



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

59 East 4th Street - New York, NY 10003
Phone: (212) 533-5300 - Fax: (212) 533-3659
www.cb3manhattan.org - info@cb3manhattan.org

Gigi Li, Board Chair

Susan Stetzer, District Manager

December 2012 Full Board Minutes

Meeting of Community Board #3 held on Tuesday, December 18, 2012 at 6:30pm at PS 20, 166 Essex Street.

Public Session:

Danny Frost/Alexia Simon: Came to introduce themselves and their new business "Ruff Club" – a dog social club. Described ways Ruff Club will benefit the community.

Chris Romano Phil Hayes, Susan Horstall: Owners of Preserve 24 (restaurant at 177 East Houston). Sought enclosed sidewalk café on Allen St. before SLA committee. Emphasized they had 2 doors (one on Allen and one of East Houston – Allen St. entrance is the main entrance). The Allen Street entrance has always appeared there.

Dale Goodson: Thanked SLA committee for denying license for 115 Ave. C. (unless there was a 12:00AM closing). Asking that no additional consideration be given to the applicant.

Jill Woodard: Proposing a street bike corral in front of 4th Street Food Coop because of the increase of bicycle usage. The majority of members of workers ride their bikes to the coop. A bike corral would take a parking space for 10-20 bicycles.

Genesis Dancer: Represents Continuum Coffee and Continuum Cycles asking for a bike corral in front of shop. They currently provide temporary bike racks on the sidewalks, but these may block pedestrians.

Jan Hanvik: On behalf of Clemente Soto Velez Cultural and Education Center speaking against renewal of beer and wine permit of "The Suffolk". The Suffolk rents space from the center and is only renting from month to month, which makes issuing the permit problematic because the Suffolk may not have a right to be in the space. Carlina Rivera: SLA Committee passed on the issue because it appeared to be a landlord/tenant issue. Susan Stetzer: We are not voting on this issue tonight.

Daniel Tuiow: Speaking in support of bike corrals – as a caretaker of street trees, he sees a lot of bikes locked to trees, which damages the trees.

Josh Goscuik: Supporting bike corrals – applauded LES for being at forefront.

Mae Lee: Speaking on behalf of Chinese Progressive Association, speaking about immigration clinics and the services they provide.

Public Officials:

Mayor Michael Bloomberg, Pauline Yu: Not present

Public Advocate Bill de Blasio, Phil Jones: Not present

Comptroller John Liu, Alice Cancel: Not present

Borough President Scott Stringer, David Czyzyk: Announcing that reapplication forms are available as well as new community board member applications. There will be 3 information sessions (last one on January 8). Looking to build a Community Education Council and soliciting interest. Spoke about self-drafted report on the impact of NYC on the fiscal cliff. Next round of Blueway discussions will be scheduled before that New Year

Congressmember Jerrold Nadler, Katie Smith: Not present

Congressmember Nydia Velazquez, Iris Quinones: Not present

Congressmember Carolyn Maloney, Victor Montesinos: Not present

Assembly Speaker Sheldon Silver, Zach Bommer: No report

Assemblymember Deborah J. Glick, Sarah Malloy-Good: Not present

Assemblymember Brian Kavanagh, Marcela Medina: Not Present

State Senator Daniel L. Squadron, Mauricio Pazmino: Sandy Resource Fair held with some success.

State Senator Thomas K. Duane, John Bartos: Not present

Councilmember Margaret Chin, Patricia Olan: Assemblymember Chin introduced a local law that would allow local census data to include multi-racial option.

Chinatown BID has offered a small business discount for those affected by Sandy

Councilmember Rosie Mendez, Michele Burger: Office is still in touch with buildings that don't have gas or phone service. Middle school applications due this Friday.

Members Present at First Vote:

David Adams	[P]	Linda Jones	[A]	Ariel Palitz	[A]
Dominic P. Berg	[A]	Vaylateena Jones	[P]	Thomas Parker	[P]
Karen Blatt	[P]	Meghan Joye	[A]	Carolyn Ratcliffe	[P]
Jimmy Cheng	[A]	Lisa Kaplan	[P]	Joyce Ravitz	[P]
MyPhuong Chung	[P]	Carol Kostik	[A]	Carlina Rivera	[P]
David Conn	[P]	Ben Landy	[A]	Jamie Rogers	[P]
David Crane	[P]	John Leo	[P]	Richard F. Ropiak	[P]
Natasha Dillon	[A]	Ricky Leung	[P]	Susan Scheer	[A]
Harvey Epstein	[A]	Sam Leung	[A]	Nancy Sparrow-Bartow	[P]
Morris Fajtelewicz	[P]	Gigi Li	[P]	Gary Tai	[A]
Flora Ferng	[P]	William LoSasso	[P]	Wilson Tang	[A]
Rabbi Y. S. Ginzberg	[A]	Bernard Marti	[A]	Elinor Tatum	[P]
Gloria Goldenberg	[P]	David McWater	[A]	Rodney Washington	[A]
Jan Hanvik	[P]	Charlotte Miles	[A]	Jack Waters	[P]
Herman F. Hewitt	[P]	Alexandra Militano	[P]	Justin Yu	[A]
Anne K. Johnson	[P]	Chiun Ng	[P]	Thomas Yu	[A]

