



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD NO. 3

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David McWater, Board Chair

Susan Stetzer, District Manager

June 2005

Meeting of Community Board #3 held on June 28th, 2005 at 6:45 at PS. 20, 199 Essex Street.

MEMBERS PRESENT AT FIRST VOTE:

- | | | |
|--------------------------|--------------------------|-------------------------------|
| David Adams [P] | Herman Hewitt [P] | Joyce Ravitz [E] |
| Michael Auerbach [P] | Keisha Hogans [A] | Lois Regan [P] |
| Rev. Joan Brightharp [P] | Carolyn Jeffers [P] | Verina Reich [P] |
| Roberto Caballero [P] | Barbara Jeter [E] | Richard Ropiak [P] |
| Mayra Cappas [P] | Anne Johnson [P] | Estelle Rubin [E] |
| Rick Carman [P] | Joel Kaplan [E] | Eunice Samuels [A] |
| David Crane [P] | Lisa Kaplan [A] | Deborah Simon [E] |
| Elizabeth Cruse [P] | Jennifer Lim [P] | Pia Simpson [A] |
| Andrea Diaz [E] | Bernice McCallum [P] | Arlene Soberman [E] |
| David Diaz [P] | David McWater [P] | Nancy Rose Sparrow-Bartow [P] |
| George Diaz [P] | Alexandra Militano [E] | Harold Stelter [P] |
| Harvey Epstein [P] | Lillian Moy [E] | Steven Tin [P] |
| Morris Fajtelewicz [P] | Jason Nagel [P] | David Weinberger [P] |
| Anthony Feliciano [P] | Roberto Ortiz-Arroyo [P] | Harry Wieder [E] |
| Rabbi Y.S. Ginzberg [P] | Dominic Pisciotta [P] | Samuel Wilkenfeld [P] |
| Carlos Juan Gonzalez [P] | Barden Prisant [P] | |

PUBLIC SESSION:

1. Officer Leo from the 9th precinct announced A Day of Safety July 8 at 6:00 pm. This is a program of bike safety for youth.
2. Laurence Morrow from the Parks Department gave a presentation on the status of reconstruction at East River Park. He explained that the Parks Department is making every effort to preserve trees.
3. The NYC Department of Transportation, Bridges Division., presented modifications to the Manhattan Anchorage window of the Manhattan Bridge.
4. The following people spoke in favor of the Community Board not hearing applications for liquor licenses on Avenue B. Steven Taras, Susan Howard, Mark Alhadeft, Reverend Vedral, Elizabeth Glass, Rob Hollander, Rosie Mendez.
5. Jonathan Swann, Laure Travers, Celeste Lindsey and Anne Wenniger spoke against a liquor license at 35 Canal Street.
6. Natasha Girest spoke in favor of CB 3 resolution to oppose Whole Food Liquor store in Avalon Chrystie.
7. Harvey Epstein spoke about the West side stadium.
8. Leonard Jerusalunsky asked for help because a retail liquor store is opening very close to his establishment.
9. Tony McAndrew spoke in favor of CB 3 resolution asking the Department of Buildings to not issue permits on the St. Ann's Church site until community concerns are resolved.
10. Anne Frederick of Hester Street Collaborative presented a propose for temporary "Avenue of the Americas" art installation on Allen Street in collaboration with students at IS 131 and PS 134.
11. Sara Valentine from the Lower East Side Girls Club announced plans for a 2005 Farmers Market on sidewalk outside La Plaza Cultural.
12. Eva Swan introduced the district to Vocal Ease, a volunteer singing organization for hospitals, nursing homes, and senior centers.

