



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD NO. 3

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Dominic Pisciotta, Board Chair

Susan Stetzer, District Manager

March 2011 Full Board Minutes

Meeting of Community Board #3 held on Tuesday, March 22, 2011 at 6:30pm at PS 20, 166 Essex Street.

Meeting called to order 6:45 PM by D Pisciotta.

Public Session:

- Adam Steiner from the Lesbian, Gay, Bisexual and Transgender Community Center in the West Village gave a report on the Center's alliance with the movement for smoke-free parks and beaches. Their constituents have higher smoking rates than heterosexuals. He promoted his smoking cessation program and left flyers.
- Mirang Cho from the Board of Elections spoke of the new polling mechanisms inaugurated at last November's elections. They are looking for more poll workers who are paid and receive other incentives. She left flyers.
- Barbara Caporales gave an update on the health status of World Trade Center workers. She urged people to take flyers announcing the means for people suffering effects of 9/11 to get into the health program.
- Peter Cramer, an artist with Allied Productions, spoke of a need to preserve the scale of the neighborhood, especially 35 Cooper Square, which should be preserved. He thanked the Parks Department for their continuing support of the "green" garden projects of his organization, Le Petit Versailles.
- Beth Sopko spoke to request landmarking of "the little house," 35 Cooper Square. Supposedly Landmarks Commission rejected the application because the site had been altered. There is no reason for the developer to demolish it as a new luxury hotel could be built around it, and it would add status/interest to the hotel.
- Jean Standish spoke in support of the Bowery Historic District and the importance of 35 Cooper Square, the oldest structure on the square, predating Cooper Union. It would be a tremendous loss to the community, which supports its preservation.
- David Mulkins spoke in favor of landmarking for 35 Cooper Square and the nomination of the Bowery for the National Register of Historic Places. 35 had been bought by a developer. Bowery Alliance of Neighbors and Lower East Side History Project joined forces to preserve it. It was built by the great-great-great grandson of Peter Stuyvesant. Diane Prima, the Beat movement's most famous woman poet, lived there.
- Andre Cooney asked CB3 to support preservation of 35 Cooper Square.
- Joseph Manoleas from New York University offered flyers soliciting community input and offering to organize presentations at community groups.
- Adam Lynch of the Uniformed Firefighters Association spoke of successful efforts, aided by the City Council, especially Rose Mendez, to fight off the closure of 25 firehouses. Fire fatalities have increased from 65 in one year to 15 in a month and a half since cutbacks required firetruck crews to go from 5 to 4 crew members.
- Frederick Demmer from 400 Grant Street Tenants Association spoke of the association's disenfranchisement from the SPURA process. He believes the speed of the development outpaces the ability for dialogue. He supports the landmarking and preservation efforts previously mentioned.
- Laura spoke for Conne Lei, to request a re-consideration of the 3/14 CB vote against an application for a beer and wine license, and for permission to extend café hours.
- Jessica Loeser spoke in support of 180 Ludlow Street. The owner hopes this will be the start of a dialogue with CB3. She is available to answer any questions.
- Stella Ma is promoting the development of English language skills through the We Are New York program. Any non-profit organizations, school, or church with space can apply for this 10-week program, 2 hours per class per week, and they will provide everything.
- Nancy Alusic spoke to support the full liquor license for Marcello's Restaurant as it is a true restaurant, where you can get great food for under \$10.
- Joyce Ravitz spoke of a documentary "My Perestroika" opening Wednesday at IFC Center. It was made by her daughter-in-law.

Public Officials:

Mayor Michael Bloomberg, Lolita Jackson & Pauline Yu: No report.

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

Comptroller John Lui, Sandra Ung: No report.

Borough President Scott Stringer, Alec Schierenbeck: There will be a Town Hall 4/7 at 6 at Rutgers Houses on safety and security in NYCHA housing. NYCHA is now reviewing its policies. There is a moratorium on installing new security cameras. How could those funds be re-allocated to assure safety? The NYCHA Chair is being asked to give LES residents an opportunity to present their views. Every year the office hosts free tax preparation for certain individuals. This year it is Saturday 4/2. The office just announced grants to local composting efforts. For new community board applicants and those re-applying, they will hear back next week.

Congressmember Jerrold Nadler, Daniel Weisfeld: No report.

Congressmember Nydia Velazquez, Iris Quiñónez: Materials are in the back.

