



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

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Alysha Lewis-Coleman, Board Chair

Susan Stetzer, District Manager

October 2021 Full Board Minutes

Meeting of Community Board 3 held on Tuesday, October 26, 2021 at 6:30pm via Zoom.

Public Session:

Imani Viera – FABNYC announcement that the LES Community Culture and Young Artists of culture applications open November 5th. Small stipend available for young artists. Links available on FABNYC website:

<http://www.fabnyc.org/lesccc/>

<http://www.fabnyc.org/les-young-artists-of-color/>

Rita Garcia – Attendant of recent Tompkins Square Dog Parade recently learned about the East River construction plan and is concerned. She would like to review the process leading up to the decision to implement the current plan of the East River resiliency project.

Billy – Is concerned about the East River construction plan with issues ranging from toxics in the dirt and other longstanding health concerns. Would like to request oversight of the current plan.

Barbara Rothman – Is concerned about the East River Resiliency construction plan citing health issues such as Asthma along the NYCHA developments parallel to the East River Park.

Joan Reinmuth – Resident of Village East and is very concerned about the East River Park requesting an environmental study report echoing the request of the Manhattan Borough President.

Eric Ramos – Resident of East Village and is proposing opposition to the Historic District. Believes it will significantly raise the cost of living in that area as a result of landmarking.

Pete Rini – Resident of East Village is experiencing living disruption of noise as a result of the restaurants being allowed to utilize the sidewalks.

Public Officials:

Mayor Bill de Blasio, Andrew Kunkes:

Did not report.

Public Advocate Jumaane Williams, Phillip Ellison:

Did not report.

Comptroller Scott Stringer, Katrina Asante:

Did not report.

Borough President Gale Brewer, Brian Lewis:

Provided report. Manhattan Borough President is advocating for a chair of a Congestion Pricing Taskforce who is knowledgeable and qualified. The Infrastructure bill once passed will allow Helicopters to not fly over cities with over 8 million people. \$150 million project of the Seaport esplanade will go forward past the term of MBPO and Margaret Chin.

Congressmember Nydia Velazquez, Lingxia Ye:

Provided report. Congresswoman Build Back Better program includes the NYCHA \$80 billion investment has been scaled down to \$32 billion. This is the infrastructure capital budget request pre pandemic from NYCHA to the federal government.

Congressmember Carolyn Maloney, Victor Montesinos:

Provided report. Signed the Less is More Act and toured the Rikers Island facility.

Assemblymember Yuh-Line Niou, Amy Vera:

Provided report. Stands in solidarity with cab driver union hunger strike. Was in attendance during 80 Pitt St Grand St Settlement's renovation ground breaking ceremony.

Assemblymember Deborah J. Glick, Charlie Anderson:

Provided report. Tax lien sales can be reviewed please contact Assemblymember's office for more information. Reminder to flip the ballot when voting to.

Assemblymember Harvey Epstein, Aura Olavarria:
Provided Report. Small businesses meeting took place this month with the Assemblymember. Flu shots are being sponsored at the Assemblymember's District office and other locations on the Lower East Side.

State Senator Brian Kavanagh, Greer Mayhew:
Provided report. Over \$1.8 billion has been committed/spent on the ERAP program. There is a total of \$2.5 billion which is why the senator advocates for every resident to apply who qualify.

State Senator Brad M. Hoylman, Caroline Wekselbaum:
Provided report.

Councilmember Margaret Chin, Kana Ervin:
Provided report.

Councilmember Carlina Rivera, Isabelle Chandler:
Provided report. Pedro Carrillo after 4 years will be moving on from Councilmember Carlina Rivera's office and provided well wishes.

District Attorney Vy Lance, Lingjun Chen
Provided report. 2nd art of healing event in CB3 hosted this Saturday.

Members Present at First Vote:

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

Minutes:

Minutes of July 2021 were approved, as is.

43 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Board Chairperson's Report:

Chairperson Alysha Lewis-Coleman

CB3 invited to District Attorney event to be held at Hester St between Ludlow and Essex 12pm-4pm. Manhattan Borough President Office Community Board trainings are now open for registration to all members to attend.

District Manager's Report:

District Manager Susan Stetzer

Tompkins Sq Park barricaded area was not discussed or advised by Community Board 3. Community Board 3 budget and spending process discussed. District Needs statement explained. The most recent statement was finalized during the summer. Criteria for District Needs includes city funded programs lacking funding commitments.

Nominating Committee

Jaime Felber provided nominations

Chair – Paul Rangel & Sandra Strother

Vice Chair – Eric Diaz & Lisa Kaplan

2nd Vice Chair – Tareake Ramos, Robin Schatell & Kathleen Webster

Secretary – Laryssa Shainberg

Asst Secretary – Laura Lugo
Treasurer – Herman Hewitt

Committee Reports:

Executive Committee

▪ Executive Committee Vote

VOTE: To approve the ranking of the capital and expense budget priorities as amended by the executive committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

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

1. Approval of previous month's minutes
approved by committee
2. Racial Justice Commission presentation: Dismantling Structural Racism in the City Charter
no vote necessary
3. FY'2023 District Needs Statement and Capital & Expense Priorities
VOTE: To approve FY 2023 District Needs Statement and Capital & Expense Priorities.
4. CAB/CEC reports
no vote necessary
5. Vote to adjourn
approved by committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

SLA & DCA Licensing Committee

1. Approval of previous month's minutes (minutes are deemed approved if no objections)
approved by committee
2. FY'2023 District Needs Statement
VOTE: To approve FY 2023 District Needs Statement.