PUBLIC OFFICIALS:

1. No representatives attended from the offices of Councilmember Lopez, and the Comptroller.
2. The following representatives gave reports:
 - a. State Senator Thomas K. Duane, Aliya Feldman, rep.
 - b. State Assemblymember Steven Sanders, Dolores Hernandez, rep.
 - c. Assemblymember Deborah Glick, Gregory Brender, rep.
 - d. Assemblymember Sheldon Silver, Jessica Ashenberg-Loeser, rep.
 - e. State Senator Martin Connor, Alice Cancel, rep.
 - f. Congressperson Carolyn Maloney, Victor Montesinos, rep.
 - g. Congressperson Jerrold Nadler, Michael Kay, rep.
 - h. Congressperson Nydia Velazquez, Melissa Maldonado, rep.
 - i. Manhattan Borough President C. Virginia Fields, Bradford Sussman, rep.
 - j. NYC Councilperson Alan Gerson, Luis Reyes, rep.

MINUTES:

Minutes of April 26th, 2005 were approved, as is.

BOARD CHAIRPERSON'S REPORT:

The Chair introduced Rick Carman as the District Needs Coordinator. The FY07 District Needs will be the first item on the agenda for each committee in July. It is important that all chairs cooperate with him. Rick Carmen spoke and asked the committee chairs to please work with him, since CB3 represents the community and the whole District Needs process is about bringing City budget dollars into the district.

The 197 Plan Taskforce will be appointed soon and will meet July 13 and August 23.

Campaign activity -- such as petitioning or wearing campaign buttons -- is inappropriate at CB meetings.

DISTRICT MANAGER'S REPORT:

Minutes for May have been distributed.

Basketball City has 20 scholarships are available for Community Board 3 for 3-week summer camp. Flyers are available with information to apply.

Two more community meetings have been set up for community input for the revitalization of the Allen/Pike Street Mall—July 6 and July 11. City agencies will be there to present possible scenarios and get your feed back.

The office has received many complaints regarding sidewalk cafes. There have been violations issued to unlicensed cafes. Cafes within the building line do not need a permit. Any licensed café must have a sign outside with permit information and number of tables and chairs allowed. The violations are serious -- 2 violations within 30 days could result in closure of business for one week.

EXECUTIVE COMMITTEE

REPORT: Concerning Committee Votes
Manhattan Bridge

VOTE: That Community Board 3 is aware of the Manhattan Bridge Window Replacement and supports the restoration of the windows to their original grandeur.

NOMINATING COMMITTEE

<u>Candidate</u>	<u>Position</u>	<u>Vote</u>
David McWater	Chairperson	30
Herman Hewitt	First Vice-Chairperson	32
Morris Fajtelewicz	Second Vice-Chairperson	31
Lois Regan	Secretary	32
Lisa Kaplan	Assistant Secretary	31
Andrea Diaz	Treasurer	32

ETHICS & BY-LAWS COMMITTEE

REPORT: Concerning Committee Votes

1. Guidelines for Community Board #3 film production outreach and for donations

VOTE: That Community Board #3 develop a one page questionnaire for community group to complete and return to community board. The questionnaire would include information regarding the: regularity of meetings, activity level, membership qualifications, structure, approximate number of members, and mission/purpose of the organization. Such a list would be conveyed to film productions companies seeking community organizations to outreach to, and would be available to the Community Board for its own outreach purposes.

2. Creation of a list of associations within Community Board #3 for film production companies seeking community organizations for contributions

VOTE: That Community Board #3 inform the community that we are developing a list of not-for-profit organizations, and requesting that such organizations complete a questionnaire. The questionnaire would include information as to the 501-c3 designation of the organization, and the size of its annual budget.

Such list of organizations shall include those organizations that 1) provide services/programs to the community and 2) will find that a donation of \$250-1,000 will have a significant impact in support of their organization's activities. Film production companies on a very sporadic basis make these donations. The community board will make the list available to the film companies, upon request, and will not participate in the disbursement of the funds.

