



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

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Gigi Li, Board Chair

Susan Stetzer, District Manager

December 2015 Full Board Minutes

Meeting of Community Board 3 held on Tuesday, December 22, 2015 at 6:30pm at PS 20, 166 Essex Street.

Public Session:

Valerio Orselli: Speaking as Executive Director of Cooper Square MHA, he spoke against permitting the construction of a parking lot at 61 E. 4th St., and he requested a permanent easement to allow the fire egress from the adjacent buildings, which are owned by Cooper Square. He asked for Community Board 3 to table considering the landmark application of this property until next month.

William Arroyo: Speaking as a member and resident of Cooper Square MHA, he expressed his concern for the fire safety of residents of the buildings around 61 E. 4th St.

Wai-Ling Wong: Speaking as a resident of the Cooper Square building adjacent to 61 E. 4th St., she expressed concern for the fire safety of the building if a parking lot were constructed.

Francine Lang: Speaking as a new resident of the Cooper Square building adjacent to 61 E. 4th St., she asked that the easement for access to the property be made permanent.

Francisca Benitez: She invited the community to continue supporting the work of the Chinatown Working Group.

Vaylateena Jones: Speaking on behalf of the LES Power Partnership ("LESPP"), she stated that LESPP had concerns about the wall to be built along the river as part of the Coastal Resiliency project. LESPP was concerned the wall will cause unsafe situations. She also spoke about making sure that mentally unstable homeless people have access to their medications.

Robyn Shapiro: Speaking on behalf of the Lowline, she invited the community to visit the Lowline Lab where they are conducting experiments, have education programming and are holding other community events that are open to the public.

Jessica Fiorillo and Patrick Synmore, New York City Office of the City Clerk: The Office of the City Clerk (the "Clerk's Office") is offering an amnesty period for potential lobbyists to come to register with the Clerk's Office as well as information for people to learn about whether they are lobbyists. There was discussion on whether non-profits and community-based organizations have been violating the law when they are not registered lobbyists or do not operate through a registered lobbyist.

David Ramirez: Speaking as the General Manager of No Malice Palace, he stated that the No Malice Palace had addressed all of the issues set forth in the stipulations and would be sending a report to the District Manager's office.

Public Officials:

Mayor Bill de Blasio, Tommy Lin: Not Present.

Public Advocate Letitia James, Adam Chen: The Public Advocate has asked the TD Bank to stop doing business with Smith & Wesson, the manufacturer of the guns used in the mass shootings in San Bernadino.

Comptroller Scott Stringer, Anas Uddin: Not present.

Borough President Gale Brewer, Drew Lombardi: The Borough President worked extensively with the Department of City Planning to consider the Mandatory Inclusionary Zoning plan, which she approved, and the affordable housing plan, which she did not approve. The Borough President is a member of the Construction Safety Working Group. The group consists of government, real estate interests and labor unions with the goal to make recommendations on how to make construction safer. The Borough President is forming a Youth Advisory Board to create an alternative pathway for youth to express their view.

Congressmember Carolyn Maloney, Victor Montesinos: Not Present.

Congressmember Nydia Velazquez, Iris Quinones: Not present.

Assemblymember Deborah J. Glick, Charlie Anderson: The Assemblymember gave testimony regarding the Mayor's Mandatory Inclusionary Zoning and Affordable Housing plan. The Assemblymember sent a letter to the NYC Department of Buildings asking for better transparency for informing resident of nearby work in the event there is an emergency.

Assemblymember Brian Kavanagh, Edward Cerna: The Assemblymember recently attended a conference to address gun violence. The Assemblymember submitted testimony on the East Coast Resiliency. Regarding the LLC Loophole (see below), the Assemblymember is concerned that the median contribution is six times higher than other contribution limits.

State Senator Daniel L. Squadron, Mauricio Pazmino: There will be additional crosswalk and signal at Clinton Street and East Broadway. The MTA came out with line reviews for the A and C lines.

State Senator Brad M. Hoylman: Things are still rotten in Albany. After the conviction of the former Assembly Speaker and Republican leader of the State Senate, he is hopeful that there is room for reform. He has introduced legislation that prevents legislators from earning more than 15% of income from work outside of their legislator salary. He also introduced legislation to close the "LLC loophole", lower campaign contribution limits and prevent self-dealing and giving jobs to relatives. He stated that violating the public trust should cause a legislator to forfeit their pension. He and the CB3 District Manager were able to get the State Liquor Authority to send more inspectors out on the route of Santacon and were given the route of Santacon a week in advance. He submitted testimony on the Eastside Coastal Resiliency. He is concerned that after the legalization of same-sex marriage, the State Senate has not passed legislation protecting the rights of the LGBT community. There was discussion of whether anti-self-dealing legislation would ban relatives from serving as lobbyists.

Councilmember Margaret Chin, Vincent: On December 10, the Councilmember protested in front of 90 Elizabeth Street, a building owned by James Fong, whose tactics have led to tenant harassment. The Councilmember held a hearing to encourage city citizens who qualify to apply for the Senior Citizens Rent Increase Exemption and the Disability Rent Increase Exemption. The Councilmember asked for additional community feedback and submissions to the Request for Expression of Interest for the former trolley terminal under the base of the Williamsburg Bridge.

There was discussion on whether there were any ways to keep for public benefit 45 Rivington St. – the former Rivington Houses hospice and health care facility -

Councilmember Rosie Mendez: She acknowledged the loss of Morris Fajtelewicz and James Bartow, the husband of Nancy Sparrow-Bartow. She testified at the hearing for the Mayor's Mandatory Inclusionary Zoning and Affordable Housing plan. She asked that the city hold additional hearings because of the large number of people who were not able to speak because of the volume of people. She voted against the plans at City Council and was the only City Council member to vote against it, when many other members abstained. Her office will have a pop-up registration for Municipal ID cards at Middle Collegiate Church and Lillian Wald Houses in the coming weeks. There is a proposal to increase rent for rent controlled tenants by 9.6%, which is too high. Construction was recently completed of an ADA-compliant ramp for entrance to the Senior Center at Vladeck Houses. She voted against a law that would give public money to private schools for security guards, including private schools that discriminate. She introduced legislation to create a bicycle safety taskforce, which would have one hearing per year in each borough. She is seeing pushback from cyclists and pedestrians. As co-chair of the Black, Latino, Asian Caucus, she published a letter against the promotion to sergeant of one of the officers involved in the shooting of Amadou Diallo.

