

# THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD NO. 3

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Dominic Pisciotta, Board Chair

Susan Stetzer, District Manager

## July 2011 Full Board Minutes

Meeting of Community Board #3 held on Tuesday, July 26, 2011 at 6:30pm at Cooper Union, 41 Cooper Square. Herman Hewitt called the meeting to order at 6:40. He asked each public speaker to say their piece without interruption, and to pick their best speakers if there were several people speaking on one issue. Susan Stetzer announced that Cooper Union requires everyone to sit, and disallows eating or drinking.

### Public Session:

NATHAN SKLAR spoke as Founder of Developmental Kids, a school for children with developmental delays. They are expanding to 7 classrooms at Seward Park. Many children are in wheelchairs. School buses drop off the children, who have to go between parked cars to get to the school. He brought pictures. They request NO STANDING ANY TIME signs from 7 AM – 4 PM for safety purposes.

MINDI MESSINGER, Education Director at Developmental Kids, asked for the same thing as Nathan Sklar. She brought children and their parents who explained why traffic is a special danger for these children.

THEO IVANNOS, a teacher at Developmental Kids, spoke of safety concerns. She read letters from parents addressing poor drivers and other unsafe conditions. 3-4 parking spaces are required to guarantee safety.

ERNIE CAVE from East Side Baseball Academy spoke of the negative effects of the economy and lack of interest on sports activities. ESBA was started for children to learn baseball and prepare them for future sports. They've reached 500 youth. They're looking for community support for the summer program. [www.essportsny.com](http://www.essportsny.com)

MARC BALTER, owner of a business at 209 Bowery, spoke of the difficulty of staying in business if parking is obstructed into 2012, preventing trucks loading and unloading.

RACHEL EVANS of Seward Park Library introduced herself and the library.

ANDREA NICOLAY of Chatham Square Library spoke of the program to "read down your fines" this summer.

E. PETER SHIN submitted a letter in support of his client, JDY Café, at 8 St. Mark's Place. Complaints about the application were addressed in the letter.

LEO BLACKMAN, an architect in the neighborhood, spoke of the proposed park at 51 Astor Place. It seems the developer lost sight of the objectives. He presented 4 points for the developer about what might fit in the neighborhood, in particular orientation to Stuyvesant Street. They request more lighting appropriate to the neighborhood. There should be more greenery, and maybe a water feature. Proposed granite is out of place. Brick and brownstone would be more appropriate. A proposed statue should be appropriate to the EV. It could connect 3 new and 4 existing gardens. He asks the developer to dialogue with the community.

MONICA RITTERSPORN on Stuyvesant Street asked everyone to read the letter quoted by Mr. Blackburn.

MARILYN APPLEBERG spoke as a former task force member addressing the issue. There was a restriction that this spot be reserved for academic use, but at some point a Starbucks moved in. The proposed plaza is more like a midtown plaza than the historic roadway, which should be reflected in a plaza in a low-rise neighborhood.

Min Wen Yang from Chinese Christian Herald Crusades, an academy educating 1000 students spoke. She filled out a form, then left the building, and returned late to speak. She had a handout on the academy.

ROY LEVITT, the Executive Director of Greenwich House, spoke of their need to move. They need a 6-month temporary location until the lease is ready on their new space. Beth Israel offered such space, at 109 Delancey Street. The new location will be 622 Broadway in the West Village. He asked for community support for the temporary move, and explained the House's social programs e.g. AIDS treatment.

### SPEAKERS ALTERNATING FOR AND AGAINST THE EAST VILLAGE HISTORIC DISTRICT

PETER GREENMAN read a statement from the pastor of a church. He is opposed to redistricting. An EV Historic District would have dire consequences, forcing landmarking on churches and synagogues. It is not a matter of being for or against preservation. It is against the costly and time-consuming requirements of making repairs in a landmarked property.

LEO BLACKMAN stated that historic districts are overdue, especially in neighborhoods marked by low-income history, not just wealthy districts. There are many misconceptions about landmarking. There is only a \$25 fee for up to \$25,000 of construction. He mentioned the problem of the Catholic Archdiocese, which demolished or drastically changed 3 churches in the neighborhood, one, St. Ann's, for an NYU dormitory.

A senior spoke of an aging population and of the Mezerich and the Community Synagogue that supported her and the great rabbis through the years. There is no separation of church and state when the state can come in and impose restrictions. She asked for civility, not casting stones against churches that had their backs against the wall financially and had to sell.

DAVID MULKINS on 5th Street and Cooper Square was never involved in community activity until the demolition of George Gershwin's boyhood home 5 years ago, and the destruction of the low-rise sense of place by construction of the 22-story Cooper Square Hotel. He is with Bowery Alliance of Neighbors. They strongly endorse the 2 historic districts. He read a letter from the owner of a historic row house, widow of a founder of GOLES. No other district has lost so much heritage and stands to lose more. Creation of a historic district could slow down gentrification and the further loss of historic religious buildings.

REVEREND JACKIE LEWIS of Middle Collegiate Church, the oldest Collegiate Church in North America, spoke of the need of a sensitive conversation, as Rosie Mendez advises. She said all area clergy are committed to the neighborhood.

KURT CAVANAUGH of East Village Community Coalition spoke of the landmarking of PS64 in 2006, a rare case of landmarking preventing demolition for a profit motive only. He read a letter from a board member in favor of the historic district. This will preserve the spiritual, physical, and cultural character of the neighborhood in the face of the replacement of historic structures by glass boxes. The writer has developed low-income housing which maintains the character of the neighborhood. Capital funds are available for such buildings that aren't available for building on vacant lots.

JOANNE KENNEDY of The Catholic Worker, not affiliated technically with the Catholic Church, spoke of the anarchist tendencies of the Worker, which doesn't tolerate oversight of its activities well. They have been told that money is available for capital purposes, but in reality, that money is not easy to get. She asks CB3 to continue the conversation with the LPC so that it doesn't feel like an imposition, a situation in which fines would be imposed if procedures were not followed.

RICHARD MOSES of the LES Preservation Initiative, formed in 2007 specifically to seek historic district designation, spoke of the rich history of the neighborhood. The LES was declared one of America's 11 most endangered places. Without landmark protection, this history is doomed to disappear within 10-20 years. They have 700 signatures from a petition process in Tompkins Square Park, in just a few sessions.

LOUISE SHERBY of Town and Village Synagogue opposes the designation for financial reasons. Each faith community takes preservation of their property seriously. This solution punishes those who are financially vulnerable. She read a letter from their Rabbi, which stated that religious communities by their nature are dedicated to preserve their history.

SIMEON BANKOFF, Executive Director of the Historic Districts Council, in existence 40 years, works with groups from throughout the City, but their offices are at St. Mark's Church in the Bowery. There is a "feel" that distinguishes the EV from other neighborhoods. People, restaurants, etc. come and go, but with landmark designation, the buildings don't. In 40 years, there is no proof of the negative consequences people are citing.

RABBI ACKERMAN of the Mezerich Synagogue, a son of Russian-Polish immigrants and lifelong Manhattanite, spoke of this rich colorful neighborhood. He is committed to sustaining that for years to come, but spoke of the rights of all churches, synagogues, and mosques.

KRYSTYNA PIORKOWSKA shared the instructions of the LPC and gave the example of window replacement in which the LPC determines whether a window can be repaired or replaced. The LPC may determine that a window she can't afford must be installed. They can specify which concrete or window manufacturer she can use. She believes there's a dichotomy between what people have been told and what the LPC actually dictates. She believes from a visit to the LPC that they haven't yet done the necessary research into the neighborhood.

MARKGARET MCMAHON, an area resident for 35 years, supports the designation and believes the historic districts in other areas of the city have survived differences of opinions and approaches. The EV has always accommodated diversity and can on this issue too. Landmarking will help us keep the fabric of the community, and insure that change and growth equal change and growth, not destruction.

MARILYN APPLEBERG, President of 10th and Stuyvesant Block Association, spoke as a representative of the only historic district in the neighborhood, landmarked in 1969. Landmarking of other areas, as opposed to single buildings e.g. the Ottendorfer Library, is long overdue. St. Mark's Church and a former Yiddish theater are also still with us because of landmarking. She has owned several buildings and landmarking did not cause the problems she has heard about.

ANNA CISOWSKI spoke for the pastor of St. Stanislaus Church, a 137-year-old parish on East 7 Street, with 3rd and 4th generation congregations. She distributed her letter. The LPC has misrepresented the church and the Polish community in the past. Can they be trusted to represent their intentions fairly? No study was made of the church, yet they claim to represent the landmarking of a block that includes the church.

