



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

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Paul Rangel, Board Chair

Susan Stetzer, District Manager

February 2022 Full Board Minutes

Meeting of Community Board 3 held on Tuesday, February 22, 2022 via Zoom.

Public Session:

Andrew Flamm – PACE University – offers no cost 1 on 1 business advice aflamm@pace.edu

Michelle Little – Spoke against Cloister Café

Nancy Schreiber – Spoke against Cloister Café

Paul Schreiber – Spoke against Cloister Café

Bill Ferns – Support Item #2 for Transportation

Public Officials:

Mayor Eric Adams:

Public Advocate Jumaane Williams, Phillip Ellison:

Comptroller Brad Landers:

Borough President Mark Levine, Erik Cuello: *Levine* – Covid numbers going down. Mental Health resources are needed now more than ever. Screen doors technology at MTA stations. Urging policy makers to confront the anti asian hate spike. One million more city trees.

K Webster – Sara Roosevelt safety measures

R Ropiak – Not just mental health but criminal justice resources for recent crime attacks

M Marino – One million tree project and how will affect the LES. Capital Budget priorities

Congressmember Nydia Velazquez, Lingxia Ye:

Congressmember Carolyn Maloney, Victor Montesinos: Letter questioning Con Ed new billing prices

Assemblymember Yuh-Line Niou, James Lu: Annual Budget Town Hall. 6 bills hoped to be passed for sexual harassment in the work place

Assemblymember Deborah J. Glick, Charlie Anderson: Board report and free tax help available at Assemblywoman's office

Assemblymember Harvey Epstein, John Blasco: Chanel Elliott – Community Liason – *Epstein* – Zone lines have office is more of the CB5 area then the CB3 zone. Supporting Homeowners Bill against Governors opposition. Report to office any open streets abandoned sheds.

State Senator Brian Kavanaugh, Eliana Cohen: Advocating for AAPI organizations funding and affordable housing. Robert Ropiak – Follow up question on Mr Kavanaugh's legislation and outreach for Mitchell Lama

State Senator Brad M. Hoylman, Caroline Wechselbaum: Introduced bills : composting bill, STD testing bill for health insurance to cover, p5 chemical in anti fog glasses spray. Budget

Councilmember Christopher Marte, Jennifer Chiao: Vote on outdoor dining later this week, Independent monitor for two bridges. Budget

Councilmember Carlina Rivera, Isabelle Chandler: DOC legislation for better communication.

P- Present A- Absent AB- Abstain

Members Present at First Vote:

David Adams	[P]	Herman Hewitt	[P]	Paul Rangel	[P]
Yaron Altman	[P]	Trever Holland	[P]	Damaris Reyes	[P]
Jesse Beck	[P]	Linda Jones	[P]	Richard Ropiak	[P]
Lee Berman	[P]	Vaylateena Jones	[P]	Thomas Rosa	[A]
Karlin Chan	[P]	Lisa Kaplan	[P]	Robin Schatell	[P]
Jonathan Chu	[A]	Olympia Kazi	[P]	Heidi Schmidt	[A]
David Crane	[P]	Jeanette Kim	[A]	Laryssa Shainberg	[P]
Eric Diaz	[P]	Michelle Koppersmith	[P]	Anisha Steephen	[P]
Tareake Dorill	[P]	Mae Lee	[P]	Sandra Strother	[P]
Alistair Economakis	[A]	Wendy Lee	[P]	Daniel Tainow	[A]
Jaime Felber	[A]	Alysha Lewis-Coleman	[A]	Josephine Velez	[P]
Shirley Fennessey	[A]	David Louie	[P]	Troy Velez	[P]
Ryan Gilliam	[P]	Laura Lugo	[P]	Rodney Washington	[P]
Debra Glass	[P]	Ellen Luo	[P]	Kathleen Webster	[P]
Andrea Gordillo	[P]	Michael Marino	[P]	Jacky Wong	[P]
Kanielle Hernandez	[P]	Michael Perles	[A]	Ricky Wong	[P]

Minutes:

Minutes of December 2021 were approved, as is.

37 YES 0 NO 1 ABS 0 PNV MOTION PASSED

Board Chairperson's Report:

Chairperson Paul Rangel: Meeting may move to in person Mid March. Waiting to hear from PS 20 for upcoming meetings. Elected officials report shortened for time. No new committees being added at this time. Applying for CB3 – Applications due 3/1/2022

V- Jones Consider using Education Alliance as new meeting space

T Holland – Hybrid meeting update

R Schatell – In person meetings starting April. CDC guidelines for in person meetings

M Lee – Manny Canter Center closes at 8pm

K Chan – Reconsider the plan of removing homeless from trains and back onto the street

District Manager's Report:

District Manager Susan Stetzer: Elected officials are given panelists link sent prior to meeting. Half Marathon 3/20. All service reports should be emailed to CB3 office

Committee Reports:

