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**The City of New York  
Community Board 8 Manhattan  
Street Life Committee  
PUBLIC HEARING  
Tuesday, January 9, 2024 - 6:30 PM  
This meeting will be conducted via Zoom**

**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 are binding. Applicants and members of the public who are interested in the issues addressed tonight are invited, but not required to attend the Wednesday, January 24th Full Board meeting. Please contact the Board Office for further details

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

- 1. The applicant will abide by the bicycle guidelines and will ensure that any third-party delivery provider that it contracts with shall abide by the bicycle guidelines.**
- 2. The applicant will keep the front of the establishment clean.**
- 3. The applicant will be denied if they participate in bar-crawls.**
- 4. The applicant will abide by applicable Covid-19 regulations at the time.**

**Members Present:** Bill Angelos, Elizabeth Ashby, Alida Camp, Lindsey Cormack, Brian Krist (public member), Kacie Lally (public member), Addeson Lehv, Valerie Mason, Evan Meyerson, Jane Parshall, Barbara Rudder, Abraham Salcedo, Judy Schneider, Robin Seligson, Russell Squire, and Marco Tamayo.

**Approximate Number of Public Attendees:** 70

**Unanimous Approvals:** 1c, 1d

**Non-unanimous approvals:** 1a, 1b, 2a

- 1. New Applications to the New York State Liquor Authority for Liquor Licenses**
  - a. The Frick Collection and Hudson Yards Catering LLC dba pending, 1 East 70th Street (Between Madison and Fifth Avenues) New Application and Temporary Retail Permit for Liquor, Wine, Beer and Cider**

**WHEREAS** this is a New application for a Liquor, Wine, Beer, and Cider License and Temporary Retail Permit; and

**WHEREAS** the applicant agreed to certain stipulations (attached), through a discussion with residents from 70<sup>th</sup> Street who had concerns about the application; and

**WHEREAS** at the meeting residents from 71<sup>st</sup> Street raised their own concerns regarding the application, but had not been party to the discussions and stipulations agreed with the 70<sup>th</sup> Street residents; and

**WHEREAS** The applicant agreed, as a stipulation, that in advance of the CB8 Full Board meeting on January 23, 2024 to meet with the residents of 71<sup>st</sup> Street and in good faith discuss agreeing stipulations to address their concerns, and if such agreement was reached those stipulations would be added to the application and resolutions from CB8 to the SLA; and

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

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

**ADOPTED by a vote of 11-0-4 (including two public member votes)**

**YES:** Bill Angelos, Lindsey Cormack, Brian Krist, Kacie Lally, Valerie Mason, Evan Meyerson, Barbara Rudder, Abraham Salcedo, Judy Schneider, Robin Seligson, Russell Squire,

**Abstain:** Elizabeth Ashby, Alida Camp, Jane Parshall, Marco Tamayo

**b. Akimori UES LLC., dba Akimori, 858 Lexington Avenue (Between East 64th and East 65th Streets) New Application and Temporary Retail Permit for Wine, Beer and Cider**

**WHEREAS** this is a New application for a Wine, Beer, and Cider License and Temporary Retail Permit; 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; therefore

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

**ADOPTED by a vote of 12-0-1 (including two public member votes)**

**YES:** Bill Angelos, Alida Camp, Lindsey Cormack, Brian Krist, Kacie Lally, Valerie Mason, Evan Meyerson, Barbara Rudder, Abraham Salcedo, Judy Schneider, Robin Seligson, Russell Squire,

**Abstain:** Marco Tamayo

**c. Abues LLC., dba American Bar, 1022 Lexington Avenue (Between East 72nd and East 73rd Streets) New Application and Temporary Retail Permit for Liquor, Wine, Beer and Cider**

**WHEREAS** this is a New application for a Liquor, Wine, Beer, and Cider License and Temporary Retail Permit; 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; therefore

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

**ADOPTED by a vote of 13-0-0 (including two public member votes)**

**YES:** Bill Angelos, Alida Camp, Lindsey Cormack, Brian Krist, Kacie Lally, Valerie Mason, Evan Meyerson, Barbara Rudder, Abraham Salcedo, Judy Schneider, Robin Seligson, Russell Squire, Marco Tamayo

**d. Bayon Cambodian Restaurant Inc., 408 East 64th Street (Between York and First Avenues) New Application and Temporary Retail Permit for Wine, Beer and Cider**

**WHEREAS** this is a New application for a Wine, Beer, and Cider License and Temporary Retail Permit; 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; therefore

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

**ADOPTED by a vote of 12-0-0 (including one public member vote)**

**YES:** Bill Angelos, Alida Camp, Lindsey Cormack, Kacie Lally, Valerie Mason, Evan Meyerson, Barbara Rudder, Abraham Salcedo, Judy Schneider, Robin Seligson, Russell Squire, Marco Tamayo

