, 1431 Third Avenue (@81st Street)</u>-Renewal application for an unenclosed sidewalk café with 16 tables and 32 chairs. DCA #0890521-DCA. Due Date May 25, 2015.

WHEREAS there are no changes to the café, and

WHEREAS no one from the public objected, and

BE IT RESOLVED THAT the application is **approved**.

Approved by a vote of 6-0-0

Yes: Jonathan Horn, Abraham Salcedo, Larry Parnes, Jacqueline Ludorf, Albert Barrueco, Cory Evans (**Public Member**)

h. <u>Eighty Third and First LLC., dba Felice, 1593 First Avenue (@83rd Street)</u>-Renewal application for an unenclosed sidewalk café with 22 tables and 44 chairs. DCA # 1388781-DCA. Due Date May 25, 2015.

WHEREAS there are no changes to the café, and

WHEREAS no one from the public objected, and

BE IT RESOLVED THAT the application is **approved**.

Approved by a vote of 7-0-0

Yes: Jonathan Horn, Abraham Salcedo, Laurence Parnes, Jacqueline Ludorf, Albert Barrueco, Matthew Bondy, Cory Evans (**Public Member**)

i. <u>Carino On Second, Inc., 1710 Second Avenue (88th/89th)</u>-Renewal application for an unenclosed sidewalk café with 4 tables and 8 chairs. DCA # 2006946-DCA. Due Date May 26, 2015.

WHEREAS there are no changes to the café, and

WHEREAS no one from the public objected, and

BE IT RESOLVED THAT the application is **approved**.

Approved by a vote of 7-0-0

Yes: Jonathan Horn, Abraham Salcedo, Larry Parnes, Jacqueline Ludorf, Albert Barrueco, Matthew Bondy, Cory Evans (**Public Member**)

j. <u>768 Mad Restaurant, LLC., dba Bar Italia, 768 Madison Avenue (@66th Street)</u>-Renewal application for a small unenclosed sidewalk café with 2 tables and 8 chairs. DCA # 1401947-DCA. Due Date May 30, 2015.

WHEREAS there are no changes to the café, and

WHEREAS no one from the public objected, and

BE IT RESOLVED THAT the application is **approved**.

Approved by a vote of 7-0-0

Yes: Jonathan Horn, Abraham Salcedo, Larry Parnes, Jacqueline Ludorf, Albert Barrueco, Matthew Bondy, Cory Evans (**Public Member**)

k. <u>1702 Rathbones Inc., 1702 Second Avenue (88th/89th)</u>Renewal application for an unenclosed sidewalk café with 12 tables and 32 chairs. DCA# 1310255-DCA. Due Date May 28, 2015.

WHEREAS there are no changes to the café, and

WHEREAS there were concerns about a member of the public regarding obstructing the sidewalk with garbage and washing of mats, and

BE IT RESOLVED THAT the application is **approved**, provided that the applicant agreed to make efforts not to obstruct the sidewalk and not wash mats on the sidewalk.

Approved by a vote of 7-0-0

Yes: Jonathan Horn, Abraham Salcedo, Larry Parnes, Jacqueline Ludorf, Albert Barrueco, Matthew Bondy, Cory Evans (**Public Member**)

 <u>Steven Jay, LLC., dba Parlor Steakhouse, 1600 Third Avenue (@90th Street)</u>-Renewal application for an enclosed sidewalk café with 14 tables and 28 chairs. DCA #1287124-DCA. Due Date May 25, 2015.

WHEREAS there are no changes to the café, and

WHEREAS there were concerns from a member of the public regarding obstructing the sidewalk with garbage and washing of mats, and

WHEREAS the applicant agreed not to wash mats on sidewalk and put out garbage bags closer to pick-up time

BE IT RESOLVED THAT the application is **approved subject to the condition that** the applicant not wash mats on sidewalk and puts out garbage bags closer to pick-up time

Approved by a vote of 7-0-0

Yes: Jonathan Horn, Abraham Salcedo, Larry Parnes, Jacqueline Ludorf, Albert Barrueco, Matthew Bondy, Cory Evans (**Public Member**)

m. <u>Acropol Rest. Corp., dba Ritz Diner, 1133 First Avenue (62nd/63rd Street)</u>-Renewal application for an enclosed sidewalk café with 12 tables and 32 chairs. DCA #1066538-DCA. Due Date May 25, 2015

WHEREAS there are no changes to the café, and

WHEREAS no one from the public objected, and

BE IT RESOLVED THAT the application is **approved**.

