



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

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Alysha Lewis-Coleman, Board Chair

Susan Stetzer, District Manager

May 2021 Full Board Minutes

Meeting of Community Board 3 held on Tuesday, May 25, 2021 at 6:30pm via Zoom.

Public Session:

SLA Item #18

Diem Boyd wishes to deny the application and request friendly amendments for the resolution.

David Troutman a CB3 resident would like to deny the application and its proposed nightclub request.

Patrick Walsh is against the application of The Cock for reasons including an existing oversaturation of nightlife within that requested neighborhood

Daniel Tainow is in support of the SLA committee resolution to deny the application.

Mark Osborne willing to amend his 161 Ludlow Street application for the full board's approval. Amendments will be incorporated in the resolution

Vaylateena Jones LES Power Partnership expressed concerns there are lack of local pop up vaccinations sites for bodega workers, supermarkets and food stores in CB3.

Public Officials:

Mayor Bill de Blasio, Andrew Kunkes:

Public Advocate Jumaane Williams, Phillip Ellison:

Comptroller Scott Stringer, Luke Wolf:

COVID 19 recovery center is announced – a one stop shop website for NYers to find out what programs they are eligible for (in English, Spanish and other languages). 500 MWBE businesses did have to lay off workers after a survey was collected by the NY Comptroller's office and will be working on ways to support these businesses.

Borough President Gale Brewer, Brian Lewis:

Provided report. Business Recovery Initiative supports Small Businesses in Manhattan below 59th Street. Supports legislation to bring a NYCHA liaison within DFTA. Office is working to finalize community board appointments by end of May.

Congressmember Nydia Velazquez, Lingxia Ye:

Fought to bring more funding to the NY State which includes program funding through the American Rescue Plan for Education and Rental Assistance. FEMA is providing funeral cost assistance directly through FEMA website which Congresswoman office is happy to help for residents apply to.

Congressmember Carolyn Maloney, Victor Montesinos:

Provided Congressmember report.

Assemblymember Yuh-Line Niou, James Lu:

Women mental health forum was hosted, Asian American and Pacific Islander Celebration hosted at Confucius Plaza this past Sunday honoring organizations like Vision Urbana, Inc. and community leaders, Asian violence and prejudice continues to be an issue and Assembly member will continue to provide support and advocacy for CB3 Asian residents.

Assemblymember Deborah J. Glick, Charlie Anderson:

Provided Assembly member report.

Assemblymember Harvey Epstein, Aura Olavarria:

Provided Assembly member report and answered questions from CB3 members.

State Senator Brian Kavanagh, Greer Mayhew:

Provided Senator report. Rent relief program will go out live next Tuesday (link:<https://otda.ny.gov/>); passing legislation to support NYCHA residents and others to be more involved in the NYCHA process; a bill passed to support LES Ecology Center compost yard and fireboat house.

State Senator Brad M. Hoylman, Caroline Wechselbaum:

Provided Senator report. Supported legislation to extend the child victims act for victims to file claims. Rikers Island and Dyslexia legislation introduced to support youth Statewide.

Councilmember Margaret Chin, Kana Ervin:

Provided councilmember report. Supports legislation on Anti-Asian crime. Supporting senior center phase timeline for reopening.

Councilmember Carlina Rivera, Isabelle Chandler:

Provided councilmember report. Collaborating with CBO's to continue vaccination efforts in CB3. DOH reports more vaccinations occurring in CB3 but still need more.

Manhattan District Attorney's Office, Lingjun Chen:

Developed new presentation of Asian hate crimes with plans to provide presentation across Manhattan. Grades 6-8 are welcomed to submit for a contest regarding anti hate crime with grand prize of \$1,000 to provide anti hate campaign for the winning school.

Members Present at First Vote:

David Adams	[P]	Trever Holland	[A]	Paul Rangel	[P]
Yaron Altman	[P]	Linda Jones	[P]	Damaris Reyes	[P]
Jesse Beck	[P]	Vaylateena Jones	[P]	Richard Ropiak	[P]
Dominic Berg	[P]	Tatiana Jorio	[P]	Thomas Rosa	[P]
Lee Berman	[P]	Lisa Kaplan	[P]	Robin Schatell	[P]
Karlin Chan	[P]	Olympia Kazi	[P]	Heidi Schmidt	[P]
Jonathan Chu	[P]	Michelle Koppersmith	[P]	Laryssa Shainberg	[P]
David Crane	[P]	Mae Lee	[P]	Anisha Steephen	[P]
Felicia Cruickshank	[A]	Wendy Lee	[P]	Sandra Strother	[P]
Eric Diaz	[P]	Alysha Lewis-Coleman	[P]	Josephine Velez	[P]
Alistair Economakis	[P]	David Louie	[P]	Troy Velez	[P]
Shirley Fennessey	[P]	Ellen Luo	[P]	Rodney Washington	[P]
Ryan Gilliam	[P]	Michael Marino	[P]	Kathleen Webster	[P]
Debra Glass	[P]	Alexandra Militano	[A]	Jacky Wong	[P]
Andrea Gordillo	[P]	Michael Perles	[P]	Ricky Wong	[P]
Herman Hewitt	[P]	Tareake Ramos	[P]		

Minutes:

Minutes of March 2021 were approved with changes.

39 YES 0 NO 5 ABS 0 PNV MOTION PASSED

Board Chairperson's Report:

Chairperson Alysha Lewis-Coleman

District Manager's Report:

District Manager Susan Stetzer

Committee Reports:

Executive Committee

- Juke Bar, 301 East 12th Street

VOTE: TITLE: To approve the waiver request by Juke Bar at 301 East 12th Street for outdoor seating with restrictions.

