

**LAND USE COMMITTEE
WEDNESDAY – MAY 10, 2006 – 6:30PM
HUNTER COLLEGE SCHOOL OF SOCIAL WORK
129 EAST 79TH STREET
AUDITORIUM**

Present: Barbara Allen, Joie Anderson, Elizabeth Ashby, Matthew A. Bondy, Deirdre Breslin, Richard Burg, Roy Carlin, Barbara Chocky, Sarah Chu, James Gerard Clynes, Christina R. Davis, Edith Fisher, George W. Fuchs, Susan Grossman, Ruth Halberg, Benjamin Kallos, Dave Kleckner, Edward Kramer, Susan Lek, Michael Levin, Laura Lijewski, David Liston, Jacqueline Ludorf, Laura Mayer, Margery Perlmutter, Nneka Pope, Margaret Price, David L. Rosenstein, William Sanchez, Judith Schneider, M. Barry Schneider, Susan Shapiro, Helene Simon, Teri Slater, Cos Spagnoletti, H. Patrick Stewart, Nicholas Viest, Betty Cooper Wallerstein

Absent (Excused): Michelle Jane Birnbaum, Conrad Foa, William Friedland, Kenneth Moltner, Elaine M. Walsh, Charles S. Warren

Absent (Unexcused): Jonathan Ehrlich, Alana Frumkes, Linda Hoffman, Kenneth Mills, Jane Parshall, Dan Quart

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

1. Informational Presentation – New York – Presbyterian Hospital made a presentation regarding a change in the number of floors in the project currently under construction at 1330 First Avenue at 72nd Street. The building will be going from 19-20 floors. At the same time, there will be a reduction in the total size of the building. No variances are being sought, and the project remains as-of-right.

2. *Street Life Committee:*

1. Application to the New York State Liquor Authority for liquor licenses:

a. Martell's NYC, LLC—200 East 83rd Street (2nd/3rd) Transfer of on-premises liquor license application.

WHEREAS, this application is from a new owner,

WHEREAS, the new owner has no connection to the previous owner,

WHEREAS, there have been noise complaints from residents,

WHEREAS, a resident stated at the meeting that there have been on going noise problems with Martell's,

WHEREAS, the noise complaints were under a previous owner,

WHEREAS, the hours are 11:30a – 4a,

WHEREAS, the food/drink ratio is 65/35,

BE IT RESOLVED THAT, the application is approved and that the applicant agrees to the following stipulations:

- 1) The establishment will be modeled after PJ Clark's and JG Melon's,
- 2) The French doors will be closed at 9p weekdays and 10:30p on weekends,
- 3) There will be no pub - crawls,
- 4) There will be no live music and the volume will be kept to reasonable levels,

**Land Use Meeting
May 10, 2006
Page Two**

- 5) The manager will provide a phone number for residents to contact him,
- 6) A door person will be added, if needed,
- 7) The applicant will abide by the bicycle guidelines.
- 8) The applicant will keep the front of the establishment clean.
- 9) The applicant will not place A-frames in front of establishment

Community Board 8M passed this resolution by a vote of 36 in favor, 0 opposed, and 1 abstention.

b. Miharu Sushi d/b/a to be assigned—1577 York Avenue (83rd/84th) Transfer of a restaurant beer and wine license.

WHEREAS, this application is a transfer of the beer and wine license,

WHEREAS, there will be no major changes to the establishment,

BE IT RESOLVED THAT, the application is approved based on the owner's agreement to the following stipulations:

- 1) The applicant will abide by the bicycle guidelines.
- 2) The applicant will keep the front of the establishment clean.
- 3) The applicant will not place A-frames in front of establishment

Community Board 8M passed this resolution by a vote of 37 in favor, 0 opposed, and 0 abstentions.

d. Slice, the perfect food LLC—1413 Second Avenue (73rd/74th) Application for a beer and wine license.

WHEREAS, the hours are 11a – 11p,

WHEREAS, the food/drink ratio is 80/20,

WHEREAS, the restaurant has 5 tables and 14 seats,

BE IT RESOLVED THAT, the application is approved based on the owner's agreement to the following stipulations:

- 1) The applicant will not play music outside of the restaurant.
- 2) The applicant will abide by the bicycle guidelines.
- 3) The applicant will keep the front of the establishment clean.
- 4) The applicant will not place A-frames in front of establishment

Community Board 8M passed this resolution by a vote of 37 in favor, 0 opposed, and 0 abstentions.

e. Tenzan II New York Corp.—1714 Second Avenue (88th/89th) Application for a restaurant beer and wine license.