Minutes:

Minutes of October 2012 were approved, as is.

25 YES 0 NO 3 ABS 0 PNV MOTION PASSED

Board Chairperson's Report:

Chairperson Gigi Li: Moment of silence for Newtown, CT school killing. Holiday Party will be after this meeting. If there is a request for food, let Alex Militano know. After next full-board meeting, we will have a New Year's celebration.

District Manager's Report:

District Manager Susan Stetzer: There will be a Pier 42 planning meeting on January 23. The previous meeting was cancelled because, after Sandy, residents wanted time to be able to consider how flooding, hurricanes should be considered as part of the planning.

There were more Santa Con complaints than any other year. I spoke to NYPD in advance and was told there would be police detail for this. However, this detail did not show up in CB 3. There were many more complaints from other areas of the city, also—this is not a CB 3 only issue.

Committee Reports:

Executive Committee

VOTE:

**MANHATTAN BOROUGH BOARD
RESOLUTION FOR GOOD JOBS & RESPONSIBLE DEVELOPMENT**

WHEREAS, responsible economic development can be a boon to a community, its residents and workers; and

WHEREAS, economic development performed in an irresponsible manner can be both a danger to the community, as well as result in the mistreatment of workers; and

WHEREAS, real estate developers with records of irresponsible behavior may have appeared before Community Boards, or may appear before Community Boards in the future; and

WHEREAS, the Manhattan Borough Board has been requested to support the fair and equitable treatment of all workers by all employers at all times; and

WHEREAS, all workers have the right to seek fair and just compensation for their services, including wages, benefits, training and opportunity to advance, and the right to join together to collectively bargain with any employer in seeking such compensation, without fear of reprisals; and

WHEREAS, workers who are paid family sustaining wages, with affordable health care and retirement benefits help create strong communities, a strong middle class and a growing local and national economy; and

WHEREAS, many labor unions, community-based organizations and responsible employers work diligently to ensure job security, industry standard wages and benefits, safety training, advancement opportunities, secure retirement, and affordable family healthcare for their members, constituents and employees;

THEREFORE, BE IT RESOLVED, that the Manhattan Borough Board strongly supports the rights of all workers, union and nonunion alike, within its borders and beyond, to seek and receive the industry standard wages and benefits for their services; and

BE IT FURTHER RESOLVED, that the Manhattan Borough Board strongly supports the rights of all workers to seek to organize as a collective bargaining unit to negotiate with their employer, as provided by law, to secure the industry standard wages and benefits for their services; and

BE IT FURTHER RESOLVED, that the Manhattan Borough Board shall call upon all employers who appear before the Community Boards to engage, without undue delay, in meaningful, good-faith discussion and negotiation as may be necessary to assure that the rights of all parties are recognized, respected, and protected under the law in a timely and expeditious manner; and

BE IT FURTHER RESOLVED, that Manhattan Community Boards shall call on all developers and/or property owners who appear before the Board or who have a request before the board to publish their plans to ensure that the workers performing the construction, operations or maintenance on the building to receive appropriate training including opportunities through apprenticeship programs that they participate in, and an opportunity to advance in their career.

BE IT FURTHER RESOLVED, that Manhattan Community Boards shall call on all developers and/or property owners who appear before the Board or who have a request before the board to submit their plans to ensure that all construction managers, general contractors, contractors and subcontractors provide a workplace that is safe for the workers, the nearby homes and businesses, pedestrians and traffic near the site as part of their application process; and

BE IT FURTHER RESOLVED, that Manhattan Community Boards shall call on all developers and/or property owners to appear before the Board or who have a request before the Board to grant access to City of New York Building Inspectors, OSHA and other regulatory agencies to facilitate the inspection of the workplace and relevant records to ensure compliance with local, state and federal laws; and

BE IT FURTHER RESOLVED, that Manhattan Community Boards shall call upon all developers and/or property owners who appear before the Board to include with their application for a zoning change, variance or other land use action:

1. a list of all projects undertaken by the developer/property owner, or any other developer/property owner having common owners, in the five boroughs of New York City during the five years preceding the application. Such list shall include the address of each project and the name and address of each project's developer/property owner.
2. a list of the names and addresses of all construction managers, general contractors, contractors and subcontractors of any tier which were utilized on such projects.
3. a list of the names and addresses of the construction managers, general contractors, contractors and subcontractors of any tier which may be utilized on the particular project before the board.

