



THE CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD NO. 3
59 EAST 4TH STREET - NEW YORK, N.Y. 10003
PHONE: (212) 533-5300 - FAX: (212) 533-3659
WWW.CB3MANHATTAN.ORG - INFO@CB3MANHATTAN.ORG

HARVEY EPSTEIN, BOARD CHAIR

MARTHA DANZIGER, DISTRICT MANAGER

SUMMER/JULY 2004

Meeting of Community Board #3 held on July 28, 2004, 6:35 PM, Cooper Union, Wollman Auditorium, Astor Place at Third Avenue.

Notes: Due to the summer season, the meeting was held at a different venue than usual. Also, the City Councilmember from the 9th District observed the meeting for an hour and a half, but did not speak.

MEMBERS PRESENT AT TIME OF FIRST VOTE:

David Adams [P]	Katrina Monzon [P]
Michael Auerbach [P]	Lillian Moy [E]
Reverend Joan Brightharp [P]	Jason Nagel [P]
Mayras Cappas [P]	Roberto Ortiz-Arroyo [P]
David Crane [P]	Barden Prisant [P]
Elizabeth Cruse [P]	Joyce Ravitz [E]
Andrea Diaz [P]	Lois Regan [P]
David Diaz [P]	Verina Reich [E]
George Diaz [P]	Richard Ropiak [P]
Harvey Epstein [P]	Estelle Rubin [L]
Morris Fajtelewicz [P]	Eunice Samuels [L]
Anthony Feliciano [A]	Deborah Simon [P]
Rabbi Y.S. Ginzberg [P]	Pia Simpson [E]
Carlos Juan Gonzalez [P]	Arlene Soberman [P]
Herman Hewitt [P]	Nancy Rose Sparrow-Bartow [P]
Carolyn Jeffers [P]	Mark Stein [P]
Barbara Jeter [P]	Harold Stelter [E]
Anne Johnson [P]	David Weinberger [E]
Joel Kaplan [P]	Sara Weinstein [P]
Lisa Kaplan [P]	Harry Wieder [P]
Doreen Leon [L]	Samuel Wilkenfeld [E]
Bernice McCallum [P]	Echo Waisan Wong [E]
David McWater [P]	
Alexandra Militano [P]	

At this point, the Board Chairperson requested that all matters regarding votes from the Economic Development Committee go to its Chairperson.

EXECUTIVE SESSION:

1. A woman from the Third Street Music School spoke about its programming for adults, including its fundamental courses and asked for community participants.
2. A woman representing the First Street Garden was asking Community Board #3 to support its being granted permanent status after it had just been successfully removed from being placed on auction. She thanked other gardeners for their support as well as CB#3's Housing Committee and the City Councilmembers of the First and Second Districts.
3. A man from Asian Americans for Equality (AAFE) spoke about a new community computer center in the Lower East Side with free and low-cost services.
4. A resident of a building adjacent to the bar at 99 Stanton Street expressed opposition of its being granted a liquor license, because it degraded the quality of the

neighborhood and lack of sleep due to outdoor smoking, drinking, urinating, loud talk, et cetera.

5. A woman complained that toxic smoke was emanating from Lavagna Restaurant on East Fifth Street, and while the restaurant did try to fix the problem, the results did not help the situation.
6. Three men associated with the Falun Dafa spoke about its film project in Chinatown, particularly in Sara Roosevelt Park, and wanted to answer the charge that it was homophobic by stating that while its members did not smoke, drink and had sex only with their spouses, it did not seek to impose its views on anyone else. The Chairperson of the Transportation Committee/Parliamentarian went up to the speaker's podium and asked about the views of its spiritual leader regarding children of interracial union. He then read a statement where this leader expressed strong views regarding the fate of such children. One of Falun Dafa's spokespersons indicated that there are some interracial couples in his organization. The Assistant Secretary wondered why all the Falun Dafa speakers were Caucasian and none were Asian.
7. A woman spoke about the aims of the Campaign for Inclusionary Zoning and the concern that low income housing be built was particularly acute in areas of Brooklyn like Williamsburgh and Greenpoint. A man from the Good Ole Lower East Side (GOLES) spoke in support of the campaign.
8. A woman connected with the Stannaid-Diggs Community Garden gave an update on the Grand Street Settlement House construction on north side of East Sixth Street between Avenues C and D and noted serious damage to the area due to rocks and water. She requested that the Community Board monitor the situation, especially since Grand Street Settlement won't talk to the people working or living in the area. The Board Chairperson recommended that she contact the Board office about the matter.
9. A representative of the NYC Department of Parks and Recreation's Alfred E. Smith Recreation Center updated board members of on-going construction on the site of 80 Catherine Street, which was scheduled to be completed in mid-July, but whose completion date was extended indefinitely. The work was started in February of this year. The playground and gymnasium was being renovated. A new basketball court and lighting were being installed as well as volleyball courts with artificial grass. Shrubs and trees were planted. The walkways on the grounds were being replaced. The barbecue pits were not installed yet, but plans were made to lock down the grill and monitored once they become installed and those who wanted to use it would be required to come into the recreation center during the daytime and sign up.

