



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD NO. 3

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Dominic Pisciotta, Board Chair

Susan Stetzer, District Manager

September 2010 Full Board Minutes

Meeting of Community Board #3 held on Tuesday, September 28, 2010 at 6:30pm at PS 20, 166 Essex Street.

Public Session:

1. Peter Kostmeyer. Citizens Committee for NYC. Has handouts re a grant for beautification of neighborhoods. Grants are up to \$1000.
2. John Jerger. New York Cares, dealing with LES and Chinatown. About 100 projects each month coordinating with approximately 50 schools and not-for-profits. Open to discussing volunteer opportunities for these groups. "Neighboring Initiative." Wants to hear from the community.
3. Eileen Ryan. Henry Street Settlement. Speaking for open enrollment for Youth Employment Services.
4. James Capozzi. FBI. www.infragard.net Information sharing program to keep everyone safe, protect the City's infrastructure. People sign up to provide extra eyes for the FBI.
5. Morris Fajtelewicz. Speaking for Auxiliary Police Supervisors Benevolent Association. Seeking support for members' rights.
6. Madeleine Gelblum. NYC Financial Network Action Consortium. Program helping people apply for foodstamps. Works with Peoples LES Credit Union. Looking for partners to help get the word out about their services.
7. Laura Genovese. Opposed to 384 Grand Street bar. Disturbed that 2 CB members are bar owners.
8. Deborah Finston. Opposed to 384 Grand Street. Families, seniors, religious groups have other values.
9. Norma Ramirez. Opposed to 384 Grand Street. Disturbed that CB members are bar owners. (Dominic Pisciotta clarified that they represent the community. No conflict of interest.)
10. Paul Goldschmidt. Opposed to bar at Grand & Suffolk.
11. Paul Sobel. Opposed to 384 Grand. When 2 Boots was open til midnight, there were many disturbances. More predicted if open til 4 AM.
12. Stuart Leigh. Executive Director of Real World Foundation/Asthma Free School Zone. Presented CB3/Con Ed settlement projects: Air quality measurement, & school & community programs, including lesson plans. Thanks CB3. Enitre report will be on the website soon.
13. Rebecca Kalin. Represented by above.
14. Marie Coughlin. Chatham Square Public Library branch closed 10/2 – 11/15. Encourages use of other branches.
15. Edgar Yu. Manhattan District Attorney Vance's office. Introducing new initiatives. Community Liaison for LGBT community.
16. Denise Ortiz. Informing about services of Community Healthcare Network.
17. Adam Lynch. FDNY. Thanks to CB3 for help preventing firehouse closings. Thanks for support shown after a big fire on 1st & Houston. We'll need help when budget comes around in June.
18. Laura Sewell. Thanks to SLA Committee for denying license to Table 12
19. Dina Magnes. Same as above.
20. Dale Goodson. Same as above.

Public Officials:

Mayor Michael Bloomberg, Lolita Jackson: No report.

Public Advocate Bill de Blasio, Phil Jones: No report.

Comptroller John Lui, Sandra Ung: No report.

Borough President Scott Stringer, Alec Schierenbeck: BP proud to stand with Independence Plaza tenants against their unscrupulous landlord. Not CB3 but knows CB3 cares about affordable housing. BP on the Block launched, the BP or his reps on street corners to complain about city services. East Harlem Asthma Center launched to fight high asthma rates. \$400K investment in security at Baruch Houses. Looking to add security at other sites.

Congressmember Jerrold Nadler, Daniel Weisfeld: No report.

Congressmember Nydia Velazquez, Xiaomin Zhao: Fighting for immigration reform, including the DREAM ACT. 125th anniversary of Corlear Hospital on LES. National Night against Crime in August. House passed police improvement act to put 50,000 additional police on the street. Rewards to new immigrants who graduated from a training program in Chinatown. Member of the Alliance to Preserve Public Housing. Attended forum in Chinatown on job creation.

Congressmember Carolyn Maloney, Victor Montesinos: 9/23 she welcomed new rules for Affordable Care Act to hold insurance companies accountable. Preventive care covered with no out-of-pocket costs. Enumerated points from Patient Bill of Rights. www.healthcare.gov

Assembly Speaker Sheldon Silver, Zach Bommer: Introduced new community liaison, Liana Jourdain. CB3 update report handout. He wrote to EDC re East River Esplanade, neglected for years. Renovation going on now. Asking for revenue from Basketball City to go into maintenance fund for the Esplanade. Toxic form of waste is electronics. Partnering with Lower East Side Ecology Center re recycling this. 4.5 tons collected last time. Another one 10/3, Delancey between Chrystie and Forsythe. LMDC put out an RFP for \$17M for cultural, education, and community groups. Deadline 11/5. Expresses loss of Eddie Garcia.

Assemblymember Deborah J. Glick, Lisa Parson: Had to leave.

Assemblymember Brian Kavanagh: Read from the public handout.

State Senator Daniel L. Squadron, Rosemarie Diaz: Had to leave.

State Senator Thomas K. Duane, John Bartos: Disappointed at loss of support for people with HIV/AIDS. Full details in monthly CB3 Report. www.duane.senate.gov for video of health conference.

Councilmember Margaret Chin: Matt Viggiano. New community liaison. (Will have cards next week.) Complaints about parking along the FDR at bus stops. Now ok to park on weekends. Creating an alert to find seniors missing due to Alzheimer's.

Councilmember Rosie Mendez: With Michelle Berger, new rep to CB3. Tribute to Harry Weider and Eddie Garcia, her appointees to CB3. Michelle: October 10 MSelect bus service begins. (A handout.) Info on MTA website. Submitted testimony to City Planning for East Side corridor. Supports permanent status for community gardens.

Members Present at First Vote:

David Adams	[A]	Linda Jones	[P]	Dominic Pisciotta	[P]
Julia Andino	[P]	Vaylateena Jones	[P]	Barden Prisant	[P]
Jimmy Cheng	[P]	Meghan Joye	[P]	Carolyn Ratcliffe	[P]
David Crane	[P]	Joel Kaplan	[A]	Joyce Ravitz	[P]
Andrea Diaz	[P]	Carol Kostik	[P]	Lois M. Regan	[P]
Harvey Epstein	[P]	John Leo	[P]	Janet Riesel	[P]
Morris Fajtelewicz	[P]	Ricky Leung	[P]	Richard F. Ropiak	[P]
Flora Ferng	[P]	Sam Leung	[A]	Susan Scheer	[P]
Beth From	[A]	Gigi Li	[P]	David Silversmith	[P]
Rabbi Y. S. Ginzberg	[P]	Bernard Marti	[P]	Mary Spink	[P]
Gloria Goldenberg	[P]	Bernice McCallum	[P]	Elinor Tatum	[A]
Jan Hanvik	[P]	David McWater	[P]	Rodney Washington	[P]
Herman F. Hewitt	[P]	Alexandra Militano	[P]	Samuel Wilkenfeld	[A]
Simon Huang	[P]	Maria Muentes	[A]	Justin Yu	[P]
Bonnie Hulkower	[A]	Chiun Ng	[P]	Thomas Yu	[A]
Carolyn Jeffers	[A]	Ariel Palitz	[A]		
Anne K. Johnson	[P]	Thomas Parker	[P]		

Minutes:

Minutes of June 2010 were approved, as is.

