



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

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Andrea Gordillo, Board Chair

Susan Stetzer, District Manager

November 2024 Vote Sheet

Nominating Committee

Chairperson:	Andrea Gordillo
First Vice Chairperson:	Michael Levario
Second Vice Chairperson:	Ana Kakkar
Secretary:	Arnette Scott
Assistant Secretary:	Dianne Lake
Treasurer:	Kathleen Webster

Executive Committee

- Resolution to Reprimand Shawn Garcia for Inadequate Attendance

VOTE: TITLE: Resolution to Reprimand Shawn Garcia for Inadequate Attendance

WHEREAS, according to CB 3 by-laws, members may be removed from the board for missing over 1/3 of their meeting obligations as defined by the procedures contained in CB 3 by-laws as follows:

H. All Board Members are automatically excused from up to one-third of their obligated meetings to cover short-term illness, work, and other everyday issues that come up.

1. If a Board Member is absent from more than one-third of the Board Member's meeting obligations during a six-month period, the Board Chairperson shall propose that the Executive Committee take action. The Executive Committee may decide that a letter shall be sent either electronically or by regular mail to the Board Member advising the Board Member of their substantial lack of attendance with a copy to the elected official who recommended the Board Member and the Borough President. If the letter is sent and if during the next three months, the Board Member continues to be absent from more than one-third of their meeting obligations, the Board Chairperson shall propose the removal of the Board Member as set forth in Section I below. There shall be two periods for measurement of attendance each year (April to September and October to March).

WHEREAS, CB 3 follows a procedure for ensuring board members comply with attendance requirements according to the by-laws as follows:

I. Procedures for Removal or Reprimand of a Board Member for Cause

1. A Board Member may be reprimanded or removed for cause for any of the following reasons:

d. Substantial lack of attendance at Board, committee, subcommittee and/or task force meetings as defined in section H.

WHEREAS, Shawn Garcia missed 69% of his meeting obligations for the six-month review period between April-September 2022, and Shawn Garcia was given a letter explaining the by-laws and that he had a 3-month probation period to improve his attendance,

WHEREAS, Shawn Garcia missed 75% of his meeting obligations during the three-month probationary period between October – December 2022, and Shawn was given a letter providing him an opportunity to be heard at the February 2023 Executive committee meeting,

WHEREAS, Shawn Garcia did attend the November 2024 executive committee meeting and suggested his attendance will improve as he adjusts his schedule.

THEREFORE, BE IT RESOLVED, CB 3 reprimands Shawn Garcia, and he will be removed from CB3 if his attendance is deemed inadequate during the next review period.

26 YES 11 NO 3 ABS 0 PNV MOTION PASSED (motion to amend exec vote)
35 YES 5 NO 1 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. Lower East Side Service Center: Request for support for renovation of 46 E Broadway facility

VOTE: TITLE: Notification to Community Board 3 of LESC building rehabilitation project on 46 East Broadway

WHEREAS, Lower Eastside Service Center, Inc. (LESC) is seeking to renovate the existing building at 46 East Broadway, as it's beyond its useful life and to accommodate relocating the NYS Office of Addiction Services and Support (OASAS) program from 62 East Broadway along with its administration offices at Maiden Lane.

WHEREAS, Construction of a new 6-story structure on the Division Street side will provide space for the executive, administrative, and financial offices. The new facility will make space to integrate services provided by LESC to a central hub at 46 East Broadway.

WHEREAS, Rehabilitation of the existing structure on 46 East Broadway would be upgraded to be code-compliant, which includes the heating system, air conditioning system, domestic water, sprinkler system, plumbing system, new data wiring, electrical system, fire alarm, and security systems. The reconstruction will also include the replacement of an existing antiquated elevator with a new elevator that follows all ADA compliances and creates greater ease of use for clients and employees.

WHEREAS, LESC will continue to provide services to its clients while undergoing construction due to the consistent need for the programs.

WHEREAS, A new and adequate facility is integral to providing much-needed services treating substance addictions, providing opioid recovery, mental health treatment, and many more.

THEREFORE, Community Board 3 Manhattan has been notified of the rehabilitation project on 46 East Broadway as per the NYS OASAS requirements. This project will secure essential healthcare services for the Community Board 3 community and surrounding areas.