ELECTED OFFICIALS:

1. No representatives came from the 25th and 29th State Senatorial Districts, the 12th Congressional District, the 2nd Councilmatic District and the Mayor's Community Assistance Unit.
2. The representative for the 8th Congressional District mentioned the failure of the Constitutional Amendment against Gay Marriage to get a simple majority in the House - the Constitution required a 2/3 supermajority for passage. He reported that the Congressperson was pushing for the Equal Access Security Act, which would allow Same Sex couples equal access to Social Security benefits. He hailed the Supreme Court ruling on requiring enemy combatants to have the right to challenge their detention in court. After releasing documents pointing to the "extraordinary" levels of contamination present in the Deutsche Bank building in Lower Manhattan stemming from the 9/11 incident and asked the Environmental Protection Agency to fulfill its legal responsibility and ensure that the community surrounding the building does not get exposed to hazardous substance once the Deutsche Bank is demolished by the Lower Manhattan Development Corporation, which had charged itself with the oversight responsibility in the buildings imminent demolition.
3. The representative of the Manhattan Borough President's Office congratulated the new Board Chairperson and District Manager what he considered their good work. He announced the Dragon Boat Race Festival on the upcoming Saturday and Sunday from 8AM to 4PM at the 79th Street Boathouse. The Borough President was also hosting FEVA's art project at Arteries 10AM to 4PM weekdays in August and into September.
4. The representative of the 14th Congressional District asked Congress to have the United Nations' Electoral Assistant Division to look into the upcoming Presidential Election for any possible violation of voter's rights.

5. The representative for the 64th Assembly district reported that he testified before the City Council Transportation Committee in support of Intro 205A, which would improve the city's ability to detect and combat stray voltage and require all utility covers to have all its underground and street level equipment to have non-conductive casings. The Assemblymember met with all the other elected officials in the Lower East Side area and collaborated on a letter to the State Liquor Authority regarding the density of bars in the area. The Assemblyperson also organized a rally on July 22 regarding a Tribeca landlord who owned a restaurant in a building and who was trying to pass off internal renovations of the buildings as a form of demolition in order to force the eviction of his rent-stabilized tenants, which he would be permitted to do under the demolition provision of the Rent Stabilized Law. The Assemblymember was concerned that the any success of the landlord's strategy would signal other many other landlords act similarly and was seeking to get the Division of Housing and Community Renewal to help stop the landlord from succeeding.
6. The representative for the Assembly Speaker was substituting for the regular representative who was with the Speaker at the Democratic National Convention in Boston. He reported that the Speaker made a public statement regarding what he thought was the Governor's inadequate response to the state Court of Appeals decision in the Campaign for Fiscal Equality case where there was only money distribution figures for the New York City schools but with other schools in other districts having no idea how much they would receive under his plan. The Assembly plan would spell out what the allocation would be in each district. The representative further reported that the Assembly Speaker joined with the Senate Majority Leader on legislation that would raise New York's minimum wage by \$2.00 an hour.
7. The representative for the 74th Assembly District also spoke of the funding allocation issue of the state's public schools and stated that if there would be no resolution by all parties soon on the issue that the courts may consider setting up a distribution scheme for the funding for the state's schools itself.

CHAIRPERSON'S REPORT:

The Chairperson mentioned that the immediate past Chairperson and the Community Board office received \$50,000 in new technology grant, more than they asked for, by the office of the 2nd Councilmatic District, which they were required to spend by the end of the new fiscal year. He also mentioned that with the new District Manager having been in her position for two weeks, was doing well and was asking board members to volunteer in the office, particularly those who were Committee Chairs. He also stated that he will announce all the committee appointments, including committee chairs, once he hears from some of the board members. He requested that all board members sit up front and not around the auditorium. Before his official report, the representative for the First Councilmatic District mentioned that the board should obtain wireless mikes, to which the District Manager said that that would happen once the grants come in.

At this point, the representative of the First Councilmatic District gave his official report mentioning that the Councilperson signed on to have the First Street Garden removed from the auction block. As for the status of Clemente Soto Velez, the deadline for a resolution had passed the day before the meeting. The representative was not certain about the status of the situation after the reaching of the deadline, but felt that it would probably be extended in any event until after the Democratic National Convention. Recently the Councilperson proposed an election, irrespective of whether the winners were from CSV or from the Artist Alliance, which would be by secret ballot and proportional representation. Comments about this proposal were now coming in. A fourth board member expressed that she wanted the public in on the election and negotiation process for CSC, but the representative indicated that he did not want any rabble-rousers to come in and disrupt the process. She felt, though, that some people independent of both CSV and AA should come into the CSV board.

EXECUTIVE COMMITTEE:

The Board Chairperson noted that HOWL's for the use of La Plaza Cultural was the one item of new business, as well as discussion of proposed committee changes welding the Economic Development Committee to the State Liquor Authority Committee, Youth and Education to the Human Services Committee, plus adding a separate District Needs Coordinator and an Ethics, as well as a Bylaws and Procedures Committee.