Executive Committee

no votes necessary

Landmarks Committee

no meeting scheduled

Land Use, Zoning, Public & Private Housing

1. Approval of previous month's minutes
approved by committee
2. Urban fellow update on sustainability resiliency project
no vote necessary
3. NYC Housing Partnership presentation on NYC HomeFirst Down Payment Assistance Program
no vote necessary
4. Update from CHARAS Steering Committee
no vote necessary
5. Report from Public Housing & Section 8 Housing Subcommittee
no vote necessary
6. Vote to adjourn
approved by committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Transportation, Public Safety, & Environment Committee

1. Approval of previous month's minutes
approved by committee

2. Requested support for DOT traffic redesign plans for Grand & Clinton Streets

VOTE: TITLE: Rejection of Support For DOT Plans To Mitigate Traffic And Safety Issues At And Near The Intersection Of Grand Street At Clinton Street.

WHEREAS, residents in the Grand/Clinton Streets area have long dealt with dangerous traffic and transportation conditions stemming from that intersection being the primary approach to the Williamsburg Bridge (the "Bridge,") including, but not limited to, the following issues:

- Traffic congestion on Grand Street that spills onto other local streets,
- Dangerous driver behavior such as driving the wrong way down streets, making illegal turns, cutting queues, running red lights, and blocking crosswalks,
- Parking in and/or blocking bike lanes,
- Horn-honking and other noise from traffic,
- Slow bus travel times,
- Double parking due to difficulty making deliveries and drop offs; and

WHEREAS, previous short-term actions taken by DOT impacted traffic volumes, but did not fully address the problems. These included:

- Changes to wayfinding to direct vehicles from FDR Drive to Houston Street instead of Grand Street and other local streets,
- Turn bans on East Broadway and Madison Street to redirect lower Manhattan traffic to Essex and other streets further west of Clinton Street,
- Working with Trader Joe's and Target to improve delivery operations, shift some deliveries to nighttime, and create new loading zones on Grand Street,
- Addition of traffic enforcement agents at local intersections,
- Signal timing changes; and

WHEREAS, DOT has proposed significant changes to nearby streets and intersections to mitigate these issues, which are noted below; and

WHEREAS, Norfolk Street between Broome Street and Delancey Street will reopen as a two lane street, a key factor for implementing the proposed plans; and

WHEREAS, to mitigate the above-mentioned transportation and access issues, DOT proposes the following changes to the Grand Street and Clinton Street intersection and surrounding streets, which will split traffic between Clinton and Norfolk Streets:

- Westbound traffic on Grand Street will be banned from turning right onto Clinton Street, which splits Bridge-bound traffic between Clinton Street and Norfolk Street. Restoring Norfolk Street as the primary access street to the Bridge from westbound Grand Street is better because:
 - Norfolk can have two turn lanes since there is no crosswalk on the southeast intersection of Norfolk Street and Delancey Street,
 - Allows for more time to process vehicles at Clinton Street,
 - Adds conflict-free bike and pedestrian crossings at Clinton Street and Grand Street,
 - Adds a section of Protected Bike Lanes in the westbound direction of Grand Street.
- Maintain Clinton Street access to the Bridge for vehicles already driving northbound on Clinton Street. The following changes will prevent illegal right turns by westbound Grand Street traffic onto Clinton Street:
 - Change existing Grand Street bike lane to a curbside, parking-protected bike lane in the westbound direction of Grand Street,
 - Add pedestrian island on the southeast side of the intersection to enhance protections for cyclists and pedestrians, and increase the vehicle turning radius,
 - Traffic enforcement agents to further deter illegal turns at Clinton Street and Grand Street.
- The westbound Grand Street bike lane will have a dedicated signal phase at Norfolk Street to prevent conflicts with the high volume of turning vehicles turning right from Grand Street to Norfolk Street.
- The intersection of Norfolk Street and Grand Street will also have a dedicated pedestrian signal phase.
- Additional loading zones and regulations to surrounding streets to reduce double-parking and other loading issues.
- Approved traffic signal for Clinton Street and Broome Street intersection will improve pedestrian crossing once implemented,
- Additional Jersey Barriers for the Clinton Street bike lane between Grand and Delancey Streets, which still must be approved; and

WHEREAS, traffic simulations of the plan predict significant vehicle travel time improvements for Grand Street and slight vehicle travel time increases for Houston Street; and

WHEREAS, Norfolk Street may reopen to two lanes this winter, and DOT's goal is to begin implementation this spring; and

WHEREAS, DOT told Community Board 3 that more than 50% of vehicles using Grand Street are approaching the Bridge and only "some" are of local origin; and

WHEREAS, DOT predicts that the number of cars using the Grand Street corridor to approach the Bridge will increase almost 13% from 1130 cars (760 to Clinton and 370 to Norfolk) to 1280 cars (735 to Norfolk and 545 to Clinton) once Norfolk Street is widened; and

WHEREAS, DOT is in the process of developing a separate transit plan for the M14A and M14D; and

WHEREAS, DOT is in the process of conducting a separate public space study roughly between Clinton Street and Orchard Street; and

THEREFORE BE IT RESOLVED, Community Board 3 does not support in full DOT plans to mitigate traffic and safety at and near the intersection of Grand Street at Clinton Street as detailed above, especially plans to widen Norfolk Street; and

THEREFORE BE IT FURTHER RESOLVED, Community Board 3 requests that DOT return expediently with a comprehensive plan that includes traffic re-design and public space study for the area to mitigate traffic and safety that centers residents, pedestrians, and cyclists and does not increase the volume of cars traveling through the neighborhood and includes information about how traffic will be re-distributed around the neighborhood between East Houston Street and South Street.