ANDREW BERMAN of the Greenwich Village Preservation group has worked on affordable housing for many years. There are more than 100 historic districts in the City. None has resulted in the lowering of affordable housing units. Landmarking has been used to prevent the demolition of rent-controlled housing. There is in the law a provision that for-profits and not-for-profits aren't subject to financial requirements of landmarking if they can prove it would be a hardship. He handed out a packet, including a letter from a Methodist church supporting landmarking.

FRIEDA LAPVOGEL-FRIED submitted a letter through a friend, saying she supports landmarking for the Mezerich Synagogue because she's afraid that otherwise it will be sold.

LYDIA POTTER, a trustee of NY Marble Cemetery, is neutral. She supports landmarking and asks that the cemetery be included. It's on the National Register of Historic Places. Susan Stetzer asked why its important to be in the district, if it's already landmarked. It is mostly to be included on the map.

MARTY TESSLER supports EV landmarking but is interested in brokering between those for and against it. The missing link is more communication, especially between the religious buildings and CB3. Their concerns should be explained in greater detail. There often is not enough time for these conversations. He recommends a deferral on the vote. The cited reason for landmarking is the destruction of St. Ann's for an NYU dorm, the culprits being the City Zoning Commission and NYU.

MIRIAM KAPLAN seconded what Marty Tessler said People from the religious institutions are speaking from their hearts and from their serious financial concerns. It is necessary to achieve consensus. Those in favor of landmarking should be respectful of those concerns.

ANNA SAVARYN spoke against Cooper Union Plaza. Preservationists including the Municipal Art Society supported preserving the Stuyvesant roadbed, the original Dutch road to the Dutch governor's mansion. The design of the Minskoff Corporation is generic and doesn't address the site's historic characteristics.

ERIC STERN talked of the establishment of the CBs in the 1950s as democratic institutions. He asks CB3 to be a compromiser on this issue. One option is that religious institutions be exempt from the designation, or at least, that they be protected. Not only stakeholders that have mounted such campaigns before should be listened to.

Public Officials:

Mayor Michael Bloomberg, 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: He spoke of a policy statement regarding council members' allocation of member items. The Council has about \$50M every year. The policy statement was distributed. Since it's distributed by the Speaker, it's ripe for politics. A needy district should get more money, not a more politically-connected district. The proposal is contentious. He welcomes questions.

Congressmember Jerrold Nadler, Daniel Weisfeld: No report.

Congressmember Nydia Velazquez, Iris Quinones: No report.

Congressmember Carolyn Maloney, Victor Montesinos: No report.

Assembly Speaker Sheldon Silver, Zach Bommer: He congratulates everyone who got married on the last historic weekend. The Speaker was happy to be part of the legislation. The lower end of the East River Esplanade was opened.

Assemblymember Deborah J. Glick, Sarah Malloy-Good: She believes the East Village is full of a rich history that should be preserved and is in favor of the LPC. She is in favor of placards supporting recognition of Stuyvesant Street.

Assemblymember Brian Kavanagh, Leslie Pena: The newsletter is available in the entrance. It highlights what passed and what didn't. There are 3 forums coming up addressing the East River. Most of it affects CB6 but they wish to hear from CB3 residents.

State Senator Daniel L. Squadron: He thanked everyone for showing up and asked that everyone respect the process. He recommends that people address community board meetings regularly. The end of the legislative session was very productive. He's especially pleased at the passage of marriage equality. August 16 at Borough of Manhattan Community College to address remaining ancillary issues e.g. remaining federal rights which must be addressed. "The Big Ugly" was also passed. It addressed rent deregulation, not accomplishing everything some were hoping for, but many things. It forced the state housing agency to have oversight on improvements to the interior of apartments and their effect on rent increases. The NY Times did a study on the weekend L and F service. Ridership is about 90% of weekdays, but only 1/3 the service. Fewer people would take cars and taxis into Manhattan if service was better. A member of the public asked if monitoring of car sounds could be added to the monitoring of speed and traffic. He answered that it can be looked into. Another audience member asked about visual blight of increasingly garish neon street signs and City Council Member Van Bramer's proposed law regulating this. Senator Squadron said he will look at such a bill. Meghan Joye asked about the renovation of the Allen Street mall and the re-directing of traffic to the Williamsburg Bridge if you could make a left onto Delancey from Allen Street. The Senator thought it was a great idea.

State Senator Thomas K. Duane, John Bartos: No report.

Councilmember Margaret Chin, Patricia Olan and Jake Itzkowitz: Patricia: She congratulates everyone who was married this weekend. The newsletter is outside. Cuts to firehouses were avoided, nor will they fall under the Mayor's axe next year. Funding for schools, libraries, and parks was preserved. Jake: There is an upcoming session on hepatitis awareness.

Councilmember Rosie Mendez, Michele Burger: She read a statement supporting the designation of the 2 areas as landmark districts, describing the boundaries. She will assist any private owner or agency encountering problems with the designation. She showed a flyer re designation and its effects on religious institutions.

Members Present at First Vote:

David Adams	[P]	Linda Jones	[P]	Barden Prisant	[A]
Karen Blatt	[A]	Vaylateena Jones	[P]	Carolyn Ratcliffe	[P]
Jimmy Cheng	[P]	Meghan Joye	[P]	Joyce Ravitz	[A]
David Conn	[P]	Joel Kaplan	[P]	Lois M. Regan	[A]
David Crane	[P]	Carol Kostik	[P]	Janet Riesel	[P]
Andrea Diaz	[A]	John Leo	[P]	Carlina Rivera	[P]
Natasha Dillon	[A]	Ricky Leung	[P]	Richard F. Ropiak	[P]
Harvey Epstein	[P]	Sam Leung	[P]	Susan Scheer	[A]
Morris Fajtelewicz	[P]	Gigi Li	[A]	Nancy Sparrow-Bartow	[P]
Flora Ferng	[P]	Bernard Marti	[P]	Mary Spink	[A]
Rabbi Y. S. Ginzberg	[A]	David McWater	[P]	Gary Tai	[P]
Gloria Goldenberg	[P]	Charlotte Miles	[A]	Elinor Tatum	[P]
Jan Hanvik	[P]	Alexandra Militano	[P]	Rodney Washington	[P]
Herman F. Hewitt	[P]	Chiun Ng	[A]	Jack Waters	[A]
Simon Huang	[P]	Ariel Palitz	[A]	Justin Yu	[P]
Carolyn Jeffers	[A]	Thomas Parker	[P]	Thomas Yu	[P]
Anne K. Johnson	[A]	Dominic Pisciotta	[A]		

Minutes:

Minutes of May 2011 were approved, as is.

Board Chairperson's Report:

Chairperson Dominic Pisciotta. Absent.

District Manager's Report:

Board members each received mail from the Jim Owles club regarding what the club believes to be anti-nightlife activity by myself and State Senator Daniel Squadron that negatively impacts the LGBT community. A board

member, Natasha Dillion, is a vice president of the club and I hoped she could distribute the club's mail, but she is not present.

Department of Environmental Protection held a workshop today on sound regulation for CB 3 nightlife business owners. . Ken Rockwood from the Rockwood Music Hall hosted it.

The NYPD has blocked off parking and loading spaces on Forsythe Street that are needed by the produce vendors. The vendors were moved to this space by the City years ago. There has been no enforcement or regulation of their activities for years. Some vendors were not in compliance with parking regulations and sanitation could not clean. Senator Squadron's office is calling a meeting with the vendors and police to resolve the issue.

#### Committee Reports:

David McWater moved to vote on everything except Parks, # 11, and District Needs. Ricky Leung called the vote at 9:05 PM.

#### Executive Committee

1. Request for Support by Greenwich House for temporary location in Community Board 3  
**VOTE:** To support the temporary relocation of Greenwich House to 109 Delancey Street during the construction of its new facility for approximately 6 months.
2. Request for Support for Community Healthcare Network -- business terms of lease  
**VOTE:** To support the proposed lease terms for Community Healthcare Network, Inc for a ten year term at 150 Essex Street to begin October 1, 2011.
3. Request for Support for Community Healthcare Health Fair  
**VOTE:** To support the block party for Community Healthcare fair on Stanton Street between Essex and Norfolk from 1-4PM on August 11.