Approved by a vote of 7-0-0

Yes: Jonathan Horn, Abraham Salcedo, Larry Parnes, Jacqueline Ludorf, Albert Barrueco, Matthew Bondy, Cory Evans (**Public Member**)

n. <u>New Ko-Sushi Japanese Restaurant Inc., dba Kosushi Japanese Rest., 1329 Second</u> <u>Avenue (70th /71st)</u>-Renewal application for an enclosed sidewalk café with 15 tables and 44 chairs. DCA #1285670-DCA. Due Date May 25, 2015.

WHEREAS there are no changes to the café, and

WHEREAS no one from the public objected, and

BE IT RESOLVED THAT the application is **approved**.

Approved by a vote of 7-0-0

Yes: Jonathan Horn, Abraham Salcedo, Larry Parnes, Jacqueline Ludorf, Albert Barrueco, Matthew Bondy, Cory Evans (**Public Member**)

o. <u>LX Avenue Bagels, Inc., 1228 Lexington Avenue (@83rd Street)</u>-Renewal application for an unenclosed sidewalk café with 4 tables and 8 chairs. DCA #1312021-DCA. Due Date June 1, 2015

WHEREAS there are no changes to the café, and

WHEREAS no one from the public objected, and

BE IT RESOLVED THAT the application is **approved**.

Approved by a vote of 7-0-0

Yes: Jonathan Horn, Abraham Salcedo, LarryParnes, Jacqueline Ludorf, Albert Barrueco, Matthew Bondy, Cory Evans (**Public Member**)

p. <u>Living Bread LLC., dba Cilantro, 1321 First Avenue (@71st Street)</u>-Renewal application for an unenclosed sidewalk café with 13 tables and 25 chairs. DCA #1095967-DCA. Due Date May 30, 2015

WHEREAS there are no changes to the café, and

WHEREAS no one from the public objected, and

BE IT RESOLVED THAT the application is **approved**.

Approved by a vote of 7-0-0

Yes: Jonathan Horn, Abraham Salcedo, Larry Parnes, Jacqueline Ludorf, Albert Barrueco, Matthew Bondy, Cory Evans (**Public Member**)

q. <u>Le Bon NY Corp., dba Corrado Bakery, 1361 Lexington Avenue (@90th Street)</u> – Renewal application for an unenclosed sidewalk café with 5 tables and 10 chairs. DCA #2006658-DCA. Due Date June 11, 2015.

WHEREAS there are no changes to the café, and

WHEREAS no one from the public objected, and

BE IT RESOLVED THAT the application is **approved**.

Approved by a vote of 7-0-0

Yes: Jonathan Horn, Abraham Salcedo, Larry Parnes, Jacqueline Ludorf, Albert Barrueco, Matthew Bondy, Cory Evans (**Public Member**)

r. <u>Manna 2nd Avenue LLC., dba Gina La Fornarina, 1575 Second Avenue (81st/82nd)</u>-Renewal application for an unenclosed sidewalk café with 9 tables and 19 chairs. DCA #1308601-DCA. Due Date June 12, 2015.

WHEREAS there are no changes to the café, and

WHEREAS no one from the public objected, and

BE IT RESOLVED THAT the application is **approved**.

Approved by a vote of 7-0-0

Yes: Jonathan Horn, Abraham Salcedo, Larry Parnes, Jacqueline Ludorf, Albert Barrueco, Matthew Bondy, Cory Evans (**Public Member**)

3. <u>New Applications to the Department of Consumer Affairs and/or Department of City</u> <u>Planning for a Sidewalk Café:</u>

a. <u>Don Pablo, Inc., 1725 Second Avenue (89th/90th)</u>-New application for an unenclosed sidewalk café with 16 tables and 32 chairs. DCA #4847-2015-ASWC. Due Date May 31, 2015.

WHEREAS no one from the public objected, and

BE IT RESOLVED THAT the application is **approved**.