WHEREAS, this is a sushi establishment with a food/drink ratio of 95/5,

WHEREAS, the hours are 11a – 11p weekdays and 11 – 12p weekends,

BE IT RESOLVED THAT, the application is approved based on the owner's agreement to the following stipulations

- 1) The applicant will abide by the bicycle guidelines.
- 2) The applicant will keep the front of the establishment clean.
- 3) The applicant will not place A-frames in front of establishment

Community Board 8M passed this resolution by a vote of 37 in favor, 0 opposed, and 0 abstentions.

f. Matsu Fusion Restaurant Inc.—411 East 70th Street (1st/York) Application for a restaurant beer and wine license.

WHEREAS, this is a sushi establishment with a food/drink ratio of 90/10,

**Land Use Meeting
May 10, 2006
Page Three**

WHEREAS, the hours are 11a – 11p weekdays and 11 – 10:30p weekends,
BE IT RESOLVED THAT, the application is approved based on the owner’s agreement to the following stipulations:

- 1) The applicant will abide by the bicycle guidelines.
- 2) The applicant will keep the front of the establishment clean.
- 3) The applicant will not place A-frames in front of establishment

Community Board 8M passed this resolution by a vote of 37 in favor, 0 opposed, and 0 abstentions.

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

a. Café DeCortina—1448 Second Avenue (75th/76th) Renewal for an unenclosed sidewalk café with 9 tables and 18 seats, DCA # 0807883.

WHEREAS, there are no changes to this renewal and no complaints were received by the Board,
BE IT RESOLVED THAT, the application is approved based on the owner’s agreement to the following stipulations:

- 1) The applicant will abide by the bicycle guidelines.
- 2) The applicant will keep the front of the establishment clean.
- 3) The applicant will not place A-frames in front of establishment

Community Board 8M passed this resolution by a vote of 37 in favor, 0 opposed, and 0 abstentions.

b. Haru Too, Inc.d/b/a Haru Sake Bar—1327 Third Avenue (77th/78th) Renewal for an unenclosed sidewalk café with 19 tables seats, DCA # 1106426.

WHEREAS, a resident complained about the noise made by the restaurant’s delivery motor scooters and that the restaurant employees are smoking underneath his apartment window,
BE IT RESOLVED THAT, the application is approved based on the owner’s agreement to the following stipulations:

- 1) The motor scooters will be altered to reduce the loud sound coming from the mufflers.
- 2) The manager will make sure that the workers do not sit on the ledge underneath the resident’s window and smoke.
- 3) The applicant will abide by the bicycle guidelines.
- 4) The applicant will keep the front of the establishment clean.
- 5) The applicant will not place A-frames in front of establishment

Community Board 8M passed this resolution by a vote of 37 in favor, 0 opposed, and 0 abstentions.

c. Taro Restaurant Inc. d/b/a Due Restaurant—1396 Third Avenue (79th/80th) Renewal of an unenclosed sidewalk café with 4 tables and 8 seats, DCA # 0835262.

WHEREAS, there are no changes to this renewal and no complaints were received by the Board,
BE IT RESOLVED THAT, the application is approved based on the owner’s agreement to the following stipulations:

- 1) The applicant will abide by the bicycle guidelines.
- 2) The applicant will keep the front of the establishment clean.
- 3) The applicant will not place A-frames in front of establishment

Community Board 8M passed this resolution by a vote of 37 in favor, 0 opposed, and 0 abstentions.

d. Enterprise Restaurant LLC. d/b/a Amaranth—21 East 62nd Street (5th/Madison) Renewal of an unenclosed sidewalk café with 4 tables and 10 seats, DCA # 1170995.

WHEREAS there are no changes to this renewal and no complaints were received by the Board,
BE IT RESOLVED THAT the application is approved based on the owner's agreement to the following stipulations:

- 1) The applicant will abide by the bicycle guidelines.
- 2) The applicant will keep the front of the establishment clean.
- 3) The applicant will not place A-frames in front of establishment

Community Board 8M passed this resolution by a vote of 37 in favor, 0 opposed, and 0 abstentions.

e. Eli's Manhattan Warehouse Inc.—1411 Third Avenue (81st/82nd) Renewal for an unenclosed sidewalk café with 5 tables and 20 seats, DCA # 1159625.

