

MOLLY HOLLISTER
CHAIR

CLAUDE L. WINFIELD, FIRST VICE CHAIR
AHSIA BADI, SECOND VICE CHAIR



JESÚS PÉREZ
DISTRICT MANAGER

BRIAN VAN NIEUWENHOVEN, TREASURER
BEATRICE DISMAN, ASST. TREASURER
KATHY THOMPSON, SECRETARY
AMELIA ACOSTA, ASST. SECRETARY

THE CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD SIX
211 EAST 43RD STREET, SUITE 1404
NEW YORK, NY 10017

**Manhattan Community Board Six
Full Board Meeting Minutes
Wednesday, February 13, 2019 – 7:00 PM**
NYU School of Dentistry
433 First Avenue
Room 220

Board Chair Molly Hollister called the meeting to order 7:03pm. She introduced Assistant Secretary Amelia Acosta and District Manager for CB6, Jesus Pérez.

Public Session – Elected Representatives and Agency Reports

Chair Hollister announced Public Session, explaining the procedure and reminding all speakers to keep to a time limit of two minutes.

A motion to adopt the agenda was made by Second Vice Chair Ahsia Badi seconded by Ann Seligman.

The first role call was conducted by Assistant Secretary Amelia Acosta.

Kanghee Lee from Congresswoman Carolyn Maloney's office reported that the congresswoman wants to make sure that the 2020 United States Census fairly includes all New Yorkers and does not have any questions about citizenship. Additionally, Congresswoman Maloney is spreading awareness about the potential for a citizenship question in the 2020 United States Census, as well as the fight against including this question. The Congresswoman has also introduced legislation on Holocaust education. Finally, the Congresswoman is honored to receive her committee assignments. For more information please go to <https://maloney.house.gov/>

Asher Baumrin from Senator Brad Hoylman's office discussed major legislation sponsored by the senator that has passed the New York State Senate. This legislation includes the Gender Expression Non-Discrimination Act (GENDA), the Child Victims Act, and a ban on gay conversion therapy, among others. Senator Hoylman is looking forward to passing numerous other bills, including proposed legislation to limit the influence the ability of Immigration and Customs Enforcement (ICE) to make arrests in New York State courts. Additionally, the Senator encourages residents to attend an upcoming event on March 2nd at which constituents can express budget priorities. Finally, a SCRIE/DRIE sign-up event will occur on March 1st. For more information please go to: <http://www.bradhoylman.com/>

Council Member Keith Powers mentioned the briefing that his office received on the L train; he believes that more details are needed on the new plans for the L project. However, he knows that there will be Select Bus Service on 14th Street (albeit not immediately), and that work on the L train is scheduled to take 15-18 months. The Council Member also discussed placard abuse; he mentioned that he is going to introduce a bill on this issue. He expressed his support for the regulation of mechanical voids.

Additionally, he mentioned bills he has in the City Council on limits to the Commercial Rent Tax and limits with regards to security deposits, Finally, he thanked Community Board Six and other elected officials for their support of a deal to help the most vulnerable residents in Waterside Plaza. For more information please go to: <https://council.nyc.gov/keith-powers/>

Madeline Grunewald from Senator Liz Krueger's office discussed the legislative packages that the Senate Democratic Conference have passed. She talked about the state budget hearings that the Senator has been hosting, as well as a Peoples' Budget Forum that will be held on March 2nd where people will be able to testify on the budget. Senator Krueger will also participate in Empire State Indivisible's Town Hall on February 23rd at Washington Irving High School. For more information please go to: <https://www.lizkrueger.com/>

Brice Peyre from Assembly Member Dick Gottfried's office said that the Assembly Member joins with others in celebrating the passage of several landmark pieces of legislation. The Assembly Member is especially proud of the passage of the Gender Expression Non-Discrimination Act, as he has introduced that piece of legislation seventeen separate times. Additionally, the Assembly Member's office is eager to get more details about the planned Select Bus Service on 14th Street. Finally, Mr. Peyre discussed the tax help available to individuals earning less than \$54,000 a year, as well as the mechanical voids issue. For more information please go to: <http://www.dickgottfried.org/>

Victoria Hinojosa from Assembly Member Dan Quart's office discussed legislation that was recently passed in Albany. Ms. Hinojosa also mentioned that earlier this month, the Assembly Member joined the families of the wrongfully convicted at a press conference; at this press conference, the Assembly Member called for the creation of a Statewide Conviction Review Commission. Additionally, she mentioned the joint public hearing on sexual harassment in the workplace that occurred; he will take recommendations from the Sexual Harassment Working Group in Albany to help craft legislation. For more information please go to: <https://assembly.state.ny.us/mem/Dan-Quart>

Jackson Fischer-Ward from Assembly Member Harvey Epstein's office thanked those who attended their town hall on January 31st. Assembly Member Epstein will hold other town halls and community issues in the coming months, including a forum on the legalization of marijuana on Sunday, March 3 from 2-4 PM at the Boys and Girls Republic. With regards to the L train project, the Assembly Member still has concerns with dust because of how quickly service will restart after work on the weekends. Additionally, Mr. Fischer-Ward mentioned the Assembly Member's work on the New York State Budget. The Assembly Member is calling for the strengthening of rent laws, as well as funding for full-fare MetroCards for students who currently have half-fare MetroCards. Mr. Fischer-Ward mentioned the Assembly Member's advocacy for higher taxes for millionaires in the New York State Budget. Finally, Mr. Fischer-Ward mentioned the mobile office hours in Stuyvesant Town on the last Thursday of every month from 2 PM to 4 PM. For more information please go to: <http://assembly.state.ny.us/mem/?ad=74>

