



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD NO. 3

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Dominic Pisciotta, Board Chair

Susan Stetzer, District Manager

December 2008 Full Board Minutes

Meeting of Community Board #3 held on Tuesday, December 16, 2008 at 6:30pm at PS20, 166 Essex Street.

Public Session:

Virginia Kee: The Founding member of Chinese-American Planning Council is opposed to the reconstruction of Chatham Square. It will keep Park Row closed for even longer which has already drastically hurt those small businesses. DOT has not kept the community informed and has not asked for the community's input. The plan is dangerous for pedestrians and limits access for emergency vehicles.

Jan Lee: DOT Believes DOT needs community input on traffic and design before signing off on Chatham Square redesign. This project will cost 50 million dollars project. A project of this scope needs more time for planning.

Danny Chen from CT Cooperative. One major issue with the plan is that it eliminates a pedestrian crosswalk. It is dangerous for children and seniors. The proposed East Broadway and Bowery intersection has diagonal crosswalk not safe or efficient. There are too many questions and flaws to vote yes on it.

John Zamot: is bombarded with film crews. He sees crews 4 times a month. They are taking over parking. He is also frustrated that there is not enough time to cross Essex and Delancey.

Theresa Drescher: from City Santa. She is thanking Tower Brokerage and Magnum Real Estate for donating their space.

Judith Zaborowski, 9th St Block Association. SLA committee has denied Fritz 417 East 9th St of a beer/wine license. The 9th St BA has met with Fritz. Although they have not changed their decision to oppose the application, they want it in the record that they have actually met with the applicant.

Katherine Wolpe: Campaign to Save the M8 bus. The proposed elimination of the M8 bus line drastically affects disabled people and students from Cooper Union. She wrote a petition opposing these changes.

DISCUSSION: whether it is appropriate to have a petition in the CB office for others to sign.

Jeanie Chin spoke in opposition to redesign of Chatham Square. She feels the plan is deeply flawed. Park Row will never be opened again. The plan will increase traffic. DOT should've received more community input.

Anna Goldstein: Believes the Chatham Square plan which proposed cost is \$50 million is not a fiscally prudent plan in the midst of tough economic times. The money would be better spent keeping community services going. She is concerned over the location of sewage, electricity and water pipes when the park gets dug.

Margaret Chin: We cannot support Chatham Square plan. This Saturday they are having community rally in front of DOT 1pm. Her other concern is that DOT has not met with the community.

Josephine Lee: Staff and Workers Ass. Believes the plan will have negative effect on small businesses. The plan benefits Wall St and tourists before Chinatown residents.

Tony Tsai: Also opposes Chatham Square plan. It will cost too much money. It will cause too much traffic and congestion for 3 years. Urges CB to vote down the plan.

Rob Hollander: attended Chatham Square hearing. He believes DOT is not just ignoring the Chinatown community's input but also that of local politicians and the CB.

Heung S Tam: Believes DOT did not do enough pedestrian safety studies. The traffic plan does not make sense. They do not care about the community.

Geoff Lee: Civic Center Residents Ass. Park Row has already been closed for 7 years. This plan would impose 3 more years. Chinatown has not quite bounced back as quickly as other downtown neighborhoods after 9/11 because Park Row has been closed and there's very little parking. If they want to help Chinatown, give them more busses.

Paul Lee from Chinatown Civic Ass.: asking CB to be Chinatown's advocate in opposing this plan and supporting Chinatown businesses. His business has failed and doesn't want to see others have to go through the same.

Public Officials:

Mayor Michael Bloomberg, Lolita Jackson & Pauline Yu:

Comptroller William Thompson, Rafael Escano:

The Comptroller wrote a letter to the Commissioner of DOT expressing his concerns about the implications of major construction on small businesses.

He has joined other elected officials and advocacy groups in announcing a lawsuit that will challenge the Mayor's move to extend term limits.

The Comptroller recently announced two audits that found the City was being underpaid millions of dollars. One audit that examined rents over a two year period at Yankee Stadium found that the Yankees owe the City over 11 million dollars. They have paid back 7 million so far.

He hosted a Foreclosure Prevention clinic in Brooklyn that drew more than 300 families.

The Comptroller launched new website which features citywide maps that indicate which neighborhoods are the hardest hit by the foreclosure crisis.

Public Advocate Betsy Gotbaum, Simeon Banister:

Borough President Scott Stringer, Gregory Kirschenbaum:

MTA needs to close budget gap. Access-a -Ride will go up from \$2 to \$4 which is detrimental for seniors on fixed incomes.

The BP is asking the City to create a "Better Capital Plan" for the next five years that will lead to the construction of new schools citywide. The City issued permits for new residential development between 2000-2007 which has the potential to add 2,300 new elementary and middle school students. The current capital plan could only pay for 143 new seats.

Manhattan Borough President Scott M. Stringer, joined by transit advocates and other elected officials said an analysis of the MTA's planned reduction or elimination of 20 bus routes in Manhattan showed that the cutbacks would leave thousands of riders with disabilities without an option for mass transit at night and on weekends – and in some cases during the workday.

On January 15 applications for Community Board are due.

Congressmember Carolyn Maloney, Victor Montesinos:

Congressmember Jerrold Nadler, Erin Drinkwater:

Congressmember Nydia Velazquez, Iris Quinones:

Assembly Speaker Sheldon Silver, Zach Bommer:

The Speaker wrote and opposition letter to DOT regarding the redesign of Chatham Square. He is opposed to the City's new plan to narrow and landscape half of the closed portion of Park Row, which he believes is an effort to make this roadway closure permanent.

On November 26 Sheldon Silver partnered with the United Jewish Council to hand out turkeys to underprivileged seniors.

He was temporary president for Electoral College. He had the privilege of putting in the vote for Barack Obama.

Assemblymember Deborah J. Glick, Matt Borden:

She thanked Susan Stetzer for alerting her of an applicant to that told the SLA Committee that they were withdrawing their application with SLA only to go forward with it.