**2. Applications to the New York State Office of Cannabis Management for New Adult-Use Retail Dispensary Licenses**

- a. **Fabers Arcade Inc., dba Bad Maryjane 799 Lexington Avenue (Between East 61st and East 62nd Streets) - Application to the Office of Cannabis Management for a New Adult-Use Retail Dispensary License**

**WHEREAS** this is a new application for a retail dispensary; and

**WHEREAS** the applicant has agreed to Community Board 8's stipulations; therefore

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

**ADOPTED by a vote of 7-4-0 (including one public member vote)**

**YES:** Bill Angelos, Lindsey Cormack, Kacie Lally, Evan Meyerson, Barbara Rudder, Abraham Salcedo, Judy Schneider,

**No:** Alida Camp, Valerie Mason, Robin Seligson, Marco Tamayo

**3. Old Business**

**4. New Business**

**5. Layovers for Future Consideration and Withdrawals**

- a. **Ganja Grove Shops Corp - 1640 York Avenue (Between East 86th and East 87th Streets) - Application to the Office of Cannabis Management for a New Provisional Adult-Use Retail Dispensary License (Layover)**
- b. **Cove Collective Corp 221 East 86th Street (Between Second and Third Avenues) - Application to the Office of Cannabis Management for a New Provisional Adult-Use Retail Dispensary License (Layover)**
- c. **Entity to be formed by Ali Kocak, dba TBD., 973 Lexington Avenue (Between East 70th and East 71st Streets) New Application and Temporary Retail Permit for Liquor, Wine, Beer and Cider (Layover)**
- d. **Verenice Grullon, 1160 First Avenue (Between East 63rd and East 64th Streets) - Application to the Office of Cannabis Management for a New Provisional Adult-Use Retail Dispensary License (Withdrawal)**

*Abraham Salcedo, Chair*

## STIPULATIONS AS TO THE CAFÉ AT THE FRICK COLLECTION

**Hours of Operation.** The Café at The Frick Collection will be an amenity for visitors and Café hours will parallel museum hours, including where museum hours may be extended through evening hours on a particular night of the week and/or from time to time.

**Public Access During Café Hours:** As an amenity for museum visitors, the café will not be open to the general public during hours when The Frick Collection is not open to the general public, provided that the café will not be open later than 9PM under any circumstances. There will be a reasonable grace period for patrons to finish their meals and for restaurant staff to clean and shut down the restaurant after it closes to the public.

**No Live Music, No Dancing, Only Quiet Recorded Music.** The Café shall not play live music. Any music that is played in the Café shall be pre-recorded, piped in through a sound system with a sound limiter designed to provide ambient music in a café setting. There will be no dancing in the Café.

**Seats.** The Frick Collection Café anticipates that the café will have seating for approximately 68 patrons upon reopening of the museum.

**No Drink Specials.** The Café shall not offer “drink specials” allowing for discounts on alcohol, wine, beer or cider.

**Privacy and No Light Pollution.** Light pollution will be mitigated through the use of shades (or other window treatments) at the restaurant, shop, and the upper lobby reception hall on the 2<sup>nd</sup> floor level during the evening hours. The Frick Collection will use reasonable efforts to ensure that lights inside are turned off at night if spaces are not occupied or being used to the extent possible without interfering without limitation with security, housekeeping, maintenance, operations, or similar activities and safety of its staff, facility or collections. If practicable, if dimmed lights are used after Museum hours, they will be on motion sensors. Subject to the caveats of this paragraph, the glass walkway between the Mansion and the Art Reference Library will not be illuminated after dusk when the Museum is not occupied or being used.

**No Bicycle Deliveries.** The Frick Collection Café will not accept orders for delivery or make deliveries by bicycle or third-party delivery service.

## STIPULATIONS FOR THE FRICK COLLECTION

**Crowd and Traffic Controls.** The Frick will offer advance ticketing as well as timed entry when deemed appropriate by the Frick in its sole discretion to help minimize lines of visitors on the street. The Frick will have security or other appropriate personnel on the street to control any lines that might form during museum hours and before an event or any crowds following evening events. The number of crowd control personnel shall scale to the size of catered events, including such events accepting or releasing a large number of guests at the same time such as in the auditorium. The Frick Collection will assign a security guard to discourage idling or double

parking on East 70<sup>th</sup> and 71<sup>st</sup> Streets relating to catered events and will use traffic cones in front of the museum when necessary. Using signage, messaging on its website or other means of communication, including to third-party lessees, The Frick Collection will encourage event guests to be picked up following evening events on either Fifth Avenue or Madison Avenue, and will take reasonable steps to discourage parking of hired cars or taxis on either East 70<sup>th</sup> or 71<sup>st</sup> Streets before, during or after events. The Frick Collection will take reasonable steps to discourage buses, trailers, or RVs involved in catered events from parking or idling on East 70<sup>th</sup> or 71<sup>st</sup> Street.