Katie Loeb from Council Member Carlina Rivera's office reported on the Special Task Force for the 2020 Census, as the Council Member is the co-chair of this task force. The Council Member also put in bills on rent affordability, emergency service vehicle signals, and a marijuana legalization package. Finally, participatory budget projects are now finalized. For more information please go to: <http://carlinarivera.nyc/>

Joe Pascullo from the New York Public Library's Grand Central Branch talked about events happening at the library in the next calendar month. There will be a monthly book discussion on February 19th at 6 PM. On February 21st, there will be an author talk on a book called *The African Burial Ground in New York City*. On February 28th at 6 PM, there will be a Play Reading for "Without a Title", by Shellen Lubin. On March 7 at 5:30 PM, there will be a monthly meditation session. Finally, there will be an event on Social Security planning on Wednesday, March 13. For more information please visit: <https://www.nypl.org/locations/grand-central>

Public Session – Members of the Public

Peter Harrison talked in favor of passing Resolution Item 4A on Universal Rent Control. He sees universal rent control as a way to protect tenants in a more robust way.

Business Session

Board Member Kyle Athayde, moved to approve the January minutes. Board Member Gene Santoro seconded the motion. The January minutes were approved.

Chair's Report

Chair Molly Hollister reported that the Borough President's Leadership Training sessions are still ongoing and that there are several coming up that Board Members should attend. The chair also reported that the application period to re-apply for position on the Community board has been extended to February 25, 2019.

Chair Hollister announced that one of our fellow Board Members, Frank Scala who is not in attendance this month, is ill and recuperating.

District Manager's Report

District Manager Jesus Pérez announced a reminder for all the Board Members and members of the public to read the weekly emails sent out by Brendan Birth and Cody Osterman of the CB6 District Manager's office. Those emails include local news events and reminders to future events open to the Board and public.

He also mentioned that the District Office is helping the transportation committee to gather information, details, and images of any blocked bus lanes. If any members of the committee or public see any blocked bus lanes, please send photos, as well as the date, time, and location in an email to help@cbsix.org.

Treasurer's Report

OMB's Budget Summary report for our board from February 1 shows that:

Our Personal Services Budget for the year is \$218,507.00 and we have a balance of \$126,249.22 with \$92,257.78 spent or obligated.

The current budget for Other Than Personal Services excluding rent is \$177,740.00. Minus \$103,513.00 of our street fair money, our OTPS budget is \$74,227.00, with a remaining balance of \$38,677.47 plus \$35,549.53 spent or obligated.

Finally, our rent budget for the year is \$161,583.00 and we have a balance of \$46,301.40, plus \$115,281.60 spent or obligated - these figures are once again unchanged while at the same time we are addressing our rent obligations appropriately.

Borough President's Report

Brian Lafferty from Manhattan Borough President Gale Brewer's office was with Rosie Mendez and other staff from the Borough President's office to honor First Vice Chair Claude L. Winfield for his contributions to Manhattan Community Board Six. Additionally, Mr. Lafferty mentioned that it is time for board members to reapply for board membership. He mentioned the study that the Borough President's office recently released on subway accessibility. The Borough President's office will also release a report on broadband in schools in the near future. Furthermore, Borough President Brewer's office is working on additional Department of Education initiatives, technology initiatives, and work towards increasing accessibility to affordable and healthy food. Mr. Lafferty also mentioned the State of the Borough that will occur on February 24th. Finally, the Borough President's office will have an African History Month event, as well as a public hearing on mechanical voids and the preliminary budget at Borough Board in February. For more information please go to: <http://manhattanbp.nyc.gov/html/home/home.shtml>

Chair Hollister called a recess at 8:12 pm for the Land Use and Waterfront Committee, the Business Affairs and Street Activities Committee and the Housing, Homeless and Human Rights Committee to caucus.

Ms. Hollister reconvened the meeting at 8:18 pm.

Committee Resolutions & Reports

1. Budget Ad Hoc

Committee Chair Brian Van Nieuwenhoven presented:

1a) Resolution regarding election reform in New York State. Brian gave a brief overview of the resolution. Board Member Lou Sepersky made a motion to move the resolution back to the committee in order to redraft the resolution as two separate resolutions. Board Member Martin Barrett seconded the motion. Board Members Jim Collins, Kyle Athayde, and Larry Scheyer all stated that the resolution did not need to return to committee but could be voted on as it is presented today. Board Member Jim Collins called the question and Lou Sepersky seconded. The motion to send the resolution back to committee failed.

Martin Barrett moved to split the resolution into two separate resolutions: one on the topic of Automatic Voter Registration and the other on changing party affiliation deadlines. The motion was seconded by Bea Disman. The motion was voted on and passed. The Board then voted on the two newly separated resolutions. Each one passed.

1. Budget Ad Hoc – Brian Van Nieuwenhoven, Chair				
a) Resolution regarding Automatic Voter Registration	32	0	1	0
b) Resolution regarding changing party affiliation deadlines	29	3	1	0

The Chair reported that the committee is not meeting in February and will reconvene in March 2019. He also reminded the community that there is an election on February 26, 2019 for NYC Public Advocate. The Chair reported that the Civic Engagement Commission, established by vote in November 2019, is accepting applications until March 2, 2019. The date for the next Budget Ad Hoc committee will be set at the February 2019 Executive Committee.

