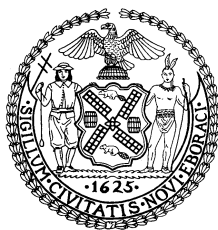


Nicholas Viest
Chair

Latha Thompson
District Manager



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

**Tuesday, June 10, 2014, 7:00 p.m.
Marymount Manhattan College
221 East 71st Street, Regina Peruggi Room**

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, James Clynes, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Laurence Parnes, David Rosenstein, Abraham Salcedo, Judith Schneider, Gregory Zaffiro, Cory Evans (**Public Member**)

Excused Absence: Cos Spagnoletti

Unanimous Cafe Approvals: 2a, 2b, 2c

Non Unanimous Cafe Approvals: 3a

Unanimous SLA Approvals: 4a, 4b, 4c, 4d, 4e, 6b, 6c, 6d, 6e, 6f, 6g

Non Unanimous SLA Approvals: 5a, 6a, 6h

Unanimous Cabaret Approvals: 7a

Unanimous New Business: 8

1. Complaints:

- a. **265 East 78th Street Corp., d/b/a Pil Pil Spanish Wine Bar, 265 East 78th Street (Third/Second Avenues)** - Complaints of noise from music at late hours and windows open pass 10PM.

Establishment previously appeared before the committee in October 2011 regarding similar complaints. At the time, their representative agreed to close windows and doors at 10pm and keep the music at a respectable level. The owner appeared before the committee and was reminded of this agreement and informed that failure to abide by it could result in a recommendation to the SLA for fines, suspension or revocation of his liquor license for violating a stipulation made by him to the community board. He reluctantly agreed to abide by the restrictions. The committee will follow up with a letter reminding him of the agreement and continue to monitor the situation.

2. **Renewal Applications to the Department of Consumer Affairs and/or Department of City Planning for a Sidewalk Cafe:**

- a. **Enterprise Restaurant LLC., dba Amaranth, 21 East 62nd Street (5th/Madison Avenues)-**
Renewal application for a small unenclosed sidewalk café with 8 tables and 16 chairs, DCA #1170995-DCA. Due Date June 16, 2014 **COMMITTEE RESOLUTION SUBMITTED**

WHEREAS there are no changes to the café and no one from the public objected,

BE IT RESOLVED THAT the application is approved.

Approved by a vote of 12-0-0

Yes: Albert Barrueco, Matt Bondy, James Clynes, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Laurence Parnes, David Rosenstein, Abraham Salcedo, Judith Schneider, Gregory Zaffiro

Public Member Votes

Yes: Cory Evans

- b. **T & S Restaurant LLC., dba Gracie's on 2nd Diner, 300 East 86th Street (1st/2nd Avenues)-**
Change of Ownership application for an enclosed sidewalk café with 8 tables and 14 chairs, DCA# 4762-2014-ASWC. Due Date June 18, 2014 **COMMITTEE RESOLUTION SUBMITTED**

WHEREAS there are no changes to the café and no one from the public objected,

BE IT RESOLVED THAT the application is approved.

Approved by a vote of 12-0-0

Yes: Albert Barrueco, Matt Bondy, James Clynes, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Laurence Parnes, David Rosenstein, Abraham Salcedo, Judith Schneider, Gregory Zaffiro

Public Member Votes

Yes: Cory Evans

- c. **Shalizar LLC., dba Persepolis, 1407 Second Avenue (73rd/74th)-Renewal/Modification for a**
small unenclosed sidewalk café with 6 tables and 12 chairs, DCA # 1361517-DCA. Due Date June 30, 2014

WHEREAS there are no changes to the café and no one from the public objected,

BE IT RESOLVED THAT the application is approved.

Approved by a vote of 12-0-0

Yes: Albert Barrueco, Matt Bondy, James Clynes, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Laurence Parnes, David Rosenstein, Abraham Salcedo, Judith Schneider, Gregory Zaffiro

Public Member Votes

Yes: Cory Evans

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

- a. **Salumaio Italian Deli, Ltd., dba Salumaio Wine Bar, 1731 Second Avenue (89th/90th)-New**
application for an unenclosed sidewalk café with 4 tables and 8 chairs, DCA #6294-2014-ASWC. Due Date June 30, 2014

WHEREAS no one from the public objected,

BE IT RESOLVED THAT the application is approved.