#### **(Executive Committee)**

**33 YES 0 NO 0 ABS 0 PNV (Excluding Item 1) MOTION PASSED**

**Item 1: 32 YES 0 NO 0 ABS 1 PNV MOTION PASSED**

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

1. FY'2013 District Needs Statement  
**VOTE:** To approve FY'13 District Needs Statement for Community Board #3's Parks, Recreation, Cultural Affairs, Landmarks, & Waterfront Committee.
2. Temporary Public Arts – Walking Man for Tompkins Square Park  
**VOTE:** Community Board #3 supports the "Walking Man" temporary public art installation of a 7-ft tall steel sculpture – situated between the public bathrooms & the ping-pong table in Tompkins Square Park – representing the image of a walking man, design by Lower East Side artist, Scott Taylor.
3. Update on Art installation and programming at 33 E 1st St and First Park by BMW Guggenheim Lab  
no vote necessary
4. Parks Update / Report from Parks meeting with recreation field stakeholders  
no vote necessary

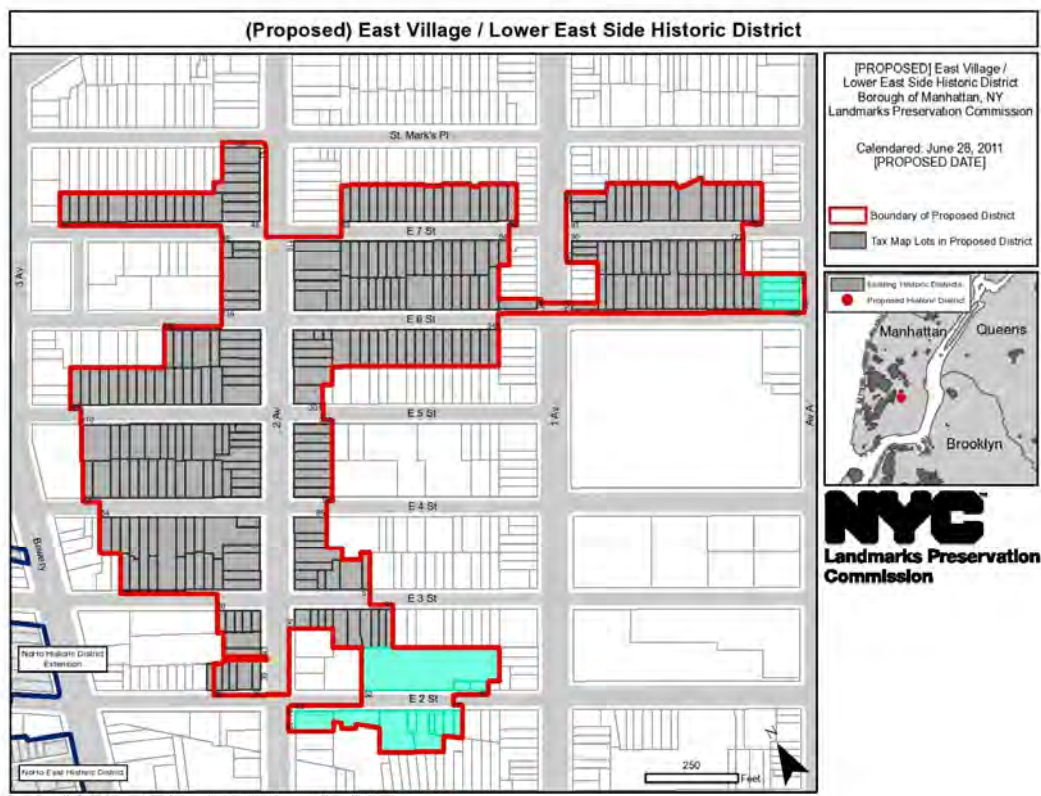
#### Block Party Application

5. 9th Street A-1 Association Block Party, 9/17, E 9th St (1st Ave & Ave A)  
**VOTE:** To approve the 9th Street A-1 Association Block Party, 9/17, East 9th St (btwn 1st Ave & Ave A).
6. Candle Lighting Ceremony LES Prep High School, 9/24, 145 Stanton St (Suffolk & Norfolk Sts)  
**VOTE:** To approve Candle Lighting Ceremony LES Prep High School, 9/24, 145 Stanton St (Suffolk & Norfolk Sts).
7. Candle Lighting Ceremony Eldridge Street, 9/25, 12 Eldridge St (Division & Canal Sts)  
withdrawn
8. NYC Women's Street Hockey Charity Tournament, 9/24, Tompkins Square Park  
**VOTE:** To approve NYC Women's Street Hockey Charity Tournament, 9/24, Hard Surface @ Tompkins Square Park (corner of East 10th St & Ave A).
9. Report from Waterfront Subcommittee
  - a) Update on Basketball City  
no vote necessary
  - b) Support for Visioning Session for East River Waterfront  
**VOTE:** Community Board #3 supports the "East River Waterfront on Wheels" process proposed by Hester Street Collaborative, to gain additional community input regarding the rehabilitation and design of Pier 42.
10. Status of Waterfront Subcommittee  
**VOTE:** To keep the Waterfront Subcommittee active & under Community Board #3's Parks, Recreation, Cultural Affairs, Landmarks, & Waterfront Committee. The status and value of the Waterfront Subcommittee will be reviewed in 6-months' time.

11-A Proposed Historic District Designation for East Village / Lower East Side. There was a motion and second to postpone indefinitely the East Village part of this vote. A vote was taken. The motion to postpone indefinitely did not carry. Two votes were called, to move forward with LES/EV, AND 10th Street with the amendment, that the designation go ahead with the inclusion of a provision that the concerns of the religious organizations be taken into consideration, including them in conversations with the LPC to allay those concerns. Both passed.

**VOTE:** Whereas there has been a preponderance of public support for the NYC Landmarks Preservation Commission's proposal for the designation of two Historic districts within CB#3, and whereas it is thought that the proposed Historic District will preserve an important piece of not only New York City's immigrant history, but the nation's history as well, and that it will further protect existing streetscapes from rampant development, the Landmarks Subcommittee voted unanimously to support the LPC Proposal for the East 10th Street Historic District and the majority(2 out of 3) voted for the 2nd Street to St. Marks proposed district. Although there was vocalized opposition for the Historic Districts, mainly from religious organizations against the proposed Historic Districts and one property manager who are concerned about increased costs for repairs under LPC, the broader consensus of the opinions expressed at the hearing were overwhelmingly in favor of the proposed districts as being the most relevant way to protect our history and streetscapes for all. The audience of 55 people represented a cross section on neighborhood residents with 24 signing up to speak in favor of the Historic Districts, 9 opposed and 2 undecided.

Therefore, CB 3 supports the Landmarks Preservation Commission's designation of the East Village / Lower East Side as a Historic District, including a provision that the concerns of the religious organizations be taken into consideration, including them in conversations with the LPC to allay those concerns, and urging all parties to work together to help to preserve the history and character of our neighborhood for the present as well as future generations of NYC and American citizens.



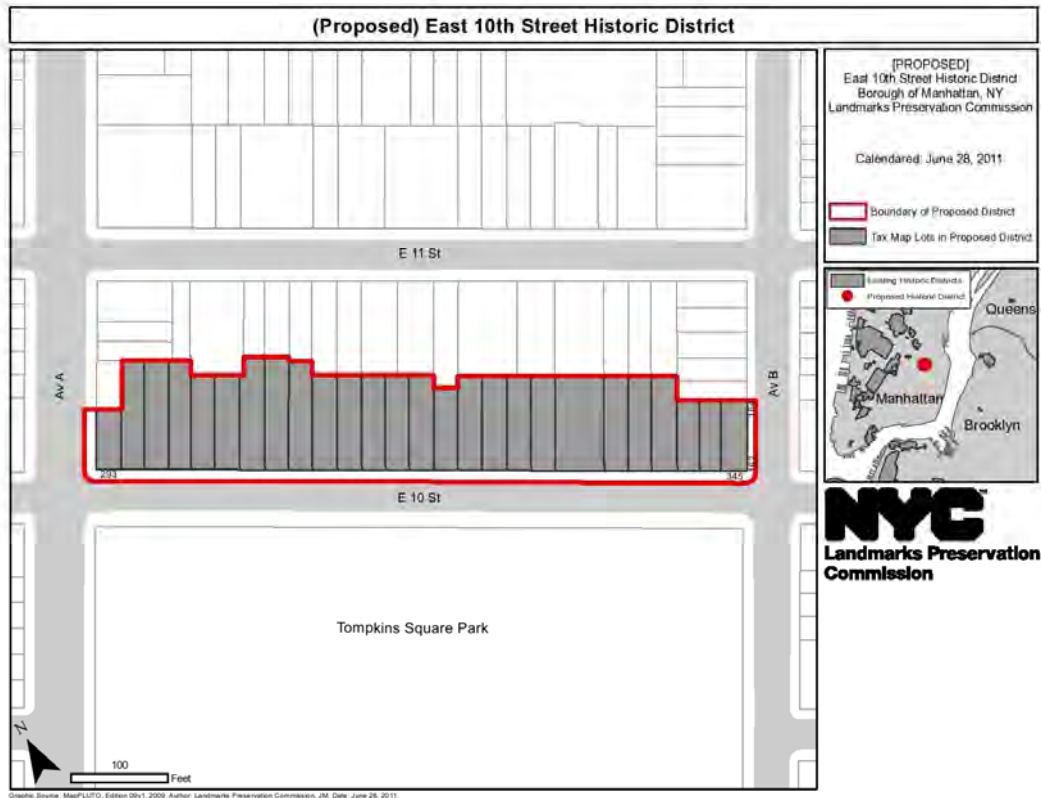
<http://www.nyc.gov/html/mancb3/downloads/cb3docs/July%202011%20LPC%20Proposed%20District%20nd%20Ave.JPG>

