



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

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Paul Rangel, Board Chair

Susan Stetzer, District Manager

January 2023 Full Board Minutes

Meeting of Community Board 3 held on Tuesday, January 24, 2023 at 6:30pm via Zoom.

Public Session:

Juan Rivero, Village Preservation –. January's small business of the month is Laurie MacLaine Jewelry, We are against the 5G towers and the lack of the city's regard for historic districts.

Laura Lugo - @NYCHA – CB3 should consider asking NYCA to come back and reach out more the community regarding RAD pact.

Vaylateena Jones, - Letter written to the mayor thanking him for extending the emergency order for virtual meeting. And on behalf of power partnership regarding letter of installation of 1K trees. Received a response that the city has begun to install the bio-swales and trees and will continue this spring.

David Mandel, NYC Dept. of Cultural Affairs (5-6 min. w/ Q&A) – The Dept. of Cultural Affairs is initiating a new public art commission as part of an upcoming project in your district. To ensure community awareness and participation we would like to introduce the Percent for Art program. The current project is the 70 Mulberry St. Structural Rehabilitation and Renovation. The first meeting date is 2/22. It will be virtually. Public can be part the advisory panelists by applying via email to percentforculture.nyc.gov. The next meeting will be 3/22/23 followed by coming back to the community board to present the artists proposal, and get feedback before going to the design commission.

Vincent Jenkins, Jewish Bd. Tanya Towers – agenda item Public Safety and Housing – Supporting –

Sue Peters, New Yorker4 Wired Tech – presentation at QC81 on 1/25/23 Jumbo 5G Antennas. Regarding the jumbo wireless antennae around the city, tomorrow at 6:30 at the Queens CB1 meeting there will be a presentation on this subject. There will be guest speakers to talk about the wireless transmissions effect on public health.

Martha Danzinger, 1st St. Block Association – Against SLA #7 Sia Fish & Tackle. Asking the board to support not allowing the Houston St spot to use the sidewalk to serve food. Second asking the board to table SLA #2 and send back to committee.

Robert Graff, 1st St. Block Asso. – Expressing support for SLA #7 denying use of outdoor space for food service.

Nora Cronin, Friends of + Pool – Upcoming programming Adult learn to Swim and Career Talk w/ Henry St. Settlement. On Feb 4th from 1-2 and 2-3 a swim program will be offered and repeated in March for \$25 per session. The location is Lehman Prep. On Thursday at 6 pm, at Henry Street + Pool will host a discussion of aquatic careers. Go to pluspools.org for more information.

Gabriel Woodhouse, Project Renewal – Against 3 E 3rd St. Dispensary – We are across the street from the potential site for the new dispensary. We oppose placing it across street from two shelters, one of which provides services for substance abuse.

Luis Abreu, Project Renewal - Against 3 E 3rd St. Dispensary – Opposing the placement of the dispensary across the street from two shelters.

Public Officials:

Mayor Eric Adams, Robin Forst: Not present

Public Advocate Jumaane Williams, Socrates Solano: Not present

Comptroller Brad Landers, Evelin Collado: Not present

Borough President Mark Levine, Yiyi Wang: The office is currently accepting application for community board appointments. The deadline for applying is March 17. A link for the application is on the BP's website. Also on the website is a link for the first state of the borough address.

A letter has been sent by the office requesting to slow the roll out of the installation of the 5G towers.

District Attorney Alvin Bragg, Lingjun Chen: Not present

Congressmember Jerrold Nadler, Olivia Glen-Rayner: Not present

Congressmember Dan Goldman, Lingxia Ye: The congressmember will have an office at 290 Broadway and a Brooklyn office in Park Slope. The office is currently working remote. Go to goldman.house.gov to reach out to the office.

Assemblymember Grace Lee, Fannie Ip: Our temporary District Office is 64 Fulton Street, Suite 302
Email us at: leeg@nyassembly.gov District Office: 212-312-1420 Legislative Office: 518-455-3640 Her Chief of Staff is Samantha Day Chief of Staff. Appointed to APA Taskforce. Serving on the housing task force. Co-Chair, Asian Pacific American Task Force, Committee on Banks, Committee on Consumer Affairs and Protection, Committee on Environmental Conservation, Committee on Housing, Committee on Social Services. Recently both houses Passed the Equality amendment act to expand protection from discrimination, and it will now be a ballot referendum on the ballot next November.
The office is currently taking request for organization looking to get state funding. Reach out to the office to let her know the need. If you had ideas or issues, please reach out to the office.

Assemblymember Deborah J. Glick, Roy Ruiz: Link to report - <https://conta.cc/3wvUA5D>. Deborah is now the chair of environmental legislation committee.

Assemblymember Harvey Epstein, Chanel Elliott: The State Department of Health is expected to review the CON for Mt. Sinai's NY Eye and Ear Thursday. The assemblymember has asked the state to slow down the process. There has been no public hearing besides the one meeting at CB3. Encourage to submit in writing support for NY Eye and Ear and send to electeds how much it is needed in the area.
The assemblymember is working on bill to legalize basement apartments.
Redistricting hearings are starting in February to redraw the districts.
Charas building is in foreclosure and the city has bricked over the murals on that building. We are working with them to secure the building without covering the murals. Link to newsletter:
https://docs.google.com/document/d/1WV_fmQldpV8wk87HkmtokTyjZ3Pn9HweqRm08mf0MeM/edit?usp=sharing

State Senator Brian Kavanagh, Patricia Olan: The senator would like to announce that three bills were advanced by the housing committee regarding maximum rent, vacant properties and public housing rental assistance.