Alterations

3. Pineapple Club (Pineapple Club LLC), 509 E 6th St (op/change method of operation: increase hours Sunday-Wed to 2am, Thursday-Saturday to 4am; add live music and a DJ)
VOTE: TITLE: Community Board #3 Recommendation To Deny Unless Stipulations Agreed To - Stipulations Attached

WHEREAS, The Pineapple Club LLC is seeking an alteration to its full on-premises wine and beer license for the premises located at 509 East 6th Street, between Avenue A and Avenue B, New York, New York to extend its hours of operation to closing by 2:00 A.M. Sunday to Wednesday and 4:00 A.M. Thursday to Saturday and add entertainment level live music and a DJ; and

WHEREAS, the applicant has been operating an American Polynesian restaurant since May 2020 on two floors with a certificate of occupancy of one hundred forty people, forty tables and one hundred one seats, a twenty-foot bar with twelve stools on the ground floor and a fourteen-foot bar with eight stools in the basement, a kitchen open during all hours of operation, ambient recorded music at background levels, a doorman Thursdays through Saturdays and happy hours to 7:00 P.M.; and

WHEREAS, there are 20 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, the previous licensee for this location was denied a full on-premises liquor license by Community Board #3 in July of 2016 unless the applicant agreed to make as conditions of its license stipulations that it would 1) operate 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) have hours of operation of 5:00 P.M. to 2:00 A.M. Mondays through Fridays and 11:00 to 2:00 A.M. Saturdays and Sundays, 3) 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 keep any doors and windows in its rear enclosure closed at all times, 4) not commercially operate any outdoor areas, 5) 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 would be charged, and have no more than six (6) private parties per year, 6) not apply for any alteration in its method of operation without first appearing before Community Board #3, 7) not have "happy hours," 8) not host pub crawls or party buses, 9) not have unlimited drink specials with food, 10) not have wait lines outside and designate an employee responsible to oversee patrons on the sidewalk and ensure no crowds or noise outside, 11) conspicuously post this stipulation

form beside its liquor license inside of its business, and 12) provide a telephone number for residents to call with complaints and immediately address any resident complaints; and

WHEREAS, the full on-premises liquor license for the previous applicant was issued by the SLA on April 13, 2017; and

WHEREAS, this applicant was approved for a full on-premises liquor license by this committee in July 2019 subject to certain stipulations including that its hours of operation will be 5:00 P. M. to 12:00 A.M. Mondays through Wednesdays, 5:00 P.M to 2:00 A.M. Thursdays and Friday, 11:00 A.M to 2:00 A.M. Saturdays and 11:00 A.M. to 12:00 A.M Sundays, it would use both floors of the business as dining rooms for its restaurant and will not have a separate bar or lounge on one floor, and it would ensure that there are no wait lines outside and will designate an employee to oversee patrons and noise on the sidewalk; and

WHEREAS, the full on-premises liquor license for this applicant was issued by the SLA on April 20, 2020; and

WHEREAS, there were zero commercial 311 complaints at this location with NYPD action necessary since May 2020 when it opened and there are no complaints known to the Community Board #3 office; and

THEREFORE, BE IT RESOLVED that Community Board #3 recommends the denial of the application for a full on-premises liquor license for The Pineapple Club LLC, for the premises located at 509 East 6th Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a restaurant, with Polynesian food prepared in a full kitchen served 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 1:00 A.M. Sunday to Wednesday and 2:00 A.M. Thursday to Saturday,
- 3) it will close all outdoor dining allowed under the temporary Open Restaurants program and any other subsequent uses by 10:00 P.M. all days and not have any speakers or TV monitors,
- 4) it will have a closed fixed façade with no open doors or windows except my entrance door will close by 10:00 P.M. 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,
- 5) it will play ambient background music only, consisting of recorded music and may have a DJ playing a curated playlist at ambient levels but not entertainment levels, and will not have dancing, live music, 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 for ensuring no loitering, noise or crowds 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.

New Liquor License Applications

4. JSG Saint Marks Singing LLC, 6 St Marks Pl (op)

VOTE: TITLE: Community Board #3 Recommendation To Deny

WHEREAS, JSG Saint Marks Singing LLC doing business as Space X KTV & Lounge, is seeking a full on-premises liquor license, in the premises located at 6 St. Marks Place, between 3rd Ave and 2nd Ave, New York, New York; and

WHEREAS, this is an application for an establishment with a certificate of occupancy of 80 people, 31 tables and 102 seats with an 18' bar, serving bar snacks and noodles from a full kitchen open within one hour of closing, 17 televisions, with karaoke machines; and

WHEREAS, there are 19 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, this location was previously licensed as a karaoke bar doing business as Saint Marks Karaoke, whose wine and beer license expired in December 2020; and

WHEREAS, the applicant is currently a license holder at Master Grill & Global Buffet Inc. in Hempstead, NY, which has been licensed with a full on-premises license since September 2019; and

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

WHEREAS, there were three local residents who emailed CB3 to oppose the application, citing worries of noise outside and indoors adjacent to the business; and

WHEREAS, a representative of the 8 Saint Marks Tenant Association spoke on behalf of tenants against the application; and

THEREFORE, BE IT RESOLVED that Community Board #3 recommends the denial of the application for a wine beer license for JSG Saint Marks Singing LLC, for the premises located at 6 St. Marks Place, New York, New York, because the applicant did not agree to the following signed notarized stipulations that

- 1) it will operate as a karaoke bar, with bar snacks and noodles being prepared in a full kitchen open within one hour of closing,
- 2) its hours of operation will be opening no later than 12:00 P.M. and closing by 2:00 A.M. all days,
- 3) it will not use outdoor space for commercial use,
- 4) it will have a closed fixed façade with no open doors or windows except my entrance door will close by 10:00 P.M. 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,
- 5) it will only have entertainment level recorded music only in the form of karaoke in private rooms, 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 install soundproofing, and ensure that no sound is audible in surrounding residences and address any soundproofing deficiencies as necessary with a sound engineer,
- 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 will designate an employee for ensuring no loitering, noise or crowds outside,
- 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.