3. CAB/CEC reports
no vote necessary
4. Vote to adjourn
approved by committee

41 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding Human Services item 2)

40 YES 0 NO 1 ABS 0 PNV MOTION PASSED (Human Services item 2)

Cannabis Control Task Force

meeting canceled

SLA & DCA Licensing Committee

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

Alterations

2. Joey Bats Cafe (Gama Lounge LLC), 50 Ave B (op/method of operation: to include DJ, karaoke, patron dancing and an increase in hours on Thursday - Saturday, 9am - 4am)
withdrawn
3. The River (Bar Clark LLC), 102 Bayard St (op/method of operation change: extend hours to 4am daily)
withdrawn

New Liquor License Application

4. Casa Thirteen LLC, 1 Delancey St (op)

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

WHEREAS, Casa Thirteen, LLC, is seeking a full on-premises liquor license, in the premises located at 1 Delancey Street, between Chrystie Street and Bowery, New York, New York; and

WHEREAS, this is an application for an establishment with up to 74 people, 18 indoor tables and 58 seats, that includes a full stand-up bar, full kitchen and food preparation area, serving food during all hours of operation, no televisions, small speakers playing ambient/background music from DJs/streaming services, and

WHEREAS, there are 21 full on-premises liquor licenses within 500 feet per the SLA LAMP map;

WHEREAS, this location previously held a bar/restaurant ("Sel Rrose") with a full on-premises liquor license, Sel Rose had a license until 4:00AM; and

WHEREAS, this applicant has never held a license for the sale of alcohol; its principal, Dexter Mabutus, has over 16 years' of managerial experience in the restaurant industry, including over 7 years' at Jajaja Plantas Mexicana in the Lower East Side; and

WHEREAS, 21 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 Casa Thirteen, LLC, for the premises located at 1 Delancey Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a French/Spanish bar and restaurant, with a full kitchen serving full during all hours of operation,
- 2) its hours of operation will be opening no later than 5 P.M. and closing by 2 A.M. all days,
- 3) it will close all outdoor dining allowed under the temporary Open Restaurants program and any other outdoor uses by 10:00 P.M. all days and not have any speakers or TV monitors,
- 4) I will employ a doorman/security personnel, 2-3 per night 10PM to close,
- 5) 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,
- 6) it will play ambient background music only, consisting of recorded music and DJs at background level, and will not have live music, promoted events, scheduled performances or 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, including boozy brunches, with food,
- 10) it may have "happy hours" until 7 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.

5. Corp to be formed by Drew Popkin, 29 2nd Ave (op)

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

WHEREAS, Grafton Street Enterprises LLC doing business as Bambino, is seeking a new application and temporary retail permit after the sale of assets in the premises located at 29 2nd Avenue, between 1st and 2nd Street, New York, New York; and

WHEREAS, this is an application for an establishment with of 43 people, 16 tables and with one bar with 11 seats, with a full kitchen, serving Italian food during every day from 10:00 AM to 4:00 AM with no televisions and music from streaming services,

WHEREAS, there are 10 full on-premises liquor licenses within 500 feet per the SLA LAMP map;

WHEREAS, This location was previously Bad Hombre, and prior to that it was Amigo by Nai, which opened in October of 2020; and

WHEREAS, the applicant has held license to sell alcohol since 2009 at Cask at E 33rd St and Bonobo at 186 8th Ave in CB 8 and CB 6 respectively with no experience in the area,

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

WHEREAS, 39 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 Grafton Street Enterprises LLC doing business as Bambino, for the premises located at 29 2nd Avenue, between 1st and 2nd Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a Full Kitchen Restaurant, with Italian Food every day from 10:00 AM to 4:00 AM
- 2) its hours of operation will be opening no later than 10:00 A.M and closing by 02:00 A.M Sunday – Wednesday and 10:00AM and closing by 4:00AM Thursday – Saturday.
- 3) it will not use 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 will play ambient background music only, consisting of recorded music, and will not DJs, live music, 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, including boozy brunches, with food,
- 9) it may have "happy hours" until 06:00 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.