BE IT FURTHER RESOLVED, that Manhattan Community Boards shall call on all union leaders, developers, property owners and general contractors to work cooperatively to ensure a substantial percentage of the workers performing the construction, operation and maintenance of buildings are residents of the local Community District where the project is located.

Discussion:

Gigi Li: Executive Committee voted to approve the motion above. It was not voted on by the economic development committee because of concerns.

Richard Ropiak: Asked who this resolution would affect

Susan Stetzer: This will only affect those that come before the board

Lisa Kaplan: If this applies to all community boards, we should think about it.

David Crane: It is very important that we clarify what "The Board" is (whether it is the community boards or the Manhattan Borough Board). This is badly written and encourages people to vote no.

Susan Stetzer: The labor reps that came to the Executive Committee meeting made clear that references to "The Board" refers to community boards.

Gigi Li: There is a board that has a form that we could use as our form. We would make developers fill out this form to ensure that developers practice good labor standards.

Susan Stetzer: Notwithstanding the fact that this was poorly worded legislation, the unions will work with the boards to provide more information. Board 11 would not vote for this without the last vote

Personnel Task Force

- Continued work on employee handbook
no votes necessary

SLA & DCA Licensing Committee

Renewal with Complaint History

1. Double Wide, 505 E 12th St (op)

VOTE: WHEREAS, Calab LLC, doing business as Double Wide, at the premise located at 503-505 East 12th Street, is seeking a renewal of a full on-premise liquor license for its restaurant bar; and

WHEREAS, this applicant was approved for a full on-premise liquor license by Community Board #3 in March of 2007 because it agreed to incorporate as conditions of its license a signed and notarized stipulation that it would 1) close the backyard at 10:00 P.M. Sundays through Thursdays and 11:00 P.M. Fridays and Saturdays, presuming that it is legal to commercially use said backyard, 2) not have more than sixteen (16) people in the backyard at any given time, 3) use the backyard for sit-down dining only, 4) have a sound baffling awning open over said backyard from 7:00 P.M. until it closes every night, 5) operate as a full-service restaurant, serving food to within one (1) hour of closing every night, 6) close no later than 12:00 A.M. Sundays, 2:00 A.M. Mondays through Wednesdays and 3:00 A.M. Thursdays through Saturdays, and 7) not have DJs, live music, promoted events, or any event at which a cover fee is charged; and

WHEREAS, Community Board #3 has received numerous complaints from area residents in March, July, November and December of 2012, of patron crowds and noise on the sidewalk until as late as 3:00 A.M. and 4:00 A.M., trash on the sidewalk, lack of management of the patrons on the sidewalk and in the backyard, the backyard open past the agreed upon hours and being used as a beer garden, the façade doors open and emitting noise, ineffective bouncers, lack of responsiveness of the business to resident complaints, patrons in the backyard yelling and screaming, patrons blocking the sidewalk and forcing residents to walk in the street and the business operating as a bar or club rather than as a restaurant; and

THEREFORE, BE IT RESOLVED THAT Community Board #3 moves to deny the renewal of the full on-premise hotel liquor license for Calab LLC, doing business as Double Wide, for the premise located at 503-505 East 12th Street, unless the applicant agrees before the SLA to make as conditions of its license all of its original aforementioned stipulations, as well as the following additional and amended signed notarized stipulation that

- 1) it will close at 12:00 A.M. Sundays, 2:00 A.M. Mondays through Wednesdays and 3:00 A.M. Thursdays through Saturdays,
- 2) it will employ at least one (1) additional security person Wednesdays through Saturdays for the purpose of mitigating patron noise and crowds on the sidewalk and in the backyard,
- 3) it will close its backyard at 9:00 P.M. every night, have only sixteen (16) people in the backyard at any given time and use the backyard for sit-down dining only,
- 4) it will operate as a full-service restaurant with a kitchen open and serving food to within one (1) hours of closing,
- 5) it will close any façade doors and windows in the front and back of its business at 9:00 P.M. every night, and
- 6) it will not have DJs, live music, promoted events, scheduled performances or any events at which a cover fee will be charged.

2. The Suffolk Bar, 107 Suffolk St (wb)

VOTE: To refer back to committee.