WHEREAS, Juke Bar at 301 East 12th street was supported for a full liquor license by Community Board 3 in June 2018 with the stipulation of no outside commercial use to mitigate problems experienced by neighbors with the previous operation, and

WHEREAS, the state Executive Order regarding sale of alcohol during the pandemic allows restaurants and bars outdoor seating to help keep these businesses viable during the pandemic unless these businesses have stipulations with the community board specifically excluding this activity, but allows the business to request a temporary waiver from the stipulations, and

WHEREAS, neighbors living above Juke Bar during the last year complained to Community Board 3 about excessive noise from the use of outdoor seating by Juke Bar and CB 3 discovered that the outdoor seating was not permitted for this business, and

WHEREAS, the business owner and neighbors through working with CB 3 and the Peace institute have agreed to support a waiver for Juke Bar with the following stipulations:

1. All outdoor seating will end at 10pm.
2. Outdoor seating will consist of 30 seats on the sidewalk at curb, 12 seats on the sidewalk at the fence, and 8 seats in the stairwell.
3. No amplified sound outside.
4. There will be a designated staff person to monitor outside Friday and Saturday nights and a staff member to monitor the other days of the week.

WHEREAS, the residents living above Juke Bar who had complaints about outside noise have supported this waiver request in writing, so

THEREFORE, BE IT RESOLVED that CB 3 supports the temporary waiver request for outside commercial use by Juke Bar until the Executive Order expires with the four stipulations stated above and agreed to by the business owner and the neighbors.

42 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Economic Development Committee

1. Approval of previous month's minutes and roll call (minutes are deemed approved if no objections) approved by committee
2. Discussion of local and regional economic development policy challenges and solutions
no vote necessary
3. Report from Arts & Culture Subcommittee

VOTE: TITLE: To Support the use of Federal Recovery Funding for Culturally Responsive Arts Education and Employment of Cultural Workers in New York City Schools

Whereas, NYC schools are due to receive approximately \$7 billion in federal funds to be spent over the next two to three years (2021 - 2024), and more than \$530 million in additional state funds next year, rising to \$1.3 billion annually over the next three years in increased Foundation Aid; and

Whereas: Culturally Responsive Arts Education is defined as, "The ability to learn from and relate respectfully with people of your own culture as well as those from other cultures," according to the National Center for Culturally Responsive Educational Systems (NCCREST).

Whereas: The draft City budget released by the Mayor allocates 2.3 billion to the Department of Education in FY22¹; and

Whereas: Students city-wide and in CB3 faced a year of trauma and limited social interaction and emotional isolation; and

Whereas: Enrichment opportunities in many schools are often funded through fundraising through Parents Associations; and

Whereas: The presence of cultural resources is significantly associated with improved outcomes around health, schooling, and personal security²; and

Whereas: In New York City, jobs in the performing arts have declined 72 percent from September 2019—the sharpest job losses of any industry in the city's economy³; and

Whereas: The economic conditions for working artists have been especially precarious, and phased reopening will continue to present numerous hardships for working artists;

Therefore Be it resolved that, Community Board 3 supports the use of a portion of the incoming Federal recovery aid for the following programs which support culturally responsive arts education:

- Universal afterschool programs with enrichment opportunities that prioritize culturally responsive arts education and the enrichment needs of special student bodies, such as Multilingual Learners, Individualized Education Programs and Individualized Learning Plan learners, and District 75 schools, in New York City schools.

¹ <https://www.documentcloud.org/documents/20691132-sum4-21>

² https://repository.upenn.edu/siap_culture_nyc/1/

³ <https://nycfuture.org/research/supporting-the-recovery-of-new-york-states-arts-and-cultural-community>

- The Department of Education creates an artist employment program that employs local artists, includes cultural venues, and connects them with the needs of district schools.
- The Department of Education prioritizes universalizing afterschool arts education programs to address the inequities in enrichment opportunities that are otherwise generated through Parent Association fundraising.

4. BID/CAB Reports
no vote necessary
5. Review of FY 22 District Needs Statement
no vote necessary
6. Vote to adjourn
approved by committee

42 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Parks, Recreation, Waterfront, & Resiliency Committee

1. Approval of previous month's minutes and roll call
approved by committee
2. Parks Manager Update + Parks update on funding for immediate maintenance and summer programming
no vote necessary
3. DDC, Parks, DSNY: East Side Coastal Resiliency update
no vote necessary
4. Tree Taskforce update
no vote necessary
5. Parks update on funding for immediate maintenance and summer programming
no vote necessary
6. Review of FY 22 District Needs Statement
no vote necessary
7. Vote to adjourn
approved by committee

42 YES 0 NO 0 ABS 0 PNV MOTION PASSED

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

Joint Health/Human Services/Transportation Committees

1. Chinatown Core Block Assoc & Partners: presentation of results of surveys of Seniors in Chinatown public spaces and sidewalk / street experiences
no vote necessary

Health/Human Services Committee

2. Approval of previous month's minutes and roll call (minutes are deemed approved if no objections)
approved by committee
3. Finalize committee goals
no vote necessary
4. CAB/CEC reports
no vote necessary
5. Review of FY 22 District Needs Statement
no vote necessary
6. Vote to adjourn
approved by committee

42 YES 0 NO 0 ABS 0 PNV MOTION PASSED

SLA & DCA Licensing Committee

1. Approval of previous month's minutes and roll call (minutes are deemed approved if no objections)
approved by committee

Alterations

2. Broome Street Bakery (254 Broome LLC), 254 Broome St (wb/change method of operation: from bakery/cafe to wine bar, from 11am-12am to 11am-2am all days)
withdrawn

New Liquor License Applications

3. Cinema Paradiso, 44 Ave A (op)
withdrawn
4. Entity to be formed by Jorge Arias, 45 1st Ave (wb)
administratively approved
6. Bar Clark LLC, 102 Bayard St (op)