Members Present at First Vote:

David Adams	[P]	Dan Ping He	[A]	Alexandra Militano	[P]
Yaron Altman	[P]	Luke Henry	[P]	Chiun Ng	[P]
Dominic Berg	[A]	Herman F. Hewitt	[A]	Nancy Ortiz	[A]
Karen Blatt	[P]	Trever Holland	[P]	Carolyn Ratcliffe	[P]
Lisa Burriss	[P]	Anne K. Johnson	[P]	Damaris Reyes	[A]
Melvin Cartegena	[A]	Linda Jones	[P]	Carlina Rivera	[P]
Karlin Chan	[A]	Vaylateena Jones	[P]	James Rogers	[P]
MyPhuong Chung	[A]	Meghan Joye	[P]	Richard F. Ropiak	[P]
David Crane	[A]	Lisa Kaplan	[P]	Christopher Santana	[P]
Enrique Cruz	[P]	Carol Kostik	[P]	Susan Scheer	[P]
Cathy Dang	[A]	Ben Landy	[A]	Laryssa Shainberg	[P]
Eric Diaz	[P]	Mae Lee	[P]	Wilson Soo	[P]
Leila Eliot	[A]	Alysha Lewis-Coleman	[P]	Nancy Sparrow-Bartow	[P]
David Ford	[P]	Gigi Li	[P]	Josephine Velez	[P]
Debra Glass	[P]	William LoSasso	[P]	Rodney Washington	[A]
Jan Hanvik	[P]	Chad Marlow	[P]	Kathleen Webster	[P]

Minutes:

Minutes of October 2015 were approved, as is.

32 YES 1 NO 2 ABS 0 PNV MOTION PASSED

Board Chairperson's Report:

Chairperson Gigi Li

Leila Eliot was named in Crain's Top 20 Under 20 and was accepted to Smith College. The holiday party will start immediately after the board meeting. There will be a SLA training January 20 at 6:30 at the CB3 office.

District Manager's Report:

District Manager Susan Stetzer

Dry Dock Park reconstruction has been completed, and there will be a ribbon cutting the first week of January. The Inter-City bus townhall resulted in clarifying which summonses were being given and that there needs to be more aggressive issuance of summonses. The deed restriction on Rivington House states that the property must remain a non-profit nursing home forever, but this does not preclude the City from selling the deed restriction and having it lifted. The District Manager met with Barrier Free, the only shelter for disabled homeless people in the city, and they are facing challenges to their building and will be in need of help. There was a recent Extell construction meeting regarding the Extell construction on South and Pike Streets. On Jan 28th there will be an Essex Crossing construction meeting where people can learn about after-hours variances.

There was discussion on the need for more focus on homelessness in the district and the need to call 311 whenever anyone sees a homeless encampment.

Committee Reports:Executive Committee

1. Approval of previous month's minutes
no votes necessary / approved by committee
2. Request for Support for Resolution 909 which calls for calling on the U.S. Dept of HUD to support NYC's application for National Disaster Resilience Competition funding as well as a call to have it before the full Council in January before the HUD announcement deadline.

VOTE: TITLE: Support for resolution calling on the U.S. Dept of HUD to support NYC's application for National Disaster Resilience Competition funding as well as a call to have it before the full Council in January before the HUD announcement deadline

That CB 3 supports the City Council Resolution 909 that calls on the United States Department of Housing and Urban Development to support New York City's application for National Disaster Resilience Competition funding.

Whereas, Superstorm Sandy hit New York on October 29, 2012 with unprecedented force, causing record breaking water levels across much of the City due to the storm's size, low barometric pressure, westward trajectory and timing with respect to tidal cycles; and

Whereas, Superstorm Sandy resulted in the deaths of 44 New Yorkers and caused \$19 billion in damages and lost economic activity within the City; and

Whereas, Superstorm Sandy's impacts on the City were devastating, as 88,700 buildings were flooded; 23,400 businesses were impacted; subway tunnels were shut down and flooded; 2,000,000 residents were left without power for weeks; and severe gas shortages lasted for over a month; and

Whereas, The storm highlighted the City's vulnerability to coastal storms and projected impacts of climate change and rising sea levels; and

Whereas, The New York City Panel on Climate Change projects that by 2050, in New York City, extreme weather events are likely to worsen: for example, heat waves and heavy downpours are likely to increase in frequency, intensity, and duration and coastal flooding is likely to increase in frequency, extent, and height; and

Whereas, In the aftermath of Superstorm Sandy, the City launched the New York City Special Initiative for Rebuilding and Resiliency which culminated in the release of a comprehensive, actionable plan to rebuild communities impacted by the storm and to increase the resilience of infrastructure citywide to prepare for the future impacts of severe weather events; and

Whereas, In June 2015, the United States Department of Housing and Urban Development (HUD) invited several states and communities from across the country, including New York City, to compete in the second and final phase of the National Disaster Resilience Competition (NDRC), which is a two-phase competition that will conclude with the awarding of nearly \$1 billion in HUD Disaster Recovery funds to successful competition applicants; and

Whereas, The NDRC encourages eligible communities to consider how they can recover from a recent past disaster and also how they will avoid and mitigate future losses due to disasters; and

Whereas, According to HUD, applicants to the NDRC are required to submit a detailed proposal for a "resilience-enhancing disaster recovery or revitalization project or program that addresses their identified risks, vulnerabilities, and community development opportunities" tying their proposal to the disaster from which they are recovering as well as demonstrating how they are reducing future risks and advancing broader community development goals; and

Whereas, At the conclusion of the NDRC, HUD anticipates awarding grants to multiple winning applicants in amounts ranging from \$1 million to \$500 million; and

Whereas, In October 2015, New York City submitted an application to the NDRC seeking \$500 million to complement \$100 million that the City has already committed for resiliency measures in Lower Manhattan and the Two Bridges area; and

Whereas, HUD is currently reviewing all NDRC applications and will do so until December 2015; and

Whereas, HUD is expected to announce the successful proposals in January 2016; now, therefore, be it

Resolved, That the Council of the City of New York calls on the United States Department of Housing and Urban Development to support New York City's application for National Disaster Resilience Competition funding.

3. CB 3 Policy List

VOTE: TITLE: Creation of CB 3 policy list

CB 3 votes to create the following policy list that will be updated as needed.

Agenda

1. CB 3 does not vote on items that are not on the agenda. This is to provide the community with notice and opportunity to comment and hear diverse perspectives. If there is a time-sensitive non-controversial item, it will be heard at Executive Committee. This may be a block party or a traffic design that the committee has been working on with agency.
2. All topics should be stated very clearly on agenda so layperson will understand. Items are stated in neutral manner. Items noted as "informational" will not be voted on.
3. Items that have been voted on cannot be put back on the agenda unless there is new information or changed situation.

Communication

1. Website—only events co-sponsored by CB 3 are posted on the website.
2. Email-With few exceptions, (mayor's office) CB 3 does not forward email blasts for events.
3. All official CB 3 communications, such as a letter from a committee or flyer for an event, that has not been voted on must be approved by the Chair.

Personal information

1. The office does not give out personal information—with few exceptions such as an elected official wanting to speak to a member about an issue. When press or anyone else requests communication with a member—office asks for email and forwards to member.
2. CB 3 membership lists are only for CB 3 members and only for CB 3-related work. They should not be used for any non-board communication.

This list is not comprehensive and will be updated with additions.