Councilmember Christopher Marte, Jennifer Chiao: The Council Member introduced a bill that would have this administration recognize Lunar New Years as an official NYC public school holiday and a NYC holiday. The date of voting on the bill is anticipated to be Feb. 2nd.
In terms of budget, both discretionary funding and capital applications are now available, and our office requires a supplemental form which can be found on the council website under Council Member Marte's page. There are specific dates for when each application is due. If any org is interested in a training for funding, please email Berenice at bnavarrete-perez@council.nyc.gov the next one is this upcoming Thursday.
Tomorrow, the CM will be at a press conference against Link 5G towers at 37 Rivington St, at 12:30pm, we encourage folks to come! We are calling to halt any expansion of the LINK 5G towers in District 1.
The Council Member has been busy attending Lunar New Year's events and wishes a healthy New Years to all those who celebrate.
Lastly, we are still collecting donations for asylum seekers in our neighborhood. Please feel free to come by and donate new or gently used clothes to 65 East Broadway. We are particularly in need of adult and children's shoes. If you'd like to be involved and participate in our efforts, please feel free to reach out to district1@council.nyc.gov or call 212-587-3159.

Councilmember Carlina Rivera, Julio Rivas: The councilmember is working on behalf of asylum seekers to make sure the social safety nets in the schools have the resources they need to support the new students.
Also, we have a Citizens Committee for New York City Live Grant Information Session on Thursday virtually. The office is trying to geolocate all the trees that the department of parks have planted. Report link - <https://docs.google.com/document/d/1X8Ts3GR-C1cQvDeSfztaJ136TdWHQZ8E/edit?usp=sharing&oid=104030359651115607321&rtpof=true&sd=true>

Members Present at First Vote:

David Adams	[P]	Karlin Chan	[P]	Jaime Felber	[P]
Yaron Altman	[P]	David Crane	[P]	Larry Fenn	[P]
Sarah Rose Batchu	[P]	Eric Diaz	[P]	Shirley Fennessey	[P]
Lee Berman	[P]	Tareake Dorill	[P]	Kathryn Freed	[P]
Ana Calderon	[A]	Alistair Economakis	[P]	Ryan Gilliam	[P]

Debra Glass	[P]	Alysha Lewis-Coleman	[A]	Laryssa Shainberg	[P]
Jake Gold	[P]	Amanda Liu	[P]	Sandra Strother	[P]
Andrea Gordillo	[A]	David Louie	[P]	Daniel Tainow	[P]
Kanielle Hernandez	[P]	Laura Lugo	[P]	Josephine Velez	[P]
Herman Hewitt	[P]	Paul Rangel	[P]	Troy Velez	[P]
Trever Holland	[P]	Damaris Reyes	[P]	Rodney Washington	[P]
Vaylateena Jones	[P]	Richard Ropiak	[P]	Joshua Waterman	[P]
Jeanette Kim	[A]	Thomas Rosa	[P]	Kathleen Webster	[P]
Michelle Koppersmith	[P]	Robin Schatell	[P]	Jacky Wong	[A]
Mae Lee	[P]	Heidi Schmidt	[P]	July Yang	[P]
Wendy Lee	[P]	Arnette Scott	[P]		

Minutes:

Minutes of December 2022 were approved, as is.

42 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Board Chairperson's Report:

Chairperson Paul Rangel

A Cannabis Taskforce was established instead of a committee to hear any requests that come before the board before the finalization of comment period for the regulations governing these establishments. I appreciate the taskforce, but they will not necessarily be on the committee. Will recommend dissolving the task force and form a committee if needed.

We are still under exec order. Going forward all virtual meetings will be in a webinar format to streamline the meetings process.

District Manager's Report:

District Manager Susan Stetzer

Announcement: Our Twitter and Instagram links are on the website in the lower corner.

The office is getting many complaints about illegal cannabis stores. These stores are being raided and fined, but they are reopening with new product right after. We hope that new stronger legislation will help this.

Complaints continue to come in regarding the open restaurant sheds. The office is working with Dept. of Health to address concerns and the DOT to expedite removal.

Regarding land use, there is a concern that if a majority of all the sites on Essex Crossing is under construction at the same time, we will have no room for traffic.

WTC Survivors Committee Report: On December 21, \$1 billion was added to the spending bill for survivors and uterine cancer has been added effective January 18 as a covered diagnosis.

