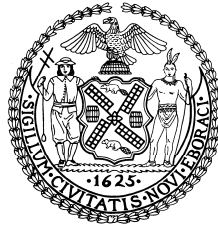


Nicholas Viest
Chair

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

Monday August 12, 2013, 7:00 p.m.
New York Blood Center, 310 East 67th Street, Conference Room 1 & 2

Minutes

PLEASE NOTE: The Street Life Committee recommends a Resolution to the full Community Board, which votes on a Resolution to be sent to the appropriate governing agency. These Resolutions are advisory; the decision of the governing agency is binding.

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: Molly Blayney, Matthew Bondy, Cory Evans, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Judith Schneider, M. Barry Schneider, Cos Spagnoletti, Marco Tamayo

Excused Members: Laurence Parnes

Unexcused Members: James Clynes

Unanimous Cafes Approvals: 2a, 2b, 2c, 2d, 2g

Non Unanimous Newsstands: 3a

Unanimous SLA Approvals: 4d, 4g, 4h, 4i

Non Unanimous SLA: 4a, 4e

No Action: 1a, 2e, 2f, 4b, 4c, 4f

1. **Complaints**

- a. **Baraonda Restaurant, 1439 Second Avenue (@ 75th Street)** – Complaints of noise from loud patrons and music at late hours

Although no members of the public were able to attend, the board office had received a few complaints regarding this location. A representative of the restaurant attended and explained that there has been a continuous turnover of managers there (approximately once a month) and although each one gets proper training, it is difficult to constantly police them. She acknowledged the need for them to close their windows at 10pm, as agreed, and keep the music to reasonable level. She also indicated that business has suffered greatly, particularly due to the Second Avenue Subway construction, and that they may not be able to stay open much longer.

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

- a. **Acropol Restaurant Corp. d/b/a Ritz Diner, 1133 First Avenue (62nd/63rd Streets)** – Renewal application for an enclosed sidewalk café with 12 tables and 32 seats, ULURP #: N 120256 ECM, DCA #: 106538. Due date: Aug. 23rd

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

BE IT RESOLVED THAT the application is Approved.

9-0-0. Yes: Molly Blayney, Cory Evans, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Judith Schneider, M. Barry Schneider, Cos Spagnoletti, Marco Tamayo

- b. **Terminus Restaurant Associates, LLC d/b/a Orsay Restaurant, 1057 Lexington Avenue (75th/76th Streets)** – Renewal application for an enclosed sidewalk café with 14 tables and 28 seats, ULURP #: N 120274, DCA #: 1022739. Due date: Aug. 23rd

WHEREAS there are no changes to the café, and

WHEREAS the applicant agreed to close his windows by 10pm,

BE IT RESOLVED THAT the application is Approved.

10-0-0. Yes: Molly Blayney, Matt Bondy, Cory Evans, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Judith Schneider, M. Barry Schneider, Cos Spagnoletti, Marco Tamayo

- c. **First Avenue Brother Jimmy's BBQ d/b/a Brother Jimmy's BBQ, 1485 Second Avenue (77th/78th Streets)** – Renewal application for an enclosed sidewalk café with 9 tables and 30 seats, ULURP #: N 120280 ECM, DCA #: 1067948. Due date: Aug. 23rd

WHEREAS there are no changes to the café, and

WHEREAS the applicant agreed to close his windows by 10pm, and

WHEREAS the applicant agreed to move the location of their live music to inside the restaurant proper and endeavor to minimize the music volume reaching the street,

BE IT RESOLVED THAT the application is Approved.

9-0-0. Yes: Molly Blayney, Cory Evans, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Judith Schneider, M. Barry Schneider, Cos Spagnoletti, Marco Tamayo

- d. **Fresco Bagel, LLC d/b/a Fresco Bagel, 1239 First Avenue (@ 67th Street)** – Renewal application for an enclosed sidewalk café with 15 tables and 30 seats, ULURP #: N 120415 ECM, DCA #: 1301779. Due date: Sept. 4th (*Did not submit required paperwork to the paperwork*)

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

BE IT RESOLVED THAT the application is Approved.

10-0-0. Yes: Molly Blayney, Matt Bondy, Cory Evans, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Judith Schneider, M. Barry Schneider, Cos Spagnoletti, Marco Tamayo

- e. **Nectar Restaurant Corp. d/b/a Nectar, 1090 Madison Avenue (@ 82nd Street)** – Renewal application for an enclosed sidewalk café with 12 tables and 24 seats, ULURP #: N 120333 ECM, DCA #: 0699252. Due date: Sept. 4th

The applicant failed to appear. Therefore, the committee decided to take no position and notify DCA of this fact and the reason why.