3. Materials to educate CB3 members about discussing and making motions

No Vote Necessary

4. Revision of by-laws regarding attendance

No Vote Necessary

BOARD VOTE:

31 YES 0 NO 2 ABS 0 PNV

MOTION PASSED

PARKS & RECREATION COMMITTEE

REPORT: Concerning Committee Votes

Block Party/Street Fair Permit Application:

1. Fukien American Association, Market St (Henry St & E B'way), 9/4
VOTE: To approve the block party request by Fukien American Association.
2. Bethel Chinese Assembly of God, Eldridge St (Grand & Hester Sts), 7/23
VOTE: To approve the block party request by Bethel Chinese Assembly of God.
3. Monte Sion Christian Church, E 3rd St (Aves C & D), 7/16
VOTE: To approve the block party request by Monte Sion Christian Church.
4. Fourth Art Block, E 4th St (2nd Ave & Bowery), 8/20
VOTE: To approve the block party request by Fourth Art Block.
5. First Street Block Association, E 1st St (1st & 2nd Aves), 9/24
VOTE: To approve the block party request by the First Street Block Association.
6. Two Bridges Festival, East River waterfront promenade (Pike Slip & Montgomery St), 9/10
No Vote Necessary
7. Lin Zexu Foundation, Market St (Division St & E B'way), 7/3
No Vote Necessary
8. Lower East Side Hispanic Committee, E 6th St (Ave D & FDR Drive), 7/30
VOTE: To deny.
9. Messiah's Reformed Fellowship/Blimpies, Catherine St (Monroe & Cherry Sts), 9/17
VOTE: To table the block party request by Messiah's Reformed Fellowship/Blimpies.

Parks Permit Application:

10. Permit issues regarding soccer/ball fields
VOTE: That Community Board #3 (a) support priority consideration for Community Board #3-based organizations (specifically, not for profit organizations) for the use of athletic fields within Community Board #3 and (b) To support the request by Loisaida Youth Soccer for a park permit for the Grand Street field for two mornings each week, from 9 AM - 11 AM, from July 1st through August 15th, 2005.

Non-Permit Issues:

11. Summer Play Street program
No Vote Necessary
12. Avenue of the Immigrants - Hester St Collaborative proposal for medians
VOTE: To approve the concept of temporary art installation in the Allen/Pike Street malls by the Hester Street Collaborative/UNRAP.
13. McKinley Joint Use Park / Playground: Clarification of park and school jurisdiction, hours for school/afterschool/community use, and Community Board participation in plans and discussion regarding Park / Playground and responses from Park Dept to CB questions
VOTE 1: That the NYC Parks Dept. should not be entering into agreements with the NYC Department of Education or any schools or any entities without first bringing the proposal to the Community Board at a public meeting.

VOTE 2: WHEREAS, McKinley Playground is a jointly operated playground owned and maintained by the Parks Department;

WHEREAS, McKinley Playground is for the exclusive use of PS 63 and the Neighborhood School during school hours;

WHEREAS, McKinley Playground is designated as a public park for public use during non-school hours;

WHEREAS, the Parks Dept. has entered into an agreement with PS 63 and the Neighborhood School to lock the playground to the public during specified afterschool hours that historically and legally are designated as public park hours;

WHEREAS, neither PS 63 nor the Neighborhood School run the afterschool programs;

WHEREAS, the afterschool programs in McKinley Playground are run by University Settlement and Oasis Program;

WHEREAS, University Settlement runs the larger program, open to all children in the building, and University Settlement believes without any reservation that McKinley Playground should be open to the public; and

WHEREAS, Oasis Program is a for-profit program, and Oasis runs the smaller of the afterschool;

THEREFORE, BE IT RESOLVED, that Community Board #3 does not support the Parks Department's right to enter into agreements with schools to give away access to public parks, and in particular, Community Board #3 does not support the right of the Parks Department to enter into an agreement with PS 63 or the Neighborhood School to allow McKinley Playground to be locked to the public during afterschool hours for the Oasis School to operate its program or for the University Settlement's program, which supports Community Board #3's position. Community Board #3 believes that McKinley

Playground should be immediately open to the community during regular park hours, that is, after 3 P.M. every school day.