Congressmember Carolyn Maloney, Victor Montesinos: She voted against the Patriot Act extension, although it passed the House and Senate and was signed into law. She will continue to oppose it as it tramples on the rights of innocent Americans. She signed onto a letter asking the Governor to reconsider slashing of funds for senior centers.

Assembly Speaker Sheldon Silver, Karen: The Assembly's budget restored school aid. She read from his monthly report on child care issues, SUNY and CUNY issues. He was recently part of a press conference urging extension of rent regulation. He joined AAFE and the Mayor of Oakland at the recent Lunar New Year celebration.

Assemblymember Deborah J. Glick, Lisa Parson: Many of her issues were covered by previous speakers. She read from the monthly report. One hospital was proposing budget cuts but no salary cuts. She is emphasizing spreading the pain more equitably. They asked the Attorney General to deal with issues of frivolous lawsuits e.g. targeting of seniors being served with legally shaky requirements that they leave rent-regulated apartments.

Assemblymember Brian Kavanagh, Leslie Peña: No report.

State Senator Daniel L. Squadron, Rosemarie Diaz: Rent stabilization is a big issue. Re senior centers, they have met with other elected officials. They know seniors need meals and gathering places. They held a Community Convention last month and are preparing a report on it. Last year it took about 6 months, what came out of it and what could be implemented. They hope to speed it up this year. Meghan Joye had a question about the SLA "6 in 6," 6 violations in 6 months, policy. Is each raid considered a violation, or is every violation considered a report to the SLA? The NYPD hasn't yet set up any guidelines. What SLA set up before is what is in effect now. At this time we don't know if or how it will be implemented. There is language in the bill to protect good business owners. As soon as guidelines are out, they will be shared.

State Senator Thomas K. Duane, John Bartos: The State Senate joined the Assembly to restore Title 20 funding. He reported on rent regulation and closing loopholes and urged people to pick up the newsletter.

Councilmember Margaret Chin, Matt Viggiano: The Bronx bus accident killed and injured people returning to their homes in Lower Manhattan. Tomorrow there is a hearing at 250 Broadway on Home Rule Message re regulation of inter-city buses. There is a grief center for friends and families of the victims. CB3's Transportation Committee reviewed inter-city bus legislation. Susan Stetzer said CB3 should be testifying and asked why CB3 was not invited. It was organized by another committee. They are putting together a Commercial Lease Bill of Rights for everyone to study before signing a lease for a small business. There is a proposal for a BID for Broadway between Houston and Canal. A public forum is scheduled on that 3/29 at St. Anthony's Church on Sullivan Street.

Councilmember Rosie Mendez: Her report is available. Preliminary budget hearings started this week. There are hearings every day. The Mayor's proposed cuts are gruesome. Fire Department cuts are severe. There could be charges to accident victims if the Fire Department is called for, and to hospitals if ambulances bring patients to them. 104 of 240 senior centers are proposed for closing. The Commissioner for the Aging said there is NO capacity for remaining senior centers to accommodate them. There is talk of eliminating multi-thousand daycare slots for children of working parents. Code enforcement funding from the federal government could be cut. NYCHA cuts are proposed. What NYCHA's deficit is, is not clear. Rent regulation laws are scheduled to expire in June. The last time they were renewed, they were weakened. This neighborhood lost rent-regulated apartments. Mary Spink had a question about waivers for properties on the tax lien list. Rosie promised to report on that at the next meeting. Morris Fajtelewicz asked about a visible police presence for public events. Rosie mentioned that whatever housing police are available can't possibly cover an entire PSA – Police Service Area. A police presence is sometimes felt when there are sweeps, when the police need to meet quotas, although we know that officially there are no quotas. NYCHA pays the NYPD \$74M for special police services, although there ARE no special police services. She discussed this strongly with OMB, rescinding the

Memo of Understanding on this issue. Vaylateena Jones asked about the statement that hospitals will be charged for taking patients. Rosie met with Beth Israel. They would be broke if they paid the state the amount of fees they would be charged. Joyce Ravitz mentioned organizations that are phone-banking the government about preserving rent regulations. She mentioned the loss of former CB3 member Rick Carmen. There will be a memorial Saturday 11 AM. A public member asked for the City Council's stance on rent-regulation. She senses the Council supports it, but has no jurisdiction. The state does.

Members Present at First Vote:

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

Minutes:

Minutes of January 2011 were approved, as is.