11-B Proposed Historic District Designation for East 10th Street

**VOTE:** Whereas there has been a preponderance of public support for the NYC Landmarks Preservation Commission's proposal for the designation of two Historic districts within CB#3, and whereas it is thought that the proposed Historic District will preserve an important piece of not only New York City's immigrant history, but the nation's history as well, and that it will further protect existing streetscapes from rampant development, the Landmarks Subcommittee voted unanimously to support the LPC Proposal for the East 10th Street Historic District and the majority(2 out of 3) voted for the 2nd Street to St. Marks proposed district. Although there was vocalized opposition for the Historic Districts, mainly from religious organizations against the proposed Historic Districts and one property manager who are concerned about increased costs for repairs under LPC, the broader consensus of the opinions expressed at the hearing were overwhelmingly in favor of the proposed districts as being the most relevant way to protect our history and streetscapes for all.

The audience of 55 people represented a cross section on neighborhood residents with 24 signing up to speak in favor of the Historic Districts, 9 opposed and 2 undecided.

Therefore, CB 3 supports the Landmarks Preservation Commission's designation of East 10th Street as a Historic District, urging all parties to work together to help to preserve the history and character of our neighborhood for the present as well as future generations of NYC and American citizens.



<http://www.nyc.gov/html/mancb3/downloads/cb3docs/July%202011%20LPC%20Proposed%20District%2010th%20Street.JPG>

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

**33 YES 0 NO 0 ABS 0 PNV (Excluding items 11-A & 11-B) MOTION PASSED**

**Item 11-A: 23 YES 9 NO 1 ABS 0 PNV MOTION PASSED**

**Item 11-B: 33 YES 0 NO 0 ABS 0 PNV MOTION PASSED**

**Land Use, Zoning, Public & Private Housing Committee**

1. FY'2013 District Needs Statement  
no vote necessary

2. 51 Astor Place - design plans for plaza

**VOTE:** WHEREAS, Community Board 3 shares the widely held Community concern that the plaza design fails to recognize the historic roadbed of Stuyvesant Street in terms of orientation and materials; and

WHEREAS, the plaza design fails to consider its relationship to the St. Marks Historic District to its East, so

THEREFORE, BE IT RESOLVED The plaza is not approved unless the above listed problems are corrected.

The committee authorizes Committee Chair McWater to write a letter to the chair of the City Planning Commission expressing these views.

Dear Chair Burden.

Manhattan Community Board 3 voted against the Astor Place plaza proposal at its July meeting. The hearing was held by the Land Use and Zoning Committee in early July and the design by the developer at that time was rejected unanimously. As DCP has worked extensively and successfully

with CB3's Land Use Committee you are aware what a diverse and thoughtful committee it is, so the magnitude of a unanimous vote against the design is significant.

The main issues of contention were regarding historical Stuyvesant Street. There are no provisions in the current plan to restore the view corridor of Stuyvesant Street. There is a long history with CU and the surrounding neighbors regarding this issue and one of the goals of the Astor Place Task Force a decade ago was to remedy this situation. There is also great concern that the orientation of the plaza itself did not lend itself to any continued use of Stuyvesant Street, but rather became a barrier. Finally there was a feeling among many that it was improper to build a plaza here without acknowledging somehow the history and continued presence of Stuyvesant Street.

As you know CB3 and its many residents have been fighting a long battle against gentrification for over a decade now. A battle not just over style or a way of life, but for many a battle just to preserve the homes we live in. DCP aided CB3 greatly in that war by working with us on the Lower East Side/East Village Rezoning, and the subsequent rezoning on northern 3rd Avenue. Our common zoning experience has taught us that the front lines in the gentrification war are the 3rd Avenue/Bowery Corridor. Because of this the symbolism of this plaza is of as great an importance as its seating capability or type of foliage. Please remember for many years the Stuyvesant Street roadbed has been occupied by seating for a Starbucks. There can be no greater example of the contrast between the East Village we have tried to preserve and the one we have tried to stave off then putting Starbucks seating on the roadbed of historic Stuyvesant Street.

In closing, the sentiment at the committee was that the issues could be dealt with if there was a dialogue and an interest to modify on the part of the developer, however, upon being asked by the committee if they would attempt to incorporate some changes they answered flatly in the negative. If the Community Board is to have an effective role, or any role at all, in a process like this then all or nothing offers from developers should be frowned on by all.

Thank you for your time and consideration.

3. 400-402 Grand St: request for support for TIL Program  
no vote necessary
4. Two Bridges Demographic Study  
no vote necessary

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

**33 YES 0 NO 0 ABS 0 PNV MOTION PASSED**

**Human Services, Health, Disability, & Seniors / Youth & Education Committee**

1. FY'2013 District Needs Statement  
no vote necessary
2. Escuela Hispana Head Start seeking support for funding and RFP

**VOTE:** Diomedes Rosario  
Executive Director  
Escuela Hispana Montessori  
185 Avenue D  
New York, NY 10009

Dear Mr. Rosario,

Community Board 3 is pleased to provide this letter of support for Escuela Hispana Montessori's application to the Administration for Children's Services (ACS) Early Learn Request for Proposals.

Since 1966, Escuela has provided Head Start services to children and parents in the Lower East Side and has been part of the Community Board 3 School District 1 community for over 45 years. Escuela has a proven track record of providing services that enhance children's physical, social, emotional and intellectual development. Your program not only provides quality early education to children, but support and nurture to families of these children who live in the surrounding New York City Housing Authority buildings. Escuela Hispana currently services 128 families using two sites at 185 Avenue D and 180 Suffolk Street and is seeking to expand with the Early Learn Request for Proposals to service 210 families. Your goal to is to reach more families to continue providing services for those families who are in need. Many of the parents do not speak English or English is not their first language. By providing bi-lingual services, Escuela makes every effort necessary to enhance the quality of life for families in the Community Board 3 district. Escuela fosters collaborative relationships with parents by offering comprehensive technical assistance, job training, including



Dress for Success which supports parents who need proper attire for job interviews, and a variety of health services.

Community Board 3 heartily endorses the Escuela Hispana Montessori's application and encourages the pursuit of funding to service children and their families on the Lower East Side.

