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**The City of New York  
Manhattan Community Board 8  
Public Hearing  
Street Life Committee**

**Tuesday February 3, 2015, 7:00 p.m.  
Marymount Manhattan College  
221 East 71<sup>st</sup> Street, Regina Peruggi Room**

**Minutes**

Applications will only be approved based upon the applicants' agreement to the following stipulations:

1. The applicant will abide by the bicycle guidelines.
2. The applicant will not use electric bikes.
3. The applicant will keep the front of the establishment clean.
4. The applicant will not place A-frames in front of the establishment.
5. The applicant will be denied if they participate in bar-crawls.

**Members Present:** Matthew Bondy, Jonathan Horn, Laurence Parnes, Abraham Salcedo, Cos Spagnoletti

**Excused Absence:** Jacqueline Ludorf

**Unexcused Absence:** Albert Barrueco, Cory Evans (**Public Member**)

**Unanimous Cafe Approvals:** 2a, 2b, 2c, 2d\*

**Non-unanimous Cafe Approvals:** 1a

**Unanimous SLA Approvals:** 4a, 4b

*\* See Important Post Meeting Update in minutes below*

1. **Renewal Applications to the Department of Consumer Affairs and/or Department of City Planning for a Sidewalk Cafe:**

- a. **Ambiance Wine LLC, dba Vella Wine Bar, 1480 Second Avenue (@77<sup>th</sup> Street)**-Renewal application for an Unenclosed Sidewalk Café for 20 tables and 40 chairs, DCA# 1449418-DCA. Due Date March 9, 2015

**WHEREAS** there are no changes to the café, and

**WHEREAS** several members of the public raised issues concerning noise and food odors related to the interior operations of the establishment, and

**WHEREAS** these members of the public acknowledged that the noise issues did not appear connected to the operation of the outside sidewalk café specifically

**BE IT RESOLVED THAT** the application is **approved**.

**Approved by a vote of 4-1-0**

**Yes:** Jonathan Horn, Laurence Parnes, Abraham Salcedo, Cos Spagnoletti

**No:** Matthew Bondy

*Jonathan Horn and Abraham Salcedo, Street Life Co-Chairs*

2. **New Applications to the Department of Consumer Affairs and/or Department of City Planning for a Sidewalk Café:**

- a. **Philippe NYC I LLC., dba Philippe, 33 E. 60 St. (Park/Madison)** – New application for an unenclosed sidewalk café with 2 tables and 4 chairs, DCA# 3738-2014-ASWC. Due Date: January 23, 2015

**WHEREAS** no one from the public objected,

**BE IT RESOLVED THAT** the application is **approved**.

**Approved by a vote of 5-0-0**

**Yes:** Matthew Bondy, Jonathan Horn, Laurence Parnes, Abraham Salcedo, Cos Spagnoletti

- b. **GAKR Bagel Corp., dba Bagel Bob’s on York, 1638 York Avenue (86/87)**-New application with change and Corporate Officer name of existing enclosed sidewalk café with 6 tables and 12 chairs, DCA# 2005402-DCA. Due Date February 18, 2015

**WHEREAS** no one from the public objected,

**BE IT RESOLVED THAT** the application is **approved**.

**Approved by a vote of 5-0-0**

**Yes:** Matthew Bondy, Jonathan Horn, Laurence Parnes, Abraham Salcedo, Cos Spagnoletti

- c. **EAT Madison 91 LLC, 26 East 91<sup>st</sup> Street, (Fifth/Madison)**-New small Unenclosed sidewalk café with 11 tables and 35 chairs, DCA # 297-2015-ASWC. Due Date March 9, 2015

**WHEREAS** there was an issue raised concerning existing tree guards omitted on the plans submitted, and

**WHEREAS** the applicant agreed to move and/or remove tables to accommodate these tree guards and reduce the café size to 9 tables and 30 chairs

**WHEREAS** no one from the public objected,

**BE IT RESOLVED THAT** the application is **approved**.

**Approved by a vote of 5-0-0**

**Yes:** Matthew Bondy, Jonathan Horn, Laurence Parnes, Abraham Salcedo, Cos Spagnoletti

- d. **PACAP LLC., dba Monte-Carlo NYC, 181 East 78<sup>th</sup> Street (Third/Lexington)**-New application for an Unenclosed sidewalk café with 6 tables and 12 chairs, DCA# 563-2015-ASWC. Due Date March 2, 2015

**WHEREAS** there was an issue raised concerning existing tree guards omitted on the plans submitted, and

**WHEREAS** the applicant agreed to move and/or remove tables to accommodate these tree guards and reduce the café size to 5 tables and 10 chairs

**WHEREAS** no one from the public objected,

**BE IT RESOLVED THAT** the application is **approved**.

**Approved by a vote of 5-0-0**

**Yes:** Matthew Bondy, Jonathan Horn, Laurence Parnes, Abraham Salcedo, Cos Spagnoletti

**POST MEETING UPDATE:**

The applicant notified us on February 4<sup>th</sup> that they have determined that the existence of the tree guards will not allow them to have the required 3 foot service aisle. They are reaching out to the property owner and block association to determine who installed the tree guards and to request their removal. The board office has requested that they withdraw their application before DCA until this matter is resolved.