Approved by a vote of 11-0-1

Yes: Albert Barrueco, Matt Bondy, James Clynes, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, David Rosenstein, Abraham Salcedo, Judith Schneider, Gregory Zaffiro

Abstain: Laurence Parnes

Public Member Votes

Yes: Cory Evans

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

- a. **Eighty Third and First LLC., dba Felice, 1593 First Avenue (82nd/83rd)**-Application to change Method of Operation from recorded to live music for an on-premises liquor license. **Food/Drink: 80/20**

WHEREAS this is solely a license alteration to allow the establishment to offer live Jazz on certain evenings, and

WHEREAS there were no objections from the public, and

WHEREAS several committee members spoke positively about the establishment

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 will be:
Monday to Thursday – 4:00pm to 2:00am
Friday to Sunday– 11:00am to 2:00am
- The front windows and doors will be closed by 10pm every day

Approved by a vote of 12-0-0

Yes: Albert Barrueco, Matt Bondy, James Clynes, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Laurence Parnes, David Rosenstein, Abraham Salcedo, Judith Schneider, Gregory Zaffiro

Public Member Votes

Yes: Cory Evans

- b. **Lizard O's Inc., dba Two Lizards, 1365 First Avenue (73rd/74th)**-Corporation change for a Liquor, Wine and Beer. **Food/Drink: 80/20**

WHEREAS this is solely a corporate change of ownership for an established restaurant, and

WHEREAS there were no objections from the public

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 will be:
Monday to Thursday – 11:00am to 11:00pm
Friday to Saturday– 11:00am to Midnight
Sunday – 11:00am to 9pm

Approved by a vote of 12-0-0

Yes: Albert Barrueco, Matt Bondy, James Clynes, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Laurence Parnes, David Rosenstein, Abraham Salcedo, Judith Schneider, Gregory Zaffiro

Public Member Votes

Yes: Cory Evans

- c. **Romy East LLC, 1420 Third Avenue (80th/81st)**-Corporation change for a Liquor, Wine and Beer. **Food/Drink: 85/15**

WHEREAS this is solely a corporate change of ownership for an established restaurant, and

WHEREAS there were no objections from the public

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 will be:
Sunday to Thursday – Noon to 11:00pm
Friday to Saturday– Noon to Midnight

Approved by a vote of 12-0-0

Yes: Albert Barrueco, Matt Bondy, James Clynes, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Laurence Parnes, David Rosenstein, Abraham Salcedo, Judith Schneider, Gregory Zaffiro

Public Member Votes

Yes: Cory Evans

- d. **IHMS, LLC., dba Hotel Pierre, 2 East 61st Street (5th/Madison Avenues)**-Alteration for a Liquor, Wine and Beer. **Food/Drink: 70/30**

WHEREAS this is an existing establishment extending their SLA license to cover a the square footage of a proposed sidewalk café, and

WHEREAS the establishment will return to the community board to obtain approval of their DCA Sidewalk Café license at a later date, and

WHEREAS there were no objections from the public

BE IT RESOLVED THAT the application is approved

Approved by a vote of 12-0-0

Yes: Albert Barrueco, Matt Bondy, James Clynes, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Laurence Parnes, David Rosenstein, Abraham Salcedo, Judith Schneider, Gregory Zaffiro

Public Member Votes

Yes: Cory Evans

- e. **Ambiance Wine LLC dba Vella, 1480 Second Avenue (77th/78th)**-Application for weekly lunch hours extension for Liquor, Wine and Beer. **Food/Drink: 60/40**

WHEREAS this is a license alteration to allow the establishment to offer lunch service, and

WHEREAS this is also a corporate change of ownership for an established restaurant, and

WHEREAS there were no objections from the public, and

WHEREAS several committee members spoke positively about the establishment

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 will be:
Monday to Sunday– 11:00am to 2:00am
- The front windows and doors will be closed by 10pm every day

Approved by a vote of 12-0-0

Yes: Albert Barrueco, Matt Bondy, James Clynes, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Laurence Parnes, David Rosenstein, Abraham Salcedo, Judith Schneider, Gregory Zaffiro

Public Member Votes

Yes: Cory Evans

5. **Renewal Applications to the New York State Liquor Authority for Liquor License:**

- a. **JBB Corp., dba Jacques Bar & Grill, 1606 First Avenue (83rd/84th)-Renewal application for a Liquor, Wine and Beer. Food/Drink: 80/20**

COMMITTEE RESOLUTION SUBMITTED

WHEREAS there were several recent noise complaints filed with 311 and the board office for this establishment (which is operating under the name “Pitch & Fork”) and

WHEREAS the establishment has consistently violated the floor plan and used sidewalk space beyond their licensed area for their sidewalk café and

WHEREAS the applicant was made aware of these issues and agreed to remedy per the stipulations listed below

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 will be:
Monday to Thursday – 5:00pm to Midnight
Friday – 5:00pm to 2:00am
Saturday – 11:00am to 2:00am
Sunday – 11:00am to Midnight
- The front windows and doors will be closed by 10pm every day
- The rear yard will not be used after 10pm on Sunday through Thursday or after 10:30pm on Friday and Saturday
- The level of recorded music will be kept to a low, non-intrusive level
- The table and chairs in the Sidewalk Café will be laid out according to the plans approved by the Department of Consumer Affairs at all times.

