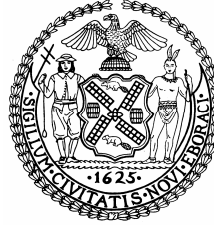


David G. Liston
Chair

Maxine Brannon
District Manager



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The City of New York Manhattan Community Board 8

LAND USE COMMITTEE WEDNESDAY – FEBRUARY 13, 2008 – 6:30PM HUNTER COLLEGE SCHOOL OF SOCIAL WORK 129 EAST 79TH STREET AUDITORIUM

Present: Joie Anderson, Elizabeth Ashby, Michele Jane Birnbaum, Matthew A. Bondy, Barbara Chocky, Sarah Chu, James Gerard Clynes, Christina R. Davis, William Friedland, Nicholas Goddard, Ruth Halberg, Lorraine Johnson, Karen Karpowich, Dave Kleckner, David Liston, Jacqueline Ludorf, Jane Parshall, Ellen Polivy, Nneka Pope, Rita Lee Popper, Margaret Price, Dan Quart, David L. Rosenstein, Barbara Rudder, M. Barry Schneider, Susan Shapiro, Teri Slater, Cos Spagnoletti, H. Patrick Stewart, Elaine M. Walsh, Hedi White

Absent (Excused): George W. Fuchs, Edward Kramer, Laura Mayer, Kenneth M. Moltner, M. William Sanchez, Judith Schneider, Helene Simon, Betty Cooper Wallerstein, Charles S. Warren

Absent (Unexcused): Deirdre Breslin, Richard Burg, Roy Carlin, Susan Grossman, Jonathan Horn, Laura Lijewski, Diane Rosen, Nicholas Viest

David G. Liston, Chair, called the meeting to order at 6:30 PM.

1. Public Hearing: Application: BSA Calendar No. 824-61-BZ, 200-266 East 66th Street –
This application was filed to reopen and extend the term of variance to operate the public parking garage in the building. The variance on the site will expire on March 3, 2008. This application was filed to extend the variance for ten years.

WHEREAS, This application was filed to reopen and extend the term of variance to operate the public parking garage in the building. The variance on the site will expire on March 3rd, 2008. This application was filed to extend the variance for ten years.

WHEREAS, Community Board 8M held a public hearing regarding this matter;

BE IT RESOLVED, that Community Board 8M recommends approval of this application
Community Board 8M passed this resolution by a vote of 27 in favor, 0 opposed, and 0 abstentions.

2. Public Hearing: 1623 Third Avenue – As provided by Section 41.34 of the Mental Hygiene Law, there will be a discussion of the intent of NYSARC, Inc., New York City Chapter (AHRC) in conjunction with the New York State Office of Mental Retardation and Developmental Disabilities to establish a community residential facility at this address.

Community Board 8M voted 22 favor, 4 opposed, and 6 abstentions for this item to come before the Health and Seniors Committee on March 13, 2008.

3. Street Life Committee: Reported by Nicholas Viest and Cos Spagnoletti, Co-Chairs of the Street Life Committee:

1. Renewal Applications to the Department of Consumer Affairs for Sidewalk Cafes:

a. Bread of Life, LLC d/b/a Cilantro, 1712 Second Avenue (88th and 89th Streets) – Renewal of an unenclosed sidewalk café with 6 tables and 16 seats, DCA# 1001940.

WHEREAS, there are no changes to the café and no complaints were received from the public,

BE IT RESOLVED THAT, the application is approved.

Community Board 8M passed this resolution by a vote of 29 in favor, 0 opposed, and 0 abstentions.

b. Martell's NYC, LLC, 200 East 83rd Street (@3rd Avenue) – Renewal of an unenclosed sidewalk café with 12 tables and 24 seats, DCA # 1231318.

WHEREAS, the applicant will close windows prior to 10:00PM, and,

WHEREAS, there are no changes to the café and no complaints were received from the public,

BE IT RESOLVED THAT, the application is approved.

Community Board 8M passed this resolution by a vote of 28 in favor, 0 opposed, and 2 abstentions.

c. Lenny's 77th Street LLC d/b/a Lenny's, 1481 Second Avenue (@77th Street) – Renewal of an unenclosed sidewalk café with 15 tables and 30 seats, DCA #1237547

WHEREAS, the applicant will remove the "A" frame from outside the café area, and,

WHEREAS, there are no changes to the café and no complaints were received from the public,

BE IT RESOLVED THAT, the application is approved.

Community Board 8M passed this resolution by a vote of 30 in favor, 0 opposed, and 0 abstentions.

d. Mon Petit Café Inc. d/b/a Mon Petit Café, 801 Lexington Avenue (@ 62nd Street) –

Renewal of an unenclosed sidewalk café with 4 tables and 8 seats, DCA # 1165444

WHEREAS, the applicant will remove the "A" frame from outside the café area, and,

WHEREAS, there are no changes to the café and no complaints were received from the public,

BE IT RESOLVED THAT, the application is approved.

Community Board 8M passed this resolution by a vote of 30 in favor, 0 opposed, and 0 abstentions.

e. Old Heidelberg Corp. d/b/a Heidelberg Restaurant, 1648 Second Avenue (85th/86th Streets) – Renewal of an unenclosed sidewalk café with 12 tables and 24 seats, DCA# 1142288.

WHEREAS, there are no changes to the café and no complaints were received from the public,

BE IT RESOLVED THAT, the application is approved.