The Parks Committee chairperson explained that HOWL and FEVA (Federation of East Village Artists) made an honest mistake when it did not go to the proper channels, and hence not to the Parks Committee in seeking to utilize the park until it was too late because it thought that La Plaza Cultural was a public garden and not newly transferred to the auspices of the NYC Department of Parks and Recreation. A sixth board member wanted to know why we were to have an ethics committee and the Board Chair felt that ethical matters should go to a committee rather than argued on the floor. He also indicated that a separate District Needs Coordinator would do a more thorough job than if it were folded into the Economic Development Committee and that an Outreach Task Force was formed by the prior Board Chairperson so as to become a vehicle to disseminate information to the public. Its other duties would be to go to public forums around the area to see what the community does and to inform those community members as to how they could apply to become board member. The District Manager felt that the Outreach Task Force would help to diversify board membership. A seventh board member indicated that he wanted to see a task force on Public Relations. The Board Chair informed the full board that the District Needs Coordinator must report to the Executive Committee on its issues rather than be a member of the Executive Committee without a bylaws change. An eighth board member noted that by changing the bylaws the person would be fixed into his or her position for a long time. The Parks Committee Chairperson wondered why not have the District Needs placed as a separate subcommittee of the Economic Development Committee. The District Manager indicated that because the coordinator would have meetings with different people that his/her area of expertise would be wider than what one committee would encompass. A ninth board member felt that the coordinator would be an ombudsman. The Assistant Secretary supported the idea of a coordinator and said that an ombudsman was different than a coordinator in that an ombudsman is essential a liaison and that a coordinator does more than communicates between various bureaucracies. The Immediate Past Chair felt that the job should be given to the Assistant Chair of the Economic Development Committee. The Chairperson of the Transportation Committee/Parliamentarian noted that we never before had a good system to articulate our budget priorities. The District Manager stressed that District Needs encompasses more than Economic Development, but involves all other committees like Transportation, Human Services, et cetera. A tenth board member attending his first full board meeting repeatedly volunteered throughout the discussion to be the coordinator. The Chair of the Economic Development Committee noted, based on her experience with doing the District Needs, that it was a monumental amount of work, which would require a person who was on the Community Board and not an intern and who was qualified to speak to agencies on behalf of the entire board. The Immediate Past Chairperson felt that bringing in external experts to the process would only help us and pointed to the Waterfront Task Force as a model for how to handle District Needs, which would include interns and board staff. Further discussion and decision on the District Needs Coordinator was postponed until the September meeting. The subject was then changed when an eleventh board member felt that there was a need to consider the evolution of board members doing summer business into a full scale board meeting instead of addressing emergency needs only. The Immediate Past Chairperson felt that combining SLA with Economic Development would drive the committee chair insane, but the current Economic Development chairperson noted that her committee never received a quorum and the Chairperson of the SLA Committee noted that there was often a vagueness and overlap as to when liquor licenses are granted and when outdoor café licenses were granted and that they should be best monitored by one committee so that overlapping issues do not fall through the cracks. A thirteenth board member felt that there should be a separated Economic Development Committee since currently the Lower Manhattan Development Corporation is very much engaged with Community Board #3 in economic development issues. The sixth board member requested that one looks into past minutes to see when we approved of the Outreach Task Force. In opposing the creation of the Ethics Committee, the Assistant Secretary reported that he surveyed the other 58 Community Boards and noted that only seven currently had ethics committees, one of which was used only once when a board member used inflammatory language. He reported that other boards told him that ethical matters would go either to the Borough President, the Corporation Council or the

District Attorney's office or would burn itself out, and that one community board in Queens believed that the City Charter forbade a board from being an adjudicatory body; a Manhattan District Manager expressed concern that such an Ethics Committee would be a self-protecting policing body akin to the CCRB. The Assistant Secretary noted that in meeting on a regular basis the new Committee could feel a particular need to search for ethical problems, and that in a potential future board, the configuration and deliberation of the appointed committee could be used for partisan purposes.

DISTRICT MANAGER'S REPORT:

The following Board Members were thanked for being so helpful in the office in the transition period between DMs—especially Bob Ortiz, Harry Wieder, and Elizabeth Cruse.

We received a call last week from Department of Administrative Services that the First Street Garden was taken off the auction list. The community people who organized to save the garden deserve congratulations.

We have a huge project in the office and would appreciate any help from Board Members who might be able to volunteer some time.

We need to catalog the many years of minutes, and we also need to go through old committee files to make sure we are keeping only essential information. This will take a long time—but needs to be completed before we move by next June.

WATERFRONT TASK FORCE:

REPORT: Regarding Task Force Vote

(See attached)

DISCUSSION: The Waterfront Task Force Chairperson/Secretary reported that there were eight community meetings within a year and a half, plus three workshops and a charettes report, and what was deleted from the attached report were only items that were really not connected to the Task Force's job. A fifteenth board member wanted to know if there were any controversies, to which the Chairperson noted only the Basketball City issue, which she expressed really belong to the Parks Committee. Someone asked what "meandering pathways" meant in the report, and the Chairperson answered that it meant walkways, not bikeways.

PARKS COMMITTEE:

REPORT: Regarding committee votes.

(See attached)

HOUSING:

(See attached)

DISCUSSION: The Chairperson of the Housing Committee was absent from this part of the meeting and the report was given by the Board Chairperson. Questions by a few board members were raised about the funding of Common Grounds housing facility for homeless people with developmental disabilities. Regarding the declarations of the Campaign for Inclusionary Zoning, a sixteenth board member wanted to know what the spokesperson of the Campaign felt was considered low income, to which she responded that the statement was to be seen as a set of general principals. A seventeenth board member indicated that he supported Common Ground because felt that they were an excellent neighbor adjacent to where he lived, where that facility was also near a couple of public schools. The Transportation Chairperson/Parliamentarian wanted principles and resolutions to be attached to vote sheets. The sixth board member worried about the length of what was being attached and recommended that the resolutions and principals be distributed ahead of time to all CB#3 members.

SLA COMMITTEE:

REPORT: Regarding Committee Votes

(See attached)

DISCUSSION: An eighteenth board member felt that with regards to the Complaints section, item #27, the SLA never listens to the committee and that many of the complainants did not speak English and could not properly communicate concerns, regarding an establishment with serious potential fire dangers and where the owners were nasty.