3. **Transfer/Alteration/Upgrade Applications to the New York State Liquor Authority for Liquor Licenses:**

- a. **Uncle Abies Deli on First Inc., dba 2<sup>nd</sup> Avenue Deli, 1442 First Avenue (@ 75<sup>th</sup> Street) -**  
Alteration for a Liquor, Wine and Beer.

**NO ACTION TAKEN.**

The applicant came before the Street Life committee in September 2014 and stated that they now had approval from DOB to use the second floor for commercial purposes. We asked for the DOB approval for the second floor and to submit to our office approved plans. They agreed to provide before the October meeting. They submitted self-certified plans and no proof of DOB approval. At the October meeting, they restated they believed they had DOB approval and were asked again to produce approved plans, they asked for an additional layover.

We then reached out to DOB for confirmation that plans had been approved and were informed that an audit of the self certified plans had resulted in an audit failure and they needed approval from BSA for commercial use of the second floor. In November, December and January they informed us they were in the process of the DOB audit and again requested layovers. Without informing the board they filed an SLA application in November and obtained conditional approval on 12/12/14 contingent on showing that the alteration (addition of the second floor) was completed within 90 days. DOB has now issued a Stop Work Order and revoked all work permits for the second floor which is unusable for commercial space according to the zoning resolution.

The Board office has informed the SLA of these facts, including the Stop Work Order and requested that the conditional approval be revoked immediately.

Applicant's existing license expires on 6/30/15 and they will be asked to appear before the Street Life Committee for their renewal application.

- b. **Ambiance LLC, dba Vella, 1480 Second Avenue (@ 77<sup>th</sup> Street)-Method of Operation Change**  
to add light Jazz acoustic music for a Liquor, Wine and Beer

There were a number of unresolved and confusing items regarding this application, the operation of the establishment and possible issues of noise and food odors affecting the residents in the building. Further documentation regarding these matters was requested from the residents and the applicant. The board office is also researching these matters with the appropriate city agencies and it was agreed to layover the application until next month.

4. **New Applications to the New York State Liquor Authority for Liquor Licenses:**

- a. **Artio Restaurant LLC., dba TBD, 1048 Third Ave (@62<sup>nd</sup> Street) -** New application for Liquor, Wine and Beer.

**WHEREAS** there were no objections from the public, and

**BE IT RESOLVED THAT** the application is **approved** subject to the following stipulations which were agreed to by the applicant and are to be incorporated in the license's method of operation:

- The hours of operation for the SLA license will be:  
**Monday to Saturday– 8:00am to Midnight**  
**Sunday– Noon to Midnight**

**Approved by a vote of 5-0-0**

**Yes:** Matthew Bondy, Jonathan Horn, Laurence Parnes, Abraham Salcedo, Cos Spagnoletti

- b. **Maroni's Hot Pots One, LLC., dba TBD, 307 East 77 Street ( @ Second Ave) -** New application for Wine and Beer.

**WHEREAS** there were no objections from the public, and

**BE IT RESOLVED THAT** the application is **approved** subject to the following stipulations which were agreed to by the applicant and are to be incorporated in the license's method of operation:

- The hours of operation for the SLA license will be:  
**Monday to Saturday– 11:00am to Midnight**  
**Sunday– Noon to 11:00pm**

**Approved by a vote of 5-0-0**

**Yes:** Matthew Bondy, Jonathan Horn, Laurence Parnes, Abraham Salcedo, Cos Spagnoletti

5. **Layover/Withdrawals**

- a. **PQ East 77<sup>th</sup> Inc., dba Le Pain Quotidien, 252 East 77<sup>th</sup> Street (2<sup>nd</sup>/3<sup>rd</sup> Avenues)-**Alteration for Wine and Beer. Laid over March
- b. **Oaxaca First Ave LLC., 1198 First Avenue (64/65)-**New application for Wine and Beer. Laid over to March
- c. **Forever Sweet LLC., dba TBD, 1589 First Avenue (82/83) -** New application for Liquor, Wine and Beer.