

**Manhattan Community Board Six
Full Board Meeting Minutes
September 10, 2014 – 7:00 PM
NYU Medical Center, 550 First Ave., Alumni Hall B**

Public Session

Board Chair Sandro Sherrod called the meeting to order at 7:15 PM. The agenda and the June full board minutes were adopted, and the roll was called.

Elected Officials

Senator Brad Hoylman announced he has filed an amicus brief on behalf of rent stabilized tenants to prevent the precedent of their leases from being transferred by sale. US Attorney Bharara is trying to take away the pensions of public officials who have been convicted of corruption. Sen. Hoylman has a bill with the same effect. He is holding a free flu shot event.

Council Member Rosie Mendez stated she has been given access to funds for improving sanitation in the district, and is opting for increased trash pick-up schedules and extra cans. She co-sponsored the SCRIE/DRIE bill along with Assemblymember Kavanaugh.

Arnis Serhati from the Office of Representative Maloney said that post-Sandy FEMA funds have gone to NYU Langone Medical Center, and the Zadroga Act has been reauthorized.

Liz Brown from the Office of Senator Liz Krueger said that in addition to keynoting the CB6 senior issues panel, Sen. Krueger is hosting a housing forum and senior resource fair.

Rohan Narine, the new liaison from the Office of Assemblymember Quart introduced himself. He replaces Matt Walsh, who is still at the office but taking on new duties.

Ruth Fruchter from the Office of Assemblymember Richard Gottfried announced a rally against illegal hotels.

Anna Pycior from the Office of Assemblymember Brian Kavanaugh introduced incoming community liaison Andrew Hendrickson, and mentioned their work on the Skyport Garage. AM Kavanaugh is gathering a group of legislators to walk in the Climate March.

Shayla Mars from the Office of Councilmember Garodnick reported on their continuing efforts to remove the temporary external boiler on E. 53rd St. She noted that the E. 37th St. bike path is still being studied, and that the rodent infestation on E. 49th St. is under control.

Members of the Public

Carla Van Denkle, NYC Dept. of Consumer Affairs, spoke about reforms to lower finds against businesses, efforts to help people with low incomes, and promote the paid sick leave law.

Anya Lehr spoke about the upcoming Climate March.

Adam Chen from the Office of Public Advocate James spoke about body cameras on police.

Business Session

The minutes of the June Full Board meeting were adopted.

Board Chair's Report

Chair Sherrod said that while Dept. of Sanitation wants its proposal to put a garage on the Brookdale site into ULURP, there are still unanswered questions. There is a window of opportunity to enter additional public comment, and CB6 is in the process of hiring a planning firm to conduct a study of alternative uses for the site. He thanked Jennifer Keane, now moving out of state, for her service on the Board and called for a moment of silence in recognizing the lifetime contribution of longtime member Maxine McIntosh and her recent passing.

District Manager's Report

DM Miner said that during the summer CB6 interns went door to door, contacting hundreds of small independent businesses in the district with information about City programs, while recording street conditions such as potholes and broken sidewalks for entry into the 311 system. They also produced a report on the condition of the 77 Privately Owned Public Spaces (POPS) located at buildings within the district, and a survey of dirty and empty news racks. In July CB6 held a community forum with Councilmember Mendez, and in August, for National Night Out Against Crime, had tables with staff and board members at two events. A multi-agency effort was directed against a rat infestation on East 49th St. and efforts are now focused on nearby MacArthur Park. Summer intern Chris Consalvo is staying on as full time temporary staff while community associate Aliya Quraishi goes on maternity leave.

Treasurer's Report

Treasurer Disman said that the starting total 2015 PS budget amount, \$186,421.00, is now down to \$153,797.95. The original total OTPS figure of \$110,717 is now down to \$104,476.09. Most of OTPS is the street fair fund of \$90,243. The original OTPS without the street fair fund would be \$20,474. Rent is \$112,863. The total for PS, OTPS and rent is \$410,001.

Borough President's Report

Jesus Perez from the Office of Manhattan BP Gail Brewer reported on her attendance of the 17th Precinct Night Out, her promotion of purchasing produce from NY State farms, registration of women voters, and collection of monthly attendance reporting information from CBs. Mr. Perez swore in all Board members.

Committee Resolutions & Reports

1. Nominations – Special Committee

Committee Chair Molly Hollister announced the nomination of the following candidates: Sandro Sherrod for Chair; Rick Eggers and Claude L. Winfield for the 1st and 2nd Vice Chair positions; Bea Disman for Treasurer and Aaron Humphrey for Secretary. In two cases, two nominees are running for a single position: both Charles Buchwald and Jim Collins for the Assistant Treasurer position, and both Joe Parrish and Kathy Thompson for Assistant Secretary. Rick Eggers announced that under the new bylaws, this was the time for any additional nominations to be

made from the floor. No such nominations were made, the Committee's report was accepted and a motion to close the nominations passed.

2. Police Academy Repurpose - Special Committee

Chair Badi waived her report.

3. Transportation Committee

Chair Hollister waived her report.

Transportation – Molly Hollister, Chair				
RESOLUTIONS	FOR	AGAINST	ABSTAIN	NOT ENTITLED
c. Revocable consent application to construct stairs on north side of E. 33rd S. between 2nd & 3rd Aves.	41	0	0	0
f. Third Avenue Bus Lane Improvements & New 57 th St. Bus Stop.	41	0	0	0

4. Land Use/Waterfront Committee

After discussion, 4a (Skyport Garage and Marina) was returned to committee. At the suggestion of Bea Disman, Treasurer, it was agreed that for 4b a dollar cap of \$20,000 was to be included in the resolution for the cost of the BFJ Planning Study for the Sanitation Garage.

Chair O'Neal reported that he has appointed a steering committee to work with planning firm BFJ on the report the Board has commissioned them to prepare. Representatives from SL Green gave a presentation to the committee about the upcoming ULURP application. The second phase of East Midtown Rezoning is underway.

Land Use/Waterfront – Terrence O’Neal, Chair				
RESOLUTIONS	FOR	AGAINST	ABSTAIN	NOT ENTITLED
b. Proposal for a Planning Study by BFJ Planning for the CUNY Brookdale campus block consistent with Community Board Six’s 197a Plan.	40	0	1	0

5. Budget & Governmental Affairs Committee

The annual District Needs Statement has been published. The committee has met twice regarding capital and expense priorities.