TRANSPORTATION/PUBLIC SAFETY:

REPORT: Regarding Committee Votes

(See attached)

DISCUSSION: The Assistant Secretary asked that a friendly amendment be added with regard to item # 3, Transportation, to recommend the parking change for only six months, subject to review, and expressed concern that while the complainant may have had merit, this vote could begin the chipping away of a fully considered and comprehensive board resolution with community participation regarding three blocks of traffic and parking problems on Forsyth Street and making its purpose ineffectual. He also noted that the motion was supported without explicitly notifying the Forsyth Street Block Association of this requested change. Noting that the NYC Department of Transportation did not yet acknowledge the Community Board's resolution, the Chairperson of the Transportation Committee/Parliamentarian denied the request and felt that the concerns of the Assistant Secretary was properly addressed in the motion, which was passed unanimously by the committee.

MEMBERS PRESENT AT LAST VOTE:

David Adams [P]	Alexandra Militano [P]
Michael Auerbach [P]	Katrina Monzon [A]
Reverend Joan Brightharp [P]	Lillian Moy [E]
Mayra Cappas [P]	Jason Nagel [P]
David Crane [P]	Roberto Ortiz-Arroyo [P]
Elizabeth Cruse [P]	Barden Prisant [A]
Andrea Diaz [P]	Joyce Ravitz [E]
David Diaz [P]	Lois Regan [P]
George Diaz [P]	Verina Reich [E]
Harvey Epstein [P]	Richard Ropiak [P]
Morris Fajtelewicz [P]	Estelle Rubin [P]
Anthony Feliciano [A]	Eunice Samuels [P]
Rabbi Y.S. Ginzberg [P]	Deborah Simon [A]
Carlos Juan Gonzalez [P]	Pia Simpson [E]
Herman Hewitt [P]	Arlene Soberman [P]
Carolyn Jeffers [P]	Nancy Rose Sparrow-Bartow [P]
Barbara Jeter [P]	Mark Stein [P]
Anne Johnson [P]	Harold Stelter [E]
Joel Kaplan [P]	David Weinberger [P]
Lisa Kaplan [P]	Sara Weinstein [E]
Doreen Leon [P]	Harry Wieder [P]
Bernice McCallum [P]	Samuel Wilkenfeld [E]
David McWater [P]	Echo Waisan Wong [E]

MEETING ADJOURNED: 9:52 PM



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HARVEY EPSTEIN, BOARD CHAIR

MARTHA DANZIGER, DISTRICT MANAGER

JULY 2004 VOTE SHEET

Executive Committee

1. **VOTE:** To table amendment to substitute an intern for a District Needs Coordinator.

BOARD VOTE:

24 YES 7 NO 2 ABS 0 PNV

MOTION PASSED

2. **VOTE:** To table creating a District Needs Coordinator position.

BOARD VOTE:

22 YES 11 NO 1 ABS 0 PNV

MOTION PASSED

3. **VOTE:** To change Youth Committee to Youth & Education Committee.

BOARD VOTE:

34 YES 0 NO 0 ABS 0 PNV

MOTION PASSED

4. **VOTE:** To call the question to vote on combining SLA/Eco Dev committees.

BOARD VOTE:

31 YES 3 NO 0 ABS 0 PNV

MOTION PASSED

5. **VOTE:** To recombine the SLA/Eco Dev Committees

BOARD VOTE:

27 YES 5 NO 2 ABS 0 PNV

MOTION PASSED

6. **VOTE:** To create an Ethics & By-Law Committee

BOARD VOTE:

27 YES 5 NO 0 ABS 0 PNV

MOTION PASSED

7. **VOTE:** To approve the use of La Plaza Cultural (formerly a community garden and now a DPR park) for a HOWL festival on August 21 and 22, 2004 from 12:00 noon to 6:00 p.m. with the use of amplified sound limited to fours hours per day.

BOARD VOTE (EXEC COMMITTEE):

30 YES 1 NO 0 ABS 0 PNV

MOTION PASSED

Waterfront Task Force

1. **VOTE:** To approve the following recommendations of the Waterfront Task Force for the improvement of the waterfront from the Brooklyn Bridge to the entrance of East River Park. These recommendations were formulated as a result of many community meetings with residents, particularly, the community design workshops that were facilitated by City College Architectural Center (CCAC) with the assistance of the National Parks Service Rivers and Trails

Program. (The complete Charrette Report and Design Principles of the workshops, prepared by CCAC, is available for review in its entirety.) The recommendations listed below elaborate on the Summary of Design Principles that was approved by the Board on June 22, 2004 (see attached).

These recommendations are in addition to the list of short-term improvements to the esplanade from the Brooklyn Bridge to Pier 35 that were submitted by Community Board #3 to the NYC Department of Transportation at its request in June 2003.

Parks Committee

Parks Permit Application:

1. Cotey Beauty, 9/10, ERP
VOTE: To deny due to non-appearance.
2. LESUPA, 8/14, ERP
VOTE: To deny due to non-appearance.
3. Church of the Transfiguration, 8/15, Columbus Park
VOTE: To deny due to non-appearance.
4. Shakespeare Project, 9/26, TSP
VOTE: To deny due to non-appearance.
5. Multicultural Concert, 9/19, TSP
VOTE: To approve.