Committee Reports:

Executive Committee

- Exec Committee Vote

VOTE: TITLE: CB 3 COMMENTS TO CHAPTER II OF SUBTITLE B OF TITLE 9 OF THE OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE OF NEW YORK, REGARDING ADULT USE CANNABIS

WHEREAS, in 2021, New York State legalized the production, sale, and use of recreational cannabis, which created the ability of the State to license retail cannabis dispensaries and establishments for on-site consumption; and

WHEREAS, the regulation of these establishments will be predominantly handled by the State, and the State has created a State Cannabis Control Board for that purpose; and

WHEREAS, within certain guidelines, local governments can pass local laws and regulations governing the "time, place and manner" of such establishments; and

WHEREAS, Chapter II of Subtitle B of Title 9 of the Official Compilation of Codes, Rules and Regulations of the State of New York has been amended to provide, among other things, various rules regarding adult use cannabis and the licensing of adult-use retail dispensaries (the "Cannabis Regulations"); and

WHEREAS, regulations regarding establishments for on-site consumption are expected soon and CB 3 expects to have comments on those regulations when the time comes; and

WHEREAS, Manhattan CB 3 desires to comment on the proposed Cannabis Regulations; and

WHEREAS, Sections 119.1 and 119.4 of the Cannabis Regulations allows local governments to restrict cannabis establishments to not less than 1,000 feet from one another, 500 feet from a school, 500 feet from a community facility and 200 feet from a house of worship; and

WHEREAS, CB 3 believes that there should be an additional category, restricting cannabis dispensaries within 500 feet of a community facility that is a substance use disorder treatment or recovery facility;

WHEREAS, Section 119.2 of the Cannabis Regulations allows local governments some ability to regulate "time, place, and manner" of the operation of licensed adult-use cannabis retail dispensaries and/or on-site consumption sites; and

WHEREAS, regarding hours of operation, Section 119.2 only allows local governments to restrict (i) retail dispensary activities within the hours of 2:00 AM to 8:00 AM, and (ii) on-site consumption activities within the hours of 4:00 AM to 8:00 AM; and

WHEREAS, Section 119.2 does not allow local governments to restrict cannabis operations to less than 70 hours per week; and

WHEREAS, CB 3 believes that closing hours for cannabis dispensary establishments in residential areas should be not later than 12:00 A.M. to allow nearby residents to coexist with local businesses; and

WHEREAS, Section 119.3 of the Cannabis Regulations provides for notification to municipalities containing only basic information regarding a cannabis license; and

WHEREAS, the current notice to municipalities should include more information than required by Section 119.3, including information about the applicant's business experience and hours and application number and date of provisional approval; and

WHEREAS, CB 3 believes that additional time is necessary for the municipality to provide public notification and comment, and that such time period should be not less than 60 days; and

WHEREAS, meetings of the cannabis control board should be posted at least 10 days in advance and the agenda should be posted one week in advance.

WHEREAS, any discussion about cannabis dispensary licensing must also address enforcement of existing applicable laws regarding second-hand smoke, etc., enforcement against proliferation of unlicensed cannabis establishments, and protection of the licensed establishments; and

WHEREAS, CB 3 believes that smoking should be discouraged directly outside of cannabis dispensary establishments and that the state should provide required signage to operators to post outside their establishments with this message to protect resident health; and

WHEREAS, CB 3 believes that enforcement of illegal cannabis establishments on both the State and local levels is urgently required immediately and on an ongoing basis and that better funding and education is required to enable such enforcement; and

WHEREAS, CB 3 believes that its suggested amended regulations should be applied to all applications in order to ensure the fair and equal treatment of all applicants; and

THEREFORE BE IT RESOLVED, that Manhattan Community Board 3 makes the following recommendations regarding the Cannabis Regulations and enforcement of existing and future laws regarding cannabis dispensaries:

- Cannabis dispensary establishments should not be allowed within 500 feet of a community facility that is a substance use disorder treatment or recovery facility, and/or a behavioral health facility
- Closing hours for cannabis dispensary establishments in residential areas should be not later than 12:00 A.M. to allow nearby residents to coexist with local businesses,
- Notification time periods to community boards about new cannabis dispensary establishment applications should be not less than 60 days,
- The current notice to municipalities should include more information than required by Section 119.3, including information about the applicant's business experience and hours,
- Smoking should be discouraged directly outside of cannabis dispensary establishments and the state should provide required signage to operators to post outside their establishments with this message,

- OCM should ensure that dispensaries and consumption sites are equitably distributed, and
- These suggested amended regulations should be applied to all applications in order to ensure the fair and equal treatment of all applicants.

38 YES 1 NO 0 ABS 0 PNV MOTION PASSED

Cannabis Control Task Force

1. Roll call
approved by committee
2. Notice of intention to file for an application for full licensure with Office of Cannabis Management to open retail dispensary at 3 E 3rd Street, commercial unit 3

VOTE: TITLE: Support for CAURD license in Community Board 3 but not at 3 E 3rd Street

Whereas On March 31, 2021, New York State legalized adult-use cannabis by passing the Marijuana Regulation & Taxation Act (MRTA) and created a new Office of Cannabis Management (OCM). The OCM will issue licenses and develop regulations outlining how and when businesses can participate in the new industry. The MRTA establishes a robust social and economic equity program to prioritize and provide resources to members of communities who have been disproportionately impacted by the policies of cannabis prohibition and to participate in the new industry through the implementation of a social and economic equity plan. This social and economic equity plan will include:

- actively promoting applicants from communities disproportionately impacted by cannabis prohibition, and promote racial, ethnic, and gender diversity when issuing licenses for adult- use cannabis related activities, including mentoring potential applicants and prioritizing applications from applicants who are members of communities disproportionately impacted by the enforcement of cannabis prohibition or who qualify as a minority or women-owned business, distressed farmer, or service-disabled veteran., and