2. Parks, Landmarks, & Cultural Affairs

Chair Pamela Vassil reported that there have been discussions between Bellevue South Park locals who felt that their interests were not taken into consideration by the Parks Department. The Parks Department

agreed to appear before the committee again next month to present plans to incorporate the wishes of the community.

3. Transportation

Chair Sandra McKee presented one resolution.

3. Transportation – Sandra McKee, Chair				
a) Resolution supporting the mayor's plan for improving buses in New York City	33	0	0	0

The resolution passed unanimously.

The Chair reported that the MTA is coming to update the Transportation Committee on the L Train shutdown and that proposed crosstown bike lanes on 52nd and 55th Streets will be discussed in next month's meeting. The Chair urged the members of the Board and the Public to send photos of blocked bus lanes with details on where the photo was taken and what time it was taken to the CB6 District Office.

4. Housing, Homeless, & Human Rights

Chair Carin van der Donk presented one resolution.

4. Housing, Homeless & Human Rights – Carin van der Donk, Chair				
a) Resolution Supporting the Housing Justice for All Campaign's Universal Rent Control Legislative Platform	28	2	3	0

The resolution passed. Chair Carin van der Donk waived her report.

5. Business Affairs & Street Activities

Chair Kyle Athayde presented the resolutions on the applicants the committee heard in January.

Resolutions a, c, d, e, g, h were bundled and voted on by the Board. The bundled resolutions passed. An amendment was proposed to Resolution 5b to strike the clause which states "community had no comments". Kyle moved to amend Resolutions 5f to 5i, in order to slightly tweak the language in one whereas clause in each resolution respectively. Resolutions 5b, 5f, and 5i passed.

5. Business Affairs & Street Activities – Kyle Athayde, Chair				
a) Resolution of No Objection for a New Wine, Beer & Cider License for Bobby Sands Inc. doing business as Burgerim at 352 East 23rd Street	33	0	0	0
b) Resolution of No Objection for a New On Premises License for Shawnique H. Woodley and Tim Tiger at 226 East 54th Street	33	0	0	0
c) Resolution of No Objection for a New Wine, Beer & Cider License for Botanicus 43 & 3rd Inc doing business as Le Botaniste at 666 3rd Avenue	33	0	0	0

d) Resolution of No Objection for a New Wine, Beer & Cider License for Pacific East Group Inc doing business as Curry Express at 130 East 29th Street	33	0	0	0
e) Resolution of No Objection for the Renewal of a Sidewalk Cafe License for Osteria Laguna LLC at 209 E. 42nd Street - 3 Tables and 12 Chairs	31	1	1	0
f) Resolution of Objection for the Renewal of a Sidewalk Cafe License for Shannon Cafe LLC at 951 2nd Avenue - 4 Tables and 8 Chairs	32	1	0	0
g) Resolution of No Objection for a New Sidewalk Cafe License for Independent of 23rd Street LLC at 158 E. 23rd Street - 3 Tables and 12 Chairs	30	2	1	0
h) Resolution of No Objection for the Renewal of a Sidewalk Cafe License for 179 3rd Avenue LLC at 179 3rd Avenue - 12 Tables and 24 chairs	31	1	1	0
i) Resolution establishing guidelines and procedures for liquor license and sidewalk café license applications	32	1	0	0

The chair waived his report.

6. Health & Education

The Chair Elvy Barroso waived her report.

7. Land Use & Waterfront

Sandra McKee, committee member, introduced the two resolutions.

7. Land Use & Waterfront – Sandro Sherrod, Chair				
a) Resolution on a 10-year Special Permit for the operation of a Physical Cultural Establishment located at 150 East 55th Street, by China Liangtse Wellness Spa (BSA Calendar Number: 2017-181-BZ)	32	0	1	0
b) Resolution on a proposed zoning text amendment (N 190230 ZRY) that would regulate excessive mechanical voids within residential buildings in high density residential districts across the city	32	0	1	0

Both resolutions passed. The chair waived her report.

There was no old business or new business.

A second roll call was conducted by Assistant Secretary Amelia Acosta.

The meeting was adjourned at 9:02 pm.

Minutes submitted by Assistant Secretary Amelia Acosta.

Resolution in support of automatic voter registration in New York State

WHEREAS, the New York State Legislature has gathered for the 2019 session and has already passed a “day one” package of voting reform legislation, including measures previously supported by Manhattan Community Board Six;

WHEREAS, the Legislature intends to consider additional legislation for automatic voter registration;

WHEREAS, for the purposes of this resolution, automatic voter registration refers to the general policy that New York State voter registration enrollment shall be processed with routine business/interactions between citizens and state functions, to ensure that all eligible citizens are registered (unless they “opt-out” intentionally, the opposite of the current registration structure);

WHEREAS, a policy of automatic voter registration should increase participation in elections (as New York State is consistently low-ranking among the states in election turnout statistics) and is consistent with the aims of Manhattan Community Board Six to empower citizens in the district to participate in elections as much as possible;

THEREFORE, BE IT RESOLVED that Manhattan Community Board Six supports passage of legislation enabling automatic voter registration in New York State.

