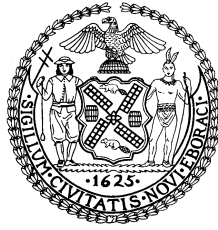


Jim Clynes
Chairman

Latha Thompson
District Manager



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**The City of New York
Manhattan Community Board 8
Public Hearing
Street Life Committee
Lenox Hill Neighborhood House
331 East 70th Street
Auditorium
Tuesday, September 6, 2016
6:30 p.m.
Minutes**

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

1. **The applicant will not use electric bikes.**
2. **The applicant will keep the front of the establishment clean.**
3. **The applicant will be denied if they participate in bar-crawls**

Members Present: Jim Clynes, Jackie Ludorf, Michael Mellanphy, Larry Parnes, Abraham Salcedo, Cos Spagnoletti, Marco Tamayo

All items were approved unanimously. A committee letter has been sent to DCA on item 1a due to a deadline of September 18.

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

- a. **Saltoto, Inc., dba Salvo's, 1477 York Avenue (78th/79th)**-Renewal application for an unenclosed sidewalk café with 8 tables and 20 chairs. DCA # 2002656-DCA. Due Date September 18, 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 **7-0-0**

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

- b. **EAT Madison LLC, dba Eli's Essentials, 922 Madison Avenue (73rd/74th)**-Renewal application for a small unenclosed sidewalk café with 1 table and 2 chairs. DCA #2009249-DCA. Due Date October 9, 2016.

WHEREAS a neighborhood resident spoke in opposition at the Street Life Committee meeting on September 6, 2016 stating that the sidewalk was too narrow for a café and that the establishment had an ice cream cart, a bench, and umbrella on the sidewalk; and

WHEREAS, the applicant's representative stated that there is a permit from DOT for the ice cream cart and that the umbrella and bench would be removed; and

WHEREAS there are no changes proposed for the café; 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 bench and umbrella be removed.

ADOPTED by a vote of 7-0-0

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

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

- a. **Eat Third 79 LLC, 1390 Third Avenue (79th/80th)**-Change in the Method of Operation for Liquor, Wine, Beer & Cider

WHEREAS this is an application to extend the hours of the SLA license from 12 midnight Monday through Thursday and from 1 am on Friday and Saturday to 2 am seven days a week; and

WHEREAS there are no other changes; 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 stipulation that the hours of operation for the SLA license shall be until 2 am seven days a week.

ADOPTED by a vote of 7-0-0

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

- b. **1629 2nd Restaurant LLC, dba Ethyl's, 1629 Second Avenue (84th/85th)**-Alteration application for Liquor, Wine, Beer & Cider

WHEREAS this is an application to extend the liquor license to include the establishment's sidewalk café; and

WHEREAS a member of the public spoke at the September 6, 2016 Street Life Committee meeting in opposition to the application. She stated that excessive noise and loud music emanated from the restaurant at late hours and showed copies of complaints she has made to NYCDEP. She noted, that the restaurant does not close its windows after 10 pm and also objected to dancing by employees; and

WHEREAS the applicant and his attorney pointed out that in September, 2015 the full board approved a modification of the establishment's liquor license to allow live music; and

WHEREAS the resolution adopted by a vote of 28-0-0 at the Land Use Committee meeting on September 9, 2015 stated:

WHEREAS the applicant is seeking an alteration to his license in order to permit live music; and WHEREAS there are many recent 311 noise complaints for the establishment as well as one made directly to the board office; and WHEREAS the applicant has agreed to contact the person who made the complaint to the board office; and WHEREAS the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls and will close all operable doors and windows at 10 pm; therefore BE IT RESOLVED that the application is APPROVED subject to the stipulation that all operable doors and windows be closed at 10 pm; and

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

WHEREAS the applicant has agreed to the stipulations in the following resolution; therefore

BE IT RESOLVED that the application is **APPROVED** subject to the stipulations that: 1) All operable windows and doors be closed nightly and 10 pm; 2) Karaoke is not permitted; and 3) Live music shall only be permitted on 1 day a week, such music shall last for no longer than 1 hour and such music shall terminate not later than 10 pm.