Whereas the plan provides that extra priority shall be given to applications that demonstrate that an applicant:

- Is a member of a community disproportionately impacted by the enforcement of cannabis prohibition;
- Has an income lower than eighty percent of the median income of the county in which the applicant resides; and
- Was convicted of a cannabis-related offense prior to the effective date of this chapter, or had a parent, guardian, child, spouse, or dependent, or was a dependent of an individual who, prior to the effective date of this chapter, was convicted of a cannabis-related offense, and

Whereas on November 21, 2022, the NYC Cannabis Control Board granted a provisional Conditional Adult Use Retail Dispensary license to Gotham CAURD LLC., and

Whereas Gotham CAURD is a nonprofit partnership of Second Chance New York, Inc (SCNY) (51 %), a nonprofit created to support the mission of Strive, a workforce development nonprofit based in East Harlem; SW 2022 Trust, a trust owned by Joanne and Fred Wilson (48%); and Jason Gibson (1%) a Justice Involved Individual who is the Chairman of the Board of Directors of SCNY, the Sole Manager of Gotham CAURD LLC, and is a member of STRIVE's Advisory Committee. The CAURD will be operated by a management company engaged by the nonprofit, Strive, and Joanne Wilson is the CEO of the management company and will be responsible for running the business. Additionally, Joanne Wilson owns the retail space proposed for the location at 3 East 3rd Street which has a basement, first floor, and mezzanine, and

Whereas Gotham proposes to operate from 9 a.m. to 10 p.m. daily, will use velvet ropes for line control at the exterior of the building as needed and will have closed windows and facade, and

Whereas Project Renewal has expressed opposition to the location of the dispensary directly across from Project Renewal's facilities. The proposed dispensary at 3 East 3rd Steet is directly across the street from Project Renewal's Third Street Men's Shelter at 8 E 3rd Street. This facility houses 175 men who are homeless along with an additional 60-bed in-house OASIS recovery program. Kenton Hall at 333 Bowery is a behavioral health facility that houses 108 men. These men receive some services and meals at 8 E 3rd St. In addition, there is a 120-client outpatient recovery program. Approximately 10% of these clients are from 8 E 3rd Steet residents and about 10 % from Kenton Hall residents. Some of the Project Renewals residents are additionally in other off site outpatient recovery programs. In general, these programs serve chronically homeless clients, many of whom also experience mental illness, and/or have significant histories with incarceration and trauma, these men

in treatment are the same population that is being prioritized as members of communities who have been disproportionately impacted by the policies of cannabis prohibition , and

Whereas the directors of the substance use disorder treatment and recovery programs at Project Renewal provided testimony at the January 2023 meeting of the cannabis control taskforce that having an adult use recreational cannabis dispensary across the street from their treatment and recovery programs would be potentially detrimental to the recovery of their residents and clients. It is potentially triggering to high risk and vulnerable clients who may return to use. Project Renewal also testified that some of the men in their 60-bed treatment program have been released on parole with stipulations that they may not use cannabis and can be returned to prison if found in violation, and

Whereas a client and CB 3 residents who are in recovery also testified regarding their beliefs that the triggering impacts from having the site across the street are detrimental to people in treatment, and

Whereas when the NYS Cannabis Control Board provisionally approved the application for the CAURD license, the letter specifically stated that "it shall not be considered final location approval," and

Whereas there are many vacant storefronts in CB 3 that could be potential alternative sites for a cannabis dispensary, so

Therefore be it resolved, Community Board 3 Manhattan does not approve of the 3 East 3rd Street location for this CAURD license for Gotham CAURD LLC, and

Be it further resolved, Community Board 3 Manhattan would approve of this license if it were at a location more than 500 feet from a community facility which is a substance use disorder treatment or recovery facility -- including the two Project Renewal facilities at 8 East 3rd Street and at 333 Bowery.

3. Vote to adjourn
approved by committee

35 YES 2 NO 2 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. ESCR update
no vote necessary
4. BMCR update
no vote necessary
5. Clarification of Tompkins Square Park closing time

VOTE: TITLE: Clarification of Closing time for Tompkins Square Park

To Support the Midnight Closing Time for Tompkins Square Park Through the Winter 2023 Months With the Decision to be Revisited With Parks in May 2023.

6. MBP: Support for Million More Tree Campaign

VOTE: TITLE: Support for the Million More Trees Campaign

To Support the Million More Trees Campaign

WHEREAS, the Million More Trees Campaign wants to increase community resiliency and the quality of life through the New York City Urban Forest Canopy Protection, maintenance, expansion, and planting at least a Million More Trees.