3. Asian Americans for Equality and American Lung Association w/New York Smoke Free: smoking education presentation  
no vote necessary

**(Human Services, Health, Disability, & Seniors / Youth & Education Committee)**

**33 YES 0 NO 0 ABS 0 PNV MOTION PASSED**

**Transportation & Public Safety Committee**

1. FY'2013 District Needs Statement  
no vote necessary
2. Request for "No Standing during School Hours" or "No Parking during School Hours" signs by Comprehensive Kids Developmental School at 383 Grand St

**VOTE:** WHEREAS, Comprehensive Kids Developmental School (CKDS), located at 383 Grand St, has requested "No Standing" signage. This would accommodate about 3 minivan-sized school buses on Grand St, by the corner of Norfolk St in front of the pedestrian path leading to the school's main entrance. This "No Parking" zone would replace about 4 of the 8-10 existing street-side parking spaces between Essex and Clinton St; and

WHEREAS, CKDS is a New York State Department of Education funded preschool serving children ages 3-5 years of age with developmental delays; and

WHEREAS, CKDS is a multi-cultural, multilingual program providing an educational program to children and families representing more than one dozen nationalities; and

WHEREAS, CKDS provides educational and therapeutic services to children diagnosed with autism, cerebral palsy, Down syndrome, hearing impairments and other physical, emotional and mental disabilities; and

WHEREAS, CKDS has experienced rapid growth since its inception in 2007 and in continuing to expand to meet the needs of community children and their families at 383 Grand Street as well as 101 Norfolk Street; and

WHEREAS, CKDS students require adaptive equipment including but not limited to arm splints, leg braces, wheelchairs, travel chairs and protective helmets; and

WHEREAS, More than ten Department of Transportation (DOT) busses provide daily transportation, Monday through Friday, in the morning and in the afternoon, in accordance with the NYC Board of Education calendar; and

WHEREAS, There are approximately 100 children with developmental delays who must enter into the street and maneuver around both parked and parking cars to access the sidewalk; now

THEREFORE, BE IT RESOLVED, that CB3-Manhattan supports installation of a "No Standing" zone on Mon-Fri (on school days) 8-10 am and 1:30-3:30 pm at 383 Grand St in front of the entrance to the Comprehensive Kids Developmental School.

3. Automatic speed enforcement cameras legislation

**VOTE:** CB3-MANHATTAN RESOLUTION IN SUPPORT OF AUTOMATED SPEED ENFORCEMENT CAMERAS

WHEREAS, the CB3-Manhattan is deeply concerned about speed-related roadway deaths and injuries which resulted in the death of 63 people and the injury of 2,150 people in 2009; and

WHEREAS, pedestrians and cyclists are at a heightened risk of injury in speed-related crashes: if a pedestrian is hit by a car at 40 mph there is an 70% chance the pedestrian will be killed, but if a driver strikes a pedestrian at 30 mph there is an 80% chance the pedestrian will survive; and

WHEREAS, speeding is the number one cause of deadly crashes in New York City, claiming more lives than drunken driving and distracted driving combined; and

WHEREAS, in 2009, 170 cyclists and pedestrians were killed on New York City's roads; and

WHEREAS, law enforcement agencies, with increasing responsibility and without commensurate increases in staffing levels, are considering technologies to improve their efficiency; and

WHEREAS, "automated speed enforcement cameras," when used in conjunction with traditional means of traffic enforcement and public education complement law enforcement's traffic safety efforts and enforcement programs; and

WHEREAS, automated speed enforcement cameras have been shown to reduce all crashes by 14-72% and injuries and fatalities by 40-45%; and

WHEREAS, the New York State Senate and Assembly will introduce legislation, which would authorize the City of New York to use camera technology to enforce existing speed limits and support the efforts of the NYPD;

NOW, THEREFORE, BE IT RESOLVED that the CB3-Manhattan supports the use of "automated speed enforcement cameras" and calls on the respective houses to pass this legislation and for the Governor to sign it; and

BE IT FURTHER RESOLVED that the CB3-Manhattan urges the New York City Council and the Mayor to fully support this legislation.

4. Update on bus metering proposal

**VOTE:** WHEREAS, the September 11 Memorial at the World Trade Center site will open to the public on September 12, 2011. DOT and the not-for-profit that will program and operate the memorial believe there will be demand for approximately 8-10 bus parking space and they intend to accommodate this parking in the vicinity of the WTC site. They hope to achieve this reduction in demand by deploying metered bus parking in conjunction with a system of incentives that includes a timed reservation system and a group reservation call center that will prioritize pass allocation to participants in a transportation partners program—this system will encourage tours that either do not travel directly to the Memorial in coach buses or agree to park in off-street facilities. However, some groups, such as school children and the disabled, will always need nearby bus parking spaces. DOT believes this system of incentives will reduce demand for on-street bus layover by 50%; and

WHEREAS, DOT believes this metered bus parking program should extend into CB3. DOT proposes to begin charging for these layovers using commercial muni-meters, which can be programmed with graduated rate schedules so that prices increase for longer stays. The rate schedule would be designed to discourage extended layovers of several hours, but not so expensive as to encourage avoidance, which could move layovers into unauthorized locations in residential neighborhoods. The goal is to free up parking spaces in the legitimate layover zones; and

WHEREAS, DOT has identified a few locations possibly suitable for bus metered parking/layover in the CB3 district – spaces for about 10 commuter vans on Market Slip between South St and Cherry St, and spaces for about 17 general tour busses on South St from Catherine Slip extending beyond Pike Slip about halfway to Rutgers Slip. That includes the 11 spaces that are already allocated for legitimate on-street bus layover on South St between Market Slip and Rutgers Slip; and

WHEREAS, the new locations proposed on Market Slip and on South St west of Market Slip are currently alternate side of the street parking available for residents; now

THEREFORE BE IT RESOLVED, that CB3-Manhattan approves of the bus metered parking/layover for the proposed location on South Street, but does not approve of the locations on Market Slip at this time. We ask that the new locations on South Street between Catherine Slip and Market Slip be bus metered parking/layover during business hours (e.g., 10 am – 6 pm) and revert to alternate side of the street parking at other hours. Clearly, street cleaning must still be accommodated by any bus metering hours.

5. Newstand Application: SE corner, Bowery & E 2nd St

**VOTE:** CB3-Manhattan approves of the application for a newsstand on the south-east corner of the Bowery and E 2nd St.

6. Con Edison: update on former manufactured gas plant  
no vote necessary

7. Request for DEP enforcement of idling regulations at new metered bus layovers

**VOTE:** CB3-Manhattan requests that DEP develop a plan to enforce diesel idling regulations on South Street between Catherine Slip and Rutgers Slip, where DOT will be installing commercial muni-meters for on-street

bus parking/layover. DOT is doing this along with new regulations being implemented to create metered bus parking/layover spaces and disallow bus parking/layover in non-metered spaces in Lower Manhattan below Houston St. These new regulations would go into effect before the Sept 11, 2011 opening date of the WTC memorial.

8. Proposal to move the eastern terminal of the M21 from FDR Service Road between Grand and Broome to Grand Street, adjacent to 473K Grand Street

**VOTE:** WHEREAS, the extension of the M21 route in June 2010 to the intersection of the FDR Drive and Grand St created more direct crosstown route providing service to the eastern end of Grand St; and

WHEREAS, The terminal stop is currently located on the FDR service road between Grand St and Delancey St, which is isolated from the community. Relocating the terminus around the corner on Grand St would improve the visibility and awareness of this M21 stop, which will help ensure the success of this valuable bus route; now

THEREFORE, BE IT RESOLVED, that CB3-Manhattan approves relocation of the M21 terminal stop to Grand Street at the corner of the FDR service road.

**(Transportation & Public Safety Committee)**

**33 YES 0 NO 0 ABS 0 PNV (Excluding Item 2) MOTION PASSED**

**Item 2: 32 YES 0 NO 0 ABS 1 PNV MOTION PASSED**

**SLA Policy Task Force**

- Implement policies and recommendations of SLA Policy Review Taskforce passed in February  
no vote necessary

**SLA & DCA Licensing Committee**

1. FY'2013 District Needs Statement

**VOTE:** To approve the draft of the district needs statement.

**Renewal with Complaint History**

2. 1011, 171 Ave C (op)

**VOTE:** To deny the renewal of the full on-premise liquor license for 1011 Tavern Corp., doing business as 1011, 171 Avenue C, because 1) the applicant did not appear before Community Board #3 for review of its application or provide any application materials for review, 2) there have been complaints from residents to this community board from 2008 to date of the licensee operating inconsistent with its agreed upon stipulations of April of 2007, in that the licensee has regular scheduled performances, including performances by DJs and live music, has promoted events (see advertisements appended hereto), and has failed to designate an employee to monitor noise in front of its business, and 3) this alteration of its method of operation to a music venue and failure to monitor and control its patrons in front of its business has resulted in complaints of noise from the business and from in front of the business on most nights.

**Applications within Resolution Areas**

3. Tozzer Ltd, 112 Ave A (alt/op)

**VOTE:** To approve the alteration of the full on-premise liquor license for Tozzer Ltd, doing business as Niagra, 112 Avenue A, to wit 1) changing a service bar in the rear north side of the basement to a standup bar, 2) changing a standup bar on the north side of the first floor to service bar, and 3) moving the DJ booth from the front to the rear north side of the establishment.