Approved by a vote of 9-2-1

Yes: Albert Barrueco, James Clynes, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, David Rosenstein, Judith Schneider, Gregory Zaffiro

No: Matt Bondy, Laurence Parnes

Abstain: Abraham Salcedo
Public Member Votes
Yes: Cory Evans

6. **New Applications to the New York State Liquor Authority for Liquor Licenses:**

- a. **1629 2nd Restaurant, LLC., 1629 Second Avenue (84th/85th)**-New application for a Liquor, Wine and Beer. **Food/Drink: 70/30**

WHEREAS there were no objections from the public, and

WHEREAS this is a restaurant run by the building's landlord replacing a tenant bar

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 will be:
Monday to Thursday– 3:00pm to 4:00am
Friday to Sunday – 11:00am to 4am
- The front windows and doors will be closed by 10pm every day

Approved by a vote of 10-1-1

Yes: Matt Bondy, James Clynes, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Laurence Parnes, Abraham Salcedo, Judith Schneider, Gregory Zaffiro

No: Albert Barrueco

Abstain: David Rosenstein

Public Member Votes

Yes: Cory Evans

- b. **Camp 1382, LLC., 1382 First Avenue (73rd/74th)**-New application for a Liquor, Wine and Beer. **Food/Drink: 75/25**

WHEREAS this is solely a corporate change of ownership for an established restaurant, and

WHEREAS there were no objections from the public

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 will be:
Monday to Sunday – 5pm to Midnight

Approved by a vote of 11-0-0

Yes: Albert Barrueco, Matt Bondy, James Clynes, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Laurence Parnes, David Rosenstein, Abraham Salcedo, Gregory Zaffiro

Public Member Votes

Yes: Cory Evans

- c. **Yuko Sushi Inc., dba Aki Sushi, 1531 York Avenue (80th/81st)**-New application for a Wine and Beer. **Food/Drink: 95/5**

WHEREAS there were no objections from the public

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 will be:
Monday to Saturday – Noon to 11pm
Sunday – 1:00pm to 11:00pm

Approved by a vote of 11-0-0

Yes: Albert Barrueco, Matt Bondy, James Clynes, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Laurence Parnes, David Rosenstein, Abraham Salcedo, Gregory Zaffiro

Public Member Votes

Yes: Cory Evans

- d. **BJTT Corp., dba Stargate, 1580 Third Avenue (88th/89th)**-New application for a Wine and Beer. **Food/Drink: 90/10**

WHEREAS this is solely a corporate change of ownership for an established restaurant, and

WHEREAS there were no objections from the public

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 will be:
Monday to Sunday – 7:00am to 11:00pm

Approved by a vote of 12-0-0

Yes: Albert Barrueco, Matt Bondy, James Clynes, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Laurence Parnes, David Rosenstein, Abraham Salcedo, Judith Schneider, Gregory Zaffiro

Public Member Votes

Yes: Cory Evans

- e. **Eat Madison 91 LLC. 26 East 91st Street aka 1270 Madison Avenue (5th/Madison Avenues)**-New application for a Wine and Beer. **Food/Drink: 75/25**

WHEREAS there were no objections from the public

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 will be:
Monday to Sunday – 9:00am to Midnight

Approved by a vote of 12-0-0

Yes: Albert Barrueco, Matt Bondy, James Clynes, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Laurence Parnes, David Rosenstein, Abraham Salcedo, Judith Schneider, Gregory Zaffiro

Public Member Votes

Yes: Cory Evans

- f. **Kimiyo NY, Inc., dba Osaka Torafugunokai Kimiyo NY, 354 East 66th Street (1st/2nd)**-New application for a Liquor, Wine and Beer. **Food/Drink: 90/10**

WHEREAS there were no objections from the public

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 will be:
Sunday to Thursday – 4:00pm to 11:00pm
Friday to Saturday – 4:00pm to Midnight

Approved by a vote of 12-0-0

Yes: Albert Barrueco, Matt Bondy, James Clynes, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Laurence Parnes, David Rosenstein, Abraham Salcedo, Judith Schneider, Gregory Zaffiro