6. Health & Education Committee

Chair Badi reported that Councilmember Dromm is expected at their next meeting.

7. Parks, Landmarks & Cultural Affairs Committee

Chair Thompson waived his report.

Parks, Landmarks, and Cultural Affairs – Mark Thompson, Chair				
RESOLUTIONS	FOR	AGAINST	ABSTAIN	NOT ENTITLED
a. Application request for the installation of a Shevchenko plaque on the Ukrainian Mission building, 240 E. 49th St.	41	0	0	0

8. Business Affairs and Street Activities Committee

Resos 8A - 8CC, with the exception of 8R and 8Z, were bundled and passed. Both 8R and 8Z were discussed and passed individually.

Chair Paikoff reported that although the Board voted to cancel the license of BottomzUp, the State Liquor Authority allowed it to remain in effect because there were no violent crimes there.

Business Affairs & Street Activities – Nicole Paikoff, Chair				
RESOLUTIONS	FOR	AGAINST	ABSTAIN	NOT ENTITLED
a. New OP Liq Lic., Everest Foods Inc. dba Bukhara Grill & Indian Spice, 217 E. 49th St. btw 2nd & 3rd Aves.	41	0	0	0
b. New OP Liq. Lic., Ariana Restaurant Corp. dba The Carriage House, 1085 2nd Ave., btw E. 57th & 58th Sts.	41	0	0	0
c. New OP Liq. Lic., Talent Thai LLC. dba TBD, 210 E. 34th St. btw 2nd & 3rd Aves.	41	0	0	0
d. New OP Liq. Lic., Andrew Owen LLC. dba Albion, 575 2nd Ave. btw E. 31st 7 32nd Sts.	41	0	0	0
f. New OP Liq. Lic., Piada 2, Inc., dba Piada, 601 Lexington Ave. btw E. 53rd & 54th Sts.	41	0	0	0
g. New OP Liquor License Rocky's Bar NYC Inc. d/b/a Rocky's 605 2 nd Ave at East 33 rd St	41	0	0	0
h. New OP Liq. Lic., Pho Saigon Restaurant Inc. dba TBD, 987 1st Ave. at E. 54th St..	41	0	0	0
i. Corp. Ch OP Lic., Tomi New York Inc. dba Tomi Jazz, 239 E. 53rd St. btw 2nd & 3rd Aves.	41	0	0	0

j. New BW Lic., America Ootoya Inc. dba Ootoya, 222 E. 39th St. btw 2nd & 3rd Aves.	41	0	0	0
k. New BW Lic., Sushi Yasuda Ltd. Db a Sushi Yasuda, 204 E. 43rd St. btw 2nd & 3rd Aves.	41	0	0	0
l. New OP Liq. Lic., Joseph O'Byrne dba TBD, 975 2nd Ave. btw E. 51st & 52nd St.	41	0	0	0
m. New OP Liq. s. Lic, Maksinsap Inc, dba Lanlarb, 637 2 nd Ave., btw E. 34th & 35th Sts.	41	0	0	0
JULY ITEMS				
n. New BW Lic., Paramount Foods Inc. dba Baluchi's, 329 3 rd Ave. btw E. 24 th & 25 th Sts.	41	0	0	0
o. Corp Change OP for Go Nobu Inc. dba Sushi Tsushima, 210 E. 44 th St. btw 2 nd & 3 rd Aves.	41	0	0	0
p. Corp Change OP for 400 Restaurant Group Corp. dba Sofrito, 400 E. 57 th St. & 1 st Ave.	41	0	0	0
q. New BW. Lic, C&K Grocery Corporation dba Malt & Mold 362 2nd Ave. btw E. 21st & 22nd Sts.	41	0	0	0
r. New OP for 400 Restaurant Group Corp. dba Sofrito, 307 E. 53 rd St. btw 1 st & 2 nd Aves.	41	0	0	0
s. New OP Liq. Lic., Patrizias on 2nd Avenue, LLC dba Patrizias, 462-466 2nd Ave btw E. 26th & 27th Sts	41	0	0	0
t. New OP Liquor License application for Red Stixs LLC d/b/a Red Stixs, 216 East 49 th Street btw Second and Third Ave.	41	0	0	0
JUNE ITEMS				
u. New OP Liq. Lic. for Hudson Yards Catering LLC, dba Union Square Events, 731 Lexington Ave. @ E. 58th St	41	0	0	0
v. New OP Liq. Lic for Akeedube License Holdings, LLC dba Noir, 151 E. 50th St. btw 3rd & Lex. Aves	40	0	1	0
w. New OP License for Ferro's License Holdings, LLC dba Bistango, 145 E. 50th St. btw 3rd & Lex. Aves.	41	0	0	0
x. New OP Liq. Lic. for Danny Emerman dba Chop Shop, 550 3rd Ave btw E. 36th & 37th Sts.	41	0	0	0

y. New OP Liq Lic. for Sukhmit 51 Inc. dba TBD, 224 E. 51 st St. btw 2nd & 3rd Aves.	41	0	0	0
z. New DCA app, unenclosed sidewalk café, 4 tables & 11 seats for MLGT Grill, LLC d/b/a Mama Ghanoush, 442 3rd Ave. btw E. 30th & 31st Sts	41	0	0	0
aa. New OP Liq. Lic. for Amber 381 Inc. dba TBD, 381 3rd Ave. btw E. 27th & 38th Sts	41	0	0	0
bb. Change in Class for 507 FB Operating, LLC. dba Fatburger, 509 3rd Ave., btw E. 34th & 35th Sts.	40	1	0	0
cc. New OP Liq. Lic. For Kimberly License Holdings LLC dba The Kimberly Hotel, 145 E. 50th St. btw 3rd & Lex. Aves	41	0	0	0

9. Housing, Homeless & Human Rights Committee

Chair Nayar waived his report.

10. Public Safety & Environment Committee

Chair Smolney waived his report.

Appendices

3c. - RE: DOT Revocable Consent Application for 33rd Street Investor IV, LLC to construct, maintain and use a new staircase at 207 East 33rd Street.