Rev. Dec. 22, 2015

34 YES 0 NO 0 ABS 1 PNV MOTION PASSED (Exec item 2)

33 YES 2 NO 0 ABS 0 PNV MOTION PASSED (Exec item 3)

Health, Seniors, & Human Services Committee / Youth, Education, & Human Rights Committee

- 1. Approval of previous month's minutes
no votes necessary / tabled by committee
- 2. "Struggling" Schools under the School Receivership Law in CB 3 - PS 15, Henry Street Int'l Studies School, Marte Valle HS
no votes necessary
- 3. Community School District 1 admission policy
no votes necessary

Economic Development Committee

- 1. Approval of previous month's minutes
no votes necessary / approved by committee
- 2. Manhattan Borough Pres Small Business Jobs Survival Act
no votes necessary
- 3. EDC: 124 East 14th Street – RFP overview and CB input

VOTE: TITLE: Guidelines to Accompany the 124 East 14th Street Request for Proposals by EDC

WHEREAS, the NYC Economic Development Corporation (NYC EDC) released a Request for Proposals (RFP) for the PC Richard & Son site on 14th Street on November 5, 2015, for which proposals are due on February 26, 2016, and

WHEREAS, the site is not built to the full extent of what is allowable under existing zoning, and that site is currently occupied by PC Richard & Son, which has a lease that expires on February 26, 2016, and

WHEREAS, the RFP seeks proposals that, among other things, "support the development of 21st century workforce skills, create high density of jobs per foot, and/or propose the formation of next generation companies and industries in the City," and

WHEREAS, Community Board 3 (CB 3) has long advocated for a strong local economy that is diverse, affordable, supportive of independent small businesses, and reflective of this residential community, and

WHEREAS, while CB 3 strongly supports modern job creation within the District, CB 3 is disappointed that it was not afforded an opportunity to advise on the RFP before it was drafted and released, especially since there is precedent for successful collaboration between CB 3 and NYC EDC, so

THEREFORE, BE IT RESOLVED, that with regard to any retail use on site CB3 supports a diverse mix of uses on-site, CB 3 will not support a chain store being situated on site unless it is that of the existing business (PC Richard & Son), will not support an eating or drinking establishment serving alcohol being situated on site due to an over-proliferation of such uses in the District, and will only support retail that is affordable to the local community, so

THEREFORE, BE IT FURTHER RESOLVED, that with regard to any housing on site, CB 3 will only support proposals for housing that are 100% permanently affordable, and in absolutely no instance will CB 3 support a dormitory at the site, so

THEREFORE, BE IT FURTHER RESOLVED, that CB 3 strongly supports a required prevailing wage for all jobs on site, and urges Proposers and NYC EDC to collaborate with the Lower East Side Employment Network (LESEN) when hiring for permanent jobs, so

FINALLY, THEREFORE BE IT FURTHER RESOLVED, that CB 3 strongly requests that NYC EDC make all proposers aware of CB 3's position on the RFP by referring them to the CB 3 website as soon as possible before the RFP due date.

- 4. Continued discussion on potential Special District for CB 3
no votes necessary

35 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Transportation & Public Safety and Environment Committee

no meeting scheduled

SLA & DCA Licensing Committee

- 1. Approval of previous month's minutes

no votes necessary / approved by committee

Renewal with Complaint

2. Revision Lounge and Gallery (219 Avenue B Music Lounge Inc), 219 Ave B btwn E 13th & E 14th Sts (op)

VOTE: TITLE: Community Board 3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

WHEREAS, 219 Avenue B Music Lounge Inc., doing business as Revision Lounge and Gallery, is seeking the renewal of its full on-premise liquor license, for the premise located at 219 Avenue B, between East 13th Street and East 14th Street, New York, New York; and

WHEREAS, this business has operated as a tavern and per the applicant currently has regular operating days of Fridays and Saturdays and is open other days only in the event the business hosts a private party; and

WHEREAS, this applicant has appeared before Community Board 3 for renewal of its full on-premise liquor license with complaints from residents living at and adjacent to the subject premise of loud music emanating from its business, as well as complaints of lack of control of patrons on the sidewalk in front of its business and who have been observed drinking on the sidewalk and passed out in the residential entryway of the adjacent building;

WHEREAS, consistent with these complaints, there have been nine (9) 311 calls for commercial loud noise from December 14, 2014 through August 6, 2015, between 12:00 A.M. and 3:15 A.M., six (6) of which resulted in non-criminal police action to correct; and

WHEREAS, the website for the business states that it permits dancing although the applicant does not have a cabaret permit; and

WHEREAS, the applicant was notified by Community Board 3 that it cannot commercially operate its backyard without a valid certificate of occupancy for the backyard; now

THEREFORE, BE IT RESOLVED that Community Board 3 moves to deny the application to renew the full on-premise liquor license for 219 Avenue B Music Lounge Inc., doing business as Revision Lounge and Gallery, for the premise located at 219 Avenue B, between East 13th Street and East 14th Street, New York, New York, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that

- 1) it will employ at least one (1) security guard during its hours of operation, to be located at the front door, to insure that there is are no crowds on the sidewalk and that noise from the business is inaudible outside,
- 2) it will have a closed fixed facade with no open doors or windows and its entrance door will remain closed at all times,
- 3) it will meet with residents affected by the noise from its business and ameliorate their noise complaints to insure that noise from music and patrons from the business is inaudible in their apartments,
- 4) it will not apply for any alteration in its method of operation without first appearing before Community Board 3,
- 5) it will not permit dancing, given that it has no cabaret permit,
- 6) it will designate an employee to oversee patrons and noise on the sidewalk,
- 7) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 8) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

3. Poco (Becaf LLC), 33 Ave B @ E 3rd St (sidewalk cafe)

VOTE: TITLE: Community Board 3 Recommendation To Deny The Renewal of A Sidewalk Café Permit

WHEREAS, Becaf LLC, doing business as Poco, is seeking the renewal of its sidewalk café permit, for the premise located at 33 Avenue B, at the corner of East 3rd Street and Avenue B, New York, New York; and

WHEREAS, this applicant was first heard by Community Board 3 in May of 2009 for a sidewalk café permit for twenty-two (22) tables and forty-four (44) seats and was denied because the applicant conceded at that time that it had already been operating a sidewalk café without a permit; and

WHEREAS, this applicant then obtained a sidewalk café permit for ten (10) tables and twenty (20) seats; and

WHEREAS, this applicant was then heard for an alteration to extend its liquor license to its sidewalk café in September of 2009 and withdrew its application before Community Board 3 to address ongoing complaints from residents of loud noise from people and music emanating from the business which was corroborated by the issuance of a police summons for unreasonable noise in August of 2009; and

WHEREAS, this applicant was then heard for a renewal of its full on-premise liquor license in July of 2015 because Community Board 3 had received complaints from residents from April of 2014 through July of 2015, about the failure of the business to oversee the sidewalk, unruly drunk patrons from the business blocking the sidewalk, excessive noise from patrons and music emanating from the business, which has an open façade, as well as from its sidewalk café, all you can drink brunch specials, the sidewalk café operating past its permitted time of 10:00 P.M., the service of alcohol at the sidewalk café after its permitted closing time and the café taking up too much of the sidewalk; and

