



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

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Gigi Li, Board Chair

Susan Stetzer, District Manager

May 2013 Full Board Minutes

Meeting of Community Board #3 held on Tuesday, May 28, 2013 at 6:30pm at PS 20, 166 Essex Street.

Public Session:

Kate Temple-West (Children's Magical Garden): Possible to keep garden where it is and maintain the space.

Feng Chen (Children's Magical Garden): A high school senior who grew up using the garden and could not imagine not having the garden.

Dalia Rodriguez (Children's Magical Garden): High school senior supporting garden

Teresa Devore (Children's Magical Garden): Teaches across the street from the garden. She created a school project for the garden to clean it up, create multi-lingual signs for the garden and write letters to elected officials. Students learned English better and learned other hands-on skills in the garden.

Emily Wiechers (Children's Magical Garden): Walks by the garden with her son when dropping him off for school. Her son was told he was trespassing when he went to ask what has happening to the garden. PS 20 has organized a fundraiser for the garden and there is a petition people can sign.

Raymond Figueroa (Children's Magical Garden): President of the NYC Community Garden Coalition – we need community gardens for education, environmental stabilization and community stabilization. Community gardens help cultivate stewards for sustainability.

Aresh Javadi (Children's Magical Garden): The garden has made me feel at home in this city. The developer will move to another space.

(45 people appeared in support of garden)

Maia Acquaviva (Oda House): Introducing herself and her new Georgian restaurant on Ave. B.

Vaylateena Jones: Represents CB3 on WTC Environmental board (introducing Barbara Reich)

Barbara Reich (9/11 Environmental Action): There are three programs for 9/11 victims that are non-insured or under-insured. There will be an event 6/3/13 to raise awareness.

Bob Zuckerman (LES BID): Announcing Day Life festival this Sunday. Also speaking in support of Soho House.

Christine Koenig (Henry St. Settlement): Speaking about Project Hope – a crisis counseling service for Hurricane Sandy victims.

Kathy von Hariz (Friends of Meltzer Park): Support resolution of Land Use Committee against NYCHA infill plan and speaking out against the taking of public land for private purposes. The plan will destroy only recreational space within 6 blocks.

Susan Howard: Supporting resolution against Soho House, the HYCHA infill plan and the CHARAS development. Give the CHARAS space back to someone who can run it as a community center.

Tom Walker: Speaking in favor of handicap ramp to St. Mark's church – the ramp will be aesthetically cohesive.

Thea Martinez: Her mother fought for wheelchair accessibility. We should go forward with handicap accessibility for the church.

Katharine Wolpe: The ramp will be slightly visible but will make the church accessible for everyone.

Jerry Long: Supporting handicap ramp – the architect says he can build the ramp without affecting the building itself.

SoHo House Speakers:

In Support:

Donald Berstein (Attorney for SoHo House): This is an iconic, internationally renowned club of arts and culture. They intend to have a few hundred members from each community. They want to be a community-based group. SoHo House is an example of a good operator.

Mary Magdalene Serra (local resident): professor at the New School and lives next to SoHo House site. She believes SoHo House will be a good neighbor and will have lots of local artists showcased.

Kenneth Clark (business owner and local resident): Believes SoHo House will be a good addition to the neighborhood and that it will restore day-time vitality. The members are more mature and more business oriented.

Joyce Ravitz: How much will it cost to join SoHo House?

Berstein: \$800-\$2400 annually

Ayo Harrington: Where is community benefit for a place with this membership fee?

Lauren Ganizter (Executive Director of Meatpacking BID): SoHo House provides benefit to the community (provide space for the community, funding for community projects, address community issues)

Harrington: There is no written community policy.

Berstein: SoHo House will be open during the day and bring in day-time traffic (and therefore patronize local businesses). It fosters art and culture. Two-hundred signatures have been collected in support of SoHo House. The basement will not have a liquor license and will be an artistic center

Dominic Berg: Please provide numbers for breakfast and lunch service

Pierre (Director of SoHo House): 75-100 for breakfast, 100-150 for lunch. Having a liquor license is necessary for being a full-service restaurant.

Carolyn Ratcliffe: Why is the fee structure not in the booklet provided? And how will community use the space if they won't have a membership.

Berstein: The community space will be available to the community free of charge.

David McWaters: Suggested we move this to committee reports.

Against:

Diem Boyd: SLA Commissioner determined this district was one of the most saturated in the city and it has affected quality of life issues. There are 51 existing liquor licenses within 500 feet. Compared with the application for 106 Rivington St., SoHo House is much larger and would cause more problems.

Marvin Alvarez (local resident): Cited the number of liquor licenses and hours of those licenses around the location. A members-only club does not benefit the community.

Sara Romanoski (Lives half a block from the location): Does not feel like the day-time traffic will bring day-time business. Wants to make sure the building where SoHo House plans to open is properly preserved if developed.

In Support:

Michael Chernon (owner of Meatball Shop): SoHo House will bring business to our community. He uses the SoHo House as an office.

Jill Linton (local resident and member of SoHo House): Just because the whole community can't get in, doesn't mean it is bad for the community. SoHo House members are not drunks. She started her business out of SoHo House.

Stephen Fagen (local resident, not a member of SoHo House): This is not a bar – it is a different revenue model. It provides a social atmosphere for members. SoHo House benefits the city's economy as a whole. SoHo House is preserving the building.

Against:

Emily Armstrong (local artist and writer): Neighborhood is saturated with bars. There has been growth of day-time businesses which is proof that this neighborhood can support these. There are many places in the neighborhood that show films.

Mary Ellen Bizzarri (representative of 143 Ludlow Tenant's Association): Association made attempts to communicate reservations with SoHo House but their concerns were not addressed. The windows of residents will be within feet of the rooftop and greenhouse.

Robert Kommel: We have a loss of neighborhood. We need less alcohol so rents can go down.

(Approximately 20 in support)
(Approximately 11 against)

Public Officials:

Mayor Michael Bloomberg, Pauline Yu: Not attending

Public Advocate Bill de Blasio, Phil Jones: Not attending

Comptroller John Liu, Alice Cancel: Not attending

Borough President Scott Stringer, David Czyzyk: Released comprehensive plan for East River Blueway.

Congressmember Carolyn Maloney, Victor Montesinos: Not attending

Congressmember Nydia Velazquez, Iris Quinones: Not attending

Assembly Speaker Sheldon Silver, Zach Bommer: Refer to community report.

Assemblymember Deborah J. Glick, Sarah Malloy-Good: Increase incidences of hate crimes in the city.

Assemblymember Brian Kavanagh, Marcela Medina: Annual book drive.