4. Solo Pizza (Solo Pizza Inc), 27 Ave B (wb)

**VOTE:** To deny the application for a wine beer license for Solo Pizza Inc., doing business as Solo Pizza, 27 Avenue B, 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 pizza restaurant, serving food during all hours of operation, 2) it will not serve or sell alcohol after 12:00 A.M. every night, 3) it will maintain a closed fixed façade, and 4) it will play ambient background music only, consisting of recorded music, and not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged. Community Board #3 is approving this wine beer application although this is a location in an area with numerous licensed premises because 1) the applicant has a four (4) year history operating this business without incident, 2) has met with the East 4th Street A/B Block Association and demonstrated community support by providing resident petitions, and 3) this is a small location which has already been operating and, consequently, approval of a wine beer license would be incidental to its primary operation as a pizzeria and have little impact on the surrounding area.

5. Duke's (Lime 673 Inc), 129 Ave C (op)

**VOTE:** To deny the application for a full on-premise liquor license for Lime 673 Inc, with a proposed business name of Duke's, 129 Avenue C, because the applicant did not appear before Community Board #3 for review of its application or provide any application materials for review.

6. The Cardinal Restaurant #1 Inc, 234 E 4th St (wb)

**VOTE:** To deny the application for a wine beer license for The Cardinal Restaurant #1 Inc., 234 East 4th 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, specifically a Southern American restaurant, serving food to within one (1) hour of closing every night, 2) its hours of operation will be from 11:00 A.M. to 12:00 A.M. Mondays through Thursdays, 10:00 A.M. to 1:00 A.M. Fridays and Saturdays and 10:00 A.M. to 12:00 A.M. Sundays, 3) it will play ambient background music only, consisting of recorded music, and not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged, 4) it will close any façade doors and windows at 10:00 P.M. every night, 5) it will designate an employee or employees one of whose responsibilities will include monitoring patron noise and congestion in front of the business, and 6) it will create an indoor waiting area for patrons to minimize patrons standing in front of the business. Community Board #3 is approving this wine beer application although this is a location in an area with numerous licensed premises because this applicant has entered into a memorandum of understanding with the East 4th Street A/B Block Association (see terms appended hereto) and demonstrated community support by providing one hundred twenty-one (121) resident petitions.

7. Teany Café (Teany Café LLC), 90 Rivington St (wb)  
withdrawn

8. To Be Determined, 164 Ludlow St (wb)  
withdrawn

9. U2 (Joy Café Inc), 6 St Marks Pl (3rd & 4th Floors) (wb)

**VOTE:** WHEREAS, Joy Café Inc. is seeking to operate a Korean fusion restaurant, private theatre and karaoke bar on the third and fourth floors of a four (4) story building located at 6 St. Marks Place, between Second and Third Avenues; and

WHEREAS, this is a previously unlicensed location which operated as a multi-level video store and library for twelve (12) years and which was closed after a short operation as the karaoke bar which this applicant is now seeking to reopen and license; and

WHEREAS, this applicant is proposing to operate a karaoke bar restaurant with a total certificate of occupancy of one hundred fifty (150) people on two (2) floors, eight (8) karaoke rooms per floor, an eighteen (18) foot bar on the third floor with ten (10) seats, eight (8) tables with less than forty-eight (48) seats and hours of operation of 1:00 P.M. to 1:00 A.M. Sundays through Thursdays and 1:00 P.M. to 2:00 A.M. Fridays and Saturdays every day, which will be operated by only three (3) employees; and

WHEREAS, prior to its closure, the prior karaoke business was illegally serving alcohol on these floors which were unlicensed and have never been licensed; and

WHEREAS, although undercounted by the applicant, there are seventeen (17) liquor licenses on this one (1) block of St. Marks Place; and

WHEREAS, the numerous existing nighttime establishments have resulted in significant noise and vehicular and pedestrian traffic, as well as a request by the previous commanding officers of said precinct that no new liquor licenses be issued on this street; and

WHEREAS, there has been demonstrated consistent opposition to the addition of any other liquor licenses on this block of St. Mark's Place because of the number of existing licensed establishments and their attendant noise and vehicular and pedestrian traffic congestion issues; and

WHEREAS, this location is located on a block zoned R-8, which is a residentially zoned area and on which the applicant will be unable to legally operate a theatre venue of any type; and

WHEREAS, there are numerous karaoke businesses in the immediate area, including one located directly across the street from this location; and

WHEREAS, the applicant has failed to engage in substantial community which is required for an application on a street with so many active liquor licenses; now

THEREFORE, BE IT RESOLVED that Community Board #3 denies the application for a beer wine license for Joy Café Inc., 6 St. Marks Place, third and fourth floors.

10. TDD & G LLC, 126 St Marks Pl (op)  
no vote necessary

**Alterations/Upgrades**

11. The Toucan & The Lion (Type A Goods LLC), 342 E 6th St (alt/up/op)  
withdrawn

12. Bowery Tech Restaurant LLC, 327 Bowery (alt/up/op)

**VOTE:** To deny the alteration of the full on-premise liquor license for Bowery Tech Restaurant LLC, doing business as Bowery Tech, 327 Bowery, to wit 1) adding a standup bar to the first that is comprised of two (2) doors and a set of fixed windows, 4) changing the layout, 5) adding a DJ booth on the first floor, 6) adding a sound booth in the basement, 7) installing two (2) bathrooms, and 8) adding a lounge area in the present office space, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will maintain a closed fixed façade, and 2) it will close its façade doors during any performances.

13. Pangea (Judex Enterprises Inc), 178 2nd Ave (alt/op/sidewalk café)  
no vote necessary

14. Vandaag (Better Living Food Corp), 103 2nd Ave (alt/op)  
withdrawn

**New Liquor License Applications**

15. Asian Chef Express Inc, 96 3rd Ave (wb)  
no vote necessary

16. Shima Japanese Restaurant (H&T Restaurant LLC), 188 2nd Ave (wb)

**VOTE:** To approve the application for a wine beer license for H&T Restaurant LLC, doing business as Shima Japanese Restaurant, 188 Second Avenue, understanding that current principle is transferring ownership of the business to his wife who is creating a new corporation with a partner but maintaining the method of operation as a Japanese restaurant and business name of Shima Japanese Restaurant.

17. Saro (Saro Corp), 102 Norfolk St (op)

**VOTE:** To deny the application to upgrade from a wine beer license to a full on-premise liquor license for Saro Corp., doing business as Saro, 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 Eastern European comfort food restaurant, serving food to within one (1) hour of closing, 2) its hours of operation will be from 6:00 P.M. to 1:00 A.M. Tuesdays through Thursdays, 6:00 P.M. to 2:00 A.M. Fridays, 11:00 A.M. to 2:00 A.M. Saturdays and 11:00 A.M. to 1:00 A.M. Sundays, 3) it will play ambient background music only, consisting of recorded music, and not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged, and 4) it will close any façade doors or windows at 10:00 P.M. every night.

18. To Be Determined, 196 Allen St (alt/one licensed venue into two licensed venues)

**VOTE:** To approve the alteration of the full on-premise liquor license for a corporation to be determined, with principal Ken Rockwood, doing business as Rockwood Music Hall, 196 Allen Street, to wit 1) separating the two (2) rooms which comprise Rockwood Music Hall into two (2) separate businesses, with the new entity having the address 194 Allen Street, and to deny the application for a full on-premise liquor license for a corporation to be determined, with principal Ken Rockwood, 194 Allen 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 music venue café with food service, 2) its hours of operation will be 3:00 P.M. to 12:00 A.M. Sundays through Tuesdays and 3:00 P.M. to 2:00 A.M. Wednesdays through Saturdays, and 3) it will maintain a closed fixed façade.

19. Led Zeppole (Arti Restaurant & Catering Corp), 328 E 14th St (wb)

**VOTE:** To deny the application for a wine beer license for Arti Restaurant & Catering Corp., doing business as Led Zeppole, 328 East 14th Street, because 1) the scale of this business is not consistent with its hours or its having a wine beer license, in that this is a small storefront with a completely open façade, four (4) tables and a counter with a total of fifteen (15) seats, having hours operation from 11:00 A.M. to 4:00 A.M. every day and serving a limited menu of several hero sandwiches and fried desserts, 2) this applicant operates a pizza restaurant, doing business as Artichoke Basille's Pizza, located at the same address, and has conceded that it is not compliant with its stipulation there to operate between 9:00 A.M. and 1:00 A.M., in that it is open until 4:00 A.M., 3) there have been complaints from residents as well as observations from community board members that the applicant is unable to adequately control the noise and crowds in front of its pizza restaurant and to prevent patrons from drinking beer on the sidewalk, despite having employed a guard for that purpose and, as a result, this community board is concerned that this inability to control its patrons will extend to this location and that the applicant, who has conceded that it is not complaint with its stipulations at its neighboring business, will not comply with stipulations recommended for this location.