Board Chairperson's Report:

Chairperson Dominic Pisciotta

- 4/7 NYCHA Town Hall on Safety and Security is co-sponsored by CB3. All are encouraged to attend.
- The Borough Board Meeting was presented with an effort to curb WalMart's incursion into NYC. He learned a lot about this issue and will put it on the May agenda.
- Linda Jones will be vice-chair of Land Use, Zoning, and Housing Committee.
- CB3 has found a Secretary, Chiun Ng.

District Manager's Report:

District Manager Susan Stetzer

Please be aware that the April board meeting is on a Wednesday because of religious holidays.

The State Liquor Authority has made some changes and will be making more changes. The good news is that they are working on an interactive map for their website that will identify locations of licenses and will give needed information, such as the type of license, the number of licenses within 500 feet, and other information.

The bad news is that the SLA has created new notification forms for applicants to notify Community Boards. These forms do not provide needed information such as whether a transfer, representative contact information and information we're accustomed to having.

Our urban planning fellow is working on secondary impacts of saturation of nightlife. We have FOILED necessary information for research from NYPD and we are now on hold waiting for this information

I would like to give you an example of successful productive complaining to the community board. I received a complaint from Ricky Leung, whose Two Bridges building was having safety issues due to bus parking. We are able to meet at the site with the 7th Precinct and DOT. This resulted in changing parking regulations and increased enforcement.

On March 16 I attended the City Council government operations hearing regarding funding for community boards. CB3 faces an \$8000 cut due to unfunded salary increases that were not covered by alternative sources as it was for the previous 2 years.

All committee chairs have been asked for recommendations for the executive budget response. The deadline is this Friday.

A number of bar owners spoke to me at the beginning of this meeting in regard to have the community board discuss recent police enforcement. I asked them to send me an email to put this issue on the Public Safety Committee.

Committee Reports:

Executive Committee

1. **VOTE:** CB3 will co-sponsor Electric Vehicle Charging Station event on May 6 with Seward Park Corp.
2. **VOTE:** That an SLA Task Force be created to review the guidelines passed by the board.

Dominic did not attend. There was not a quorum. At the next Executive Committee, there will be a presentation on conflicts of interest. Nissan and HertzConnect have the only all-electric vehicle that will be available to Seward Park residents to rent.

The first meeting of the SLA Task Force will be in May. Carol Kostic asked which guidelines needed to be studied more, justifying the task force at this time.

(Executive Committee)

38 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Outreach Task Force

- Review of 2010 goals and accomplishments/committee goals for 2011
no vote necessary

Gigi LI reported that the trilingual CB3 board outreach brochure will soon be available. There will be conflict of interest training for the first hour of the April Executive Committee session.

SLA & DCA Licensing Committee

Alex Militano reported that # 5 was withdrawn. # 9, 34 Avenue A, has no corporate name. #24 no stipulations were received, therefore it's a denial unless the stipulations are brought in.

1. Review of 2010 goals and accomplishments/committee goals for 2011
no vote necessary
2. Resolution to SLA regarding undue burden on Community Boards of waivers for 30-renewal notices, and undue burden to businesses of penalty of closing businesses if renewal is late
no vote necessary

Applications within Resolution Areas

3. Pike St Fish Fry (Pike St Fish Fry NYC LLC), 122 Ludlow St (wb)
withdrawn
4. Good Friends & Business Partners LLC, 124 Ludlow St (wb)
withdrawn
5. Tiny's Giant Sandwich Shop (Ghozo LLC), 129 Rivington St (wb)
withdrawn
6. 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 again 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, after having been heard and denied by this community board in September of 2010; and

WHEREAS, the applicant concedes that there are now twenty-one (21) liquor licenses within five hundred (500) feet of this location; and

WHEREAS, the applicant has still failed to demonstrate any public benefit to the addition of a liquor license in this area, to this particular chain business when none of its other chain stores has a liquor license, or that it has sufficient experience to operate a licensed establishment in this area or address any of its continuing noise and traffic concerns; and

WHEREAS, residents who last appeared before Community Board #3 in September of 2010, complaining that there has been an increase in late night noise, vandalism and congestion at the intersection where this business is located and that the applicant lacks the ability to control activity occurring in and around its existing sidewalk café, specifically unruly behavior from area youths, again appeared to complain that the applicant continues to be unresponsive to complaints from residents about these conditions and has engaged in no outreach with residents since they appeared to express their concerns in September of 2010; and

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

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

7. Coyi Café, 42 Ave B (wb)

VOTE: To deny the application for a beer wine license for Coyi Café, located at 42 Avenue B, because 1) this location was previously unlicensed, having been operated as a coffee shop, 2) the applicant concedes that there are already seven (7) liquor licenses within one block of this location, 3) this area of Avenue B between Houston and 4th Streets is heavily congested with pedestrian and vehicular traffic as a result of the existing liquor licensed premises, and 3) this is essentially a coffee shop with a limited menu seeking to serve beer and wine which is seemingly inconsistent with its menu and method of operation.