BOARD VOTE:

31 YES 1 NO 0 ABS 0 PNV

30 YES 1 NO 1 ABS 0 PNV (Item 13)

MOTION PASSED

HOUSING & LAND USE COMMITTEE

REPORT: Concerning Committee Votes

1. Request for support of 421a Partial Tax Exception from 48-50 Orchard St (B309, L3)

VOTE: To oppose a 421a Partial Tax Exception from 48-50 Orchard St (B309, L3) because of CB3's longstanding opposition to 421a tax exceptions that do not include affordable housing.

2. Possible Whole Foods liquor store at Avalon Chrystie Building (Houston & Chrystie)

VOTE: WHEREAS, Whole Food has been compelled by the New York State Liquor Authority to close its retail wine and liquor store located at its Columbus Circle location; and

WHEREAS, Whole Foods has acknowledged that it plans to "relocate" its retail wine and liquor store to Avalon Chrystie Place; and

WHEREAS, the proposed wine and liquor store will occupy in excess of 2,500 sq. ft. and shall be located in a building containing community and youth facilities; and

WHEREAS, owners of small community wine and liquor stores have appeared before Community Board Three and attested to the detrimental and possibly fatal effects that the Whole Foods wine and liquor store will have on the economic viability of neighborhood merchants; and

WHEREAS, Community Board Three remains committed to supporting the small commercial establishments and "mom and pop" stores that have long been a hallmark of our community; and

WHEREAS, Community Board Three has fully supported the Copper Square Urban Renewal Area Plan but has sought to minimize potential economic displacement caused by said plan;

THEREFORE, BE IT RESOLVED, that Community Board Three urges Whole Foods and the Developers of Avalon Chrystie Place to utilize their best efforts to facilitate the relocation of the Whole Foods wine and liquor store to another Whole Foods location.

3. CCM Avella, Support for Intro 15 "Deed Restrictions" Bill which would allow homeowners or civic groups to file deed restrictions with the Dept of Buildings - this would allow help preserve residential communities from over or improper development

VOTE: To support Intro 15 "Deed Restrictions" Bill which would allow homeowners or civic groups to file deed restrictions with the Department of Buildings. This would help preserve residential communities from over or improper development.

4. Postgraduate Center for Mental Health request for support for the establishment of a community residence for eight children on a City-owned lot at 276 E 3rd St

No Vote Necessary

5. Request for comment on application for certification of no harassment at 228 E 5th St so that owner can legally convert the premises to non-single room occupancy use

VOTE: That Community Board Three requests additional time from HPD to respond to HPD's request for comment on application for certification of no harassment at 228 East 5th Street and to encourage neighborhood groups to contact tenants of 228 East 5th Street to ascertain whether there has been a pattern of tenant harassment at the subject location. Item to appear on July Housing Committee Agenda.

6. St Ann's Church, 110 E 12th St - development, preservation, and construction issues related to the demolition of St Ann's church and development of a 23-story tower on the site utilizing air rights from the Cooper Station Post Office

VOTE: WHEREAS, Hudson Companies is seeking to develop the property located at 110 East 12th Street and construct a building in excess of twenty-three (23) floors; and

WHEREAS, numerous community residents have appeared before the Housing, Land Use, Zoning and NYCHA committee of Community Board Three and expressed, in part, the following concerns:

- 1) the height and scale of the proposed project is out of context in relation to other buildings on the block;
- 2) the surrounding neighborhood is already overwhelmed with traffic congestion and noise and cannot sustain additional large scale development without a reduction in the residents' quality of life;
- 3) the developer has purchased the air rights over the United States Post Office, located on New York State Land at 11th Street and 4th Avenue, without opportunity for public comment or review; and

- 4) in preparing the site for construction, Hudson Companies demolished parts of St. Ann's Church (constructed in 1847) and the remaining facade and tower of this significant historical structure are presently at risk for demolition; and

THEREFORE, BE IT RESOLVED, that Community Board Three urges the Department of Buildings not to issue a building permit for the subject site until: community concerns are addressed; shadow and traffic studies are conducted and the remaining structures of St. Ann's church are permanently safeguarded; and

WHEREAS, the absence of open communication between Hudson Companies and community residents has heightened community concern; it is further

RESOLVED, that this matter shall appear on the July agenda of the Housing, Land Use, Zoning and NYCHA committee of Community Board Three and it is requested that representatives of the Department of Buildings, City Planning and Hudson Companies attend.

