

Community Board Six Business Affairs and Streets Committee
Minutes of Meeting Thursday, February 23 2017

Attendance: per the sign-in sheet given to Kyle (as well as guest sign-in sheets).

The meeting was called to order at 7:00 p.m., and minutes are rendered in the order of applications heard.

Item 1a Change in Method of Operation for 344 Restaurant Group LLC dba 344 3rd Ave. bet. E. 25 and 26th Streets. No one appeared before us; this is the third time we have been unable to examine their bona fides. Opponents included Arlene Harrison and Sean Brady representing the Gramercy Park Block Association (2,000 members), Nicole Paikoff (former BASA chair), and Valerie Swanson (13th Precinct Community Council Board Member). This location has had a terrible history (as evidenced by the Community Board's massive documentation) including court appearances. Due to the applicant's numerous absences and because of the extreme opposition from the community, BASA voted 6-0-0 to have an immediate letter sent to the SLA to deny this application. This information was given to the board office on Friday, February 24, for instant handling by our CB6 Chair, District Manager, and BASA chair.

Item 2b Corporate Change for Elevated Entertainment Restaurants LLC dba Napoleon's Pizza, 961 Second Avenue at E. 51 Street. No one appeared before us. **Negative Resolution for non-attendance: 7-0-0.**

Item 4d New OP Liq. Lic. for H. Patel dba TBD, 557 Third Avenue at E. 38 St., 2nd floor. Appearing before us were Zahra Lucas, Attorney, Elke Hofmann Law and Principal Himansu H. Patel. This is the same building as Hendriks, but the applicant has to get its own license. The area includes a backyard and is geared towards catering of small private events, birthdays and corporate events. Hour of operation are 11 a.m. to 11 p.m. daily. They are subject to a 500 foot hearing. **Resolution of No Objection: 7-0-0.**

Item 5e Corporate Change for Karin Co Ci Inc. dba Uncle Charlies, 139 E. 45th Street bet. Third and Lexington Aves. Wesley Wu appeared before us. This venue has been open for ten years. The application is for a change of personnel and we were told that they were moving towards a piano bar type of establishment. Everything else would remain the same. It was pointed out in committee that this is not a heavy residential area. **Resolution of No Objection: 7-0-0.**

Item 7g New BW Lic. For SY44 Food Corp. dba Bread & Butter, 757 Third Avenue bet. E. 47th and 48th Streets. Attorney Samuel Ahne appeared before us. We had the same situation previously with asking they not serve beer at their store between the hours of 11am to 7pm. In fact, the same woman acting as principal appeared before us too. They are getting the client to make this change, and based on this, we have a **Resolution of No Objection: 7-0-0.**

Item 3c New OP Liq. Lic. For J&F Catering Co. LTD dba TBD, 160 East 23rd Street, bet. Third & Lexington Avenues. Representative Sandra Olaya appeared before us. Hours of operation are 8am to 10pm. We understood the name to be New York Kimchi (?) and this is already open. **Resolution of No Objection: 5-1-0.**

Item 8h New OP Liq. Lic. For Simon Indian Palace Inc. dba TBD, 230 East 58th Street bet. Second and Third Avenues. Owner and Manager Nuru Amin appeared before us. This venue was formerly Yuba. Hours of operation are 11am to 11 pm. This is an upscale block. **Resolution of No Objection: 6-0-0.**

Item 9i New OP Liq. Lic. For Bar 263 Inc. dba Bar 263, 203 East 26th St. at Third Avenue. The applicant did not appear before us. **Negative Resolution for non-attendance: 7-0-0.** This was done near the beginning of our meeting.

Item 10j New DCA Application for an unenclosed sidewalk cafe, 4 tables and 12 chairs, for Ruby's Midtown LLC dba TBD, 442 Third Avenue bet. E. 30 and 31 Streets. Counsel Hari Nathan Kalyan appeared before us with blueprints. They would have the usual operating hours for cafes. This is a case of “invisible” street furniture and the venue is in a heavily used area near the Kips Bay Library. They have the 8 feet required by the City, but our Board's policy is ten feet. The applicant was going to do research on these matters and get back to us. We also had proposed two tables and six chairs to alleviate street clutter. **Resolution of No Objection: 4-1-1.**

Item 11k New DCA Application for an unenclosed sidewalk cafe, 11 tables and 26 chairs, for Carra LLC dba Dog & Bone, 338 Third Avenue at E. 25th Street. Principal Sinead Naughton and Robert Callaghan from Consultant Mike Kelly's office appeared before us. This was formerly Rocky Slims and is located on the Baruch College's closed street with plenty of space. We were very pleased with this addition. **Resolution of No Objection: 6-0-0.**

Item 12l New DCA Application for an unenclosed sidewalk cafe, 8 tables and 16 chairs, for East Drogheda Inc. (“Gem Saloon”), 375 Third Avenue at E. 27 Street. Appearing before us with blueprints were Robert Callaghan from Consultant Mike Kelly's office and principal Joanne Baldwin. This was formerly Rodeo Bar. We were satisfied with their plans. **Resolution of No Objection: 6-0-0.**

Item 13m New OP Liq. Lic. For William Zafiros and Aristotle Hatzigeorgiou dba TBD, 499 E. 34th Street bet. First Avenue and the FDR. Attorney Michael Ferrari of Ferrari & Ferrari and Principal William Zafiros appeared before us. This would be seasonal from April to October and the space used would be the Heliport for special events like fashion shows, etc. They wish to be open until 4 a.m. on Fridays and Saturdays. We had a long discussion about our policies, but felt on the whole that this would provide a nice experience for the community. Based on our division about the hours and concerned about setting a precedent, we voted as follows: **Resolution of No Objection: 3-1-2.** We recommended they come before the full board at its next meeting to present their application given the vote.

Chair's report: There was none this month.

Old/New Business: Several matters came up:

- 1) Does the applicant have to bring hard copies for the committee meeting? Some BASA members do not have access to the Google Docs.
- 2) We need to understand board policies, examples being 10 feet rather than 8 feet for cafes with the City and 2 am for initial closing times for liquor licenses (the State) to avoid confusion when applicants appear before us tso we can be on the same page when deciding how to vote.
- 3) We need to stress that we need the OWNERS to appear before us. Often, we don't get a clear picture of the application if we don't hear exact plans from the principal.
- 4) How are Google Docs distributed to our committee? We'd like Keith to see that members get these items timely so that we can get an idea in advance of the application, especially if no paperwork is provided at the meeting.

We adjourned at 9 p.m.

Respectfully submitted, Carol Schachter, Public Member of CB6, BASA February 26, 2017