- f. **CSLL Rest. Corp. d/b/a E.J's Luncheonette, 1271 Third Avenue (@ 73rd Street)** –
Renewal application for an enclosed sidewalk café with 12 tables and 24 seats, ULURP #: N 120329 ECM, DCA #: 0970343. Due date: Sept. 4th (*Did not submit required paperwork to the paperwork*)

The applicant failed to appear. Therefore, the committee decided to take no position and notify DCA of this fact and the reason why.

- g. **Caffe Isle of Capri, Inc. d/b/a Isle of Capri, 1028 Third Avenue (@ 63rd Street)** –
Renewal application for an enclosed sidewalk café with 10 tables and 38 seats, ULURP #: N 120362 ECM, DCA # 0578810. Due date: Aug. 30th (*Did not submit required paperwork to the paperwork*)

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

BE IT RESOLVED THAT the application is Approved.

9-0-0. Yes: Molly Blayney, Cory Evans, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Judith Schneider, M. Barry Schneider, Cos Spagnoletti, Marco Tamayo

3. **New Application to the Department of Consumer Affairs for a Newsstand:**

- a. **Northwest Corner (NWC) of 1st Avenue & East 79th Street** - Application for newsstand application, DCA #: 14657679 (*Application laid over from the July meeting*)

WHEREAS there were no members of the public present with objections to this application, and

WHEREAS there appeared to be sufficient clearance from all buildings and other street fixtures on the plans presented by the applicant,

BE IT RESOLVED THAT the application is Approved.

6-3-1. Yes: Cory Evans, Jacqueline Ludorf, Domenico Minerva, Judith Schneider, M. Barry Schneider, Cos Spagnoletti

No: Molly Blayney, Matt Bondy, Marco Tamayo

Abstain: Jonathan Horn

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

- a. **RM OPS 82, LLC d/b/a The Simone, 151 East 82nd Street (Lexington/Third Avenues)** –
New application for a liquor, wine and beer (on-premises) license (*Application laid over from the July meeting*)

WHEREAS there were no objections from the public, and

WHEREAS the applicant agreed to the following hours of operation:

Monday to Thursday – 11:45am to 11:00pm

Friday to Saturday - 11:45am to Midnight

Sunday - 11:45am to 10:00pm

BE IT RESOLVED THAT the application is Approved.

9-0-1. Yes: Molly Blayney, Matt Bondy, Cory Evans, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Judith Schneider, M. Barry Schneider, Cos Spagnoletti

Abstain: Marco Tamayo

- b. **International Wings Factory, LLC, 1762 First Avenue (91st/92nd Streets)** – New application for a wine and beer only license (*Did not submit required paperwork to the paperwork*)

Applicant did not appear. Board office will contact them and the SLA to ensure applicant is held over until September.

- c. **Aoyama Sushi, Inc. 1164 First Avenue (63rd/64th Streets)** – New application for a wine and beer only license

This is a new owner for an existing establishment. There were members of the public present who expressed concerns over the behavior of the previous owners – specially use of electric bicycles, tying bicycles to street signs and tress, as well as leaving their sidewalk hatch door open for extended periods. Applicant agreed to withdraw applicant and reapply in September so that the community would have an opportunity to see that they will be better neighbors and resolve these issues.

- d. **Xingda Chen, 501 East 78th Street, Store 2 (York/East End Avenue)** – New application for a wine and beer only license

WHEREAS there were no objections from the public, and

WHEREAS the applicant agreed to the following hours of operation:

Monday to Thursday – 11:30am to 11:00pm

Friday to Saturday - 12:30pm to 11:00pm

Sunday - 11:30am to 11:00pm

BE IT RESOLVED THAT the application is Approved.

10-0-0. Yes: Molly Blayney, Matt Bondy, Cory Evans, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Judith Schneider, M. Barry Schneider, Cos Spagnoletti, Marco Tamayo

- e. **Anda Restaurant Associates, LLC d/b/a Caffè di Fiore, 973 Lexington Avenue (70th/71st Streets)** – New application for a liquor, wine and beer (on-premises) license

WHEREAS there were no objections from the public, and

WHEREAS there were concerns expressed by the committee over the applicant’s planned use of a rear yard space, and

WHEREAS the applicant agreed to provide sufficient soundproofing using canopies or table umbrellas in the rear yard, and

WHEREAS the applicant agreed to cease use of the rear yard at 10pm on Sunday through Thursday and at 11pm on Friday and Saturday, and

WHEREAS the applicant agreed to the following hours of operation (for the interior space):

Monday to Sunday – 9:00am to 1:00am

BE IT RESOLVED THAT the application is Approved.