Approved by a vote of 7-0-0

Yes: Jonathan Horn, Abraham Salcedo, Larry Parnes, Jacqueline Ludorf, Albert Barrueco, Matthew Bondy, Cory Evans (**Public Member**)

b. <u>1754 Rest.</u>, <u>dba The Milton</u>, <u>1754 Second Avenue</u> (<u>91st/92nd</u>)-New application for an unenclosed sidewalk café with 12 tables and 24 chairs. DCA #4997-2015-ASWC. Due Date June 4, 2015

WHEREAS no one from the public objected, and

BE IT RESOLVED THAT the application is approved.

Approved by a vote of 7-0-0

Yes: Jonathan Horn, Abraham Salcedo, Larry Parnes, Jacqueline Ludorf, Albert Barrueco, Matthew Bondy, Cory Evans (**Public Member**)

c. <u>Agora Turkish Restaurant Inc., 1565 Second Avenue (81st/82nd)</u> –New application for an unenclosed sidewalk café with 7 tables and 14 chairs. DCA # 5271-2015-ASWC. Due Date June 8, 2015.

WHEREAS no one from the public objected, and

BE IT RESOLVED THAT the application is **approved**.

Approved by a vote of 7-0-0

Yes: Jonathan Horn, Abraham Salcedo, Larry Parnes, Jacqueline Ludorf, Albert Barrueco, Matthew Bondy, Cory Evans (**Public Member**)

d. <u>The Bee's Knees Restaurant LLC, dba The Gilroy, 1561 Second Avenue (81st/<u>82nd</u>)-New application for an unenclosed sidewalk café with 17 tables and 34 chairs. DCA # 4991-2015-ASWC. Due Date June 5, 2015.</u>

WHEREAS no one from the public objected, and

BE IT RESOLVED THAT the application is **approved**.

Jonathan Horn and Abraham Salcedo, Street Life Co-Chairs

Approved by a vote of 7-0-0

Yes: Jonathan Horn, Abraham Salcedo, Larry Parnes, Jacqueline Ludorf, Albert Barrueco, Matthew Bondy, Cory Evans (**Public Member**)

e. <u>LJ202 LLC., dba Bocca East, 1496 Second Avenue (77th/78th)</u>-New application for an unenclosed sidewalk café with 26 tables and 52 chairs. DCA # 5435-2015-ASWC. Due Date June 12, 2015.

WHEREAS no one from the public objected, and

BE IT RESOLVED THAT the application is **approved**.

Approved by a vote of 7-0-0

Yes: Jonathan Horn, Abraham Salcedo, Larry Parnes, Jacqueline Ludorf, Albert Barrueco, Matthew Bondy, Cory Evans (**Public Member**)

4. <u>Transfer/Alteration/Upgrade Applications to the New York State Liquor Authority for Liquor Licenses:</u>

a. <u>JBB Bar and Grill Inc., dba Epazote, 1606 First Avenue (83rd/84th)</u>-Alteration application for the modification of the hours of operation and including hours of rear yard usage.

WHEREAS this an alteration request to modify the hours of operation of the SLA license and rear yard, and

WHEREAS no one from the public objected,

BE IT RESOLVED THAT the application is **approved** subject to the following stipulations which were agreed to by the applicant and are to be incorporated in the license's method of operation:

- The hours of operation for the SLA license: Sunday: 11:00am to 2:30am Monday to Wednesday: 5:00pm to 2:30am Thursday and Friday: 5:00pm to 4:00am Saturday: 11:00am to 4:00am
- The rear garden shall close at 11:00pm Sunday to Thursday, and that no seating of customers shall be permitted in the garden after 10:00pm. On Friday and Saturday the rear garden shall close at 11:30pm, and that no seating of customers shall be permitted after 10:30pm.

Approved by a vote of 5-0-1

- 5. <u>New Applications to the New York State Liquor Authority for Liquor Licenses:</u>
 - a. <u>Fika 1331 Lexington LLC dba Fika, 141 East 88th Street (@Lexington Avenue)</u>-New application for a Wine and Beer. Laid over to May, First Request

WHEREAS no one from the public objected, and

BE IT RESOLVED THAT the application is **approved**.

Approved by a vote of 7-0-0

b. <u>Baynard's Ale House LLC, 1589 First Avenue (82nd/83rd)</u> New application for Liquor, Wine and Beer. Laid over to May, First Request.