Assemblymember Deborah Glick sent a letter to Police Commissioner Ray Kelly at the end of last month, saying that people have been parking their Vespas and other motorized scooters without license plates on the narrow sidewalks of the West Village. If there is no license plate on the vehicle it cannot be given a ticket.

Assemblymember Brian Kavanagh, Paula Castro:

The Assemblyman encourages us to e-mail or call office with suggestions and complaints.

The government is facing a \$15.4 billion deficit. While recognizing the need for budget cuts, Assemblymember Kavanagh will continue to work to minimize the impact of cuts on vital services such as education, housing and healthcare.

State Senator Thomas K. Duane, Romeo Ymalay: fill in from report

Councilmember Alan Gerson, Matt Viggiano: Hannukah\Israel party tomorrow night 5:30 City Hall.

Councilmember Alan Gerson called these treacherous budget times. He wants to protect city services. He thinks we shouldn't delay the scheduled new incoming police class of 2009. He'd like to maintain the budget for seniors, classrooms, and ACS. Those three are his top priorities. Property taxes will have to be raised but only back to before the last reduction.

The Councilmember is working to help combat violence in NYCHA houses. He has received the commitment of funding for a Youth Coordinator position for a youth outreach program. The aim is to have a program running by the summer.

Gerson thanked the CB for the resolution they proposed which withholds support and demands a more community input regarding the Chatham Square redesign. He urged the CB to consider 2 friendly amendments: 1) DOT needs to develop full business support plans. He is concerned about small businesses surviving the construction periods. 2) DOT needs an enhanced public safety plan no later than the February hearing.

Councilmember Rosie Mendez, Jessica Nepomiachi:

She hosted the PS 188 Parks Scoping Session last Friday.

Rosie has been busy developing the tenant association at Haven Plaza.

Mitchell-Lama Waiting Lists Now Available Online

State Senator Elect Daniel Squadron, Mary Cooley:
Phone # of office: 646-472-5712. Call with any concerns.

Members Present at First Vote:

David Adams [P]	Bonnie Hulkower [P]	Joyce Ravitz [P]
Paul Bartlett [P]	Carolyn Jeffers [P]	Lois M. Regan [A]
Michael Byrne [P]	Anne K. Johnson [P]	Richard F. Ropiak [P]
Wendy Cheung [A]	Vaylateena Jones [P]	Lawrence Rosenblatt [P]
Pearl Chin [A]	Meghan Joye [P]	Elizabeth Sgroi [A]
Rocky Chin [P]	Joel Kaplan [P]	David Silversmith [A]
David Crane [P]	Sam Krueger [P]	Deborah A. Simon [A]
Andrea Diaz [P]	John Leo [P]	Arlene Soberman [A]
George Diaz [A]	Eden Lipson [A]	Nancy Rose Sparrow-Bartow [P]
Harvey Epstein [P]	Bernice McCallum [A]	Elinor Tatum [P]
Morris Fajtelewicz [P]	David McWater [P]	David Weinberger [A]
John Fout [A]	Alexandra Militano [P]	Harry Wieder P]
Beth From [A]	Ilene Morales [P]	Samuel Wilkenfeld [A]
Edward Garcia [A]	Thomas Parker [P]	Douglas Witter [A]
Rabbi Y. S. Ginzberg [P]	Dominic Pisciotta [P]	Noah Yago [A]
Gloria Goldenberg [P]	Barden Prisant [P]	Thomas Yu [P]
Herman F. Hewitt [P]	Carolyn Ratcliffe [P]	

Minutes:

Minutes of October 2008 were approved, as is.

Board Chairperson's Report:

Chairperson Dominic Pisciotta

No votes were taken at Executive Committee Meeting.

Due to the impending budget cuts and their impact on CB, we all need to figure out how to do more fundraising.

Part of the Chatham Square resolution passed at the Transportation Committee was to continue to look for community input from Chinatown Working Group. They're actually not a formal group and did not have their mission statement complete and therefore asked not to put it on their agenda. Dominic wants to form CB3 taskforce.

Personnel Taskforce met last night for the first time. There were three of us there and one via phone. They will be investigating how other boards do evaluations.

District Manager's Report:

District Manager Susan Stetzer

Budget Cuts: Police FDNY cuts. Quality of Life cuts not impacting out board.

re Chatham Sq. water will be turned off. 5 mill going to water tunnel

4th St tenant ass. horn honking campaign. expose this problem. hook up with other tenant and block associations with same problems.

Committee Reports:

Executive Committee

no vote necessary

Housing, Land Disposition, & NYC Housing Authority Committee

1. Common Ground update on 133-139 Pitt Street supportive housing residence
no vote necessary
2. Update on procedure and criteria for selection of new vendors and review of current market booth rental policy for Essex Street Retail Market
withdrawn

Human Services, Health, Disability, & Seniors Committee

no meeting scheduled

Youth & Education Committee

no meeting scheduled

Transportation & Public Safety Committee

David's report: taskforce would be dealing with the traffic layout. Brian Kitchens. engage

1. Allen Street Hotel (200 Allen St) request for 27' extension of "No Standing" to north of loading zone

VOTE: To approve of a 27' "No Standing" zone at 200 Allen St, just north of the allotted 45' "Hotel Loading Zone" for the Allen Street Hotel. This will avoid double parking which would adversely affect traffic and the bike lane on Allen St.

2. Request bike lane on Delancey

VOTE: To postpone until January.

3. Bicycle Parking Text Amendment, CEQR 09DCP029Y

VOTE: To approve the Bicycle Parking Text Amendment, CEQR 09DCP029Y, which would establish a minimum number of secure bike parking spaces in all new development in the City. For example, a new residential development of over 10 units would be required to allot 1 space for 50% of the units, and a new commercial development of over 22,500 square feet would be required to allot 1 space for every 7,500 sf.