Whereas, the petitioner has requested revocable consent from the NYC Department of Transportation (DOT) to construct, maintain and use a new staircase, providing a primary means of egress at 207 East 33rd Street in the borough of Manhattan; and

Whereas, the proposed layout will extend by 4.5 feet from building with a width of 8 feet & 5.75 feet in height on the north side of E. 33rd Street, between 2nd & 3rd Avenues; and

Whereas, the proposed plan will give 5 feet of walkway clearance similar to other stairways along this block; and

Therefore be it

Resolved, that Community Board 6, Manhattan, does not oppose this Revocable Consent Application for 33rd Street Investors IV, LLC to construct, maintain and use staircase at 207 E. 33rd Street.

VOTE: 41 For 0 Opposed 0 Abstain 0 Not Entitled

3f. - RE: Third Avenue Bus Lane Improvements & New 57th St. Bus Stop.

Whereas, since 1982 there has been a curbside bus lane in effect weekdays from 7am to 7pm from 36th to 56th St; and

Whereas, the bus lane on Third Avenue from 36th to 56th Streets is used by the M101, M102 and M103, which together carry 59,000 riders, and 12 express routes; and

Whereas, the bus lane is often blocked by delivery trucks, which otherwise have no place to load and unload; and

Whereas, there are no bus stops from 55th St to 61st St, despite the presence of 57th St. crosstown buses; and

Whereas, at 55th St, buses must currently swing across several lanes of traffic which are heading for the Queensboro/Ed Koch Bridge, often causing delays to both buses and bridge traffic and creating dangerous conditions; and

Whereas, 57th St. & Third Ave. is a high-crash intersection, with one fatal and 39 non-fatal pedestrian accidents from 2008 to 2012; and

Whereas, Third Avenue is wider than necessary for the usual traffic volume; and

Whereas, at the May 5th, 2014 meeting of the Transportation Committee, the NYC Department of Transportation (DOT) presented a proposal for improvements to the Third Avenue bus lane and a new 57th Street bus stop; and

Whereas, that proposal included the following elements:

- Move the bus lane west one lane (offset one lane from the curb) from 36th St. to 55th St.; stops will remain at the curb.
- Add legal parking & loading/unloading access to the curb lane.
- For the section from 55th St. to 57th St., the bus lane would be shifted further west (see diagram).
- A new bus stop on a boarding island and a pedestrian refuge would be implemented at 57th St, west of the bridge-bound traffic.
- The bus lane change would happen in September 2014 with refuge & bus stop construction to follow, depending on the timing of completion of the traffic analysis which has already started; and

Whereas, offset bus lanes have been used elsewhere, including on First Ave in New York City; and

Whereas, boarding islands have been successfully implemented, both in other cities and on Gun Hill Road in the Bronx; and

Whereas, the benefits of the DOT proposal include

- Improved bus operations & traffic flow;
- Additional commercial loading and unloading, as well as updated curb regulations;
- A new bus stop at 57th Street;
- A pedestrian refuge at 57th Street, improving pedestrian safety; now

Therefore be it resolved, that Community Board Six, Manhattan, supports the above-described proposal by the DOT.

VOTE: 41 For 0 Opposed 0 Abstain 0 Not Entitled

4b. - RE: Proposal for a Planning Study by BFJ Planning for the CUNY Brookdale campus block consistent with Community Board Six's 197a Plan.

Whereas, the Department of Sanitation of New York (DSNY) has proposed a new sanitation garage at the current location of the CUNY Brookdale campus, located between East 25th Street, East 26th Street, First Avenue and the FDR Drive; and

Whereas, Community Board Six issued a resolution in November of 2012 in opposition to the proposed garage at this site based on inconsistencies with the City Council approved 197a zoning plan; and

Whereas, DSNY has indicated during a Summer of 2014 meeting that they plan to certify the first of two Uniform Land Use Review Procedure (ULURP) applications for this block by September of 2014; and

Whereas, CB6 has a discretionary fund, derived from non-taxpayer sources, expressly designed for community planning; and

Whereas, a comprehensive detailed planning study of the entire Brookdale Campus block would allow for better neighborhood planning; and

Whereas, CB6 requested proposals from 3 urban planning firms requesting alternate 197a compatible schemes for the site; and

Whereas, the RFP requested urban plans to reflect uses as proposed in Community Board Six's 197a Plan, which was subsequently approved by City Council; and

Whereas, DSNY's aggressive certification timeline would limit the time available for the Board to respond with a comprehensive study unless immediate action was taken; and

Whereas, a special meeting of the Board's Executive Committee was called to review the RFP responses and select an urban planning firm and based upon previous demonstrated effort during their work on the 197a Plan and the strength of their response, the Executive Committee voted to proceed with BFJ Planning's proposal; and

Whereas, BFJ Planning appeared at the September 3, 2014 Land Use & Waterfront Committee meeting and solicited input on possible alternate site uses; and

Now, therefore, be it

Resolved, that Community Board Six affirms its support of retaining BFJ Planning to conduct a Planning Study for the Brookdale Campus of Hunter College block, in accordance with their proposal dated August 8, 2014.

VOTE: 40 For 0 Against 1 Abstention 0 Not Entitled

7a. - RE: Proposal for Plaque installation on the façade of the Ukrainian Consulate General building, 240 East 49th Street btw 2nd & 3rd Aves.

WHEREAS, the Ukrainian Consulate had scheduled a presentation for the Parks, Landmarks & Cultural Affairs Committee at the spring committee meeting to present a proposal for a plaque installation on the façade of the Ukrainian Consulate General Building at 240 East 49th Street, which is in the Turtle Bay Historic District, in honor of Taras Shevchenko, a famous Ukrainian writer and national figure; and

WHEREAS, events in Ukraine at the time of the planned presentation prevented the Consulate from making their presentation; and

WHEREAS, the Consulate has subsequently provided the PL&CA Committee with photographs of the proposed plaque, along with a rendering of its position on the building's façade; and

WHEREAS, the dimensions of the plaque are 31.2 inches high by 21 inches wide by 3 inches deep; and

WHEREAS, the plaque will be centered between the façade windows with 9 inches of space between each window and the plaque; and

WHEREAS, the plaque will be 47.2 inches off the ground; and

WHEREAS, the plaque will be made of high-quality bronze with a natural patina; and

WHEREAS, based upon the information provided by the Consulate the Committee agreed that a presentation to the Committee was unnecessary; and

WHEREAS, Taras Shevchenko was a poet, writer, artist and public figure, as well as a folklorist and ethnographer; and

WHEREAS, Taras Shevchenko’s literary heritage is considered to be the foundation of modern Ukrainian literature; **now**

THEREFORE, BE IT

RESOLVED, that Community Board Six supports the proposal for Plaque installation on the façade of the Ukrainian Consulate General building, 240 East 49th Street.