7. 8 St. Marks, rental of residential space as commercial space and DOB monitoring and enforcement of regulations

VOTE: WHEREAS, residents of 8 St. Marks Place have appeared before the Housing, Land Use, Zoning and NYCHA committee of Community Board Three and expressed concern that the Landlord is attempting to rent residential space as commercial space in violation of applicable regulations and the existing certificate of occupancy; and

WHEREAS, tenants and former tenants of properties owned by the same landlord have also appeared before the Housing Committee and substantiated that similar activity has occurred at other properties owned by the Landlord; and

WHEREAS, it appears that the Landlord has engaged in a pattern of conduct that demonstrates a total disregard for existing zoning and DOB regulations and the rights of tenants;

THEREFORE, BE IT RESOLVED, that Community Board Three urges the Department of Buildings to conduct an immediate investigation into the Landlord's actions at 8 St. Marks Place and other similarly situated properties and take appropriate enforcement action.

8. 4 East 3rd Street Hotel

No Vote Necessary

9. 195 Bowery - 11 stories on top of 5 condo

VOTE: To postpone this vote until the July meeting to give time to attempt to locate the resolution on the 197C proposal believed to have been approved last year.

BOARD VOTE:

33 YES	0 NO	0 ABS	0 PNV (Items 1-7)	MOTION PASSED
25 YES	6 NO	2 ABS	0 PNV (Item 9)	MOTION PASSED
16 YES	14 NO	2 ABS	0 PNV	MOTION DID NOT PASSED

HUMAN SERVICES & SENIORS COMMITTEE

No meeting scheduled for June

YOUTH & EDUCATION COMMITTEE

No meeting scheduled for June

SLA & ECONOMIC DEVELOPMENT COMMITTEE

REPORT: Concerning Committee Votes

Complaint:

1. Boxcar Lounge, 168 Ave B - follow-up

VOTE: To have licensee appear next month to monitor whether soundbaffling has improved conditions for residents.

2. Black & White Bar, 84 E 10th St

No Vote Necessary

Liquor License Renewals w/Complaints:

3. No Where Bar, 322 E 14th St

VOTE: To approve renewal of license for No Where Bar, 322 East 14th Street.

4. Pizza Gruppo, 186 Ave B

VOTE: To approve renewal of license for Pizza Gruppo, 186 Avenue B.

Resolution Area Addition:

5. Request to add Ave B btwn E 10th - 12th Sts to the Resolution Prohibiting Additional Liquor License Applications for Certain Areas within Community Board 3

VOTE: To add Avenue B between Houston and 14th Streets which currently has thirty-two (32) liquor licenses to Community Board 3's Resolution prohibiting additional liquor licenses because of persistent resident complaints regarding noise, both on the street and in the backyards, as well as pedestrian and vehicle congestion, because the narrow physical character of this street cannot support the existence of additional licensed establishments and because

Community Board 3 recognizes that the addition of new liquor license will harm the value of existing businesses.

(append map and petition)

Sidewalk Café Applications:

6. ULURP N050202ECM - Zerza Cwai, 304 E 6th St (new, change of ownership)

VOTE: To approve revised plans for enclosed sidewalk café for Zerza Cwai, 304 East 6th Street.

7. Quessant, 168 Orchard St

VOTE: To approve a sidewalk café for Quessant, 168 Orchard Street based on the prior good history of this business, provided it is located on Orchard Street only and is comprised of no more than eight (8) tables with seventeen (17) chairs and provided it closes at 11 p.m. weeknights and 12 a.m. weekends.