20. Mexicue (106 Forsyth LLC), 106 Forsyth St (wb)

**VOTE:** To deny the application for a wine beer license for 106 Forsyth LLC, with a proposed business name of Mexicue, 106 Forsyth 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, specifically a fusion of Southern style barbeque with Mexican style fare, and serving food during all hours of operation, 2) its hours of operation will be from 11:00 A.M. to 1:00 A.M. Sundays through Wednesdays and 11:00 A.M. to 2:00 Thursdays through Saturdays, 3) it will play ambient background music only, consisting of recorded music, and not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged, 4) it will maintain a closed fixed façade and not have and open doors or windows.

21. Phoenix (Hughes Murray Walsh Corp), 447 E 13th St (op)

- VOTE:** To deny the application for a full on-premise liquor license for Hughes Murray Walsh Corp., 447 East 13th 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 tavern, 2) it will close any façade doors or windows at 10:00 P.M. every night or during any performances and will install and close a sound baffling curtain over the inside of the front of the business during performances, 3) it will play recorded music and live music consisting of amplified by a microphone only and performing no later than 11:00 P.M. any night, 4) it will have DJs no more than twice a month and only for special events, such as birthdays parties, and will not have promoted events or any event at which a cover fee will be charged, 5) it will designate an employee or employees one of whose responsibilities will be to monitor patron noise and congestion in front of the business, and 6) it will install soundproofing and provide its plans to the community board.
22. Sweet Boutique (Sweet Boutique NY Ltd), 85 2nd Ave (wb)  
withdrawn
23. Cheeky Sandwiches (Hippoe Holdings LLC), 35 Orchard St (wb)  
withdrawn
24. 93 Ludlow St Inc, 95 Delancey St (op)  
withdrawn
25. To Be Determined, 191 Chrystie St (op)  
**VOTE:** To deny the application for a full on-premise liquor license for a corporation to be determined, with principal Romee de Gorianoff, 191 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 tavern lounge, serving small plates, 2) it will maintain a closed fixed façade and have no open façade doors or windows, 3) it will play ambient background music only, consisting of recorded music, and have DJs but will not have promoted events, scheduled performances or any event at which a cover fee will be charged, 4) it will employ two (2) to three (3) security guards all days, 5) it will install additional soundproofing, if needed, and 6) it will create and maintain a waiting area inside of its premise to minimize patrons waiting on the sidewalk.
26. Top Hops, 94 Orchard St (wb)  
**VOTE:** To deny the application for a wine beer license for Cask & Cave Inc, with a proposed business name of Top Hops, 94 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 craft beer specialty store with a primarily purchase to take out operation, light fare and one standup bar and table for wine and beer tastings, 2) its hours of operation will be from 12:00 P.M. to 12:00 A.M. Mondays through Saturdays and 12:00 P.M. to 8:00 P.M. Sundays, 3) it will play ambient background music only, consisting of recorded music, and not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged, and 4) it will maintain a closed fixed façade.
27. Ichibantei LLC, 401 E 13th St (wb)  
withdrawn
28. Company, 242 E 10th St (op)  
**VOTE:** To deny the application for a full on-premise liquor license for a corporation to be determined, with principal Shawn Rogol, doing business as Company, 242 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 tavern, specifically a bar and grill, serving food to within one (1) hour of closing, 2) it will maintain a closed fixed façade, 3) it will play ambient background music only, consisting of recorded music, and not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged, and 4) it will not commercially use its courtyard.
29. Yopparari (OEC International Inc), 151 Rivington St (wb)  
**VOTE:** To deny the application for a wine beer license for OEC International Inc., with a proposed business name of Yopparari, 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 Japanese restaurant, serving food to within one (1) hour of closing, 2) its hours of operation will be from 6:00 P.M. to 2:00 A.M. Tuesdays through Fridays, 12:00 P.M. to 2:00 A.M. Saturdays and 12:00 P.M. to 10:00 P.M. Sundays, 3) it will play ambient background music only, consisting of recorded music, and not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged, 4) it will close any façade doors or windows at 10:00 P.M. every night, and 5) it will maintain the awning extended over the entrance to the unrelated bar in the basement of the same building.
30. Gaia Italian Café (Gaia Group Ltd), 251 E Houston St (wb)  
**VOTE:** To deny the application for a wine beer license for Gaia Group Ltd., doing business as Gaia Italian Café, 251 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 full-service Italian restaurant café serving pastries and meals during all hours of operation, 2) its hours of operation will be from 8:00 A.M. to 10:00 P.M. Mondays through Fridays and 8:00 A.M. to 11:00 P.M. Saturdays, and 3) it will play ambient background music only, consisting of recorded music, and not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged.
31. To Be Determined, 700 E 9th St (op)

**VOTE:** To deny the application for a full on-premise liquor license for a corporation to be determined, with principal Robert Ceraso, 700 East 9th 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 tavern lounge, 2) it will close any façade doors and windows at 10:00 P.M. every night or during any live music or DJ performance, 3) it will have recorded music and live music consisting of acoustic musicians amplified by a microphone only, and will not have promoted events or any event at which a cover fee will be charged, and 4) it will have DJs no more than twice a week.

32. To Be Determined, 308 E 6th St (op)  
withdrawn

33. To Be Determined, 81 E 7th St (op)  
withdrawn

34. To Be Determined, 137 Essex St (op)  
withdrawn

**(SLA & DCA Licensing Committee)**

**33 YES 0 NO 0 ABS 0 PNV MOTION PASSED**

### **Arts & Cultural Affairs Task Force**

**to come**

1. FY'2013 District Needs Statement
2. Art in Empty Storefronts follow-up
3. Greening the Arts e.g. TNC redoing its HVAC and heating with possible Con Ed rebates for carbon reduction
4. Arts Education Forum follow-up
5. Proposal to request museums to provide free passes to educators

### **Economic Development Committee**

1. Creating a CB 3 template for recommendations to Lower East Side Employment Network

**VOTE:** Recognizing that for many years, Community Board #3 has engaged in an informal relationship with, first, Henry Street Settlement and now LESEN to promote local hiring in new and existing businesses within Community Board 3, now formally adopts a protocol for a partnership with LESEN to promote local hiring, which is as follows:

- Community Board #3 (and/or relevant subcommittee) will identify a potential employer/developer and make referrals to LESEN (or alternative employment/training provider).
- LESEN (or alternative employment/training provider) will confirm with CB 3 that it has entered into communication with a potential employer/developer.
- LESEN (or alternative employment/training provider) will negotiate a "substantive" MOU/agreement with a potential employer/developer (see attached sample). In the event of extraordinary circumstances related to city land or public funding, Community Board 3 may choose to negotiate directly.
- Any MOU/agreement will contain but not be limited to the following items:
  - Number of local residents hired
  - Percent of local residents hired
  - Average wage(s)
  - Job titles
  - Retention data
- LESEN (or alternative employment/training provider) will appear before CB 3 semi-annually (twice annually) to report its activity and results.

### **Operational Protocol between LESEN and Community Board 3**

**<DRAFT>**

### **Mission and Purpose of the Lower East Side Employment Network (LESEN)**

The Lower East Side has seen an increased level of economic development over the last several years. Despite the current economic slowdown, the Lower East Side continues to see robust business development activity. To meet the demand of new and existing businesses for quality, skilled workers, five well-respected and effective community agencies, each with extensive experience in workforce development, education, and community engagement have joined forces to create better access to quality jobs and career opportunities in high-demand industries for Lower East Side residents, including young adults, who are currently not adequately served through the existing Workforce Development system. These organizations include Henry Street Settlement,

Chinatown Manpower Project, Chinese American Planning Council, The Door/University Settlement, and Good Old Lower East Side (GOLES). Any community organization that has experience providing employment and training services is welcome to become a part of LESEN.

These neighborhood-based organizations have established a collaborative approach to local workforce development by creating a sustainable neighborhood infrastructure with the capacity to respond more quickly to the shifting labor market. They will be able to meet the hiring needs of local employers and maximize employment opportunities for the Lower East Side's diverse population by working across programmatic boundaries. This initiative represents an innovative, employer-driven neighborhood workforce development strategy designed to minimize system fragmentation and maximize operational efficiency.