VOTE: 41 For 0 Opposed 0 Abstain 0 Not Entitled

8a. – RE: New OP Liq Lic., Everest Foods Inc. dba Bukhara Grill & Indian Spice, 217 E. 49th St. btw 2nd & 3rd Aves.

WHEREAS, the applicants did not appear before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on August 28, 2014, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, failure to appear rendered the committee unable to make a determination to whether application was in the public interest or to determine the “bona fides” of the application; and

WHEREAS, the 500 foot rule applies and therefore there is no way to determine whether this change is in the public interest; now

THEREFORE, be it

RESOLVED, that Community Board Six objects to this application.

VOTE: 41 For 0 Opposed 0 Abstain 0 Not Entitled

8b. - RE: New OP Liquor License, Ariana Restaurant Corp. dba Hopvine 1085 2nd Ave., btw E. 57th & 58th Sts.

WHEREAS, Owners Denis Keane and Richard Mahon appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on August 28, 2014, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, this location will be a restaurant and bar, serving American food and craft beer and wine, and

WHEREAS, the applicant has a strong history of operation in the Community Board 6 district, having four establishments in good standing with the Community Board, the owners live in the Community Board district and will have possession of the apartment immediately above the establishment, and

WHEREAS, the proposed location is in an area that is a mixture of residential and commercial uses, and

WHEREAS, this establishment will close at 2AM, except on Friday and Saturday where it will close at 4 am, and

WHEREAS, the restaurant does not have any French doors/windows or outdoor space, and

WHEREAS, the decision to allow a 4 am license on the weekends was based on the strong history of the applicant, including four locations in the Community Board area with few or no problems, the operators being members of the Community Board 6 area, the commercial character of the adjacent neighborhood, the lack of problem operators in the immediate vicinity, and the lack of community opposition to the application, and

WHEREAS, no members of the community had any comments for or against; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on August 28, 2014 and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, **including** “Hours of Operation,” that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 41 For 0 Opposed 0 Abstain 0 Not Entitled

8c. - RE: New OP Liquor License, Talent Thai LLC d/b/a TBD, 210 E. 34th St. btw 2nd & 3rd Aves.

WHEREAS, Owner Ms. Thana, manager Thanawan Sristienvong, and lawyer Anthony Carabello appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on August 28, 2014, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, this location is currently and will continue to be a Thai restaurant, and

WHEREAS, the applicant has had a Beer & Wine license since 2008 and is applying for a full liquor license, and

WHEREAS, this establishment closes at 11 pm every night, and

WHEREAS, no members of the community had any comments for or against; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on August 28, 2014 and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, **including** “Hours of Operation,” that differ

in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 41 For 0 Opposed 0 Abstain 0 Not Entitled

8d. - RE: New OP Liquor License, Andrew Owen LLC d/b/a Albion, 575 2nd Ave. btw E. 31st & 32nd Sts.

WHEREAS, Owners Laura Morand and Martin Kynaston appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on August 28, 2014, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, this location is currently operating as a bar and the owner brought in Ms. Morand and Mr. Kynaston as consultants to help with the opening and has since asked them to take over the property; and

WHEREAS, the applicants currently own Drop Off Service in the East Village and propose a similar method of operation including high-end craft beers, and

WHEREAS, the owner will occupy the apartment immediately above the establishment, and

WHEREAS, the owner discussed plans to add food and serve coffee in the future, and

WHEREAS, this establishment will continue to close at 4 AM, and

WHEREAS, the establishment does not have any French doors/windows or outdoor space, and

WHEREAS, no members of the community had any comments for or against; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on August 28, 2014 and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, **including** "Hours of Operation," that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 41 For 0 Opposed 0 Abstain 0 Not Entitled

8f. - RE: New Beer/Wine License application for Piada 2, Inc. d/b/a Piada, 601 Lexington Avenue btw 53rd & 54th Sts.

WHEREAS, VP/General Manager, Daniele Buraschi appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on August 28, 2014, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, this location will be a small, quick service Italian street food restaurant, and

WHEREAS, this establishment will close at 8 PM nightly

WHEREAS, no members of the community had any comments for or against; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on August 28, 2014 and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, **including** “Hours of Operation,” that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 41 For 0 Opposed 0 Abstain 0 Not Entitled

8g. - RE: New OP Liquor License Rocky’s Bar NYC Inc. d/b/a Rocky’s 605 2nd Ave at East 33rd St.

WHEREAS, Owners, Hicham El Alaoui and Matt Hoxhaj appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on August 28, 2014, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, this location will be a Sports bar/restaurant, and

WHEREAS, the applicants have owned and managed the pizzeria that is currently operating in the location next door to 605 for approximately seven years, as well as a bar (Rocky’s) on West 34th for two years, and

WHEREAS, this address previously a deli was not a licensed establishment and is located in a residential area, and

WHEREAS, there were serious concerns about the proliferation of bars in the area, and

WHEREAS, the applicants insisted they close at 4AM and would not agree to the committee’s suggestion they close at 2AM the first year and return a year later to request a 4AM after they demonstrate another ‘bar’ would not have a negative impact in the area, and

WHEREAS, no members of the community had any comments for or against; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on August 28th, 2014 and pursuant to all other considerations, CB6M **objects** to the application

VOTE: 41 For 0 Opposed 0 Abstain 0 Not Entitled

8h. - RE: New OP Liquor License Pho Saigon Restaurant Inc. d/b/a TBD 987 1st Ave @ E. 54th St.

WHEREAS, Owners, Anh Kim Ly Chau and representative, Jian J. Du appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on August 28, 2014, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, this location will be a Vietnamese Restaurant, and

WHEREAS, this establishment will close at 11PM nightly, and

WHEREAS, the restaurant does not have any outdoor space, and

WHEREAS, no members of the community had any comments for or against; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on August 28th, 2014 and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, **including** "Hours of Operation," that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 41 For 0 Opposed 0 Abstain 0 Not Entitled

8i. - RE: Corporate Change, Tomi New York Inc. d/b/a Tomi Jazz, 239 E. 53rd St. btw 2nd & 3rd Aves.