Community Board 8M passed this resolution by a vote of 29 in favor, 0 opposed, and 0 abstentions.

f. 61 Lex & Park Rest. Inc. d/b/a Circus Restaurant, 132 E. 61st Street (Park/Lexington Avenues) – Renewal of an unenclosed sidewalk café with 2 tables and 6 seats, DCA # 1193924.

WHEREAS there are no changes to the café and no complaints were received from the public,

BE IT RESOLVED THAT the application is approved.

WHEREAS, the application is for 4 tables and 10 seats, and,

WHEREAS, there are no changes to the café and no complaints were received from the public,

BE IT RESOLVED THAT, the application is approved.

**Land Use Meeting
February 13, 2008
Page Three**

Community Board 8M passed this resolution by a vote of 29 in favor, 0 opposed, and 0 abstentions.

g. **Splendido New Foods LLC, 1593 Second Avenue (82nd/83rd Streets)** – Renewal of an unenclosed sidewalk café with 4 tables and 8 seats, DCA #1273753

WHEREAS the application is for 4 tables and 10 seats, and,

WHEREAS there are no changes to the café and no complaints were received from the public,

BE IT RESOLVED THAT the application is approved.

Community Board 8M passed this resolution by a vote of 29 in favor, 0 opposed, and 0 abstentions.

2. New Applications to the Department of Consumer Affairs for Sidewalk Cafes:

a. **Phillipos Restaurant Inc. d/b/a Barking Dog Luncheonette, 1678 3rd Avenue (@ 94th Street)** – New application for an unenclosed sidewalk café with 16 tables and 32 seats, DCA # 1275998

WHEREAS there were members of the public in support of this establishment, and,

WHEREAS there is more than enough sidewalk room,

BE IT RESOLVED THAT the application is approved.

Community Board 8M passed this resolution by a vote of 29 in favor, 0 opposed, and 0 abstentions.

b. **BZ Thai Restaurant Inc d/b/a Land, 1565 2nd Avenue (81st/82nd Streets)** – New application for an unenclosed sidewalk café with 10 tables and 22 seats, DCA # 1274948

WHEREAS there were members of the public in support of this establishment, and,

WHEREAS there is more than enough sidewalk room,

BE IT RESOLVED THAT the application is approved.

Community Board 8M passed this resolution by a vote of 29 in favor, 0 opposed, and 0 abstentions.

3. Renewal Applications to the New York State Liquor Authority for Liquor Licenses:

a. **Regatta Joe's d/b/a Tin Lizzy's, 1647 Second Avenue (85th/86th Streets)** – Renewal of an on-premises liquor license

WHEREAS, the applicant will close the windows by 10:00 PM, and,

WHEREAS, the applicant has already been granted the renewal, but came anyway, and,

WHEREAS, the applicant will place signs for the patrons to be respectful of its neighbor's

BE IT RESOLVED THAT, the application is approved.

Community Board 8M passed this resolution by a vote of 29 in favor, 0 opposed, and 1 abstentions.

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

a. **3 K Foods Inc. d/b/a Jackson Hole, 1270 Madison Avenue (90th/91st Streets)** – Application for a new beer and wine license

WHEREAS, this is an upgrade from a beer, to a beer and wine, and,

WHEREAS, this establishment has been at this location for some time, and,

WHEREAS, the applicant has had a beer license for some time

BE IT RESOLVED THAT, the application is approved.

Community Board 8M passed this resolution by a vote of 29 in favor, 0 opposed, and 1 abstentions.

c. ABC Dining Ltd., 1167 Madison Avenue (85th/86th Streets) – Application for a new on-premises liquor license

WHEREAS, this is a new corporate name to be reflected on the lease

BE IT RESOLVED THAT, the application is approved.

Community Board 8M passed this resolution by a vote of 29 in favor, 0 opposed, and 1 abstentions.

f. Ging Corp. d/b/a to be assigned, 1564 Third Avenue (87th/88th Streets) – Application for a transfer of an on-premises liquor license

WHEREAS, this is a transfer of the license, so that the applicant will have a temporary license to legally operate for 90 days, and

WHEREAS, the applicant is applying for a new licensee

BE IT RESOLVED THAT, the application is approved.

Community Board 8M passed this resolution by a vote of 29 in favor, 0 opposed, and 1 abstentions.

5. Discussion of Establishments:

a. Continued discussion of B. Concept LLC d/b/a B. Café, 240 E. 75th Street (2nd/3rd Avenues) - regarding a sidewalk café application

WHEREAS, this is the 4th time that the applicant has appeared before this committee, and,

WHEREAS, this is for rear yard usage, and,

WHEREAS, there were members of the public in support of the applicant, and,

WHEREAS, there were no members against the applicant, and,

WHEREAS, the applicant has volunteered to appear before this committee, prior to his renewal of the license in August 2009, and

WHEREAS, the applicable city agencies will have to sign-off on appropriateness of this site

BE IT RESOLVED THAT, the application is approved.

Community Board 8M passed this resolution by a vote of 26 in favor, 3 opposed, and 3 abstentions.

b. Continued discussion of Jasper Hospitality Group LLC d/b/a East End Grill, 1664 First Avenue (86th/87th Streets) - regarding an application for a transfer of an on-premises liquor license.

WHEREAS, the applicant failed to appear, and,

WHEREAS, the applicant failed to supply SLA all correct information on its application with regards to the 500' hearing, and,

WHEREAS, there are many issues about this site, and,

WHEREAS, there is live music, and,

BE IT RESOLVED THAT, the license be revoked.

Community Board 8M passed this resolution by a vote of 32 in favor, 0 opposed, and 0 abstentions.

With no further business the meeting was adjourned at 10:30PM