3. Requested support for protected bike lane on Clinton St between South St & Houston St

VOTE: TITLE: Support For Clinton Street Fully Protected Bike Lane

WHEREAS, the Clinton Street bike lane is a crucial bike artery for cyclists traveling between Manhattan and Brooklyn via the Williamsburg Bridge; and

WHEREAS, the Clinton Street bike lane between South Street and East Houston Street is largely unprotected, either having no physical separation from the vehicular traffic lanes, being separated by weak plastic bollards, or having entrances wide enough to permit cars to travel in the bike lane; and

WHEREAS, due to being unprotected, the Clinton Street bike lane is frequently blocked by cars, trucks, and other vehicles, impeding bike traffic and endangering cyclists and pedestrians using Clinton Street; and

WHEREAS, blocked bike lanes specifically present a substantial risk to the safety of cyclists by forcing them from the bike lane and into vehicle traffic lanes; and

WHEREAS, blocked bike lanes contribute to traffic congestion and impede vehicle traffic by forcing cyclists into vehicle traffic lanes; and

WHEREAS, structural changes are necessary to protect the Clinton Street bike lane, remedy the current dangerous situation, and promote safe and efficient transit for cyclists, pedestrians, and motorists; so

THEREFORE BE IT RESOLVED, in addition to DOT's proposal to increase the number of Jersey barriers protecting the existing Clinton Street bike lane between Grand Street and Delancey Street, Community Board 3 also supports fully protecting the Clinton Street bike lane between South Street and East Houston Street from incursions by vehicles with physical controls that may include: Jersey barriers, static (not plastic) bollards, and/or raising the bike lanes above the street grade.

Bus Stop Applications

4. Academy Express LLC stop at existing MTA stop at Ave C & E 12 Street, NE corner, pick up/drop off 9:03, 9:53, 10:33

VOTE: TITLE: Rejection of support for a new bus stop for an Academy Express LLC stop at the existing MTA stop at Ave C & E 12 Street, NE corner for pick up/drop off

WHEREAS NYU has an existing transportation service with shuttle routes through the Community District 3 and beyond connecting NYU facilities and residences. Academy Bus LLC, who provide that

service to NYU, have applied for a DOT permit for a curbside loading and unloading permit at 3rd Ave at East 11th Street Ave C at East 12th Street; and

WHEREAS by providing privately contracted transportation services, for NYU students, faculties and employees, NYU is diverting demand away from available public transportation options including duplicating portions of MTA provided subways and bus routes, and the extensive Citi bike system; and

WHEREAS it would be beneficial to the community if that NYU demand showed up in the ridership counts conducted regularly by MTA/NYCT. Those ridership numbers determine adjustments - usually the reductions - in public transit services; and

WHEREAS this bus traffic from the shuttle buses add to congestion and pollution in the district which contributes overall health problems; and

THEREFORE IT BE RESOLVED CB3 recommends that DOT does not approve of these permits for curbside loading and unloading because the whole transportation system operated by Academy Bus for NYU is unnecessary and harmful to community district 3.

5. Academy Express LLC stop at existing MTA stop 3rd Ave & E 11 St NE corner, pick up/drop off Mon-Thurs 8:13am to 9:40pm, every 20-30 minutes

VOTE: TITLE: Rejection of support for a Academy Express LLC stop at the existing MTA stop at 3rd Ave & E 11 St NE corner for pick up/drop off

WHEREAS NYU has an existing transportation service with shuttle routes through the Community District 3 and beyond connecting NYU facilities and residences. Academy Bus LLC, who provide that service to NYU, have applied for a DOT permit for a curbside loading and unloading permit at 3rd Ave at East 11th Street Ave C at East 12th Street; and

WHEREAS by providing privately contracted transportation services, for NYU students, faculties and employees, NYU is diverting demand away from available public transportation options including duplicating portions of MTA provided subways and bus routes, and the extensive Citi bike system; and

WHEREAS it would be beneficial to the community if that NYU demand showed up in the ridership counts conducted regularly by MTA/NYCT. Those ridership numbers determine adjustments - usually the reductions - in public transit services; and

WHEREAS this bus traffic from the shuttle buses add to congestion and pollution in the district which contributes overall health problems; and

THEREFORE IT BE RESOLVED CB3 recommends that DOT does not approve of these permits for curbside loading and unloading because the whole transportation system operated by Academy Bus for NYU is unnecessary and harmful to community district 3.