Other Parks Committee Items:

6. Request for Support, Arts For Humanity: event in Cooper Union, Dance De-Fine
VOTE: To support the mission statement and activities of this organization as described in last year's Cooper Union program.

Economic Development

Sidewalk Café Applications:

1. Enzo's Brick Oven Pizza, 50 2nd Ave
VOTE: To approve upon receipt of CB3 Sidewalk Cafe application & signed, notarized stipulation re: hours of operation and willingness to address community concerns.
2. Les Enfants Terribles, 37 Canal St
VOTE: To approve 5 tables/10 chairs with stipulations re: hours and addressing complaints.
3. El Sayed, 601 E 6th St
VOTE: To deny due to non-appearance, as well as the because: 1) the business is already using the area as a sidewalk cafe without a license, in violation of city regulation; and 2) ongoing community complaints, including reports of a death threat to one local resident who addressed concerns about establishment.
4. Virage Bar and Grill, 118 2nd Ave
VOTE: To deny due to non-appearance.
5. Gnocco, 337 E 10th St
VOTE: To approve upon receipt of signed, notarized stipulation and completed CB 3 application.
6. St Marks 88, 157 2nd Ave
VOTE: To deny due to non-appearance.

BOARD VOTE (WATERFRONT TASK FORCE, PARKS COMMITTEE, ECO DEV COMMITTEE):

34 YES 0 NO 0 ABS 0 PNV

(ECO DEV ITEMS 1,2,5)

1 NO

(WATERFRONT TASK FORCE ITEM 1)

1 NO

MOTION PASSED

Housing Committee

1. Common Ground Community: Boys' Club, 133-139 Pitt St

VOTE: To send letter of support.

2. Campaign for Inclusionary Zoning

VOTE: To support bullet points #1, #2, #3, #5, and #7 as written in attachment and to support point #4 only if it will be revised to include language that will ensure that the developers cannot find ways to short change the low income community and to support point #6 only without second sentence. [SEE ATTACHED]

3. r.Dot Position paper

VOTE: To send letter to r.Dot that CB#3 finds that it is in general agreement with r.Dot's recommendations, however we find disconcerting r.Dot's lack of response to CB#3's previous invitations to present its study. If r.Dot would like to present the study and discuss their recommendations, CB#3 will gladly put it back on our future agenda.

4. Request to remove from DCAS Auction: 1st St Garden, E 1st St (1st-2nd Aves) B443, L53

VOTE: To support the request to withdraw the lot from DCAS's auction list.

BOARD VOTE (HOUSING):

32 YES 0 NO 2 ABS 0 PNC

(ITEM 1)

5 NO

(ITEM 2)

3 NO

MOTION PASSED

Human Services Committee

NO JULY MEETING

Youth Committee

NO JULY MEETING

SLA Committee

Liquor License Renewal Applications:

1. PYB Inc, 108 E 4th St

VOTE: To approve.

2. Isapierre, 166 1st Ave

VOTE: To approve.

3. Festival Mexicano, 120 Rivington St

VOTE: To approve.

4. Burp Castle, 41 E 7th St

VOTE: To approve.

5. Wing Tak, 101 Allen St

VOTE: To deny due to nonappearance.

6. Dowel Quality Products, 91 1st Ave

VOTE: To approve.

7. Flor's Kitchen, 149 1st Ave

VOTE: To approve.

8. Gnocco Caffè, 337 E 10th St

VOTE: To approve.

9. Old Devil Moon, 511 E 11th St
VOTE: To approve.
10. Temple Restaurant, 81 St Marks Pl
VOTE: To approve.
11. Edge Bar, 91-97 E 3rd St
VOTE: To approve.
12. Calcutta, 324 E 6th St
VOTE: To approve.
13. Hyeon Bo Shin, 197 1st Ave
VOTE: To deny due to nonappearance.
14. Pink Pony, 176 Ludlow St
VOTE: To approve.
15. Kasadale, 647 E 11th St
VOTE: To approve.
16. Sonali, 326 E 6th St
VOTE: To approve.
17. Paladar, 161 Ludlow St
VOTE: To approve.
18. Lucky Chengs, 24 1st Ave
VOTE: To approve.
19. El Castillo De Jagua, 113 Rivington St
VOTE: To deny due to nonappearance.
20. Azul East, 152 Stanton St
VOTE: To approve.
21. Zumschneider, 107 Ave C
VOTE: To approve.
22. Jackson Rain, 186 Ave B
VOTE: To deny due to nonappearance.
23. Sunrise 27, 27 Division St
VOTE: To deny due to nonappearance.
24. 1492, 60 Clinton St
VOTE: To deny due to nonappearance.
25. Inovative, 133 Ludlow St
VOTE: To approve.
26. Chinar & Veerle, 98 Ave B
VOTE: To approve.