4. MTA proposed service cuts to buses

VOTE: WHEREAS, Public transportation is a public good, and NYC is dependent on public transit as a vital public service. Businesses as well as workers, students, government agencies depend on public transit; and

WHEREAS, the cost of transit cannot be a burden only on the riders; and

WHEREAS, loss of service will only further cripple a system that does not adequately serve the community and causes people to either look to other modes of transportation or forego trips; and

WHEREAS, in NYC riders pay 51% of the operating costs, one of the highest in the country, and the balance of the cost is paid by government subsidy; and

WHEREAS, senior citizens will be negatively impacted because most seniors are living on a fixed income and need public transit to access services—such as shopping and medical services. People are already making choices between prescriptions and food. Seniors will also be more isolated by not being able to travel; and

WHEREAS, members of the disabled community are also more likely to have a lower and fixed income. The disabled community has been working for improved accessibility—this will be a step backward; and

WHEREAS, our environment is very affected by public transit. NYC has one of the highest rates of asthma in the country—pollution from cars triggers asthma attacks and causes premature death. Affordable fare encourages the use of public transit instead of cars—which gives us cleaner air and saves energy; now

THEREFORE, BE IT RESOLVED, that it would be in the best interest of NYC for the MTA to not increase NYC public transit fares and promote the use of affordable, safe, and accessible public transit—which will benefit the entire city. Also, that it would not be in the best interest of NYC residents and businesses and addressing environmental concerns, to implement any further cuts in service; and

BE IT FURTHER RESOLVED, that Community Board 3 calls on all levels of government to develop a coordinated strategy to use tax revenues to adequately fund the MTA operating budget and to cover the expenses of its Capital Program projects, including debt payments that will begin to balloon over the next few years.

5. Chatham Square Redesign

VOTE: Resolution Withholding Support for the Chatham Square/Park Row Redesign

WHEREAS, The City has presented a Chatham Square/Park Row Redesign that would reconfigure the intersections in Chatham Square to improve traffic and pedestrian conditions and create a substantial new public open space. Implementation of this redesign would fully implement two mandated mitigation measures identified in the lawsuit regarding the One Police Plaza Security Plan Environmental Impact statement (the EIS) developed during the environmental review process between April 2005 and August 2007:

- The reconfiguration of Chatham Square – The existing complicated intersection in Chatham Square would be simplified by creating two smaller, more regular intersections. The planned reconfiguration would realign both the north-south and east-west movements through Chatham Square: the Bowery would flow directly into St. James Place while Worth Street would flow directly into East Broadway. The new alignment of the Bowery would create a new public plaza featuring a dedicated space for the existing Kim Lau Memorial Arch as well as programmable space for a variety of passive public uses and community celebrations. The new plaza would be roughly triangular in shape, extending to the southeast from the street wall between Mott St and Doyers St.
- The creation of a pedestrian promenade on Park Row – The redesign would realign Park Row with Mott St, forming a right-angle intersection with Worth St. Park Row would be reduced to one south- and one northbound lane, with nearly half of the right-of-way for vehicles converted into a landscaped promenade for pedestrians. At the checkpoint at the north end of Park Row the City has added an additional southbound lane to facilitate vehicle movement through the checkpoint and reduce the risk of delays associated with vehicle screening. The Commissioner Lin Ze Xu statue would be moved to a new location at the northern terminus of the promenade near Chatham Square. A 6-minute walk along this 4/10-mile long promenade would connect Chinatown with the Civic Center and with existing parks at Brooklyn Bridge Plaza and Drumgoole Plaza. Pedestrians could reach One Police Plaza and the Municipal Building via a ramp, or could continue on the promenade under the One Police Plaza "underpass" to reach the Brooklyn Bridge and the Financial District; and

WHEREAS, The existing Chatham Square intersection was built in 1999, when it was aligned to facilitate the north-south movement between the Bowery and Park Row. Because of the security plan for One Police Plaza after September 11, 2001, Park Row has been closed to general traffic (excepting local residents, NYPD vehicles, NYCT buses and emergency services). When Park Row was closed, north-south traffic was shifted to St. James Place, sending motorists along a serpentine path through the Chatham Square and causing significant traffic congestion in surrounding areas. Pedestrians crossing through Chatham Square must contend with long crossings, inadequate sight lines causing safety concerns, and multiple simultaneous turning movements through crosswalks; and

WHEREAS, A series of legal challenges were mounted against the One Police Plaza security plan, which resulted in the preparation of a detailed Environmental Impact Statement by the NYPD. The environmental review process, which lasted from April 2005 to August 2007, recommended implementation of two major mitigation measures in order to address these significant adverse impacts: the reconfiguration of Chatham Square and the creation of a pedestrian promenade on Park Row; and

WHEREAS, The redesign of Chatham Square is intended to alleviate those conditions. Traffic simulation analysis of the reconfiguration was conducted by the City as part of the EIS process, and independently by Brian Ketcham, a traffic consultant retained by CB3. Both of these models showed a marked improvement in traffic movements with the proposed reconfiguration. Mr. Ketcham has also recommended a slight change to the reconfiguration to add one more eastbound lane for the Worth Street approach to Bowery, because his model shows this improvement would improve traffic, cutting travel time in half. The City has already begun review of this option; and

WHEREAS, The reconfiguration of Chatham Square would not preclude the reopening of Park Row at some later date. This is a long-standing demand of local residents and businesses, and remains the official position of CB3 and local elected officials. The current proposal would not allow Park Row to return to its former role as a major thoroughfare, because it would not be aligned directly with the Bowery. In the event that Park Row were to reopen to general traffic, DOT would conduct any necessary traffic analysis, and could implement modifications such as adjusting signal timings, roadway striping, or the roadway alignment to ensure the intersection functions properly. CB3 has initiated a new analysis with Mr. Ketcham, who will continue to work with city on a plan on how Park Row would function were it to reopen and what steps would be necessary. This would inform final design for the creation of a pedestrian promenade on Park Row; and