6. Gosh NY LLC, 32 Mulberry St (op)

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

WHEREAS, Gosh NY LLC is seeking a full on-premises liquor license, in the premises located at 32 Mulberry, between Mosco and Bayard Streets, New York, New York. This is a sale of assets; and

WHEREAS, this is an application for an establishment with of 209 people, 35 tables and 90 seats with 2 Bars, 1 on the ground floor 20 feet in length with 9 Stools, and one basement level bar 12 feet with 6 Stools New American Fusion served from a food prep area, serving food during all hours of operation No TVs with DJs at background level music; and

WHEREAS, there are 21 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, The location is currently unlicensed, with the in safe keeping. The certificate of occupancy states no musical entertainment; and

WHEREAS, The applicant does not have New York City operating experience, but has experience operating in Italy; and

WHEREAS, there was 1 commercial 311 complaints at this location with NYPD action necessary since 2018; and

WHEREAS, 11 residents and The Chinatown Core Block association submitted letters in opposition, two residents appeared in opposition; and

WHEREAS, 51 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 PENDING, for the premises located at 32 Mulberry Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a Bar/Tavern, with Serving food at all hours, from a kitchen prep area,
 - 2) its hours of operation will be opening no later than 10:00 A.M. and closing by 12:00 A.M. Monday-Wednesday, 10AM-02:00AM Thursday-Sunday
 - 3) it will not use 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 will employ security personnel all night;
 - 6) It will install soundproofing to ensure sound and vibrations are not audible in nearby apartments,
 - 7) it will play ambient background music only, consisting of recorded music, and it will not have DJs, live music, promoted events, scheduled performances or any event at which a cover fee will be charged, it may have 20 private parties per year,
 - 8) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
 - 9) it will not host pub crawls or party buses,
 - 10) it will not have unlimited drink specials, including boozy brunches, with food,
 - 11) it will not have "happy hours,"
 - 12) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
 - 13) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
 - 14) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.
7. AO Dining Management Inc, 67 Clinton St (op)
withdrawn
 8. Daisy Doodle LLC, 110 1st Ave (op)
withdrawn
 9. Ye's Apothecary (Zodiac Club LLC), 119 Orchard St (aka 120 Allen St) (op) AD Dining Management Inc, 67 Clinton St (op)

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

WHEREAS, Zodiac Club LLC doing business as Ye's Apothecary, is seeking a new application due to a sale of assets for a full on-premises liquor license, in the premises located at 119 Orchard Street between Delancey and Rivington Street; and

WHEREAS, this is an application for an Hotel Restaurant with 41 total indoor seats, 19 tables and 41 seats with 1 bar with 4 seats, serving Chinese American food with a full kitchen, serving food during 12 P.M. - 12:00 A.M. Sun-Thu and 12:00 pm - 1:00 A.M. Fri and Sat, with streaming music and no TVs;

WHEREAS, there are 28 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, the applicant currently the co-licensee at the same location since 2022;

WHEREAS, 50 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 Zodiac Club LLC doing business as Ye's Apothecary, for the premises located at 119 Orchard Street between Delancey and Rivington Street, New York, New York unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a full kitchen restaurant, with a full kitchen serving Chinese-American food from

- 2) its hours of operation will be opening no later than 12:00 P.M. and closing by 12:00 A.M Sun-Thu and 1:00 AM Fri and Sat,
 - 3) it will not use 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 will play ambient background music only, consisting of recorded music, and it will not have DJs, live music, 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, including boozy brunches, with food,
 - 9) it may have "happy hours," that will end by 7:00PM
 - 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) the entrance to the restaurant will be at 119 Orchard Street,
 - 14) it will not sell alcohol or allow alcohol on the 6th floor terrace or roof deck.
10. Gangnam Korean BBQ & Hot Pot (Division Grill LLC), 125 Division St (aka 136 E B'way) (Unit C1, C2) (op) withdrawn
11. B Side (Flam Able LLC), 131 Ave C (op/removal from 204 Ave B)

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

WHEREAS, Flam Able LLC doing business as B - Side is seeking a full on-premises liquor license, in the premises located at 131 Avenue C between 8th and 9th Streets New York, New York; and