The mission of the Lower East Side Employment Network is to create a neighborhood-based workforce development infrastructure that provides access to high-quality jobs for work-ready Lower East Side community residents. The Network is designed to serve as a vehicle to connect work-ready job seekers in the community to targeted employers with quality job opportunities. The Lower East Side Employment Network will also assist participating employers in gaining access to resources, technical assistance, and city/state incentives for hiring community residents.

#### OPERATIONAL PROTOCOL

The following outline suggests operational protocol that will position Community Board 3 and LESEN or any third party employment and training provider to communicate and manage relationships with potential employers effectively and efficiently.

Recognizing that for many years, Community Board #3 has engaged in an informed relationship with, first, Henry Street Settlement and now LESEN to promote local hiring in new and existing businesses within Community Board #3, now formally adopts a protocol for a partnership with LESEN to promote local hiring, which is as follows:

- Community Board #3 (and/or relevant subcommittee) will identify a potential employer/developer and make referrals to LESEN (or alternative employment/training provider).
- LESEN (or alternative employment/training provider) will confirm with CB 3 that it has entered into communication with a potential employer/developer.
- LESEN (or alternative employment/training provider) will negotiate a "substantive" MOU/agreement with a potential employer/developer (see attached sample). In the event of extraordinary circumstances related to city land or public funding, Community Board 3 may choose to negotiate directly.
- Any MOU/agreement will contain but not be limited to the following items:
  - Number (#) of local residents hired.
  - Percent (%) of local residents hired.
  - Average wage(s).
  - Job titles.
  - Retention data.
- LESEN (or alternative employment/training provider) will appear before CB 3 semi-annually (twice annually) to report its activity and results.

#### **Memorandum of Understanding between <EMPLOYER> and <LESEN>**

This Memorandum of Understanding (the "Agreement") dated this \_\_\_ day of (Month) 2011 is by and between Lower East Side Employment Network ("LESEN") and *EMPLOYER* ("*EMPLOYER*").

#### **RECITALS**

A. LESEN is committed to improving the capacities of individuals, organizations and institutions so that they can contribute more to their local communities, thus leading to the long term-health and sustainability of these communities, primarily through efforts to promote local hiring and access to economic opportunities created by new business development; and



B. EMPLOYER has been organized as a for-profit corporation for the purpose of operating a commercial business; and

C. LESEN is a partnership of community-based providers (New York non-profit corporations) who have extensive experience providing comprehensive employment services to the LES community including; comprehensive intake and assessment, adult basic education, employment readiness training, vocational training, supportive services and life skills training, job placement and retention services. LES community residents come to WDC through neighboring community-based organizations and partners, government agencies, outreach presentations, word of mouth and other referral sources; and

These organizations include Henry Street Settlement, Chinatown Manpower Project, Chinese American Planning Council, The Door/University Settlement, and Good Old Lower East Side (GOLES). Any community organization that has experience providing employment and training services is welcome to become a part of LESEN.

D. LESEN and EMPLOYER seek to establish a program model for community residents of the Lower East Side (LES) that connects qualified job seekers to employment opportunities, maximizes local resources, and provides for the long term sustainability of working community residents and the hotel; and

E. To ensure the long-term sustainability of working communities of the Lower East Side, the parties seek to integrate the services of LESEN to the EMPLOYER's recruitment, hiring and retention mechanism;

NOW THEREFORE, the parties hereby agree as follows:

Overall Project Scope: In furtherance of the objectives of LESEN initiatives and EMPLOYER. This agreement is made with the understanding that both parties shall use its best efforts to establish a cooperative model for future employment service and business service opportunities in the Lower East Side.

1. Term: The term of this Agreement begins on the date set forth above and will automatically renew each year on the anniversary date, until and unless sooner terminated by either party in the manner described in this Section 2.
2. Termination: Either party may terminate this Agreement upon written notice to the other party in the manner described in section 3. Termination pursuant to this Section will be effective within thirty (30) days following receipt of such notice.
3. Notices: All notices required or permitted to be given under this Agreement must be in writing and sent by personal messenger, overnight mail or overnight courier and addressed as follows, or to such other address as either party may have notified the other party pursuant to this Section.
4. LESEN Responsibilities:
  - a. During the term of this Agreement, LESEN, with participation from member organizations, shall develop a customized referral process to recruit and refer screened, qualified LES community residents as candidates for employment opportunities in response to job orders.
  - b. LESEN shall use a best faith effort to provide EMPLOYER with an array of business incentives and services including; tax credits, wage subsidies, facilitated access to government and non-government, free tax preparation, vocational counseling and training opportunities for eligible employees (LES community residents and otherwise).
  - c. LESEN will apply best efforts to monitor and report key data with regard to the number of community residents referred, hired and retained.
  - d. LESEN agree to meet regularly with EMPLOYER management to identify ongoing business needs and share best practices with respect to the recruiting, hiring and retention of staff.
  - e. LESEN agree to discuss the development of a customized training curriculum to prepare workers to meet the business needs of the hospitality and tourism industry and EMPLOYER, specifically to ensure a pool of qualified community residents to refer for normal business operations.
5. EMPLOYER Responsibilities:
  - a. EMPLOYER shall give preferential hiring treatment to residents of the Community Board 3. To coordinate these efforts, the employer will provide a list, including job description and requirements, of all open positions to the Workforce Development Center and offices of local

public officials for recommendations of qualified employment candidates.

- b. EMPLOYER will apply best efforts to achieve and maintain xx% of it's administrative and support staff to be Community Board 3 residents or served by LESEN agencies throughout the course of normal business operations.
- c. EMPLOYER will apply best efforts to utilize "high-road equal opportunity construction contractors" throughout the building and development stage of the project, hiring xx% of it's employees for the project from a qualified pool of candidates from Community Board 3 who have successfully completed pre-apprenticeship training.
- d. EMPLOYER will agree to meet and communicate regularly with LESEN program directors to identify ongoing business needs with respect to recruiting and hiring staff.
- e. EMPLOYER will provide employment verification information for hired LES community residents to the Workforce Development Center. Such information may include, but is not limited to: job title, hourly/weekly wages, job start date, job end date, and number of hours worked. All requests for such information will be supported by release of information consent for all hired LES community residents.

6. Publicity: It is understood that both EMPLOYER and LESEN may include information about this Agreement in its periodic public reports and press releases. In addition, both parties will provide each other with a copy of press releases or any written publicity that is initiated or received regarding this agreement.

IN WITNESS THEREOF, THE PARTIES hereby agree to this AGREEMENT effective AS OF THE DATE AND YEAR FIRST WRITTEN ABOVE.

**LESEN**

**EMPLOYER**

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

Name  
Title

Name  
Title

2. FY'2013 District Needs Statement  
no vote necessary  
**(Economic Development Committee)**  
**33 YES 0 NO 0 ABS 0 PNV MOTION PASSED**

Members Present at Last Vote:

David Adams	[A]	Linda Jones	[P]	Barden Prisant	[A]
Karen Blatt	[A]	Vaylateena Jones	[A]	Carolyn Ratcliffe	[P]
Jimmy Cheng	[A]	Meghan Joye	[A]	Joyce Ravitz	[A]
David Conn	[P]	Joel Kaplan	[A]	Lois M. Regan	[A]
David Crane	[P]	Carol Kostik	[P]	Janet Riesel	[A]
Andrea Diaz	[A]	John Leo	[P]	Carlina Rivera	[P]
Natasha Dillon	[A]	Ricky Leung	[P]	Richard F. Ropiak	[P]
Harvey Epstein	[P]	Sam Leung	[A]	Susan Scheer	[A]
Morris Fajtelewicz	[P]	Gigi Li	[A]	Nancy Sparrow-Bartow	[P]
Flora Ferng	[P]	Bernard Marti	[P]	Mary Spink	[A]
Rabbi Y. S. Ginzberg	[A]	David McWater	[A]	Gary Tai	[P]
Gloria Goldenberg	[A]	Charlotte Miles	[A]	Elinor Tatum	[P]
Jan Hanvik	[P]	Alexandra Militano	[P]	Rodney Washington	[A]
Herman F. Hewitt	[P]	Chiun Ng	[A]	Jack Waters	[A]
Simon Huang	[P]	Ariel Palitz	[A]	Justin Yu	[A]
Carolyn Jeffers	[A]	Thomas Parker	[A]	Thomas Yu	[P]
Anne K. Johnson	[A]	Dominic Pisciotta	[A]		

Meeting Adjourned 10:20 PM.