WHEREAS, Since the Final EIS was issued in August 2007, City officials have been meeting with local residents, business owners, Community Boards and other stakeholders to explain the plan and gather feedback. The City outreach included at least one meeting with the following groups: Community Boards 1, 2, and 3, City Councilman Alan Gerson, State Senator Martin Connor, State Senator-Elect Daniel Squadron, Civic Center Residents Coalition NYC, Chatham Green Board, Chatham Tower Board, Lin Ze Xu Foundation, American Legion, PS 124, Chinese Consolidated Benevolent Society, Chinese Chamber of Commerce, Chinatown Partnership LDC, Mariner's Temple, Grace Gratitude Buddhist Temple, Fujianese Association of NY, United Fujianese Association, Smith/Hamilton Houses, Hamilton Houses Senior Center, and NY Chinatown Senior Center. Public comment led to a number of valuable improvements to the plan, including:

- Retention of parking lanes on St James Place.
- Maintaining the current direction of Oliver Street.
- Creation of a lay-by lane on The Bowery for retail deliveries and night-time community parking
- Reconfiguration of the security checkpoint at the northern end of Park Row to improve throughput, and access to Chatham Green.
- Design of open space surrounding Kimlau Memorial Arch on Chatham Square for events by the American Legion.
- Location and alignment of Commissioner Lin Ze Xu statue (facing east Broadway), creation of open space around the statue to facilitate annual gatherings.
- To improve pedestrian crossings and safety, refuge islands were introduced into the roadway plans where possible; and

WHEREAS, The proposed alignment was reviewed and approved by the New York City Department of Transportation and the New York City Fire Department (FDNY). The FDNY, in its letter of support stated "... there will be more efficient movement of the fire department apparatus in all directions as a result of this new traffic design." Additionally the proposed alignment was reviewed by the New York City Transit Authority which found the new design would be a substantial improvement and would not create any mobility problems for regular or articulated buses; and

WHEREAS, there has already been a 13-month delay in the approval and implementation of the Chatham Square/Park Row Redesign. A CB3 public hearing on Chatham Square/Park Row Redesign was originally planned for November 2007, a few months after the final EIS was issued, but was delayed due to, among other things, ongoing litigation challenging the final EIS. After that lawsuit was resolved, a subsequent hearing was planned for August 2008. In July 2008, the City's project team realized that because of the delay, the Chatham Square reconstruction was now potentially in conflict with the Brooklyn Bridge Rehabilitation Project. The public hearing was postponed while DOT and DDC coordinated implementing both projects, which took until October 2008. On December 2, 2008, CB3 was finally able to sponsor its Public Hearing on Chatham Square Traffic/Park Redesign, which was co-sponsored by CB1 and CB2. At that meeting, the City presented to the public the detailed design plans for the reconfiguration of Chatham Square and the creation of a pedestrian promenade on Park Row; and

WHEREAS, Work on rehabilitation of the approach spans and ramps of the Brooklyn Bridge will begin in the spring of 2010 and will continue in stages through 2014. It is important to coordinate work on Chatham Square and the Brooklyn Bridge, because these two projects are essentially in the same area. A severe traffic problem and a rippling effect could result if work is not staged carefully. During night-time and week-end work on the Brooklyn Bridge, its traffic will be detoured. Traffic simulations and prior experience with work on the Brooklyn Bridge suggest that a significant portion of this traffic would be added to the Manhattan Bridge. If work on the subsurface utility work in the central parts of Chatham Square project cannot be completed prior to the spring of 2010, there would only be one lane of moving traffic through Chatham Square during those Brooklyn Bridge detours. Traffic simulations of that scenario show severe traffic congestion in areas surrounding Chatham Square – on the Bowery, on Worth St and Canal St, and across the Manhattan Bridge into Brooklyn; and

WHEREAS, The City is moving forward with implementing the Chatham Square/Park Row Redesign, the major mitigation measures discussed in the One Police Plaza Security Plan EIS. The City needs approval from the Public Design Commission (formerly the Arts Commission) to go forward with certain project components. Any delay increases the risk that the Brooklyn Bridge rehabilitation detours and Chatham Square infrastructure work will overlap; a delay of 2 months greatly increases the risk that the two projects will overlap and lead to an intensification of the negative impacts as described above; and

WHEREAS, The City has proposed the following schedule for components of the Chatham Square/Park Row Redesign project and the nearby Brooklyn Bridge Rehabilitation project:

- The reconfiguration of Chatham Square. Issue construction bid in January 2009. Begin Chatham Square/Park Row construction by June 2009. Complete the utility infrastructure work under The Bowery and Worth St by spring 2010. Utility work under St. James Place and East Broadway would be finished by mid-2011. The final street alignment and resurfacing, including changes to the alignment and lane configuration along Park Row, would be completed by early 2012.
- Brooklyn Bridge Rehabilitation. Begin deck and ramp construction in spring 2010. Work continued in stages through mid-2013.
- Open Space in Chatham Square and Park Row promenade. The design process would continue until mid-2009, in consultation with CB3 and the public. Procurement until early 2010. Open space construction until early-2012; and

WHEREAS, The City has committed to providing a regular set of stakeholder meetings coordinated through the Lower Manhattan Command Center (LMCCC) in the Chatham

Square/Brooklyn Bridge area (venue to be located with the help of CB3), that will coordinate work of all involved agencies and will meet regularly with these agencies and community stakeholders to resolve issues, and this stakeholder group or taskforce will start functioning immediately before actual construction work begins; and

WHEREAS, The City has committed to providing a community liaison who will be on-site during construction hours through the Department of Design and Construction to handle community requests and concerns and interface directly with the contractor, and the city construction managers and community liaisons will be located in a field office located in the Chatham Square/Brooklyn Bridge area, and will have Chinese language services available; and

WHEREAS, The Lower Manhattan Small Firm Assistance Program will be in place for these projects to alleviate adverse effects of publicly-funded construction projects and contribute to firm's working capital, with grants of up to \$25,000 available for small firms. The Program seeks to assist eligible businesses affected by the temporary closure of streets or sidewalks and to address the potential for blight during the Program eligibility period; and