Alex Militano: This was an application originally from 2005. When it came before the committee it came from a complaint from Clemente Center, in addition to other noise complaints and increase in nearby petty crime. Clemente Center argued that the Suffolk extended its use beyond its original business plan, expanding use to include unauthorized use of an outdoor space, hours went beyond the scope of the lease with the center, and non-payment of rent. This seemed like an extended landlord/tenant issue and suggested that it be resolved between land and tenant.

David Conn: Worried that a bad actor in that space would jeopardize a non-for-profit.

Ann Johnson: Important to vote against this.

Susan Stetzer: Procedure for renewals: do with with stipulations. The problems Jan have brought up are very serious and it would be better to be patient. We don't have expertise to comment on the lease, just on the impact of the community.

Gigi Li: Applicant isn't here and therefore and can't vote on this motion.

Alex Militano/Gigi Li: asking to postpone.

MODIFICATION: Returned to committee

Sidewalk Café

3. ULURP N 130079 ECM: Preserve 24 (Aegis Holding Houston LLC), 175-177 E Houston St (enclosed sidewalk cafe)

VOTE: To deny the ULURP N 130079 ECM application for an enclosed sidewalk café permit for one (1) table with two (2) seats on Allen Street, for Aegis Holding Houston LLC, with a proposed business name of Preserve 24, for the premise located at 175-177 East Houston Street, because

- 1) although the applicant is applying for an enclosed sidewalk café permit, its application is for only one (1) table and two (2) seats and the applicant concedes that it is intending to operate the area that it is applying for as a vestibule only with no tables or seats and a hostess station as the only furniture,
- 2) the applicant has been instructed by City Planning to circumvent the seasonal vestibule regulations by applying to DCA for an enclosed sidewalk café permit although it has no intention of operating a sidewalk café, and
- 3) the approval of this permit would allow the applicant to utilize public sidewalk space for a permanent fixed vestibule for its two (2) story, three thousand six hundred (3,600) square foot establishment.

Applications within Resolution Areas

4. To be Determined, 154 Ludlow St (op)
withdrawn

5. 154 Ludlow Bar LLC, 154 Ludlow St (op)
withdrawn

6. Café & Bar Racer LLC, 127 St Marks Pl (wb)

VOTE: Understanding that this is a sale of assets of a preexisting Italian café and sandwich shop, Community Board #3 moves to deny the application for a beer wine license for Café & Bar Racer LLC, for the premise located at 127 St. Marks Place,, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that

- 1) it will operate as a full-service Italian café and sandwich shop, serving food during all hours of operation,
- 2) its hours of operation will be 11:00 A.M. to 11:00 P.M. all days,
- 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 have a closed fixed façade with no open doors or windows.

7. Cornerstone Café (AO Café & Restaurant LLC), 17 Ave B (op)

VOTE: To deny the application to upgrade to a full on-premise liquor license for AO Café & Restaurant LLC, doing business as Cornerstone Cafe, for the premise located at 17 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 café restaurant, with a kitchen open and serving food to within one (1) hour of closing,
- 2) its hours of operation will be 8:00 A.M. to 11:00 P.M. all days,
- 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 façade doors and windows at 10:00 P.M.,
- 5) it will take measures to insure that the sidewalk is clear of patrons, including designating an employee to oversee patron crowds on the sidewalk, and
- 6) it will not have a standup bar

Community Board #3 is approving this application for a change of class to a full on-premise liquor license although this is a location in an area with numerous licensed premises because 1) this is a small scale family restaurant which emphasizes food service with alcohol service ancillary to the sale of food and has moderate operating hours, 2) this applicant has operated without complaint for more than one (1) year, and 3) the applicant demonstrated significant support for this proposed business from its neighbors by providing seventy-eight (78) signatures from nearby residents.

8. Pride and Joy (Pride and Joy BBQ LLC), 24 1st Ave (op)

VOTE: Understanding that this is a sale of assets of a preexisting restaurant, Community Board #3 moves to deny the application for a full on-premise liquor license for Pride and Joy BBQ LLC, with a proposed business name of Pride and Joy, for the premise located at 24 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 Southern-style barbecue restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 11:00 A.M. to 12:00 A.M. Sundays through Wednesdays and 11:00 A.M. to 2:00 A.M. Thursdays through Saturdays,
- 3) it will play recorded background and entertainment level music and may have DJs and live music for special events to be scheduled no more than three (3) times per month, but will not have promoted events, scheduled performances or events at which a cover fee will be charged,
- 4) it will have a closed fixed façade with no open doors or windows,
- 5) it will create a holding area inside its business and institute a reservation policy to minimize people waiting outside, and
- 6) it will employ two (2) to three (3) security guards every night and will designate at least one (1) security guard to control crowds and noise on the sidewalk

Applicant did not agree to stipulations. CB 3 asks the SLA deny the license or include the stipulations in the method of operation.