WHEREAS, the urban forest refers to the more than seven million trees in New York City and the physical and social infrastructure on which they depend;

WHEREAS, the urban forest canopy refers to the area of the tree leaves, branches, and stems when viewed from above;

WHEREAS, the urban forest is found on both public and private lands, including parks, streets, NYCHA campuses, schools, businesses, institutions, and private residences with approximately 28% in city parks, 25% in the public right-of-way, and 47% on other property types citywide;

WHEREAS, the urban forest canopy cover of New York City is approximately 22% and of Manhattan is 21.4%;

WHEREAS, the urban forest serves as critical natural infrastructure and provides myriad social, environmental, and economic and public health benefits, including but not limited to cooling, shading, energy efficiency, cleaner air, stormwater absorption and filtration, increased property values, enhanced mental and physical health, and improved business activity (See Chapter 3, [State of the Urban Forest in NYC](#));

WHEREAS, extreme heat and flooding are a threat to the health, wellbeing, and economy of our communities and the New York Panel on Climate Change predicts up to 3-5 times the number of extreme heat days and 1.5 times the amount of precipitation by the 2080s;

WHEREAS, the urban forest canopy is disproportionately distributed throughout the City and communities of color and low-income communities tend to have significantly less canopy while often being more vulnerable to heat and other health risks and African Americans in the city are twice as likely to die from heat exposure as white New Yorkers, according to the city's health department;

WHEREAS, each Community District has a unique distribution of urban forest canopy across property types;

WHEREAS, the urban forest canopy of Community District 3 is 22%;

WHEREAS, there is significant opportunity to expand the urban forest in New York City and to plant at least a million more trees across public and private land, and realizing this opportunity requires the whole city and all Community Districts;

WHEREAS, our trees require adequate access to water sources;

WHEREAS, urban forest canopy expansion requires protecting existing trees, planting more trees, and maintaining all trees, so

THEREFORE BE IT RESOLVED, that Manhattan Community Board 3:

- Supports the 5 Borough Presidents' goal of planting a million more trees by 2030, and
- Endorses the [NYC Urban Forest Agenda](#), and
- Adopts a goal of 30% canopy, equitably distributed, for our Community District; and

THEREFORE BE IT FURTHER RESOLVED, that Manhattan Community Board 3 calls on the City to:

- Plant at least one million new trees citywide across public and private lands by 2030 with an emphasis on increasing equity in canopy distribution by expanding canopy in the most heat vulnerable communities and in other environmental justice communities
- Implement the NYC Urban Forest Agenda
- Set a citywide goal of equitably achieving at least 30% canopy by 2035
- Develop and implement a citywide Urban Forest Plan that centers health, well-being, climate resilience, equity, environmental justice, and sustainability
- Support the development of community-scale urban forest plans and goals
- Invest in urban forestry and stewardship workforce development,
- Increase and equitably distribute public funds for public urban forestry projects
- Strengthen regulations and develop incentives to protect and increase urban forest canopy on private property
- Develop and establish tree planting and management standards for all property types
- Develop enabling conditions to transform wood waste into a sustainable local resource
- Track canopy health and change over time
- Invest in citywide stewardship education and events
- Provide adequate water sourcing
- Protect and maintaining existing trees

7. Vote to adjourn
approved by committee

38 YES 0 NO 0 ABS 1 PNV MOTION PASSED

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

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

2. Community Education Council District 1 District Needs
no vote necessary
3. Mount Sinai Beth Israel Hospital Update
no vote necessary
4. CAB/CEC reports
no vote necessary
5. Vote to adjourn
approved by committee

39 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. Develop guidance regarding Open Restaurants hours

VOTE: TITLE: Community Board 3 Commercial District SLA License Outdoor Dining Parameters

WHEREAS, Community District 3 (CD 3), Manhattan is a mixed-use community district with many residential streets, streets with commercial overlays to serve local retail needs, as well as commercial streets and avenues; and

WHEREAS, CD 3 is one of the top two densest community districts for eating/drinking businesses in New York City with 1,004 Open Restaurants; and

WHEREAS, CD 3, of the 59 NYC community districts, has the second highest number of non-conforming food and drink establishments on residential side streets. At the time of the Citywide Text Amendment for Open Restaurant in September 2021, there were 191 nonconforming, of which 134 are nonconforming in residential districts; and

WHEREAS, CD 3 historically has been one of the top two districts in the City with the most commercial noise complaints at bars and restaurants; and

WHEREAS, because of the residential nature of much of CD 3, Community Board 3 (CB 3) has historically only approved outdoor dining/sidewalk cafes that close at 10 PM and stipulated that these restaurants comply with City regulations that do not allow speakers or TVs in order to mitigate impact on residents; and

WHEREAS, some sections of CD 3 are strictly commercial so outdoor dining won't impact residents;

THEREFORE BE IT RESOLVED, in locations that are strictly commercial and not residential, such as some areas of 14th Street, Bowery, and East Houston Street, CB3 will consider outdoor dining hours later than 10 PM.