WHEREAS, in May of 2015, the Department of Consumer Affairs issued violations against this business for its sidewalk café exceeding its permitted footprint on the sidewalk and having ten (10) too many tables when it was permitted for ten (10) tables and twenty (20) seats with a closing time of 10:00 P.M. every day; and

WHEREAS, in July of 2015 the applicant conceded that she kept the sidewalk café open past her permitted closing time and was serving patrons food and drinks at the café after its permitted closing time and that she has unlimited drink specials served with meals at brunch but stated that she had addressed complaints about her sidewalk café and patrons on the sidewalk since first being calendared for a community board meeting in June of 2015; and

WHEREAS, this applicant was then approved the renewal of its full on-premise liquor license by Community Board 3 if it agreed to make as conditions of its liquor license a stipulation that it would 1) operate as a full-service restaurant, with a kitchen open and serving food during all hours of operation, 2) have hours of operation for its sidewalk café of 5:00 P.M. to 10:00 P.M. Mondays through Thursdays and 11:00 A.M. to 10:00 P.M. Fridays through Sundays, 3) close any front or rear façade doors and windows at 10:00 P.M. every night or during any amplified performances, including but not limited to DJs, live music and live nonmusical performances, 4) play ambient background music only, consisting of recorded music and DJs, which would be permitted Fridays and Saturdays only, and not have live music, promoted events, scheduled performances or any event at which a cover fee will be charged, 5) not have any unlimited drink specials and not offer free drinks, shots or pitchers, consistent with the law, 6) not apply for any alteration in its method of operation without first appearing before Community Board 3, 7) insure that there are no wait lines outside and designate an employee to oversee patron crowds and noise on the sidewalk and insure that patrons are not blocking the sidewalk, 8) conspicuously post this stipulation form beside its liquor license inside of its business, and 9) provide a telephone number for residents to call with complaints and immediately address any resident complaints; and

WHEREAS, this applicant did not sign the proposed stipulations regarding the use of its business, including its sidewalk café; and

WHEREAS, Community Board 3 has received additional complaints, including from an area resident and community board member, that drunken patrons block and disrupt sidewalk use for area residents; and

WHEREAS, an area resident and public community board member has observed that this café regularly exceeds its permitted size by an additional ten (10) to fifteen (15) tables, as evidenced by the attached video recordings; now

THEREFORE BE IT RESOLVED the Community Board 3 denies the renewal of the sidewalk café license for Becaf LLC, doing business as Poco, for the premise located at 33 Avenue B, at the corner of East 3rd Street and Avenue B.

4. No Malice Palace (197 Artichoke Corp), 197 E 3rd St btwn Aves A & B (op)

VOTE: TITLE: Community Board 3 Recommendation That Licensee Be Made To Operate Consistent With Its Method Of Operation Or Be Revoked

WHEREAS, 197 Artichoke Corp., doing business as No Malice Palace, is seeking a renewal of its full on-premise liquor license, for the premise located at 197 East 3rd Street, between Avenue A and Avenue B, New York, New York; and

WHEREAS, this applicant was heard for its original application for a full on-premise liquor license by Community Board 3 in May of 1997 and was approved after it represented that it would operate its proposed business as a full-service restaurant, with hours of operation of 5:00 P.M. to 4:00 A.M. all days, no commercial use of any outdoor areas, a kitchen and a full menu, a copy of which was tendered with its application (a copy of this application is hereto attached); and

WHEREAS, this applicant was then heard by Community Board 3 for the renewal of its full on-premise liquor license in February of 2008 because there had been resident complaints of noise from patrons and music and lack of oversight and control of patrons in front of the business and in its backyard and it was approved provided it agreed to stipulations to 1) use an installed limiter, 2) employ licensed security guards Fridays and Saturdays and other days as needed to control noise and crowds outside, 3) maintain crowds and noise in the front of the business and in the backyard, and 4) immediately address resident complaints; and

WHEREAS, five (5) longtime residents of the subject building, adjacent building and buildings on this street, appeared and stated that this business operates as a club, with velvet ropes, lines, bouncers and bottle service, that there are unruly crowds of patrons on the sidewalk every weekend and in the backyard, that the security guards employed by the business do not control the patrons outside and in the backyard, that there are fights on the street in front of the business almost every weekend, that the noise level from patrons and music is unbearable outside and in residential apartments, that patrons have been observed drinking alcohol in front of the business, that the unruly drunken patrons pass out or use drugs in the entrances of the apartment buildings or remain on the street and create unsafe and unsanitary conditions for residents of the building and that these intolerable conditions have persisted for the fifteen (15) years this business has operated with this method of operation;

WHEREAS, consistent with the complaints of residents, the webpage for this business advertises dancing, hours of operation of 6:00 P.M. to 2:00 A.M. Sundays through Thursdays and 6:00 P.M. to 4:00 A.M. Fridays and Saturdays and a backyard open to 11:00 P.M. all days; and

WHEREAS, the applicant conceded that it operates its business primarily Friday and Saturdays nights, requires at least one (1) security guard weekdays when open and three (3) to four (4) security guards on Fridays and Saturdays, has never installed a sound limiter and does not have an operating kitchen or food service at this business which it also stated when it was heard for the renewal of its liquor license with the same complaints in February of 2008; and

WHEREAS, the applicant also conceded that it had never applied to the SLA for a change in its method of operation from a restaurant to a tavern club although it stated that it would now legalize its method of operation by submitting an alteration application; and

WHEREAS, this applicant does not have a cabaret license which would permit dancing although it advertises dancing; and

WHEREAS, this business is located on a residential side street and its current operation as a club is incompatible with this location and has resulted in conditions which are dangerous to its patrons and area residents; and

WHEREAS, consistent with these complaints, the present licensee has sustained charges before the SLA on June 5, 2009, for disorderly premise, unlicensed security, at least two (2) prohibited sales and use of an unauthorized trade name; and

WHEREAS, also consistent with these complaints, the present licensee has received police summonses on February 7, 2014, for overcrowding, no public assembly permit and having only one (1) exit; and

WHEREAS, also consistent with these complaints, this applicant has received a Department of Environmental Protection violation in October of 2014 for excessive noise recorded in an apartment within the subject building; and

WHEREAS, consistent with the complaints of residents, this business has received fifty-six (56) 311 commercial noise complaints between October 30, 2014 and November 22, 2015, between 10:00 P.M. and 4:20 A.M., twenty (20) of which resulted in noncriminal action by the police to correct;

WHEREAS, although it submitted four (4) letters from residents in support of its business and stated that it has addressed individual resident complaints, these complaints are identical to those made in

February of 2008, and appear to be the direct result of the improper method of operation of this location as a club; and

WHEREAS, the applicant was notified by Community Board 3 that it cannot commercially operate its backyard without a valid certificate of occupancy for the backyard; now

THEREFORE, BE IT RESOLVED that Community Board 3 moves to deny the renewal of the full on-premise liquor license for 197 Artichoke Corp., doing business as No Malice Palace, for the premise located at 197 East 3rd Street, between Avenue A and Avenue B, New York, New York; and

THEREFORE BE IT FURTHER RESOLVED that Community Board 3 asks that the SLA either revoke the full on-premise liquor license for this applicant or enforce the method of operation for this applicant that was approved by the SLA as a restaurant with an operating kitchen, a full menu consistent with that of a restaurant and no commercial use of any outdoor areas.