Resolution in support of new party affiliation change rules in New York State

WHEREAS, the New York State Legislature has gathered for the 2019 session and has already passed a “day one” package of voting reform legislation, including measures previously supported by Manhattan Community Board Six;

WHEREAS, the Legislature intends to consider additional legislation for changes to rules for allowing voters to switch party affiliation for primary eligibility;

WHEREAS, the current rule for changing party affiliation in New York State (N.Y. Election Law Section 5-304(3)) requires requests to be submitted no later than 25 days before the general election of the prior year, which effectively sets the cutoff date many months before the NY primaries, a scenario the board finds undesirable;

WHEREAS, the board recognizes public concerns about allowing open primaries and with allowing party affiliation changes very close to the date of a contested primary;

WHEREAS, the board suggests reform of the rule of party affiliation changes to make the cutoff date for filing changes 30 days before primary elections, in order to empower the public to file affiliation changes reasonably close to a primary election & enable broader participation in the electoral process (without triggering issues that may be raised by schemes for mass affiliation changes immediately preceding a primary election);

THEREFORE, BE IT RESOLVED that Manhattan Community Board Six supports passage of New York State legislation changing the current rules that enable voters to change their party affiliation to be eligible to vote in a party primary election, such that the cutoff date for these changes shall be as close to the date of the primary election as possible, but no sooner than 30 days before the election.

Resolution supporting the mayor's plan for improving buses in New York City

WHEREAS, the bus system operated by New York City Transit (NYCT) faces an array of issues that include

- ever-slowng speeds (the M15 bus, for example, averages under 4mph)
- “legacy” bus routes that no longer carry riders where they need to go
- “clustering,” defined as buses separated by 25% or less of scheduled arrival times
- Illegal parking in or blocking of dedicated bus lanes
- lack of shelters and countdown clocks at about two-thirds of bus stops;

WHEREAS, the impact of these issues has accelerated a decline in annual bus ridership estimated at 100 million over the last eight years, according to the city comptroller’s 2017 report, “The Other Transit Crisis”;

WHEREAS, the burdens of the bus crisis fall disproportionately on the poor and more vulnerable New Yorkers, who make up the bulk of the system’s 2 million daily riders: Bus riders’ average income is \$28,455

- 75% are people of color
- 55% are foreign-born
- 12% are seniors;

WHEREAS, the Bus Turnaround Campaign has recommended the following to address these issues:

- Transform how we get on and off the bus
- Design streets to prioritize buses
- Redesign the bus network and routes
- Adopt better methods to keep buses on schedule
- Increase transparency about bus performance
- Make using the bus easy and intuitive;

WHEREAS, in April 2018, NYCT released a plan to remediate issues raised by transit advocates and the comptroller’s report, which includes:

- Implementing all-door boarding by 2022, with a new “tap” payment system
- Installing Transit Signal Priority (TSP) on all buses by 2020 as TSP allows bus drivers to slightly prolong green signals at key intersections, thus minimizing a key cause of delays
- Redesigning the bus network from scratch, borough by borough, by 2021, to reconfigure bus routes to match passenger needs, and maximize interconnectivity between bus routes and with subways
- Creating a Bus Command Center by 2019 to centralize bus data and control via GPS and replace the current lack of coordination and oversight
- Installing digital information screens and ADA announcements at bus stops and on apps by 2020

- Enhancing and “greening” the bus fleet by adding electric and double-decker buses;

WHEREAS, the mayor, in his January 2019 State of the City speech, committed the Department of Transportation (DOT), which controls the city streets the buses run on, to work with NYCT to achieve these shared goals; the components include:

- installing 10 to 15 miles of new bus lanes yearly
- installing TSP on 300 intersections yearly
- dedicating seven tow truck teams to bus lane enforcement
- coordinating with NYCT to revamp existing bus routes;

THEREFORE, BE IT RESOLVED that Manhattan Community Board Six (CB6) strongly supports the proposals by transit advocates such as the Bus Turnaround Campaign, as well as the initiatives announced by NYCT and DOT, and urges these two agencies to implement these new policies as expeditiously as possible.

Resolution Supporting the Housing Justice for All Campaign's Universal Rent Control Legislative Platform

WHEREAS, Manhattan Community District Six (CD 6) contained, as of 2016, 23,985 rent stabilized apartments;¹

WHEREAS, the current renter protection framework for the state of New York is commonly referred to as rent stabilization;

WHEREAS, rent stabilization was established with the passing of the Emergency Tenant Protection Act (ETPA) in 1974;

WHEREAS, under the Emergency Tenant Protection Act only local municipalities in Nassau, Westchester, Rockland counties and New York City are eligible to opt-in to the rent stabilization framework;

WHEREAS, even in municipalities that have opted in, rent stabilization only applies to buildings with 6 or more units;

WHEREAS, unlike market rate tenants, rent stabilized tenants have a right to a renewal lease;

WHEREAS, more and more, smaller buildings are being bought up as investments by large corporate landlords, and tenants who live in them face escalating rents and displacement;

WHEREAS, since 1974 the rent laws have been weakened with loopholes that encourage tenant harassment and allow sudden and permanent rent hikes;

WHEREAS, since 1994, the City has lost nearly 300,000 units of affordable, rent stabilized housing;

WHEREAS, New York State's renter protection framework will expire in June of 2019;

WHEREAS, one such amendment to the rent stabilization laws allowed for vacancy decontrol, a loophole which allows landlords to permanently deregulate apartments once the rent reaches \$2,733 a month and the current occupant leaves the unit;

WHEREAS, of the nearly 300,000 units of rent stabilized housing that has been lost Citywide since 1994, 155,664 were due to high-rent vacancy decontrol;²