Board Chairperson's Report:

Chairperson Dominic Pisciotta

1. Passing of Eddie Garcia, CB3 board member the last couple of years. Had passion and cared about many issues, especially parks and youth.
2. LMDC funds: Spoke with Julie Menin, Chair of CB1. Paraphrased a report from her. \$17M released. Another \$200M to be released. Information session 10/4 1:30 – 3 at 1 Liberty Plaza, 20 Floor. www.renewync.com
3. Small Business Forum that Economic Development Committee put together. Information provided and issues raised were very important. To be expanded.
4. Submitted document Committee Chair Responsibilities to clarify practices that need to be followed. Attendance is critical. Need a quorum.

District Manager's Report:

District Manager Susan Stetzer

Next month we will be voting on Capital and Expense priorities. For most agency budget consultations, the 12 Manhattan boards meet in a group—these meetings will be September 29 and October 4. There is a handout available with location and time information. All members are encouraged to attend meetings of interest to their committee.

Additional cuts have been announced for agencies, but community boards and some other small agencies are exempted from these cuts.

There are many public construction sites that are currently active in CB 3. We now have a Construction Alert on the CB website so that you can check impacts in your area. You can also sign up on the website to receive Community Board email, including the monthly agenda.

Committee Reports:

Executive Committee

no vote necessary

1. SLA process review meeting very productive. A project manager hired to collate data on suggestions that arose from the meeting. Report to be released prior to next SLA review meeting.
2. Questionnaire on website for business owners and residents to submit. Not many business representatives yet.
3. Community Priorities meeting. The organizations that came were very helpful. Will prioritize what is really important for the district, also important when consulting with the City Council and city agencies. Priorities are taken from each committee. Should be ready for next full board meeting.

Transportation & Public Safety Committee

1. Request DOT to revise parking regulations in bike lanes to permit school bus loading/unloading, as Access-A-Ride is currently allowed

no vote necessary

2. Harry Wieder street co-name: Forsyth between Stanton & Rivington Sts

no vote necessary

3. Dept of Design & Construction: City 3rd Water Tunnel (Shaft 30B), Installation of Trunk & Distribution Mains on Grand St btwn B'way & Essex

no vote necessary

4. Forsyth Plaza (btwn Canal & Division Sts): request for community input

no vote necessary

5. Request that Market Slip btwn Water & Cherry Sts be converted from one-way to two way operation

VOTE: WHEREAS, Buses routinely violate the traffic rules and regulations by leaving the designated truck routes in the area surrounding the intersection of Market St and Cherry St. By attempting short-cuts, they often get stuck on these extremely narrow surrounding residential streets; and

WHEREAS, the Hamilton Madison House Child Care Center is at the intersection of Cherry St and Market St. There are two parks at this intersection: Coleman Playground occupies the entire block to the northeast and Tanahey Playground occupies the block to the southeast. If buses get to this intersection, they realize their mistake and attempt to travel onto Cherry St west-bound, which takes them directly past Tanahey Playground and the P.S. 126 (Jacob August Riis School) at the corner of Catherine St, where they must take a left turn to return to South St; and

WHEREAS, Market St between Water and Cherry St was a two-way street until several years ago, when it was changed to one-way north-bound (colloquially, west-bound, i.e., "away from the East River"). This block of Market is wide enough for two-way operation, which would allow buses that do leave Pike St and get onto Cherry St to return to South St along Market St; and

WHEREAS, in March 2010, CB3 passed a resolution requesting that DOT install positive directional signage for buses and trucks at the intersection of Market Slip at South St and at the intersection of Cherry St at Pike St, in order to prevent movement off the larger streets into the problematic area; and

THEREFORE BE IT RESOLVED, that CB3 requests DOT revert Market St between Water and Cherry St to two-way operation and CB3 repeats our request that DOT install positive directional signage for buses other than school buses at the intersection of Market Slip at South St and at the intersection of Cherry St at Pike St, in order to prevent movement off the larger streets into the problematic area.

(Transportation & Public Safety Committee)
37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Environment Committee

no meeting scheduled

Con Edison Task Force

1. Progress reports on funded projects by Lower East Side Ecology Center and AFSZ/Real World Foundation
no vote necessary
2. Preliminary discussion of prior proposals from Solar One and AFSZ/Chinatown Progressive Association
no vote necessary
3. Revised Program Description
no vote necessary

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

(no quorum, recommendation only)

1. New regulations for community gardens
no vote necessary

2. Noise issues for Tompkins Square Park concerts

VOTE: WHEREAS, the Parks Department permits concerts in Tompkins Square Park in an area very close to 7th Street; and

WHEREAS, there are apartment buildings with many families on 7th Street directly across from the concert area; and

WHEREAS, there is no structure to baffle the sound; and

WHEREAS, some concerts do not impact the neighboring areas, but others are extremely loud and assault the senses, including inside people' homes; and

WHEREAS, the Parks Department formerly had a policy limiting the number of concerts each month, but now appears to book concerts without a plan and sometimes back-to-back on Saturday and Sunday; and

WHEREAS, formerly there were PEP, NYPD, and sometimes DEP monitoring, there currently is no enforcement or monitoring; and

WHEREAS, people in this area suffer from abnormal levels of noise pollution every weekend;

THEREFORE, BE IT RESOLVED that Community Board 3 (CB3) requests that the Parks Department return to amplified sound-free weekends, schedule amplified concerts only one day per weekend, and, in addition, schedule some of the loud concerts in other areas where people will not be as impacted, such as East River Park; and

THEREFORE, BE IT RESOLVED that CB3 requests that the Parks Department arrange for both PEP and DEP monitoring for potentially loud concerts (based on previous complaints and/or monitoring); and

THEREFORE, BE IT RESOLVED that CB3 requests that the Parks Department not schedule any loud concerts that have had complaints from the community directly across from residential areas, e.g., across from 7th Street, without providing or requiring a sound baffling structure.

Block Party Permits/Parks Events

3. Fathers Heart Ministry Block Party, 10/10, E 11th St (Aves A-B)
Withdrawn

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

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

SLA & DCA Licensing Committee

(Thursday, August 16, 2010 Meeting)

Board Member Gloria Goldenberg questioned Item # 10, a New Mexican. Alix: The owner is from New Mexico. It will serve Mexican food. The previous restaurant stayed open later than its stated hours and evolved from a restaurant INTO a bar. New Mexican IS a restaurant. One community protester who conceded when analyzing the full picture. This particular street is relatively quiet. Dominic Pisciotta pulled this item. Barden Prisant asked if it was related to the previous owner, Two Boots. Alix: No, there is no relation. Meghan Joye testified that

there are no establishments like this in that area, which is a dark and scary block. Would several of them be good? No. One of them, yes. Gloria Goldenberg: A friendly amendment that Sun-Th they scale back their closing hours to 1 AM. DP: The applicant would have to appear before the committee again and agree to this. Vaylateena Jones: Votes for keeping it quiet because of the seniors. Linda Jones: Testified in favor of leaving the application as it is because it's a dark street with no life.