Applications within Saturated Areas

5. To be Determined, 152 Ludlow St (op)
withdrawn

6. To be Determined, 131 Ave A btwn St Marks Pl & E 9th St (op)

VOTE: TITLE: Community Board 3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

WHEREAS, a corporation to be determined, with principals Robert Morgan and David Nicholas Ratner, was initially seeking a full on-premise liquor license to operate a New Orleans Cajun restaurant in the premise located at 131 Avenue A, between St. Marks Place and East 9th Street; and

WHEREAS, Community Board 3 was concerned about granting a full on-premise liquor license to this applicant given that 1) this application is for a full on-premise liquor license for a restaurant with hours of operation of 1:00 P.M. to 2:00 A.M. Sundays through Thursdays and 1:00 P.M. to 4:00 Fridays and Saturdays, in a location which has previously operated as a full-service restaurant with more moderate closing hours, 2) this location is within five hundred (500) feet of eighteen (18) full on-premise liquor licenses, ten (10) of which are on St. Marks Place, between First Avenue and Avenue A, 3) although three (3) people appeared in support of its application and the applicant furnished forty-four petition signatures and four (4) letter from residents in support of this application, nine (9) residents, as well as the North Avenue A Neighborhood Association, the 9th Street A-1 Block Association, the 182-184 Tenants Association and the East Village Community Coalition, appeared in or submitted opposition to this application because (a) of its proximity to so many to other licensed businesses, (b) this is an empty storefront where the previous tenant had been evicted so this is a new full on-premise liquor license application, (c) the other businesses operated by the applicant are cocktail bars, they believe that the applicant will operate a similar business at this location and there is no public benefit to the addition of a cocktail bar in a community which is now overserved by this business model, and (d) Avenue A is a narrow street with noise from vehicular traffic and people and crowds on the sidewalk because of existing nighttime licensed businesses; and

WHEREAS, the applicant has now agreed that it will first apply for a wine beer license for its business which will close no later than 12:00 A.M. Sundays through Thursdays and 2:00 A.M. Fridays and Saturdays, will serve a menu consistent with that of a full-service restaurant and given that it has experience operating three (3) licensed business; now

THEREFORE, BE IT RESOLVED that Community Board 3 moves to deny the application for a wine beer license for a corporation to be determined, with principals Robert Morgan and David Nicholas Ratner, for the premise located at 131 Avenue A, between St. Marks Place and East 9th Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

- 1) it will operate as a full-service New Orleans Cajun 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 Thursdays and 11:00 A.M. to 2:00 A.M. Fridays and Saturdays,
- 3) it will not commercially operate any outdoor areas,
- 4) it will close any front or rear façade doors and windows at 10:00 P.M. every night or during any amplified performances, including but not limited to DJs, live music and live nonmusical performances,
- 5) it will not employ any security guards consistent with its operation as a small full –service restaurant,

- 6) 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,
- 7) it will not apply for any alteration in its method of operation without first appearing before Community Board 3,
- 8) it will not seek a change in class of its liquor license to a full on-premise liquor license without first obtaining the approval of Community Board 3,
- 9) it may have "happy hours" to 8:00 P.M. each night but will not have unlimited drink specials accompanying meals,
- 10) it will not host pub crawls or party buses,
- 11) it will insure that there are no wait lines outside and designate an employee to oversee patrons and noise on the sidewalk and insure that there is no noise outside the business and that sidewalks are not blocked by patrons,
- 12) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 13) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

7. Il Mago (Bella 'Mbriana LTD), 234 E 4th St (wb)
withdrawn

8. Sweethaus (Kelaka Inc), 119 St Marks Pl (wb)
withdrawn

Sidewalk Cafe Application

9. Schnitz (DY Schnitz LLC), 177 1st Ave @ E 11th St

VOTE: TITLE: Community Board 3 Recommendation To Deny Unless Stipulations Agreed To—Change Order Attached

To approve the application for a sidewalk café permit for four (4) tables and twelve (12) seats for DY Schnitz LLC, doing business as Schnitz, for the premise located at 177 First Avenue, at the corner of East 11th Street, because the applicant has signed a change agreement which will become part of its DCA license that

- 1) its café will consist of four (4) tables and twelve (12) seats,
- 2) it will have hours of operation of 11:00 A.M. to 10:00 P.M. Sundays through Wednesdays and 11:00 A.M. to 11:00 P.M. Thursdays through Saturdays, and
- 3) it will extend an awning over its café while it is open.

Alterations

10. Russ & Daughters Cafe (FourthGen LLC), 127 Orchard St btwn Rivington & Delancey Sts (op/minor alt prior to opening to reflect final layout)

VOTE: TITLE: Community Board 3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

To deny the application for an alteration of the full on-premise liquor license for FourthGen LLC, doing business as Russ & Daughters Cafe, for the premise located at 127 Orchard Street, between Rivington Street and Delancey Street, to wit adding unamplified live music once a month, allowing for the display of liquor bottles behind its bar and reflecting that the final layout of the business includes a fourteen (14) foot bar as opposed to the originally planned twenty-eight (28) foot bar, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

- 1) it will operate as a full-service kosher-style dairy restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 8:00 A.M. to 12:00 A.M. all days,
- 3) it will not commercially operate any outdoor areas,
- 4) it will close any front or rear façade entrance doors at 10:00 P.M. every night and will otherwise have a closed fixed facade with no open doors or windows,
- 5) it will play ambient background music, consisting of recorded music, will not have DJs, promoted events, scheduled performances or any event at which a cover fee will be charged, but may have ambient live unamplified music one (1) night per month, provided said live music consists of no more than three (3) acoustic musicians and is played no later than 11:00 P.M.,
- 6) it will not apply for any alteration in its method of operation without first appearing before Community Board 3,
- 7) it will not have "happy hours,"
- 8) it will not host pub crawls or party buses,
- 9) it will designate an employee one of whose responsibilities will be to oversee patron crowds and noise on the sidewalk,
- 10) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 11) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

11. Russ & Daughters Cafe (FourthGen LLC), 127 Orchard St btwn Rivington & Delancey Sts op/add live music once a month/display liquor bottles
no vote necessary

12. Juke Bar (Maddsg LLC), 301 E 12th St on 2nd Ave btwn E 12th & E 13th Sts (op/add live music)

VOTE: TITLE: Community Board 3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

To deny the application for an alteration of the full on-premise liquor license for MADDSSG LLC, doing business as Juke Bar, for the premise located at 301 East 12th Street, a/k/a 196 Second Avenue, basement level, on Second Avenue between East 12th Street and East 13th Street, to wit adding unamplified live music once a week, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