8. Ajacks Restaurant, 199 Orchard St

VOTE: To deny sidewalk café for Ajacks Restaurant, 199 Orchard Street, based on Community Board 3's inability to determine whether this new business can appropriately operate a café on this small street in close proximity to Houston Street which is a major and dangerous avenue.

9a. Zozo, 172 Orchard St

VOTE: To approve sidewalk café for Zozo, 172 Orchard Street, provided it is located on Stanton Street only and be comprised of no more than eight (8) tables and sixteen (16) chairs and provided it closes at 11:00 p.m. weeknights and 12 a.m. weekends.

9b. Modasil Group, 166 2nd Ave

VOTE: To approve sidewalk café for Modasil Group, 166 Second Avenue, provided it closes at 11:00 p.m. weeknights and 12 a.m. weekends.

Alterations/Transfers/Upgrades:

10. Counter, 105 1st Ave (up/op)

VOTE: To approve an upgrade to full on-premises license for Counter, 105 1st Avenue, with the understanding that the method of operation as a full-service vegan restaurant will be maintained.

11. Sean Summers, 49 Clinton St (trans/op)

VOTE: To approve transfer of full on-premises license for Sean Summers, 49 Clinton Street, given that applicant has signed a Memorandum of Understanding with the Clinton Street Block Association documenting how he will operate his business (attached hereto).

12. Stanton Restaurant Corp, 82 Stanton St (alt)

VOTE: To deny application for full on-premises license for new sidewalk café for Stanton Restaurant Corp, 82 Stanton Street, based on the inappropriateness of a location of sidewalk café serving alcohol on a corner with an existing bus layover.

13. 3 Pots, 328 E 14th St (trans/rw)

VOTE: To approve transfer of restaurant/wine license for 3 Pots, 328 East 14th Street, with the understanding that it will maintain its existing method of operation as a restaurant.

14. My First Pony, 152 Orchard St (trans/op)

VOTE: To send letter to the SLA notifying them that the above-referenced entity had applied before Community Board 3 for a liquor license and had subsequently withdrawn its application and is asking that the SLA not consider any application from this entity until it first applies to and is reviewed by Community Board 3 as provided by law.

15. Verchovyna Tavern, 136 2nd Ave (trans/relocation of business)

VOTE: To approve removal of full on-premises license for Verchovyna Tavern to 136 Second Avenue, based on licensee's twelve (12) year good history at 81 East 7th Street.

16. JCNY, 158 Ave C (trans/op)

VOTE: To approve the transfer of a full on-premises license for JCNY, 158 Avenue C, provided the applicant furnish a signed notarized stipulation that it will 1) close no later than 2 a.m. every night, 2) serve food to within one (1) hour of closing every night, 3) employ doormen and security as needed and install security cameras on outside of establishment as represented to Community Board 3, 4) install soundproofing if needed, 5) not have Djs, live music, promoted events or events at which a cover fee will be charged, and 6) make itself immediately available to respond to any community concerns or complaints.

17. Burp Castle, 41 E 7th St (trans/rw)

VOTE: To approve transfer of license for Burp Castle, 71 East 7th Street, with the understanding that the method of operation and name of business will remain unchanged.

18. Standing Sports Bar, 43 E 7th St (trans/rw)

VOTE: To approve transfer for license for Standing Sports Bar, 43 East 7th Street.

New Liquor License Applications:

19. East Ocean Seafood Restaurant, 53 Bayard St (rw)

VOTE: To send letter to the SLA notifying them that the above-referenced entity had applied before Community Board 3 for a liquor license and had subsequently withdrawn its application and is asking that the SLA not consider any application from this entity until it first applies to and is reviewed by Community Board 3 as provided by law.

20. Peking Duck House, 28 Mott St (rw)

VOTE: To approve application for restaurant/wine license at Peking Duck House, 28 Mott Street

21. Cherin Sushi, 306 E 6th St (rw)

VOTE: To send letter to the SLA notifying them that the above-referenced entity had applied before Community Board 3 for a liquor license and had subsequently withdrawn its application and is asking that the SLA not consider any application from this entity until it first applies to and is reviewed by Community Board 3 as provided by law.