Renewal with Complaint History

1. Cheapshots, 140 1st Ave (op)

VOTE: To deny the renewal of the full on-premise liquor license for Cheapshots Inc., doing business as Cheapshots, 140 First Avenue, unless the applicant agrees before the SLA to add as conditions of its license the following signed notarized stipulation that 1) it will utilize an identification scanner during its hours of operation for the duration of its lease, 2) it will employ at least one (1) security guard during all hours of operation on weekdays and at least two (2) security guards during all hours of operation on Fridays and Saturdays, one of which will be located at the door to control the sidewalk and check identifications and one of which will be located within the business, 3) it will certify all employees in the TIPS program, 4) it will install video cameras in and outside the business, 5) it will construct a sidewalk clearance plan to insure that smoking or waiting patrons are not obstructing the sidewalk, and 6) it will terminate any employees who do not adhere to the employee handbook.

Sidewalk Cafe Applications

2. The Penny Farthing (East County Louth, Inc.), 103 3rd Ave

VOTE: To approve the application for a sidewalk café permit for thirteen (13) tables and twenty-six (26) seats for East County Louth Inc., doing business as The Penny Farthing, 103 Third Avenue, because the applicant has signed a change agreement which will become part of its DCA license that 1) it will have thirteen (13) tables with twenty-six (26) seats, (4) tables with eight (8) seats to be located on 13th Street and nine (9) tables with eighteen (18) seats to be located on Third Avenue, and 2) its hours of operation will be from 11:00 A.M. to 10:00 P.M. Sundays through Thursdays and 11:00 A.M. to 11:00 P.M. Fridays and Saturdays.

3. DBGB (Bowery Restaurant LLC), 299 Bowery

VOTE: To approve the application for a sidewalk café permit for fifteen (15) tables and thirty (30) seats for Bowery Restaurant LLC, doing business as DBGB, 299 Bowery, because the applicant has signed a change agreement which will become part of its DCA license that 1) it will have fifteen (15) tables and thirty (30) seats, and 2) its hours of operation will be from 12:00 P.M. to 11:00 P.M. Mondays through Thursdays, 12:00 P.M. to 12:00 A.M. Fridays, 11:00 A.M. to 12:00 A.M. Saturdays and 11:00 A.M. to 10:00 P.M. Sundays.

Applications within Resolution Areas

4. Pike St Fish Fry (Pike St Fish Fry NYC LLC), 122 Ludlow St (wb)

VOTE: To deny the application for a restaurant wine license for Pike Street Fish Fry NYC LLC, 122 Ludlow Street, between Rivington and Delancey Streets, because 1) the intersection of Ludlow Street and Rivington Street is presently overwhelmed by nighttime licensed establishments of all types, as well as incredible weekend vehicular and pedestrian traffic congestion attendant to the number of these businesses which has resulted in the prior commanding officer of the 7th Precinct asking the SLA that no new liquor licenses be issued on Ludlow Street, 2) as Ludlow Street has been identified as the worst block in the 7th Precinct because of these conditions, the 7th Precinct and Community Board #3 have asked the Department of Transportation to eliminate weekend nighttime parking on one side of Ludlow Street, between Houston and Delancey Streets, to alleviate the existing pedestrian and traffic congestion and to minimize noise, and said restriction has remained in place for a number of years, 3) there are already numerous late night eating and drinking establishments in the immediate area and the proposed fish and chips and sandwich restaurant with hours of operation of 11:30 A.M. to 2:00 A.M. every day offers no significant public benefit to the community, and 4) adding another licensed premise would exacerbate the existing quality of life conditions on this already overburdened street.

5. Via Tribunali (Pizza Vita NYC LLC), 122 Ludlow St (wb)

VOTE: To deny the application for a restaurant wine license for Pizza Vita NYC LLC, 122 Ludlow Street, between Rivington and Delancey Streets, because 1) the intersection of Ludlow Street and Rivington Street is presently overwhelmed by nighttime licensed establishments of all types, as well as incredible weekend vehicular and pedestrian traffic congestion attendant to the number of these businesses which has resulted in the prior commanding officer of the 7th Precinct asking the SLA that no new liquor licenses be issued on Ludlow Street, 2) as Ludlow Street has been identified as the worst block in the 7th Precinct because of these conditions, the 7th Precinct and Community Board #3 have asked the Department of Transportation to eliminate weekend nighttime parking on one side of Ludlow Street, between Houston and Delancey Streets, to alleviate the existing pedestrian and traffic congestion and to minimize noise, and said restriction has remained in place for a number of years, 3) there are already numerous late night eating and drinking establishments in the immediate area and the proposed brick oven pizza restaurant with hours of operation of 8:00 A.M. to 1:00 A.M. Sundays through Thursdays and 8:00 A.M. to 3:00 A.M. Fridays and Saturdays offers no significant public benefit to the community, and 4) adding another licensed premise would exacerbate the existing quality of life conditions on this already overburdened street.

6. St Marks Pho Corp, 13 St Marks Pl (wb)

VOTE: WHEREAS, St Marks PHO Corp., is again seeking to obtain a beer wine license for its Vietnamese restaurant located at 13 St. Mark's Place, between Second and Third Avenues (upper storefront) after having been denied by Community Board #3 in February of 2010; and

WHEREAS, this is a location has not been licensed and was previously operated as a shoe store; and

WHEREAS, there has been demonstrated consistent opposition to the addition of any other liquor licenses on this block of St. Mark's Place, located between Second and Third Avenues, because, there are already nineteen (19) liquor license on this single block, the applicant concedes that there are twenty-two (22) liquor licenses within five hundred (500) feet of this location, and most of the licenses on this block are restaurant wine licenses; and

WHEREAS, the numerous existing nighttime establishments have resulted in significant noise and vehicular and pedestrian traffic, conditions which have been specifically targeted for enforcement by the Ninth Precinct through the Model Block Program and which has resulted in a request by the previous commanding officers of said precinct that no new liquor licenses be issued on this street; and

WHEREAS, the applicant has again failed to provide resident petitions which reflect that he has made a sufficient attempt to contact the residential community of this block about his proposed license application although it is a requirement of the community board application process and the reason the application was denied in February of 2010; and

WHEREAS, the applicant has again failed to demonstrate how the approval of its application would be to the public convenience and advantage; now

THEREFORE, BE IT RESOLVED that Community Board #3 again denies the application for a restaurant wine license for St Marks PHO Corp., 13 St. Marks Place (upper storefront).

7. D Burger Inc, 26 1st Ave (op)

VOTE: WHEREAS, the applicant, D Burger Inc., is applying for a full on-premise liquor license at the corner and adjacent storefront located at 26 First Avenue, for the purpose of operating a "burger parlor," seating twenty (20) to thirty (30) people at ten (10) to fifteen (15) tables, operating from 11:00 A.M. to 12:00 A.M. Sundays through Thursdays and 11:00 A.M. to 4:00 A.M. Fridays and Saturdays and serving alcohol with burgers; and

WHEREAS, 26 First Avenue was previously three (3) combined unlicensed storefronts whose last businesses was a hookah bar and lounge operated under the corporate name Ramad 26 Inc.; and

WHEREAS, the preexisting business operated under the corporate name of Ramad 26 Inc. was known to have been selling beer, wine and alcohol without a license and had been the location of an alleged rape of a minor; and

WHEREAS, this applicant is a member of the family which has owned this building and 89 East 2nd Street for twenty (20) years, which has been the landlord for the preexisting business and which continues to be the landlord for the same person operating under Ramadan Milad Group Inc. at 89 East 2nd Street, the location of significant underage sales; and