State Senator Daniel L. Squadron, Mauricio Pazmino: Released statement condemning hate crimes and is supporting gender equality bill. Pier 42 was open on a temporary basis.

State Senator Brad M. Hoylman, Enrique Lopez: Marched at CHARAS rally. Introduced a bill that would require NYCHA land use to be subject to ULURP.

Councilmember Margaret Chin, Patricia Olan: Honored the Chinatown Dragonfighters – stopped a brutal assault. Tried to stop fence from being put up in the Children's Magical Garden. The board for the garden now has an insurance policy, addressing developers concern.

Councilmember Rosie Mendez, Michele Burger: Registered objections with Department of Buildings on development of CHARAS as a dorm. NYCHA will release RFP for its infill projects soon – it still maintains that 80% of the units should be market-rate. NYCHA plans to use the revenue to improve its housing stock. Please send complaints on bike share program to our office.

Members Present at First Vote:

David Adams	[P]	Anne Johnson	[P]	Penina Mezei	[A]
Dominic Berg	[P]	Linda Jones	[P]	Alexandra Militano	[P]
Karen Blatt	[P]	Vaylateena Jones	[P]	Chiun Ng	[P]
Justin Carroll	[P]	Meghan Joye	[P]	Ariel Palitz	[A]
Jimmy Cheng	[A]	Lisa Kaplan	[P]	Thomas Parker	[P]
MyPhuong Chung	[A]	Carol Kostik	[A]	Teresa Pedroza	[P]
David Conn	[A]	Ben Landy	[P]	Carolyn Ratcliffe	[P]
David Crane	[P]	John Leo	[P]	Joyce Ravitz	[P]
Morris Fajtelewicz	[A]	Ricky Leung	[P]	Carlina Rivera	[P]
Flora Ferng	[A]	Gigi Li	[P]	Jamie Rogers	[P]
Shoshannah Frydman	[P]	Alysha Lewis-Coleman	[P]	Richard Ropiak	[P]
Gloria Goldenberg	[P]	William LoSasso	[P]	Susan Scheer	[A]
Jan Hanvik	[P]	Chad Marlow	[P]	Nancy Sparrow-Bartow	[P]
Ayo Harrington	[P]	Bernard Marti	[A]	Wilson Tang	[P]
Herman Hewitt	[P]	David McWater	[P]	Elinor Tatum	[L/A]

Rodney Washington [P] Josephine Velez [A] Thomas Yu [P]
Julie Ulmet [P] Justin Yu [A]

Minutes:

Minutes of March 2013 were approved, as is.

34 YES 0 NO 3 ABS 0 PNV MOTION PASSED

Board Chairperson's Report:

Chairperson Gigi Li

- New member trainings will be scheduled soon (SLA policy, resolution drafting, parliamentary procedure)
- Susan Scheer is stepping down from Human Service Committee – Soliciting applications for chair
- Local elected officials went through a walk-through tour of the Catherine St. Shelter (family transitional shelter): They need prepared food for special events, linens and towels and volunteers to work at the shelter.

District Manager's Report:

District Manager Susan Stetzer

- Rat prevention workshop
- Complaints against Bikeshare (small number of people making multiple complaints)
- District needs statement: assessment of the needs of our community – we will vote on this in July.
- In October, we vote on budget items for projects (i.e., afterschool programs, senior services, pier 42)

Community Board 3 is hosting a Rat Prevention Workshop, cosponsored by local elected officials. This will be held June 13 from 3-5 in the CB 3 office. This is free training for businesses and especially important for those that sell food. Neighborhoods with a lot of food service establishments can easily become infested. The dept of Heal is also offering to act as free consultants to food service establishments--so they can ask pest control questions without fear of receiving a violation.

There have been some continuing complaints regarding the bike share program--but very few since the bikes were installed. CB 3 will focus on bike share issues at the July transportation committee meeting July 16 at I.S. 131. We have flyers available for this meeting. We will continue to work with anyone having an immediate problem that must be resolved, such as a blocked loading/unloading zones. Other issues should be brought to the July meeting so we will have an opportunity to see what works and what does not.

We will be voting on the District Needs Statement in July--and this will be on the June and July committee agendas. The District Needs Statement assesses the needs of the District and becomes the basis for developing budget requests. It is a planning document that presents the board's assessment of needs along with proposed long term strategies and solutions. We organize it around functional areas such as housing, transportation, etc., and stress current unmet needs and problems and potential future concerns. Boards can recommend what kinds of programs, projects or actives would be useful to meet needs. On the CB 3 website you will find the section on assessing and writing Community District Needs from the City's Manual for Participation in the Budget Process. The office will be able to help with any necessary research if you let us know what you need in June.

In October we will vote on budget priorities --expense and capital priorities in CB 3. To prepare for this we will be meeting with agencies to discuss programs and funding. We will submit an agenda of what needs to be discussed. If there are any programs or issues you would like discussed with the agencies to prepare for voting, please let me know. We need to submit these in July. Please contact me if you have any questions.

Committee Reports:

Executive Committee

No Report

[heard at Executive Committee meeting but discussed in SLA Committee Report]

- Masombrado LLC, 432 E 13th St
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 Masembrado LLC, for the premise located at 432 East 13th Street, between First Avenue and Avenue A, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that
 - 1) it will operate as a full-service Mexican 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. Mondays through Wednesdays, 11:00 A.M. to 1:00 A.M. Thursdays through Saturdays and 11:00 A.M. to 11:00 P.M. Sundays,

- 3) it will have a closed fixed façade with no open doors or windows,
- 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,
- 5) it will not have "happy hours,"
- 6) it will not commercially use any outdoor areas,
- 7) it will designate an employee to oversee patrons crowds and noise on the sidewalk, and
- 8) it will not host pub crawls or party buses.

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Nominating Committee

Richard Ropiak: Anyone who wishes to be nominated tonight, please let him know

- Chair: Gigi Li
- Vice-Chair: Herman Hewitt
- Second Vice-Chair: Ricky Leung
- Treasurer: William LoSasso
- Secretary: Carlina Rivera
- Assistant Secretary: James Rogers

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

SLA & DCA Licensing Committee

Sidewalk Cafe Application

1. Heart N' Soul Restaurant (Mama's Bar LLC), 200 E 3rd St (unenclosed) withdrawn

Applications within Saturated Areas

2. The Clerkenwell (SJO Entertainment Group LLC), 49 Clinton St btwn Stanton & Rivington Sts (alt and new op)
VOTE: To approve the application for an alteration of the full on-premise liquor license for SJO Entertainment Group LLC, doing business as The Clerkenwell, for the premise located at 49 Clinton Street, between Stanton Street and Rivington Street, to wit moving its bar to the front south side of its restaurant and reconfiguring its seating, understanding that it will continue to operate this room consistent with its stipulated method of operation as a full-service restaurant.