Public Member Votes

Yes: Cory Evans

- g. **Sushi Para Manhattan Corp., dba Sushi Para, 1461 Third Avenue (82nd/83rd)**-New application for a Liquor, Wine and Beer. **Food/Drink: 80/20**

WHEREAS there were no objections from the public

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 will be:
Monday to Thursday – 11:00am to 10:30pm
Friday to Saturday – 11:00am to 11:30pm
Sunday – 11:00am to 10:00pm

Approved by a vote of 12-0-0

Yes: Albert Barrueco, Matt Bondy, James Clynes, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Laurence Parnes, David Rosenstein, Abraham Salcedo, Judith Schneider, Gregory Zaffiro

Public Member Votes

Yes: Cory Evans

- h. **Diwine NYC, Inc., 116 East 60th Street (Park/Lexington Avenue)**-New application for a Liquor, Wine and Beer. **Food/Drink: 50/50**

WHEREAS this applicant previously appeared before the committee, at which time numerous members of the public from 118 East 60th appeared to object to the application, and

WHEREAS the applicant met with the co-op board at 118 East 60th Street, and

WHEREAS the applicant made certain agreements along with changes to their proposed method of operation in response to that meeting and suggestions made following their presentation by committee members, and

WHEREAS the applicant agreed to incorporate these agreements as stipulations in their SLA license, and

WHEREAS several residents of 118 East 60th Street present at the meeting remained concerned over potential noise issues resulting from the proposed establishment

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 will be:
Monday to Thursday – 9:00am to 2:00am
Friday to Saturday – 9:00am to 4:00am
Sunday – 9:00am to Midnight
- The establishment will hire a dedicated door person to keep patrons from congregating in front of the establishment or in the public driveway area in front of 118 East 60th Street. This person will be on duty from 10pm to 4am every Friday and Saturday night.
- If the establishment has any live music (which they represented may occur during private functions), the music will cease no later than 10pm on Sunday through Thursday and Midnight on Friday or Saturday
- The setup of any live music performances will be in the back half of the building (furthest from the front door) and any sound system will be directed away from the front entrance.
- To extend the existing duct work that is on the roof about ten feet so it is in the center of the building.
- To supply a cigarette dispenser where the customers can discard the cigarette butts and situate same to the right of the subject premise so that any patrons that smoke will not be smoking in the driveway of the cooperative at 118 East 60th Street.

Approved by a vote of 8-3-0

Yes: James Clynes, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Laurence Parnes, David Rosenstein, Judith Schneider,

No: Albert Barrueco, Matt Bondy, Abraham Salcedo

Public Member Votes

Yes: Cory Evans

7. **New Cabaret License**

- a. **Jacaranda Club LLC., dba Sapphire New York, 333 East 60th Street (1st/2nd Avenues)-New application for a Cabaret License**

WHEREAS this is an application to continue the existing operations at this location, and

WHEREAS there were no objections from the public

BE IT RESOLVED THAT the application is approved

Approved by a vote of 10-1-0

Yes: Albert Barrueco, Matt Bondy, James Clynes, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Laurence Parnes, Abraham Salcedo, Judith Schneider

No: David Rosenstein

Public Member Votes

Yes: Cory Evans

8. **New Business**

Discussion of NYS Assembly Bill A04227, which will create an SLA liaison top Community Boards and extend the Community Board notice period from 30 to 60 days.

WHEREAS the establishment of a dedicated liaison from the State Liquor Authority to NYC Community Boards would facilitate communications, help resolve quality of life issues caused by SLA licensees faster and generally provide benefits to the public, and

WHEREAS extending the time allowed for the community to comment on SLA applicants from 30 days to 60 days would provide greater transparency and more opportunity for the public to have input into the process, and

WHEREAS, these two proposals would both result in increased responsiveness to community concerns by both the State Liquor Authority and the establishments licensed by the SLA.

THEREFORE BE IT RESOLVED that Community Board 8M urges the State Legislature to pass and the Governor to sign Assembly Bill A04227

Approved by a vote of 10-0-0

Yes: Albert Barrueco, Matt Bondy, James Clynes, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Laurence Parnes, David Rosenstein, Abraham Salcedo

Public Member Votes

Yes: Cory Evans

9. **Layovers/Withdrawal**

- a. **1279 1st Avenue, LLC., dba Patsy's Pizzeria, 1279 First Avenue (@69th Street)-Corporation** Change for a Liquor, Wine and Beer. **Laid over to July**
- b. **Alderney LLC, 1426 Third Avenue (@81st Street)-New application for Liquor, Wine and Beer.** **Laid over to July**