MODIFICATION: Did not receive a stipulation for this. – Referred back to committee

9. Ludlow Hotel (Ludlow Hospitality), 180 Ludlow St (op)

VOTE: WHEREAS, Ludlow Hotel Food + Beverage LLC is seeking a full on-premise hotel liquor license to operate a twenty (20) story hotel with a restaurant, lobby bar and outdoor lounge, with a proposed business name of The Ludlow Hotel, for the premise located at 180 Ludlow Street, between East Houston and Stanton Streets; and

WHEREAS, the proposed application is for a twenty (20) story hotel with rooms located on the second through nineteenth floors, a gym located on the twentieth floor and an Italian restaurant, lobby bar and outdoor lounge located on the first floor; and

WHEREAS, this applicant has twenty-five (25) years experience operating fifteen (15) other licensed premises, principally large hotels, within New York City, with minimal complaints; now

THEREFORE, BE IT RESOLVED that Community Board #3 moves to deny the application for a full on-premise hotel liquor license for Ludlow Hotel Food + Beverage LLC, with a proposed business name of The Ludlow Hotel, for the premise located at 180 Ludlow 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 hotel with no event or banquet facilities and will operate a full-service Italian restaurant on the ground floor, with a kitchen open and serving food and alcohol during all hours of operation of the restaurant, lobby bar and outdoor lounge and in the hotel rooms,
- 2) the hours of operation of its ground floor restaurant, lobby bar and outdoor lounge area will be 8:00 A.M. to 4:00 A.M. all days,
- 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 employ at least two (2) doormen and one (1) security guard during all hours of operation to minimize traffic in front of the business and control patron noise and crowds on the sidewalk,
- 5) it will maintain a valet service for patron vehicles with the Edison Garage, located on Essex Street, between East Houston and Stanton Streets, and
- 6) it will work with the local police precinct to develop a plan to address pedestrian and vehicular traffic congestion and noise concerns.

10. Apartment 13 (115 Ave C LLC), 115 Ave C (op)

VOTE: To deny the application for a full on-premise liquor license for 115 Avenue C LLC, with a proposed business name of Apartment 13, for the premise located at 115 Avenue C, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that

- 1) it will operate as a full-service restaurant, specifically a comfort food restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 11:00 A.M. to 12:00 A.M. Sundays through Wednesdays and 4:00 P.M. to 12:00 A.M. Thursdays through Saturday,
- 3) it will play ambient background music only, consisting of recorded music, and not have live music, DJs, promoted events, scheduled performances or any events at which a cover fee will be charged,
- 4) it will close façade doors and windows at 9:00 P.M. weeknights and 10:00 P.M. Fridays and Saturdays,
- 5) it will only commercially use the second floor patio if it is first completely enclosed and soundproofed,

- 6) it will install additional soundproofing per the recommendation of an acoustical report, and
- 7) it will designate an employee to control crowds and noise on the sidewalk.

Community Board #3 is approving this application for a full on-premise liquor license although this is a location in an area with numerous licensed premises because 1) Paul Seres, the principal of this application, has a longstanding history as a responsible liquor license holder at other licensed businesses, 2) this is an application for a full-service restaurant with a locally sourced food and drink menu and moderate operating hours, and 3) this application will replace a preexisting problematic business.

Alterations

11. 88 KTV Inc, 97 Bowery (alt/op/adding 4th floor to business)

VOTE: To deny the application for an alteration of the full on-premise liquor license for 88 KTV Inc., for the premise located at 97 Bowery, second and third floors, to wit extending its business to the fourth floor of said premise and extending its closing hours to 4:00 A.M. all days, 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 karaoke bar, consisting of small karaoke rooms, and serving food during all hours of operation,
- 2) its hours of operation will be from 12:00 P.M. to 4:00 A.M. all days, and
- 3) it will employ at least five (5) security personnel at all times.

12. Double Down Saloon (Double Down NYC LLC), 14 Ave A (alt/op/remove kitchen)

VOTE: To approve the application for an alteration of the full on-premise liquor license for Double Down NYC LLC, doing business as Double Down Saloon, 14 Avenue A, to wit removing its kitchen and replacing it with an arcade game room.