5. Treasure Club Int'l Inc, 22 Orchard St (op)
withdrawn

6. David's (David Hospitality Group Corporation), 76 Forsyth St (op)

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

WHEREAS, David Hospitality Group Corporation doing business as David's, is seeking a full on-premises liquor license, in the premises located at 76 Forsyth Street, between Grand Street and Hester Street, New York, New York; and

WHEREAS, this is an application for an establishment with a certificate of occupancy of 74 people, 5 tables and 14 seats with a 10' L-shaped bar, light bar fare prepared in a prep area, serving food at all hours of operation, three televisions, and ambient recorded background music; and

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

WHEREAS, this location is currently licensed with a beer wine license as Meat Shop LLC doing business as The Points Wine and Ale Room since March 2020 with closing hours of 12:00 A.M. all nights and prior to that was licensed with a beer wine license as Rabbit House Hospitality LLC doing business as Rabbit House; and

WHEREAS, the applicant has never previously been a license holder; and

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

WHEREAS, three residents who live within two blocks of the location signed a petition in favor 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 David Hospitality Group Corporation, for the premises located at 76 Forsyth Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a bar, with light bar fare made in a preparation area at all hours of operation,
- 2) its hours of operation will be opening no later than 5:00 P.M. and closing by 1:00 A.M. Sunday to Thursday, and closing by 2:00 A.M Friday 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 have a closed fixed façade with no open doors or windows except my entrance door will close by 10:00 P.M. 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,
- 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 for ensuring no loitering, noise or crowds 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.

7. Superiority Burger (Nonplussed Legerdemain LLC), 119 Ave A (op)

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

WHEREAS, Nonplussed Legerdemain LLC doing business as Superiority Burger, is seeking a full on-premises liquor license, in the premises located at 119 Avenue A, between East 7th St. and St. Marks Pl., New York, New York; and

WHEREAS, this is an application for an establishment with a certificate of occupancy of 110 people, 33 tables and 82 seats with 1 bar with four seats, a full kitchen, serving food during all hours of operation, one television, ambient recorded background music, and

WHEREAS, there are 25 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 license from January 31, 1996 until April 30, 2021 as 119 Avenue A Restaurant Corp doing business as Odessa Restaurant; and

WHEREAS, two of the applicants have held a restaurant wine license at 430 East 9th Street (Faded Rainbow LLC dba Superiority Burger) since June 2015 and another applicant has held a full on-premises license at 255 Bowery (Short Stories) since July 2018, all within CB3; and

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

WHEREAS, the owners of nearby restaurant Hanoi House, two next-door residents to the current Superiority Burger, a resident of 121 Avenue A, spoke in favor of the application as character witnesses, spoke in favor of the application ; and

WHEREAS, 130 residents who live within two blocks of the location signed a petition in favor 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 Nonplussed Legerdemain LLC, for the premises located at 119 Avenue A, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a restaurant, with a full kitchen serving vegetarian fare during all hours of operation,
 - 2) its hours of operation will be opening no later than 8:00 A.M and closing by 4:00 A.M all days,
 - 3) it will close all outdoor dining allowed under the temporary Open Restaurants program and any other subsequent uses by 10:00 P.M. all days and not have any speakers or TV monitors,
 - 4) it will close any front or rear facade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live non-musical performances, or during unamplified live performances or televised sports,
 - 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 for ensuring no loitering, noise or crowds 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.
8. Corp to be formed by Brendan McElroy, 125 Rivington St (op)
withdrawn
9. Lucky Star (Parkside 3 NYC LLC), 135 Division St (wb)

VOTE: TITLE: Community Board #3 Recommendation To Deny

WHEREAS, Parkside 3 NYC LLC doing business as Lucky Star, is seeking a wine/beer/cider license, in the premises located at 135 Division Street, between Rutgers Street and Pike Street, New York, New York; and

WHEREAS, this is an application for an ice cream parlor with a pending Letter of No Objection of 74 people, five tables and 16 seats, ice cream and Italian ices prepared in a food preparation area, serving food during all hours of operation, no televisions, ambient background music; and

WHEREAS, there are 14 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, this location has never been licensed for serving alcohol; and

WHEREAS, this applicant previously held a full-on premises liquor license at 25 Third Avenue under two corporation names, 25 Third Ave Corp. and Third Avenue & St. Marks Inc., doing business as Continental Bar from May 1998 until 2018; and

WHEREAS, SPaCE block association, the Orchard Street Block Association, residents of seven apartments from 132 Division Street/48 Canal Street, residents of six apartments from 19 Essex Street, and two other local residents wrote in opposition to this application because of the saturation of nightlife on a small one-way street and concerns about the applicant; and

WHEREAS, the applicant purports to want to run an ice cream parlor with live music and beer and wine open until 4:00 A.M., but Community Board #3 does not believe that after 12:00 A.M. this establishment will be run in this manner but will become a bar especially in light of having live music that the applicant requested without restrictions on time and days of the week; and

WHEREAS, three residents and a representative of SPaCE Block Association spoke against the application at the meeting; and

WHEREAS, one CB2 SLA committee member spoke as a character witness in favor of this application; and

WHEREAS, 21 residents who live within two blocks of the location signed a petition in favor of the application; and

THEREFORE, BE IT RESOLVED that Community Board #3 recommends the denial of the application for a wine beer license for Parkside 3 NYC LLC, for the premises located at 135 Division Street, New York, New York, because the applicant did not agree to the following signed notarized stipulations that

- 1) it will operate as an ice cream parlor, with ice cream and Italian ices prepared in a food preparation area served 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. all days,
- 3) it will close all outdoor dining allowed under the temporary Open Restaurants program and any other subsequent uses by 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 incidental, acoustic live music consisting of a singer with a musical instrument no more than three times a week, and will not have amplified 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 for ensuring no loitering, noise or crowds 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.

