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**The City of New York
Manhattan Community Board 8
Public Hearing
Street Life Committee
Marymount Manhattan College
221 East 71st Street
Regina Peruggi Room**

Tuesday, June 7, 2016

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 be denied if they participate in bar-crawls.**

Members Present: Jackie Ludorf, Michelle Birnbaum, Marco Tamayo, Abraham Salcedo, Michael Mellamphy, David Menegon

Unanimous Café Approvals: 1a, 1b, 2a, 2b, 2c, 2e

Non-Unanimous Café Approval: 2d

Unanimous SLA Approvals: 3b, 3c, 3d, 3e, 3f

Non-Unanimous SLA Approval: 3a, 3g

Unanimous SLA Disapproval: 4a

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

- a. 1326 Restaurant, LLC., dba Beach Café, 1326 Second Avenue (69th/70th)-Renewal application for an unenclosed sidewalk café with 28 tables and 61 chairs. DCA #1217877-DCA. Due Date June 27, 2016**

WHEREAS there are no changes to the café; and

WHEREAS no one from the public objected; and

WHEREAS the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls; therefore

BE IT RESOLVED that the application is **APPROVED**.

ADOPTED by a vote of 4-0-0

YES: Marco Tamayo, Michael Mellamphy, David Menegon, Abraham Salcedo

- b. **Terminus Restaurant Associates, LLC., dba Orsay Restaurant, 1057 Lexington Avenue (75th/76th)**-Renewal application for an unenclosed sidewalk café with 14 tables and 28 chairs. DCA #1022739-DCA. Due Date June 9, 2016

WHEREAS there are no changes to the café; and

WHEREAS no one from the public objected; and

WHEREAS the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls; therefore

BE IT RESOLVED that the application is **APPROVED**.

ADOPTED by a vote of 4-0-0

YES: Marco Tamayo, Michael Mellamphy, David Menegon, Abraham Salcedo

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

- a. **62nd & 1st LLC., dba Treadwell Park, 1125 First Avenue (61st/62nd)**- Modification of a new sidewalk café with 6 tables and 36 chairs. DCA#1477-2016-AMND. Due Date May 27, 2016,

WHEREAS no one from the public objected; and

WHEREAS the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls; therefore

BE IT RESOLVED that the application is **APPROVED**

ADOPTED by a vote of 5-0-0

YES: Marco Tamayo, Michael Mellamphy, David Menegon, Abraham Salcedo, Jacky Ludorf

- b. **Calexico 122 LLC., 1491 Second Avenue (77th/78th)**-New application for an unenclosed sidewalk café with 12 tables and 20 chairs. DCA #4392-2016-ASWC. Due Date June 10, 2016,

WHEREAS no one from the public objected; and

WHEREAS the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls; therefore

BE IT RESOLVED that the application is **APPROVED**

ADOPTED by a vote of 5-0-0

YES: Marco Tamayo, Michael Mellamphy, David Menegon, Abraham Salcedo, Jacky Ludorf

- c. **Calexico 122 LLC., 1491 Second Avenue (77th/78th)**-New application for an enclosed sidewalk café with 13 tables and 34 chairs. DCA #5192-2016-ASWC.

WHEREAS no one from the public objected; and

WHEREAS the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls; therefore

BE IT RESOLVED that the application is **APPROVED**

ADOPTED by a vote of 5-0-0

YES: Marco Tamayo, Michael Mellamphy, David Menegon, Abraham Salcedo, Jacky Ludorf

- d. **Sixty Hospitality LLC 14 East 60th Street (5th/Madison)**-New application for an unenclosed sidewalk café with 6 tables and 22 chairs. DCA#5421-2016-ASWC. Due Date June 11, 2016

WHEREAS the board received several emails concerning the café and the impact it would have on the access to the sidewalk; and

WHEREAS the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls; therefore

BE IT RESOLVED that the application is **APPROVED**

ADOPTED by a vote of 4-0-1

YES: Marco Tamayo, Michael Mellamphy, David Menegon, Jacky Ludorf

Abstain: Abraham Salcedo

- e. **Maison Hugo LLC., 132 East 61st Street (Park/Lexington)**-New application for an unenclosed sidewalk café with 3 tables and 6 chairs. DCA# 6482-2016-ASWC. Due Date July 2, 2016

WHEREAS no one from the public objected; and

WHEREAS the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls; therefore

BE IT RESOLVED that the application is **APPROVED**

ADOPTED by a vote of 5-0-0

YES: Marco Tamayo, Michael Mellamphy, David Menegon, Abraham Salcedo, Jacky Ludorf

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

- a. **Zep LLC., dba Zuccherio E. Pomodori, 1435 Second Avenue (74th/75th)**-Corporation Change for Liquor, Wine, Beer & Cider

WHEREAS no one from the public objected; and

WHEREAS the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls; therefore

BE IT RESOLVED that the application is **APPROVED**

ADOPTED by a vote of 5-0-0

YES: Marco Tamayo, Michael Mellamphy, David Menegon, Abraham Salcedo, Jacky Ludorf

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

- a. **Baltimore Restaurant Inc., 1606 First Avenue (83rd/84th)**-New application for Liquor, Wine, Beer and Cider.