WHEREAS, The City is continuing to work with CB3 and our traffic consultant, Mr. Ketcham, by providing additional information, especially concerning pedestrian safety and future traffic conditions, which may have been very conservative in the EIS, as well as information regarding the cross-effects with Brooklyn Bridge work, and which includes, but is not limited to, the following information:

- We are seeking specific information needed for the technical basis of a pedestrian and vehicular safety evaluation, including pedestrian counts and pedestrian-vehicle conflict analysis in the Chatham Square area.
- We are seeking traffic and pedestrian analyses for both midday and weekends, since we are also concerned about accommodating pedestrian and traffic movements on weekends. The "Chinatown Access and Circulation Study" issued by LMDC in December 2004 reported weekend conditions are worse than average weekday conditions. And, in fact, midday weekday pedestrian conditions are typically worse than evening peak hours. We must be sure the true worst case conditions are being analyzed.
- We want a full assessment of reasonable traffic conditions in ten and twenty years. We are concerned that the City's traffic analysis is limited to conditions observed three years ago. Mr. Ketcham has demonstrated that counts taken in 2005 are lower than what has occurred in earlier years and they can be expected to return to much higher levels in future years. The City has agreed to perform sensitivity analysis estimating the potential for accommodating any growth in traffic volumes at the 10- and 20-year horizon and will look at midday and weekend traffic patterns.
- We also want an assessment as to whether Chatham Square would function acceptably were Park Row to be opened to traffic in the future. We want to assess scenarios with one and with two moving lanes in both directions.
- Because Chatham Square is being expedited in anticipation of the rehabilitation of the Brooklyn Bridge, but no work can begin on the Bridge or the Square until maintenance and protection of traffic (M&PT) plans for each are adopted following public review, and because of the obvious need to coordinate the two projects and to integrate the two M&PT plans, DOT has provided and we are reviewing a copy of the draft Bridge M&PT plan along with the following: all traffic data, manual counts and automatic traffic counter counts, used in evaluating diversion routes for the Brooklyn Bridge reconstruction; and all information on any micro-assignment and traffic simulation modeling to optimize the Bridge construction M&PT plan; and

WHEREAS, The City is being asked to commit to working with CB3 and the impacted community for the next several months to study unresolved design issues, such as, but not limited to,

- Adding one more eastbound lane for the Worth Street approach to Bowery.
- A plan on how Park Row would function were it to reopen and what steps would be necessary. This would inform final design for the creation of a pedestrian promenade on Park Row, which will undergo a design process that would continue until mid-2009.
- Integration of the M&PT plans including work schedules for the Chatham Square/Park Row Redesign and Brooklyn Bridge Rehabilitation Project.
- Improving other aspects of the Chatham Square/Park Row Redesign concerning pedestrian safety and future traffic conditions, as recommendations are developed using the information and analysis from the previous section; and

WHEREAS, Although CB3 agrees that Park Row must be re-opened for Chinatown and the surrounding communities to experience their full and complete revitalization, the Chatham Square/Park Row Redesign would help mitigate much of the economic impacts caused by the closure of Park Row:

- Construction on the present timeline would result in all of the Chatham Square / Park Row Improvement Project being completed by 2012 when the WTC Memorial is complete and there will be many new tourists in Lower Manhattan.
- The creation of a Park Row promenade, as well as the introduction of a pedestrian ramp, would create an inviting, pleasant and direct connection for pedestrians and cyclists between Lower Manhattan and the Civic Center to Chinatown. The open space project would incorporate signage to guide people through the area, and direct them to local destinations.
- The new alignment of Chatham Square would help traffic, pedestrians and cyclists move more efficiently and safely into and through the Chinatown area.
- The upgrade to security devices around the perimeter of the Civic Center Security Zone would greatly improve the aesthetics and urban design of the area, pedestrian mobility and appeal of moving between the Civic Center and Chinatown.
- The creation of a new 27,000sf public open space in Chatham Square would provide a central gathering place for the Chinatown community, a venue to hold events, and offer opportunities for passive recreation with seating and plantings; and

WHEREAS, public comment at the December 2 public hearing was overwhelmingly against the lack of sufficient public involvement in the design process; and

WHEREAS, the Department of Transportation has not done adequate research regarding the economic impact of three plus years of reconstruction at Chatham Square, nor has the D.O.T. provided a business mitigation plan to the Chinatown community prior to the reconstruction of Chatham Square; and

WHEREAS, Community Board 3 did not give the public the opportunity to view detailed plans of Chatham Square's reconstruction until 6 days before the public hearing of December 2, 2008; and

WHEREAS, the Chinatown community has not had ample time to caucus and present an alternative plan for the reconstruction with alternative construction schedule; and

WHEREAS, the unanimous opposition expressed at the December 2, 2008 public hearing regarding Chatham Square reconfiguration accurately reflects the vast majority of Chinatown groups comprised of residents, businesses and nonprofits

THEREFORE, BE IT RESOLVED, that at this time, Community Board 3-Manhattan rejects the Chatham Square/Park Row Redesign. Because CB3 and the community ultimately want the City to reopen Park Row, we believe it is necessary to plan for this eventuality now. Because

of the protracted nature of the proposed reconstruction, we believe it is necessary for the City to provide a detailed business support plan that goes beyond the on-site community liaison and Small Firm Assistance Program grants outlined above. We ask the City to commit to working with the Community Board 3 Taskforce in a public process to analyze and finalize the outstanding issues of the design along with supplying further information to support the analysis. CB3 also commits to holding another public meeting in February 2009 so that the community can see the proposed final design and make comments to the design, which should incorporate the resolutions to the outstanding issues.

DISCUSSION:

David: CB3 Taskforce will be focusing on the traffic layout. CB3 has a traffic consultant, Brian Kitchen working with the DOT and reporting back to CB.

Susan: there will be a series of public hearings in January and February.

Joel: community does not want to "withhold support" but rather reject the plan.

David: DOT said they were going ahead with the plan. This resolution will offer us some community input. If we don't pass this we will forgo the opportunity to discuss safety and business plans at all.