WHEREAS, this is an application for a tavern with 74 people, 7 tables and 32 seats with less than a full service kitchen serving food during all hours with an 18 foot bar, with 11 seats, 1 television, ambient recorded music and DJs; and

WHEREAS, there are 14 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, This is an unlicensed location. This location was previously licensed from 2005 to 2017. Originally approved for a full service restaurant, this business had documented complaints beginning in 2006 including; including violations for loud music, lack of crowd control in front of the establishment, alcohol being served after 4:30 A.M. and unlicensed security, a vibrations into the residential part of the building, unruly patrons blocking the sidewalk, inattentive security, lack of response by management to complaints, two (2) incidents of police responding to this location within one (1) week because of large fights and multiple sustained charges and dispositions before the SLA for violations relating to this method of operation.

WHEREAS, the business was seized by marshals in February of 2017, and has remained closed since that time and, consequently, there is no liquor license associated with this address; and

WHEREAS, a subsequent applicant applied for this space and was denied by the community board in 2018. That applicant proceeded to the SLA for approval. In January, 2019 the SLA denied their request, due to the past history of the location, problems in the area, and the issues with the building itself, as well as the applicant's proposed method of operation and history. The State Liquor Authority Chair went as far as to say that he did not think this location was appropriate for a bar, and possibly not even for a restaurant. The State Liquor Authority requires us to consider the following things when reviewing a license; the number, classes and character of other licensed premises not only in the area where the proposed establishment will be located, but also in the particular municipality or subdivision of the municipality; whether the applicant has obtained all other necessary governmental licenses and permits; the effect on vehicular traffic and parking in proximity to the location; the impact

on the existing noise level; the history of ABC violations and reported criminal activity at the location; and any other factor specified by law or regulation that would be relevant to deciding whether public convenience and advantage, as well as the public interest, would be served by approving the application.

WHEREAS The committee and residents in opposition explained to the applicant that this application would be supported if they were applying for one of the many vacant storefronts in the area that are considered currently licensed and that do not have an extreme adverse history,

WHEREAS, the applicant previously held a license 204 Avenue B been for approximately a 18 months until June of 2023 and prior to that was the manager at this location; and

WHEREAS, 122 residents that live within 2 blocks submitted signatures in opposition. We received two letters in opposition to this application as well as 122 signatures in opposition; three residents appeared in opposition as well as six people appeared on zoom in opposition, and

WHEREAS, 240 residents who live within two blocks of the location signed a petition in favor of the application and five submitted letters, seven appeared in support and 46 people appeared on zoom in support; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Flam able LLC for the premises located at 131 Avenue C, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a Tavern, with less than a full service kitchen, serving food all hours,
- 2) its hours of operation will be opening no later than 2:00 P.M all days and closing by 12:00 A.M Sunday – Wednesday and by 2:00AM Thursday – Saturday.
- 3) it will not use outdoor space for commercial use
- 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 install soundproofing to ensure that sound or vibration are inaudible in nearby apartments,
- 6) it will play ambient background music only, consisting of recorded music, and it will not have DJs, live music, promoted events, scheduled performances or any event at which a cover fee will be charged, it may have 3 private parties per month,
- 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, including boozy brunches, with food,
- 10) it may have "happy hours" until 7:00PM 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.

12. Two Bridges Lunch (Parkside 3 NYC LLC), 135 Division St (A) (upgrade to op)

VOTE: TITLE: Community Board 3 Recommendation To Deny Upgrade

WHEREAS, Parkside 3 NYC, LLC doing business as Two Bridges Lunch, is seeking (a full on-premises liquor) license, in the premises located at 135 Division St, between Ludlow / Division St, New York, New York; and

WHEREAS, this is an application for an establishment with of 33 people, 10 tables and 20 seats with 4 bar seats, less than a full service kitchen, serving food all hours, 1 television, Live Music, Jukebox Music, JBL Streaming Playlist Music; and

WHEREAS, there are 18 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, this business has been at this location since 2023, prior to this business the location was unlicensed,

WHEREAS, the applicant previously operated Continental Bar for 30 years which closed in 2018, and two locations of Lucky Star Ice Cream which are both closed; and