3. The Taco Project (Tab Corp), 49 Clinton St btwn Stanton & Rivington Sts (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 Tab Corp., with a proposed business name of The Taco Project, for the premise located at 49 Clinton Street, between Stanton Street and 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 taco 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 Tuesdays, 11:00 A.M. to 2:00 A.M. Wednesdays and Thursdays and 11:00 A.M. to 3:30 A.M. Fridays and Saturdays,
- 3) it will have a closed fixed façade with no open doors or windows,
- 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,
- 5) it will not have "happy hours," and
- 6) it will not host pub crawls or party buses.

CB3 did not receive the required stipulation from the applicant.

4. Donostia (EV Cafe LLC), 155 Ave B btwn E 9th & E 10th Sts (wb)
VOTE: To deny the application for a beer wine license for EV Café LLC, with a proposed business name of Donostia, for the premise located at 155 Avenue B, between East 9th Street and 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 café tapas bar, serving food during all hours of operation and containing a retail component of at least thirty percent (30%) of its business for the sale of Spanish foods,
- 2) its hours of operation will be 10:00 A.M. to 12:00 A.M. all days,
- 3) it will close any façade doors and windows at 10:00 P.M. every night,
- 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,
- 5) it will not have "happy hours," and
- 6) it will not seek an upgrade in class of its liquor license

Community Board #3 is approving this beer wine license although this is a location in an area with numerous licensed premises and at a previously unlicensed location because 1) this applicant is agreeing to early closing

hours and food service during all hours of operation, 2) there will be a substantial retail component to this business with the sale of Spanish specialty goods, and 3) there is substantial support for this application in that the applicant furnished three hundred six (306) signatures and letters from area residents in its support.

5. East Village Social (TDDG Inc), 122-126 St Marks Pl (op)
withdrawn

6. Ludlow House (Soho-Ludlow Inc), 139 Ludlow St btwn Stanton & Rivington Sts (op)

VOTE: WHEREAS, Soho-Ludlow Inc. is seeking a full on-premise liquor license to operate a club venue, with a proposed business name of Soho House, for the entire building located at 139 Ludlow Street, between Stanton Street and Rivington Street; and

WHEREAS, this is an application for a three-story club venue for people within the arts community who would meet certain application criteria and pay a schedule of fees, which will have a rooftop bar lounge and an as yet to be excavated basement; and

WHEREAS, this location would have an aggregate certificate of occupancy of four hundred fifty (450) people comprised of a capacity of one hundred fifty (150) people on the first floor with eleven (11) tables and forty-four (44) seats and a fifteen (15) foot bar with six (6) stools, a capacity of one hundred twenty (120) people on the second floor with eighteen (18) tables and fifty-two (52) seats and a twenty (20) foot bar with no stools and a capacity of one hundred (100) people on the rooftop, with a capacity of forty (40) people outside and sixty (60) people in a glass enclosure with retractable panels, twelve (12) tables and fifty-six (56) seats and a twenty (20) foot bar with eight (8) stools; and

WHEREAS, the proposed hours of operation of this venue are 7:00 A.M to 4:00 A.M all days for its interior and 7:00 A.M. to 2:00 A.M. all days for its rooftop bar lounge; and

WHEREAS, the applicant is proposing to host DJs six (6) nights per week, from 8:00 P.M. to 2:00 A.M. and live music performances six (6) nights per week, from 6:00 P.M. to 8:00 P.M. and Saturdays and Sundays, from 2:00 P.M. to 5:00 P.M.; and

WHEREAS, although the applicant has stated that the public benefit of granting its venue a full on-premise liquor license would be its provision of a meeting and workspace for the local arts community and its contribution to daytime foot traffic for local retail stores through the addition of its club members, there are numerous clubs, societies, studios and meetings spaces for the arts community in the surrounding neighborhood and on this block of Ludlow Street, for which there is no application process and only nominal fees, and the applicant furnished inadequate statistical support for its belief that it would increase daytime foot traffic in that it furnished only a traffic study of the people entering and leaving its West Village Soho House during daytime hours; and

WHEREAS, 139 Ludlow Street is located within a .026 square mile area which has been recognized as one of the most license saturated areas in New York City, being comprised of fifty-five (55) full on-premise liquor licenses, thirty-eight (38) of which are operating until 4:00 A.M., and nine (9) hotels, and which is plagued by vehicles idling on the streets and incessant horn honking until 5:00 A.M. most nights and bar and nightlife patrons flooding the sidewalks and streets nightly and exacerbating the already noisy conditions; and

WHEREAS, the Department of Transportation has eliminated weekend parking on the west side of Ludlow and Orchard Streets on the weekends to alleviate pedestrian and traffic congestion and the local precinct erects barricades at every corner within this area on weekends to stop the flow of vehicular traffic in an effort to better control people and noise in this area; and

WHEREAS, on the block on which 139 Ludlow Street is located, there are eight (8) full on-premise liquor licenses, located at 132, 133, 137, 138, 152, 154, 157 and 158 Ludlow Street, seven (7) of which are open until 4:00 A.M.; and

WHEREAS, the applicant has conceded that there are fifty (50) full on-premise liquor licenses within five hundred (500) feet of its proposed location; and

WHEREAS, although this applicant furnished Community Board #3 with petition signatures in support of its application and had numerous people appear in support of its application, many of the people appearing were actual members of the club; and

WHEREAS, although the applicant stated that it would amend its rooftop closing hours to 12:00 A.M., 11:00 P.M. and 10:00 P.M. respectively, its rooftop is located within close proximity of at least six (6)

residential apartment buildings whose windows directly face the rooftop and within four (4) and five (5) feet of the windows of at least two (2) apartment tenants; and

WHEREAS, numerous residents of this area appeared in opposition to this application, citing the overwhelming noise and vehicle and pedestrian traffic at nighttime, the lack of adequate enforcement for existing conditions and the apparent inability of the applicant to understand the conditions of the neighborhood it is seeking to occupy based upon its proposed application; and

THEREFORE, BE IT RESOLVED that, Community Board #3 moves to deny the application for a full on-premise liquor license for Soho Ludlow Inc., with a proposed business name of Soho House, for the premise located at 139 Ludlow Street, between Stanton Street and Rivington Street.

Ann Johnson: Would they offer sliding scale memberships for seniors and low-income residents and scholarships?

Pierre: Yes – they have done this in Soho House – London

Harrington: Against proposal. Glossy document with letters in support do not include membership policy. The Educational Alliance doesn't need to partner with an elite organization and offended that they don't have information for the board.