22. Alex Panin, 172 Ave B (op)
VOTE: To send letter to the SLA notifying them that the above-referenced entity had applied before Community Board 3 for a liquor license and had subsequently withdrawn its application and is asking that the SLA not consider any application from this entity until it first applies to and is reviewed by Community Board 3 as provided by law.
23. Cevicheria Cantina, 172 Ave B (op)
VOTE: To send letter to the SLA notifying them that the above-referenced entity had applied before Community Board 3 for a liquor license and had subsequently withdrawn its application and is asking that the SLA not consider any application from this entity until it first applies to and is reviewed by Community Board 3 as provided by law.
24. Lifting Cups, 78 Orchard St (op)
VOTE: To send letter to the SLA notifying them that the above-referenced entity had applied before Community Board 3 for a liquor license and had subsequently withdrawn its application and is asking that the SLA not consider any application from this entity until it first applies to and is reviewed by Community Board 3 as provided by law.
25. Congee Bowery, 207 Bowery (op)
VOTE: To approve full on-premises license for Congee Bowery, 207 Bowery Street.
26. Laura Travers, 35 Canal St (op)
VOTE: To deny application for full on-premises license for Laura Travers, 35 Canal Street, based upon inappropriateness of licensed establishment for this building which already has an existing café/bar and for this area of the neighborhood which is on a small traffic triangle that amplifies noise.
27. E 11th Rest Corp, 647 E 11th St (op)
VOTE: To send letter to the SLA notifying them that the above-referenced entity had applied before Community Board 3 for a liquor license and had subsequently withdrawn its application and is asking that the SLA not consider any application from this entity until it first applies to and is reviewed by Community Board 3 as provided by law.
28. North River Tavern, 192 2nd Ave (op)
VOTE: To send letter to the SLA notifying them that the above-referenced entity had applied before Community Board 3 for a liquor license and had subsequently withdrawn its application and is asking that the SLA not consider any application from this entity until it first applies to and is reviewed by Community Board 3 as provided by law.
29. LES2, 98 Ave B (transfer/op)
VOTE: To approve the transfer of a full on-premises license for LES2, 98 Avenue B, provided applicant furnish a signed notarized stipulation that it will 1) serve food all nights to within one (1) hour of closing, 2) install soundproofing as needed, 3) close door and windows at 10 p.m. weeknights and 11 p.m. weekends and if DJS are being employed, 4) not have promoted events or charge a cover fee for any events, 5) make itself immediately available to respond to any community concerns or complaints, and 6) only use Djs for special events and have them located in back of business.
30. Ariel, 506 E 13th St (op)
VOTE: To send letter to the SLA notifying them that the above-referenced entity had applied before Community Board 3 for a liquor license and had subsequently withdrawn its application and is asking that the SLA not consider any application from this entity until it first applies to and is reviewed by Community Board 3 as provided by law.
31. Nu Restore, 126 E 7th St (op)
VOTE: To deny application for full on-premises license for Nu Restore, 126 East 7th Street, as no applicant appeared and no application materials were furnished to Community Board 3 for review of proposed license.

BOARD VOTE:

31 YES 0 NO 1 ABS 0 PNV

(Includes 12 split votes: 2 Yes on Item 5, and No on balance. 2 No on Item 5, and yes on balance. 1 No on Items 7 & 9A, and Yes on balance. 1 No on Item 25, and Yes on balance. 1 Present Not Voting on Item 25, and Yes on balance. 1 Abstain on Item 26, and Yes on balance. 1 No on Item 26, and Yes on balance. 1 Yes on Items 1,3,4,5,6,12,13,14,15,17,19,21,22,23,24,26 and 1 Abstain on Item 25, and No on balance. 1 No on Item 25, and Yes on balance. 1 No on Item 26, and Yes on balance.)