- 1) it will operate as a tavern, 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 4:00 A.M. all days,
- 3) it will not commercially operate any outdoor areas,
- 4) it will have a closed fixed facade with no open doors or windows and its entrance door will remain closed at all times,
- 5) it will play recorded music and may have DJs and will not have promoted events, scheduled performances or any event at which a cover fee will be charged, but may have live unamplified music one (1) night per week, that being Sundays, provided said live music consists of no more than two (2) acoustic musicians, to wit guitarists, playing between 5:00 P.M. and 10:00 P.M.,
- 6) it will employ at least one (1) security guard Fridays and Saturdays and other nights, as needed,
- 7) it will not apply for any alteration in its method of operation without first appearing before Community Board 3,
- 8) it may have "happy hours" to 9:00 P.M. Thursdays through Tuesdays and all night Wednesdays,
- 9) it will not host pub crawls or party buses,
- 10) it will designate an employee to oversee patron crowds and noise on the sidewalk,
- 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

13. Turntable 50' and 60' (Vintage B Inc), 56-58 Ave B aka 235-237 E 4th St (wb/extend hours to 1am)
no vote necessary

New Liquor License Applications

14. The John Lamb (Delancey Square Hospitality LLC), 119 Orchard St (op)
withdrawn

15. Kuni's Ikinari Steak (Kuni's Corporation), 90 E 10th St (op)
withdrawn

16. Biang (Wen Zi Inc), 157 2nd Ave btwn E 9th & E 10th Sts (op)

VOTE: TITLE: Community Board 3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

Provided that this location is not within two hundred (200) feet of the St. Marks Church-in-the-Bowery, located at 131 East 10th Street, at the corner of East 10th Street and Second Avenue, Community Board 3 moves to deny the application for a full on-premise liquor license for Wen Zi Inc., with a proposed business name of Biang, for the premise located at 157 Second Avenue, 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 stipulations 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 11:00 A.M. to 11:00 P.M. Sundays through Thursdays and 11:00 A.M. to 12:00 A.M. Fridays and Saturdays,
- 3) it will not commercially operate any outdoor areas,
- 4) it will have a closed fixed facade with no open doors or windows,
- 5) 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,
- 6) it will not apply for any alteration in its method of operation without first appearing before Community Board 3,
- 7) it will not have "happy hours,"
- 8) it will not host pub crawls or party buses,
- 9) it will insure that there are no wait lines outside,
- 10) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 11) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints

Community Board 3 is approving this application for a full on-premise liquor license although this is a location in an area with numerous full on-premise liquor licenses because 1) this applicant has had five (5) years' experience operating an unlicensed take out restaurant in this neighborhood and experience operating a restaurant with a wine beer license in Flushing, and 3) this location has operated as a restaurant with a full on-premise liquor license since 2007.

17. Eldridge Hospitality LLC, 105-107 Eldridge St (op)
withdrawn
18. Numero 28 (La Meridiana I LTD), 176 2nd Ave (upgrade to op)
withdrawn
19. 174 Rivington Street Corp, 174 Rivington St (op)
withdrawn
26. Villa Cemita Inc, 50 Ave A btwn E 3rd & E 4th Sts (wb/legalize alt)

VOTE: TITLE: Community Board 3 Recommendation To Deny

WHEREAS, Villa Cemita Inc. is applying for an alteration of its wine beer license for its restaurant, doing business as Villa Cemita, at the premise located at 50 Avenue A, between East 3rd Street and East 4th Street; and

WHEREAS, this applicant was denied a wine beer license by Community Board 3 in December of 2014 unless is agreed to make as conditions of its stipulation that it would 1) operate as a full-service restaurant, with a kitchen open and serving food during all hours of operation, 2) have hours of operation of 7:00 A.M. to 12:00 A.M. all days, 3) not commercially use any outdoor space, 4) install soundproofing, 5) close any façade doors and windows at 10:00 P.M. every night or during any amplified performances, including but not limited to DJs, live music and live nonmusical performances, 6) play recorded background music and not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged, 7) not apply for an alteration without first appearing before Community Board 3, 8) not seek a change in class of its liquor license to a full on-premise liquor license without first obtaining the approval of Community Board 3, 9) not host pub crawls or party buses, 10) not have happy hours, 11) not have wait lines outside, 12) conspicuously post its stipulation beside its licenses inside its business, and 13) provide contact information for resident complaints and immediately respond to any resident complaints; and

WHEREAS, prior to being approved by Community Board 3 in December of 2014, neighborhood residents, concerned that this location had been licensed in the 1990s and had housed a tavern whose operation resulted in numerous complaints of noise, met with this applicant to insure that it would operate consistent with its proposed method of operation as a family restaurant with a small rear bar and, after meeting with the applicant, agreed to support its application for a wine beer license with the above stipulations; and

WHEREAS, this applicant was heard for this application in both November and December of 2015; and

WHEREAS, prior to November of 2015, neighboring residents complained that this applicant had removed the small bar on the rear wall of the business and installed a larger bar in the front of its business without notice to the community board, inconsistent with its stipulations and contrary to the plans it proposed when it first met with residents; and

WHEREAS, there had been no notice of alteration to Community Board 3 for the stand-up sixteen (16) foot by nine (9) bar with eleven (11) stools prior to its installation by the applicant in the front of its business; and

WHEREAS, the applicant was notified of this illegal alteration by Community Board 3 and has since submitted the notice of alteration, which also includes an intention to add a happy hour and to open four (4) hours later than its original stipulations reflect, for which this motion has been made; and

WHEREAS, neighboring residents have complained that this applicant has been operating contrary to its agreed upon stipulations and the conditions of its license, in that this applicant 1) altered its premise without first appearing before Community Board 3, 2) operates later than 12:00 A.M., 3) leaves it façade open later than 10:00 P.M., 4) plays loud entertainment level music heard by neighboring residents, 5) has not posted its stipulations, and 6) advertises drink specials and promotions contrary to its method of operation as a family restaurant (see photographs attached hereto); and

WHEREAS, neighboring residents have complained that this applicant has been violating the Alcohol Beverage Control Law, in that it advertises and sells alcohol and mixed drinks containing alcohol,

although it has only a wine beer license, and promotes contests with free alcohol as awards (see photographs attached hereto); and

WHEREAS, although the applicant stated to Community Board 3 that she is serving wine-based tequila, rum and vodka in lieu of alcohol and stated that the wine-based nature of the drinks served is advertised in her menus, an employee and a board member of the community board, both of whom have patronized this establishment as area residents on separate occasions, have purchased what they believed to be tequila-based margaritas and tequila shots at this business, and further, on at least one of those occasions, the bartender at this business represented that the margarita he prepared included tequila; and

WHEREAS, as of December 7, 2015, the webpage for this business did not reflect that any apparently alcoholic drinks were wine-based in nature and YELP reviews for this business refer to the alcoholic drinks; and