WHEREAS, New York State Senate Bill S3482 and New York State Assembly Bill A433 would eliminate vacancy decontrol;

¹ <https://anhd.org/report/how-affordable-housing-threatened-your-neighborhood-2018>

² Furman Center Report: The State of Rent Stabilization in New York City, October 3, 2018, http://furmancenter.org/files/Presentation_for_1st_PB_FINAL.PDF

WHEREAS, under the current rent stabilization laws landlords receive a 20% “statutory vacancy bonus” every time an apartment turns over;

WHEREAS, this bonus gives landlords a big incentive to harass and evict long-term tenants;

WHEREAS, New York State Senate Bill S1593 and New York State Assembly Bill A9815 would eliminate the vacancy bonus;

WHEREAS, under the current rent stabilization laws landlords are entitled to offer a preferential rent;

WHEREAS, a preferential rent is a discounted rent that tenants pay when the legally registered rent (which, in some cases, may incorporate illegal rent hikes) exceeds the actual market value of the apartment;

WHEREAS, when tenants renew their leases, landlords can revert to the higher legal rent, leading to sudden and massive rent hikes;

WHEREAS, New York State Senate Bill S6527 and New York State Assembly Bill A6285 would mandate that landlords renew rent stabilized leases with increases, if any, based upon the existing rent level the tenant pays rather than the legal rent;

WHEREAS, under the current rent stabilization laws landlords can pass the cost of major capital improvements (MCIs) and individual apartment improvements (IAIs) to their tenants through an additional and permanent charge on top of a tenant’s base rent;

WHEREAS, although in many of these building systems repairs are necessary—either because the components of a building’s infrastructure exceed their useful life as defined by the Division of Homes and Community Renewal or due to years neglect by the landlord—many landlords often overstate the cost and extent of renovations because they can permanently pass the cost onto their tenants;

WHEREAS, as rent stabilization only applies to buildings with 6 or more units, tenants in buildings with less than 6 units do not have the right to a renewal lease at limited rent increases set by a local price index to all tenants;

WHEREAS, New York State Senate Bill S2892 and Assembly Bill 5030 would extend the lease renewal provisions of rent stabilization to all tenants and thus would prevent landlords from evicting tenants without good cause;

WHEREAS, the aforementioned bills are bunched together with other legislative reforms that have not yet been introduced by a state legislator and referred to as “universal rent control,” a phrase popularized by the Housing Justice for All Coalition;

WHEREAS, the State level elected officials who represent Community District 6 are either prime or co-sponsors on New York State Senate bills S3482, S1593, S6527 and New York State Assembly bills A433, A9815, and A6285 respectively;

THEREFORE, BE IT RESOLVED that Manhattan Community Board Six (CB6) supports the passage of New York State Senate bills S3482, S1593, S6527, and New York State Assembly bills A433, A9815, A6285, and A6285 and urges the Governor to sign them into law;

BE IT FURTHER RESOLVED that Manhattan Community Board Six (CB6) strongly urge that formerly rent stabilized units that were deregulated using the aforementioned loopholes, as well units that had been illegally deregulated by virtue of the J-51 Tax benefit and were temporarily reregulated as part of a court order but whose protections end when the J-51 tax benefit expires, be reregulated;

BE IT FURTHER RESOLVED that Manhattan Community Board Six urges legislators in both chambers of the State legislature to draft a bill removing the geographic restrictions in the Emergency Tenant Protection Act (ETPA);

BE IT FURTHER RESOLVED that that Manhattan Community Board Six urges legislators in both chambers of the State legislature to draft a bill preventing landlords from passing the cost of major capital improvements (MCIs) and individual apartment improvements onto tenants.

Resolution of No Objection for New Wine, Beer & Cider License for Bobby Sands Inc. doing business as Burgerim at 352 East 23rd Street

WHEREAS, Gerry Doyle, Representative appeared before the Business Affairs and Street Activities Committee of Manhattan Community Board Six (CB6) on **January 30, 2019**, CB6 having jurisdiction of the premises in the license application process;

WHEREAS, the hours of operation will be Monday to Sunday 11:00 AM – 2:00 AM;

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

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 **January 30, 2019**, and pursuant to all other considerations, CB6 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 CB6 as stated in this, **including** “Hours of Operation”, that differ in **any way** from those described above, then CB6 **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Manhattan Community Board Six.

Resolution of No Objection for New On Premises License for Shawnique H. Woodley and Tim Tiger at 226 East 54th Street

WHEREAS, Kevin & Shawnique Woodley, and Beth and Tim Tiger Proprietors, and Terry Flynn, Attorney appeared before the Business Affairs and Street Activities Committee of Manhattan Community Board Six (CB6) on **January 30, 2019**, CB6 having jurisdiction of the premises in the license application process;

WHEREAS, several members of the community voiced concerns about the previous occupant and issues around public safety, sanitation, traffic congestion, and noise;

WHEREAS, the applicant agreed to create a security plan with the local community, hire regular security guards, check people inside the establishment to reduce the number of the people on the street, work with local officials to direct taxi pick-ups to the avenues, and clean-up the streets after operating hours;

WHEREAS, the applicant agreed to amend their hours to Monday – Sunday from 5:00PM – 1:00AM;

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 **January 30, 2019**, and pursuant to all other considerations, CB6 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 CB6 as stated in this, **including** “Hours of Operation”, that differ in **any way** from those described above, then CB6 **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Manhattan Community Board Six.