**Noise and Odor Controls.** The Frick Collection will comply with all engineering plans to eliminate noise and odors from the kitchen and café. Cooking fumes and odors will be vented on the roof of The Frick Art Reference Library. The Frick Collection will keep the kitchen exhaust maintained and in good working order. While the Museum does not foresee any issues relating to kitchen exhaust because it vents above neighboring buildings, it will work with neighbors in the future to mitigate any concerns that may arise.

**Garbage Removal.** To address neighbor concerns around trash removal, The Frick Collection will undertake to negotiate in good faith with its garbage carter to come between 8:00AM and 9:00AM each day for trash removal. Garbage will be in containers with tops on. The Frick will take the garbage out when pickups are expected and will bring in the empty garbage containers in reasonably short order so that they will not be left on the sidewalks or street after pickup for extended periods. Subject to consultation with East 70<sup>th</sup> Street Block Association, The Frick will consider having its garbage collected from the current No Standing Zone on Fifth Avenue.

**Deliveries.** To address neighbor concerns regarding delivery vehicles, where feasible, the Frick will schedule deliveries between 8:00AM and 10:00AM. The Frick Collection will require trucks retrieving rental equipment from evening events to come between 8:00AM and 10:00AM the following morning. The Frick Collection will assign a security guard to ensure that caterer load-outs following evening events are done as quietly as possible and, whenever possible, in one batch.

**Loading and Unloading Zone.** Following the positive recommendation of its liquor license application by the Community Board, The Frick Collection will apply to the Community Board and the Department of Transportation for a dedicated use permitted under the current No Standing Zone under RCNY §4-08(3)(i) for Truck Loading on Fifth Avenue for the purpose of facilitating deliveries and pick-ups. The Block Association will support such application. Subject to consultation with East 70th Street Block Association, the Frick will consider having its deliveries and pick-ups from this location if approved.

**Acoustical Survey.** The Frick agrees to retain an acoustical engineer by March 1, 2024 to conduct an appropriate survey in order to identify potential noise issues and sound attenuation proposals and share the resulting report with East 70th Street Block Association before finalized.

## CATERED EVENTS IN THE GARDENS

**Outdoor Music in Fifth Avenue Garden during Catered Events.** Outdoor background music in the Fifth Avenue Garden during catered events will only be permitted until 8PM up to three (3) times per year and until 10PM up to three (3) times per year. The Frick will provide thirty (30) days' notice to its neighbors prior to the events for which it will have outdoor music until 10PM.

**Use of the 70th Street Garden for Catered Events.** The Frick Collection will only allow access to the 70th Street Garden in connection with catered events until 8PM. No bar shall be placed in the 70th Street Garden. No music shall be permitted in the 70th Street Garden during catered events.

## STIPULATIONS AS TO CATERED EVENTS

**Not a Catering Hall.** The Frick Collection affirms that its mission is not that of a catering hall.

**Indoor Music.** Live music or disc jockeys shall only be permitted during catered events indoors in locations within The Frick Collection that can and will be sealed with all windows and doors closed.

**Indoor Dancing.** Dancing shall only be permitted indoors within The Frick Collection.

**Conservation.** The Frick will not host events at which liquor is served that will interfere with the conservation of artworks and/or library collections.

**No Liquor Specials.** The Frick Collection will not allow third parties to offer "drink specials" allowing for discounted alcohol, wine, beer or cider. The Frick Collection shall not participate in a pub crawl.

## ADDITIONAL ITEMS

**Limitation on Bars.** Should The Frick Collection plan to use more than 10 bars at any catered event, which the Frick expects to be very rare, it will provide Community Board 8 Manhattan, the East 70<sup>th</sup> Street Block Association and other buildings on East 70<sup>th</sup> and East 71<sup>st</sup> Streets between Fifth Avenue and Madison Avenue specifically as determined by the Association at least ten (10) days advance notice of the event in which this number of bars will be used.

**Hours of Catered Events.** All Frick-catered events will end by 11PM on Sunday through Wednesday and by 12AM on Thursday through Saturday, with the exception of one event on a Thursday through Saturday that will end by 12:30AM. All third-party catered events will end by 11PM on Sunday through Thursday and by 12AM on Friday and Saturday. The Frick shall provide notice by hand to the East 70th Street Block Association and neighbors on East 70th and East 71<sup>st</sup>, and by e-mail to Community Board 8, Manhattan, no fewer than seven (7) days prior to hosting catered events for more than fifty (50) guests past 11PM.

**Establishment of Hotline.** Frick Security will have a dedicated phone number which will be made available to Community Board 8 Manhattan, the local police precinct, the East 70<sup>th</sup> Street Block Association and neighbors to communicate in the event of security or related issues during catered events with person(s) who will respond to calls.

**Quarterly Meetings.** The Frick Collection and East 70th Street Block Association and representatives from buildings on East 70th Street and East 71st Street (between Madison Avenue and Fifth Avenue) will meet quarterly to discuss any matters relating to the Stipulations and other matters of mutual interest.

**Auditorium Rental.** Doors shall open for entry before an Auditorium rental where liquor, wine, beer, or cider is served.