WHEREAS, there were 3 - NYPD underage drinking & noise complaints and 5 311 complaints with police action necessary, at this location since 2023. This applicant was found to be serving alcohol illegally in the DOT pedestrian plaza, offering discounted drink specials, live music and entertainment; and

WHEREAS, 8 residents submitted letters in opposition, as well as SPACE block association; 3 residents spoke in opposition, 81 residents signed a petition in opposition, and

WHEREAS, 9 residents who live within two blocks of the location signed a petition in favor of the application; and

WHEREAS, In October of 2021, after working with the applicant on proposed stipulations of a 12AM closing, and no amplified music, CB3 issued a denial to this applicant due to his refusal to sign the stipulations. The applicant subsequently applied to the SLA and was granted a Beer/Wine license with no stipulations and a 4AM closing,

WHEREAS, the Dimes Square area has been experiencing issues related to oversaturation of licensed establishments, and this business has contributed to the problems;

WHEREAS, since opening the applicant has been Serving alcohol at outdoor tables in Division Street Plaza, a public plaza where his liquor license does not allow him to serve alcohol; advertising two for one drinks with a maximum of 10 per person, a nod to his prior operation, Third Ave & St Marks Inc d/b/a Continental at 25 Third Avenue which infamously served five shots of anything for \$12; Using a new premises name "Two Bridges Pub" in advertising, in contravention to the DBA under which he is licensed, "Two Bridges Lunch"; Not opening until the evening, even though he told CB3 his original concept was to be an ice cream parlor and open at 10 AM; Advertising the sale of "spirits" despite having a beer and wine only license; Hosting late night dance parties; and sitting outside the premises luring patrons with the offer of two for one drinks;

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Parkside 3 NYC, LLC, for the premises located at 135 Division St, New York, New York, due to the applicant's unwillingness to work with the community when they applied for their original Beer/Wine License, as well as the actions of the business since they have opened, and a method of operation that would negatively impact the neighborhood by adding full liquor,

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 asks that the SLA add the stipulations onto Mr. Trigoboff's existing beer and wine license for Parkside 3 NYC LLC that Community Board 3 asked for in October 2021, including: a 12 AM closing time every night, happy hour ending at 8 PM, no scheduled performances, no promoted events, and no amplified music.

13. Parcelle (Ksswine LLC), 135 Division St (Store C) (upgrade to op)

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

WHEREAS, KSSWine, LLC doing business as Parcelle, is seeking a full on-premises liquor license, for the premises located at 135 Division St, Store C, between Ludlow / Division St, New York, New York; and

WHEREAS, this is an application for an establishment with of 74 people, 10 tables and 46 seats with 0 bar seats, Full Kitchen with Modern American Menu, serving food during 5pm-12am all days Background streaming ambient music; and

WHEREAS, there are 18 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, - Previously unlicensed, this applicant was found to be serving alcohol illegally in the DOT pedestrian plaza and taking over public space for branded luxury event private dinners; and

WHEREAS, Applicant has previously held 4 different licenses and was a managing partner at Delicious Hospitality Group; and

WHEREAS, there were 0 commercial 311 complaints at this location with NYPD action necessary since 2018; and

WHEREAS, 8 residents submitted letters in opposition and

WHEREAS, 16 residents who live within two blocks of the location signed a petition in favor of the application and two residents appeared in support, including a representative from SPACE Block Association; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for KSSWine, LLC, for the premises located at 135 Division St, Storefront C, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a bar/tavern, wine bar, with full kitchen serving modern American Menu from 5pm-12am,
- 2) its hours of operation will be opening no later than 5:00P.M. and closing by 12AM ALL DAYS,
- 3) it will close all outdoor dining allowed under the temporary Open Restaurants program and any other outdoor 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 OR 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, including boozy brunches, 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.