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

WHEREAS, Bar Clark LLC, is seeking a full on-premises liquor license, in the premises located at 102 Bayard Street, between Baxter Street and Mulberry Street, New York, New York; and

WHEREAS, this is an application for an establishment with a pending certificate of occupancy, six tables and 29 seats with one 18-foot rectangle bar with seven stools and one drink rail or table with five seats, hours of operation of 7:00 P.M. to 2:00 A.M. all days, classic American food prepared in a full-service kitchen served during all hours of operation, no televisions, ambient background recorded music; and

WHEREAS, there are five full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, this is a previously unlicensed currently vacant retail space; and

WHEREAS, the applicants hold a full on-premises liquor license at the adjoining location 104 Bayard Street, which had three commercial 311 noise complaints at this location with NYPD action necessary since 2018, and five restaurant wine licenses elsewhere in Manhattan, including in CD3 at 102 Suffolk Street, 326 East 6th Street, 215 East 6th Street, 115 Delancey Street, and 265 Canal Street, none of which had any commercial 311 noise complaints with NYPD action necessary since 2018; and

WHEREAS, there have been resident complaints about the outdoor dining setup and congregating patrons waiting for their tables impeding egress on the sidewalks; and

WHEREAS, 39 residents of the surrounding two blocks signed a petition in support of the application and one resident from 77 Mulberry Street wrote a letter in support of the application; and

WHEREAS, the Chinatown Core Block Association expressed concern about one operator having access to nearly an entire block of frontage for outdoor dining because of the difficulties of enforcement for such a large area; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Bar Clark LLC, for the premises located at 102 Bayard Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a bar, with classic American food prepared in a full-service kitchen served during all hours of operation,
- 2) its hours of operation will be opening no later than 7:00 P.M. and closing by 2:00 A.M all days,
- 3) it will have a closed fixed façade with no open doors or windows except my entrance door will close by 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances or during unamplified live performances or televised sports, and will otherwise have a closed fixed facade with no open doors or windows,
- 4) 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,
- 5) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 6) it will not host pub crawls or party buses,
- 7) it will not have unlimited drink specials with food,
- 8) it will not have "happy hours,"
- 9) it will ensure that there are no wait lines or congregation along the frontage and will designate an employee to oversee patrons and noise on the sidewalk,
- 10) it will have four tables with a total of 20 seats in its roadway dining areas and four tables with a total of eight seats along the frontage on the sidewalk, as allowed during the covid emergency,
- 11) it will not serve alcohol in outdoor dining areas beyond the 102 Bayard Street frontage, per SLA law,
- 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. Griffon Q LLC, 119 Orchard St (op)
withdrawn

8. Noreetuh (Noreetuh Restaurant LLC), 128 1st Ave (upgrade to op)

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

WHEREAS, Noreetuh Restaurant LLC doing business as Noreetuh, is seeking an upgrade to a full on-premises liquor license, in the premises located at 128 First Avenue, between East 7th Street and St. Mark's Place, New York, New York; and

WHEREAS, this is an application for an establishment with a certificate of occupancy of 74 people, 16 tables and 70 seats with one 10-foot L-shaped bar with six seats, hours of operation of opening no later than 4:00 P.M. and closing by 12:00 A.M. Monday to Thursday and opening no later than 11:00 A.M. and closing by 12:00 A.M. Saturday to Sunday, serving Hawaiian food prepared in a full-service kitchen served during all hours of operation, no televisions, and ambient background music; and

WHEREAS, there are 33 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, the applicant has been licensed with a restaurant wine license at this location since 2014; and

WHEREAS, there were zero commercial 311 complaints at this location with action by NYPD necessary since 2018; and

WHEREAS, one resident of 128 First Avenue wrote a letter in support of the application and six residents of the surrounding two blocks signed a petition supporting the application; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Noreetuh Restaurant LLC, for the premises located at 128 First Avenue, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a full-service restaurant, with Hawaiian food prepared in a full-service kitchen served during all hours of operation,
- 2) its hours of operation will be opening no later than 4:00 P.M. and closing by 12:00 A.M. Monday to Thursday and opening no later than 11:00 A.M. and closing by 12:00 A.M. Saturday to Sunday,
- 3) it will have a closed fixed façade with no open doors or windows except my entrance door will close by 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances or during unamplified live performances or televised sports, and will otherwise have a closed fixed facade with no open doors or windows,
- 4) 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,
- 5) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 6) it will not host pub crawls or party buses,
- 7) it will not have unlimited drink specials with food,
- 8) it may have "happy hours" until 7:00 P.M. each night
- 9) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons 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.

9. Blue Monday (East 3rd Street Restaurant LLC), 189 E 3rd St (op)
withdrawn

10. The Cabinet (Lazerini Jazz LLC), 649 E 9th St (op)
withdrawn

District Needs Statement

11. Review of FY 22 District Needs Statement
no vote necessary

Alterations

12. Klimat (7th Street Sushi Park Inc), 77 E 7th St (upgrade to op) & (change method of operation: from Japanese cuisine to Eastern European cuisine and add gallery exhibitions, open mic nights, and wine tasting events) & (alt: seating layout, kitchen closed off with additional prep space added, and food service counter added the basement)

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

WHEREAS, Klimat, is seeking an upgrade to a full on-premises liquor license, in the premises located at 77 East 7th Street, between 1st Ave and 2nd Ave, New York, New York; and