13. Coopers Craft and Kitchen (Trim Castle Corp), 87 2nd Ave aka 239 E 5th St (alt/op/operating hours)

VOTE: As this applicant has entered into an additional Memorandum of Understanding with the East Fifth Street Block Association (attached hereto), Community Board #3 moves to deny the application for an alteration of the full on-premise liquor license for Trim Castle Corp., doing business as Cooper Craft & Kitchen, for the premise located at 87 Second Avenue a/k/a 239 East 5th Street, to wit extending its closing hours to 2:00 A.M. Sundays through Wednesdays and 3:00 A.M. Thursdays through Saturdays, 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 an American comfort food restaurant, serving food during all hours of operation and having its kitchen operating during all hours of operation,
- 2) its operating hours will be from 11:00 A.M. to 2:00 A.M. Sundays through Wednesdays and 11:00 A.M. to 3:00 A.M. Thursdays through Saturdays,
- 3) any façade doors and windows will be closed no later than 11:00 P.M. every night and when music is playing,
- 4) it will play ambient background music only, consisting of recorded music, except that it may have DJs up to twelve (12) times per year for private parties only, and it will not have live music, promoted events, scheduled performances or any events at which a cover fee will be charged, and
- 5) it will designate an employee to control noise and crowd congestion on the sidewalk around the business.

New Liquor License Applications

14. Sunshine Lounge (Cinema Beverages Holding Company LLC), 143 E Houston St (op)

no votes necessary

15. New York Sushi Ko Inc, 91 Clinton St (wb)

VOTE: To deny the application for a beer wine license for New York Sushi Ko Inc., for the premise located at 91 Clinton Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that

- 1) it will operate as a full-service sushi restaurant, with a sushi bar prep area open and serving food during all hours of operation,
- 2) its hours of operation will be from 12:00 P.M. to 2:00 A.M. Monday through Fridays, 4:00 P.M. to 2:00 A.M. Saturdays and closed 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 have a closed fixed façade with no open doors or windows.

16. To be Determined, 266 Broome St (op)

withdrawn

17. To be Determined, 138 Orchard St (op)

no votes necessary

18. Café Petisco (Dishful Inc), 189 E B'way (op/change of class)

VOTE: To deny the application to upgrade to a full on-premise liquor license for Dishful Inc., doing business as Café Petisco, for the premise located at 189 East Broadway, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that

- 1) it will operate as a full-service restaurant, specifically a small bistro café, with a kitchen open and serving food to within one (1) hour of closing,
- 2) its hours of operation will be 8:00 A.M. to 10:30 P.M. all days,

- 3) it will play ambient background music only, consisting of recorded music, and will not have DJs, live music, promoted events, scheduled performances or any events at which a cover fee will be charged, and
 - 4) it will have a closed fixed façade with no open doors or windows, and maintain an awning over its facade.
19. Mentaikou (Kane Food Enterprises LLC), 324 E 6th (op) THIS IS A WINE BEER APPLICATION
VOTE: To deny the application for a beer wine license for Kane Food Enterprises LLC, with a proposed business name of Mentaikou, for the premise located at 324 East 6th 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, with a kitchen open and serving food during all hours of operation,
 - 2) its hours of operation will be from 11:00 A.M. to 11:00 P.M. Sundays through Thursdays and 11:00 A.M. to 12:00 A.M. Fridays and Saturdays,
 - 3) it will 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 have a closed fixed façade with no open doors or windows.
20. Wo Hop City Inc, 15 Mott St (wb)
 withdrawn
21. Yi Hao Chinese Restaurant (One East Broadway Restaurant Inc), 1 E B'way (op/change of class/alt/extend hours)
 withdrawn
22. Brannon's, 119 Essex St (op)
VOTE: To deny the application for a full on-premise liquor license for a corporation to be determined, with principals Ron Brannon and Donatella Arpaia, with a proposed business name of Brannon's, for the premise located at 119 Essex 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 comfort food restaurant, with a kitchen open and serving food during all hours of operation,
 - 2) its hours of operation will be 7:00 A.M. to 2:00 A.M. Sundays through Wednesdays and 7:00 A.M. to 4:00 A.M. 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, and
 - 4) it will have a closed fixed façade with no open doors or windows.
- Community Board #3 is approving this full on-premise liquor application although this is a location in an area with numerous full on-premise liquor licenses because 1) this applicant has a fifteen (15) year history as the owner of restaurants in New York City, 2) this applicant has provided a reference letter from Community Board #4 attesting to its good history as a restaurant owner in that community, and 3) this location is commercially zoned.
23. 90 Third Avenue TC Restaurant LLC, 90 3rd Ave (op)
VOTE: To deny the application for a full on-premise liquor license for 90 Third Avenue TC Restaurant LLC, with a proposed business name of Tres Carnes, for the premise located at 90 Third Avenue, because the applicant did not appear before Community Board #3 for review of its application.
24. 8 Rivington Bar LLC, 8 Rivington St (op)
VOTE: Understanding that this is a sale of assets of a preexisting restaurant café, Community Board #3 moves to deny the application for a full on-premise liquor license for 8 Rivington Bar LLC, for the premise located at 8 Rivington Street, basement level, 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 cocktail bar, serving food during all hours of operation, and operating as an amenity to the ground floor retail men's store located at the same address and where no alcohol will be served,
 - 2) its hours of operation will be 4:00 P.M. to 1:00 A.M. all days,
 - 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 have a closed fixed façade with no open doors or windows.
25. Maharlika (Insiang LLC), 111 1st Ave (op)
VOTE: To deny the application for a full on-premise liquor license for Insiang LLC, doing business as Maharlika, for the premise located at 111 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 restaurant, specifically a Filipino restaurant, with a kitchen open and serving food during all hours of operation,
 - 2) its hours of operation will be 11:00 A.M. to 11:00 P.M. Sundays through Thursdays and 11:00 A.M. to 1:00 A.M. Fridays and 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 close any façade doors and windows at 10:00 P.M. every night, and
 - 5) it will not commercially use its backyard.