Block Party

6. University Settlement Lunar New Year Family & Friends Community, 4/22, Eldridge St (Rivington St & Delancey St)

VOTE: CB3 deny University Settlement Lunar New Year Family & Friends Community's request to have a block party on Apr 22nd on Eldridge St, between Rivington and Delancey. The applicant did not appear before the committee to discuss the proposal.

7. Vote to adjourn
approved by committee

36 YES 0 NO 0 ABS 1 PNV MOTION PASSED

Economic Development Committee

no meeting scheduled

Parks, Recreation, Waterfront, & Resiliency Committee

1. Approval of previous month's minutes
approved by committee
2. Parks Manager Update
no vote necessary
3. DDC: ESCR update
no vote necessary
4. DDC/EDC: BMCR/Brooklyn Bridge Esplanade update
no vote necessary

5. Pier 42 Upland Park Construction Update
no vote necessary
6. Vote to adjourn
approved by committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Health, Seniors, & Human Services / Youth, Education, & Human Rights Committee

1. Approval of previous month's minutes
approved by committee
2. Presentation of CM Bottcher's proposed 8-point mental health plan for NYC
no vote necessary
3. CAB/CEC reports
no vote necessary
4. Vote to adjourn
approved by committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

SLA & DCA Licensing Committee

1. Approval of previous month's minutes (minutes are deemed approved if no objections)
approved by committee

Alterations

2. Noree Thai Bazaar (Noree Thai Bazaar Inc), 274 Grand St (alt/convert 2nd floor storage to bar lounge)+(upgrade to op)

VOTE: TITLE: Community Board 3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

WHEREAS, Noree Thai Bazaar Inc. doing business as Noree Thai Bazaar, is seeking an alteration to the method of operation for its existing full on-premises liquor license, in the premises located at 274 Grand Street, between Forsyth Street and Eldridge Street, New York, New York; and

WHEREAS, this is an application for a restaurant with a certificate of occupancy of 129 people, 21 tables and 82 seats with one 19-foot bar on the first floor and one 14-foot bar on the second floor, Thai food prepared in a full kitchen, serving food during all hours of operation, five televisions on the ground floor, ambient recorded background music only; and

WHEREAS, there are four other full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, Noree Thai Bazaar seeks to alterations to its premises including:

- On the first floor adding one counter table with six seats near the entrance and removing 11 tables and adding three booths with 28 seats
- Converting the second floor from a storage space to service area, which would have three booths with 32 seats, nine tables with 34 seats, and one 14-foot rectangular bar with eight seats and one bathroom; and

WHEREAS, Community Board 3 denied a full-on premises license for this location and operator in May 2018 unless the applicant agreed to make as conditions of its license stipulations that it would 1) operate as a full-service Thai restaurant, with a kitchen open and serving food during all hours of operation, 2) have hours of operation of 11:00 A.M. to 11:00 P.M. Sundays through Wednesdays and 11:00 P.M. to 12:00 A.M. Thursdays through Saturdays, 3) not commercially operate any outdoor areas, 4) close any front or rear façade entrance doors at 10:00 P.M. every night or when amplified sound is playing and otherwise have a closed fixed facade with no open doors or windows, 5) play ambient background music only, consisting of recorded music, and not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee would be charged, 6) not apply for any alteration in its method of operation without first appearing before Community Board 3, 7) not have "happy hours," 8) not host pub crawls or party buses, 9) not have unlimited drink specials with food, 10) not have wait lines and designate an employee to oversee patrons and noise on the sidewalk, 11) conspicuously post this stipulation form beside its liquor license inside of its business, and 12) provide a telephone number for residents to call with complaints and immediately address any resident complaints; and

WHEREAS, in March 2020 Community Board 3 approved this operator for an extension of hours to closing at 2:00 A.M. all nights; and

WHEREAS, there were zero commercial 311 complaints at this location with NYPD action necessary since 2018; and

WHEREAS, the committee received no community input on this application; and

WHEREAS, seven residents who live within two blocks of the location signed a petition in favor of the application; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Noree Thai Bazaar Inc. for the premises located at 274 Grand Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a restaurant, with Thai food prepared in a full kitchen, serving food during all hours of operation,
- 2) its hours of operation will be opening no later than 3:00 P.M. and closing by 2:00 A.M all days,
- 3) it will not use outdoor space for commercial use (including Open Restaurants,)
- 4) it will close any front or rear facade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live non-musical performances, or during unamplified live performances or televised sports,
- 5) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) it may have "happy hours" until 4:00 P.M. each night,
- 10) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
- 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