Harry: noted other traffic plans that the DOT has not organized well and wants to use the word "thorough" when asking for a safety plan in the resolution.

Bonnie: noted possibly adding language mentioning business plan specifically.

Dominic: many politicians noted the lack of process in CS design. By creating this taskforce we are keeping the lines of communication and input open.

Rocky: also believes we should replace "withholds support" to "rejects"

(Transportation & Public Safety Committee)

33 YES	0 NO	0 ABS	0 PNV (Excluding Item 5)	MOTION PASSED
Item 5:	31 YES	1 NO	0 ABS	1 PNV
				MOTION PASSED

Environment Committee

1. Report from Go Green Lower East Side Committees
postponed
2. Presentations of current work from 2 local environmental groups: S.W.I.M. (Storm Water Infrastructure Matters) and Soler 1 (I love PV--photo voltaic--campaign), Presentations regard use of more localized energy
postponed

Parks, Recreation, Cultural Affairs, Landmarks, & Waterfront Committee

1. Landmark consideration for Russian Orthodox Cathedral of the Holy Virgin Protection, 59 E 2nd St
no vote necessary
2. Asian American Arts Centre art proposal to create 60 panels installed on the outside fence of Columbus Park

VOTE: To approve the installation by the Asian American Arts Centre of 60 panels on the outside fence of Columbus Park from January 1 through March 31, 2009.

3. Review of CB 3 street fair and block party policy

VOTE: To approve the addition of the following sentence to CB#3's Street Fair and Block Party guidelines: A.6. Sponsors will be responsible for compliance by their vendors with all license requirements, particularly sound and liquor approvals.

4. Request to preservation organizations to notify CB3 of proposed landmarking requests

VOTE: WHEREAS, the Greenwich Village Society for Historic Preservation (GVSHP) has received a grant concerning research and documentation of potential landmark properties in the 75-block area between 14th Street and Houston Street, Fourth Avenue/The Bowery and Avenue D; and

WHEREAS, GVSHP has been of assistance to CB#3 in the recent development of our rezoning initiative; and

WHEREAS, CB#3 welcomes resources to aid us in our efforts to maintain our historic community; now

THEREFORE, BE IT RESOLVED that CB#3 congratulates GVSHP on its preservation grant and looks forward to examining whatever research and documentation is produced and to review any proposals that GVSHP may offer concerning the preservation of various properties or areas in CB#3 in a manner in which CB#3 can be supportive of such proposals; and

HOWEVER, the NYC Landmarks Preservation Commission (LPC) requires any modifications to currently landmarked properties to be submitted to Community Boards for comment, but original applications are not required to be submitted to Community Boards; now

BE IT FURTHER RESOLVED that CB#3 requests that GVSHP and any other organizations, individuals and elected officials submit any proposed original landmark applications to CB#3 prior to submitting such requests to the Landmarks Preservation Commission.

Street Festival/Bock Party Permit Application

5. United Fujianese of America Assoc Lunar Chinese New Year Festival, 2/9, Market St (Henry St & E B'way)

VOTE: To approve the request by United Fujianese of America Association for a block party on February 9, 2009 on Market Street (Henry Street – East Broadway).

(Parks, Recreation, Cultural Affairs, Landmarks, & Waterfront Committee)

33 YES 0 NO 0 ABS 0 PNV MOTION PASSED

SLA & DCA Licensing Committee

Renewal with Complaint History

1. Klimat, 77 E 7th St (rw)

VOTE: That, as there have been numerous complaints from residents of this building, as well as surrounding buildings of noise from patrons standing on the sidewalk in front of this establishment late into the night, smoke from patrons smoking in front of this establishment and noise emanating from the open 6 foot by 6 foot façade window, to deny the renewal of the restaurant wine license for Klimat, 77 East 7th Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will limit its hours of closing to 12:00 A.M. weekdays and 2:00 A.M. Fridays and Saturdays, consistent with its original applications to the SLA and this community board, as well as its renewal application to the SLA, 2) it will close its façade window and front door at 10:00 P.M. every night, 3) it will designate an employee or employ an additional staff person whose responsibilities will include supervising the patrons standing outside in order to minimize noise, and 4) it will post signs on its façade asking patrons to keep noise levels down.

2. 40C Restaurant Corp, 40 Ave C (op)

VOTE: To deny the renewal of the full on-premises liquor license for 40C Restaurant Corp, 40 Avenue C, because the applicant failed to provide the required signed notarized stipulation that 1) it will continue to employ a doorman or security who is designated to stand at the entrance of the establishment to count patrons on nights of events, as well as to check identifications.

3. Le Souk, 47 Ave B (op)

VOTE: That, this community board has heard the application for the renewal of the full on-premise liquor license for Le Souk, 47 Avenue B, despite the fact that the existing license which expires December 31, 2008, has been cancelled by the New York State Liquor Authority and the location is currently awaiting a decision in an Article 78 proceeding appealing that cancellation and while this community board believes that it is foreclosed from voting on the renewal of an already cancelled liquor license, it notes that 1) this location has had a long history of complaints and violations regarding noise, overcrowding both inside and outside the establishment and unlicensed cabaret resulting in its license being suspended and, ultimately, cancelled by the New York State Liquor Authority and its establishment being closed through nuisance abatement by the New York Police Department, 2) while the applicant appears to have made recent efforts to cooperate with the police regarding illegal activity occurring within and outside its premise, has increased its staff and security to address these concerns and has requested assistance from the police to address traffic congestion outside of its establishment, despite all of these improvements, within 2008 there have been forty-four (44) police complaint reports (one (1) marijuana complaint, two (2) assaults and numerous grand larcenies and stolen property reports) within this establishment which is indicative of the failure of this applicant to manage the scale of his business and the repeated requests for traffic control to the police by this applicant are indicative of a continued difficulty in managing the congestion outside of its establishment from vehicles depositing and picking up patrons of this business, and 3) while residents from surrounding buildings appeared before this community board to speak both for and against this business and its management, the complaints of late night crowds of patrons on the street, late night noise and congestion from vehicles going to and from this establishment and late night noise emanating from this establishment are consistent with complaints which have been received by the police and this board during all of the years of operation of this business.