WHEREAS, Community Board 3 received additional resident complaints in December of 2015, including a complaint from another community board member, for loud music emanating from the open façade of this business, , as well as additional resident complaints about the façade and the business being open past 10:00 P.M. and the business being open past 12:00 A.M.; and

WHEREAS, in response to these complaints, the applicant submitted a map reflecting that it had received no 311 calls and submitted petition signatures from several residents and commercial tenants from its building in support of its business; and

WHEREAS, the applicant conceded that it has already been advertising on its website and hosting happy hours and that its website does not now include information that its drinks are wine-based; now

THEREFORE, BE IT RESOLVED that Community Board 3 moves to deny the application for an alteration of the wine beer license for Villa Cemita Inc, doing business as Villa Cemita, for the premise located at 50 Avenue A, between East 3rd Street and East 4th Street, to wit legalizing the already installed stand-up bar for which no notice was sent to Community Board 3 prior to this alteration, changing its hours and adding happy hours; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 asks that the SLA investigate and penalize Villa Cemita Inc, doing business as Villa Cemita, for the premise located at 50 Avenue A, between East 3rd Street and East 4th Street, for violations of the conditions of its liquor license, as well as violations of the Alcohol Beverage Control Law.

Items not heard at Committee

- 20. Wu's Wonton King (Wu's Wonton King Inc), 165 E B'way (wb)
no votes necessary
- 21. Tasty Hand-Pulled Noodle Inc, 1 Doyers St (wb)
no votes necessary
- 22. Akina Sushi Inc, 424 E 14th St (wb)
no votes necessary
- 23. Jasmine Concept Inc, 11 Mott St (wb)
no votes necessary
- 24. New Arping Restaurant Inc, 45 Division St (wb)
no votes necessary
- 25. 114 Bagel & Grill Inc, 114 3rd Ave (b)
no votes necessary

35 YES 0 NO 0 ABS 0 PNV MOTION PASSED (SLA excluding items 4, 26)

34 YES 1 NO 0 ABS 0 PNV MOTION PASSED (SLA item 4)

34 YES 1 NO 0 ABS 0 PNV MOTION PASSED (SLA item 6)

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

- 1. Approval of previous month's minutes
no votes necessary / approved by committee
- 2. Proposal for Parks Dept to exempt voter registration with small tables from permitting procedure
VOTE: TITLE: Voter Registration Permit Exemption in Parks

Whereas, Community Board 3 is sensitive to historical and current events in our country that create obstacles for people registering to vote, especially people of color, and

Whereas, CB 3 has a history of enthusiastically encouraging voter registration in all areas of our community including inside parks and park areas outside parks, and

Whereas, voter registration activity is often performed by volunteers or nonprofit organizations outdoors when time and weather permit, and

Whereas a tabling permit costs \$25.00 and two week advance submission of a permit application is required, which is a great disincentive to engage in this activity, and

Whereas people engaged in voter registration often use small tables that do not cause any safety or access problems, and

Whereas Community Board 3 believes in encouraging voter registration, especially in public places such as parks, and

Whereas Parks Department can exempt voter registration tabling from permitting as it does with parks volunteers, so

Therefore be it resolved, that Community Board 3 requests that the Department of Parks and Registration exempt the permit requirement for voter registration tabling as long as the table does not create any safety or accessibility problems.

3. NYC Community Garden Coalition Informational presentation: 'Gardens Rising' resiliency program in CB3 community gardens
no votes necessary
4. Identification of parks to consider for workshop with Parks dept in January and then nominate for funding as Parks without Border project

VOTE: TITLE: Support for Seward Park as a Candidate for Parks Without Borders Program

Whereas, NYC Parks announced the Parks Without Borders program, which will award 8 parks around the City with capital grant funding for improvements, and

Whereas, the criteria for eligible parks to be considered for Parks Without Borders are very specific, including but not limited to adjacent plazas and other city owned spaces that could potentially be combined and programmed together with park land for improved uses and entrances, and

Whereas, the only park eligible under such criteria in CB 3 is Seward Park, and

Whereas, NYC Parks indicated Seward Park would be an extremely viable candidate for the program, and

Whereas, utilizing Parks Without Borders for Seward Park capital improvements will free up scarce discretionary funding for other parks in great need of capital funds in our district, so

Therefore be it resolved, CB3 endorses and selects Seward Park as its candidate for the Parks Without Borders program.

5. Report from Arts Subcommittee
no votes necessary

Block Party

6. Chinese New Year Celebration, E B'way (Chatham Sq & Market St), 2/20/16
no votes necessary

35 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Landmarks Committee

1. 66 Allen Street aka 315 Grand Street: Proposal is for restoration of Allen Street and Grand Street facades, construction of a small rooftop enlargement (Item numbers 17-6559 and 17-6697)

VOTE: TITLE: Approval of a Certificate of Appropriateness (CofA) application for 66 Allen Street aka 315 Grand Street (Block 308, Lot 14) including restoration of the Allen Street and Grand Street facades and construction of a small rooftop enlargement

Community Board 3 approved the Certificate of Appropriateness application for full restoration of the former Ridley's Department Store building at 66 Allen Street aka 315 Grand Street and construction of a penthouse rooftop addition.

WHEREAS, the EDWARD RIDLEY & SONS DEPARTMENT STORE BUILDINGS at 315-317 Grand Street (aka 66-68 Allen Street) and 319-321 Grand Street (aka 65 Orchard Street) were built 1886 by architect Paul F. Schoen with iron elements cast by Jackson Architectural Iron Company; and

WHEREAS, this CofA application is for the portion of the landmark site known as 315 Grand Street aka 66 Allen Street and does not include the separately owned building at 319-321 Grand Street; and

WHEREAS, the Grand Street façade is cast iron in the Classical Revival style, with iron bays incorporating columns, keystones, pilasters and decorative relief panels, and the large windows appropriate to a department store; and

WHEREAS, the Allen Street facade is in the Art Deco style and was added in 1931-34 by architect John N. Linn, after the building originally located at the corner of Grand Street and Allen Street was demolished for widening of Allen Street; and

WHEREAS, the full restoration of the building is being undertaken in pursuit of a ZR 74-711 special permit allowing change of use from office to residential use; and

WHEREAS, the applicant will be required to file a "restrictive declaration" with the Department of City Planning, documenting a program for continued maintenance of the landmark building; and

WHEREAS, restoration of the Grand Street façade will include repair or replacement of the original cast iron, installation of new large wooden windows similar in size to the original department store windows, and installation of appropriate storefronts; and

WHEREAS, restoration of the Allen Street façade will include repair and repointing of the brick and repair or replacement of the cast stone elements, as well as replacement of the windows and the entrance door; and

WHEREAS, the penthouse rooftop addition will be not be visible from the street, except minimally from the west on Grand Street and the west side of Allen Street; and

WHEREAS, the extensive use of glass in the penthouse and the use of cladding in a color similar to that of the Allen Street façade will minimize the visual impact of the addition; so

THEREFORE BE IT RESOLVED, Community Board 3 approves the Certificate of Appropriateness application for 315 Grand Street/66 Allen Street for a full restoration of the historic building and a consequent 74-711 special permit calling for the perpetual maintenance of the landmark.