New Liquor License Applications

3. Corp to be formed by Paul Gerard Williams, 14 Ave C (op)
withdrawn
4. TT's, 24 1st Ave (op)
withdrawn
5. Corp to be Formed, 44 Ave A (wb)
withdrawn
6. Corp to be Formed by Franco Andrade, 49-51 Ave B (op)
withdrawn
7. Xica Cantina LLC, 94 Ave
withdrawn
8. Civic Hall Labs Inc, 124 E 14th St (op)

VOTE: TITLE: Community Board 3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

WHEREAS, Civic Hall Labs Inc., is seeking a full on-premises liquor license, for the catering establishment in the premises located at 124 East 14th Street, between 3rd Avenue and 4th Avenue, New York, New York; and

WHEREAS, this is an application for the catering/events operation located within the Union Square Tech Hub (a 22-story commercial building) on the second and third floors with a pending certificate of occupancy (expected to be 200 - 250 people for the second and third floors), catering food prepared in a food prep area, serving food during all hours of operation, 10 televisions, live and recorded music; and

WHEREAS, there are nine full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, this location has never been licensed by the SLA as it is a new building that is still under construction; and

WHEREAS, the executive director of the Union Square Partnership wrote a letter in support of Civil Hall Labs because of the long collaborative relationship built through the ULURP for the tech hub; and

WHEREAS, 34 residents who live within two blocks of the location signed a petition in favor of the application; and

WHEREAS, two residents spoke against it because the operators have never held an on-premises license before; and

WHEREAS, this space was part of the ULURP process for this site and specifically stipulated and agreed to host local non-profits and community groups at least 52 times per year; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Civic Hall Labs Inc., for the premises located at 124 East 14th Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as an events/catering business, with catering food prepared in a food prep area served during the duration of events and not sold for retail purposes,
- 2) its hours of operation may be 8:00 A.M and closing by 11:00 P.M. all days,
- 3) it will not use any outdoor space for commercial use
- 4) it will have a closed fixed façade with no open doors or windows except my entrance door will close by 10:00 P.M. or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances, or during unamplified live performances or televised sports,
- 5) it may play entertainment level music during events only, consisting of recorded music, live music, and music curated by DJs, and will not have promoted events or scheduled performances,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) it will not have "happy hours,"
- 10) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
- 11) it will have at least one security guard per floor during events,
- 12) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 13) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

9. Plus 82 Inc, 145 Ave C (op)
withdrawn

10. E Village Bar, 153 1st Ave (op)
withdrawn

11. Clock Out NYC (Great Clock Out LLC), 191 Orchard St (op)
withdrawn

12. Beloved Cafe LLC, 196-198 Allen St (wb)

VOTE: TITLE: Community Board 3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

WHEREAS, Beloved Cafe LLC, currently doing business as Beloved Cafe is seeking a full on-premises wine, beer and liquor license, in the premises located at 196-198 Allen Street between East Houston and Stanton St, New York, New York; and

WHEREAS, this is an application for an establishment with a certificate of occupancy of 48 people, 11 tables and 27 seats with 1 28-foot long bar with 11 stools. There is a full kitchen, serving a vegetarian menu including 100% organic sourdough breads, coffees, and teas during all hours of operation. There is one projector and one screen. There will be live musicians as well as streaming services / playlists, with music being background and entertainment level; and

WHEREAS, there are 35 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, part of this location was previously licensed with a full on-premises license as La Pala, which closed in 2017 after 11 years in business; and

WHEREAS, the applicant has operated the same concept in San Francisco since 2017, they had not previously worked in NYC prior to opening Beloved Café in September 2021; and

WHEREAS, there were no 311 complaints at this location with NYPD action necessary since 2018; and

WHEREAS, there has been no opposition received for this application; and

WHEREAS, five residents that live within two blocks of the location signed a petition in favor of the application; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises wine, beer and liquor license for Beloved Cafe LLC, for the premises located at 196-198 Allen Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a vegetarian cafe and restaurant, with a full vegan menu, as well as a unique coffee and tea program,
- 2) its hours of operation will be opening no later than 8:00 A.M. and closing by 12:00 A.M. all days,
- 3) it will close all outdoor dining allowed under the temporary Open Restaurants program and any other subsequent uses by 10:00 P.M. all days and not have any speakers or TV monitors,
- 4) it will close any front or rear facade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live non-musical performances, or during unamplified live performances or televised sports,
- 5) it will primarily play ambient, recorded background music but it may have up to six incidental ambient, acoustic live musicians at background levels 6:00 P.M. - 10:00 P.M. Monday, and up to three ambient, acoustic live musicians at background levels Thursday to Sunday during brunch from 11:00 A.M. to 3:00 P.M. and during dinner from 6:00 P.M. to 10:00 P.M., no more than one DJ per month playing music at an ambient background level, but no promoted events, scheduled performances or any event at which a cover fee will be charged,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) it will not have "happy hours,"
- 10) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
- 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

13. Salang Group Inc, 225 Ave B (op)

VOTE: TITLE: Community Board 3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

WHEREAS, Salang Group, Inc. doing business as TBD, is seeking a full on-premises liquor license, in the premises located on the second floor of 225 Avenue B, between 13th and 14th Streets, New York, New York; and