WHEREAS, First Avenue between First and Second Streets currently has eight (8) licensed establishments, including several bars and clubs, has an active bus stop on the same side of the street as this location and, as the first east side northbound thru-street, is the funnel for much of the northbound vehicular traffic coming from the Lower East Side and exiting the Franklin Delano Roosevelt Expressway via Houston Street; and

WHEREAS, several of the existing venues are located on the same side of First Avenue as the applicant and have patrons who often loiter on the sidewalks in front of these establishments and who routinely utilize limousines and private car services that double park along the street; and

WHEREAS, said two (2) storefronts have facades entirely open to 2nd Street and First Avenue and the applicant is seeking to open from 11:00 A.M. to 12:00 Sundays through Thursdays and 11:00 A.M. to 4:00 A.M. Fridays and Saturdays, effectively extending the noise and activity from this location late into the night onto an already overburdened street; and

WHEREAS, although this applicant submitted thirty (30) resident signatures in support of its application, few are from the buildings surrounding this location where residents would be directly affected by this business; and

WHEREAS, this applicant also failed to provide the community board with a complete floor plan or an adequate business plan; and

WHEREAS, there is absolutely no public benefit, convenience or advantage to granting a full on-premise liquor license to a burger restaurant when there are numerous burger restaurants with beer wine or no alcohol service in the immediate area; now

THEREFORE, BE IT RESOLVED that Community Board #3 moves to deny the full on-premise liquor license for D Burger Inc., for the corner and adjacent storefronts located at 26 First Avenue.

8. D Pizza Inc, 26 1st Ave, Store #2 (wb)

VOTE: WHEREAS, the applicant, D Pizza Inc., is applying for a beer wine license at the second storefront located at 26 First Avenue, for the purpose of operating a "pizza parlor," seating ten (10) people at five (5) tables and operating from 11:00 A.M. to 12:00 A.M. Sundays through Thursdays and 11:00 A.M. to 4:00 A.M. Fridays and Saturdays; and

WHEREAS, 26 First Avenue was previously three (3) combined unlicensed storefronts whose last businesses was a hookah bar and lounge operated under the corporate name Ramad 26 Inc.; and

WHEREAS, the preexisting business operated under the corporate name of Ramad 26 Inc. was known to have been selling beer, wine and alcohol without a license and had been the location of an alleged rape of a minor; and

WHEREAS, this applicant is a member of the family which has owned this building and 89 East 2nd Street for twenty (20) years, which has been the landlord for the preexisting business and which continues to be the landlord for the same person operating under Ramadan Milad Group Inc. at 89 East 2nd Street, the location of significant underage sales; and

WHEREAS, First Avenue between First and Second Streets currently has eight (8) licensed establishments, including several bars and clubs, has an active bus stop on the same side of the street as this location and, as the first east side northbound thru-street, is the funnel for much of the northbound vehicular traffic coming from the Lower East Side and exiting the Franklin Delano Roosevelt Expressway via Houston Street; and

WHEREAS, several of the existing venues are located on the same side of First Avenue as the applicant and have patrons who often loiter on the sidewalks in front of these establishments and who routinely utilize limousines and private car services that double park along the street; and

WHEREAS, although this applicant submitted thirty (30) resident signatures in support of its application, few are from the buildings surrounding this location where residents would be directly affected by this business; and

WHEREAS, there is absolutely no public benefit, convenience or advantage to granting a beer wine license to a pizza restaurant when there are numerous pizza restaurants with beer wine or no alcohol service in the immediate area; and

THEREFORE, BE IT RESOLVED that Community Board #3 moves to deny the beer wine license for D Pizza Inc., for the second storefront located at 26 First Avenue.

Alterations/Transfers/Upgrades

9. Kate's Joint, 56-58 Ave B (alt/op/usage of basement as storage/minor kitchen modification)

no vote necessary

10. BDShea Grand LLC, 384 Grand St (trans/op) (Two Boots Tavern)

VOTE: To deny the transfer of a full on-premise liquor license to BD Shea Grand LLC, for the existing business Two Boots Tavern, located at 384 Grand 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 tavern restaurant, serving New Mexican cuisine during all hours of operation, 2) its hours of operation will be from 10:00 A.M. to 4:00 A.M. Mondays through Fridays, 11:00 A.M. to 4:00 Saturdays and 11:00 A.M. to 2:00 A.M. Sundays, 3) it will close all façade doors and windows no later than 10:00 P.M. every night, 4) it will play recorded music consisting of an iPod and occasionally employ live acoustic musicians and disc jockeys, and 5) it will employ a security guard or door person at the door Thursdays through Saturdays and for any special event.