8. Pan Asian Bistro LES Inc. (Noodle Bar), 172 Orchard St (wb)

THIS MOTION DID NOT PASS

VOTE: To deny the application for a beer wine license for Pan Asian Bistro LES Inc., doing business as Noodle Bar, 172 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 Pan Asian noodle restaurant, serving food to within one (1) hour of closing, 2) its hours of operation will be from 11:30 A.M. to 11:30 P.M. Mondays through Thursdays, 4:00 P.M. to 1:00 A.M. Fridays, 1:00 P.M. to 1:00 A.M. Saturdays, and 12:30 P.M. to 10:30 P.M. Sundays, 3) it will close any façade doors and windows, as well as its sidewalk café, by 10:00 P.M. every night, and 4) it will not apply for an upgrade of its license. Although this application is for a location within an area already overburdened with liquor licensed establishments, Community Board #3 is approving this beer wine license because no one appeared in opposition to this application and the applicant has operated a similar business in the West Village with a beer wine license for the past six (6) years.

THIS MOTION PASSED

VOTE: WHEREAS, Pan Asian Bistro is again applying for a beer wine license for 172 Orchard Street, between Houston and Stanton Streets after having been denied by this community board in November of 2007 and September of 2008; and

WHEREAS, this applicant is seeking to serve wine and beer at an Asian noodle bar in a location that was previously operated as a juice bar; and

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

WHEREAS, Orchard Street is still 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, Orchard Street is one of the 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, as a result of these persistent detrimental conditions, the 7th Precinct and Community Board #3 have had the Department of Transportation eliminate weekend nighttime parking on one side of Orchard Street, between Houston and Delancey Streets, in an effort to alleviate the existing pedestrian and traffic congestion and to minimize late night noise; and

WHEREAS, there are still at least six (6) liquor licenses on this one (1) block of Orchard Street, located at 173, 189, 191, 196 and 198, 198A and 200 Orchard Street, as well as a hotel liquor license whose address is 190 Allen Street but which has an entrance and egress on Orchard Street; and

WHEREAS, this applicant operates an establishment which is open until 1:00 A.M. on Fridays and Saturdays, has open façade windows and has a sidewalk café, all of which effectively extend this business onto this already overwhelmed street and contribute to its nighttime noise and congestion; and

WHEREAS, this applicant has failed to show the requested community support for its business in that it has furnished Community Board #3 with petition signatures in support of its business, many of which are not from residents of the surrounding buildings or community and a third of which are from area businesses; now

THEREFORE, BE IT RESOLVED that Community Board #3 moves to deny the restaurant wine license for Pan Asian Bistro, located at 172 Orchard Street.

9. Corp to be Formed, 34 Avenue A (Aces & Eights) (op)
withdrawn

Sidewalk Café Applications

10. Café Cortadito (Café Cortadito LLC), 210 E 3rd St

VOTE: To approve the application for a sidewalk café permit for three (3) tables and six (6) seats, for Café Cortadito LLC, doing business as Café Cortadito, 210 East 3rd Street, because the applicant has signed a change agreement which will become part of its DCA license that 1) the café will consist of three (3) tables with six (6) seats, and 2) it will close its sidewalk café at 10:00 P.M. every night.

11. A&D Wine Corp, (Wine Bar),65 2nd Ave (alt/increase number of tables and chairs from 6 tables and 12 chairs to 10 tables and 22 chairs)

VOTE: To approve the alteration of the sidewalk café permit for A&D Wine Corp., doing business as Bar Paya, 65 Second Avenue, increasing its seating to ten (10) tables and twenty-two (22) seats, because the applicant has signed a change agreement which will become part of its DCA license that the café will consist of ten (10) tables with twenty-two (22) seats, adding four (4) tables and ten (10) seats to the existing sidewalk café and maintaining its existing footprint or parameters.