WHEREAS, Thomas Hamada, company accountant, and new owner, Ken Mukohata appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on Thursday August 28th, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, Mr. Mukaohata has managed Tomi for four years and he managed Max Restaurant for 3 years prior. Mr. Mukohata will now be the full owner of Tomi, and

WHEREAS, Tomi is a Japanese restaurant with a full menu, there is live jazz for 3-4 hours nightly. Lunch is served from 11:30 - 1:30pm; dinner from 5:30 - 2am, and

WHEREAS, Tomi has been in this location for 13 years and there will be no lines outside or congregating outside the restaurant, and

WHEREAS, a community member spoke positively about Tomi's; now

THEREFORE, be it

Business Affairs and Street Activities committee held on August 28th 2014 and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 41 For 0 Opposed 0 Abstain 0 Not Entitled

8j. - RE: New Beer/Wine License, America Ootoya Inc. d/b/a Ootoya, 222 E. 39th St. btw 2nd & 3rd Aves.

WHEREAS, Manager, Mr. Satoshi Mitsumori, VP and CFO of America Ootoya Inc., Mr. Izuru Yoshimto, and attorney Ally Colvin appeared before the Business Affairs & Street Activities Committee of the Community Board 6 Manhattan (CB6M) on August 28, 2014, CB6M having jurisdiction of the premises in the license application process, and

WHEREAS, Ootoya is a Japanese restaurant chain with locations at West 18th Street, West 41st Street and East 9th Street, and

WHEREAS, this is a small restaurant (30 seats) which focuses on tempura and will be open from 11:30AM - 11:30PM daily, and

WHEREAS, a community member spoke highly of their food; now

THEREFORE, be it

Business Affairs and Street Activities committee held on August 28th 2014 and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 41 For 0 Opposed 0 Abstain 0 Not Entitled

8k. - RE: Alteration, Sushi Yasuda Ltd. dba Sushi Yasuda, 204 E. 43rd St. btw 2nd & 3rd Aves.

WHEREAS, Manager Keith Meeney appeared before the Business Affairs & Street Activities Committee of the Community Board 6 Manhattan (CB6M) on August 28, 2014, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the Japanese restaurant has been at this location for 15 years, and

WHEREAS, the establishment will be adding 24 seats to their sushi bar, and

WHEREAS, their hours will remain 12pm -10pm daily, and

WHEREAS, a community member spoke highly of this establishment's food and that Yasuda is known as one of best Sushi restaurants in New York; now

THEREFORE, be it

Business Affairs and Street Activities committee held on August 28th 2014 and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan

VOTE: 41 For 0 Opposed 0 Abstain 0 Not Entitled

8l. - RE: Transfer OP Liquor License, 975 Restaurant LLC, d/b/a Jameson, 975 2nd Ave. btw East 51st & East 52nd Streets.

WHEREAS, Owners Joseph O'Byrne and Anthony Meegan appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on August 28, 2014, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the applicants would like to take over the license of Jameson maintaining the same method of operation including hours, and

WHEREAS, the applicants own three other restaurants/bars in New York including Murphy's which has been operating next door to Jameson's for 23 years, and

WHEREAS, the establishment will be open from 10AM to 4AM daily, French doors and windows will close by 11PM nightly and there will be no lines/congregating outside and

WHEREAS, the owners confirmed they will not be adding any outdoor space, and

WHEREAS, a member of the community had said they live nearby and had no problems with Jameson that they were in fact good neighbors; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on August 28, 2014 and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, **including** “Hours of Operation,” that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 41 For 0 Opposed 0 Abstain 0 Not Entitled

8m. - RE: New OP Liquor License application, Mak Sin Sap Inc, d/b/a Lanlarb, 637 2nd Ave. btw East 34th & East 35th Sts.

WHEREAS, Owner Jiraput Puttananong and representative Ekashai Jui appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on August 28, 2014, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, Lanlard will be a Thai restaurant with operating hours of 11:30-11PM daily, and

WHEREAS, the applicant has another Thai restaurant Tung Thong on West 169th Street, and

WHEREAS, no members of the community had any comments for or against; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on August 28, 2014 and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, **including** “Hours of Operation,” that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 41 For 0 Opposed 0 Abstain 0 Not Entitled

8n. - RE: New Beer/Wine License application for Paramount Foods Inc. d/b/a Baluchi's, 329 3rd Avenue btw East 24th and East 25th Streets.

WHEREAS, Representative Rosa Sanchez appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on July 31, 2014, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, this establishment is a long standing Indian Restaurant, and

WHEREAS, this restaurant came before the board last year and was approved for a Beer/Wine license but never applied to the SLA, and

WHEREAS, the restaurant does not have any French doors/windows and closes nightly by midnight, and

WHEREAS, no members of the community had any comments for or against; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on July 31, 2014 and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, **including** “Hours of Operation,” that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 41 For 0 Opposed 0 Abstain 0 Not Entitled

80. - RE: Corporate Change Application for Go Nobu Inc. d/b/a Sushi Tsushima, 210 E. 44th St. btw 2nd & 3rd Avenues.

WHEREAS, Attorney Arthur Levine and owner Taiki Wakayama, appeared before the Business Affairs & Street Activities Committee of the Community Board 6 Manhattan (CB6M) on July 31, 2013, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, one of the current owners is retiring and Mr. Wakayama, who has previous restaurant experience is one of two owners taking over the business, and

WHEREAS, the restaurant will maintain its’ current method of contracts, closing Monday through Thursday at 1 AM and Friday, Saturday and Sunday at 2AM, It will have no French doors/windows, and

WHEREAS, Mr. Wakayama agreed to stipulations stating there would be no DJs or people congregating outside his establishment, and

WHEREAS, no members of the community had any comments for or against; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on July 31, 2014 and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, **including** “Hours of Operation,” that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 41 For 0 Opposed 0 Abstain 0 Not Entitled

8p. - RE: Corporate Change Application for 400 Restaurant Group Corp d/b/a Sofrito, 400 East 57th Street @ First Avenue.