11. Habibi Lounge (Zaika Restaurant Corp), 198 Ave A (alt/op)

withdrawn

12. REWIND (137 Essex St Restaurant Inc), 137 Essex St (alt/op/reduction of kitchen facility)

- VOTE:** To deny the alteration of the full on-premise liquor license for 137 Essex Street Restaurant Inc., doing business as Foundation, 137 Essex Street, to wit reducing the size of the kitchen and converting it to cold preparation only and changing the business name from REWIND to Foundation, 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 tavern restaurant serving food during all hours of operation, 2) it will employ at least one (1) security guard at the door during all operating hours and two (2) security guards outside Thursdays through Saturdays, 3) it will maintain a cordoned off area outside for waiting and smoking patrons, and 4) it will close all doors and windows no later than 10:00 P.M. every night.
13. Bona Fides (Light Side Corp), 60 2nd Ave (trans/op) (Bona Fides)
VOTE: To approve the transfer of the full on-premise liquor license to Light Side Corp., for the premise located at 60 Second Avenue, currently doing business as Bona Fides, understanding that the method of operation as a full-service Italian restaurant and the business name will remain the same.
14. Superdive (Rapture Cafe & Books LLC), 200 Ave A (alt/op/kitchen/size & location of bar) withdrawn
15. East Village Tavern (Brooklyn Bar NYC Inc), 158 Ave C (alt/op/stips/extend hours/add live music)
VOTE: To deny the alteration of the full on-premise liquor license for Brooklyn Bar NYC Inc., doing business as East Village Tavern, 158 Avenue C, to wit modifying its existing stipulation by removing any restriction on operating hours and permitting live music, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will maintain its method of operation as a tavern restaurant, serving food to within one (1) hour of closing, and 2) closing any doors and windows by 10:00 P.M. every night, and 3) it will play recorded music only except that live acoustic musicians are permitted to perform once a week.
16. Mini Thai Cafe (Tony Restaurant Corp), 105 Ave A (trans/wb) (Ave A Japanese Restaurant)
VOTE: To deny the application for the transfer of a beer wine license for Tony Restaurant Corp., 105 Avenue A, because the applicant did not appear before Community Board #3 for review of its application or provide any application materials for review.
17. Residencia (PDP 225 E Houston Inc), 225 E Houston St (trans/op) (Element) withdrawn
18. Spitzer's Corner (LES Gastro LLC), 101 Rivington St (trans/op) (NYLA Cafe LLC)
VOTE: To deny the transfer of a full on-premise liquor license to LES Gastro LLC, for the existing business Spitzer's Corner, located at 101 Rivington Street, 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 operate as a full-service tavern restaurant, serving food to 12:00 A.M. every night, 2) it will continue to employ a certified doorman or security guard at its doors during all hours of operation who will utilize a scanner to check identifications, 3) it will close its façade doors and windows at 10:00 P.M. every night, and 4) it will continue to certify all employees in the TIPS program.
19. Pizzeria De Santo (Jersey Boys LLC), 173 Ludlow St (alt/op) **THIS IS WITHIN A RESOLUTION AREA** withdrawn
20. Corp to be Formed, 200 Ave A (trans/op) (Superdive) withdrawn
21. 102 Ave C LLC, 102 Ave C (wb) (Mr C's) **THIS IS A TRANSFER**
VOTE: To deny the application for a beer wine license for 102 Avenue C LLC, 102 Avenue C, 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 restaurant, serving seasonal Austrian cuisine to within one (1) hour of closing, 2) its hours of operation will be from 4:00 P.M. to 2:00 A.M. Mondays through Fridays and 11:00 A.M. to 2:00 A.M. Saturdays and Sundays, and 3) it will close any doors and windows at 10:00 P.M. every night, 4) it will close the backyard garden at 10:00 P.M. every night, 5) it will play ambient background music, consisting of recorded music. Community Board #3 is approving this application because 1) the applicant has demonstrated substantial community support, and 2) although much of Avenue C is overburdened with nighttime licensed businesses, this particular block of Avenue C has only one (1) licensed premise.
- New Liquor License Applications**
22. Stromboli Pizza (Stromboli Pizza Inc), 83 St Marks Pl (wb) withdrawn
23. Dans Le Noir (Dans Le Noir Corp), 107 Norfolk St (op) (Tonic)
VOTE: To deny the application for a full on-premise liquor license for Dans Le Noir Corp., 107 Norfolk 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 restaurant, serving French fusion cuisine with a rotating menu to within one (1) hour of closing, 2) its hours of operation will be from 11:00 A.M. to 1:00 A.M. Mondays through Wednesdays, 11:00 A.M. to 2:00 A.M. Thursdays and Fridays, 10:00 A.M. to 2:00 A.M. Saturdays and 10:00 A.M. to 12:30 A.M. Sundays, and 3) it will close any doors and windows at 10:00 P.M. every night, and 4) it will play ambient background music, consisting of recorded music, and will have acoustic musicians for special events a few times a year. Community Board #3 is approving this application because the applicant has represented that its staff will consist of at least forty percent (40) sight impaired employees.
24. La Isla (MJDD Enterprises Inc), 542 E 14th St (wb)

VOTE: To deny the application for a beer wine license for MJDD Enterprises Inc., doing business as La Isla, 542 East 14th 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 Latin restaurant, serving food during all hours of operation, 2) it will play ambient background music, consisting of recorded music, and 3) it will immediately address the noise complaints of surrounding residents.

25. Andy Pool Hall (Andy Pool Hall Inc), 45 Mott St (wb)

VOTE: To deny the application for a beer wine license for Andy Pool Hall Inc., 45 Mott 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 pool hall, serving food during all hours of operation, 2) its hours of operation will be from 12:00 P.M. to 1:00 A.M. all days, 3) it will employ a licensed security guard to check identifications at the door every evening from 7:00 P.M. to 1:00 A.M., and 4) it will advertise and operate as an establishment serving only patrons twenty-one (21) years and older.

26. Corp to be Formed (Alexander Stupak), 101 3rd Ave (op)
withdrawn

27. Full House Cafe (Full House Cafe Inc), 97 Bowery (rw)

VOTE: To deny the application for a beer wine license for Full House Café Inc., 97 Bowery, 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 Asian restaurant, serving food during all hours of operation, 2) its hours of operation will be from 9:00 A.M. to 2:00 A.M. Mondays through Thursdays, 9:00 A.M. to 4:00 A.M. Fridays, 8:00 A.M. to 4:00 A.M. Saturdays and 8:00 A.M. to 2:00 A.M. Sundays, and 3) it will play ambient background music, consisting of recorded music.

28. Novello (Sotto Nove Cafe Corp), 438 E 9th St (wb) (Itzocan Cafe)
no vote necessary

29. Hot & Crusty (14th St Bella Pizza Corp), 400 E 14th St (b)

VOTE: To deny the application for a beer license for 14th Street Bella Pizza Corp., doing business as Hot & Crusty, 400 East 14th 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 restaurant, serving food during all hours of operation, 2) it will serve beer to its customers from behind the counter only, and 3) the service and consumption of beer will be permitted in the interior of the business only.

(SLA & DCA Licensing Committee - Thursday, August 16, 2010 Meeting)

37 YES 0 NO 0 ABS 0 PNV (Excluding Items 10) MOTION PASSED

Item 10: 23 YES 13 NO 1 ABS 0 PNV MOTION PASSED

SLA & DCA Licensing Committee

(Monday, September 20, 2010 Meeting)

Renewal with Complaint History

1. Spitzer's Corner (NYLA Cafe LLC), 101 Rivington St (op)

VOTE: To deny the renewal of the full on-premise liquor license for NYLA Cafe LLC, doing business as Spitzer's Corner, 101 Rivington Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that it will close its façade windows at 10:00 P.M. every night.

2. Via Della Pace (48 E 7th Associates Inc), 48 E 7th St (op)

THIS MOTION DID NOT PASS

VOTE: To deny the renewal of the full on-premise liquor license for 48 East 7th Associates Inc., doing business as Via Della Pace, 48 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 operate as a full-service Italian restaurant, serving food to within one (1) hour of closing, 2) its closing hours will be 4:00 A.M. all days, 3) it may have live music in the basement only, and 4) it may serve alcohol outdoors in the sidewalk café within its building line.

THIS MOTION PASSED

VOTE: As the applicant is not operating consistent with its liquor license or with its stated method of operation to the SLA or Community Board #3 in that it is open to 4:00 A.M., is advertising scheduled live performances in its basement level and is serving liquor in an as of right outdoor area, Community Board #3 moves to deny the renewal of the full on-premise liquor license for 48 East 7th Associates Inc., doing business as Via Della Pace, 48 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 operate as a full-service Italian restaurant, serving food to within one (1) hour of closing, 2) its hours of operation will be from 11:00 A.M. to 2:00 A.M. all days, 3) it will not have live music or promoted events in the basement and will play ambient background music, consisting of recorded music only, and 4) it will cease serving alcohol outdoors in the sidewalk café within its building line, consistent with its current liquor license.

Applications within Resolution Areas

3. Table 12 (188 Ave A Take Out Food Corp), 188 Ave A (wb)

VOTE: WHEREAS, 188 Avenue A Take Out Food Corp., doing business as Table 12 and Kool Bloo, is applying for a beer wine license for its existing restaurant and take out business, located at 188 Avenue A, on the corner of 12th Street and Avenue A; and

WHEREAS, there are at least nineteen (19) liquor licenses within five hundred (500) feet of this location; and

WHEREAS, the applicant has failed to demonstrate any public benefit to the addition of a liquor license in this area or that it has sufficient experience to operate a licensed establishment in this area or address any of its prevailing noise and traffic concerns; and

WHEREAS, residents appeared before Community Board #3 complaining that there has been an increase in late night noise, vandalism and congestion at this intersection and that the applicant lacks the ability to control activity occurring in an around its existing sidewalk café, specifically unruly behavior from area youths, and that it has been unresponsive to complaints from residents about these conditions; and

WHEREAS, this applicant had represented to Community Board #3 during its sidewalk café application in February of 2010 that it would never apply for a liquor license, consistent with the unlicensed operation of the four (4) other chain stores with the same name operating in New York City; now

THEREFORE, BE IT RESOLVED that Community Board #3 moves to deny the application for a beer wine license for 188 Avenue A Take Out Food Corp., located at 188 Avenue A.

