



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

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

Jamie Rogers, Board Chair

Susan Stetzer, District Manager

Community Board 3 Board Meeting Agenda

Tuesday, July 26, 2016 - 6:30pm
Cooper Union Rose Auditorium, 41 Cooper Square

Those wishing to speak should fill out a speaker's form. Each speaker may speak for 2 minutes.

- A. Public Session 6:30pm - 7:30pm

- B. Elected Officials Reports:
 - Mayor Bill de Blasio Tommy Lin
 - Public Advocate Letitia James Adam Chen
 - Comptroller Scott Stringer Anas Uddin
 - Borough President Gale Brewer Drew Lombardi
 - Congressmember Carolyn Maloney Victor Montesinos
 - Congressmember Nydia Velazquez Iris Quinones
 - Assemblymember Alice Cancel Monica Guardiola
 - Assemblymember Deborah J. Glick Charlie Anderson
 - Assemblymember Brian Kavanaugh Edward Cerna
 - State Senator Daniel L. Squadron Mauricio Pazmino
 - State Senator Brad M. Hoylman Sejal Singh
 - Councilmember Margaret Chin Vincent Fang
 - Councilmember Rosie Mendez Sheila Rodriguez

- C. Roll call and approval of minutes for May 2016

- D. Board Reports:
 - Board Chair's Report Jamie Rogers
 - District Manager's Report Susan Stetzer

- E. Committee Reports & Voting On Recommendations:
 - 1. Executive Committee Jamie Rogers
 - 2. Land Use, Zoning, Public & Private Housing MyPhuong Chung
 - 3. Health, Seniors, & Human Services Vaylateena Jones
Youth, Education, & Human Rights
 - 4. Economic Development David Ford
 - 5. Transportation & Public Safety / Environment Karen Blatt
 - 6. SLA & DCA Licensing Committee Alexandra Militano
 - 7. Parks, Recreation, Cultural Affairs, & Waterfront Trevor Holland
 - 8. Landmarks Linda Jones
 - 9. FY 2018 District Needs Statement

- F. Old Business

- G. New Business

- H. Adjournment

Next Community Board 3 Meeting
Thursday, September 27, 2015 - 6:30pm
Public School 20, 166 Essex Street



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July 2016 Vote Sheet

Executive Committee

no votes necessary

Land Use, Zoning, Public & Private Housing Committee

1. Approval of previous month's minutes
no vote necessary / approved by committee
2. BSA: Presentation on assessment and approval of variance applications
no vote necessary
3. FY'18 District Needs Statement
VOTE: To approve the FY'18 District Needs Statement, including the statement by the Public Housing & Section 8 Housing Subcommittee.
4. Development team: Update on Essex Crossing
no vote necessary
5. 421a application for 115 Delancey St: 195 newly constructed Class A residential rental units
VOTE: TITLE: Resolution to Support the 421-A application for Preliminary Certificate of Eligibility for 115 Delancey Street at Essex Crossing Site 2

WHEREAS, the building to be developed at 115 Delancey Street includes 195 residential units, of which 50% are permanently affordable, as well as three floors of commercial space to include the new Essex Street Market, a movie theater, and a portion of the "market line"; and

WHEREAS, the affordable units will be distributed among all floors of the building, with the exception of 7 (the first residential floor); and

WHEREAS, the in-building amenities available to market-rate tenants will also be affordable for those tenants in affordable units; and

WHEREAS, during construction a liaison will be available for residents to contact to address issues; and

WHEREAS, local hiring will be encouraged for positions made available during construction and in the building; and

WHEREAS, in consideration of residents of neighboring buildings, all outdoor spaces will be closed by 10 pm; so

THEREFORE BE IT RESOLVED that Community Board 3 approves the 421-A application for Preliminary Certificate of Eligibility for 115 Delancey Street at Essex Crossing Site 2

