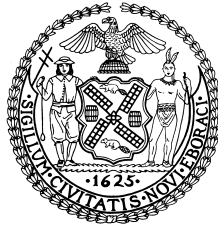


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Chairman

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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, August 2, 2016
7:00 p.m.**

Minutes (DRAFT)

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: Lorraine Brown, Jackie Ludorf, Michael Mellanphy, Larry Parnes, Abraham Salcedo, Cos Spagnoletti, Marco Tamayo

Unanimous DCA Approvals: 1a, 1b (letters have been sent to DCA)

Unanimous DCA Disapproval: 2a (letter has been sent to DCA)

Unanimous SLA Approvals: 3a, 3b, 3c 3d, 3e, 3g

Non-unanimous SLA Approval: 3f

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

- a. Shalizar LLC., dba Persepolis, 1407 Second Avenue (73rd/74th)-Renewal application for an unenclosed sidewalk café with 6 tables and 12 chairs. DCA #1361517-DCA. Due Date August 11, 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** subject to the condition that the planters at the front of the café be removed.

ADOPTED by a vote of 7-0-0

YES: Lorraine Brown, Jackie Ludorf, Michael Mellanphy, Larry Parnes, Abraham Salcedo, Cos Spagnoletti, Marco Tamayo

- b. **Three Deckers Restaurant Ltd., dba Three Decker Restaurant, 1746 Second Avenue (90th/91st)**-Renewal application for an enclosed sidewalk café with 14 tables and 28 chairs. DCA #09496996-DCA. Due Date September 2, 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 6-0-0

YES: Jackie Ludorf, Michael Mellanphy, Larry Parnes, Abraham Salcedo, Cos Spagnoletti, Marco Tamayo

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

- a. **Baltimore Restaurant Inc., dba Enginar, 1606 First Avenue (83rd/84th)**-New application for an unenclosed sidewalk café with 4 tables and 8 chairs. DCA #9363-2016-ASWC. Due Date August 26, 2016

WHEREAS this is an application for a new unenclosed sidewalk café; and

WHEREAS the applicant did not appear at the committee meeting; and

WHEREAS the applicant did not submit any information about its proposal including the CB questionnaire and plans of the proposed café; and

WHEREAS without this information the committee cannot adequately review the application; therefore

BE IT RESOLVED that DCA is requested not to hold a hearing on the application until this information is submitted to Community Board 8; and

BE IT FURTHER RESOLVED that this application is **DISAPPROVED** unless DCA delays its hearing on the application until the necessary information is submitted to CB 8 and the applicant appears before the Street Life Committee to explain the proposal.

ADOPTED by a vote of 7-0-0

YES: Lorraine Brown, Jackie Ludorf, Michael Mellanphy, Larry Parnes, Abraham Salcedo, Cos Spagnoletti, Marco Tamayo

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

- a. **Dig Inn 1297 Lexington Avenue LLC., dba Dig Inn, 1297 Lexington Avenue (87th/88th)-**
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; and

WHEREAS the applicant's application to CB 8 indicates the restaurant will be open until 11 pm seven days a week; therefore

BE IT RESOLVED that the application is **APPROVED** subject to the stipulation that the hours of operation for the SLA license shall be until 11 pm seven days a week.

ADOPTED by a vote of 7-0-0

YES: Lorraine Brown, Jackie Ludorf, Michael Mellanphy, Larry Parnes, Abraham Salcedo, Cos Spagnoletti, Marco Tamayo

- b. **OVG Café LLC, dba Candle Café, 1307 Third Avenue (74th/75th)-**New application for

WHEREAS the restaurant currently has a wine and beer license; 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; and

WHEREAS the applicant's application to CB 8 indicates the restaurant will be open until 10:30 pm seven days a week; therefore

BE IT RESOLVED that the application is **APPROVED** subject to the stipulation that the hours of operation for the SLA license shall be until 10:30 pm seven days a week.

ADOPTED by a vote of 7-0-0

YES: Lorraine Brown, Jackie Ludorf, Michael Mellanphy, Larry Parnes, Abraham Salcedo, Cos Spagnoletti, Marco Tamayo

- c. **Shigemitsu New York Inc., dba Harbs, 1374 Third Avenue (78th/79th)-**New application for Wine, Beer and Cider

WHEREAS a similar application from this applicant was approved by the Street Life Committee by a vote of 9-0-0 on August 4, 2015; and

WHEREAS that application was withdrawn at SLA's request and has been reclassified from a restaurant to a tavern; 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; and

WHEREAS the applicant's application to CB 8 indicates the restaurant will be open until 9 pm Monday through Thursday and Sunday and until 10 pm Friday and Saturday; therefore

BE IT RESOLVED that the application is **APPROVED** subject to the stipulation that the hours of operation for the SLA license shall be until 9 pm Monday through Thursday and Sunday and until 10 pm Friday and Saturday.