WHEREAS, this is an application for an establishment with a certificate of occupancy for the ground floor and the basement of 72 people with a total 15 tables with 65 seats – ground floor with seven tables and 26 seats, one window counter with five seats with one U-shaped bar 7' x 15' x 2' with 10 seats and basement with eight tables and 24 seats, hours of operation of opening no later than 4:00 P.M to 12:00 P.M. Monday through Thursday; opening no later than 4:00 P.M. to 2:00 A.M. Friday and Saturday, a full kitchen serving Eastern European/American food, during all hours of operation, there will be two television with background music only; and

WHEREAS, there are 31 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, this establishment has been licensed with a restaurant wine license since 2005; and

WHEREAS, this applicant appeared before this committee in June 2019 but was denied for a change in class and method of alteration to allow for scheduled performances and ticketed events because the zoning regulations do not allow it, and because the applicant's history of operating in non-compliance with its current zoning regulations indicates that it will be unable to follow the rules and regulations of ABC law; and

WHEREAS, this history bears restating by Community Board 3 because the community board notified the applicant in December 2011, March 2018, and June 2019 that scheduled performances and ticketed events are not permitted at this location given its zoning; and

WHEREAS, CB3 asked DOB to investigate the basement usage to determine whether an expansion of grandfathered non-compliant usage is involved despite a final Certificate of Occupancy having been issued in 2019; and

WHEREAS, community members reported issues with patrons congregating in front of the frontage and disturbing the surrounding residents; and

WHEREAS, 15 residents of 77 East 7th Street and approximately 85 residents of the surrounding two blocks signed a petition in support of the application; and

WHEREAS, there were zero commercial 311 complaints at this location with NYPD action necessary since 2018; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Klimat, for the premises located at 77 East 7th Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a full service restaurant, with serving Eastern European/American food, during all hours of operation,
- 2) its hours of operation will be opening no later than 4:00 P.M to 12:00 P.M. Monday through Thursday; 4:00 P.M. to 2:00 A.M. Friday and Saturday,
- 3) it will only have outdoor dining until 10:00 P.M. during the duration of the ongoing covid state of emergency,
- 4) it will close any front or rear façade entrance doors at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances or during unamplified live performances or televised sports, and will otherwise have a closed fixed facade with no open doors or windows,
- 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 or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) It may have "happy hours" until 6:00 P.M. each night
- 10) it will ensure that there are no wait lines or crowds congregating outside and will designate an employee to oversee patrons 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.

New Liquor License Applications

13. Pegasus Pizza LLC, 2 St Marks Pl (op)

withdrawn

14. CC's Cafe (Craft Cooking Inc), 41 Monroe St (op)

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

WHEREAS, Christine Coffee House Inc. doing business as CC's Café, is seeking a full on-premises liquor license, in the premises located at 41 Monroe Street, between Market Street and Catherine Slip, New York, New York; and

WHEREAS, this is an application for an establishment with a certificate of occupancy of 74 people, six tables and 17 seats with one 12-foot bar with three seats, hours of operation of 10:00 A.M. to 12:00 A.M. Sunday to Wednesday and 10:00 A.M. to 2:00 A.M Thursday to Saturday, American café and bistro food prepared in a full-service kitchen, serving food during all hours of operation, one television, ambient recorded background music; and

WHEREAS, there are one full on-premises liquor licenses within 500 feet per the applicant and the SLA LAMP map; and

WHEREAS, this applicant was previously licensed at this location with a restaurant wine license from 2011 until 2019; and

WHEREAS, there were zero commercial 311 complaints at this location with NYPD action necessary since 2018; and

WHEREAS, three residents of Monroe Street wrote to express their unequivocal support for the application and the committee received four letters from Monroe Street residents expressing concerns about potential noise from the proposed closing hours and three residents of Monroe Street appeared at the meeting to express concerns about the hours; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Christine Coffee House Inc., for the premises located at 41 Monroe Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a full-service American restaurant serving food prepared in a full-service kitchen, during all hours of operation,
- 2) its hours of operation will be opening no later than 10:00 A.M. all days and closing by 12:00 A.M. Sunday to Wednesday and 2:00 A.M. Thursday to Saturday,
- 3) it will only have outdoor dining as permissible during the ongoing covid state of emergency until 10:00 P.M. all days,
- 4) it will close any front or rear façade doors and window at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances or during unamplified live performances or televised sports, and will otherwise have a closed fixed facade with no open doors or windows,
- 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 or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) it may have "happy hours" until 8:00 P.M. each night,
- 10) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons 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.

15. Hub Thai (Thai Tompkins Inc), 50 Ave A (op)

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

WHEREAS, Thai Tompkins Inc. doing business as Hub Thai, is seeking a full on-premises liquor license, in the premises located at 50 Avenue A between East 3rd Street and East 4th Street, New York, New York; and

WHEREAS, this is an application for an establishment with a certificate of occupancy of 74 people, 20 tables and 40 seats with a 9'7" x 16' rectangle bar with four seats, hours of operation of opening no later than 12:00 P.M. all days and closing by 11:00 P.M. Sunday to Thursday and 11:30 P.M. Friday to Saturday, Thai food prepared in a full-service kitchen, serving food during all hours of operation, no televisions, ambient background recorded music; and

WHEREAS, there are seven full on-premises liquor licenses within 500 feet per the applicant and the SLA LAMP map; and

WHEREAS, this location was previously licensed until October 2000 as Diego & Frida Corp. with a full on-premises liquor license and until May 2021 as Villa Cemita Inc. with a restaurant wine license, and the previous establishment had two commercial 311 noise complaints with NYPD action necessary since 2018; and

WHEREAS, this applicant was previously licensed with a wine beer license at 1 More Thai at 6 Clinton Street and Prik Thai at 4716 30th Avenue, Astoria; and

WHEREAS, 12 residents from the building across the street at 141 East 3rd Street signed a petition in favor of the application and two community members appeared at the meeting to speak in support of the application; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Thai Tompkins Inc., for the premises located at 50 Avenue A, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a Thai restaurant, with a full-service kitchen, serving food during all hours of operation,
- 2) its hours of operation will be opening no later than 12:00 P.M. all days and closing by 11:00 P.M. Sunday to Thursday and 11:30 P.M. Friday to Saturday;
- 3) I will close any front or rear façade doors and windows except the entrance doors will close by 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances or during unamplified live performances or televised sports, and will otherwise have a closed fixed facade with no open doors or windows,
- 4) 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,
- 5) it will only have outdoor dining until 10:00 P.M. for the duration of the covid state of emergency,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) it will not have "happy hours,"
- 10) it will ensure that there are no wait lines 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.