12. 157 Brick Oven LLC (Plum Pizzeria),157 2nd Ave

VOTE: To approve the application for a sidewalk café permit for eight (8) tables and sixteen (16) seats, for 157 Brick Oven LLC, doing business as Plum Pizza, 157 Second Avenue, because the applicant has signed a change agreement which will become part of its DCA license that 1) the café will consist of eight (8) tables with sixteen (16) seats, and 2) its hours of operation will be from 11:30 A.M. to 10:00 P.M. weekdays and 11:30 A.M. to 11:00 P.M. Fridays and Saturdays.

Alterations/Transfers/Upgrades

13. 4AB LLC (Tonda), 235 E 4th St (tran/op)
withdrawn

14. Le Cave LLC, 64 E 1st St (alt/op/correction of original application)

VOTE: WHEREAS, Le Cave LLC, doing business as La Vie, has been operated since October of 2010 by new owners who have purchased the corporation and are now seeking to alter plans originally submitted by the previous principals; and

WHEREAS, the applicant, through one of the new principals, maintains that said alteration is to eliminate a staircase adjacent to the DJ booth from the original plans, although he seemed unsure to whom the plans had been submitted or what he was requesting; and

WHEREAS, in submitting this alteration application, the new principals have stated within their community board application that they intend to host scheduled performances with live musicians and DJs, promoted events and events where cover fees will be charged and intend to operate from 5:00 P.M. to 4:00 A.M. every night; and

WHEREAS, the applicant currently has alteration plans before the New York City Department of Buildings, which include adding a roof top deck, the permits for which were revoked on February 28, 2011, for improving upon or increasing the degree of non-compliant use of its premise; now

THEREFORE, BE IT RESOLVED that Community Board #3 moves to deny the application for any alteration of the originally submitted plans because it cannot understand what the applicant is asking for or what it intends in seeking to alter the space or its plans in any way and based upon the reasons set forth in the motion of this community board to deny the renewal of this full on-premise liquor license (appended hereto) from January of 2011.

15. Woody's (Prince 28 LLC), 31 2nd Ave (alt/op/adding second bar to main level and other work)

VOTE: To approve the alteration of Prince 28 LLC, doing business as Woody's, 31 Second Avenue, to wit adding a thirteen (13) foot by eleven (11) foot bar to the ground floor which would replace an existing lounge area and be directly across from the existing bar.

16. Sa Aming Nayon LLC, (Wai Café) 201 1st Ave (wb)

VOTE: To deny the transfer of a beer wine license to Sa Aming Nayon LLC, for the existing business Wai Cafe, located at 201 First Avenue, 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 Philippine restaurant, serving food to within one (1) hour of closing, 2) it will maintain a closed fixed facade, 3) its hours of operation will be from 7:00 A.M. to 11:00 P.M. Sundays through Thursdays and 7:00 A.M. to 1:00 A.M. Fridays and Saturdays, 4) its hours of operation for its backyard will be from 9:00 A.M. to 9:00 P.M. Mondays through Saturdays and 12:00 P.M. to 9:00 P.M. Sundays, 5) it will have no bar, and 6) it will play ambient background music only, consisting of recorded music.

17. Three Monkeys Restaurant Inc, 99 Rivington St (trans/op)

- withdrawn
18. 48 East 7th St Associates Inc, (via della pace), 48 E 7th St (alt/op) (2 tables w/chairs within property line)
withdrawn
19. Corp. to be formed, (Sachiko's on Clinton) 25 Clinton St (op)
withdrawn
20. 133 Essex Restaurant LLC (Mason Dixon), 133 Essex St (op)
withdrawn
21. QQ Delicious Inc (QQ Delicious), 36 Eldridge St (wb to op)
withdrawn