10. Best Speakeasies NYC LLC, 221 2nd Ave (op)

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

WHEREAS, Jake Yont, Giovanni Chavarria, and Ethan Hawkins are seeking a full on-premises liquor license, in the premises located at 221 2nd Avenue, between East 13th Street and East 14th Street, New York, New York; and

WHEREAS, this is an application for an establishment with a certificate of occupancy of 74 people, 11 tables and 44 seats with one 40-foot rectangle bar with ten seats, a food preparation area with American casual food, serving food during all hours of operation, four televisions, ambient recorded background music; and

WHEREAS, there are 12 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, this location was previously licensed as Huzzah LLC dba Finnerty's Irish Pub with closing hours of 4:00 A.M. all days, after being approved by Community Board 3 for a transfer to this location in February 2006; and

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

WHEREAS, the applicants have never previously been license holders but Evan Hawkins was previous creative director of Broken Shaker, Jake Yont was previously the executive chef of Quality Eats and Sous Chef of Carbone, and Giovanni Chavarria has spent 14 years working in NYC hospitality, including locations such as 1Oak, Tao, and the Garrett Bars; and

WHEREAS, the applicants propose to serve food as the restaurant "Chicken and the Egg" starting at 12:00 P.M. all days and then transition into a speakeasy that serves food at 5:00 P.M. called "Dear Ophelia;" and

WHEREAS, 33 residents of the block, including residents of the three occupied apartments at the location, and 123 residents who live within two blocks of the location signed a petition in favor 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 Jake Yont, Giovanni Chavarria, and Ethan Hawkins, for the premises located at 221 2nd Avenue, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a bar, with fried chicken sandwiches prepared in a food prep area served during all hours of operation,
- 2) its hours of operation will be opening no later than 12:00 P.M. and closing by 4:00 A.M. all days,
- 3) it will close all outdoor dining allowed under the temporary Open Restaurants program and any other subsequent uses by 10:00 P.M. all days and not have any speakers or TV monitors,
- 4) it will close any front or rear facade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live non-musical performances, or during unamplified live performances or televised sports,
- 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 for ensuring no loitering, noise or crowds 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.

11. Belse Bowery LLC, 265-267 Bowery (op)

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

WHEREAS, Belse Bowery LLC, is seeking a full on-premises liquor license, in the premises located at 265-267 Bowery, between E Houston St. and Stanton St., New York, New York; and

WHEREAS, this is an application for a restaurant and brewery with a certificate of occupancy of 248 people, 30 tables and 162 seats with 1 bar with 23 seats, a full kitchen serving food during all hours of operation, three televisions; and

WHEREAS, there are 10 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, this location was previously licensed as Paulaner Brewery, which was approved for a full on-premises license by Community Board 3 in October 2012 provided to agreed to certain stipulations including that it: 1) it will operate a full-service German restaurant and brew pub, with a kitchen open and serving a full menu to within one (1) hour of closing and a reduced menu for the last hour of operation, and will also manufacture beer on site for onsite consumption only, 2) its hours of operation will be 7:00 A.M. to 12:00 A.M. Sundays through Wednesdays and 7:00 A.M. to 1:00 A.M. Thursdays through Saturdays (with the understanding that this means that all patrons will be cleared from the establishment at the specified hour), 3) it will install soundproofing, 4) it will employ at least two (2) security guards weekdays and three (3) security guards weekends, from 5:00 P.M. to closing, will provide security during the day for any special events, will place one (1) security guard at the door at all times and will direct security guards to deter crowds and noise on the sidewalk and encourage vehicles dropping off and picking up patrons from idling, 5) it will play ambient background music only, consisting of recorded music, and not have DJs, live music, promoted events or outside promoters, scheduled performances or any event at which a cover fee will be charged, 6) it will close any façade doors and windows at 10:00 P.M. every night, 7) it will post signs on the façade of its business asking patrons to be quiet and respectful of neighbors, 8) it will extend an awning over the façade of its business to mitigate noise heard by residents and direct smoking patrons away from the front of the business, 9) it will adjust the ventilation system if there are any complaints from residents about noise or odors, 10) it will not apply for a sidewalk café permit for at least two (2) years after it begins operating its business, 11) it will not have any hard liquor promotions, 12) it will have no more than two (2) televisions, one (1) to be located on each floor of the business, 13) it will have no more than seventy-five (75) people at any private parties and will host most private events in the basement level of the business, 14) it will maintain any garbage in a temperature controlled room within the interior of the business until such time as it is picked up by carters, and 15) if there are complaints about noise emanating from the business, it will employ a sound engineer to implement appropriate sound mitigating measures; and

WHEREAS, the applicants have never previously been licensed but have operated a vegan restaurant in Silver Lake, California since July 2020; and

WHEREAS, Paulaner Brewery closed in February 2018, and thus there were zero commercial 311 complaints at this location with NYPD action necessary since 2018; and

WHEREAS, one resident of 10 Stanton Street wrote in opposition to this application because of existing overcrowding in the neighborhood; and