8-1-1. Yes: Molly Blayney, Cory Evans, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Judith Schneider, M. Barry Schneider, Cos Spagnoletti

No: Matt Bondy

Abstain: Marco Tamayo

- f. **Corp. to be formed by Gaetano D'Angelo, 1471 Second Avenue (76th/77th Streets)** – New application for a liquor, wine and beer (on-premises) license (*Did not submit required paperwork to the paperwork*)

This is a relocation of an existing establishment (Spigolo, 1561 Second Avenue) due to lease issues. In order to be able to operate by the end of August at his new location, the applicant agreed to file for a wine and beer license at this time and the committee agreed to take no position on that application. He will return in September with his application for a full liquor, beer and wine license at this new location.

- g. **Japika Group Corp. d/b/a Up Thai, 1411 Second Avenue (73/74th Streets)** – New application for a liquor, wine and beer (on-premises) license

WHEREAS there were no objections from the public, and

WHEREAS the applicant agreed to the following hours of operation:

Monday to Thursday – 11:30am to 11:00pm

Friday to Saturday - 11:30pm to Midnight

Sunday - 11:00am to 11:00pm

BE IT RESOLVED THAT the application is Approved.

10-0-0. Yes: Molly Blayney, Matt Bondy, Cory Evans, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Judith Schneider, M. Barry Schneider, Cos Spagnoletti, Marco Tamayo

- h. **IL Trovatore, LLC d/b/a Salumeria Rosi Parmacotto, 903 Madison Avenue (72nd/73rd Streets)** – New application for a liquor, wine and beer (on-premises) license

WHEREAS there were no objections from the public, and

WHEREAS the applicant agreed to the following hours of operation:

Monday to Sunday – 9:00am to 11:00pm

BE IT RESOLVED THAT the application is Approved.

10-0-0. Yes: Molly Blayney, Matt Bondy, Cory Evans, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Judith Schneider, M. Barry Schneider, Cos Spagnoletti, Marco Tamayo

- i. **New Ooki Sushi, Inc., 1575 Third Avenue (88th/89th Streets)** – New application for a liquor, wine, and beer (on-premises) license

WHEREAS there were no objections from the public, and

WHEREAS the applicant agreed to the following hours of operation:

Monday to Thursday – Noon to 11:30pm

Friday to Saturday - Noon to Midnight

Sunday - Noon to 11:30pm

BE IT RESOLVED THAT the application is Approved.

10-0-0. Yes: Molly Blayney, Matt Bondy, Cory Evans, Jonathan Horn, Jacqueline Ludorf, Domenico Minerva, Judith Schneider, M. Barry Schneider, Cos Spagnoletti, Marco Tamayo

Layovers/Withdrawals

Cafes

- **C&C First Avenue Corp. d/b/a Bar Coastal, 1495 First Avenue (78th/79th Streets)** – Renewal application for an enclosed sidewalk café with 7 tables and 24 seats, ULURP #: N 120343, DCA #: 1110042. Due date: Sept. 4th (*Laid over to the September meeting, at applicants request*)
- **NNM Rest. Corp. d/b/a Brasserie 360, 200 East 60th Street (@ Third Avenue)** – Renewal application for an enclosed sidewalk café with 17 tables and 34 seats, ULURP #: N 120373 ECM, DCA #: 1106438. Due date: Aug. 30th (*THIS LOCATION NO LONGER EXSIST. Anassa Taverna is the current tenant*).

A member of the public stated that since the change of ownership to Anassa Taverna, this establishment has been operating their enclosed café without a license from DCA. The board office will contact DCA and the establishment to determine the facts of the situation and the committee will consider any action that might be required at their September meeting.

Liquor Licenses

- **Javatea Bar Corp., 403 East 70th Street (First/York Avenues)** - New application for a wine and beer only license (*Laid over to the September meeting, at applicants request. 2nd request. Applicant agreed not to apply to SLA.*)
- **1724 Foods, LLC d/b/a Baluchi's, 1724 Second Avenue (89th/90th Streets)** - New application for a wine and beer only license (*Laid over to the September meeting, at applicants request. 2nd request. Applicant agreed not to apply to SLA.*)
- **Compass Group USA, Inc., 255 East 71st Street (Second/Third Avenues)** – New application for a liquor, wine and beer (on-premises) license (*Laid over to the September meeting, at applicants request*)

The board office will confirm with the applicant that they will not apply to SLA until they appear before the committee in September.

- **Compass Group USA, Inc., 221 East 71st Street (Second/Third Avenues)** – New application for a liquor, wine and beer (on-premises) license (*Laid over to the September meeting, at applicants request*)

The board office will confirm with the applicant that they will not apply to SLA until they appear before the committee in September.