4. Eat Pisode (Eat Pisode Inc), 123 Ludlow St (wb)

THIS MOTION DID NOT PASS

VOTE: To approve the application for a beer wine license for Eat Pisode Inc., doing business as Eat Pisode, 123 Ludlow Street, because 1) the applicant has a longstanding history as a restaurateur in this community which includes the eight (8) year operation of a Thai restaurant on 1st Street between First Avenue and Avenue A, 2) the business closes no later than 10:45 P.M. every night, and 3) no one appeared in opposition to this application.

THIS MOTION DID NOT PASS

VOTE: To deny the application for a beer wine license for Eat Pisode Inc., doing business as Eat Pisode, 123 Ludlow Street, because the applicant has failed to demonstrate any community benefit which would overcome the pedestrian and traffic conditions and noise in this overwhelmed area or that there are already numerous licensed eating and drinking establishments in the immediate area.

THIS MOTION PASSED

VOTE: WHEREAS, Eat Pisode, having failed to appear for prior hearings in September of 2007 and January of 2009, and having appeared and been denied its restaurant wine license application in February of 2009 and February of 2010, it has again applied for a restaurant wine license for a Thai restaurant at a previously unlicensed location at 123 Ludlow Street, between Rivington and Delancey Streets; and

WHEREAS, Ludlow Street is an extremely old, narrow street, historically comprised of low-rise tenements and small-scale manufacturing and retail; and

WHEREAS, Ludlow Street is presently overwhelmed by nighttime licensed establishments of all types, as well as incredible vehicular and pedestrian traffic congestion attendant to the volume of these businesses; and

WHEREAS, there are seventeen (17) liquor licensed establishments on Ludlow Street between Houston and Rivington Streets and numerous Thai restaurants in the immediate area; and

WHEREAS, Ludlow Street may be the single worst area in the 7th precinct in terms of degraded quality of life as a result of so many licensed establishments within close proximity to each other, overwhelming pedestrian and vehicular traffic, patrons congregating in the street itself, late night horn honking and overwhelming noise emanating from businesses and from patrons as they move between businesses; and

WHEREAS, these persistent detrimental conditions have resulted in the 7th Precinct and Community Board #3 petitioning the Department of Transportation to eliminate weekend nighttime parking on one side of Ludlow Street, between Houston and Delancey Streets, to alleviate the existing pedestrian and traffic congestion and to minimize noise; and

WHEREAS, although this applicant has operated for more than two (2) years at this location, it failed to do sufficient community outreach for a liquor license in this overburdened area despite having received instructions about the importance of demonstrating community support during its last two (2) community board hearings and has now submitted only fourteen (14) resident signatures from the immediate area; now

THEREFORE, BE IT RESOLVED that Community Board #3 again moves to deny the restaurant wine license for Eat Pisode, 123 Ludlow Street.

5. Totale Pizza, 36 St Marks Pl (wb)
withdrawn
6. To be Determined, 175 Ludlow St (op) (Lepere Pinard)
withdrawn
7. Corp to be Formed, 121 Ludlow St (wb)
VOTE: To deny the application for a beer wine license for corporation to be formed by principal Rosa Cho, 121 Ludlow Street, because the applicant did not appear before Community Board #3 for review of its application or provide any application materials for review.
8. Hachi Enterprises Inc, 185 Orchard St (wb)
VOTE: To deny the application for a beer wine license for Hachi Enterprises, 185 Orchard Street, because the applicant did not appear before Community Board #3 for review of its application or provide any application materials for review.
9. Dorian Gray, 205 E 4th St (op) (Cannonau) THIS IS A TRANSFER
VOTE: To deny the transfer of a full on-premise liquor license to Dorian Gray Inc., with a proposed business name of Dorian Gray, for 205 East 4th Street, which is currently doing business as Cannonau, 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 Anglo-Irish restaurant, serving food to within one (1) hour of closing, 2) its closing hours will be no later than 12:00 A.M. Sundays through Thursdays and 1:00 A.M. Fridays and Saturdays, 3) it will close any doors and windows at 10:00 P.M. every night, and 4) it will play ambient background music only.
10. Corp to be Formed, 150 E 2nd St (wb) (aka: 24 Ave A)
withdrawn

Alterations/Transfers/Upgrades

11. Kate's Joint, 56-58 Ave B (alt/op/minor kitchen modification) (aka: 235 E 4th St)
withdrawn
12. Residencia (PDP 225 E Houston Inc), 225 E Houston St (trans/op) (Element)
VOTE: To deny the transfer of a full on-premise liquor license to PDP 225 East Houston Inc., with a proposed business name of Residencia, for 225 East Houston Street, which is currently doing business as Element, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will have doorman and security personnel during its hours of operation, 2) it will install additional soundproofing, if necessary, 3) it will provide contact information and immediately address any complaints, and 4) it will notify the 7th Precinct of any promoted or large events.
13. Pho Grand Lin's Vietnamese Restaurant (Pho Grand 1 Inc), 277 Grand St (up/wb)
VOTE: To deny the application to upgrade to a beer wine license to Pho Grand 1 Inc., doing business as Pho Grand Lin's Vietnamese Restaurant, 277 Grand 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 Vietnamese restaurant, serving food to within one (1) hour of closing, 2) its hours of operation will be from 10:30 A.M. to 10:30 P.M. all days, and 3) it will play ambient background music only.
14. One & One (12 1st Ave Restaurant Corp), 12 1st Ave (alt/op/convert basement service bar to standup bar)
VOTE: To approve the alteration of the full on-premise liquor license for 12 First Avenue Restaurant Corp., doing business as One & One, 12 First Avenue, to wit converting a twelve foot service bar in its basement to a standup bar of the same length.
15. Cafe Mocha, 116 2nd Ave (alt/wb/extend to sidewalk cafe)
VOTE: To deny the alteration of the beer wine license for Café Mocha Inc., doing business as Café Mocha, 116 Second Avenue, to wit extending its restaurant wine license to its sidewalk café, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) its sidewalk café will close no later than 12:00 A.M. all nights, and 2) its sidewalk café will consist of no more than twelve (12) tables and twenty-four (24) seats.
16. Ichiban 71 Clinton Inc, 71 Clinton St (trans/op) (Fat Hippo)
VOTE: To deny the transfer of a full on-premise liquor license to Ichiban 71 Clinton Inc. for 71 Clinton Street, which is currently doing business as Fat Hippo, 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 from 12:00 P.M. to 1:00 A.M. Sundays through Thursdays and 12:00 P.M. to 3:30 A.M. Fridays and Saturdays, 3) it will close any doors and windows at 10:00 P.M. every day, and 4) it will not seek to commercially operate any outdoor space, including any sidewalk area or backyard.