WHEREAS, Representative Rosa Sanchez and co-owners Genaro Morales and Angela Terranova , appeared before the Business Affairs & Street Activities Committee of the Community Board 6 Manhattan (CB6M) on July 31, 2013, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, Mr. Morales wants to add his wife Ms. Angela Terranova to the liquor license, and

WHEREAS, the establishment has been open 8 years and although the owner said there were no complaints, the Sutton Area Community had reached out to the board to say they had asked the 17th precinct to keep an eye on Sofrito due to congregating and noise outside the establishment, , and

WHEREAS, the corporate change is just to add a person to the license and the owners assured they would look into and better contend with the people congregating on their sidewalk , and

WHEREAS, no members of the community had any comments for or against; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on July 31, 2014 and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, **including** “Hours of Operation,” that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 41 For 0 Opposed 0 Abstain 0 Not Entitled

8q. - RE: New Beer/Wine License application for Kevin Heald d/b/a Malt and Mold 362 2nd Ave. btw E 21st & 22nd Sts.

WHEREAS, Kevin Heald, Co-Owner, and Caitlyn Pearson, Co-Owner, and Elke Hofman, Lawyer, appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on July 31, 2014, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, this location will function as a beer and cheese retail store, and

WHEREAS, this establishment will close at 10 PM, Sunday through Thursday and at midnight on Friday and Saturday, and

WHEREAS, the establishment will only have six seats and is approximately 470 square feet, and

WHEREAS, one member of the community spoke in favor of the proposed establishment; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on July 31, 2014 and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, **including** “Hours of Operation,” that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 41 For 0 Opposed 0 Abstain 0 Not Entitled

8r. - RE: New OP Liquor License application for 400 Restaurant Group Corp. d/b/a Sofrito 307 East 53rd Street, between First and Second Avenues.

WHEREAS, Attorney Terry Flynn, Representative Rosa Sanchez and co-owners Genaro Morales and Angela Terranova , appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on July 31, 2014, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the applicant would like to move their establishment from their present location on East 57th Street to East 53rd Street with the same method of operation currently in place, and

WHEREAS, this new location, former home of Copia has been a problem spot in CB6 for many years, most of these issues were generated from Copia operating as a club in a residential area complete with DJs dancing and loud crowds congregating outside the venue, and

WHEREAS, the owners of Sofrito said they operate a restaurant although they have a DJ but they do not use promoters or have dancing at their current venue, and

WHEREAS, the location on East 53rd holds 225 people, and

WHEREAS, Adam Clayton Powell IV spoke in favor of the venue saying he goes there and it’s a great establishment, and people go late for dinner, and

WHEREAS, Sofrito serves a full menu, it is only until 2AM when-by the venue’s own advertisements- the lounge is open, at that point they only serve appetizers and drinks, and

WHEREAS, the owners initially agreed to stipulations requiring they close nightly at 2AM, several days after the BASA committee meeting Ms. Sanchez contacted the board to say the owners wanted to rescind the stipulation to agree to close at 2AM and instead close at least on

the weekends at 4AM, although they would agree to the other stipulations proposed by CB Six, and

WHEREAS, the committee was unanimously opposed to a 4AM close for this venue at this location, and

WHEREAS, although they said to the board there was no dancing, no promoters and it was not a club, the club's own website advertises 'Sofrito Saturday's Live DJs and dancing' Monday 'Live Latin Dancing and Salsa' and Sofrito also had a video commercial found on You Tube, introduced on camera by Mr. Morales and a self-proclaimed promoter promoting their ongoing 'Afterwork Thursday' parties showing dancing, loud music and patrons blowing hookah smoke at each other, and

WHEREAS, Community Board 1 has had several years of contending with the owners other venue Sazon (105 Reade Street) for the issues of excessive noise, crowds and rowdiness. '*Sazon claims to be a restaurant not a club with no dancing or DJs, Over the years representatives of Sazon have continually denied to neighbors and CBI the existence of parties with live music or DJs despite noisy crowds outside and evidence of live bands DJs and dancing on Sazon's website*' according to CB 1's January 28, 2014 resolution which requested the SLA rescind their license, and

WHEREAS, a member of the community voiced serious concerns that this was a nightclub not a restaurant, evidenced by the applicant's need to be open until 4AM and the fact they do not serve a full menu after 2AM as well as having DJs and many media reviews on social media which frequently site Sofrito as being 'loud,' and

WHEREAS, a member of the Sutton Place Community shared that it was in the organization's meeting minutes for the 17th Precinct to keep an eye on Sofrito on 57th as there were issues with large noisy crowds congregating outside, and

WHEREAS, the Midtown East Coalition had reached out to the board several weeks ago to express concerns about a 'club' opening in this location and any applicant that opens there should be stipulated to close by 2 due to the location being in a residential neighborhood, now

THEREFORE, be it

RESOLVED, that pursuant to the presentation by the Representative at this meeting of the Business Affairs and Street Activities committee held on July 31, 2014 and all other considerations, CB6M objects to this New On-Premise Liquor License application.

VOTE: 41 For 0 Opposed 0 Abstain 0 Not Entitled

8s. - RE: New OP Liq. Lic., Patrizias on 2nd Avenue, LLC dba Patrizias, 462-466 2nd Ave btw E 26th & 27th Sts.

WHEREAS, Owners Dean Christadoulo, Louis Maschi Co-Owners and Bruno Gioffre, Attorney appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on July 31, 2014, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, this location is a restaurant that will be serving family style Italian food and thin Crust brick oven pizza, and

WHEREAS, this establishment will close at 2 AM nightly, and

WHEREAS, the restaurant does not have any French doors/windows or outdoor space, and

WHEREAS, no members of the community had any comments for or against; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on July 31, 2014 (and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, **including** “Hours of Operation,” that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan..

VOTE: 41 For 0 Opposed 0 Abstain 0 Not Entitled

8t. - RE: New OP Liquor License application for Red Stixs LLC d/b/a Red Stiks, 216 East 49th Street btw Second and Third Avenues.

WHEREAS, Attorney Terry Flynn and Michael Reda appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on July 31, 2014, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, Mr. Reda seeks to take over the Chin Chin Restaurant space from current owner Jimmy Chin, and

WHEREAS, the restaurant has a capacity of 185 and will also serve Asian cuisine, and

WHEREAS, the restaurant will undertake a cosmetic makeover to improve on out of date décor, and will close Sunday through Thursday at midnight and 1AM on Friday and Saturday, and

WHEREAS, no members of the community had any comments for or against; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on July 31, 2014 and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, **including** “Hours of Operation,” that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 41 For 0 Opposed 0 Abstain 0 Not Entitled

8u. – RE: Transfer OP Liquor License from Compass Group USA, Inc. to Hudson Yards Catering LLC, dba Union Square Events, 731 Lexington Ave. @ E. 58th St (Bloomberg Building).