Stetzer: Requested that Soho House give information on Educational Alliance partnership.

Berg: This is not the same as what 106 Rivington would be. Events at Soho House are quiet.

Militano: There were proposed stipulations reducing rooftop hours

Julie Ulmet: What is the likelihood the SLA will support our decision?

Militano: There are differences between 106 Rivington (which was a two-story restaurant). Full-board approved beer and wine permit and SLA denied 106 Rivington's full-liquor application.

Johnson: It is unfair to compare the two issues. If they don't receive a liquor license, will they open anyway?

Berstein: They would not open Soho House without a liquor permit.

Joye: Has no problem with membership but has a problem with rooftop.

Hanvik: What kind of community outreach did they do?

Pierre: Sent 1800 letters and held 14 public meetings

Ratcliffe: Should have invited the community board

Chad Marlow: Approving license would be dangerous from public health standpoint – could increase murder and violent crime rates (based on study done in Ohio).

LoSasso: You can't equate drinking in Ohio with drinking in New York City.

McWater: SLA has never turned down a liquor license for someone that owns the building or a hotel. Should reduce occupancy and hours and close the rooftop.

Lisa Kaplan: Voted no because of the location. Soho House deserves an open space with wide space in a commercial district

James Rogers: Why did you choose this location?

Berstein: Unique building and 90 members of Soho House live in the neighborhood and formed the committee to expand here. Soho House would like to work for the benefit of the community.

Militano: Commissioner himself will impose stipulations even if SLA approves after CB3 has denied. Concerned that Soho House did do considerable outreach but still came to SLA Committee with 4AM closing with DJs and a rooftop – which was not the wishes of the residents.

Blatt: Would you still open if you could not use the roof?

Pierre: No.

7. 100 Montaditos (100 EM FCH Ludlow LLC), 177 Ludlow St (op)
withdrawn

8. Papaya King (PKNY2 LLC), 3 St Marks Pl btwn 2nd & 3rd Aves (wb)

VOTE: WHEREAS, PKNY 2 LLC is seeking a beer wine license to operate a fast food hot dog store, with a proposed business name of Papaya King, for the premise located at 3 St. Mark's Place, between Second Avenue and Third Avenue; and

WHEREAS, this is an application for a fast food hot dog store, open twenty-fours (24) hours, with proposed hours for serving alcohol of 1:00 A.M. to 2:00 A.M. Mondays through Wednesdays and 11:00 A.M. to 4:00 A.M. Thursdays through Sundays, no kitchen, standing counters for eating and a giant projection screen facing the street; and

WHEREAS, although this applicant also owns a Papaya King located at 179 East 86th Street which has been open for eighty (80) years, the applicant has only owned this franchise for a few years, the existing Papaya King has always been operated without a liquor license and it exists on a substantially larger street, that being Third Avenue, a major commercial avenue, as opposed to St. Mark's Place which is a one way street that is residentially zoned; and

WHEREAS, this applicant is not proposing to operate a full-service restaurant but, rather, is intending to operate a fast food store with no seating and counter service designed for the quick turn-around of patrons and this method of operation is not compatible with the service of beer and wine; and

WHEREAS, although this applicant furnished Community Board #3 with petition signatures in support of its application, it conceded when asked that forty percent (40%) of those signatures had been obtained at a highly publicized promotional event it held on May 18, 2013, in which it handed out free hot dogs; and

WHEREAS, while the applicant has conceded that there are twenty (20) liquor licenses on this one block, there are, per the SLA website, twenty-four (24) liquor licenses, composed of eleven (11) full on-premise liquor licenses, ten (10) beer wine licenses and three (3) retail beer wine and liquor licenses on this block; and

WHEREAS, the St. Mark's Block Association and 8 St. Mark's Tenants' Association have submitted letters and testimony in opposition to this application, siting the already overwhelming pedestrian and vehicular traffic on the street as a result of all of the existing licensed businesses, as well as the loud music and patrons at this business in the few days it has been open; now

THEREFORE, BE IT RESOLVED that Community Board #3 moves to deny the application for a beer wine license for PKNY 2 LLC, with a proposed business name of Papaya King, for the premise located at 3 St. Mark's Place, between Second Avenue and Third Avenue.

9. Zen 6 Ramen New York LLC, 186 Ave A (wb)
withdrawn

Alterations

10. Affaire (Chow Main Corp), 50 Ave B (alt/op/additional stand-up bar)
withdrawn

New Liquor License Applications

11. Fung To, 22 Orchard St btwn Hester & Canal Sts (op)

VOTE: To deny the application for a full on-premise liquor license for Fung Tu LLC, with a proposed business name of Fung Tu, for the premise located at 22 Orchard Street, between Hester Street and Canal Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that

- 1) it will operate as a full-service Chinese restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 10:00 A.M. to 2:00 A.M. all days,
- 3) it will close any façade doors and windows at 10:00 P.M. every night,
- 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,
- 5) it will not have "happy hours,"
- 6) it will not host pub crawls or party buses,
- 7) it will not commercially use any outdoor areas, and
- 8) it will designate an employee to monitor patron crowds and noise on its sidewalk.

12. Bar Chevere (O & O Wine Corp), 181 Essex St btwn E Houston and Stanton Sts (upgrade to op)

VOTE: WHEREAS, O&O Wine Corp., doing business as Bar Chevere, is seeking a change of class of its existing beer wine license to a full on-premise liquor license for its restaurant bar located at 181 Essex Street, between East Houston Street and Stanton Street; and

WHEREAS, this applicant was originally denied a beer wine license by Community Board #3 unless it agreed before the SLA to make as conditions of its license the following stipulation that 1) it would operate as a full-service restaurant, specifically a wine and tapas restaurant, serving food during all hours of operation, 2) its hours of operation would be 11:00 A.M. to 12:00 A.M. Sundays and Mondays, 11:00 A.M. to 1:00 A.M. Tuesdays through Thursdays and 11:00 A.M. to 3:00 A.M. Fridays and Saturdays, 3) it would play ambient background music only, consisting of recorded music, and not have DJs, live music, promoted events, scheduled performances or any event at which a cover fee would be charged, and 4) it would close any doors and windows at 10:00 P.M. every night; and

WHEREAS, this business is located within two hundred (200) feet of a school in that it is across the street from P.S. 20, a full-time New York City public school, located at 166 Essex Street, and is directly across the street from the door located at the northern end of the school which is used as a daily entrance and egress and is also its only handicapped accessible doorway; and

WHEREAS, previous eating and drinking establishments located at 181 Essex Street have been approved for beer wine licenses only because of its location within two hundred (200) feet of a full-time school; and

WHEREAS, Community Board #3 notified this applicant in February of 2013, when it first appeared for a change in class of its existing license to a full on-premise liquor license, that its business was within two hundred (200) feet of an entrance to a school; and

WHEREAS, this applicant did not appear before Community Board #3 for review of its application in May of 2013; now

THEREFORE, BE IT RESOLVED that Community Board #3 moves to deny the application for a change of class of its existing beer wine license to a full on-premise liquor license for its restaurant bar located at 181 Essex Street, between East Houston Street and Stanton Street.