16. Round K by Sol (Cafe Round K Inc), 78 Canal St (wb)
withdrawn

17. AW East Village Hospitality Inc, 106 3rd Ave (op)
withdrawn

18. The Cock (575 Pub on Second Inc), 112 Rivington St (op/removal from 93 2nd Ave)

VOTE: TITLE: Community Board 3 Recommendation To Deny

WHEREAS, 575 Pub on Second Inc. dba The Cock, is seeking a full on-premises liquor license, in the premises located at 112 Rivington Street, between Essex Street and Ludlow Street, New York, New York; and

WHEREAS, this is an application for an establishment that operates as a nightclub with a certificate of occupancy of 272 on a narrow side street, and even though it is zoned C4 there are many residential buildings there including 112 Rivington Street; and

WHEREAS, during a hearing for a change for the applicant's method of operation at its existing location at 93 2nd Avenue at the State Liquor Authority in February, the commissioners discussed the known adverse history of The Cock; and

WHEREAS, the previous licensed establishment at 112 Rivington, Fat Baby, created quality of life issues for the tenants of the building including patrons breaking the glass front door of the residential area, leaning on the door buzzer in the middle of the night, loitering in the hallway, and attempting to access the roof; and

WHEREAS, there are 29 full on-premises liquor licenses within 500 feet per the applicant, this type of oversaturation has detrimental cumulative effects on the residents; and

WHEREAS, six local residents spoke against the application because of quality of life issues in the neighborhood due to an oversaturation of on-premises liquor licenses, one resident of 112 Rivington Street spoke against the application because of ongoing quality of life issues with the previous tenant Fat Baby, one resident spoke against the application because of oversaturation and detailed the SLA's statements about The Cock from its February hearing, and an additional nine residents attended the meeting in opposition to the application but did not speak; and

WHEREAS, three local residents spoke in favor of The Cock and 12 supporters who do not live near the proposed location at 112 Rivington Street spoke in favor of the application, stating that The Cock is well-managed, a safe space for queer people, and has a limiter for music to avoid noise issues; and one of the landlords for the commercial space explained that the taxes imposed by the city creates a rent necessity that is too high for anything except a licensed business; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for 575 Pub on Second Inc., for the premises located at 112 Rivington Street, New York, New York.

19. Little Saint Inc, 121-123 St Marks Pl (op)

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

WHEREAS, Little Saint Inc., is seeking a full on-premises liquor license, in the premises located at 121-123 St. Marks Place between First Avenue and Avenue A, New York, New York; and

WHEREAS, this is an application for an establishment with a pending certificate of occupancy, 19 tables and 60 seats with one 9-foot L-shaped bar with five seats, hours of operation of 4:00 P.M. to 1:00 A.M. Monday to Thursday and 12:00 P.M. to 1:00 A.M. Friday to Sunday, American grill food prepared in a full-service kitchen, serving food during all hours of operation, no televisions, and ambient recorded background music; and

WHEREAS, there are 16 full on-premises liquor licenses within 500 feet per the applicant and the SLA LAMP map; and

WHEREAS, this location was previously licensed with a full on-premises liquor license since at least 2006; and

WHEREAS, this applicant is currently licensed with full on-premises liquor licenses at four other establishments in CD3: 700 E 9th Street (Eldridge Bistro LLC d/b/a The Wayland), which had zero commercial 311 complaints at this location with NYPD action necessary since 2018; 131 First Avenue (Little Rebel In d/b/a Good Night Sonny), which had zero commercial 311 complaints at this location with NYPD action necessary since 2018; 171-173 Avenue C (Seaside Beach Inc d/b/a The Lost Lady), which had three commercial 311 complaints at this location with NYPD action necessary since 2018; and 90 St. Marks Place (Animals Group Inc.), which had zero commercial 311 complaints at this location with NYPD action necessary since 2018; and

WHEREAS, there were three commercial 311 complaints at this location with NYPD action necessary since 2018; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Little Saint Inc., for the premises located at 121-123 St. Marks Place, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a full-service restaurant, with American grill food prepared in a full-service kitchen, serving food during all hours of operation,
- 2) its hours of operation will be opening no later than 4:00 P.M. to 1:00 A.M. Monday to Thursday and opening no later than 12:00 P.M. to 1:00 A.M. Friday to Sunday
- 3) it will close any front or rear façade entrance doors at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances or

- during unamplified live performances or televised sports, and will otherwise have a closed fixed facade with no open doors or windows,
- 4) it will only have outdoor dining as permissible during the ongoing covid state of emergency until 10:00 P.M. all days,
- 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 or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) it will not have "happy hours,"
- 10) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons 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.