Alterations

3. Cha Chan Tang (Tea Bistro Inc), 45 Mott St (op/change method of operation: add DJ/alt: move 1st floor from right side to left side and convert to stand up bar, remove karaoke rooms and replace with seating, reconfigure seating)
withdrawn

New Liquor License Applications

4. Francis Kite (Francis Kite LLC), 40 Ave C (op)

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

WHEREAS, Francis Kite, LLC doing business as Francis Kite, is seeking a full on-premises liquor license, in the premises located at 40 Avenue C, between East 3rd Street and East 4th Street, New York, New York; and

WHEREAS, this is an application for an establishment with a pending certificate of occupancy, 10 tables and 37 seats with a bar and 20 seats, food prep area serving food during all hours of operation, no televisions, and art events such as artist lectures, film screenings, performances and occasional live music; and

WHEREAS, there is one full on-premises liquor license within 500 feet per the SLA LAMP map; and

WHEREAS, in July 2010 the community board approved a transfer of an on-premises license to Ajaccio Inc., DBA Bedlam for this location, on the condition that its hours of operation will be from 7:00 P.M.

to 4:00 A.M. every day and that it will continue to employ a certified doorman to count patrons and check identifications, this license has since become inactive on March 2021; and

WHEREAS, the backyard of Bedlam was known to the community board to be a problem for residents many years ago; and

WHEREAS, this applicant has not previously been a license holder; and

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

WHEREAS, 13 residents who live within two blocks of the location, including nine who live above the proposed premises, 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 license for Francis Kite, LLC doing business as Francis Kite, for the premises located at 40 Avenue C, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a bar tavern, with appetizers and snacks served during all hours of operation in a food prep area,
- 2) its hours of operation will be opening no later than 5:00 P.M. all days and closing by 12:00 A.M. on Sundays and Tuesdays through Thursdays and by 2:00 A.M. Fridays and Saturdays, closed on Mondays,
- 3) it will not use outdoor space for commercial use, including no use of the backyard,
- 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 host scheduled/ticketed events including live music events no more than eight times a month, but may not have DJs or third-party promoted events,
- 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.

5. Heaven's Cookies LLC, 47 2nd Ave (wb)

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

WHEREAS, Heaven's Cookies LLC doing business as Sauced Grocer is seeking a wine beer license, in the premises located at 47 2nd Avenue, between 2nd and 3rd Streets, New York, New York; and

WHEREAS, this is an application for a café / wine bar with a Letter of No Objection of 70 people, 10 tables and 30 seats with one 13-foot bar with four seats and one 11-foot bar with two seats, a full kitchen, serving food during all hours of operation, playing background-level recorded music only that may be curated by a DJ; and

WHEREAS, this location has never been licensed and is not currently licensed; and

WHEREAS, the applicant has been a restaurant wine license holder for Sauced Rooster LLC doing business as Sauced (331 Bedford Avenue) in Brooklyn Community District 1 since December 2019 where there were four 311 complaints with NYPD action necessary since 2018, and the applicant has zero SLA reports or actions within the last 5 years; and

WHEREAS, one 47 2nd Avenue resident spoke in opposition to this application because of oversaturation and concerns about patrons smoking outside the establishment; and

WHEREAS, 40 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 Heaven's Cookies LLC, for the premises located at 47 2nd Ave, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a café / wine bar, with a kitchen open and serving food 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. Sunday to Wednesday and 2:00 A.M Thursday to Saturday,
- 3) it will not use outdoor space for commercial use,
- 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 add soundproofing in consultation with a sound engineer to ensure that sound is not audible in surrounding apartments,
- 6) it will play ambient background music only, consisting of recorded music curated by a DJ or pre-recorded / streamed, and will not have live music, 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 may have "happy hours" until 7:00 P.M. each night,
- 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.

6. Cool Culinary LLC, 119 Essex St (op)

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

WHEREAS, Cool Culinary, LLC is seeking a liquor/wine/beer/cider catering license, in the premises located at 119 Essex Street, between Rivington & Delancey Streets, New York, New York; and

WHEREAS, this is an application for a catering establishment in a commercially zoned building with a pending certificate of occupancy, 26 tables and 54 seats with one ground floor L-shaped bar that includes no seats, New American Cuisine prepared in a full kitchen and food prep area, serving food during all hours of operation, recorded music at background levels; and

WHEREAS, a catering establishment "allows a person to serve alcoholic beverages in their rentable banquet venue for private events only. The premises is never open to the general public. Such premises must have suitable and adequate facilities and accommodations to provide food and service for not less than fifty persons," according to the SLA; and

WHEREAS, the premises will function as a coffee shop that does not serve alcohol during the daytime hours, and will have private events in the evening with liquor served in line with the proposed catering license; and

WHEREAS, there are 34 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, the location has an active beer wine license for Essex Project LLC, doing business as Char Sue, which it received in 2017 and which expires in February 2023; and

WHEREAS, the location previously had a full on-premises liquor license that Community Board 3 approved for Brannon's in December 2012 with stipulations including hours of operation of 7:00 A.M. to 2:00 A.M. Sundays through Wednesdays and 7:00 A.M. to 4:00 A.M. Thursdays through Saturdays, ambient recorded background music only, no live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged, closing any façade doors and windows at 10:00 P.M. every night; and

WHEREAS, it appears that Brannon's closed sometime in 2014 (<https://www.yelp.com/biz/brannons-new-york?hrid=bOPNQeXeDKZZGNErZZc0qw&>); and

WHEREAS, the applicant has never previously been a license holder but has worked as a chef in New York, Los Angeles, and Italy for nine years; and

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

WHEREAS, a representative from the LES Dwellers wrote that they had no objection to the application provided it is a catering establishment that is not open to the general public; and