6. Certification of No Harassment – 104 E 10th St
no vote necessary
7. EDC: Update on RFEI for Williamsburg Bridge Trolley Terminal (under Delancey Street by Delancey/Essex subway)
no vote necessary
8. Request for BSA variance 2016-4183-BZ: to modify floor area, height, setback of proposed construction of a mixed residential and commercial building at 432-438 E 14th Street a/k/a 435-445 E 13th Street
VOTE: TITLE: To deny application for a BSA variance 2016-4183-BZ: to modify floor area, height, and setback of proposed construction of a mixed residential and commercial building at 432-438 E 14th Street a/k/a 435-445 E 13th Street

WHEREAS, the proposed project at 432-438 E 14th Street a/k/a 435-445 E 13th Street is a mixed-use residential and commercial building at 432 E 14 St, and

WHEREAS, the proposed project would contain 155 dwelling units (including 31 affordable units) and approximately 98,100 square feet of retail space on ground floor and cellar level, and

WHEREAS, the proposed project would utilize 3,970 square feet of air rights from 219 Avenue A, which is a 5-story residential building, and

WHEREAS, with the requested variance the E. 13 street portion of the building would be 8 stories in height and the E 14 portion of the building would be 12 stories in height, and

WHEREAS, the applicant seeks to facilitate the project by seeking a bulk variance pursuant to Zoning Resolution Section 72-21 to waive the floor area requirements of ZR Section 23-145 and both the height and setback requirements of ZR Section 35-24, and

WHEREAS, the current site has FAR of 4.0, maximum street wall height of 65' and maximum building height of 80', while the proposed project would be developed to an FAR of 5.06, and the E 14 Street portion of the building would rise to a height of 124' with a partial setback at 103', and

WHEREAS, there is currently financing on the project implying that there was financial viability for the as of right option; and

WHEREAS, the proposed height increase from 8 stories to 12 stories on 14th Street would alter the essential character of the neighborhood; and

WHEREAS, though the applicant presented an alternate massing that shows a lesser variance, and claims this option as unfeasible, the CB remains unconvinced the proposed variance is the minimum required necessary to afford relief, due to the additional 20 feet available in the rear yard in their proposal, so

Therefore be it resolved, Community Board 3 denies the application for BSA variance 2016-4183-BZ: to modify floor area, height, and setback of proposed construction of a mixed residential and commercial building at 432-438 E 14th Street a/k/a 435-445 E 13th Street, and

Be it further resolved, in order to protect the quality of life of the neighboring residents, CB 3 requests that the developer close the roof at 10 pm and enforce quiet hours in all outdoor spaces after 10 pm.

9. Chinatown/LES rezoning proposal update
no vote necessary
10. Lowline Update: community engagement efforts and youth education/mentorship initiative
no vote necessary
11. Strategies to address predatory equity in CD3
no vote necessary
12. Report from Public Housing Subcommittee
no vote necessary

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

1. Approval of previous month's minutes (May & June)
no vote necessary / approved by committee
2. FY'18 District Needs Statement
VOTE: To accept the district needs statement as amended.
3. Response to Beth Israel / Mount Sinai briefing on downsizing/relocation of hospital
no vote necessary
4. Discussion of Committee members taking on "lead roles"
no vote necessary

Economic Development Committee

1. Approval of previous month's minutes
no vote necessary / approved by committee
2. FY'18 District Needs Statement
VOTE: Approved with friendly Amendment – no quorum present
3. Special District: recap of proposed plan, efforts to date, and next steps
no vote necessary

Transportation & Public Safety and Environment Committee

1. Approval of previous month's minutes
no vote necessary / approved by committee
2. FY'18 District Needs Statement

VOTE: To approve district needs statement with changes.