17. Justified LLC, 102 1st Ave (alt/op/extend to backyard)

VOTE: To deny the alteration of the full on-premise liquor license for Justified LLC, doing business as Lilly Coogan's, 102 First Avenue, to wit extending its full on-premise liquor license to its backyard, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that it will close the backyard by 10:00 P.M every night which includes any time needed for clean-up.

18. An Choi (Saigon NYC Ltd), 85 Orchard St (alt/wb/stand up bar)

VOTE: To approve the alteration of the beer wine license for Saigon NYC Ltd., doing business as An Choi, 85 Orchard Street, to wit adding a twelve (12) foot stand-up bar with six (6) to seven (7) stools.

19. Hirai Mong (Space NY 8 Corp), 12 St Marks Pl (trans/op) (Gama)

VOTE: To deny the transfer of a full on-premise liquor license to Space NY 8 Corp. for 12 St. Marks Place, which is currently doing business as Gama, 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 Korean Chinese restaurant, serving food to within one (1) hour of closing, 2) its hours of operation will be from 11:00 A.M. to 1:00 A.M. Sundays through Tuesdays and 11:00 A.M. to 2:00 A.M. Wednesdays through Saturdays, 3) it will install additional soundproofing, if necessary, 4) its as-of-right sidewalk café will close at 10:00 P.M. weeknights and 11:00 P.M. Fridays and Saturdays, and 5) it will not have DJs or live music and would play only ambient background music.

20. Corp to be Formed, 14 Ave B (trans/op) (Butterfly Butterfly)

VOTE: WHEREAS, Corp. to be Formed, is seeking to transfer a full on-premise liquor license at 14 Avenue B, between Houston and 2nd Streets; and

WHEREAS, while this applicant has stated that it intends to operate a restaurant tavern, its hours of operation from 4:00 P.M. to 2:00 A.M. Mondays through Wednesdays, 4:00 P.M. to 4:00 A.M. Thursdays and Fridays, 12:00 P.M. to 4:00 A.M. Saturdays and 12:00 P.M. to 2:00 A.M. Sundays, and employment DJs Fridays and Saturdays, indicate that it will operate consistent with a late night venue, specifically a bar; and

WHEREAS, 14 Avenue B was previously operated as a club doing business as Butterfly, which had a history of citations for unlicensed security, unlicensed cabaret, unlicensed sidewalk café, after hours consumption, disorderly conduct, exceeding its capacity and noise prior to closing and which has been closed since 2007; and

WHEREAS, there are at least nineteen (19) liquor licenses within five hundred (500) feet of this location, at least ten (10) of which are full on-premise liquor licenses; and

WHEREAS, Avenue B between 5th Street and Houston Street has been characterized as the worst area in the 9th Precinct in terms of degraded quality of life as a result of its numerous licensed establishments, overwhelming pedestrian and vehicular traffic, late night horn honking and noise from patrons moving between businesses and emanating from businesses; and

WHEREAS, Community Board #3 has for years mediated complaints from residents regarding the noise and congestion that has resulted from the existing businesses on Avenue B between Houston and 4th Streets; and

WHEREAS, the 9th Precinct and Community Board #3 have had to ask the Department of Transportation to eliminate weekend nighttime parking on one side of Avenue B between 4th Street and Houston Street in an effort alleviate this traffic congestion and decrease late night noise in this area; and

WHEREAS, the applicant has failed to demonstrate that he has sufficient experience to operate a restaurant bar of this size in this area or address any of the prevailing noise and traffic concerns in this area and has stated that it is unwilling to close its establishment earlier than 2:00 A.M.; now

THEREFORE, BE IT RESOLVED that Community Board #3 moves to deny the application to transfer the full on-premise liquor license located at 14 Avenue B to Corp. to be Formed.

21. Sushi Uo (151 Rivington Sushi Corp), 151 Rivington St (up/op)

VOTE: To deny the application to upgrade to a full on-premise liquor license to 151 Rivington Sushi Corp., doing business as Sushi Uo, 151 Rivington 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 sushi restaurant, serving food to within one (1) hour of closing, 2) its hours of operation will be from 6:00 P.M. to 12:00 A.M. all days, 3) it will maintain an awning over the basement area of its premise, and 4) it will play ambient background music only.

22. Northern Spy Food (The Northern Spy Food Co LLC), 511 E 12th St (alt/wb)
withdrawn

23. Northern Spy Food (The Northern Spy Food Co LLC), 511 E 12th St (up/op)
withdrawn
24. Three Monkeys (Three Monkeys Restaurant Inc), 99 Rivington St (up/op)
VOTE: To deny the application to upgrade to a full on-premise liquor license for Three Monkeys Restaurant Inc., doing business as Three Monkeys, 99 Rivington Street, because the applicant did not appear before Community Board #3 for review of its application or provide any application materials for review.
25. Tre (Jersey Boys LLC), 173 Ludlow St (alt/op/addition of tables & chairs to back patio)
withdrawn
26. Bar 82 (Macz NY LLC), 136 2nd Ave (alt/op/additional lounge)
VOTE: To approve the alteration of the full on-premise liquor license for Macz NY LLC, doing business as Bar 82, 136 Second Avenue, to wit converting its back storage room to a lounge consisting of a service bar and twelve (12) tables with thirty (30) seats.
27. Max (Luigi Iasilli), 235 E 4th St (trans/op) (Tonda)
withdrawn

New Liquor License Applications

28. Stromboli Pizza (Stromboli Pizza Inc), 83 St Marks Pl (wb)
VOTE: To deny the application for a beer wine license for Stromboli Pizza Inc., doing business as Stromboli Pizza, 83 St. Marks Place, 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 operate as a full-service pizza restaurant, serving food during all hours of operation, and 2) it will close its garage style windows by 11:00 P.M. weekdays and 12:00 A.M. Fridays and Saturdays.
29. Wackywok (Panasia Kitchen Ltd), 129 Ave D (wb)
withdrawn
30. 99 Thai Playground LLC, 99 3rd Ave (wb)
withdrawn
31. Corp to be Formed, 99 3rd Ave (op)
withdrawn
32. Porchetta LLC, 110 E 7th St (wb)
VOTE: To deny the application for a beer wine license for Porchetta LLC, doing business as Porchetta, 110 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 continue to operate as a full-service Italian cafe, serving food during all hours of operation, 2) its hours of operation will be from 11:30 A.M. to 10:00 P.M. Sundays through Thursdays and 11:30 A.M. to 11:00 P.M. Fridays and Saturdays, and 3) its license will extend to the area in front of its establishment, within the building line and which is enclosed by a wrought iron railing and houses benches which can seat six (6) people.
33. Cocoron (Shinon Inc), 61 Delancey St (wb)
VOTE: To deny the application for a beer wine license for Shinon Inc., 61 Delancey 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 Japanese restaurant, serving food to within one (1) hour of closing, 2) its hours of operation will be from 11:00 A.M. to 11:00 P.M. all days, 3) it will play ambient background music, consisting of recorded music only, and 4) it will not have French doors or windows and will maintain a fixed facade.
34. Noodle Republic (Noodle Republic Inc), 536 E 5th St (wb)
VOTE: To deny the application for a beer wine license for Noodle Republic Inc., 536 East 5th 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 Japanese noodle restaurant, serving food to within one (1) hour of closing, 2) its hours of operation will be from 4:00 P.M. to 12:00 A.M. Sundays through Wednesdays and 4:00 P.M. to 2:00 A.M. Thursdays through Saturdays, 3) it will play ambient background music, consisting of recorded music only, and 4) it will close any doors and windows by 10:00 P.M. every night.
35. Amazing 66 Restaurant (Amazing 66 Group Inc), 66 Mott St (wb)
withdrawn
36. Prime & Beyond NY Inc, 90 E 10th St (wb) (Danal)
VOTE: As this applicant has entered into a Memorandum of Understanding with the tenants association EVORA (attached hereto), Community Board #3 moves to deny the application for a beer wine license for Prime & Beyond NY Inc., 90 East 10th 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 restaurant, serving steaks, burgers and other American fare to within one (1) hour of closing, 2) its hours of operation will be from 11:00 A.M. to 11:00 P.M. Sundays through Thursdays and 11:00 A.M. to 12:00 A.M. Fridays and Saturdays, 3) it will not have French doors or windows and will maintain a fixed facade, 4) it will play ambient background music, consisting of recorded music only, 5) it will install additional soundproofing, if necessary, 6) it will not seek to commercially use any outdoor space, including the sidewalk and backyard, and 7) it will not seek to upgrade its license to a full on-premise liquor license for the length of its business.
37. Blarney Cove (510 E 14th Pub Inc), 510 E 14th St (op) THIS IS A TRANSFER