13. Wing Shoon Seafood Restaurant (Wing Shoon Seafood Restaurant LLC), 165 E B'way btwn Rutgers & Jefferson Sts (wb)

VOTE: To deny the application for a beer wine license for Wing Shoon Seafood Restaurant LLC, doing business as Wing Shoon Seafood Restaurant, for the premise located at 165 East Broadway, between Rutgers Street and Jefferson Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that

- 1) it will operate as a full-service Chinese restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 7:00 A.M. to 10:30 P.M. all days,
- 3) it will have a closed fixed façade with no open doors or windows,
- 4) it will not play any music,
- 5) it will not have a bar, and
- 6) it will not commercially use any outdoor areas.

14. Bottega Clinton LLC, 79 Clinton St (wb)
withdrawn

15. The Living Room (ACP Project), 173 E 2nd St btwn Aves A & B (op)
withdrawn

16. Han Dynasty (Han Dynasty NYU Corp), 90 3rd Ave btwn E 12th & E 13th Sts (wb)

VOTE: To deny the application for a full on-premise liquor license for Han Dynasty NYU Corp., with a proposed business name of Han Dynasty, for the premise located at 90 Third Avenue, between East 12th Street and 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 full-service Chinese restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 12:00 P.M. to 12:00 A.M. Sundays through Wednesdays and 12:00 P.M. to 2:00 A.M. Thursdays through Saturdays,
- 3) it will close any façade doors and windows at 10:00 P.M. every night,
- 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,
- 5) it will not have "happy hours," and
- 6) it will not host pub crawls or party buses.

17. Goats (Goat Brothers Inc), 213 2nd Ave at 13th St (op)

- VOTE:** Understanding that this is a sale of assets of a preexisting tavern, Community Board 3 moves to deny the application for a full on-premise liquor license for Atlas Hugged Inc., with a proposed business name of Goats, for the premise located at 213 Second Avenue, at 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 with food service,
 - 2) it will have a closed fixed façade with no open doors or windows,
 - 3) it will play 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 not have "happy hours," and
 - 5) it will not host pub crawls or party buses.
18. To be Determined, 302 Broome St (op)
withdrawn
19. La Crepe C'est Si Bon Corp, 115 Eldridge St btwn Broome & Grand Sts (wb)
VOTE: To deny the application for a beer wine license for La Crepe C'est Si Bon Corp., doing business as La Crepe C'est Si Bon, for the premise located at 115 Eldridge Street, between Broome Street and Grand Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that
- 1) it will operate as a full-service crepe restaurant, with a kitchen open and serving food to within one (1) hour of closing,
 - 2) its hours of operation will be 12:00 P.M. to 12:00 A.M. all days,
 - 3) it will have a closed fixed façade with no open doors or windows,
 - 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, and
 - 5) it will not commercially use any outdoor areas.
20. Thailand Cafe (Permpoon Inc), 95 2nd Ave btwn E 5th & E 6th Sts (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 Permpoon Inc., doing business as Thailand Cafe, for the premise located at 95 Second Avenue, between East 5th Street and 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 Thai restaurant, with a kitchen open and serving food to within one (1) hour of closing,
 - 2) its hours of operation will be 12:00 P.M. to 10:30 P.M. Sundays through Thursdays and 12:00 P.M. to 11:30 P.M. Fridays and Saturdays,
 - 3) it will close any façade doors and windows at 10:00 P.M. every night,
 - 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,
 - 5) it will not have "happy hours,"
 - 6) it will not host pub crawls or party buses, and
 - 7) it will not commercially use any outdoor areas.
21. Risotteria Melotti (Melotti USA LLC), 309 E 5th St btwn 2nd & 3rd Aves (wb)
VOTE: To deny the application for a beer wine license for Melotti USA LLC, with a proposed business name of Risotteria Melotti, for the premise located at 309 East 5th Street, between First Avenue and Second 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 Italian 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 11:30 P.M. Sundays through Thursdays and 11:00 A.M. to 12:00 A.M. Fridays and Saturdays,
 - 3) it will have a closed fixed façade with no open doors or windows,
 - 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,
 - 5) it will not have "happy hours,"
 - 6) it will not host pub crawls or party buses,
 - 7) it will not commercially use any outdoor areas,
 - 8) it will not seek an upgrade in class of its liquor license, and
 - 9) it will designate an employee to insure that patrons are not blocking the sidewalk or making noise outside.
22. NYLA Enterprise, 120 Orchard St (op)
no vote necessary
23. South Central Restaurant LLC, 151 Essex St btwn Stanton & Rivington Sts (op)
VOTE: Understanding that this is a sale of assets of a preexisting business with a full on-premise liquor license, Community Board #3 moves to deny the application for a full on-premise liquor license for South Central Restaurant LLC, with a proposed business name of South Central, for the premise located at 151 Essex Street,

between Stanton Street and 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 Asian Chino Latino restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 6:00 P.M. to 4:00 A.M. Mondays through Fridays and 11:00 A.M. to 4:00 A.M. Saturdays and Sundays,
- 3) it will have a closed fixed façade with no open doors or windows,
- 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,
- 5) it will not have "happy hours,"
- 6) it will not host pub crawls or party buses, and
- 7) it will employ security guards to monitor patron crowds and noise on the sidewalk

Community Board #3 is approving this full on-premise liquor license although this is a location in an area with numerous licensed premises because 1) this is a sale of assets, and 2) the applicant has extensive experience operating high quality restaurants, in that it operates ACME and Indochine restaurants which are also located in New York City.

24. Bonhomie LLC, 363-365 Grand St (op)
withdrawn

25. Masombrado LLC, 432 E 13th St (op)
no vote necessary

26. Bruno Pizza LLC, 223 1st Ave (op)
withdrawn

27. Everyman Espresso (Everyman Espresso LLC), 136 E 13th St (wb)
withdrawn

28. 155 Rivington St Hospitality LLC, 155 Rivington St btwn Suffolk & Clinton Sts (op)

VOTE #1: Understanding that this is a sale of assets of a preexisting tavern, Community Board #3 moves to deny the application for a full on-premise liquor license for 155 Rivington St Hospitality LLC, for the premise located at 155 Rivington Street, front commercial space, between Suffolk Street and 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 tavern with a prep area and food service during all hours of operation,
- 2) it will have hours of operation of 5:00 P.M. to 4:00 A.M. all days,
- 3) it will have a closed fixed façade with no open doors or windows,
- 4) it will play recorded music and have DJs, but not have live music, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 5) it will not host pub crawls or party buses,
- 6) it will not commercially use any outdoor areas,
- 7) it will employ at least one (1) security guard Thursdays through Saturdays, and
- 8) it will designate an employee to monitor patron crowds and noise on the sidewalk.