WHEREAS no one from the public objected; and

WHEREAS the applicant agreed to not utilize the rear year for customers after 10pm;

WHEREAS the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls; therefore

BE IT RESOLVED that the application is **APPROVED, subject to the stipulations above**

ADOPTED by a vote of 4-1-0

YES: Michael Mellamphy, David Menegon, Abraham Salcedo, Jacky Ludorf

No: Marco Tamayo

- b. **Lolitas Kitchen Corp., dba Lolitas Kitchen & Burger House, 1364 Lexington Avenue (90th/91st)**-New application for Wine, Beer and Cider

WHEREAS no one from the public objected; and

WHEREAS the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls; therefore

BE IT RESOLVED that the application is **APPROVED**

ADOPTED by a vote of 5-0-0

YES: Marco Tamayo, Michael Mellamphy, David Menegon, Abraham Salcedo, Jacky Ludorf

- c. **Beautemps Inc., 1466 First Avenue (76th/77th)**-New application for Wine, Beer and Cider

WHEREAS no one from the public objected; and

WHEREAS the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls; therefore

BE IT RESOLVED that the application is **APPROVED**

ADOPTED by a vote of 5-0-0

YES: Marco Tamayo, Michael Mellamphy, David Menegon, Abraham Salcedo, Jacky Ludorf

- d. **Lou Guan Tai Inc., dba Xi'Anfamous Foods, 328 East 78th Street (1st/2nd)**-New application for Wine, Beer & Cider

WHEREAS no one from the public objected; and

WHEREAS the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls; therefore

BE IT RESOLVED that the application is **APPROVED**

ADOPTED by a vote of 5-0-0

YES: Marco Tamayo, Michael Mellamphy, David Menegon, Abraham Salcedo, Jacky Ludorf

- e. **Pho Shop Corporation, dba Pho Shop, 1716 First Avenue (88th/89th)**-New application for Wine, Beer & Cider

WHEREAS no one from the public objected; and

WHEREAS the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls; therefore

BE IT RESOLVED that the application is **APPROVED**

ADOPTED by a vote of 5-0-0

YES: Marco Tamayo, Michael Mellamphy, David Menegon, Abraham Salcedo, Jacky Ludorf

- f. **Tavern 62 LLC., dba Tavern 62 by David Burke, 135 East 62nd Street (Park/Lexington)**-New application for Liquor, Wine & Beer.

WHEREAS no one from the public objected; and

WHEREAS the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls; therefore

BE IT RESOLVED that the application is **APPROVED**

ADOPTED by a vote of 5-0-0

YES: Marco Tamayo, Michael Mellamphy, David Menegon, Abraham Salcedo, Jacky Ludorf

- g. **Shorty's Restaurants LLC., dba Shorty's, 1678 First Avenue (87th/88th)**-New application for Liquor, Wine, Beer & Cider

WHEREAS a member of the public objected to noise emanating from the use of the rear year; and

WHEREAS the applicant agreed to reduce the usage of the rear year to 11pm;

WHEREAS the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls; therefore

BE IT RESOLVED that the application is **APPROVED, subject to the stipulations above**

ADOPTED by a vote of 4-1-0

YES: Michael Mellamphy, David Menegon, Abraham Salcedo, Jacky Ludorf

No: Marco Tamayo

4. **Class Changes**

- a. **Lexington Deli, Inc., 1332 Lexington Avenue (88th/89th)**-Class change for Beer and Cider

WHEREAS the applicant has failed to appear for three consecutive meetings;

BE IT RESOLVED that the application is **DISAPPROVED**

ADOPTED by a vote of 5-0-0

YES: Marco Tamayo, Michael Mellamphy, David Menegon, Abraham Salcedo, Jacky Ludorf

5. A discussion of Governor Cuomo's Program Bill #15- the State Liquor Authority changes to the Alcohol Beverage Control law

WHEREAS, Community Board 8 strongly objects to any changes to the State Alcohol Laws without the input the public; and

WHEREAS, the proposed changes of the Alcohol Beverage Control Law would have significant impact on the quality of life of citizens; and

WHEREAS, Community Board 8 strongly objects to any effort to hastily pass any changes to the State Alcohol Laws;

BE IT RESOLVED that Community Board 8 does not support any changes to the State Alcohol Laws in this 2016 Legislative Session and further requests that any changes to the State Alcohol Laws be contemplated thoroughly and involved active discussion with the public and afford the public an opportunity to comment on any such changes.

ADOPTED by a vote of 5-0-0

YES: Marco Tamayo, Michael Mellamphy, David Menegon, Abraham Salcedo, Jacky Ludorf

6. **Layovers/Withdraws**

- a. **Yi Hua 1968 LLC dba China Fun, 1221 Second Avenue (63rd/64th)**-New application for Liquor, Wine, Beer & Cider-Application withdrawn
- b. **Heidi's House, LLC., dba Heidi's by the side of the road, 308 East 78th Street (1st/2nd)**-Alteration application for Liquor, Wine & Beer-Application withdrawn
- c. **Marjhorie Corp., dba Sabor A Mexico Restaurant, 1744 First Avenue (90th/91st)**-New application for Liquor, Wine and Beer
- d. **SA Third Avenue Café LLC., 1136 Third Avenue (66th/67th)**-New application for Liquor, Wine, Beer & Cider

7. **New Business**

a. Board Member Marco Tamayo raised the issue that prior to Community Board 8 approving any establishment usage of a rear yard that Community Board 8 ensure that the appropriate approvals be maintained by the establishment (i.e. a C of O including the rear yard or a letter of no objection from the DOB).