3. Hester Street / DOT public art installation at the South Street Greenway median project
no vote necessary
4. Safety measures at Clinton & Broome intersection

VOTE: TITLE: Support for Pedestrian Safety and Traffic Calming Measures at Intersection of Clinton and Broome Streets

WHEREAS, the construction on site 5 of Essex Crossing has closed the west sidewalk on Clinton Street and pedestrians are walking in the two-way bike lane, which is an unsafe condition, and;

WHEREAS, the construction is estimated to continue through February of 2018, and;

WHEREAS, the installation of a crosswalk will help guide pedestrians across the street at Broome and Clinton streets on the south side of the intersection; so

THEREFORE BE IT RESOLVED, the CB3 asks NYCDOT to conduct an expedited warrant analysis in order to determine if a traffic control device may be installed, and;

FURTHER BE IT RESOLVED, that if the intersection does not meet the threshold for a traffic control device, CB3 strongly believes that some measures must be taken to protect pedestrians at that location, such as the installation of an enhanced crosswalk which does not require a warrant analysis.

SLA & DCA Licensing Committee

1. Approval of previous month's minutes
no vote necessary / approved by committee
2. FY'18 District Needs Statement

VOTE: To approve the SLA/DCA Licensing Committee section of the FY'18 District Needs Statement as amended.

Applications within Saturated Areas

3. Casual Hospitality LLC, 509 E 6th St btwn Aves A & B (op)

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

To deny the application for a full on-premises liquor license for Casual Hospitality LLC, for the premise located at 509 East 6th Street, between Avenue A and Avenue B, 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 American restaurant, with a kitchen open and serving food to within one (1) hour of closing and having food service during all hours of operation,
- 2) its hours of operation will be 5:00 P.M. to 2:00 A.M. Mondays through Fridays and 11:00 to 2:00 A.M. Saturdays and Sundays,
- 3) it will close any front 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, and it will keep any doors and windows in its rear enclosure closed at all times,
- 4) it will not commercially operate any outdoor areas,
- 5) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged, and it may have private parties up to six (6) times per year,
- 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 not have unlimited drink specials with food,
- 10) it will not have wait lines outside and will designate an employee responsible to oversee patrons on the sidewalk and ensure no crowds or noise outside,
- 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

Community Board 3 is approving this application for a full on-premises liquor license although this is a location in an area with numerous full on-premises liquor licenses because 1) this applicant has experience operating numerous licensed businesses without complaints within this community board district, 2) the applicant has demonstrated support for this application, in that it has furnished fifty-two (52) signatures from area residents in support of its application, and 3) there is an existing restaurant at this location with a full on-premises liquor license.

4. 98 Favor Taste Restaurant Inc, 37 St Marks Pl btwn 2nd & 3rd Aves (wb)

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

To deny the application for a wine beer license for 98 Favor Taste Restaurant Inc., for the premise located at 37 Saint Marks Place, between Second Avenue and Third Avenue, 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 and Korean 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. all days,
- 3) 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,
- 4) it will not commercially operate any outdoor areas,
- 5) it will play ambient background music only, consisting of recorded music, and will 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 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,
- 8) it will not have "happy hours,"
- 9) it will not host pub crawls or party buses,
- 10) it will not have unlimited drink specials with food,
- 11) it will not have any standup bar, service bar or televisions,
- 12) it will not have wait lines outside and will designate an employee responsible to oversee patrons on the sidewalk and ensure no crowds or noise outside,
- 13) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 14) 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 wine beer license although this is a location in an area with numerous liquor licenses because 1) this applicant has experience operating two (2) licensed businesses with similar methods of operation, one (1) of which is within this community board district and has operated without complaints, and 2) the business will operate as a restaurant with early closing times.

Alterations

5. Vintage B Inc, 56-58 Ave B (aka: 235-237 E 4th St) (wb/alt/extend closing hours to 1am all days) withdrawn
6. Freedom for Ukraine LLC, 136 2nd Ave (op) withdrawn
7. To be Determined, 511 E 12th St btwn Aves A & B (op)

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

WHEREAS, a corporation to be determined, with principal Edgar Villongco, initially appeared before Community Board 3 seeking a full on-premises liquor license to operate a French Swiss restaurant, with a proposed business name of La Vraie, in the premises located at 511 East 12th Street, between Avenue A and Avenue B; and