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

- 1. Update from Basketball City
no votes necessary
- 2. Downtown Soccer League—use of CB 3 fields not open to CB 3 youth but allow CB1 youth
VOTE: Whereas Community Board 3 has a shortage of recreational fields for its youth, as do neighboring community boards and

Whereas Department of Parks and Recreation has repeatedly reported to Community Board 3 that it cannot issue permits based solely on Community Board location as geographical exclusion is not legal for NYC permits,

Whereas Downtown Soccer League is a youth soccer league that is based in Community Board 1, but uses CB 3 fields, specifically East River Park, Corlears Hook Park, and Columbus Park, and

Whereas Downtown Soccer League on its website shows criteria of allowing only youth that live in Community Board 1 to become members, and

Whereas Downtown Soccer league practices geographical exclusion by allowing only CB 1 youth, but uses CB 3 fields, and

Whereas there is not an alternative youth soccer league in the downtown area of Corlears Hook Park and Columbus Park for CB 3 youth to join,

Therefore CB 3 asks Department of Parks not to issue permits for youth recreational fields in CB 3 to leagues that exclude CB 3 youth and furthermore

Community Board 3 asks Department of Parks to not continue permits for Downtown Soccer League unless the league accepts CB 3 youth.

- 3. Presentation from Solar Field Lighting Company regarding Nike Field
no votes necessary
- 4. Parks update: odor from storage near Corlears Hook Park
no votes necessary
- 5. Parks update: resolutions regarding cleaning of East River Park embayments and rusting rails at ERP
no votes necessary

Con Edison Task Force

- 1. Review of Previously-Approved Projects
no votes necessary
- 2. Review of Letter of Inquiry -- "Replant the Orchard" project
no votes necessary

Land Use, Zoning, Public & Private Housing Committee

- 1. N 130105 ZRM: Manhattan Core Parking text amendment
VOTE: Whereas the Department of City Planning is proposing a text amendment (N 130105 ZRM) to the Zoning Resolution to modify the off-street parking regulations in the Manhattan Core; and

Whereas, the proposed regulations would apply to Community District 3 (among others); and

Whereas, the proposed text amendment would promote a more rational and efficient allocation of off-street parking; and

Whereas, the implementation of these regulations would result in a better match between parking needs and the amount of parking provided while addressing the city's sustainability objectives; so

Therefore be it resolved that CB3 approves the Manhattan Core Parking Text Amendment N 130105 ZRM.

- 2. EDC/Task Force SPURA RFP status
no votes necessary
- 3. HPD Request for Comment re: Application for Certification of No Harassment for SROs at 225 Bowery and 104 E 10th St
no votes necessary
- 4. 421A application for 316 E 3rd St (B372, L31)
VOTE: Community Board 3 denies this application, based upon the long-standing CB3 position against granting 421A tax exemptions to developments which only provide market-rate housing.