WHEREAS, nine residents who live within two blocks of the location, including four who live above the proposed premises, 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 liquor/wine/beer/cider catering license for Cool Culinary, LLC, for the premises located at 119 Essex Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a Catering Facility with New American Cuisine prepared for private events only,
- 2) its hours of operation will be opening no later than 5:00 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 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,
- 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. FlyFish Club (D&C Social Club Inc), 141 E Houston St (op)

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

WHEREAS, D&C Social Club Inc. doing business as FlyFish Club, is seeking a full on-premises liquor license, in the premises located at 141 East Houston Street (ground, cellar, and subcellar levels), between Forsyth Street and Eldridge Street, New York, New York; and

WHEREAS, this is an application for a private dining club across three floors, with a pending certificate of occupancy, 34 tables and 107 seats with one square bar with 20 seats on the ground floor, one table and 20 seats on the cellar level, 21 tables and 67 seats with one 26-foot bar with eight seats and one food counter with 14 seats on the subcellar level, raw bar and continental food prepared in a full kitchen and at a prep counter, serving food during all hours of operation, one TV located in the private dining room on the cellar level, ambient recorded background music on the ground and cellar level, ambient recorded background and live music and DJs on the subcellar level; and

WHEREAS, there are 15 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, the proposed premises are located in a new commercial office building development on the site of the former Sunshine Theatre (<https://nypost.com/2022/11/16/flyfish-club-which-sold-memberships-via-nfts-lands-in-nyc/>); and

WHEREAS, the applicant provided a traffic study that suggested that it take several actions, in order to function at this location without adversely affecting traffic and parking conditions in the area including:

- request for signage change to No Parking Anytime from No Standing,
- not run a valet parking service,
- no club buyouts which would peak traffic,
- establish relationships with area garages to assure parking availability nearby,
- deploy staff during peak hours to manage any congestion in front of the premises,
- have staff provide parking assistance and make sure that patrons are not parked illegally,

- a door person that will assist with smooth and quiet exit of members and guests at closing times; and

WHEREAS, the applicant has worked in the New York hospitality industry for more than two decades, including as a founding partner of the Empellón Restaurant Group which has four restaurants across Manhattan, including one in Community District 3, and also owns a sushi restaurant in the financial district;

WHEREAS, the applicant holds full on-premises liquor licenses at five other locations in New York:

- Sada Three LLC d/b/a Empellon Al Pastor (132 St. Marks Place, 10009)
- Sada 510 Madison LLC d/b/a Empellon 510 (510 Madison Avenue, 10022)
- Sada One LLC d/b/a Empellon (230 West 4th Street, 10014)
- Sada 3WS LLC d/b/a Empellon Waterline Square (645 West 59th Street, 10069)
- 75 Barclay LLC d/b/a Ito (75 Barclay Street, 10007)

WHEREAS, the applicant has been subject to three disciplinary actions at 132 St. Marks Place for Sada Three LLC: paid a \$2,000 fine for a July 2020 covid violation, paid \$2,000 for failure to conform in October 2018, and paid \$1,500 for an October 2017 noise violation; and

WHEREAS, the applicant provided a comprehensive sound study from Acoustilog that included visits to buildings that border the proposed courtyard area (where the applicant would like background music), which said that eight small speakers should be used as a distributed system with woofers that must not exceed 6" in diameter without subwoofers that should be set to stereo, and that the applicant will use a pergola roof louvered ceiling system that can be opened and closed will be use to mitigate any ambient sound impacting surrounding residents; and

WHEREAS, the co-op board president of 212 Forsyth Street, which abuts the proposed premises' courtyard, who accompanied the sound engineer to study the situation, wrote to the committee in opposition to allowing use of the courtyard because the alley way to the west side of the proposed side courtyard, is directly connected at the end by a ten-foot wall approximately three feet from one bedroom window and approximately eight feet from another. The lowering of the wall now allows all the noises from East Houston Street into the rear yard of 212 Forsyth Street. Just above this wall are the bedrooms of all the residents of the building, and the other adjoining, and the rear windows of the adjoining building (210 Forsyth Street) and the building to the west on East Houston. The wall that separates the rear yard of 212 Forsyth Street was lowered by the new owners of the property that purchased the Sunshine Theatre, and since then, the noise from East Houston now reaches the 212 Forsyth Street residents. If there will now also be restaurant patrons, it will only be worse for residents; and

WHEREAS, a representative of the First Street Block Association wrote and spoke at the meeting that it was to opposed to this application "based on the 500 foot rule and a proposed use of a courtyard" but the "inside hours and operating protocols were acceptable;" and

WHEREAS, a representative of the Eldridge Street Block Association spoke in opposition to the application, and noted that 19 members of the block association voted in opposition to the application, and zero voted in favor of granting the license; and

WHEREAS, three residents of Eldridge Street and another CD3 resident spoke against the application because of the oversaturation of bars on Eldridge Street and deep concerns about how the proposed courtyard usage would negatively impact residents with buildings that border the courtyard; and

WHEREAS, two residents of Forsyth Street whose backyards abut the proposed courtyard spoke in opposition to the use of the outdoor space

WHEREAS, four character witnesses, including three residents of Community District 3, wrote in favor of the application; and

WHEREAS, 35 residents who live within two blocks of the location, including six residents of the building next door, 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 license for D&C Social Club Inc., for the premises located at 141 East Houston Street (ground, cellar, and sub cellar levels), New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a private social club, with raw bar and continental food prepared in a full kitchen and at a prep counter, served during all hours of operation,
- 2) its hours of operation will be:

