

Manhattan Community Board 6

Business Affairs and Street Activities Committee Meeting

Meeting Minutes

October 26, 2017

Kyle Athayde, Acting Chair

I. Call to order

A. Previewing the applications and committee agenda

B. Kyle calls attendance for applicants

II. Applications

2b) New OP License

Zaika Food Company LLC

230 East 44th Street, between 2nd and 3rd Avenues

Mandeep S. Obevoi presented the application. The Committee found nothing objectionable in the application, and noted the proposed early close times. There were no community comments on this application.

6-0-0-0

6f) New OP License

Taqueria Gramercy LLC

218 3rd Avenue, between 18th and 19th Streets

Andrea Barraza, a member of the LLC and future manager of the restaurant, presented the application for a liquor license for Taqueria Gramercy, a new Mexican restaurant currently under construction at the aforementioned address. The applicant and her partner had previously operated a similar restaurant concept in the Lower East Side that closed due to a building sale. The applicant and her partner currently operate two other restaurants; one is on St. Marks Place, and the other is located in Jersey City. The operators report no prior violations from the SLA. The application proposes operating hours from 11am – 1am.

We jumped quickly to public comments on this application, as the Gramercy Park Block Association (GPBA) submitted a comment via email that expressed its preference that

the restaurant not remain open after 12am. Sean Brady, the president of the GPBA was in attendance, and the public comment quickly evolved into a conversation between members of the Committee, the applicant, and Mr. Brady. The GPBA position was one of concern that the taqueria concept might actually be planned as (or evolve to become) a bar, rather than a restaurant, and, for this reason, the GPBA sought to see the application amended to reflect a midnight closing time, rather than the 1am closing time anticipated in the application. A discussion ensued, and, based on the assurances of the owner/applicant, the proposed menu for the venue, and proposed floorplan of Taqueria Gramercy, which show a restaurant with 24 seats and a bar with 10 seats, the Committee was reasonably satisfied that the establishment would not be a bar, but rather a restaurant.

Further public comments were submitted by a resident of 218 3rd Avenue, Charles Graves. Mr. Graves has lived in the building for three years, and is a twelve-year resident of the neighborhood. He noted that the applicant and the contractors she has employed during the construction phase of work have been respectful of neighbors, and stated that "I'd welcome this [restaurant] in my building."

Following public comments, the committee voted in favor.

6-0-0-0

7g+8h) * *These applications were considered jointly.*

Corporate Change for an OP license
Raa NYC LLC, doing business as Chola
232 East 58th Street, between 2nd and 3rd Avenues

Raa NYC, doing business as Chote Nawab
115 Lexington Avenue, between 27th and 28th Streets

Ankush Punhani, the sole member of RAA NYC LLC, has applied for a new liquor license. He was accompanied by counsel from the Law Office of Stacy Weiss, PLLC. His organization is buying out the 100% owner-seller of Chola (application 7g) and Chote Nawab (application 8h). The applicant seeks to make minor quality improvements to both restaurants, both of which will close by 11pm each night, with one exception: 12am on Friday nights at Chote Nawab.

6-0-0-0

9i) Removal of OP license
Hiko Inc., doing business as Tsukushi Restaurant
Removed from: 300 East 41st Street
Transferred to: 357 East 50th Street, between 1st and 2nd Avenues

Benjamin Savitsky, Esq., of Bernstein Redo, P.C., represented the applicant. Due to a sale of the building, Tsukushi Restaurant is moving from 300 East 41st Street to 357 East 50th Street. Tsukushi Restaurant is an omakase-style venue owned by Norihiko Manabe, through Hiko Inc. The purpose of this application is to remove the OP license from the old location to the new location.

Comment [DCR1]: I believe that the applicant, Norihiko Manabe, appeared at this committee meeting, too, but he didn't speak.

One member of the Committee registered her disappointment with the garbage disposal practices of the restaurant at its former location. The application assured the committee that he would be more vigilant about garbage disposal at the new location.

6-0-0-0

- 5e) New OP license
Ruchik Food Inc., doing business as Daniello Pizzeria & Restaurant
1072 2nd Avenue, between 56th and 57th Streets

[This was the last application heard by the committee, as the applicant and his representative were not present at the start of the meeting.]

Naranbhai Patel is the sole member of Ruchik Food LLC, and, due to his limited English proficiency, he appeared with his grandson, Ruchik Patel (ruchik1997@gmail.com, 803-664-6057) to apply for a new OP license for Danielle Pizzeria & Restaurant. The younger Mr. Patel explained that the applicant plans to sell wine and beer at the restaurant, and that his grandfather was taking over the restaurant from a family friend. (The restaurant was previously owned by 56 Food Corp.)

The original application was erroneously categorized as a "transfer" license, but, in discussions with the committee, the applicant amended the application to be a "new" license.

6-0-0-0

III. Old/New Business

Following the votes on licensee applications, the committee moved to discuss the proposed renewal of the street fair license moratorium by the Mayor's Office of Citywide Event Coordination and Management's Street Activity Permit Office (SAPO). SAPO is considering amendments in addition to extending the extant moratorium.

SAPO will hold a hearing on the proposed rules on November 21, 2017 at 10am in the auditorium at 125 Worth Street, 2nd Floor, NY, NY 10007. SAPO invites comments on the proposed rules via the web (www.nyc.gov/nycrules), email (saporules@cityhall.nyc.gov), postal

mail (Dawn Tolson, Director of Street Activity Permit Office, Office of Citywide Event Coordination and Management, 253 Broadway, 6th Floor, New York, NY 10007), or attendance at the November 21st hearing. Members of the public submitting comments at the meeting must register their desire to do so by calling Ms. Tolson at 212-788-1440 by close of business on November 20th. The time afforded for comments is three minutes per speaker.

The issue at hand is that, citing the security costs associated with street closings for fairs, SAPO has issued annual moratoria on permits to new street fair applicants since 2004. Organizers who held permits prior to the initial moratorium are eligible to have those permits renewed; aspiring organizers who did not hold such permits will not be considered due to the moratorium. Through the coming hearing, SAPO seeks comments on whether the moratorium ought to be renewed.

Some members of the Committee expressed their displeasure with the selection of available retail offerings at street fairs since the enactment of the moratoria. By locking in the same applicants who produce street fairs that the committee members deem to be lacking, the Committee voted to express its intention to draft a resolution in opposition to a renewal of the moratorium by SAPO. The Committee would then consider a draft of this resolution during a brief caucus at the November 8, 2017 full Board meeting.

The motion to draft a resolution in opposition to SAPO's renewal of the street fair permit moratorium was carried 6-0-0-0.