20. Tzarevna (It's There Hospitality LLC), 154 Orchard St (op)

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

WHEREAS, It's There Hospitality, LLC doing business as Tzarevna, is seeking an upgrade of its current restaurant wine license to a full on-premises liquor license, in the premises located at 154 Orchard Street, between Stanton Street and Rivington Street, New York, New York; and

WHEREAS, this is an application for an establishment with a certificate of occupancy of 49 people, 15 tables and 30 seats with one 12-foot L-shaped bar with 10 seats, hours of operation of 11:30 A.M. to 12:00 A.M. all days, American French food prepared in a full-service kitchen, serving food during all hours of operation, one television, ambient recorded background music; and

WHEREAS, there are 39 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, in July 2018 CB3 recommended that this applicant be denied for a wine beer license unless stipulations were agreed to including closing by 12:00 A.M. all nights and operating as a full-service Eastern European restaurant, and the applicant was subsequently licensed with a restaurant wine license at this location by the SLA, and the premises were previously licensed with a full on-premises liquor license until at least 2014; and

WHEREAS, there were zero commercial 311 noise complaints at this location with NYPD action necessary since 2018; and

WHEREAS, the LES Dwellers supported this application; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for It's There Hospitality, LLC, for the premises located at 154 Orchard Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a full-service restaurant, with American French food prepared in a full-service kitchen,
- 2) its hours of operation will be opening no later than 11:30 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 or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances or during unamplified live performances or televised sports, and will otherwise have a closed fixed facade with no open doors or windows,
- 4) it will only have outdoor dining as permissible during the ongoing covid state of emergency until 10:00 P.M. all days,
- 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 or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) it may have "happy hours" until 7:00 P.M. each night

- 10) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons 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.

21. Tenement, 161 Ludlow St (op)

Quorum not present

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

WHEREAS, Tenement, is seeking a full on-premises liquor license, in the premises located at 161 Ludlow Street, between Houston Street and Stanton Street, New York, New York; and

WHEREAS, this is an application for an establishment with a certificate of occupancy of 150 people, nine tables and 36 seats with one 20-foot L-shaped bar with 11 seats and one seating rail or high tables with five-six seats; hours of operation of 5:00 P.M. to 1:00 A.M. Monday to Wednesday, 5:00 P.M. to 2:00 A.M. Thursday to Friday, 11:00 A.M. to 2:00 A.M. Saturday, and 11:00 A.M. to 1:00 A.M. Sunday; early American cuisine with an NYC immigrant theme; serving food during all hours of operation; no television; ambient recorded background music; and

WHEREAS, there are 28 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, this location was previously licensed with a full on-premises liquor license as 161 Ludlow Food Inc. doing business as No Fun, which had agreed to a condition of its approval by the community board 3 to: operate as a full-service Basque tapas restaurant, serving food to within one (1) hour of closing; have hours of operation of 3:00 P.M. to 4:00 A.M. all days; and play recorded background music and have DJs no more than one time per month, but according to the community failed to operate within its agreed to stipulations and primary operated as a club with DJs many nights per week; and

WHEREAS, in October 2015 No Fun was shut down by a Multi-Agency Response to Community Hotspots raid following a documented complaint history; and

WHEREAS, there was one commercial 311 complaints at this location with NYPD action necessary since 2018; and

WHEREAS, this applicant previously operated Kush with a full on-premises liquor license at 183 Orchard Street from 1997 to 2004 and subsequently at 191 Chrystie Street from 2004 to 2012; and

WHEREAS, one member of the community appeared in front of the committee in support of the application and eighteen members of the community attended the meeting in opposition to the application; and

WHEREAS, one resident of 161 Ludlow Street appeared in front of the committee to express her trepidation about the application's late hours because her apartment is directly above the venue and requested that noise mitigation be installed to retain her quality of life; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Tenement, for the premises located at 161 Ludlow Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a full-service restaurant and bar, with early American cuisine with an NYC immigrant theme, serving food during all hours of operation,
- 2) its hours of operation will be opening no later than 5:00 P.M. to 12:00 A.M. Monday to Wednesday, opening no later than 5:00 P.M. to 2:00 A.M. Thursday to Friday, opening no later than 11:00 A.M. to 2:00 A.M. Saturday, and opening no later than 11:00 A.M. to 12:00 A.M. Sunday,
- 3) it will close any front or rear façade entrance doors at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances or during unamplified live performances or televised sports, and will otherwise have a closed fixed facade with no open doors or windows,
- 4) it will play ambient background music only, consisting of recorded music with no subwoofers and will work with a sound engineer to ensure that sound from the premises is not audible in 161 Ludlow Street, Apartment 1 and Apartment 2, and will not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,

- 5) it will install soundproofing anywhere that deficiencies are detected and forward the soundproofing plan to the CB3 office,
- 6) it will ensure that the rooftop HVAC and exhaust units do not make any noise that is audible in 161 Ludlow Street, Apartment 1 and Apartment 2,
- 7) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 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 "happy hours,"
- 11) it will ensure that there are no wait lines outside and no crowds congregating in front of the residential entrance to 161 Ludlow Street, 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.

22. The York, 186 Ave B (op)
 withdrawn

23. Entity to be formed by Pralica Andrej, 245 Bowery (op)

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

WHEREAS, Andrej Pralica, is seeking a full on-premises liquor license, in the premises located at 245 Bowery, between Prince Street and Stanton Street, New York, New York; and

WHEREAS, this is an application for an establishment with a certificate of occupancy of 100 people; 10 tables and 40 seats with one 25-foot long rectangle bar with 15 seats; hours of operation of 11:00 A.M. to 1:00 A.M. Sunday to Wednesday and 11:00 A.M. to 2:00 A.M. Thursday to Saturday; American, Mexican, and South American cuisine prepared in a full service kitchen; serving food during all hours of operation, six televisions; ambient background recorded music; and

WHEREAS, there are eight full on-premises liquor licenses within 500 feet per the applicant; and