VOTE: To approve the transfer of the full on-premise liquor license for 510 East 14th Street Pub Inc., doing business as Blarney Cove, 510 East 14th Street, to the daughter-in-law of the previous now deceased owner understanding that the method of operation as a tavern and the business name will remain the same.

38. Novello (Sotto Nove Cafe Corp), 438 E 9th St (wb) (Itzocan Cafe)
withdrawn

39. Yuba Group LLC, 105 E 9th St (op)
withdrawn

40. Saro (Saro Corp), 102 Norfolk St (wb)

VOTE: To deny the application for a beer wine license for Saro Corp., 102 Norfolk 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 restaurant, serving Eastern European comfort food to within one (1) hour of closing, 2) its hours of operation will be from 12:00 P.M. to 1:00 A.M. Sundays through Thursdays and 12:00 P.M. to 2:00 A.M. Fridays through Sundays, 3) it will not have DJs, live music, promoted events, scheduled events or events at which a cover fee would be charged and it will play ambient background music, consisting of recorded music only, and 4) it will close any doors and windows by 10:00 P.M. every night.

41. China Favorite, 96 E B'way (wb)

VOTE: To deny the application for a beer wine license for China Favorite, 96 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 8:00 A.M. to 12:00 A.M. all days.

(SLA & DCA Licensing Committee - Monday, September 20, 2010 Meeting)

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Arts & Cultural Affairs Task Force

1. Art in Empty Storefronts.

The form to go to realtors/landlords/brokers to be slightly revised, and a 1-page colorful photo sheet of relevant images to be prepared to make the package more attractive.

no vote necessary

2. Arts in Education Forum

A survey through Survey Monkey was sent to approximately 100 stakeholders in the field. Survey Monkey collates the data. Then we will schedule the Forum.

no vote necessary

Economic Development Committee

1. Impact of empty storefronts in First Houses on neighboring businesses/economic development (Avenue A / 3rd Street).

no vote necessary

2. LES BID—informational presentation on proposed expansion plans

no vote necessary

3. Town Hall: Final Planning Update

no vote necessary

1. Richard Ropiak reports that wide publicity was done for the forum but it's very hard to get businesses to come out to such an event during, or even just before, business hours.

2. Artists in Storefronts an excellent short-term solution but how do we encourage the butcher, the baker, the candlestick-maker to rent retail spaces?

Land Use, Zoning, Public & Private Housing Committee

1. BSA 61-10 BZ: variance requested for 183 E Broadway to permit completion of construction of at 7-story building in R7-2 & C1-5 zoning District

THIS MOTION DID NOT PASS

VOTE: The CB3 Land Use Committee recommends against BSA approval of the application for a variance by the developer of 183 Broadway

WHEREAS, the developer of 183 Broadway sought to build a 12-story sliver building (with mistaken approval by the Department of Buildings); and

WHEREAS, the building had reached a height of seven stories before the stop work order was issued by the Department of Buildings; and

WHEREAS, the lot coverage exceeds the 70% maximum; and

WHEREAS, the structure has no rear yard; and

WHEREAS, the developer now seeks a variance to complete construction of a seven-story building;
now

THEREFORE, BE IT RESOLVED that the Committee rejects the variance application.

THIS MOTION PASSED

VOTE: WHEREAS, the developer of 183 E Broadway has offered to lessen the impact of the seven-story building for which a variance is requested by making below market-rate space available for a community facility; and

WHEREAS, certain mitigations to the façade (brick and limestone cladding) and landscaping are proposed; and

WHEREAS, the developer has consulted with neighbors and received many letters of support; now

THEREFORE, BE IT RESOLVED that the developer be given another month to refine the proposal and return to the Committee for final consideration in October.

2. 421a application for 123 3rd Ave (B 469, L 10-11)
no vote necessary
3. 400-402 Grand St: support for TIL Program
no vote necessary

(Land Use, Zoning, Public & Private Housing Committee)

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Human Services, Health, Disability, & Seniors Committee: No report.

1. NY Cares: Presentation of Neighborhood Partnership Project for Local Volunteers Projects
no vote necessary
2. HRA presentation: role and referral/eligibility process of adult protective services
no vote necessary

Youth & Education Committee

- Understanding 2010 State Education Test Scores
no vote necessary
1. VOTE ON ENTIRE AGENDA.
 2. VOTE ON ITEM # 10 AUGUST SLA MEETING.
Both motions passed.

Members Present at Last Vote:

David Adams	[A]	Linda Jones	[P]	Dominic Pisciotta	[P]
Julia Andino	[P]	Vaylateena Jones	[P]	Barden Prisant	[P]
Jimmy Cheng	[P]	Meghan Joye	[P]	Carolyn Ratcliffe	[P]
David Crane	[P]	Joel Kaplan	[A]	Joyce Ravitz	[A]
Andrea Diaz	[P]	Carol Kostik	[P]	Lois M. Regan	[P]
Harvey Epstein	[P]	John Leo	[P]	Janet Riesel	[P]
Morris Fajtelewicz	[P]	Ricky Leung	[P]	Richard F. Ropiak	[P]
Flora Ferng	[P]	Sam Leung	[A]	Susan Scheer	[P]
Beth From	[A]	Gigi Li	[P]	David Silversmith	[P]
Rabbi Y. S. Ginzberg	[P]	Bernard Marti	[P]	Mary Spink	[P]
Gloria Goldenberg	[P]	Bernice McCallum	[P]	Elinor Tatum	[A]
Jan Hanvik	[P]	David McWater	[A]	Rodney Washington	[P]
Herman F. Hewitt	[P]	Alexandra Militano	[P]	Samuel Wilkenfeld	[A]
Simon Huang	[P]	Maria Muentes	[A]	Justin Yu	[P]
Bonnie Hulkower	[A]	Chiun Ng	[P]	Thomas Yu	[A]
Carolyn Jeffers	[A]	Ariel Palitz	[P]		
Anne K. Johnson	[P]	Thomas Parker	[P]		

Meeting Adjourned 8:35.