Resolution of No Objection for Wine, Beer & Cider License for Botanicus 43 & 3rd Inc doing business as Le Botaniste at 666 3rd Avenue

WHEREAS, Michael Kelly, Lawyer, and Laurent Francois, Operator appeared before the Business Affairs and Street Activities Committee of Manhattan Community Board Six (CB6) on **January 30, 2019**, CB6 having jurisdiction of the premises in the license application process;

WHEREAS, the hours of operation will be Monday to Sunday from 10:30 AM to 9:00 PM;

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

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 **January 30, 2019**, and pursuant to all other considerations, CB6 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 CB6 as stated in this, **including** "Hours of Operation", that differ in **any way** from those described above, then CB6 **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Manhattan Community Board Six.

Resolution of No Objection for Wine, Beer & Cider License for Pacific East Group Inc doing business as Curry Express at 130 East 29th Street

WHEREAS, Gustavo Sabogal, Attorney appeared before the Business Affairs and Street Activities Committee of Manhattan Community Board Six (CB6) on **January 30, 2019**, CB6 having jurisdiction of the premises in the license application process;

WHEREAS, the hours of operation will be Monday through Sunday from 11 AM to 2 AM;

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

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 **January 30, 2019**, and pursuant to all other considerations, CB6 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 CB6 as stated in this, **including** “Hours of Operation”, that differ in **any way** from those described above, then CB6 **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Manhattan Community Board Six.

Resolution of No Objection for Renewal of a Sidewalk Cafe License for Osteria Laguna LLC at 209 E. 42nd Street - 3 Tables and 12 Chairs

WHEREAS, Michael Kelly, Attorney appeared before the Business Affairs and Street Activities Committee of Manhattan Community Board Six (CB6) on **January 30, 2019**, CB6 having jurisdiction of the premises in the license application process;

WHEREAS, the hours of operation will be Monday through Friday from 12 PM to 11:30 PM and Saturday and Sunday from 11 AM to 11:30 PM;

WHEREAS, the Committee stipulated that there should be no street signage or bicycles chained or docked in front of the establishment;

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

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 **January 30, 2019**, and pursuant to all other considerations, CB6 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 CB6 as stated in this, **including** “Hours of Operation,” that differ in **any way** from those described above, then CB6 **opposes** the application and **urges** the DCA to deny the application based on such misrepresentation to Manhattan Community Board Six.

Resolution of Objection for Renewal of a Sidewalk Cafe License for Shannon Cafe LLC at 951 2nd Avenue - 4 Tables and 8 Chairs

WHEREAS, Michael Kelly, Attorney appeared before the Business Affairs and Street Activities Committee of Manhattan Community Board Six (CB6) on **January 30, 2019**, CB6 having jurisdiction of the premises in the license application process;

WHEREAS, the hours of operation will be Monday through Friday from 11:30 AM and Saturday and Sunday from 11 AM to 4 AM;

WHEREAS, there have been public safety concerns on second avenue between 50th and 51st street due to sidewalk cafes impeding on pedestrian walk space;

WHEREAS, the elderly, disabled, and families with small children have had difficulty walking on Second Avenue between 50th and 51st street due to sidewalk cafes impeding on pedestrian walk space;

WHEREAS, the Committee stipulated that the applicant needs to remove one table, reducing the count to three tables and six chairs to address these concerns;

WHEREAS, the Committee stipulated that there should be no street signage or bicycles chained or docked in front of the establishment;

WHEREAS, the applicant chose not to comply with this request;

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 **January 30, 2019**, and pursuant to all other considerations, CB6 **objects** to this application.

Resolution of No Objection for New Sidewalk Cafe License for Independent of 23rd Street LLC at 158 E. 23rd Street - 3 Tables and 12 Chairs

WHEREAS, Michael Kelly, Attorney appeared before the Business Affairs and Street Activities Committee of Manhattan Community Board Six (CB6) on **January 30, 2019**, CB6 having jurisdiction of the premises in the license application process;

WHEREAS, the hours of operation will be Monday through Sunday from 12 PM to 4 AM;

WHEREAS, the Committee stipulated that there should be no street signage or bicycles chained or docked in front of the establishment;

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

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 **January 30, 2019**, and pursuant to all other considerations, CB6 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 CB6 as stated in this, **including** “Hours of Operation,” that differ in **any way** from those described above, then CB6 **opposes** the application and **urges** the DCA to deny the application based on such misrepresentation to Manhattan Community Board Six.

Resolution of No Objection for Renewal of a Sidewalk Cafe License for 179 3rd Avenue LLC at 179 3rd Avenue - 12 Tables and 24 Chairs

WHEREAS, Efrain Perez, Attorney, and Suzanne Riva, Operator appeared before the Business Affairs and Street Activities Committee of Manhattan Community Board Six (CB6) on **January 30, 2019**, CB6 having jurisdiction of the premises in the license application process;

WHEREAS, the hours of operation will be Monday through Friday from 12 PM to 11 PM and Saturday and Sunday from 11 AM to 11 PM;

WHEREAS, the Committee stipulated that there should be no street signage or bicycles chained or docked in front of the establishment;

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 **January 30, 2019**, and pursuant to all other considerations, CB6 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 CB6 as stated in this, **including** “Hours of Operation,” that differ in **any way** from those described above, then CB6 **opposes** the application and **urges** the DCA to deny the application based on such misrepresentation to Manhattan Community Board Six.