2. Certificate of Appropriateness application for 11 East 3rd Street for new parking lot (Item Number 17-8606)

VOTE: TITLE: Table until CB3 has sufficient information regarding the legality of the use of 11 East 3rd Street (rear of 62 East 4th Street) in the East Village/Lower East Side Historic District as a parking lot

WHEREAS, 11 East 3rd Street is a vacant lot behind the building at 62 East 4th Street in the East Village/Lower East Side Historic District; and

WHEREAS, 62 East 4th Street was built in 1889 by architect/builder Max Schroff in the Queen Anne Style; and

WHEREAS, creation of the parking lot will alleviate the current rubble, trash, and rodent conditions at the empty lot; and

WHEREAS, the current chain-link fence will be replaced by an iron fence; and

WHEREAS, the paving will be "Landmark Grey"; and

WHEREAS, the applicant has agreed to create an entrance at the rear west wall to allow for emergency egress from the buildings at 56, 58 and 60 East 4th Street and 9 East 3rd Street; so

THEREFORE BE IT RESOLVED, Community Board 3 tables the matter until it has sufficient information regarding the legality of the use of 11 East 3rd Street in the East Village/Lower East Side Historic District as a parking lot.

There was discussion of the additional information that can be gained by next month regarding whether the property can be rented.

3. Proposal to landmark Provident Loan Society Building at 223-225 East Houston Street

VOTE: TITLE: Resolution supporting the Request for Evaluation submitted by Mr. Emanuel to landmark the Provident Loan Society Building at 223-225 East Houston Street (Block 412, Lot 61)

Community Board 3 resolved to support the Request for Evaluation for the Provident Loan Society building at 223-225 East Houston Street.

WHEREAS, the Provident Loan Society building was constructed in 1912 by the noted architectural firm Renwick, Aspinwall, & Tucker; and

WHEREAS, the Provident Loan Society was created to foster loans for less fortunate New Yorkers by pawning their valuables; and

WHEREAS, the Provident Loan Society building at 223-225 East Houston Street is of architectural, cultural, and historical significance; and

WHEREAS, the building was owned by the artist Jasper Johns from 1966 to 1988; and

WHEREAS, the applicant presented an online petition with more than 200 signatures in support of designation; and

WHEREAS, the current building owners are to be commended for their careful stewardship of the historic building over the past 40 years; and

WHEREAS, CB3 notes that the LPC in responding to the RFE may or may not proceed with landmark designation; and

WHEREAS, the committee asks the Landmarks Preservation Commission to consider the appropriateness of the proposed 12-story addition as part of the designation process; so

THEREFORE BE IT RESOLVED, Community Board 3 supports the Request for Evaluation and a process leading to calendaring of the building for Landmarks Designation, with the proviso that the current plans for a 12-story building be given due consideration.

4. Requests for support for landmarks designation: discussion of policies, procedures, forms
no votes necessary

35 YES 0 NO 0 ABS 0 PNV MOTION PASSED (Landmarks item 2)

35 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding Landmarks items 2)

Land Use, Zoning, Public & Private Housing Committee

1. Approval of previous month's minutes
no votes necessary / approved by committee

2. Development team: Update on Essex Crossing
no votes necessary

3. BSA application for a special permit for physical culture establishment (PCE) at 98 Ave A

VOTE: TITLE: Approval of the BSA application for establishment of a PCE (Blink) at 98 Avenue A

Whereas physical culture or health establishments require a BSA special permit pursuant to ZR 73-76; and

Whereas the proposed use of the cellar and first floor by Blink Fitness 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, body building, weight reduction, and aerobics; and

Whereas the remainder of the building remains available for residential use; and

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

Therefore be it resolved that Community Board 3 approves the BSA special permit application by Blink to operate a physical culture establishment in the cellar and first floor of 98 Avenue A, Manhattan (Block 402, Lot 3).

4. EDC Informational presentation: Williamsburg Bridge Trolley Terminal-- Request for Expression of Interest

VOTE: TITLE: Request that EDC rescind the Request for Expression of Interest to allow for Community Board input

Whereas CB 3 is concerned that the Williamsburg Bridge Trolley Terminal site may be used for a purpose that would encourage luxury development and displacement of low income residents; and

Whereas CB 3 has prior successful experience working with EDC and other agencies on the SPURA project, resulting in the RFP for what has become Essex Crossing; and

Whereas CB 3 is concerned that the selected project may not meet the needs of the surrounding community, which, after the completion of Essex Crossing, will include of a wide range of income levels; and

Whereas CB 3 is aware of one candidate for the site (the Lowline) and has previously expressed general support for that use; and

Whereas this request to rescind the RFEI does not imply approval or disapproval of the Lowline or any other proposed project; and

Whereas EDC did not discuss the potential RFEI with the community board prior to its issuance; and

Whereas CB 3 has had no time to review the RFEI prior to its issuance on 11/23; and

Whereas EDC did not seek to post the text of the RFEI on the CB 3 website prior to the committee meeting; so

Therefore be it resolved that EDC rescind the RFEI to allow for a community board discussion of guidelines for the future utilization or disposition of the property.

5. Discussion of CD 3 rezoning based on CWG proposal
no votes necessary

35 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding Land Use item 4)
34 YES 0 NO 0 ABS 1 PNV MOTION PASSED (Land Use item 4)

Members Present at Last Vote:

David Adams	[P]	Luke Henry	[P]	Nancy Ortiz	[A]
Yaron Altman	[P]	Herman F. Hewitt	[A]	Carolyn Ratcliffe	[P]
Dominic Berg	[A]	Trever Holland	[P]	Damaris Reyes	[A]
Karen Blatt	[P]	Anne K. Johnson	[P]	Carlina Rivera	[P]
Lisa Burriss	[P]	Linda Jones	[P]	James Rogers	[P]
Melvin Cartegena	[A]	Vaylateena Jones	[P]	Richard F. Ropiak	[P]
Karlin Chan	[A]	Meghan Joye	[P]	Christopher Santana	[P]
MyPhuong Chung	[A]	Lisa Kaplan	[P]	Susan Scheer	[P]
David Crane	[A]	Carol Kostik	[P]	Laryssa Shainberg	[P]
Enrique Cruz	[P]	Ben Landy	[A]	Wilson Soo	[P]
Cathy Dang	[A]	Mae Lee	[P]	Nancy Sparrow-Bartow	[P]
Eric Diaz	[P]	Alysha Lewis-Coleman	[P]	Josephine Velez	[P]
Leila Eliot	[A]	Gigi Li	[P]	Rodney Washington	[A]
David Ford	[P]	William LoSasso	[P]	Kathleen Webster	[P]
Debra Glass	[P]	Chad Marlow	[P]	Thomas Yu	[A]
Jan Hanvik	[P]	Alexandra Militano	[P]	Zulma Zayas	[P]
Dan Ping He	[A]	Chiun Ng	[P]		

Meeting Adjourned