WHEREAS, this is an application for an establishment with a certificate of occupancy of 99 people, four tables and eight seats with one stand up bar with eight seats and one sushi bar with 12 seats, with a prep area serving omakase-style tavern food, serving food during all hours of operation, 2 televisions, live and ambient background music; and

WHEREAS, there are six full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, this location was most recently licensed with a full on-premises license as Pouring Ribbons which was approved by Community Board 3 in November 2011 on the condition that it agreed to stipulations including 1) it will operate as an artisanal cocktail bar, serving food during its hours of operation, 2) its hours of operation will be 5:00 P.M. to 2:00 A.M. all days, 3) it will play ambient background music only, consisting of recorded music, and not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged, 4) it will not have open doors or windows and will have a closed fixed façade, consisting of fixed windows only, and 5) it will install additional soundproofing if needed, based upon the recommendations of a sound engineer; and

WHEREAS, the applicant is licensed with a full on-premises license at Crystal Thai located at 293 Flatbush Avenue in Brooklyn, NY, since at least November 2019 and received a \$1,500 civil penalty from the SLA in February 2021 for covid-related violations sustained on August 22, 2020; and

WHEREAS, there were zero commercial 311 complaints at this location with NYPD action necessary since 2018; and

WHEREAS, the committee received no community input on this application; and

WHEREAS, 62 residents who live within two blocks of the location signed a petition in favor of the application; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Salang Group, Inc., for the premises located at 225 Avenue B, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a tavern, with sushi/omakase made in a prep area, served at all hours of operation,
- 2) its hours of operation will be opening no later than 4:00 P.M. and closing by 2:00 A.M all days,
- 3) it will have a closed fixed façade with no open doors or windows except the entrance door, which will close by 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live non-musical performances, or during unamplified live performances or televised sports,
- 4) it will not use outdoor space for commercial usage,
- 5) it may have live music consisting of incidental acoustic Jazz musicians on Thursday, Friday and Saturday nights only and will not have DJs, promoted events, scheduled performances, and no more than 2 private parties a month,
- 6) it may not have any event at which a cover fee will be charged,
- 7) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 8) it will not host pub crawls or party buses,
- 9) it will not have unlimited drink specials with food,
- 10) it may have "happy hours" until 6:00 P.M. each night,
- 11) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
- 12) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 13) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

14. Tony's Famous Pizza (Via Roma Pizzeria Inc), 231 1st Ave (wb)

VOTE: TITLE: Community Board 3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

WHEREAS, Via Roma Pizzeria Inc. doing business as Tony's Famous Pizza, is seeking a beer wine license, in the premises located at 231 1st Avenue, between East 13th Street and East 14th Street, New York, New York; and

WHEREAS, this is an application for an establishment with a Letter of No Objection of 74 people, 11 tables and 22 seats with one L-shaped 20'10" bar, with pizza and Italian specialties prepared in a full kitchen, serving food during all hours of operation, no televisions, and ambient recorded background music; and

WHEREAS, there are seven full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, this location was previously licensed with a beer wine license as FBNS Corp doing business as Vinny Vincenz, which was approved for a licensed by Community Board 3 in December 2003, and given stipulations in December 2009 that it would operate as a full-service Italian restaurant, serving food to within one hour of closing, not commercially operate any backyard area, and not have a bar which can accommodate more than six bar stools and which had closing hours of 1:00 A.M. Sunday to Thursday and 4:30 A.M. Friday and Saturday, according to Yelp; and

WHEREAS, the applicant has never previously been a license holder but has worked in this business for at his family's restaurants; and

WHEREAS, there were zero 311 complaints at this location with NYPD action necessary since 2018; and

WHEREAS, 11 residents who live within two blocks of the location signed a petition in favor of the application; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a beer wine license for Via Roma Pizzeria Inc., for the premises located at 231 1st Avenue, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a restaurant, with pizza and Italian specialties prepared in a full kitchen, serving food during all hours of operation,
- 2) its hours of operation will be opening no later than 11:00 A.M. and closing by 4:00 A.M. all days,
- 3) it will not use outdoor space for commercial use, including its backyard,
- 4) it will close any front or rear facade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live non-musical performances, or during unamplified live performances or televised sports,
- 5) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) it will not have "happy hours,"
- 10) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
- 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

15. Cloister Cafe (The Cloister East Inc), 238 E 9th St (op)

VOTE: TITLE: Community Board 3 Recommendation To Deny

WHEREAS, The Cloister East Inc. doing business as Cloister Café, is seeking a full on-premises liquor license, in the premises located at 238 East 9th Street, between Stuyvesant Street and 2nd Ave, New York, New York; and

WHEREAS, this is an application for an establishment with a certificate of occupancy of 196 people, 14 tables and 28 seats with 1 stand-up L-shaped bar with two seats, full kitchen, serving food during all hours of operation, 2 televisions, live and recorded music and