4. Odessa Restaurant, 117 Ave A (op)

VOTE: To deny the renewal of the full on-premise liquor license for Odessa Restaurant, 117 Avenue A, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will continue to employ a door person or security on Fridays and Saturdays from 10:00 P.M. to 4:00 A.M. to check identifications.

5. Nurse Bettie, 106 Norfolk St (op)

VOTE: To deny the renewal of the full on-premise liquor license for Nurse Bettie, 106 Norfolk Street, because the applicant did not appear before Community Board #3 for review of its application or provide any application materials for review and because this is a residential side street. This community board further notes that Edwin Chan, a community associate from the community board office, emailed a notice of placement on the upcoming agenda to the attorney for this applicant on November 25, 2008, and received a confirmation from Valerie Cervone from that office.

Applications within Resolution Areas

6. Carlos Narcisse, 200 Ave A (op)

withdrawn

7. European Union, 235 E 4th St (up/op)

VOTE: To deny the upgrade to a full on-premise liquor license for European Union, 235 East 4th Street, because the applicant submitted an untimely withdrawal of its application and did not appear before Community Board #3 for review of said application.

Alterations/Transfers/Upgrades

8. Moonstruck, 88 2nd Ave (ULURP N080446ECM, change of ownership)

VOTE: To approve ULURP N080446ECM, for a change in ownership of the existing enclosed sidewalk café for Moonstruck, 88 Second Avenue, and noting that the applicant has entered into an agreement regarding its method of operation with the East 5th Street Block Association. (appended hereto)

9. ABC Target Inc (Galaxy 45), 45 Mott St (alt/method of operation/hours)

VOTE: To approve the alteration to ABC Target Inc., 45 Mott Street, to wit adding karaoke and changing its hours of operation to 11:00 A.M. to 4:00 A.M. every day.

10. Rolo Restaurant, 32 Ave A (alt/method of operation/hours)

VOTE: To approve the amendment to the existing signed notarized stipulation for Rolo Restaurant, 32 Avenue A, which the applicant had previously agreed would become conditions of its license, changing its method of operation to a full-service American restaurant, serving food to within one (1) hour of closing and changing its hours of operation to 5:00 P.M. to 1:00 A.M. Sundays through Wednesdays and 5:00 P.M. to 3:00 A.M. Thursdays through Saturdays.

11. The 71 Group Inc., 71 Clinton St (op) **THIS IS A TRANSFER**

VOTE: To deny the transfer of a full on-premise liquor license to The 71 Group Inc., 71 Clinton Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will operate as a full-service American restaurant, serving food to within one (1) hour of closing, 2) its hours of operation will be 8:00 A.M. to 1:00 A.M. Sundays through Thursdays and 8:00 A.M. to 3:30 A.M. Fridays and Saturdays, 3) it will close any doors and windows by 10:00 P.M. every night, and 4) it will not seek to operate any outdoor space, including a sidewalk café or backyard.

New Liquor License Applications

12. Sun Shine 27, 46 Bowery (rw)

withdrawn

13. 1 Essex LLC, 1 Essex St (op)

withdrawn

14. Fritz Corp, 417 E 9th St (rw)

VOTE: To deny the application for a restaurant wine license for Fritz Corp, 417 East 9th Street, because 1) this applicant previously appeared regarding this application in September of 2008 but withdrew its application because it had failed to demonstrate that it had posted notices of its intent to obtain a restaurant wine license, as well as to meet with the 9th Street A-1 Block Association, and was instructed to do so by this community board before reappearing but has now appeared with the same deficiencies in its application, 2) this applicant has again failed to demonstrate notice to the community or support for its application, in that it has furnished only four (4) petitions letters in support of its application, 3) while the applicant stated that he had made attempts to meet with the president of the 9th Street A-1 Block Association since its first hearing, she stated that the landlord of the building had emailed her once asking that she reconsider her position and requesting a meeting, and have since met with this applicant (see letter from the 9th Street A-1 Block Association appended hereto), and 4) this is an application for a previously unlicensed location in the middle of a residential side street.

15. Las Ventanas, 21 2nd Ave (op)

VOTE: To deny the full on-premise liquor license for DGNY, 21 Second Avenue, located on the northwest corner of 1st Street and Second Avenue because 1) this application was previously denied in November of 2007 because there were at least five (5) full on-premises liquor licenses adjacent to this location on Second Avenue Between First and Second Streets (this community board notes that these existing licensed establishments and the subject location comprise all but one (1) storefront on this block and one (1) the licensed establishments is comprised of two (2) storefronts) and these conditions still exist, 2) the applicant concedes that there are a total of twelve (12) full on-premise liquor licenses within five hundred (500) feet of this location, 3) three (3) or more of these existing

licensed businesses are of the same class as the proposed application, 4) this establishment is approximately three thousand (3000) square feet on two (2) levels with a capacity to hold two hundred twenty-five (225) people, with seating for only one hundred fifty-five (155) people, a forty (40) foot bar and a lounge area, 5) this location is within a housing development which encompasses all of First Street between Bowery and Second Avenue and this development already has a large scale restaurant located on the corner of First Street and Bowery with a full on-premise liquor license and the same hours of operation as this applicant, as well as a multi-level wine bar on First Street between Bowery and Second Avenue with the same hours of operation, and this community board has already approved a full on-premise liquor license for a large scale restaurant, located on First Street between Bowery and Second Avenue which will be open twenty-four (24) hours, and 6) city agencies, which include police, sanitation and traffic enforcement, are already overwhelmed by increased people and vehicular traffic in this area of Second Avenue and Bowery.

16. Veselka Bowery, 9 E 1st St (op)

VOTE: To approve the application for a full on-premise liquor license for Veselka Bowery, 9 East 1st Street, because the applicant has a longstanding history as a restaurant owner in this community who will continue to offer affordable meals, employ local residents and provide a gathering place for members of the community, and 2) the applicant has actively supported many community organizations, including the 9th Precinct Community Council, local artists, public theatre, P.S. 122 and The Howl Festival.