New Liquor License Applications

22. Lucky's Famous Burgers (Lucky Burger Houston LLC), 147 E Houston St (b)
VOTE: To deny the application for a beer license for Lucky Burger Houston LLC, with a proposed business name of Lucky's Famous Burgers, 147 East Houston 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 burger and shake restaurant, serving food during all hours of operation, 2) its hours of operation will be from 12:00 P.M. to 12:00 A.M. Sundays through Wednesdays and 12:00 P.M. to 4:00 A.M. Thursdays through Saturdays, 3) it will maintain a closed fixed facade, 4) it will play ambient background music, consisting of recorded music only, 5) it will serve beer only until 12:00 A.M. every night, and 6) it will designate an employee to be responsible for maintaining a sidewalk clear of noise and patrons.
23. Long Xin Restaurant Inc, 50 Eldridge St (b)
VOTE: To deny the application for a beer license for Long Xin Restaurant Inc., 50 Eldridge 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 Chinese restaurant, serving food to within one (1) hour of closing, 2) its hours of operation will be from 11:00 A.M. to 12:00 A.M. all days, 3) it will maintain a closed fixed facade, and 4) it will play ambient background music, consisting of recorded music only.
24. Wyndham Garden Hotel Chinatown (Wyndham Hotel Management Inc and 93 Bowery Holdings LLC), 93 Bowery (hotel op)
VOTE: To deny the application for a full on-premise hotel liquor license for Wyndham Hotel Management Inc. and 93 Bowery Holdings LLC, with a proposed business name Wyndham Garden Hotel Chinatown, 93 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 a fifteen (15) story hotel with three (3) public areas, 2) it will operate a restaurant in its cellar with a maximum capacity of seventy-four (74) people, with fourteen (14) tables with fifty-four (54) seats, a twenty-nine (29) foot bar with ten (10) stools, hours of operation from 6:30 A.M. to 10:00 P.M. all days, playing ambient background music, consisting of recorded music only, and accessible only through the lobby on Bowery, 3) it will operate a lobby bar with a maximum capacity of forty (40) people, with three (3) tables with twelve (12) seats, a twenty-two (22) foot bar with nine (9) stools, hours of operation from 2:00 P.M. to 12:00 A.M. all days, playing ambient background music, consisting of recorded music only, and accessible through the lobby on Bowery or through a separate entrance on Hester Street, and 4) it will operate a fifteenth floor event space for private events with an maximum capacity of twenty-five (25) people and an adjoining outdoor terrace with a maximum capacity of twenty-five (25) people, two (2) portable bars, live music or DJs for some events and closing no later than 2:00 A.M. per event.
25. Neuman Catering (Neuman & Bogdonoff Inc), 173-175 Chrystie St (op)
VOTE: To deny the application for a full on-premise liquor license for Neuman & Bogdonoff Inc., doing business as Neuman Catering, 173-175 Chrystie 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 private catering event space in approximately nine hundred (900) square feet on the first floor of the 175 Chrystie Street side of the premise, 2) its hours of operation will be from 12:00 P.M. to 12:00 A.M. per event, 3) it will have a maximum occupancy of fifty (50) people per event, and 4) it will play ambient background music, consisting of recorded music only.
26. Corp to be formed, (Kurve) 87 2nd Ave (op)
withdrawn
27. Aegis Atlantic LLC (Preserve 24), 175 E Houston St (op)
withdrawn

Old Business

28. Pastabar Café Corp, 127 Ave C (up/op) (aka 343 E 8th St)
VOTE: Whereas Pastabar Café Corp., doing business as Caffe Cotto, 127 Avenue C, a/k/a 343 East 8th Street, has been operating as a full-service, food-focused Italian restaurant, has reduced the preexisting bar space to four (4) feet to increase dining space and has exhibited extensive community support through resident petitions and ten (10) residents appearing in support of its application, to deny the application to upgrade to a full on-premise liquor license for Pastabar Café Corp., doing business as Caffe Cotto, 127 Avenue C, a/k/a 343 East 8th 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 8:00 A.M. to 1:00 A.M. Sundays through Fridays and

8:00 A.M. to 2:00 A.M. Saturdays, 3) it will close any façade doors and windows by 10:00 P.M. every night, and 4) it will play ambient background music, consisting of recorded music only.

(SLA & DCA Licensing Committee)

38 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Arts & Cultural Affairs Task Force

1. Review of 2010 goals and accomplishments/committee goals for 2011
no vote necessary
2. Arts in Education Forum
no vote necessary
3. Art in Empty Storefronts
no vote necessary
4. Convocation of all Manhattan Arts Committee of Task Force chairs
no vote necessary

Jan Hanvik reported that 14 applications from artists and arts organizations have been received, but none from property owners yet. He asked for input about property owners. The spaces could be occupied. He also reported that public hearings on cuts to Department of Cultural Affairs are Thursday 3/25 at 10 AM at 250 Broadway.