MOTION PASSED

PUBLIC SAFETY/SANITATION & TRANSPORTATION COMMITTEES

REPORT: Concerning Committee Votes

Public Safety & Sanitation Committee

No Items on June Agenda

Transportation Committee

1. Bus Shelter on Grand at Clinton St - decision whether to move shelter closer to stop or keep at same location and install bench
VOTE: That CB3 understands that a bus shelter wide enough to accommodate a bench would have to be located quite a distance from the bus stop on Grand at Clinton St. Therefore, CB3 requests that DOT install 2 bus shelters for this location – one with, and one without a bench.
2. Request for No Standing Zone for the front of Blue Moon Hotel at 100 Orchard St
VOTE: To approve installation of a "No Parking – Hotel Loading and Unloading" zone in front of the Blue Moon Hotel at 100 Orchard St, with the understanding that the current regulations are "No Parking", so handicapped parking rights would be unaffected.
3. New Bus depot 156 E B'way: parking, diesel idling, noise issues
No Vote Necessary - Postponed to July meeting.

4. CCM Lopez: resolution opposing automation of the L train

VOTE 1: That CB3 opposes the adoption of One Person Train Operation (OPTO) on the L line, and indeed for any subway lines. Before OPTO, most New Yorkers knew that if you wanted to feel and be safe on a train during off hours, you rode in the middle car where the conductor usually operated. Since NYCT went to OPTO on certain lines, this safety blanket is no longer available for those riders. There are also serious concerns about passenger safety related to OPTO. One train operator using mirrors and closed circuit television to attempt to see all doors while in the station is not as effective as having two operators able to actually see all the doors. Finally, CB3 does not believe that one train operator can safely evacuate a train during an emergency.

VOTE 2: To discuss installation of Communications-Based Train Control (CBTC) by the MTA for subway trains. We would like to invite the following organizations to present their view on CBTC at the July Transportation committee: the MTA, the Straphangers Campaign, United Spinal and Siemens.

5. CCM Nelson, Support for Intro 511 - A Local Law to provide signage requiring lower speeds and other pedestrian-friendly actions when operators of any form of transportation are within one block of a naturally occurring retirement community or one block of a senior citizens center
No Vote Necessary

BOARD VOTE:

31 YES 0 NO 1 ABS 0 PNV

MOTION PASSED

MEMBERS PRESENT AT LAST VOTE:

- | | | |
|--------------------------|--------------------------|-------------------------------|
| David Adams [P] | Herman Hewitt [P] | Joyce Ravitz [E] |
| Michael Auerbach [P] | Keisha Hogans [A] | Lois Regan [P] |
| Rev. Joan Brightharp [P] | Carolyn Jeffers [P] | Verina Reich [P] |
| Roberto Caballero [P] | Barbara Jeter [E] | Richard Ropiak [P] |
| Mayra Cappas [P] | Anne Johnson [P] | Estelle Rubin [E] |
| Rick Carman [P] | Joel Kaplan [E] | Eunice Samuels [A] |
| David Crane [P] | Lisa Kaplan [A] | Deborah Simon [E] |
| Elizabeth Cruse [P] | Jennifer Lim [P] | Pia Simpson [A] |
| Andrea Diaz [E] | Bernice McCallum [P] | Arlene Soberman [E] |
| David Diaz [P] | David McWater [P] | Nancy Rose Sparrow-Bartow [P] |
| George Diaz [P] | Alexandra Militano [E] | Harold Stelter [P] |
| Harvey Epstein [P] | Lillian Moy [E] | Steven Tin [P] |
| Morris Fajtelewicz [P] | Jason Nagel [P] | David Weinberger [A] |
| Anthony Feliciano [P] | Roberto Ortiz-Arroyo [P] | Harry Wieder [E] |
| Rabbi Y.S. Ginzberg [P] | Dominic Pisciotta [P] | Samuel Wilkenfeld [P] |
| Carlos Juan Gonzalez [P] | Barden Prisant [P] | |

MEETING ADJOURNED