WHEREAS, Attorney Joseph Ascoli , representing the Compass Group, appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on June 26 , 2014, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, Hudson Yards will occupy 4 floors of the Bloomberg building, and

WHEREAS, this company will provide catering within the Bloomberg building, including their event space, which is located on one of the four floors where the caterer will be located, and

WHEREAS, the hours will be from 3PM-11PM seven days a week; and

WHEREAS, there will be a manager on site at all times, and

WHEREAS, no members of the community had any comments for or against; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on June 26, 2014 and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SAL application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, **including** “Hours of Operation,” that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 41 For 0 Opposed 0 Abstain 0 Not Entitled

8v. - RE: New OP Liq. Lic for Akeedube License Holdings, LLC dba Noir, 151 E. 50th St. btw 3rd & Lex. Aves (Kimberly Hotel)

WHEREAS, Kimberly Hotel President Mujo Perezic and attorney Jonathan Bing appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on June 26, 2014, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, Akeedube, an entity owned by the Kimberly Hotel, is taking ownership of Noir, the existing restaurant/lounge in the hotel, and

WHEREAS, Noir will now be more of an high end French/American Restaurant and catering business, which will do catering both within and outside of the hotel, and

WHEREAS, the establishment will be open from 11AM to 2AM Monday through Saturday, closed on Sunday, and

WHEREAS, they may have live music but it will not be loud, and they will have no dancing, and

WHEREAS, no members of the community had any comments for or against; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on June 26, 2014 and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SAL application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, **including** "Hours of Operation," that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 40 For 0 Opposed 1 Abstain 0 Not Entitled

8w. - RE: New OP License for Ferro's License Holdings, LLC dba Bistango and Upstairs at the Kimberly, 145 E. 50th St. btw 3rd & Lex. Aves (Kimberly Hotel).

WHEREAS, Kimberly Hotel President Mujo Perezic and attorney Jonathan Bing appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on June 26, 2014, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, Upstairs at the Kimberly is currently open though in the middle of renovations, the application is required due to a change in corporate structure, and

WHEREAS, Upstairs has a retractable roof, and

WHEREAS, Bistango will be an Italian restaurant, run by the same people that run Bistango in several other NYC locations, and

WHEREAS, hours for both venues will be 11AM to 2AM Monday through Saturday, closed Sunday, and

WHEREAS, there may be live music but no dancing, and

WHEREAS, Two security people will be assigned to monitor Upstairs and Bistango, and

WHEREAS, no members of the community had any comments for or against; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Applicants/Representative at the meeting of the Business Affairs and Street Activities committee held on June 26, 2014, and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Applicants/Representative to the Committee including the signed and notarized Agreement (copy attached).

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this Resolution and the signed and notarized Agreement, **including** "Hours of Operation," that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 41 For 0 Opposed 0 Abstain 0 Not Entitled

8x. - RE: New OP Lic. for Danny Emerman d/b/a Chop Shop, 550 3rd Ave btw E. 36th & 37th Sts.

WHEREAS, Owner Daniel Emerman and attorney Dave Korngut appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on June 26, 2014, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, Chop Shop will offer Pan Asian food and good wines/cocktails in a clean/modern interior, and

WHEREAS, Both owners are experienced restaurateurs. Daniel Emerman has owned Bottoni in the West Chelsea since 1997 and Co-owner/Chef Holk Chu Chan has worked at Pinyan Kitchen also in West Chelsea, and

WHEREAS, the restaurant will hold 60-70 people and has no outdoor space, and

WHEREAS, hours for the restaurant will be Sunday to Tuesday until 11PM, Wednesday until Midnight and Friday and Saturday until 1AM, they will close their windows at 10PM nightly, and

WHEREAS, they will post a contact number in the window and not allow crowds to congregate outside, and

WHEREAS, no members of the community had any comments for or against; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on June 26, 2014 and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SAL application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, **including** “Hours of Operation,” that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 41 For 0 Opposed 0 Abstain 0 Not Entitled

8y. – RE: New B /W license for Sukhumvit 51 Inc. d/b/a TBD, 224 E. 51st St. btw 2nd & 3rd Aves.

WHEREAS, Owner Warach Lacharojana appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on June 26, 2014, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, this will be a Thai restaurant. This venue has served as a Thai restaurant for the last six years, and

WHEREAS, the hours of operation will be Monday through Thursday 11am-10pm. Friday 11AM-11PM, Saturday noon to 12AM and Sunday Noon to 10:30PM, and

WHEREAS, no members of the community had any comments for or against; now there were no questions or comments from the community, now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on June 26, 2014 and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, **including** “Hours of Operation,” that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 41 For 0 Opposed 0 Abstain 0 Not Entitled

8z. – RE: New DCA app, unenclosed sidewalk café, 4 tables & 11 seats for MLGT Grill, LLC d/b/a Mama Ghanoush, 442 3rd Ave. btw E. 30th & 31st Sts.

WHEREAS, Owner Thomas Luca and Expeditor Marc Glazer, appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on June 26, 2014, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the applicant would like to open a unenclosed sidewalk café with 4 tables and 11 seats, and

WHEREAS, the café would close at 10PM during the week and 11PM on the weekends and applicants must order food when sitting in the cafe, and

WHEREAS, windows will close at 10PM nightly, and

WHEREAS, there were no questions or comments from the community, now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on June 26, 2014 and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the DCA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, **including** “Hours of Operation,” that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the DCA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 41 For 0 Opposed 0 Abstain 0 Not Entitled

8aa. – RE: Renewal OP Liq. Lic. for Amber 381 Inc. d/b/a Amber 381 3rd Ave. btw E. 27th & 28th Streets.

WHEREAS, Attorney, James Wang, Owner Xi Lin, Manager David Chan and Albert Chan, an assistant to the owner, appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on June 26, 2014, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, they were asked to come before the board due to consistently blasting music out the establishment’s French doors, and

WHEREAS, applicant agreed to close windows at 10pm, control music volume, post contact number in window and close doors when playing trivia, and

WHEREAS, there were no questions or comments from the community, now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Applicant at the meeting of the Business Affairs and Street Activities committee held on June 26, 2014, and pursuant to all other

considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Applicant.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this Resolution including “Hours of Operation,” that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 41 For 0 Opposed 0 Abstain 0 Not Entitled

8bb. – RE: New OP Liquor License for 507 FB Operating, LLC. d/b/a Fatburger, 509 3rd Ave., btw E. 34th and East 35th Streets.