VOTE #2: To deny the application for a full on-premise liquor license for 155 Rivington St Hospitality LLC, with principal Christopher Miller, for the premise located at 155 Rivington Street, rear commercial space, between Suffolk Street and 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 tavern with an electric kitchen operating and serving food during all hours of operation,
- 2) it will have hours of operation of 5:00 P.M. to 4:00 A.M. all days,
- 3) it will have a closed fixed façade with no open doors or windows,
- 4) it will play recorded music and have DJs, but not have live music, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 5) it will not host pub crawls or party buses,
- 6) it will not commercially use any outdoor areas,
- 7) it will employ at least one (1) security guard Thursdays through Saturdays, and
- 8) it will designate an employee to monitor patron crowds and noise on the sidewalk.

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED (all SLA excluding 6, 11, 28)

36 YES 0 NO 0 ABS 1 PNV MOTION PASSED (SLA 11)

36 YES 0 NO 0 ABS 1 PNV MOTION PASSED (SLA 28)

25 YES 10 NO 2 ABS 0 PNV MOTION PASSED (SLA 6)

Arts Task Force

No report

- Planning taskforce goals for 2013
no vote necessary

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

No Report

1. Presentation of Masterplan Alternatives for New Park at Pier 42 – Parks Department and Mathews Nielsen landscape architects

VOTE: WHEREAS, the community with the assistance of U.S. Senator Schumer & State Sen. Squadron successfully advocated \$16 million of funding from Lower Manhattan Development Corp. allocated for the redevelopment of Pier 42; and

WHEREAS, NYC Parks Dept. hired Mathews Nielsen Landscape Architects to plan for redevelopment and has engaged the community with workshops and visioning sessions for the future use & design of Pier 42; and

WHEREAS, NYC Parks Dept. & Mathews Nielsen Landscape Architects presented two (2) masterplan schemes:

- 1) Full Deck – includes tearing down of existing shed; existing pier will be completely rebuilt; creation of one (1) large lawn in the middle of new park; a small sports court; creation of a beach area; and
- 2) Partial Deck – various deteriorated sections of existing deck will be removed; a portion of existing shed will be kept & used for a variety of activities; creation of three (3) lawn areas; a kayak area; and

WHEREAS, both schemes share common design elements including:

- Entry plaza
- Bikeway along exterior of new park
- Landscaping buffer between new park & the FDR Drive
- A playground area;
- A marsh area that includes eco-study; and

WHEREAS, Mathews Nielsen Landscape Architects indicates that various elements from both schemes may be interchangeable; and

THEREFORE, BE IT RESOLVED, Community Board 3 supports the proposed Pier 42 Partial Deck scheme for its diversity of use & amenities and it is suitable for all year round usage; and

FURTHER BE IT RESOLVED, Community Board 3 supports in-depth research and design work for Pier 42 Partial Deck scheme by NYC Parks Dept. & Mathews Nielsen Landscape Architects & anticipate for subsequent follow-up presentation.

2. Update on drain for the LES Ecology Center compost area
no vote necessary
3. East Side Community High School joint operated park (playground) update
no vote necessary
4. First Street Park installation
no vote necessary
5. Raised 'planting beds' project on East 14th St from B-C
no vote necessary
6. Proposed silhouette of a Tompkins Square Park community member to be located along a pathway on the east side of Tompkins Square Park from June to November 2013

VOTE: WHEREAS, commissioned by NYC Parks Department for an art installation as part of their Art-In-The-Parks program, French artist Fanny Allié will install an art piece of a former homeless man she met at Tompkins Square Park; and

WHEREAS, the art installation will be a life-size silhouette of the man; made of metal with rounded edges & with base secured to ground with bolts for public safety; and

WHEREAS, the art installation will be located near the Avenue A entrance (between 7th and 8th Street) in Tompkins Square Park from June 22nd to end of November 2013; and

THEREFORE, BE IT RESOLVED, Community Board 3 approves the proposed silhouette art installation by artist Fanny Allié in Tompkins Square Park.

7. Proposed three sculptures of dancers, made of steel and painted brightly for the East River Park promenade for the end of June to November 2013
no vote necessary
8. Report from Waterfront Subcommittee
no vote necessary

9. Report from Landmarks Subcommittee

VOTE: WHEREAS, St. Mark's Church In-The-Bowery is located at 131 East 10th Street (2nd Avenue, between 10th & 11th Street); and

WHEREAS, St. Mark's Church In-The-Bowery is the oldest site of continuous religious worship in New York City, second oldest church in Manhattan, and was designated a New York City Landmark in 1966; and

WHEREAS, the applicant is proposing to install new accessible ramping to replace existing portable metal ramps and a portico repairs program; and

WHEREAS, the new accessible entry ramp will begin at center entry gate; going East along existing iron fencing; turn and travel North when past existing East yard fencing; turn and travel West when in front of church; and end when reaching in front of existing center church entry; and

WHEREAS, removal of existing paving and soil & bedrock excavation at various locations will be done to accommodate new bluestone ramping & landings constructed to meet A.D.A. design standards with color to match existing bluestone pavers; and

WHEREAS, new metal railings will be installed on the new accessible ramp; and

WHEREAS, existing bluestone paving & borders within the portico will be replaced by new bluestone paving & borders with color to match existing; and

WHEREAS, existing bluestone paving in front of portico will be replaced by new bluestone paving with color to match existing; and

WHEREAS, existing asphalt pavers directly in front of center entry gate will be removed, sloped, and reinstalled to create gradual transition with the new accessible ramp & gradual transition with existing adjacent asphalt pavers to prevent pedestrian tripping hazard; and

WHEREAS, although the proposed work does alter the original entry & portico design, it is minimal from public view; and

THEREFORE BE IT RESOLVED, Community Board 3 approves the application for Certificate of Appropriateness for St. Mark's Church In-The-Bowery located at 131 East 10th Street.

Block Parties

10. P.S. 110 Spring Fair, 6/2/13, Lewis Street (Delancey & Broome Street)

VOTE: Community Board 3 approves the block party application (Event ID # 95240) for P.S. 110 Spring Fair, 6/2/13, Lewis Street (Delancey & Broome Street).