Resolution establishing guidelines and procedures for liquor license and sidewalk café license applications

WHEREAS, Manhattan Community Board Six's Business Affairs & Street Activities committee has developed their own set of procedures and guidelines for applicants who are applying for a liquor license or a sidewalk café license (see attached);

WHEREAS, the Business Affairs & Street activities committee developed these guidelines over multiple committee meetings in 2018;

WHEREAS, all applicants will be sent these guidelines upon receipt of their intent to apply for a liquor license or sidewalk café license and will be posted publically on the CB6 website;

THEREFORE, BE IT RESOLVED that Manhattan Community Board Six adopts the attached document establishing guidelines and procedures for liquor license or a sidewalk café license applications.

MANHATTAN COMMUNITY BOARD Six
Business Affairs & Street Activities Committee
Policies & Guidelines

Prior to your application submission to the CB6 Board Office, please review the below criteria to ensure that you are adhering to the policies and guidelines set forth by the Business Affairs & Street Activities (BASA) Committee.

These policies and guidelines have been established to ensure the safety and comfort of the community, as well as to support the success of new and continuing businesses in our district.

1. In order to appear on the BASA Committee's agenda, **applicants must complete the electronic CB6 Questionnaire and email the Board Office a copy of their Certificate of Occupancy or Letter of No Objection by the second Thursday of each month (2 weeks before the Committee meeting)**
 - Any applications received after this day will be added to the following month's agenda – if your application is time sensitive, please contact the Board Office as soon as possible
 - Once an application's receipt has been confirmed, **applicants must post official CB6 signage ([available on our website here](#)) at their proposed location** to inform the community that their application will be heard at a BASA Committee meeting
2. Applicants must appear before the Committee **with at least one physical copy of their questionnaire per committee member ([click here](#) for a list of BASA members)**
3. Applicants **must be represented at the Committee meeting by a proxy (i.e. a principal, or legal representative) who has legal authority to sign official documentation**
4. Applicants who are not present for the Committee meeting, without prior notification, **will automatically receive a negative resolution – there will be no exceptions**
5. **New applicants to [Community District 6](#) will be required to have a 2 AM closing time** (at the latest), so that the applicant can establish a positive and productive presence for the surrounding neighbors and residents
 - Applicants **can request a later closing time after 6 months** of no community complaints or issues
 - However, the BASA Committee reserves the right to provide exceptions in the following cases:
 - Applicant is seeking a location in a **highly commercial area** (i.e. no residential or non-residential buildings in the vicinity of the establishment)
 - Applicant has **significant experience** (as determined by the Committee) operating other establishments in New York City with:
 - A. No prior violations or community complaints

- B. A Letter of Support from another Community Board
- C. Signatures from residents in their neighborhood demonstrating community support for their application

6. Applicants must close their windows at 10 PM on weekdays and 11 PM on weekends

7. Applications for unenclosed sidewalk cafés must:

- **Close at 10 PM on weekdays and 11 PM on weekends**
- Leave **at least 8 feet of space** for pedestrians between the proposed sidewalk café and any object
 - Objects include, but are not limited to: trash receptacles, benches, subway entrances, bus stops, telephone booths/kiosks, mailboxes, lampposts, street trees, bicycle racks, fire hydrants (DCA requires the café to be at least 10 feet away from a fire hydrant)
- **Include pictures** that clearly demonstrate 8 feet of space for pedestrians

8. Approved applicants must clearly display official CB6 signage (available here) on the front door or window of their establishment with the contact information (work e-mail and work phone number) of an on-premises manager

- This on-premises manager must be responsive to all neighborhood queries and complaints – if there are issues with responsiveness to the community, the BASA Committee Chair will take official actions to address the situation

Resolution of No Objection to Board of Standards and Appeals application by China Liangtse Wellness Spa for a Special Permit for the operation of a Physical Culture Establishment located at 150 East 55th Street (BSA Calendar Number: 2017-181-BZ)

WHEREAS, Liangtse KG Wellness One LLC applied to the Board of Standards and Appeals for a Special Permit to allow the operation of a Physical Culture Establishment at 150 East 55th Street;

WHEREAS, this application is to permit the operation of a spa by China Liangtse Wellness Spa on the first floor of an existing 7-story commercial building;

WHEREAS, Ms. Elyse Foladare, representing the applicant, presented this application to the Land Use and Waterfront Committee of Manhattan Community Board Six (CB6) on Monday, January 28, 2019;

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

WHEREAS, the Board has a standing policy of requesting similar Special Permits be issued for a term of 5 years to allow more frequent feedback from the surrounding community;

THEREFORE, BE IT RESOLVED that the Land Use and Waterfront Committee has no objection to the Board of Standards and Appeals Application 2017-181-BZ for a Special Permit to allow the operation of a Physical Culture Establishment at 150 East 55th Street for a period of five years.