Letters:

27. Complaint: Delancey Lounge, 168 Delancey St
VOTE: To write letters to the SLA and DOB asking them to investigate this licensee's operation of a late night rooftop bar that permits more than 75 patrons and which is disrupting the lives of the tenants whose apartments overlook said rooftop and asking those agencies to provide the Board with information regarding the legal hours of operation for rooftops as well as maximum occupancy. cc: FDNY
28. Complaint: 13 Little Devils, 120 Orchard St
VOTE: To write a letter to the SLA asking it to provide an explanation as to why this licensee was reviewed and approved for a license when they failed to provide any notification to the Community Board that they intended to apply to the SLA.
29. Complaint: Detention, 82 E 3rd St
VOTE: To write a letter to the licensee informing him that residents have complained of loud music as late as 5:30 am (attaching complaint letter), informing him that he must immediately cease late night playing of loud music and asking him to explain to Board change in business name from "Kafeen" and apparent change in method of operation.
30. Complaint: Discovery Wines, 10-12 Ave A

- VOTE:** To write a letter to the SLA asking that it not review application until applicant first notifies Community Board as required by law so that community has an appropriate opportunity to comment.
31. Complaint: Lavagne, 543 E 5th St
VOTE: To write a letter to Sami Kader, owner of establishment, regarding complaints that oven is emitting thick black smoke into resident apartments and asking that he immediately cease operation of oven until problem is resolved or the Community Board will write a letter to the SLA asking that license be revoked and to write a letter to the EPA (cc: owner) requesting that it further investigate location's persistent use of oven which emits thick black smoke and which has been a continued hazard to health of neighboring residents.
32. Complaint: Beer Garden, 7 Rivington St
VOTE: To place on September agenda for review.
- Alterations/Transfers/Upgrades:**
33. Hong Joon, 108 E 4th St (trans/rw)
VOTE: To deny because applicant failed to provide the required signed notarized stipulation that 1) it will be a full service Italian restaurant, 2) it will serve food to within one (1) hour of closing, and 3) French doors will be closed no later than 11 pm weeknights and 12 am Fridays and Saturdays.
34. Paella, 214 E 9th St (trans/op)
VOTE: To approve transfer of full liquor license provided applicant furnish a signed notarized stipulation that 1) it would operate as a full service restaurant, serving food to within one (1) hour of closing and 2) it would have only taped music.
35. Mojo, 309 E 5th St (trans/op)
VOTE: To deny because applicant failed to provide the required furnish a signed notarized stipulation that 1) it would serve food to within one (1) hour of closing, 2) it would close the business no later than 12 am weeknights and 2 am on Fridays and Saturdays, and 3) it will ensure that patrons do not congregate on the street in front of the restaurant, including for the purpose of smoking, and that they be directed to the nearest avenue.
36. Salt Bar, 29 Clinton St (alt)
VOTE: To approve alteration to allow use of DJs provided applicant furnish a signed notarized stipulation that 1) it would use them no more than 20 times per year, 2) it will use only the existing loudspeakers as depicted in the photographs of establishment interior and add no additional amplifiers, and 3) it will have windows and doors closed while DJs are employed.
37. Chow Main, 50 Ave B (up/op)
VOTE: To approve upgrade.
38. Café Centosette, 160 2nd Ave (up/op)
VOTE: To approve liquor license for sidewalk café.
39. Peprico, 182 E 2nd Ave (trans/rw)
VOTE: To approve transfer of restaurant/wine license provided applicant furnish a signed notarized stipulation that 1) it operate as a full service Italian restaurant, 2) it close no later than 11 pm nightly, and 3) it will serve food to within one (1) hour of closing.
40. El Maguey Y La Tuna, 321 E Houston St (up/op)
VOTE: To approve upgrade provided applicant furnish a signed notarized stipulation that 1) method of operation does not change.
41. Stanton Surf Club, 99 Stanton St (trans/op)
VOTE: To deny because applicant failed to provide the required signed notarized stipulation that 1) it will serve food to within one (1) hour of closing, 2) it will maintain method of operation as a full service restaurant, and 3) it will not bring in outside promoters or DJs.

42. Kam Sing, 168 1/2 Delancey St (trans/op)

VOTE: To approve full liquor license.

New Liquor License Applications:

43. 338 E 6th St Restaurant, 338 E 6th St

VOTE: To approve. Hygiene

44. Golden Bridge, 50-52 Bowery (op)

VOTE: To approve full liquor license provided applicant furnish a signed notarized stipulation that 1) he operate as a full service Chinese restaurant and banquet hall, serving food to within one (1) hour of closing.

45. Los Amigos Fishing & Hunting Club, 202 Rivington St (op)

VOTE: To deny due to nonappearance.

46. Brewist Monks, 41-43 E 7th St (rw)

VOTE: To approve restaurant/wine license for restaurant because of applicant's long standing good history at adjacent locations.

47. Lucky Zhang, 105 E B'way (rw)

VOTE: To deny due to nonappearance.

48. Fulleen Seafood, 11 Division St (rw)

VOTE: to approve restaurant/wine license

49. Christy William Internet Café, 392 E 10th St (rw)

VOTE: To deny due to nonappearance and because there are currently twenty-two (22) licenses on Avenue C and an additional license would be against any community benefit as required by Section 64(7)(f) of the Alcohol Beverage Control Law.

Public Safety and Sanitation Committee

1. Support for Community Emergency Response Team (CERT) event in Lower Manhattan in September. Event will focus on citizen participation in CERT programs and will provide opportunity to sign up. Event will also provide opportunity to lobby for funding.

VOTE: To support a Community Emergency Response Team (CERT) event in Lower Manhattan in September 2004. The event will focus on citizen participation in CERT programs and will provide opportunity to sign up. The event will also provide an opportunity to lobby the federal government for funding. In addition, we ask our elected officials to continue support for the original CERT in NYC - the NYPD Auxiliary Police APSU/AESU/Rescue Services Program.