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Ethics, Bylaws and Procedures Task Force

- Review of bylaws
- no vote necessary

Berg: The following issues were discussed

- Time-sensitive issues that need to be brought to Executive Committee
- Term limits (no interest in term limits now)
- Chair should appoint Parliamentarian

Land Use, Zoning, Public & Private Housing Committee

1. ULURP 120183ZSM: HealthCare Chaplaincy Inc seeks a minor modification to the Large-Scale Residential Development (LSRD) located within the former Two Bridges Urban Renewal Area (Two Bridges URA). The requested action will facilitate the development of a 183,700 SF palliative care building located on South Street between Rutgers Slip and the demapped portion of Jefferson Street. The new building would otherwise comply with all applicable requirements of the Zoning Resolution of the City of New York and no special permits, authorizations or certifications are required.

no vote necessary

2. BSA Special Permit Application to operate a physical culture establishment/health club at 28-30 Ave A on the 2nd thru 5th floors with entrance on 1st floor

VOTE: Whereas the proposed use of 28-30 Avenue A by New York Sports Club will not impair the essential character or future use or development of the surrounding area; and

Whereas the Club will contain facilities for classes, instruction, and programs for physical improvement; and

Whereas the first floor and basement of the building remain available for commercial use; and

Whereas handicapped access will be provided by an elevator from street level to the second floor; so

Therefore be it resolved that Community Board 3 approves the BSA special permit application by New York Sports Club to operate a physical culture establishment/health club at 28-30 Ave A on the 2nd thru 5th floors with entrance on the 1st floor.

3. CHARAS (old PS 64) 605 E 9th St - plans for community use

VOTE: Whereas, the former PS 64, also known as CHARAS-El Bohio, located at 605 E. 9th Street, is a beloved community building that has served the Lower East Side since it was built more than a hundred years ago; and

Whereas, for nearly 70 years it was a public school serving as both an educational and cultural center for immigrants first from eastern and southern Europe and then from Latin America; and

Whereas, in the mid-1970's after New York City closed the school, community activists and artists took over the building to create a vibrant community center where local non-profit organizations and artists of all kinds could thrive; and

Whereas, over vehement community opposition Mayor Giuliani in 1999 sold the former PS 64 to a developer who then evicted the community center; and

Whereas, after an unprecedented community campaign, in 2006 the NYC Landmarks Preservation Commission designated the Former PS 64 as a landmark recognizing both its physical and cultural distinction; and

Whereas, the developer who acquired the building from the city, and is now proposing to convert it to student housing, has shown gross negligence in the maintenance of the building, has been antagonistic toward the community, and completely unwilling to work constructively toward a solution to the impasse over the future of the building; and

Whereas, the current proposal for student housing does not meet the NYC Department of Buildings' criteria for a dormitory under the community facility definition in the zoning ordinance because there is no long term lease for all of the facility with one or more accredited educational institution nor is there a restrictive declaration that the building will only be used as a dormitory;

Now therefore, Community Board 3 very strongly opposes the current proposal for conversion of the Former PS 64 to student housing;

And further, Community Board 3 strongly favors a proposal that would result in the building becoming a genuine community facility and cultural center consistent with the building's history in our neighborhood.

4. Update & Review of NYCHA infill development

VOTE: Whereas Community Board 3 ("CB 3") possesses five of the developments in the current New York City Housing Authority ("NYCHA") Land Use Plan, known as the "Infill Plan," and its related Request For Proposal ("RFP"); and

Whereas a super majority of these developments (4) oppose the Infill Plan; and

Whereas the board has not received answers to questions about the plan that were sent to NYCHA two months in a row; and

Whereas the Infill Plan and process are not considered viable due to the lack of a transparent public process; and

Whereas because the RFP is not subject to a Uniform Land Use Review Procedure ("ULURP"), the board has asked to open up the RFP process to include meaningful community engagement and to slow down the timeline to allow for this engagement; and

Whereas there is legislation in the NY State Legislature to require NYCHA properties to go through a ULURP process for the Infill Plan; and

Whereas resolutions are pending in the New York City Council that call for stopping payments to the New York Police Department for services to NYCHA properties and halting the issuance of an RFP to allow for a more open process that engages the public; and

Whereas the Manhattan Borough President has engaged in dialogue with the Bloomberg administration and proposed that NYCHA follow the City of New York's ULURP; so

Therefore be it resolved, that Community Board 3 supports the legislation in the New York State Legislature; and

Be it further resolved, that Community Board 3 supports the City Council resolutions; and

Be it further resolved, that Community Board 3 supports the Borough President's call for NYCHA to follow the ULURP; and

Be it further resolved, that Community Board 3 opposes the current Infill Plan based on the lack of process that NYCHA has followed as well as the absence of response to Community Board 3's questions.

McWaters:

- Vote on CHARAS – we took a strong consistent position
- We took a strong position on NYCHA infill – NYCHA has ignored the committee so we took a stance to oppose infill completely and submit themselves to a ULURP process.

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

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

No Report

1. Update on Fellow project
no vote necessary
2. Planning for a school on SPURA site
no vote necessary
3. CHARAS (old PS 64) 605 E 9th St: plans for community use
no vote necessary
4. NYU Medical Center Community Health Needs Assessment and Planning Process
no vote necessary

Economic Development

Meghan Joye: Open Plans created a software for us to collect business addresses and information.

1. East Village Retail Diversity and Small Business Revitalization-Partnership Plans for Data Collection—update on pilot program
no vote necessary
2. Hotel Trades Council: concerns regarding non-union LES Hotels
no vote necessary
3. LES Employment Network: Update
no vote necessary

Con Ed Task Force

No Report

1. Review and follow-up on previously approved projects
no vote necessary
2. Fuel-switching letter for Winter 2013-2014

VOTE: WHEREAS The Con Edison Settlement Fund (the "Fund") was established as an outcome of the Article X East River Power Plant Repowering Project, and

WHEREAS the Supplemental Joint Stipulation dated March 13, 2002 (the "Stipulations") establishing the Fund provided for monies to be used to write down the cost of fuel-switching for certain generators during the winter months, within certain price parameters and at the direction of Manhattan Community Board #3 ("CB3"), and separately to subsidize the cost of conversions to steam

heat, if feasible conversions can be identified, and separately, other items of work that do not pertain to this Resolution, and

WHEREAS in recent years the relative prices of natural gas and fuel oil have been such that gas is being used regardless of fuel-switching, being the less expensive source of energy, so that there is no economic basis for fuel-switching, and

WHEREAS the Stipulations also provided for CB3 to recommend alternative uses for the Fund for "alternative air quality improvements in the general neighborhood of the East River Complex" [stipulation #7], and for alternative community benefit projects, except no such projects may be funded, "unless they assist the local community in the development and implementation of projects such as local air quality improvement, health improvement, or amenities programs in the general vicinity of the East River Complex," and

WHEREAS in order to have a process for reviewing alternative community benefit projects, CB3 has adopted and updated written guidelines and these guidelines have been posted on the CB3 web site and publicized at multiple CB3 meetings, and

WHEREAS CB3 has found numerous alternative community benefit projects that have met the requirements of the stipulations and the CB3 guidelines, specifically that 17 such project awards managed by nine different entities based in CB3 or CB6 have been approved by the Task Force and by the full CB3, and the Task Force expects to continue to receive viable project applications,

THEREFORE CB3 establishes the amount of Settlement Funds available for fuel-switching for the winter 2013-2014 period to be zero.