ADOPTED by a vote of 7-0

YES: Jim Clynes, 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. **UESMEX LLC dba Connigo, 1685 First Avenue (87th/88th)**-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 1 am 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 1 am seven days a week.

ADOPTED by a vote of 7-0-0

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

b. DB Bar Inc., dba to Be Determined 316 East 84th Street (1st/2nd)-New application 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; and

WHEREAS the applicant's application to CB 8 indicates the restaurant will be open until 1 am seven days a week with a food to drink ratio of 50%/50%; and

WHEREAS this is a mid-block location; and

WHEREAS the applicant agreed to the Street Life Committee's recommendation that the hours of operation for the SLA license be until 12 midnight Sunday through Wednesday and until 1 am Thursday, 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 be until 12 midnight Sunday through Wednesday and until 1 am Thursday, Friday and Saturday.

ADOPTED by a vote of 7-0-0

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

c. Sushi Gama Corp., 1403 Second Avenue (@73rd)-New application for Liquor, Beer, Wine & 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 Monday through Thursday and Sunday and until 12 midnight 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 11 pm Monday through Thursday and Sunday and until 12 midnight Friday and Saturday.

ADOPTED by a vote of 7-0-0

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

d. Barking Dog NYC LLC, 1678 Third Avenue (@94th)-New application for Liquor, Wine, Beer & Cider

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

WHEREAS there are no other changes; 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 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: Jim Clynes, Jackie Ludorf, Michael Mellanphy, Larry Parnes, Abraham Salcedo, Cos Spagnoletti, Marco Tamayo

e. 26 East 60th Street Hospitality LLC, 26 East 60th Street (Madison/Park)-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; 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: Jim Clynes, Jackie Ludorf, Michael Mellanphy, Larry Parnes, Abraham Salcedo, Cos Spagnoletti, Marco Tamayo

4. **Layovers/Withdraws**

a. **SA Third Avenue Café LLC., 1136 Third Avenue (66th/67th)**-New application for Liquor, Wine, Beer & Cider-laid over to October, 3rd request

b. **Cinemex East 62nd St., LLC dba CMX, 400 East 62nd Street (York/First)**-New application for Liquor, Wine, Beer & Cider – laid over

- c. **Haru Third Ave Corp dba Haru, 1329 Third Avenue (76th/77th)**-Corporate change for Liquor, Wine, Beer & Cider - withdrawn
- d. **Schaller Manufacturing Corp., dba Schaller & Weber, 1654 Second Avenue (85th/86th)**-Alteration and Corporation change for Wine, Beer and Cider-laid over
- e. **AMBI New York LLC., dba Hospada 321 East 73rd Street (1st/2nd)**-Corporate change for Liquor, Wine, Beer & Cider – laid over
- f. **EL NASR USA Group LLC, 1134 First Avenue (62nd/63rd)**-New application for Liquor, Wine, Beer & Cider – laid over

5. **Discussion**

A neighborhood resident had expressed concern about Cousins located at 1514 First Avenue on the northeast corner of First Avenue and E. 79th Street. At the April 20, 2016 full board meeting, by a vote of 42-0-0 CB 8 approved a class change of Cousins’ SLA license to liquor, wine beer and cider. The resident expressed concern that the restaurant was being changed to a bar.

The owners of the restaurant explained that after a short period it had been closed but they have had a “soft opening” for dinner and expect to begin serving lunch in 2 weeks. There will also be a brunch menu. They stated that the “Cousins” sign was removed after complaints by other residents and that they would abide by CB 8’s stipulation that the hours of operation for the SLA license shall be from until 11 pm Tuesday, Wednesday, Thursday and Sunday and until 12 midnight on Friday and Saturday.

Meeting adjourned at 8 pm