WHEREAS, there are 25 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, the principal applicant owned and operated Cloister Café at this location from 1987 to 2021 and is seeking to re-open; and

WHEREAS, Cloister Café operated with a full on-premises liquor license from 1987 until approximately 2020, and was found during an investigation on August 7th, 2020 with both SLA investigators and NYC Sheriff's office present to host illicit an private parties with over 80 people present and DJ's playing loud music during the pandemic in violation of the governor's executive order. Other promoted parties were also reported (<https://gothamist.com/arts-entertainment/pandemic-parties-nyc-underground-covid-coronavirus>); and

WHEREAS, the SLA issued a summary suspension against Cloister Café on August 7, 2020, for operating as a nightclub past curfew, violating social distancing, and significant fire and life safety violations, with the NYC Sheriff's Office issuing seven criminal court summonses and SLA Chair Bradley recommending that the license not be returned. (<https://sla.ny.gov/summary-suspensions-august-5th-through-10th>); and

WHEREAS, SLA Commissioner Lily Fan stated during the applicant's disciplinary hearing that he had "committed multiple violations of the governor's executive order by allowing indoor service and alcohol service with no food, drinking outside the establishment within 100 feet of his front door, patrons and employees with insufficient use of face coverings and the lack of social distancing... given that our investigators and our own chairman himself are risking their own health during the pandemic to enforce these laws, I can really say that these locations, as they continue to put profit over safety, are wasting our valuable investigative resources"; and

WHEREAS, an SLA staff member stated during the hearing that the applicant's backyard had an illegal structure, was over capacity, and did not have the proper egress in the case of emergency and that the applicant acknowledged to the SLA investigator that he was aware of 311 complaints coming from backyard; and

WHEREAS, there were complaints to Community Board 3, the SLA and the 9th precinct during the covid pandemic about noise and parties coming from this location; and

WHEREAS, the SLA revoked Cloister Café's license on January 20, 2021 after sustaining 16 of the 24 charges made against the operator following the August 7, 2020 summary suspension including six charges of failing to comply with local regulations and a sustained pattern of noise/disorder; and

WHEREAS, there were 20 commercial 311 complaints at this location with NYPD action necessary since 2018; and

WHEREAS, two residents of 238 East 9th Street spoke in opposition to this application, one because she has spent at least the last decade trying to mitigate noise issues stemming from the use of the backyard until 4:00 A.M. which now has speakers and the other because her bedroom window is above the backyard which has made it difficult for her to sleep; and

WHEREAS, seven East Village residents spoke as character witnesses, and eight other character witnesses spoke in favor of the application; and

WHEREAS, 233 residents who live within two blocks of the location signed a petition in favor of the application; some of whom are the applicants tenants

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for The Cloister East Inc., for the premises located at 238 East 9th Street, New York, New York because of its adverse history during the covid-19 pandemic that put the health and safety of New Yorkers and led to the revocation of its liquor license.

16. Milk Burger (Cobart Inc), 321 E Houston St (op)

VOTE: TITLE: Community Board 3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

WHEREAS, Cobart Inc. doing business as Milk Burger, is seeking a full on-premises liquor license, in the premises located at 321 East Houston Street, between Attorney Street and Ridge Street, New York, New York; and

WHEREAS, this is an application for an establishment with a certificate of occupancy of 74 people, nine tables and 36 seats, burgers/salads/milkshakes prepared in a full service kitchen, serving food during all hours of operation, no televisions, ambient recorded background music; and

WHEREAS, there are six full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, this space was previously licensed as El Maguey y La Tuna with a full on-premises liquor license; and

WHEREAS, this applicant has been a current full on-premises license holder at Milk Burger at 148 Bruckner Boulevard in the Bronx since April 2011; and

WHEREAS, five residents who live within two blocks of the location signed a petition in favor of the application; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Cobart Inc., for the premises located at 321 East Houston Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a restaurant, with burgers/salads/milkshakes prepared in a full-service kitchen served during all hours of operation,
- 2) its hours of operation will be opening no later than 12:00 P.M. Tuesday to Sunday and closing by 11:00 P.M. Tuesday to Thursday, 12:00 A.M. Friday to Saturday and 10:00 P.M. Sunday,
- 3) it will not use outdoor space for commercial usage,
- 4) it will have a closed fixed façade with no open doors or windows except my entrance door will close by 10:00 P.M. or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances, or during unamplified live performances or televised sports,
- 5) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,

- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) it will not have "happy hours,"
- 10) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
- 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

17. Brindle Room Catering LLC, 647 E 11th St (op)

VOTE: TITLE: Community Board 3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

WHEREAS, Jeremy Spector, is seeking a full on-premises liquor license, in the premises located at 647 East 11th Street, between Avenue B and Avenue C, New York, New York; and

WHEREAS, this is an sale of assets for an establishment with a Letter of No Objection of 74 people, 17 tables and 38 seats with one L-shaped 20-foot bar with 10 seats, with neighborhood American food served during all hours of operation from a full kitchen, one television, ambient recorded background music; and