14. Freedom For Ukraine LLC, 136 2nd Ave (op)
withdrawn

15. Jose Luis Restaurant (JoseLuis Corp), 186 Ave B (South Store) (op)
withdrawn

16. Fossetta (Moreish Hospitality Inc), 198 Allen St (upgrade to op)

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

WHEREAS, Moreish Hospitality, Inc., doing business as "Fossetta", currently holds a Beer and Wine license and is seeking later hours and an upgrade to a full on-premises liquor license, in the premises located at 198 Allen Street, between Stanton Street and East Houston Street, New York, New York; and

WHEREAS, this is an application for an establishment with up to 60 people, 21 tables and 54 seats, that includes a stand-up bar, a full kitchen and food preparation area, 5 sidewalk tables (pending DOT approval), serving food during all hours of operation, no televisions, playing ambient/background music from small speakers; and

WHEREAS, there are 37 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, this location has housed this restaurant ("Fossetta") since late 2023, and was granted a Wine and Beer license by this Committee in July 2023; and

WHEREAS, in addition to holding the Beer and Wine license for "Fossetta", the proprietors of Moreish Hospitality – Julie Park, Joshua A. Even, and Charlene Santiago – have owned and operated "Café Colette", which holds a full on-premises liquor license, in Williamsburg, Brooklyn, since 2010;

WHEREAS, over 40 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 Moreish Hospitality, Inc., for the premises located at 198 Allen Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a Mediterranean/Italian restaurant, with a full kitchen and food preparation area serving food during all hours of operation,
- 2) its hours of operation will be opening no later than 9 A.M. (all days) and closing by 11 P.M. (Monday-Thursday) and 12 A.M. (Friday-Sunday),
- 3) it will close all outdoor dining allowed under the temporary Open Restaurants program and any other outdoor 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 DJs, live music, 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, including boozy brunches, with food,
- 9) it may have "happy hours" until 7 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.

17. Aesthetic Matters LLC, 235 Bowery (op)
withdrawn

18. House of Pasta (Store of Pasta LLC), 511 E 12th St (op)

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

WHEREAS, Store of Pasta LLC doing business as House of Pasta, is seeking a new application and temporary retail permit for a full on-premises liquor license, in the premises located at 511 E 12 th Street, between Avenue A and Avenue B, New York, New York; and

WHEREAS, this is an application for an establishment with of 30 people, 8 tables and 30 seats with 1 bar with 3 seats, serving Italian food with a full kitchen, serving food during 12 p.m. - 10:30 p.m. 7 days a week with no television with streaming music; and

WHEREAS, there are 13 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, This location was licensed as Northern Spye, their license expired in 2017, it then opened as Raclette, Raclette did apply for and was approved by the community board for a full liquor license, but was never issued, the Café Corretto applied and was approved for a full license, they subsequently closed due to a gas problem in the building,

WHEREAS, the applicant is a New Jersey license holder (Sofia's of Clifton Park LLC at 54 Clifton Country Rd. Clifton Park and has worked as a chef at Sofia's on Mulberry Street for 9 years;

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

WHEREAS, "The North Avenue A Neighborhood Association asks that the CB3 SLA Licensing Committee deny #18 House of Pasta's liquor license application in an area of over saturation at 511 E 12th"; and two other neighbors sent an email to CB3 opposing the application. Two residents appeared in opposition and a representative from the East Village Community Coalition, appeared and explained that this is a very vibrant block, with a nice mix of businesses and they met with the applicant, and asked that the applicant begin with a Beer/Wine license for a period of time to determine that they will be good neighbors before upgrading to a full license;

WHEREAS, 49 residents who live within two blocks of the location signed a petition in favor of the application including nine from the building; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Store of Pasta LLC, for the premises located at 511 E 12th Street, between Avenue A and Avenue B, New York, New York unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a full kitchen restaurant, with serving Italian food from
- 2) its hours of operation will be opening no later than 12:00 P.M. and closing by 11:00 P.M. all days, and does not intend on applying for an extension of hours in the future,
- 3) it will not use outdoor space for commercial use,
- 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,
- 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, including boozy brunches, with food,
- 9) it may have "happy hours" until 07:00 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.