Transportation Committee

1. "No Parking Anytime" on Stanton St btwn Chrystie & Bowery

VOTE: To request that DOT remove the "No Standing" signs from both sides of Stanton Street between Chrystie Street and the Bowery. These were erected in connection with an alleged Transit Authority project that has been ongoing, but the Community Board wasn't notified prior to the switch. It is important that public outreach be done before disrupting parking.

2. DOT: Request "No Horn Honking \$350 Fine" signage throughout CB#3 district

VOTE: To write a letter to DEP regarding "No Horn Honking" Signage. [**SEE ATTACHED**]

3. DOT: Request for Loading Zone at 92 and 96 Forsyth St

VOTE: To request a "No Standing Except Trucks Loading and Unloading Zone" at 92 and 96 Forsyth St: 20-foot zones at the north-east and south-east corners of Grand Street. Since CB#3 would still like DOT to address our January 2004 resolution requesting a restoration of parking on the west side of Forsyth Street, we are asking for these loading zones as a temporary measure to mitigate the hazardous conditions created by angle parking against the curb of the narrow sidewalks on Forsyth Street.

4. MTA: Proposed List of Crosstown Bus Routes

VOTE: To write a letter to NYCT regarding crosstown bus routes. [**SEE ATTACHED**]

5. MTA: 2nd Ave Subway - Real Estate Acquisition Procedures

VOTE: [SEE ATTACHED]

6. TLC: Good Luck Car Service, 47 Ludlow St

VOTE: To approve the TLC base station license renewal for Good Luck Car Service, located at 47 Ludlow St, pending receipt by the time of the full board meeting of (1) copy of the letter that states how many parking spaces are being rented, and (2) the signed "memo to drivers" regarding quality of life issues.

7. LMDC request for approval for information kiosk on Baxter-Walker-Canal Street triangle

VOTE: To support the information Kiosk that the Lower Manhattan Development Corporation proposes to build on the Canal, Baxter and Walker triangle. The goal of this program is to promote Chinatown to local, regional, national, and international visitors and boost the local economy through tourism spending.

BOARD VOTE (SLA & PSC/TRANS):

33 YES 0 NO 1 ABS 0 PNV

(ALL SLA)

1 NO

(TRANS #3)

1 NO

MOTION PASSED

August 2, 2004

Mr. Lawrence G. Reuter, President
MTA New York City Transit (NYCT)
370 Jay Street
Brooklyn, N.Y. 11201-3814

Re: CB#3's Cross-town Bus Routes Proposals

Dear President Reuter:

Community Board 3-Manhattan appreciates NYC Transit's offer to have our proposals for cross-town bus routes reviewed by the Operations Planning group. The most important transportation problem of the Lower East Side is a lack of adequate public transportation. Despite the density of our district, many of our residents live more than half a mile from the nearest subway stop.

Community Board #3 (CB#3) strongly urges the return of the Grand Street cross-town bus route. Preservation of the endangered M21 cross-town bus route on Houston Street is also a priority for CB#3. The easternmost residents of the CB#3 district will continue being denied public transportation until the MTA restores/extends cross-town bus routes on Grand and Houston Streets.

Literature Survey

CB#3 was involved with the NYC Department of Transportation's 1999 Manhattan East Side Alternatives (MESA) study group. The MESA report proposed new bus routes and route modifications "to address long-standing gaps in the existing bus network." Various reconfigurations of the M15, M21 and M22 routes were explored. It is important to have cross-town bus routes that reach the FDR Drive on both Grand and Houston Streets, something that was not achieved by the particular proposals outlined by the MESA report. However, similar routes are clearly feasible. Full details of the MESA proposals can be found on page 20 of chapter 2 of the MESA report, available on the web at http://www.mta.nyc.ny.us/capconstr/sas/pdf/chapter_2.pdf

In their Chinatown Access and Circulation Study, the Lower Manhattan Development Corporation (LMDC) projects that there is a potential market size of 8,300 weekday trips on new cross-town bus routes. The LMDC could be contacted directly for details of this study. A limited overview presentation is available on the web at http://www.renewnyc.com/content/Chinatown_Study-Online_Presentation.pdf

CB#3's Proposals

(1) Grand Street Cross-town

This route would reestablish the original cross-town service on Grand and Broome Streets. It would extend into the Community Board #2 (CB#2) district. A complete cross-town route would provide numerous subway connections and bus transfer points.

The new subway connections could include:

- B/D at Grand Street and Chrystie Street
- J/M/Z at the Bowery and Delancey Streets (1 short block north of Broome Street)
- 6 at Spring Street and Lafayette Street (1 block north of Broome Street)
- J/M/Z/6 at Canal Street and Lafayette Street (2 blocks south of Grand Street)
- N/Q/R/W at Canal Street and Broadway (2 blocks south of Grand Street and Broadway, but 4 blocks from Grand Street and Lafayette Street)
- C/E at Spring Street and Sixth Avenue (1 block north of Broome Street)
- 1/9 at Canal Street and Varick Street (1 short block south of Grand Street)
- A/C/E at Canal Street and Thompson Street (1 block south of Grand Street)

The new bus transfer points could include:

- M15 at Allen Street
- M103 at the Bowery
- M1 north-bound at Lafayette Street
- M1/M6 south-bound at Broadway
- M6 north-bound at Sixth Avenue
- M20 north-bound at Varick Street
- M20 south-bound at Hudson Street (1 short block west of Varick Street)

Full river-to-river service might not be possible because of the severe congestion at the entrances to the Holland Tunnel on Broome and Watts Streets. A possible route that would not require changing street directions would turn left from Broome Street onto Watts Street, left on Varick Street, right on Canal Street, left on the West Side Highway, left on Canal Street, left on Sixth Avenue, and right on Grand Street.