WHEREAS, there are five full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, this location is licensed with a full-on premises license as Oyster City LLC dba Virginia's which was denied for a full-on premises liquor license by Community Board 3 in December 2014; and

WHEREAS, Community Board 3 then administratively denied a wine beer license for this applicant In January 2015 unless the applicant agreed that it would make as conditions of its license the stipulations that it would 1) operate a full-service American restaurant, serving food to within half (½) an hour of closing, 2) have hours of operation of 5:30 P.M. to 12:00 A.M. Mondays through Fridays and 11:30 A.M. to 12:00 A.M. Saturdays and Sundays, 3) not commercially operate any outdoor areas, 4) close its façade at 10:00 P.M. every night or during any amplified performances, including but not limited to DJs, live music and live nonmusical performances, 5) play recorded background music and not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee would be charged, 6) not apply for an alteration without first being heard by the community board, 7) not host pub crawls or party buses, 8) not have happy hours, 9) not have wait lines, and 10) provide a telephone number for residents to call with complaints and immediately address any resident complaints; and

WHEREAS, Community Board 3 then denied Virginia's for an upgrade to a full on-premises liquor license in March 2016 but was subsequently granted a full on-premises liquor license by the SLA with stipulations that it close by 12:00 A.M. all nights; and

WHEREAS, this applicant previously operated the Brindle Room at 277 East 10th Street with a wine beer license for a decade before closing in June 2021 during the pandemic; and

WHEREAS, there were zero commercial 311 complaints at this location with NYPD action necessary since 2018; and

WHEREAS, 28 residents who live within two blocks of the location signed a petition in favor of the application; and

WHEREAS, three residents spoke in opposition to this application; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Jeremy Spector, for the premises located at 647 East 11th Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a restaurant, with neighborhood American food served during all hours of operation,
- 2) its hours of operation will be opening no later than 11:00 A.M. to 12:00 A.M. all days,
- 3) it will close all outdoor dining allowed under the temporary Open Restaurants program and any other subsequent uses by 10:00 P.M. all days and not have any speakers or TV monitors,

- 4) it will close any front or rear facade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live non-musical performances, or during unamplified live performances or televised sports,
- 5) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) it will not have "happy hours,"
- 10) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
- 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

Items not heard at Committee

18. DM Restaurant (Fusion NY Catering Service Inc), 71 4th Ave (wb)
administratively approved
19. 95 Homedish (Grand Master LLC), 95 Chrystie St (wb)
administratively approved
20. Thayer (Moonless Night LLC), 99 Ave B (wb)
withdrawn
21. Kid Brother LLC, 124 E 14th St (wb)
withdrawn
22. Viva (Viva Natural Pizza Inc), 248 E 5th St (aka 85 2nd Ave) (wb)
administratively approved
23. Emmy Squared (ESQEV LLC), 83 1st Ave (op/corp change)
administratively approved
24. SaigonNYC Ltd, 85 Orchard St (Unit B) (op/corp change)
administratively approved
25. Mi Salsa Kitchen (205 Allen St LLC), 205 Allen St (aka 159 E Houston St) (op/corp change)
administratively approved
26. Luna Pizza (Old New York Pizza Corp), 227-231 Park Row (wb/corp change)
administratively approved
27. Vote to adjourn
approved by committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Vote to adjourn

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Members Present at Last Vote:

David Adams	[P]	Herman Hewitt	[P]	Paul Rangel	[P]
Yaron Altman	[P]	Trever Holland	[P]	Damaris Reyes	[A]
Jesse Beck	[P]	Linda Jones	[P]	Richard Ropiak	[P]
Lee Berman	[P]	Vaylateena Jones	[P]	Thomas Rosa	[A]
Karlin Chan	[P]	Lisa Kaplan	[P]	Robin Schatell	[P]
Jonathan Chu	[P]	Olympia Kazi	[P]	Heidi Schmidt	[A]
David Crane	[P]	Jeanette Kim	[P]	Laryssa Shainberg	[P]
Eric Diaz	[P]	Michelle Koppersmith	[P]	Anisha Steephen	[P]
Tareake Dorill	[P]	Mae Lee	[P]	Sandra Strother	[P]
Alistair Economakis	[A]	Wendy Lee	[P]	Daniel Tainow	[A]
Jaime Felber	[A]	Alysha Lewis-Coleman	[A]	Josephine Velez	[P]
Shirley Fennessey	[A]	David Louie	[P]	Troy Velez	[P]
Ryan Gilliam	[P]	Laura Lugo	[P]	Rodney Washington	[P]
Debra Glass	[P]	Ellen Luo	[A]	Kathleen Webster	[P]
Andrea Gordillo	[P]	Michael Marino	[P]	Jacky Wong	[P]
Kanielle Hernandez	[A]	Michael Perles	[A]	Ricky Wong	[P]

Meeting Adjourned