WHEREAS, one resident of 265 Bowery and four residents of 267 Bowery, plus 46 other residents who live within two blocks of the location, signed a petition in favor 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 Belse Bowery LLC, for the premises located at 265-267 Bowery, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a vegan restaurant and brewery with food prepared in a full kitchen served during all hours of operation,
- 2) it may brew beer for sale on premises only,
- 3) its hours of operation will be opening no later than 11:00 A.M Monday through Friday and opening by 10:00 A.M Saturday and Sunday and closing by 1:00 A.M all days,
- 4) it will close all outdoor dining allowed under the temporary Open Restaurants program and any other subsequent uses by 10:00 P.M. all days and not have any speakers or TV monitors,
- 5) it will close any front or rear facade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live non-musical performances, or during unamplified live performances or televised sports,
- 6) 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,
- 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 will designate an employee for ensuring no loitering, noise or crowds outside,
- 12) it will use a reservations and texting system to ensure that patrons do not congregate in front of the restaurant,
- 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.

12. Nowon Inc, 507 E 6th St (upgrade to op)

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

WHEREAS, Nowon Inc. doing business as Nowon, is seeking an upgrade to a full on-premises liquor license, in the premises located at 507 East 6th Street, between Avenue A and Avenue B, New York, New York; and

WHEREAS, this is an application for a restaurant with a certificate of occupancy of 74 people, 12 tables and 32 seats with one L-shaped 17-foot bar with seven seats, Korean food prepared in a full kitchen, serving food during all hours of operation, one television without sound, ambient recorded background music; and

WHEREAS, there are 21 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, this applicant has been operating in this location as Nowon since September 2019 and with a wine beer license since May 2020 after receiving an administrative approval from Community Board 3 for a wine beer license with closing hours of 12:00 A.M. all days in September 2019; and

WHEREAS, this location was previously approved as Kin Asian Bistro (Kin Asian Bistro Inc for a wine beer license in October 2015; and

WHEREAS, there were zero commercial 311 complaints at this location with NYPD action necessary since 2018 and there are no complaints about this location known to the Community Board 3 office; and

WHEREAS, 49 residents who live within two blocks of the location signed a petition in favor 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 Nowon Inc., for the premises located at 507 East 6th Street\ New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a Korean restaurant with food prepared in a full kitchen, served 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 Thursday, 5:00 P.M. to 2:00 A.M. Friday, 11:00 A.M. to 2:00 A.M. Saturday and 11:00 A.M. to 12:00 A.M. Sunday,
- 3) it will close all outdoor dining allowed under the temporary Open Restaurants program and any other subsequent uses by 10:00 P.M. all days and not have any speakers or TV monitors,
- 4) it will close any front or rear facade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live non-musical performances, or during unamplified live performances or televised sports,
- 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 for ensuring no loitering, noise or crowds 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.

13. Le Vraie Raclette LLC, 511 E 12th St (upgrade to op)

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

WHEREAS, Le Vraie Raclette, is seeking an upgrade to a full on-premises liquor license, in the premises located at 511 East 12th Street, between Avenue A and Avenue B, New York, New York; and

WHEREAS, this is an application for an establishment with a certificate of occupancy of 45 people, 12 tables and 45 seats with one 13 FT L-Shaped bar with three seats, full kitchen, serving food during all hours, playing background music with Sonos speakers at ambient level; and

WHEREAS, there are 10 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, the applicant previously operated Raclette Restaurant at 195 Avenue A since February 2015 and was administratively approved for a wine beer license by the community board but never applied for it with the SLA.

WHEREAS, this applicant was approved for a wine beer license by this committee for 511 East 12th Street in July 2016, because although this location previously housed a restaurant with a full on-premises liquor license, the change in class for the previous licensee to a full on-premises liquor license was approved by Community Board 3 after it had been operating with a wine beer license at this location for six years; and

WHEREAS, this applicant has been operating Le Vraie Raclette at 511 East 12th Street with a wine beer license since September 2016 with no complaints known to the community board and there were no commercial 311 complaints at this location with NYPD action necessary since 2018; and

WHEREAS, 22 residents, who live within two blocks of the location, including 13 who live in the building, signed a petition in favor of the application; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for an upgrade to a full on-premises liquor license for Le Vraie Raclette, for the premises located at 511 East 12th Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a restaurant serving French/Swiss menu,

- 2) its hours of operation will be opening no later than 5:00 PM and closing by 11:00 PM Monday to Friday and 12:00 PM to 11:00 PM Saturday and Sunday,
- 3) it will close all outdoor dining allowed under the temporary Open Restaurants program and any other subsequent uses by 10:00 P.M. all days and not have any speakers or TV monitors,
- 4) it will close any front or rear facade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live non-musical performances, or during unamplified live performances or televised sports,
- 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 for ensuring no loitering, noise or crowds 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.

Items not heard at Committee

14. House of Joy Restaurant Inc, 28 Pell St (wb)
administratively approved
15. West New Malaysia Restaurant Inc, 69 Bayard St (wb)
administratively approved
16. Kebabwala EV LLC, 82 2nd Ave (wb)
administratively approved
17. Hiyake Japanese BBQ Inc, 135 Bowery (wb)
administratively approved
18. Parcelle (Ksswine LLC), 135 Division St (wb)
administratively approved
19. Drunken Dumpling & Son Inc, 137 1st Ave (wb)
administratively approved
20. The Masalawala LLC, 149 1st Ave (wb)
administratively approved
21. El Primo Red Tacos (El Primo Red Tacos NYC LLC), 151 Ave A (wb)
withdrawn
22. Fish Market II (Mama's Kitchen II LLC), 171 Ave A (wb)
administratively approved
23. Shinn East II LLC, 208 E 7th St (wb)
administratively approved
24. Chichen Itza Restaurant Corporation, 277 E 10th St (wb)
administratively approved
25. Lighthouse Immersive USA Inc, 299 South St (Pier 36) (op)
administratively approved
26. Sushi Kai (332 Sushi Kai LLC), 332 E 9th St (wb)
administratively approved
27. Uluh (Chibaola Inc), 152 2nd Ave (expansion onto municipal property)
administratively approved
28. Mayfly (Cavan Sligo NYC Inc), 269 E Houston St (expansion onto municipal property)
administratively approved
29. wine.gem (Eureka Gem LLC), 297 Broome St (expansion onto municipal property)
administratively approved
30. Saluggi's East (Saluggis East Inc), 399 Grand St (expansion onto municipal property)
administratively approved
31. Vote to adjourn
approved by committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Landmarks Committee