ADOPTED by a vote of 7-0-0

YES: Lorraine Brown, Jackie Ludorf, Michael Mellanphy, Larry Parnes, Abraham Salcedo, Cos Spagnoletti, Marco Tamayo

- d. **Lake Toba Inc., 1643 Second Avenue (85th/86th)**-New application for Liquor, 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; and

WHEREAS the applicant's application to CB 8 indicates the restaurant will be open until 10:30 pm Monday through Thursday and Sunday and until 11 pm Friday and Saturday; therefore

BE IT RESOLVED that the application is **APPROVED** subject to the stipulation that the hours of operation for the SLA license shall be until 10:30 pm Monday through Thursday and Sunday and until 11 pm Friday and Saturday.

ADOPTED by a vote of 7-0-0

YES: Lorraine Brown, Jackie Ludorf, Michael Mellanphy, Larry Parnes, Abraham Salcedo, Cos Spagnoletti, Marco Tamayo

- e. **Esquina NYC 1402Second LLC., dba La Esquina-The Corner, 1402 Second Avenue (@73rd)** New application for Liquor, 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; and

WHEREAS the applicant's application to CB 8 indicates the restaurant will be open until 12 midnight seven days a week; therefore

BE IT RESOLVED that the application is **APPROVED** subject to the stipulation that the hours of operation for the SLA license shall be until 12 midnight seven days a week.

ADOPTED by a vote of 7-0-0

YES: Lorraine Brown, Jackie Ludorf, Michael Mellanphy, Larry Parnes, Abraham Salcedo, Cos Spagnoletti, Marco Tamayo

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

WHEREAS this is an application reflecting a change in ownership; and

WHEREAS at the June 9, 2016 Street Life Committee meeting, the committee adopted a resolution to approve the application by a vote of 4-1-0 subject to the stipulation that use of the rear yard terminate at 11 pm; and

WHEREAS at the June 16, 2016 full board meeting of CB 8 there was discussion about the legality of the use of the rear yard; and

WHEREAS a motion to approve the resolution of the Street Life Committee lost by a vote of 12-26-1; and

WHEREAS CB 8 took no further action at that meeting; and

WHEREAS the applicant appeared at the August 2, 2016 Street Life Committee meeting; and

WHEREAS an architect representing the applicant provided information from the Department of Buildings that included plans for the establishment that were approved in 2007 and showed use of the rear yard; and

WHEREAS the architect stated his opinion that use of the rear yard is legal; and

WHEREAS the committee requested that the applicant file for a new C of O that included use of the rear yard; and

WHEREAS the applicant indicated that use of the rear yard was temporarily halted on July 5, 2016; and

WHEREAS the applicant indicated he would consider ending use of the rear yard at 10 pm, consistent with restrictions placed on other restaurants by the committee; and

WHEREAS at the August committee meeting 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** subject to the stipulation that the use of the rear terminate at 10 pm daily.

ADOPTED by a vote of 6-1-0

YES: Lorraine Brown, Jackie Ludorf, Michael Mellanphy, Larry Parnes, Abraham Salcedo, Cos Spagnoletti

NO: Marco Tamayo

- g. **Sistine Restaurant Inc., dba Sistina, 24 East 81st Street (5th/Madison)**-Removal of Liquor, Wine, Beer and Cider

WHEREAS this restaurant is relocating from its current location at 1555 2nd Avenue (between E. 80th and E. 81st streets); 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; and

WHEREAS the applicant's application to CB 8 indicates the restaurant will be open until 12 midnight Monday through Thursday and until 1 am Friday and Saturday; therefore

BE IT RESOLVED that the application is **APPROVED** subject to the stipulation that the hours of operation for the SLA license shall be until 12 midnight Monday through Thursday and until 1 am Friday and Saturday 2.

ADOPTED by a vote of 7-0-0

YES: Lorraine Brown, Jackie Ludorf, Michael Mellanphy, Larry Parnes, Abraham Salcedo, Cos Spagnoletti, Marco Tamayo

4. **Layovers/Withdraws**

- a. **UESMEX LLC dba Connigo, 1685 First Avenue (87th/88th)**-New application for Liquor, Wine, Beer and Cider-Laid over to September
- b. **SA Third Avenue Café LLC., 1136 Third Avenue (66th/67th)**-New application for Liquor, Wine, Beer & Cider-Laid over to September, second request
- c. **AMBI New York LLC., dba Hospada 321 East 73rd Street (1st/2nd)**-Corporate change for Liquor, Wine, Beer & Cider-Laid over to September
- d. **Schaller Manufacturing Corp., dba Schaller & Weber, 1654 Second Avenue 85th/86th)**-Alteration and Corporation change for Wine, Beer and Cider-Laid over to September

Adjourned at 8:15 pm