An almost complete cross-town route would extend to Varick Street on the west, where it would share the southbound M20 route for one block. The full river-to-river route (above) would bring commuters several blocks closer to workplace destinations near Hudson Street between Canal Street and Houston Street.

A partial cross-town route would extend to Broadway on the west, where it would share the southbound M1/M5/M6 route for one block. This would provide fewer connections than the full service: no connections to the A/C/E, the 1/9, the M20 or the northbound M6.

A slight variation of partial service would extend only to Lafayette Street. The longer Broadway route (above) would bring commuters 2 blocks closer to the N/Q/R/W at Canal Street and Broadway, and 2 blocks closer to the southbound M1/M6. Of course, the shorter Lafayette Street route would provide no connections to the A/C/E, the 1/9, the M20 or the northbound M6.

(2) Existing M21 Route Improvements

CB#3 is concerned that a vicious cycle between reduced service and ridership is killing off the M21 route. Because NYCT has reduced the frequency of the M21 service, it has become impractical for customers to wait for the next bus. This leads to reduced ridership, which in turn is used as an excuse for another round of service cuts. The underlying problem appears to be that the M21 buses get caught in surface congestion, especially on West Houston Street between Sixth Avenue and Varick Street, caused by traffic backing up from the Holland Tunnel. The resulting delays make the M21 schedule very unreliable, which further discourages riders.

We recommend that NYCT begin discussions with the NYC Department of Transportation (DOT) and CB#2 about possible measures to eliminate left turns from the right lane of this stretch of West Houston Street in order to speed through traffic. Appropriate signage could be posted, but a row of flexible plastic delineators to divide the lanes would be more emphatic.

This type of solution would be similar to the bus-only lane on West 49th Street, which was installed for the M50 bus where it encountered surface congestion on Ninth Avenue due to traffic bound for the Lincoln Tunnel. Clearly, West Houston Street is too narrow for a bus-only lane, but measures to prevent left turns from the right lane would help protect the M21 route.

(3) Alternative M21 to serve Grand Street

This route would join the eastern portion of the original Grand Street cross-town route with the northern portion of the current M21. This is very similar to the MESA report's proposal for modification of the M21 to serve Grand Street. The difference is that CB#3 believes the connection between Grand Street and Houston Street should be well to the west of Chrystie Street, inside the CB#2 district.

Since this would only provide partial cross-town service on Grand Street, CB#3 considers this to be a compromise solution that would avoid the surface congestion in Soho. However, there are a couple of points in favor of this new route. It would connect more Lower East Side residents with Bellevue Hospital; and it would probably provide more reliable service than the M21 for the shared sections of their route. Of course, it would provide many subway connections and bus transfer points.

The new subway connections could include:

- B/D at Grand Street and Chrystie Street
- J/M/Z at the Bowery and Delancey Street (1 block north of Broome Street)
- 6 at Spring Street and Lafayette Street (1 block north of Broome Street)
- J/M/Z/6 at Canal Street and Lafayette Street (2 blocks south of Grand Street)
- N/Q/R/W at Canal Street and Broadway (2 blocks south of Grand Street and Broadway, or 4 blocks from Grand Street and Centre Street)
- N/R/W at Prince Street and Broadway
- B/D/F/V at Broadway/Lafayette Streets and Houston Street
- 6 at Bleecker Street and Lafayette Street (1 block north of Houston Street)
- F/V at Second and First Avenues at Houston Street

The new bus transfer points could include:

- M15 at Allen Street
- M103 at the Bowery
- M1 north-bound at Lafayette Street
- M1/M6 south-bound at Broadway

The longest partial cross-town service would be provided by sharing the M1 route between Grand Street and Houston Street, traveling northbound on Centre Street and Lafayette Street, and southbound on Broadway. It would share the M14A route along Grand Street, but would extend further to the west. It would share the M21 route from midway along Houston Street to the terminal at Bellevue Hospital, traveling on Houston Street, Avenue C and East 23 Street. In order to provide better service to residents east of Avenue D, the route could extend further east than the M21 does: Houston Street to Avenue D, then sharing the portion of the M14D on Avenue D to East 10th Street and Avenue C.

Sharing the M103 route on the Bowery between Grand Street and Houston Street would provide a shorter partial cross-town service, and would not provide connections with the N/Q/R/W, the 6, the M1 or the M6.

(4) Alternative M15D to serve Houston Street

Create a new M15D route, which would be a new branch of the M15, replacing the M15 runs that are currently short-turned at Houston Street. The new route would turn from southbound Second Avenue at 14th Street, continue to Avenue D, where it would follow the route of the current M14D southward. This new route would offer the same frequency of service as is available on the M15 runs that short-turn at Houston Street.

This alternative is lifted directly from the MESA report. This route has the additional advantage that it would eliminate or reduce the need for an M15 bus layover on Allen Street between Stanton Street and Houston Street.

Conclusion

The CB#3's Transportation Committee looks forward to continuing discussions with NYC Transit about possible cross-town bus routes. As you know, the eastern half of the CB#3 district does not have any subway service, and the southernmost cross-town bus route is East 8th Street. It is very important to increase public transportation on the Lower East Side.

Sincerely,

David McWater
Chair, Community Board #3

David Crane
Chair, Transportation Committee

cc: Elected Officials