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

2. GVSHP: Request for support for the proposed South of 14th Street Historic District, which spans CB2 and CB3 and includes much of the area bounded by 14th Street and 9th Street, from just west of Fifth Avenue to just east of Third Avenue

VOTE: TITLE: Support for the proposed South of Union Square Historic District

Whereas, the proposed historic district South of Union Square extends roughly from Third to Fifth Avenue, and East 14th Street to East 9th Street within both CD 2 and CD 3, containing approximately 200 buildings; and

Whereas the area South of Union Square has been found eligible for the State and National Registers of Historic Places for its architecture and historic significance; and

Whereas, its architecture includes a compelling assortment of early- to mid-19th-century row houses in Greek Revival, Italianate and neo-Grec styles, late-19th-century commercial buildings with cast iron facades as well as a wealth of other ornate historic materials, and grand and beautifully ornamented early 20th-century apartment buildings and hotels; and

Whereas, the entirety of this collection of historic structures provides the neighborhood with a strong and special sense of place; and

Whereas the area South of Union Square is especially rich in sites connected to African American, LGBTQ+, Women's, labor, social justice, literary, musical, and artistic history, and

Whereas the area South of Union Square has been increasingly endangered from new development in the area, including hotels, office buildings, and luxury residences, and

Whereas the proposal by Village Preservation for landmark designation for the area has received support from a wide range of scholars and academics, civil rights organizations, preservation organizations, and elected officials, including Borough President Gale Brewer and Assemblymember Deborah Glick; and

Whereas, that portion of the proposed district that is within CD 3 contains many significant buildings, for example

- Felt Building, 114-118 East 13th Street, designed in 1906 by Knight and Collins for the American Felt Company, produced felt for the nearby Steinway manufacturing facility
- 88 East 10th Street, constructed in the Greek Revival Style in 1844-85 by Peter Stuyvesant, a direct descendent of the last Dutch Governor of New Amsterdam; later the home and studio of the African-American artist Selma Burke and of Willem de Kooning
- Old St. Ann's School, 113-117 East 11th Street, designed by Napoleon LeBrun in 1870; later the Trow Directory Printing Building; now apartments

Whereas, CB 2 has endorsed the proposed historic district; so

Therefore be it resolved; Cb3 supports landmarks designation of the South of Union Square Historic District.

3. Certificate of Appropriateness for 45, 47 Second Avenue for vertical enlargement

VOTE: TITLE: Approval with conditions of the Certificate of Appropriateness application for a vertical enlargement at 45 and 47 Second Avenue

Whereas, 45 and 47 Second Avenue are significant buildings in the East Village/ Lower East Side Historic District; and

Whereas, 45 and 47 Second Avenue consists of two four-story Italianate-style tenement buildings located on a single tax lot and built as a pair in 1867 by the architect/Builder John O'Neil; and

Whereas, the buildings are brick and stone with cast-iron storefront piers; and

Whereas, significant architectural features include molded stone window lintels and sills; beltcourses, bracketed and modillioned original cornice and historic storefront infill in the left opening; and

Whereas, these tenement buildings are the very types of buildings the historic district was designed to protect; and

Whereas, the application is to add a fifth floor above the original tenements, with the addition set back six feet from the street at the base, and sloping back to a depth of 9 feet, with four projecting dormers; and an occupiable roof terrace; and

Whereas, there is LPC staff-level approval to replace existing windows with LPC approved replacements and make structural repairs to the façade; and

Therefore be it resolved, CB 3 approves the Certificate of Appropriateness application for a vertical enlargement at 45 and 47 Second Avenue with the following conditions:

- That the addition be set back more than the six feet proposed so that it is less visible from the public way
- That the parapet of the addition be lowered or eliminated to minimize the bulk of the addition
- That the cladding material of the addition be material more suitable to the masonry building, such as stucco
- That the color of the cladding and the dormers be darker to minimize the visual impact of the addition.

4. FY'2023 District Needs Statement and Capital & Expense Priorities

VOTE: To approve FY 2023 District Needs Statement and Capital & Expense Priorities.

5. Vote to adjourn

approved by committee

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

15 YES 15 NO 7 ABS 0 PNV THIS MOTION DID NOT PASS (Landmarks item 2)

Land Use, Zoning, Public & Private Housing

1. Approval of previous month's minutes were approved with no objections.

approved by committee

2. Sheldon Lobel, PC: informational presentation on potential rezoning at 118 St Mark's Place

no vote necessary

3. Two Bridges update

no vote necessary

4. FY'2023 District Needs Statement and Capital & Expense Priorities

VOTE: To approve FY 2023 District Needs Statement and Capital & Expense Priorities.