5. M 120228(A) ZSM, M 120229(A) ZSM: Minor Modification of previously-approved bulk Special Permit (M 120228(A) ZSM) and use Special Permit (M 120229(A) ZSM), in connection with the Seward Park Large-Scale General Development, to reflect changes in approved site plans related to the publicly-accessible open space on Site 5. The City proposes to increase the size of the publicly-accessible open space from 10,000 sq ft in the Original Application to 15,000 sq ft
no votes necessary

Transportation & Public Safety and Environment Committee

1. Request for bike corrals at the following locations: (Bike corrals are on-street parking spaces for bikes installed in front of the businesses) 4th Street Food Co-op, 58 East 4th Street; Continuum Cycles, 199 Avenue B; Teanyssimo, 90 Rivington Street

VOTE: WHEREAS, DOT has proposed installing on-street bicycle parking in the parking lane at the following locations. These bike corrals would provide nine-ten bike parking spaces where they replace the space currently used for one parked car. There is a great need for more bike parking in these areas, with bikes cluttering the narrow sidewalk, often attached to a tree, to other street furniture, etc. Each of these bike corrals would have a local business as a maintenance partner, responsible for maintaining plantings, shoveling snow, etc.:

- A bike corral in front of 58 East 4th Street with space for 20 bikes to park. This would be maintained by the 4th Street Food Co-op. Both of the immediately neighboring businesses support the proposal. The demand for bike parking is evident at this location.
- A bike corral in front of 199 Avenue B with space for 18 bikes to park. This would be maintained by Continuum Coffee and Continuum Cycles. These racks will be installed as angled parking, because Ave B is a narrow street. Currently, the business is providing movable racks, but these are on the sidewalk, which impedes pedestrians. This location is near several schools, so the bike corral would be convenient for parents picking up and dropping off their children.
- A bike corral in front of 90 Rivington Street with space for 10 bikes to park. This would be maintained by Teanyssimo. Since Teanyssimo has a sidewalk café, the sidewalk is very narrow. The demand for bike parking is evident at this location; and

WHEREAS, DOT and the maintenance partners for the two existing bike corral installations in the CB3 district have proposed expansions because the existing bike parking is filled to capacity:

- The bike corral in front of 307 E 9th Street would be expanded to the west to provide total space for 20 bikes to park. This is maintained by Mud Café and the neighboring business supports this request. The demand for bike parking is evident at this location, since bikes are still locked to sign posts, etc.
- The bike corral in front of 172 Allen Street would be expanded to the north to provide total space for 20 bikes to park. This is maintained by Bluestockings Book Store. The existing sidewalk rack at this location would be removed, which will reduce sidewalk congestion. The demand for bike parking is evident at this location, since bikes are still locked to the construction scaffolding next door, which will be removed at some point; now

THEREFORE, be it resolved, that CB3-Manhattan supports the installation and expansion of these bike corrals of on-street bike parking.

2. Continued discussion of guidelines for bus application for new permit process for designated locations for curbside loading/unloading
no vote necessary

(December 2012 Vote Sheet)

31 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding Exec; Land Use #3; SLA #1, #2, #9)

24 YES 5 NO 2 ABS 0 PNV MOTION PASSED (Exec)

30 YES 0 NO 0 ABS 1 PNV MOTION PASSED (Land Use #3)

29 YES 2 NO 0 ABS 0 PNV MOTION PASSED (SLA #1)

30 YES 0 NO 0 ABS 1 PNV MOTION PASSED (SLA #2)

30 YES 0 NO 0 ABS 1 PNV MOTION PASSED (SLA #9)

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

no meeting scheduled

Economic Development

no meeting scheduled

Members Present at Last Vote:

David Adams	[P]	Karen Blatt	[P]	MyPhuong Chung	[P]
Dominic P. Berg	[A]	Jimmy Cheng	[A]	David Conn	[P]

David Crane	[P]	Carol Kostik	[P]	Carolyn Ratcliffe	[P]
Natasha Dillon	[A]	Ben Landy	[A]	Joyce Ravitz	[P]
Harvey Epstein	[A]	John Leo	[P]	Carlina Rivera	[P]
Morris Fajtelewicz	[P]	Ricky Leung	[P]	Jamie Rogers	[P]
Flora Ferng	[P]	Sam Leung	[A]	Richard F. Ropiak	[P]
Rabbi Y. S. Ginzberg	[A]	Gigi Li	[P]	Susan Scheer	[A]
Gloria Goldenberg	[P]	William LoSasso	[P]	Nancy Sparrow-Bartow	[P]
Jan Hanvik	[P]	Bernard Marti	[A]	Gary Tai	[A]
Herman F. Hewitt	[P]	David McWater	[A]	Wilson Tang	[P]
Anne K. Johnson	[P]	Charlotte Miles	[A]	Elinor Tatum	[P]
Linda Jones	[A]	Alexandra Militano	[P]	Rodney Washington	[A]
Vaylateena Jones	[P]	Chiun Ng	[P]	Jack Waters	[P]
Meghan Joye	[A]	Ariel Palitz	[A]	Justin Yu	[A]
Lisa Kaplan	[P]	Thomas Parker	[P]	Thomas Yu	[P]

Meeting Adjourned