3. Planning for balance of 2013
no vote necessary

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Transportation & Public Safety and Environment Committee

1. Con Edison's presentation on Manhattan's Storm Hardening Plan
no vote necessary

2. Request for support of the proposed "Tompkins Square/Alphabet City Slow Zone"

VOTE: WHEREAS, the Tompkins Square Park & Playgrounds Parents' Association ("TSP3A") will be submitting an application to the New York City Department of Transportation ("DOT") on or before May 31, 2013 requesting DOT approve and implement a Tompkins Square/Alphabet City Slow Zone ("TSACSZ"); and

WHEREAS, the proposed TSACSZ covers a 0.38 square mile geographic area east of, but not including, 1st Avenue, west of, but not including, the FDR Drive, south of, but not including, 14th Street, and north of, but not including, 2nd Street to the west of where it meets Houston Street and Houston Street to the east of where it meets 2nd Street; and

WHEREAS, according to State Department of Motor Vehicle data, from 2005 to 2009, there were 143 pedestrian injuries, 70 cyclist injuries and 2 pedestrian fatalities in the proposed TSACSZ, meaning the proposed zone's average of 42.6 injuries per year make it significantly more dangerous than all but one area that, heretofore, has been approved for a DOT slow zone; and

WHEREAS, the proposed TSACSZ is home to 16 schools (K-12), 14 universal pre-schools, 13 daycare centers, 9 afterschool programs, 38 parks and 3 senior centers, and therefore possesses a high density of children and senior citizens who are particularly vulnerable to speeding traffic; and

WHEREAS, the proposed TSACSZ contains a high concentration of restaurants, bars and other businesses that consistently attract large numbers of visitors to the zone, especially during the evening hours when the crowds, and the danger speeding vehicles present to them, are the greatest; and

WHEREAS, by reducing the speed limit from 30 MPH to 20 MPH, and to 15 MPH near schools, the proposed TSACSZ would reduce the risk that a pedestrian who is struck by a motor vehicle will be seriously injured or die. Persons who are struck by vehicles travelling 30 MPH stand a 45% chance of being seriously injured or dying. At 20 MPH, the risk is reduced to 5% (NYC DOT); and

WHEREAS, in previous instances where speed limits were reduced from 30 MPH to 20 MPH, the number of child pedestrians/cyclists struck by motor vehicles was reduced by 67% (NYC DOT); and

WHEREAS, the proposed TSACSZ will bring numerous other improvements to the zone, such as reducing traffic noise, reducing cut-through traffic volume (and its related air pollution) and creating more social streets; and

WHEREAS, based on the results slow zones have produced in other cities, it is without question that the proposed TSACSZ would reduce crashes, prevent serious injuries and save lives in our community; now

THEREFORE, BE IT RESOLVED that Community Board #3 supports the creation of a Tompkins Square/Alphabet City Slow Zone and requests that DOT review and consider the TSP3A's application, and include CB3 input during the development of a final plan.

McWaters: Pull Item 2

David Crane: This motion gets the process moving on safety awareness of the speed zone.

McWaters: 15mph in this neighborhood is crazy and there was insufficient notice.

Marlow: Father was hit by a drunk driver – our neighborhood has one of the worst accident rates by automobiles in the city. The group of citizens concerned with this speed zone had sufficient outreach.

Ravitz: Doesn't care how we vote, but we should put more speed bumps in the streets.

Teresa Pedroza: Granddaughter was killed by a speeding car and thinks cars should slow down.

Joye: This is an extremely large area for speed reduction

Harrington: This should not be controversial – people should not speed through this neighborhood.

Chiun Ng: This may not be a practical change.

Linda Jones: This would slow down the bus route.

Ratcliffe: Was hit by a taxi on Ave. A, a friend was hit by a taxi on her bike – the speed should be slow.

LaSosso: Was hit by a car in this neighborhood but the problem is the police do not enforce the speed limit.

Berg: Does this reduce speed limit all the time or only when schools are in session. This might hurt air pollution.

Marlow: The proposal will include speed humps – their specific placement will be reviewed by the community board.

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED (all Transportation excluding 2)

24 YES 10 NO 3 ABS 0 PNV MOTION PASSED (Transportation 2)

Members Present at Last Vote:

David Adams	[P]	Vaylateena Jones	[P]	Thomas Parker	[P]
Dominic Berg	[P]	Meghan Joye	[P]	Teresa Pedroza	[P]
Karen Blatt	[P]	Lisa Kaplan	[P]	Carolyn Ratcliffe	[P]
Justin Carroll	[P]	Carol Kostik	[A]	Joyce Ravitz	[P]
Jimmy Cheng	[A]	Ben Landy	[P]	Carlina Rivera	[P]
MyPhuong Chung	[A]	John Leo	[P]	Jamie Rogers	[P]
David Conn	[A]	Ricky Leung	[P]	Richard Ropiak	[P]
David Crane	[P]	Gigi Li	[P]	Susan Scheer	[A]
Morris Fajtelewicz	[A]	Alysha Lewis-Coleman	[P]	Nancy Sparrow-Bartow	[P]
Flora Ferng	[A]	William LoSasso	[P]	Wilson Tang	[P]
Shoshannah Frydman	[P]	Chad Marlow	[P]	Elinor Tatum	[L/A]
Gloria Goldenberg	[P]	Bernard Marti	[A]	Rodney Washington	[P]
Jan Hanvik	[P]	David McWater	[P]	Julie Ulmet	[P]
Ayo Harrington	[P]	Penina Mezei	[A]	Josephine Velez	[A]
Herman Hewitt	[P]	Alexandra Militano	[P]	Justin Yu	[A]
Anne Johnson	[P]	Chiun Ng	[P]	Thomas Yu	[P]
Linda Jones	[P]	Ariel Palitz	[A]		

Meeting Adjourned