WHEREAS, Community Board 3 was concerned about granting a full on-premises liquor license to this applicant given that 1) this location is in the middle of a residentially zoned side street, 2) this location is within five hundred (500) feet of twelve (12) full on-premises liquor licenses, 3) the applicant has no experience operating a licensed business and limited experience operating a restaurant, in that he has operated a small unlicensed restaurant, located at 195 Avenue A, since February of 2015, 4) there was opposition from the East 12th Street Block Association and the North Avenue A Neighborhood Association to the granting of

a full-liquor license for this location because of the number of other licensed businesses in the area, the lack of experience of this applicant in operating either a licensed or similar business and the lack of public benefit; and

WHEREAS, given the concerns of Community Board 3, the applicant has now agreed that it will apply for a wine beer license for this 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 principal Edgar Villongco, with a proposed business name of La Vraie, for the premises located at 511 East 12th Street, between Avenue A and Avenue B, 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 Swiss and French 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 11:00 P.M. Mondays through Thursdays, 10:00 A.M. to 12:00 A.M. Fridays and Saturdays and 10:00 A.M. to 10:00 P.M. Sundays,
- 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 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 seek a change in class to a full on-premises liquor license without first obtaining the approval of Community Board 3,
- 8) it will not have happy hours,
- 9) it will not host pub crawls or party buses,
- 10) it will not have unlimited drink specials with food,
- 11) it will insure that there are no wait lines outside and will designate an employee to oversee patrons and noise on the sidewalk,
- 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.

8. The Katiroll Company (TKRC 5 LLC), 128 2nd Ave (wb)
no vote necessary

Items not heard at Committee

9. New Arping Restaurant Inc, 45 Division St (wb/corp change)
no vote necessary
10. River Coyote LLC, 121 Ludlow St (wb)
no vote necessary
11. Sushi Restaurant (Golden Dragon MIA 999 Inc), 109 Madison St (wb)
no vote necessary
12. Dumpling Man (New Dumpling Man Inc), 100 St Marks Pl (wb)
no vote necessary

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

1. Approval of previous month's minutes
no vote necessary / approved by committee
2. FY'18 District Needs Statement
VOTE: To approve the District Needs Statement
3. Request for support by the LES Tenement Museum for the New York Main Street Program Downtown Anchor Project grant to further enhance the Visitors and Education Center.
VOTE: TITLE: Support for the Lower East Side Tenement Museum's application to the New York Main Street Downtown Anchor Program

WHEREAS, the Lower East Side Tenement Museum desires to apply for \$500,000 in financial assistance through the 2016 Consolidated Funding Application (CFA) under the New York Main Street Downtown Anchor Program; and

WHEREAS, the application proposes funding to conduct interior and exterior renovations of 103 Orchard Street, the Museum's Visitor and Education Center; and

WHEREAS, the proposed funding will contribute to ongoing community revitalization efforts expanding the Lower East Side Tenement Museum's capacity as a tourist organization and cultural anchor; and

WHEREAS, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located.

NOW, THEREFORE, BE IT RESOLVED, that the Community Board 3 of New York City approves and endorses the 2016 New York Main Street Downtown Anchor Program for assistance prepared and to be submitted by the Lower East Side Tenement Museum.

4. Expansion of Tompkins Square Greenmarket

VOTE: TITLE: Support for Expansion of the Tompkins Square Greenmarket

WHEREAS, the Tompkins Square Farmer's Greenmarket is a very busy market well used by the community and;

WHEREAS, the Greenmarket is proposing to expand by six more vendors at 8th St; so

THEREFORE BE IT RESOLVED, that Community Board 3 supports the expansion of the Tompkins Square Greenmarket that serves our community.

5. Construction of courts at Hamilton Fish Park

no vote necessary

6. Parks Manager report

no vote necessary

7. Report from Arts Subcommittee

no vote necessary

Block Party

8. Neighborhood Preservation Center, 8/14/2016, St. Mark's Historic Landmark Fund, 11th Street (Second Avenue)

withdrawn

FY 2018 District Needs Statement

VOTE: To approve the District Needs Statement as amended.