WHEREAS, Executive Vice President Brett Trimarch of EVP, 507 FB Operating/Riese Organization, appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on June 26, 2014, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the applicant is a chain restaurant that has locations in LA and Atlantic City, they were currently operating at this location with a B/W license at this location but wish to upgrade to a full OP, and

WHEREAS, this establishment is located within a very problematic ‘nightlife strip’ within CB Six, and

WHEREAS, the establishment has multiple TV screens and French Doors, and

WHEREAS, the hours of operation are 11-2AM daily; and

WHEREAS, doors and windows will close at 10PM nightly and there will be no blasting of music and/or TV sets, a manager will be there at all times and they will keep a contact number in the window, and

WHEREAS, there were no questions or comments from the community, now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on June 26, 2014 and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, including “Hours of Operation,” that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 40 For 1 Opposed 0 Abstain 0 Not Entitled

8cc. – RE: New OP Liq. Lic. for Kimberly License Holdings LLC d/b/a The Kimberly Hotel, 145 E. 50th St. btw 3rd & Lex. Aves.

WHEREAS, Kimberly Hotel President Mujo Perezic and attorney Jonathan Bing appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on June 26, 2014, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the Kimberly Hotel is seeking a license for room service and for renters of their small conference room which they utilize for business meetings, and

WHEREAS, the conference room holds approximately 35 people and has no outdoor area, and

WHEREAS, no members of the community had any comments for or against; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on June 26, 2014 (and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, **including** “Hours of Operation,” that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

VOTE: 41 For 0 Opposed 0 Abstain 0 Not Entitled

Nicole Paikoff	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Gary Papush	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Joseph Parrish	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Keith Powers	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Clara Reiss	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Gene Santoro	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Frank Scala										
Paula Schaeffer	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Lawrence Scheyer	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Ann Seligman	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Lou Sepersky	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Sandro Sherrod	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Letty Simon	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Nick Smolney	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Susan Steinberg	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Kathy Thompson	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Mark Thompson	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Brian Van Niewenhoven	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Jules Vigh-Lebowitz										
Wilbur Weder	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
John Pettit West	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Ronald White										
Claude L. Winfield	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

Name	8r	8s	8t	8u	8v	8w	8x	8y	8z	8aa	8bb	8cc
Fred Arcaro	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Ahsia Badi	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Martin Barrett	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Robin Broshi	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Charles Buchwald	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Pedro Carrillo	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Genevieve Cervera	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Jim Collins	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Colleen Curtis												
Louise Dankberg	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Daniel Devine	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Beatrice Disman	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Richard Eggers	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Yuvie Figueroa												
Lyle Frank	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Florence Friedman	Y	Y	Y	Y	A	Y	Y	Y	Y	Y	Y	Y

Board Attendance 2014

	NAME	Jan'14	Feb	Mar	Apr	May	Jun	Sept
1	Fred Arcaro	P	P	P	P	P	P	P
2	Ahsia Badi	P	P	P	P	P	E	P
3	Martin Barrett	P	E	E	P	P	A	P
4	Robin Broshi							P
5	Charles Buchwald	P	E	P	P	P	E	P
6	Pedro Carrillo				P	P	P	P
7	Genevieve Cervera				P	P	P	P
8	Jim Collins	E	P	E	P	P	P	A
9	Colleen Curtis	P	P	A	P	P	P	P
10	Louise Dankberg	P	A	P	P	P	E	P
11	Daniel Devine	P	P	P	E	P	A	P
12	Beatrice Disman	E	P	P	P	P	P	P
13	Richard Eggers	P	P	P	P	P	P	P
14	Yuvie Figueroa	A	A	A	A	A	E	A
15	Lyle Frank	P	P	P	A	P	P	P
16	Florence Friedman	P	P	P	P	P	P	P
17	Ernest Grigg	P	P	P	P	P	P	P
18	Molly Hollister	P	P	P	P	A	P	P
19	Aaron Humphrey	A	P	P	P	P	P	E
20	Ellen Imbimbo	P	E	P	P	P	E	P
21	Paige Judge	P	P	A	P	P	P	E
	Jennifer Keane	P	P	P	P	P	P	
22	Jeffrey Mailman				P	P	P	A
	Maxine McIntosh	P	P	P	P	E	P	
23	Sandra McKee	P	P	P	P	P	P	P
24	Debra Millman	P	P	P	P	A	A	A
25	Richard Moses	P	P	P	A	P	A	P
26	Rajesh Nayar	P	P	P	P	P	P	P
27	Terrence O'Neal	P	P	P	P	P	P	P
28	Nicole Paikoff	A	P	P	P	P	P	P
29	Gary Papush	P	P	P	P	P	P	P
30	Joseph Parrish	P	A	P	P	P	P	P
31	Keith Powers	E	P	P	P	P	P	P
32	Clara Reiss	A	A	A	A	P	P	P
33	Eugene Santoro				A	P	P	P
34	Frank Scala	P	A	P	P	E	P	A
35	Paula Schaeffer	E	P	P	P	P	P	P
36	Lawrence Scheyer	A	P	P	P	P	P	P
37	Ann Seligman	P	P	P	P	A	A	P
38	Lou Sepersky	P	P	P	P	P	P	P

39	Sandro Sherrod	P	P	P	P	P	P	P
40	Letty Simon	P	P	P	P	P	P	P
41	Nicholas Smolney	P	P	P	P	E	P	P
42	Susan Steinberg	P	P	E	P	A	P	P
43	Kathy Thompson	P	P	E	P	P	P	P
44	Mark Thompson	P	P	P	P	P	P	P
45	Brian Van Nieuwenhoven							P
46	Jules Vigh-Lebowitz	E	A	A	A	A	A	A
47	Wilbur Weder	P	P	P	P	P	P	P
48	John Pettit West	P	A	P	P	P	P	P
49	Ronald White	P	P	P	P	P	E	A
50	Claude L. Winfield	P	P	P	P	P	P	P