WHEREAS no one from the public objected, and

BE IT RESOLVED THAT the application is **approved** subject to the following stipulations which were agreed to by the applicant and are to be incorporated in the license's method of operation:

- The hours of operation for the SLA license: Sunday to Wednesday: 11:00am to 2:30am Thursday to Saturday: 11:00am to 4am
- Approved by a vote of 6-0-0
 - c. <u>Govan Rd Inc., dba Honky Tonk Tavern, 1154 First Avenue (63rd/64th)</u>-Alteration application for Liquor, Wine and Beer. Laid over to May, First Request

WHEREAS no one from the public objected, and

BE IT RESOLVED THAT the application is approved.

Approved by a vote of 6-0-0

d. <u>Kobe Sushi Japanese Cuisine 8, Inc., 1472 York Avenue (@78th Street)-</u>Alteration application for Wine and Beer. Laid over to May, First Request

WHEREAS no one from the public objected, and

BE IT RESOLVED THAT the application is **approved**.

Approved by a vote of 6-0-0

e. <u>LLC to be formed, dba TBD, 247-249 East 81st Street (2nd/3rd Avenue)</u>-New application for a Liquor, Wine and Beer. Laid over to May, First Request

WHEREAS no one from the public objected, and

BE IT RESOLVED THAT the application is **approved** subject to the following stipulations which were agreed to by the applicant and are to be incorporated in the license's method of operation:

The hours of operation for the SLA license:

Sunday to Thursday – until 2am

Friday-Saturday – until 4am

Approved by a vote of 6-0-0

f. <u>Alice's Tea Cup III, LLC, 220 East 81st Street (2nd/3rd Avenue)-</u>New application for a Wine and Beer.

WHEREAS no one from the public objected, and

BE IT RESOLVED THAT the application is **approved**.

Approved by a vote of 6-0-0

g. <u>Misohoppy, Inc., dba Misohoppy, 1145 Second Avenue (60th/61st)-</u>New application for a Wine and Beer. <u>The applicant is proposing what is essentially a retail store that would sell craft beer and serve draft beer to patrons in the store</u>. This would be similar to an existing store on East 86th Street between 1st and 2nd avenues. It could be

classified as a grocery and get an SLA license, but on site consumption would not be permitted. While there was no comment public comment, committee members expressed concern about the proposed hours of operation and that patrons would purchase been for consumption in Tramway Plaza, across 60th Street from the proposed location

WHEREAS there were concerns about the hours of operation, and the applicant agreed to close at 10 pm,

BE IT RESOLVED THAT the application is **approved** subject to the following stipulations which were agreed to by the applicant and are to be incorporated in the license's method of operation:

• The hours of operation for the SLA license would be to close at 10:00pm daily

MOTION DID NOT PASS, by a vote of 3-2-1, accordingly no recommendation came from the committee

h. <u>PQ Pain Mineral Springs Inc., dba Le Pain Quotidien, Central Park, 74th Street &</u> <u>Fifth Avenue</u>-New application for a Liquor, Wine and Beer.

WHEREAS no one from the public objected, and

BE IT RESOLVED THAT the application is **approved**.

- Approved by a vote of 6-0-0
 - i. <u>JMTJ Corp., dba Wing Bistro, 1109 First Avenue (1st/2nd)</u>-New application for a Wine and Beer.

WHEREAS no one from the public objected, and

BE IT RESOLVED THAT the application is **approved**.

Approved by a vote of 6-0-0

j. <u>Shwe Myanmar, Inc., 1393-B Second Avenue (72nd/73rd)</u>-New application for a Wine and Beer.

WHEREAS no one from the public objected, and

BE IT RESOLVED THAT the application is **approved**.

Approved by a vote of 7-0-0

k. <u>Phaya Cuisine, Inc., dba Luscious Thai, 1099 First Avenue (60th/61st)</u>-New application for a Liquor, Wine and Beer.

WHEREAS no one from the public objected, and

BE IT RESOLVED THAT the application is **approved**.

Approved by a vote of 6-0-0

1. <u>Solimar Restaurant In., dba Malaga Restaurant, 406 East 73rd Street (1st/York)-</u> New application for a Liquor, Wine and Beer.

WHEREAS no one from the public objected, and

BE IT RESOLVED THAT the application is **approved**.

Jonathan Horn and Abraham Salcedo, Street Life Co-Chairs

Approved by a vote of 6-0-0

6. Withdrawn/Layover:

a. <u>Maggie & Me LLC, 1500 Third Ave (@85th Street</u>) – New application for Liquor, wine and beer.