Items not heard at Committee

19. Thayer (Moonless Night LLC), 99 Ave B (wb/method of operation: add open Mondays 9am-midnight) administratively approved
20. Joey Bats Cafe (Gama Lounge LLC), 50 Ave B (op/corp change) administratively approved
21. The River (Bar Clark LLC), 102 Bayard St (op/corp change) withdrawn
22. Topsy Shanghai (Topsy Shanghai 99 Inc), 104 2nd Ave (Ground Fl and Basement) (wb) administratively approved
23. Alison St Marks (Disfruting Two LLC), 110 St Marks Pl (wb) administratively approved
24. G&I Food Hospitality LLC, 204 Ave B (wb) administratively approved
25. Michiyo Ramen Inc, 230 E 14th St (wb) administratively approved
26. Sushi W EV LLC, 506 E 13th St (wb) administratively approved

Dining Out NYC - Not heard at Committee

27. Commodore II (14 Avenue C LLC), 14 Ave C (Sidewalk Cafe) administratively approved
28. Parcelle (Ksswine LLC), 135C Division St (Sidewalk Cafe) administratively approved
29. Tolo (Crispy Duck and Nice Wine LLC), 28 Canal St (Sidewalk Cafe and Roadway Cafe) administratively approved
30. Librae Bakery (Dondrempire LLC), 35 Cooper Sq (Sidewalk Cafe) administratively approved

31. Kona Coffee and Company (Kona Coffee and Company Inc), 57 2nd Ave (Sidewalk Cafe)
administratively approved
32. Village Square Pizza (The Village Square Pizza Inc), 147 Ave A (Roadway Cafe)
administratively approved
33. The Smith (3rd Avenue Hospitality LLC), 55 3rd Ave (Roadway Cafe)
denied due to lack of stipulations
34. Don Ceviche (Don Ceviche NYC Corp), 57 1st Ave (Roadway Cafe)
administratively approved
35. Bronx Brewery (The Bronx Brewery East Village LLC), 64 2nd Ave (Sidewalk Cafe and Roadway Cafe)
administratively approved
36. The Scratcher Cafe (The Scratcher Cafe Inc), 209 E 5th St (Roadway Cafe)
administratively approved
37. Mudspot (Mud LLC), 307 E 9th St (Roadway Cafe)
administratively approved
38. Little Poland Restaurant (Little Poland LLC), 200 2nd Ave (Sidewalk Cafe)
administratively approved
39. Buenos Aires (BA Victory Corp), 513 E 6th St (Roadway Cafe)
administratively approved
40. Vote to adjourn
approved by committee

41 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding SLA items 6, 11, 12, 13, 16)
35 YES 6 NO 0 ABS 0 PNV MOTION PASSED (SLA item 6)
38 YES 3 NO 0 ABS 0 PNV MOTION PASSED (SLA item 11)
37 YES 4 NO 0 ABS 0 PNV MOTION PASSED (SLA item 12)
36 YES 5 NO 0 ABS 0 PNV MOTION PASSED (SLA item 13)
39 YES 2 NO 0 ABS 0 PNV MOTION PASSED (SLA item 16)

Land Use, Zoning, Public & Private Housing Committee

1. Approval of previous month's minutes
approved by committee
2. HPD: Briefing on RFP process for 324 E 5th St (currently NYPD parking lot) affordable housing site
no vote necessary
3. Vote to adjourn
approved by committee

41 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Transportation, Public Safety, Sanitation & Environment Committee

1. Approval of previous month's minutes
approved by committee
2. DOT/EDC: Update on Chinatown Connections: gateway engagement, traffic study, street improvements
no vote necessary
3. Presentation from Workers Justice advocacy for delivery app bike infrastructure and safety
no vote necessary
4. DOT proposed loading zone at 163 Stanton Street
no vote necessary
5. Vote to adjourn
approved by committee

41 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Parks, Recreation, Waterfront, & Resiliency Committee

1. Approval of previous month's minutes
approved by committee
2. Parks Manager Update
no vote necessary
3. EDC: Pier 36 proposed modifications to operating procedures
no vote necessary
4. Parks: Update on Rivington Playground design (CANCELLED by PARKS)
no vote necessary
5. DDC: ESCR/BMCR Updates
no vote necessary
6. Vote to adjourn

approved by committee

41 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Economic Development Committee

1. Approval of previous month's minutes
approved by committee
2. Update from LESEN
no vote necessary
3. LES Partnership: Overview of their 2024 reporting and expectations for 2025
no vote necessary
4. Chinatown BID: Overview of their 2024 reporting and expectations for 2025
no vote necessary
5. Vote to adjourn
approved by committee

41 YES 0 NO 0 ABS 0 PNV MOTION PASSED