17. Compas Group, 86 Orchard St (op)

VOTE: To deny the application for a full on-premise liquor license for Compas Group, 86 Orchard Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will operate as a cultural location, celebrating Mexican cultural, and consisting of a ground floor family friendly café, serving traditional clay stew pots and mescal, a basement consisting of a live music and cinema venue with alcohol service from wait staff only and no bar, a second floor consisting of an art gallery with no alcohol service, a third floor consisting of a print workshop with no alcohol service and a rooftop which will have no commercial use but will have a herb garden dedicated to the traditional meals offered in its café, and 2) the applicant will only transfer its license to another non-profit or arts based business.

18. Sticky Rice, 85 Orchard St (op)

VOTE: To deny the application for a restaurant wine license for Sticky Rice, 85 Orchard Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will operate as a full-service Thai restaurant, serving food to within one (1) hour of closing, and 2) its hours of operation will be from 12:00 P.M. to 11:30 P.M. every day.

19. EHD Restaurant, 112 Suffolk St (rw)

VOTE: To deny the application for a restaurant wine license for EHD Restaurant, 112 Suffolk Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will operate as a full-service Southern French Mediterranean bistro, serving food to within one (1) hour of closing, and 2) its hours of operation will be from 9:00 A.M. to 11:00 P.M. every day.

20. Happy Garden Palace, 54 E B'way (eb)

VOTE: To deny the application for an eating place beer license for Happy Garden Palace, 54 East Broadway, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will operate as a full-service Chinese restaurant, serving food to within one (1) hour of closing, and 2) its hours of operation will be from 10:00 A.M. to 6:00 P.M. everyday.

21. Palisades Capital Partners, 81 St Marks Pl (beer) **THIS IS A TRANSFER**

VOTE: To deny the transfer of a restaurant wine license to Palisades Capital Partners, 81 St. Mark's Place, because the applicant failed to provide the required signed notarized stipulation that 1) it will operate as a full-service Korean restaurant, serving food to within one (1) hour of closing, and 2) its hours of operation will be from 12:00 P.M. to 11:00 P.M. every day.

22. An Choi, 85 Orchard St (rw)

withdrawn

23. Cafe Khufu, 61 E 3rd St (rw)

withdrawn

(SLA & DCA Licensing Committee)

31 YES 2 NO 0 ABS 0 PNV (Excluding Item 3) MOTION PASSED

Item 3: 30 YES 2 NO 1 ABS 0 PNV MOTION PASSED

Economic Development, Zoning, & Planning Committee

1. Proposed Chinatown Working Group Study Area boundaries

VOTE: That the Community Board 3 Economic Development, Zoning, & Planning Committee encourage its representatives to focus their efforts on the core part of Chinatown in the CB3 area – an area not to lie east of Essex Street or north of Delancey Street.

2. Resolution in support of CBs 1, 2, 3 community based planning initiative to consider a comprehensive plan for Chinatown

VOTE: That the Community Board 3 Economic Development, Zoning, & Planning Committee accept the mission statement of the Chinatown Working Group in principle.

Whereas, Community Board 3, Manhattan, supports the mission of the Chinatown Working Group, which is a community-based planning initiative on the future of Chinatown. The goal is to support the community's residents, businesses and visitors.

Whereas CWG members include Chinatown's stakeholders – representatives of community groups, Community Boards #1, 2 & 3 and interested parties. Our focus is on issues of shared concern throughout Chinatown including but not limited to affordability, preservation, revitalization and the social and economic well being of families, seniors and youths.

Whereas CWG's objective is to articulate common goals for Chinatown's future and to formulate and work with City agencies to implement a community-based plan, which may pursue a planning strategy that goes beyond zoning.

Therefore Community Board 3, Manhattan, supports the Chinatown Work Group and its community-based initiative as a participating member with CBs, 1, 2, and community stakeholders.

3. Discussion of options for Bowery/3rd Ave

VOTE: That the Economic Development, Zoning, & Planning Committee empower a working group of five (David McWater, Andrew Berman, Harvey Epstein, Val Orselli, and Marci Reaven) to meet with local stakeholders about the Community Board proposed plan to rezone the Bowery and the Third and Fourth Avenue corridor , using the five principles as their guidelines.

(Economic Development, Zoning, & Planning Committee)

33 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Members Present at Last Vote:

David Adams [P]

Paul Bartlett [P]

Michael Byrne [P]

Wendy Cheung [A]

Pearl Chin [A]

Rocky Chin [P]

David Crane [P]

Andrea Diaz [P]

George Diaz [A]

Harvey Epstein [P]

Morris Fajtelewicz [P]

John Fout [A]

Beth From [A]

Edward Garcia [A]

Rabbi Y. S. Ginzberg [P]

Gloria Goldenberg [P]

Herman F. Hewitt [P]

Bonnie Hulkower [P]

Carolyn Jeffers [P]

Anne K. Johnson [P]

Vaylateena Jones [P]

Meghan Joye [P]

Joel Kaplan [P]

Sam Krueger [P]

John Leo [P]

Eden Lipson [A]

Bernice McCallum [A]

David McWater [P]

Alexandra Militano [P]

Ilene Morales P]

Thomas Parker [P]

Dominic Pisciotta [P]

Barden Prisant [P]

Carolyn Ratcliffe [P]

Joyce Ravitz [P]

Lois M. Regan [A]

Richard F. Ropiak [P]

Lawrence Rosenblatt [P]

Elizabeth Sgroi [A]

David Silversmith [A]

Deborah A. Simon [A]

Arlene Soberman [A]

Nancy Rose Sparrow-Bartow [P]

Elinor Tatum [P]

David Weinberger [A]

Harry Wieder [P]

Samuel Wilkenfeld [A]

Douglas Witter [A]

Noah Yago [A]

Thomas Yu [P]

Meeting Adjourned