WHEREAS, this location was previously licensed with a full on-premises liquor license as Gong Hey Fat Choy LLC with hours of operation hours of operation of 11:30 A.M. to 10:30 P.M. Sundays, 11:30 A.M. to 12:00 A.M. Mondays through Wednesdays, 11:30 A.M. to 1:00 A.M. Thursdays and 11:30 A.M. to 2:00 A.M. Fridays and Saturdays; and

WHEREAS, this applicant was previously licensed at 383 Third Avenue (Van Diemens Bar & Kitchen) from July 2008 to May 2018 where there were no record of any commercial noise 311 complaints during that time period; and

WHEREAS, there were zero commercial 311 complaints at this location with NYPD action necessary since 2018; and

WHEREAS, the residents of the Sunshine Hotel at 241 Bowery wrote a letter in support of this application because they feel that this applicant will help both the quality of life and safety in the neighborhood; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Andrej Pralica (corporation name TBD), for the premises located at 245 Bowery, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a full-service restaurant, American, Mexican, and South American cuisine prepared in a full service kitchen,
- 2) its hours of operation will be opening no later than 11:00 A.M. all days closing by 1:00 A.M. Sunday to Wednesday and 2:00 A.M. Thursday to Saturday,
- 3) it will only have outdoor dining as permissible during the ongoing covid state of emergency until 10:00 P.M. all days
- 4) it will close any front or rear façade entrance doors at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances or during unamplified live performances or televised sports, and will otherwise have a closed fixed facade with no open doors or windows,

- 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 or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) it may have "happy hours" until 8:0 P.M. each night
- 10) it will ensure that there are no wait lines outside and will designate an employee to oversee patrons 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.

24. Lotus Grand LLC and Camilla New York LLC, 324 Grand St (op)
 withdrawn

Items not heard at Committee

- 25. Frank Grocery (Frankie Grocery Inc), 23 1st Ave (wb)
 administratively approved
- 26. Full Tank Moto Cafe (Darkhorse Concepts LLC), 49 Monroe St (wb)
 withdrawn
- 27. Wonton Noodle Garden, 56 Mott St (b)
 withdrawn
- 28. Clancy (79 Clinton Restaurant Group LLC), 79 Clinton St (op/corp change)
 administratively approved
- 29. Sanshi Yunnan Noodles LLC, 118 2nd Ave (wb)
 administratively approved
- 30. Masaledaar Inc, 179-181 Essex St (wb)
 administratively approved
- 31. Grand Street Pizza (384 Grand Street Pizza LLC), 384 Grand St (wb)
 administratively approved
- 32. EK Food Services Inc, 92 2nd Ave (wb)
 administratively approved
- 33. Vote to adjourn
 approved by committee

42 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding SLA items 6, 18, 21)

40 YES 2 NO 0 ABS 0 PNV MOTION PASSED (SLA item 6)

31 YES 9 NO 2 ABS 0 PNV MOTION PASSED (SLA item 18)

41 YES 1 NO 0 ABS 0 PNV MOTION PASSED (SLA item 21)

Landmarks Committee

no meeting scheduled

Land Use, Zoning, Public & Private Housing

- 1. Approval of previous month's minutes and roll call (minutes are deemed approved if no objections)
 approved by committee
- 2. DCP Informational Presentation: Citywide Hotel Special Permit Text Amendment
 no vote necessary
- 3. DCP Informational Presentation: Citywide Text Amendment: Health and Fitness (ease regulatory barriers for gyms, spas, etc)
 no vote necessary
- 4. Citywide Text Amendment: Elevate Transit: Zoning for Accessibility (zoning incentives for MTA subway accessibility).

VOTE: TITLE: N210270ZRY--Comments on the Zoning for Accessibility Citywide Zoning Text Amendment

WHEREAS, the Zoning for Accessibility Citywide Zoning Text Amendment would establish two new zoning provisions to facilitate accessibility improvements in the New York City Transit system: (1) a System-wide Transit Easement Requirement; and (2) an Expanded Transit Improvement Bonus Program; and

WHEREAS, the System-wide Transit Easement Requirement would apply to developments near mass transit stations, provide zoning relief to offset the easement requirement, and would create a City Planning Commission (CPC) Chair Certification for transit easement requirement approvals; and

WHEREAS, this easement volume requirement would apply to all developments over 5,000 square feet in size within 50 feet of a mass transit station in residence districts at or above R5D density, including R5 districts with commercial overlays, commercial districts with a residential equivalent at or above R5, as well as C7 and C8, and all manufacturing districts, subject to a determination by the Metropolitan Transit Authority (MTA) as to whether an easement would be needed for a future station access point; and

WHEREAS, to minimize the impact of an easement requirement on an owner were it to be required, zoning relief may apply in the following areas, contingent on-site plan approval by the MTA and the CPC Chair:

- Allowance of temporary non-residential uses when an easement is not improved upon immediately, including Use Group 6 uses in residential districts and any permitted uses in commercial and manufacturing districts
- Allowance of Use Group 6 retail uses in residential districts and any permitted uses in commercial districts within 30 feet of an easement and on the 2nd floor in instances of above-grade improvements
- Exemption of the floor area of the easement volume from total development site floor area calculations
- Transit easements would be considered permitted obstructions
- Lot coverage flexibility would be expanded in residential districts
- Height relief would be provided in height limited districts
- Street wall requirements would be relaxed in districts where those rules are applicable
- Parking requirements would be reduced by 15 spaces in all districts and parking requirements would be waived on some small sites
- Streetscape requirements including transparency rules and curb cut requirements would be relieved; and

WHEREAS, the Zoning for Accessibility Citywide Zoning Text Amendment would also create an Expanded Transit Improvement Bonus Program, in which bonus floor area could be granted by CPC Authorization to developments in high density R9 and R10 districts, their commercial equivalent districts, and in M1-6 manufacturing districts, in instances when a development agrees to provide transit station accessibility improvements; and