Economic Development Committee

1. Review of 2010 goals and accomplishments/committee goals for 2011
no vote necessary
2. Continuing discussion: the impact of real property tax on small businesses
no vote necessary
3. LES People's Federal Credit Union-presentation of business lending programs
no vote necessary

Richard Ropiak reported that the committee is assembling information on a basic bill of rights for small business owners.

Land Use, Zoning, Public & Private Housing Committee

March 7th Meeting

David McWater reported that the developer of 180 Broadway doesn't want to commit to a 20% local hiring initiative, one written mostly by Michael Zisser. The stipulation is being rejected by the applicant, although he is willing to commit to a "best effort," without quotas. Much discussion ensued. There was a sense that CB3 should support the committee's work, even if it's to support a motion without teeth. Dominic asked how this stipulation would be enforced. Susan reported there has never been a percentage agreement so there is nothing in place to enforce it. Anne Johnson asked if it was a union construction site and if it would be a union hotel. No one had the answer. Beth From asked why if "best effort" has worked before, why were we instituting a percentage now. Harvey Epstein answered that it is because we have not done it before, that it should be done now. Susan Stetzer stated that hiring statistics on CB3 construction projects are available. THOR, e.g., is now hiring through the Network. David Crane proposed an amendment, changing # 4 to say that CB3 does not support the motion because the owner does not support the 20% local hiring stipulation. Dominic took a straw poll and reported that the board seems opposed to approving the variance.

1. Review of 2010 goals and accomplishments/committee goals for 2011
no vote necessary
2. Presentation of preliminary plans for sustainable building project at 61 Pitt St and request for support
no vote necessary
3. HCC proposal to build a 120 unit palliative care facility, including HCC's offices, medical space, automated parking facility (to replace existing surface parking), and ancillary space on an existing parking lot on South Street near Rutgers Street
withdrawn
4. 154 Madison St: request for BSA variance from the use requirements for the construction of an eight-story and cellar mixed-use building containing community facility use on the ground floor and residential units on the upper floors
withdrawn
5. BSA 297-09-BZ: Ludlow St, a time extension pursuant to vested right (time extension to proceed)
[David Crane : Whereas CB3 had requested the following stipulations, 1,2, 3 remaining the same, # 4 becomes an extra "Whereas": Whereas the developer/owner is not willing to commit to the 20% local hiring agreement in (1) above, CB3 does not support the application – ACCEPTED BY THE COMMITTEE CHAIR AS A FRIENDLY AMENDMENT]

VOTE: WHEREAS, the property at 180 Ludlow Street is already developed; and

WHEREAS, the applicants have come before the Community Board on many occasions; so

THEREFORE BE IT RESOLVED THAT

- (1) There be signed stipulations between the developer/owner, the selected hotel operator, CB3, and the Lower East Side Employment Network to ensure that (a) local residents receive priority in the employee selection process, (b) that employees be given a living wage commensurate with employees at other local hotels, and (c) that appropriate and effective job fair and job training opportunities be made available to prospective employees. Furthermore, the developer/owner and hotel operator agree that no fewer than 20% of the full and part-time employees in aggregate at any one time be qualified referrals from the Network.
- (2) There be signed stipulations between the developer/owner and hotel operator that there be no nightclub in the hotel, with the definition of "nightclub" to be resolved by agreement between the developer/owner and hotel operator and CB3. A bar serving hotel patrons is acceptable under this provision, providing that it receives approval by the SLA Committee.
- (3) There be signed stipulations between the developer/owner and CB3 requiring that every effort be made to utilize local CB3 residents in the construction of the building as appropriate.

WHEREAS, the developer/owner was not willing to commit to the 20% local hiring agreement listed in (1) above.

THEREFORE BE IT RESOLVED THAT, CB3 does not support the application BSA 297-09-BZ

6. BSA 307-08-BZY: 163 Orchard St, extend time to complete foundation for the construction of an 11-story transient hotel building

no vote necessary

David McWater reported on SPURA. Dominic reported that on the CB3 website are the presentations from the Urban Planner and the RFPs for the environmental impact study. Two weeks before the calendared SPURA meetings, CB3 will be taking questions/suggestions from anyone who wants to make them.

Chinatown Working Group: John Leo reported briefly on the Chinatown Working Group and the need after 2 years of discussing the same issues to get away from its reputation as the Chinatown Nonworking Group.