5. Report from Public Housing & Section 8 Housing Subcommittee

no vote necessary

6. Vote to adjourn

approved by committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Transportation, Public Safety, & Environment Committee

1. Approval of previous month's minutes (minutes are deemed approved if no objections)

approved by committee

2. FY'2023 District Needs Statement and Capital & Expense Priorities

VOTE: To approve FY 2023 District Needs Statement and Capital & Expense Priorities.

3. UA3 Inc request for 25-foot loading zone on Grand St between Suffolk and Norfolk, in front of 384 Grand St, 7am to Midnight

VOTE: TITLE: Support for UA3 Loading Zone Request on Grand Street between Suffolk and Norfolk

WHEREAS, UA3 is a not-for-profit that has served the community since 2015, providing educational, mental health, and funding support to disadvantaged students, adults, and nonprofits. The organization founded the Community First Food Pantry as a response to the pandemic to fight hunger and food insecurity, and

WHEREAS, UA3 receives multiple large food deliveries a week and is requesting a 40-foot loading zone from 7am to midnight to accommodate the large trucks that make these deliveries, and

WHEREAS, UA3 currently is double parking the large trucks delivering and picking up food several times a week and is requesting a 40-foot space so that double parking will not be necessary, and

WHEREAS, The requested loading zone will initially be located on Grand Street, between Suffolk Street and Norfolk Street and covering the curbside area in front of 384 Grand Street, and

WHEREAS, CB3 requests that UA3 returns to CB3 before finalizing the location and move to Suffolk Street for CB3 input, so

THEREFORE, BE IT RESOLVED, CB 3 recommends that DOT create the requested 40-foot loading zone at Grand Street, between Suffolk Street and Norfolk Street and covering the curbside area in front of 384 Grand Street for UA3 so that it can better accommodate food deliveries and continue providing important services to the community.

4. Request that No Parking signs be changed to No Standing Anytime at Our Lady of Sorrows Church at 103 Pitt St

VOTE: TITLE: Support for Our Lady of Sorrows Request to Change signage from No Parking to No Standing Anytime

WHEREAS, Our Lady of Sorrows, a Roman Catholic Church of the Archdiocese of New York is located at 103 Pitt Street.

WHEREAS, Fr. Thomas McNamara, the pastor of OLS, has reported that lots of cars have parked or idled in front of the Church interfering with religious services such as funerals.

WHEREAS, some car owners are taking advantage of the space by putting fraudulent clergy placards in their vehicles.

WHEREAS, there is currently a no parking sign in front of the Church that does not seem to deter car owners

WHEREAS, that a no standing anytime sign will allow the police to ticket parked cars not officially associated with church activity.

THEREFORE, BE IT RESOLVED, CB 3 recommends that DOT change the sign in front of the Church from No Parking to No Standing Anytime.

Block Party

5. CHARAS 20th Anniversary Commemoration, E 9th St (btwn Aves B & C), 11/6/21

VOTE: TITLE: CHARAS 20th Anniversary Commemoration Block Party Request

Community Board 3 approves of the CHARAS 20TH Anniversary Commemoration block party on Saturday, November 6th, 2021, from 10 a.m. to 6 p.m., with 200 people expected to be in attendance. This will require closure of these streets for the event: East 9th Street between Ave. B and Ave. C.

6. Vote to adjourn
approved by committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding Transportation items 2, 3, 4)

36 YES 0 NO 0 ABS 1 PNV MOTION PASSED (Transportation items 2, 3, 4)

Economic Development Committee

1. Approval of previous month's minutes
approved by committee

Joint Economic Development and Transportation, Public Safety, & Environment Committee

2. LES Partnership: Expansions of BID Sanitation and Other Services

VOTE: TITLE: Support for the Expansion of LES Partnership BID Sanitation and Other Services

WHEREAS: The need for additional services to improve neighborhood quality of life and mitigate issues caused by local economic activity is apparent in the Lower East Side, specifically in the Lower East Side Partnership's current service delivery area, map attached; and

WHEREAS: Sanitation and refuse removal continues to be a challenge due to lack of coordination, varying service providers, and constraints on public funding to address documented conditions which remain unsatisfactory; and

WHEREAS: Commercial activity, particularly that related to bars and restaurants, contributes to conditions that impact neighborhood conditions and residential enjoyment of streets, sidewalks, and other public spaces; and

WHEREAS: DSNY is soliciting applications from BIDs across the city for the Clean Curbs pilot program to facilitate containerized commercial garbage storage; and

WHEREAS: expanded sidewalk seating and roadbed seating has created additional food garbage without space for storage or adequate means of removal; and

WHEREAS: There is a high likelihood that public resources required to increase services will continue to be constrained for the foreseeable future; and

WHEREAS: Those benefiting from such economic activity which is causing secondary impacts should contribute directly towards mitigation strategies; and

WHEREAS: Community Board 3 has continually requested additional public services to mitigate such impacts; and

WHEREAS: The Lower East Side Partnership has the ability as the area's local Business Improvement District to assess properties by use and provide supplemental services above those that are customarily provided by the City of New York; so

THEREFORE BE IT RESOLVED: Community Board 3 requests that the Lower East Side Partnership, the Department of Small Business Services, and other relevant agencies develop plans to adequately improve and expand services to mitigate impacts associated with increased local economic activity,

FURTHER BE IT RESOLVED: That these plans should include a more comprehensive approach to street cleaning and commercial trash collection which prevents concerning street and sidewalk conditions due to refuse removal and collection;

FURTHER BE IT RESOLVED: That properties containing commercial establishments holding liquor licenses appropriately contribute to assessments that provide such services to mitigate their commercial impacts;

FURTHER BE IT RESOLVED, the LES Partnership should explore working with DSNY to bring the Clean Curbs pilot program to its territory as a trash mitigation tactic; and

FURTHER BE IT RESOLVED: Community Board 3 requests that the Lower East Side Partnership, the Department of Small Business Services, other relevant agencies, and elected officials expeditiously work together to expand services that address the many issues related to the public realm and its cleanliness that Community Board 3 has continually raised.