Resolution in support of Department of City Planning’s Proposed Residential Tower Mechanical Voids Text Amendment (N 190230 ZRY)

WHEREAS, in recent years, some buildings have been completed using tall, inflated mechanical or structural floors to elevate upper story units above the surrounding context and improve their views;

WHEREAS, the NYC Zoning Resolution presently allows floor space containing mechanical equipment to be excluded from floor area calculation and does not specifically identify a limit to the height of such spaces;

WHEREAS, the Department of City Planning (DCP) conducted a city wide analysis of recent construction to better understand the mechanical needs of residential buildings and assess when excessive mechanical spaces were being used to inflate building height in R6 through R10 districts and their equivalent Commercial Districts;

WHEREAS, to discourage use of extremely tall mechanical floors that elevate upper-story residential units above the surrounding context the DCP has proposed Zoning Text Amendment (N 190230 ZRY) for residential buildings in high-density districts;

WHEREAS, with regard to residential buildings the proposed amendment states:

- Mechanical floors, typically excluded from floor area calculation, would be counted toward the overall permitted floor area on the zoning lot if they are taller than 25 feet or overly concentrated in portions of the building
- Mechanical floors distributed within 75 feet of each other would be counted cumulatively toward overall permitted floor area, regardless of the height of each floor;

WHEREAS, the proposed amendment also includes floor area requirements for residential towers in non-contextual R9 and R10 Residence Districts and their equivalent Commercial Districts, as well as Special Purpose Districts that rely on underlying floor area and height and setback regulations or that are primarily residential in character;

WHEREAS, the proposed amendment would require non-residential portions of a mixed use buildings that occupy less than 25 % of the building to be subject to the same 25 foot/75 foot rule as residential buildings Non-residential space that occupies more than 25% of residential floor space, non-residential voids are not subject to the proposed amendment;

WHEREAS, the proposed amendment, while effective for curtailing the use of mechanical voids to add to building height, will be ineffective for voids consisting of outdoor spaces, amenities, and other building areas not used for accessory building mechanicals that have vast floor to floor heights;

WHEREAS, the proposed amendment omits the Special Midtown District;

THEREFORE, BE IT RESOLVED that Manhattan Community Board 6 supports DCP's proposed zoning text amendment for distribution of mechanical space in residential towers;

BE IT FURTHER RESOLVED that Manhattan Community Board 6 supports additional amendments to the Zoning Resolution to close other known zoning loopholes used to the same effect as mechanical voids. These include outdoor spaces under buildings (terraces), stilt buildings, and accessory or other building uses with vast floor-to-floor heights;

BE IT FURTHER RESOLVED that Manhattan Community Board 6 supports further amendments to the Zoning Resolution to expand the geographic areas covered by the proposed amendment, and any future amendments to close zoning loopholes, to cover the Special Midtown District.

Board Member	1A	1B	3A	4A	5A	5B	5C	5D	5E	5F	5G	5H	5I	7A	7B
Amelia Acosta	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y
Kyle Athayde	Y	Y	Y	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	Y	Y	Y
Martin Barrett	Y	N	Y	ABS	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Elvy Barroso	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Matt Bondy	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Claire Brennan	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Jim Collins	Y	Y	Y	ABS	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
L. Dankberg															
Daniel Devine															
Bea Disman	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Richard Eggers	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
B. Goldman															
Andrew Gross															
Adam Hartke															
Molly Hollister	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
A. Humphrey	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Paige Judge	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	ABS	ABS
John Keller															
Kathleen Kelly															
A. Krusemark	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Sandra McKee	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Richard Mintz	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Karen Moore	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Rajesh Nayar	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
T. O'Neal	Y	Y	Y	ABS	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Gary Papush	ABS	ABS	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Joseph Parrish															
Reshma Patel	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Matt Roberts	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Gene Santoro	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Frank Scala															
Lawrence Scheyer	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Ann Seligman															
Lou Sepersky	Y	N	Y	N	Y	Y	Y	Y	N	N	N	N	N	Y	Y
Seema Shah	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
S. Sherrod															
Letty Simon	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
S. Steinberg	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Elaine Tai	Y	Y	Y	Y	Y	Y	Y	Y	ABS	Y	ABS	ABS	Y	Y	Y
K. Thompson															

M. Thompson															
David Tsin															
Carin van der Donk	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Brian Van Nieuwenhoven	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Pamela Vassil	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Ronnie White															
Claude L. Winfield	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

	NAME	Jan	Feb
1	Amelia Acosta	P	P
2	Kyle Athayde	P	P
3	Ahsia Badi	P	P
4	Martin Barrett	P	P
5	Elvy Barroso	P	P
6	Matt Bondy	P	P
7	Claire Brennan	P	P
8	Jim Collins	E	P
9	Louise Dankberg	P	A
10	Daniel Devine	A	A
11	Beatrice Disman	P	P
12	Richard Eggers	P	P
13	Brooke Goldman	A	A
14	Andrew Gross	P	E
15	Adam Hartke	P	A
16	Molly Hollister	A	P
17	Aaron Humphrey	A	P
18	Paige Judge	P	P
19	John Keller	P	A
20	Kathleen Kelly	P	A
21	Abigail Krusemark	P	P
22	Sandra McKee	P	P
23	Richard Mintz	P	P
24	Karen Moore	P	P
25	Rajesh Nayar	P	P
26	Terrence O'Neal	P	P
27	Gary Papush	P	P
28	Joseph Parrish	A	A
29	Reshma Patel	P	P
30	Matthew Roberts	A	P
31	Gene Santoro	P	P
32	Frank Scala	P	E
33	Lawrence Scheyer	P	P
34	Ann Seligman	P	A
35	Lou Sepersky	P	P
36	Seema Shah	P	P
37	Sandro Sherrod	A	E
38	Letty Simon	P	P
39	Susan Steinberg	P	P
40	Elaine Tai	P	P
41	Kathy Thompson	P	A
42	Mark Thompson	P	E
43	David Tsin	A	A
44	Carin van der Donk	P	P
45	Brian Van Nieuwenhoven	A	P
46	Pamela Vassil	P	P
47	Ronnie White	A	A