WHEREAS, there are no changes to this renewal and no complaints were received by the Board,
BE IT RESOLVED THAT, the application is approved based on the owner's agreement to the following stipulations:

- 1) The applicant will abide by the bicycle guidelines.
- 2) The applicant will keep the front of the establishment clean.
- 3) The applicant will not place A-frames in front of establishment

Community Board 8M passed this resolution by a vote of 37 in favor, 0 opposed, and 0 abstentions.

f. Third Avenue Marina Inc. d/b/a Coogan's Parrot Bay—1668 Third Avenue (93rd/94th) Renewal of an unenclosed sidewalk café with 4 tables and 8 seats, DCA # 1196876.

WHEREAS, there are no changes to this renewal and no complaints were received by the Board,
BE IT RESOLVED THAT, the application is approved based on the owner's agreement to the following stipulations:

- 1) The applicant will abide by the bicycle guidelines.
- 2) The applicant will keep the front of the establishment clean.
- 3) The applicant will not place A-frames in front of establishment

Community Board 8M passed this resolution by a vote of 37 in favor, 0 opposed, and 0 abstentions.

g. Louya Corp. d/b/a Jacques Bistro—204-206 East 85th Street (2nd/3rd) Renewal for an unenclosed sidewalk café with 13 tables and 27 seats, DCA # 1173625.

WHEREAS, there are no changes to this renewal and no complaints were received by the Board,
BE IT RESOLVED THAT, the application is approved based on the owner's agreement to the following stipulations:

- 1) The applicant will abide by the bicycle guidelines.
- 2) The applicant will keep the front of the establishment clean.
- 3) The applicant will not place A-frames in front of establishment

Community Board 8M passed this resolution by a vote of 37 in favor, 0 opposed, and 0 abstentions.

h. Bongiorno, INC. d/b/a Trattortia Liberta—1574 Second Avenue (81st/82nd) Petition to modify an unenclosed sidewalk café with 15 tables and 30 seats.

WHEREAS, the establishment wants to add 8 tables and 16 seats,

WHEREAS, there is ample sidewalk space for the café,

BE IT RESOLVED THAT, the application is approved for 14 tables and 28 seats and based on the owner's agreement to the following stipulations

**Land Use Meeting
May 10, 2006
Page Five**

- 1) The applicant will abide by the bicycle guidelines.
- 2) The applicant will keep the front of the establishment clean.
- 3) The applicant will not place A-frames in front of establishment
- 4) The owner will keep the entrance to the residents building clear at all times.

Community Board 8M passed this resolution by a vote of 37 in favor, 0 opposed, and 0 abstentions.

j. Ronchini & Ronchini Inc. d/b/a Nina's—1750 Second Avenue (91st/92nd) Application for an unenclosed sidewalk café with 6 tables and 12 seats, DCA number 1222644.

WHEREAS, there is sidewalk clearance of 12' 6",

BE IT RESOLVED THAT, the application is approved based on the owner's agreement to the following stipulations:

- 1) The applicant will abide by the bicycle guidelines.
- 2) The applicant will keep the front of the establishment clean.
- 3) The applicant will not place A-frames in front of establishment

Community Board 8M passed this resolution by a vote of 37 in favor, 0 opposed, and 0 abstentions.

l. 1081 LLC d/b/a Mainland—1081 Third Avenue (63rd/64th) Application for an unenclosed sidewalk café with 8 tables and 26 seats, DCA # 1222842.

WHEREAS, this is a new location for a sidewalk café,

WHEREAS, this applicant agreed to reduce the number of tables and seats to 7 and 24,

BE IT RESOLVED THAT, the application is approved for 7 tables and 24 seats, and based on the owner's agreement to the following stipulations:

- 1) The applicant will abide by the bicycle guidelines.
- 2) The applicant will keep the front of the establishment clean.
- 3) The applicant will not place A-frames in front of establishment
- 4) The applicant agreed to clean the sidewalk prior to 7:30a,

Community Board 8M passed this resolution by a vote of 35 in favor, 2 opposed, and 0 abstentions.

4. New Business:

Community Board 8 discussed supporting Community Board 6's 197-c Plan in connection with a scoping hearing regarding the Con Edison Waterside site.

WHEREAS, Manhattan Community Board 6 has prepared a 197-c plan in connection with the development of the Con Edison Waterside Site,

WHEREAS, the Department of City Planning is considering what information should be studied as part of an Environmental Impact Statement (EIS) that will be written about the development of the Con Edison Waterside Site,

BE IT RESOLVED, that Manhattan Community Board 8 recommends that Manhattan Community Board 6's 197-c Plan be included in any Environmental Impact Statement written regarding the Con Edison Waterside Site.

Community Board 8M passed this resolution by a vote of 21 in favor, 9 opposed, and 6 abstentions.

With no further business the meeting was adjourned at 9:30 PM