Economic Development

3. FY'2023 District Needs Statement and Capital & Expense Priorities

VOTE: To approve FY 2023 District Needs Statement and Capital & Expense Priorities.

4. Report from Arts & Cultural Affairs Subcommittee

no vote necessary

5. Vote to adjourn

approved by committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Parks, Recreation, Waterfront, & Resiliency Committee

1. Approval of previous month's minutes

approved by committee

2. Parks Manager Update

no vote necessary

3. EDC/Parks: Esplanade funding and maintenance

no vote necessary

4. School / community hours for McKinley JOP playground and children's playground

VOTE: TITLE: To Memorialize public opening hours and procedures for McKinley Park

Memorializing public opening hours and procedures for McKinley Park

WHEREAS, McKinley Park adjoins PS 63/The Neighborhood School at 121 E 3 St; and

WHEREAS, McKinley Park is divided into two sections, a basketball court on the 3rd Street side and a dual children's playground/adult area park on the 4th Street side; and

WHEREAS, the 3rd Street side is a Joint Operated Park (JOP) for school use only during school hours on school days; and

WHEREAS, the dual children's playground/adult area on the 4th Street side has traditionally been used as a Joint Operated Playground for school use only during school hours on school days and will continue to be used as a JOP although it is not formally a JOP; and

WHEREAS, NYC Parks has informed Community Board 3 that the renovation of the comfort station will allow Parks to staff the playground; and

WHEREAS, historically the park has not always been unlocked after school hours; so

THEREFORE BE IT RESOLVED, that in order to ensure communication between schools, parks, and the community board, CB3 memorializes the following operational agreements:

- During school hours on school days both sides of the park will be unlocked at 2:45pm with responsibility to be jointly determined between Parks and the schools and all parties will have any necessary keys
- Any changes in responsibility for unlocking or changes in locks or keys will be communicated in writing to schools, parks staff, and the community board by NYC Parks
- Any request to close the park other than school hours on school days will be presented to parks and the community board
- NYC Parks will keep the community board informed as to the schedule for staffing the playground with parks staff.

5. Little Flower Playground Reconstruction

VOTE: TITLE: Support for the proposed design for the reconstruction of Little Flower Playground

To Support the proposed design for the reconstruction of Little Flower Playground

WHEREAS, Little Flower Playground, located in the Lower East Side on Madison Street at Jefferson Street, will be reconstructed; and

WHEREAS, the reconstruction aims to improve organization and circulation within the park, enhance the quality and variety of play areas, expand seating options, and increase lighting, permeability and plantings in the park; and

WHEREAS, a community input meeting was held on March 24, 2021 that included community members, and paper and online surveys were issued; and

WHEREAS, the playground reconstruction will include the following elements:

- Reconstruction of the existing comfort station
- Addition of security lighting
- New pavement and new backstops in existing basketball courts
- New drinking fountains
- Installation of a rain garden
- Installation of a Big Belly Compactor in the BBQ area.
- Relocation of the LaGuardia Bust
- New overhead and low ground spray showers
- New play elements and safety surfaces
- New picnic tables and hot coal bins
- New fencing; and

WHEREAS, the reconstruction will entail the following changes to fencing at the park: lowering them from 7 feet to 4 feet along Madison Street and 8 feet to 4 feet around the synthetic turf field; so

THEREFORE BE IT RESOLVED, that Community Board 3 supports the proposed design for the reconstruction of Little Flower Playground with the following elements incorporated:

- Adequate lighting
- Maintain current number of BBQ grills and if budget allows, add more picnic and BBQ stations
- Possibility of composting drop off site
- Parks will revisit the park during late and early hours to see if lowering the exterior fence is appropriate.

6. Parks: Presentation of plan for installation of water service at 6BC Botanical Garden

VOTE: TITLE: Support for the installation of a new water source for 6BC Botanical Garden

To Support the installation of a new water source for 6BC Botanical Garden

WHEREAS, the NYC Parks Department proposes has presented a plan to install new water service from NYCDEP water main at 6BC Botanical Garden, located on East 6th Street, between Avenue B and Avenue C; and

WHEREAS, as part of the water service installation, a backflow preventer RPZ (Reduce Pressure Zone) inside a rock enclosure, a water meter inside a concrete manhole, and a yard hydrant are being installed; and

WHEREAS, all elements are being installed in the northeast section of 6BC Botanical Garden; and

WHEREAS, The Rock enclosure's dimensions are 21"W x 67"L x 43"H. The enclosure is installed on a concrete base and comes in either brown or granite colors; and 6BC Botanical Garden prefers granite; and

WHEREAS, the water service installation will involve removing one dead tree and the possible transplanting of a second tree currently located in the project area; so

THEREFORE BE IT RESOLVED, that Community Board 3 supports the installation of a new water source for 6BC Botanical Garden with the following condition:

- If it is determined that a portion of the fence needs to be altered or removed for installation it will be returned to its original condition.

7. FY'2023 District Needs Statement and Capital & Expense Priorities

VOTE: To approve FY 2023 District Needs Statement and Capital & Expense Priorities.

8. Vote to adjourn

approved by committee

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding Parks items 4 - 7)

36 YES 0 NO 0 ABS 1 PNV MOTION PASSED (Parks items 4 - 7)

Vote to adjourn

37 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Members Present at Last Vote:

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

Meeting Adjourned