WHEREAS, this floor area bonus cannot exceed 20 percent of the maximum floor area ratio available at a given site, and the specific size of the bonus is contingent on the degree to which the transit improvement enhances customer access and the station environment;

WHEREAS, the bonus cannot be stacked with other citywide floor area bonuses, with the exception of the Voluntary and Mandatory Inclusionary Housing bonus programs, and although it does not preempt the requirements for affordable housing at Mandatory Inclusionary Zoning sites, the bonus floor area delivered via the Transit Improvement Bonus Program would not be subject to the same affordable housing requirements; and

WHEREAS, the Transit Improvement Bonus Program has limited applicability in Community District 3, and the areas where it is applicable are not currently soft sites for development;

WHEREAS, according to a report by the Transit Center in 2018, privately-run subway elevators perform significantly worse than those run by the MTA. In the first six months of 2018, privately-run elevators were out of service 19% of the time while MTA-operated elevators were out of service 3.6% of the time. The report mentioned that contractual penalties that were in place (such as the MTA being able to draw down bank notes) are not sufficient and need to be strengthened to address this problem.

WHEREAS, CB 3 believes that ADA accessibility and transportation infrastructure needs are a citywide priority that must be addressed as quickly and to the fullest extent possible with public funds. Unfortunately, because of limited funds, it is necessary to have the private sector supplement government resources to improve our vital transportation system with appropriate design and ongoing oversight by means such as those proposed in this text amendment.

THEREFORE BE IT RESOLVED, while the transit improvement bonus provides for up to a 20% floor area bonus above what is allowed at a given development site in exchange for accessibility improvements, this number is subject to CPC findings which allow for discretion relative to the level of investment in the station improvement. There should be more clearly established criteria explaining the relationship

between the level of investment in a transit improvement and the resulting bonus to ensure that the floor area increase is justifiable and appropriate; and

THEREFORE BE IT FURTHER RESOLVED, the expanded transit improvement bonus would take what is currently an action requiring a CPC Special Permit subject to Uniform Land Use Review Procedure (ULURP), and transition it to a CPC Authorization. While applicants would still be referred to the Community Board, there would be no mandated Community Board public hearing or City Council review, which impacts the influence of the Community Board recommendation in the review process. To ensure the Community Board's role in this approval process remains meaningful, the transit improvement bonuses should be subject to a full ULURP and remain as a CPC Special Permit; and

THEREFORE BE IT FURTHER RESOLVED, as this program encourages private sector transit improvement investments in high-density areas with stronger development markets, to guarantee equitable citywide accessibility improvements on public transit, the MTA should ensure that sufficient public capital funding is dedicated to transit accessibility improvements in less affluent areas, and provide regular publicly available updates on the status of these investments and their geographic distribution; and

THEREFORE BE IT FURTHER RESOLVED, all privately owned and maintained transit access improvements and stations must meet all MTA standards for construction quality, safety, and continued maintenance and their perpetual maintenance and repair and should be legally mandated by the MTA with enforcement mechanisms to ensure compliance including subject to appropriate penalties if these standards are not met.

5. Review of FY 22 District Needs Statement
no vote necessary
6. Vote to adjourn
approved by committee

42 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Transportation, Public Safety, & Environment

1. Approval of previous month's minutes and roll call (minutes are deemed approved if no objections)
approved by committee
2. Block party: Printed Matter/8-Ball Community, St Marks Pl (1st - 2nd Aves) June 12, 11-7pm
VOTE: To approve block party Printed Matters and 8-Ball block party on St. Marks, between First and Second Ave on June 12th from 11 am to 7 pm.
3. DOT Presentation: Neighborhood Loading Zone program
no vote necessary
4. Bus Stop Application: XR Happy Tour Inc - 24 Bowery from Bayard St to Pell St
no vote necessary-withdrawn
5. Request by Stuyvesant Town TA for support to oppose new power plant between 245 & 271 Avenue C fueled by natural gas
no vote necessary
6. Review of FY 22 District Needs Statement
no vote necessary
7. Vote to adjourn
approved by committee

42 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Vote to adjourn

42 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Members Present at Last Vote:

David Adams	[P]	Eric Diaz	[P]	Vaylateena Jones	[P]
Yaron Altman	[P]	Alistair Economakis	[P]	Tatiana Jorio	[P]
Jesse Beck	[P]	Shirley Fennessey	[P]	Lisa Kaplan	[P]
Dominic Berg	[P]	Ryan Gilliam	[P]	Olympia Kazi	[P]
Lee Berman	[P]	Debra Glass	[P]		
Karlin Chan	[P]	Andrea Gordillo	[P]	Michelle Kuppersmith	[P]
Jonathan Chu	[P]	Herman Hewitt	[P]	Mae Lee	[P]
David Crane	[P]	Trever Holland	[A]	Wendy Lee	[P]
Felicia Cruickshank	[A]	Linda Jones	[P]	Alysha Lewis-Coleman	[P]

David Louie	[P]	Damaris Reyes	[P]	Sandra Strother	[A]
Ellen Luo	[P]	Richard Ropiak	[P]	Josephine Velez	[P]
Michael Marino	[P]	Thomas Rosa	[P]	Troy Velez	[P]
Alexandra Militano	[A]	Robin Schatell	[P]	Rodney Washington	[P]
Michael Perles	[P]	Heidi Schmidt	[P]	Kathleen Webster	[P]
Tareake Ramos	[P]	Laryssa Shainberg	[P]	Jacky Wong	[P]
Paul Rangel	[P]	Anisha Steephen	[P]	Ricky Wong	[P]

Meeting Adjourned