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

38 YES 0 NO 0 ABS 0 PNV (Excluding Item 5) MOTION PASSED

Item 5: 30 YES 6 NO 1 ABS 1 PNV MOTION PASSED

Human Services, Health, Disability, & Seniors Committee

- Review of 2010 goals and accomplishments/committee goals for 2011

no vote necessary

Nothing to report.

Youth & Education Committee

- Review of 2010 goals and accomplishments/committee goals for 2011

no vote necessary

Nothing to report.

Transportation & Public Safety Committee

1. Review of 2010 goals and accomplishments/committee goals for 2011

no vote necessary

2. Transportation Alternative's East Side Action Plan

no vote necessary

3. Review of Chinatown Working Group transportation preliminary Action plan

no vote necessary

Nothing to report.

Environment Committee

No meeting scheduled

Con Edison Task Force

Minutes to come

Carol Kostik reported that the deadline is 4/15 for disbursement of settlement funds. There is no form, but guidelines are on the website.

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

1. Review of 2010 goals and accomplishments/committee goals for 2011
no vote necessary

2. Peter Cooper Park—potential RFPs for food carts in park

VOTE: WHEREAS, allowing the use of Peter Cooper Park for concessions and food vendors, would cause potential negative impact on surrounding small businesses offering the same foods and services; and

WHEREAS, the limited space in the open park area should be utilized for a more diverse use of park space and activities; and

WHEREAS, food concessions would exacerbate the proliferation of rodent infestation; now

THEREFORE BE IT RESOLVED THAT Community Board 3 opposes the use of Peter Cooper Park for concessions; and

AND LET IT FURTHER BE RESOLVED THAT Community Board 3 asks that Parks Dept and DOT keep the Community Board informed of all future discussions and updates regarding use of the Peter Cooper Park space.

3. Request for support by BAN to stop demolition of 35 Cooper Square and for preservation of other Federal houses on Bowery

VOTE: 1) WHEREAS, the building on 35 Cooper Square is of significant historical value to the neighborhood, as the oldest structure in Cooper Square; and

WHEREAS, 35 Cooper Square predates even the Cooper Union Foundation Building by thirty years; and

WHEREAS, there is precedent for buildings that have been altered to still receive landmark protection status from the Landmarks Commission; and

WHEREAS, despite the stucco exterior, the building is still has significant architectural value, as an example of historic wood shingle roofed buildings; and

WHEREAS, the 35 Cooper Square building can be eligible for listing in the NYS & National Register of Historic Places; and

WHEREAS, the existing building can still be incorporated within a new development without its demolition, and still add value to the development; now

THEREFORE BE IT RESOLVED THAT Community Board 3 supports the efforts of the coalition of neighborhood groups, including the Bowery Alliance of Neighbors, Two Bridges Neighborhood Council, Greenwich Village Society for Historic Preservation, Historic Districts Council, Lower East Side Preservation Initiative, East Village Community Coalition, City Lore, Cooper Square Committee, and the Lower East Side History Project, to stop the demolition of 35 Cooper Square.

2) WHEREAS, the length of Bowery from Chatham Square to Cooper Union is of great historical significance and is a valuable asset to the community;

THEREFORE BE IT RESOLVED THAT Community Board 3 supports the listing of the Bowery as a candidate for inclusion under the NYS & National Register of Historic Places.

Block Party Applications

4. Vesak Celebration, 5/15, Division St (Bowery-Market Sts)
no vote necessary

5. ride4aiden Sudden Infant Death Awareness, 6/18, Gouverneur St (Water-Madison Sts)

VOTE: To support ride4aiden Sudden Infant Death Awareness, 6/18, Gouverneur St (Water-Madison Sts).

6. Meet The Street, 8/20-8/21 & 8/27-8/28, E 4th St (Bowery-2nd Ave)

VOTE: To support Meet the Street, 8/20-8/21 & 8/27-8/28, E 4th St (Bowery-2nd Ave).

7. Fashion Forward LES Fashion Show, 8/21, Broome St (Ludlow-Orchard Sts)

VOTE: To support Fashion Forward LES Fashion Show, 8/21, Broome St (Ludlow-Orchard Sts).

8. Apples on Orchard, 9/18, Orchard St (Grand-Broome Sts)

VOTE: To support Apples on Orchard, 9/18, Orchard St (Grand-Broome Sts).

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

38 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Members Present at Last Vote:

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

Old Business: None

New Business: None

Meeting Adjourned 9 PM