- a. ground level: opening no later than 11:00 A.M all days and closing by 12:00 A.M. Sunday to Thursday and 1:00 A.M. Friday to Saturday,
- b. cellar level: opening no later than 11:00 A.M and closing by 12:00 A.M. all days,
- c. subcellar level: opening no later than 11:00 A.M and closing by 2:00 A.M. all days,
- 3) it will not use outdoor space for commercial usage
- 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 recorded background music only on all floors except for the subcellar level, where it may have DJs and live music at background levels, and will not have, 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 in front of the premises,
- 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

Smashed NYC (Orchard Hospitality Group 2 LLC), 167 Orchard St (op)

withdrawn

8. NGE NYC LLC, 308 E 6th St (op)

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

WHEREAS, NGE NYC LLC doing business as Bread & Stone, is seeking a full on-premises liquor license, in the premises located at 308 East 6th Street, between 1st Avenue and 2nd Avenue, New York, New York; and

WHEREAS, this is an application for an establishment with a certificate of occupancy of 74 people, 10 tables and 20 seats with one 14-foot bar with 12 seats, full kitchen, serving Italian food during all hours of operation, no televisions, ambient recorded background music; and

WHEREAS, there are 18 full on-premises liquor licenses within 500 feet per the SLA LAMP map; and

WHEREAS, 308 East 6th Street was licensed with a full on-premises liquor license to Fun Hat LLC doing business as BeetleHouse. Community Board 3 denied the license for a full on-premises liquor license for Fun Hat in June 2016, but was subsequently approved by the SLA on May 16, 2017; and

WHEREAS, Community Board 3 approved Fun Hat LLC for a removal from 308 East 6th Street to 306-308 East 6th Street (the adjacent storefront) in October 2020, provided that it was open 4:00 P.M. to 12:00 A.M. Tuesdays through Thursdays and 4:00 P.M. to 2:00 A.M. Fridays through Sundays, did not use outdoor space for commercial usage, only played ambient recorded background music without DJs, and would not have happy hours; and

WHEREAS, one of the applicants is the license holder for Fun Hat LLC, and two of the applicants have never previously been a license holder but have worked in the restaurant business for more than 10 and 15 years, respectively, in New York, Los Angeles, and Pennsylvania, including as managers at BeetleHouse which the applicants propose to replace at 608 East 6th Street; and

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

WHEREAS, 10 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 NGE NYC LLC, for the premises located at 308 East 6th Street, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as an Italian restaurant with a full kitchen, serving Italian food during all hours of operation,

- 2) its hours of operation will be opening no later than 3:00 P.M. and closing by 12:00 A.M. Tuesday to Saturday, opening no later than 3:00 P.M. and closing by 2:00 A.M. Friday to Saturday, and opening no later than 3:00 P.M. and closing by 12:00 A.M. Sunday,
- 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 play ambient eroded background music only,, and will not have DJs, 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 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

9. Shinsen (Bowery Gyokai LLC), 44 Bowery (op/alt: floorplan changes)
administratively approved
10. Division Grill LLC, 125 Division St (wb)
administratively approved
11. Kalye (Kalye NYC LLC), 251 Broome St (b)
administratively approved
12. Vote to adjourn
approved by committee

17 YES 21 NO 0 ABS 0 PNV MOTION FAILED (send SLA item 2 back to Committee)

39 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding SLA items 2,6,7)

26 YES 11 NO 2 ABS 0 PNV MOTION PASSED (SLA item 2)

36 YES 3 NO 0 ABS 0 PNV MOTION PASSED (SLA item 6)

36 YES 3 NO 0 ABS 0 PNV MOTION PASSED (SLA item 7)

Land Use, Zoning, Public & Private Housing Committee

1. Approval of previous month's minutes
approved by committee
2. NYCHA: informational Presentation on NYCHA Public Housing Preservation Trust
no vote necessary
3. DCAS: Support for Assignment, amendment, and restatement of the lease for East Broadway Mall (88 East Broadway) pursuant to Section 384(b)(4) of the New York City Charter
no vote necessary
4. Vote to adjourn
approved by committee

39 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. Resident concerns regarding possible plaza at Avenue B / 8th - 9th Streets and concerns regarding current summer programming at that location
no vote necessary

Bus Stop Application

3. Monroe Bus Line Inc - on the south side of Delancey St from Essex St to Norfolk St
VOTE: TITLE: Approve a Curbside Bus Stop for Monroe Bus Line Inc on the South side of Delancey St from Essex St to Norfolk St

WHEREAS, Monroe Bus Line Inc. has applied for a designated bus stop for curb-side unloading operations located at 125 Delancey St, between Essex St and Norfolk St. The buses will operate under the Monroe Bus Line Inc. name, providing service between Monroe NY and New York City with six arrivals between 7:30am-7:00pm Monday through Thursday, and three arrivals Friday between 7:30am-2:55pm; and

WHEREAS, the applicant has entered into an agreement with CB3 to adhere to the following stipulations:

- Tickets will be sold only online, or at a designated ticket agency not on the street.
- Tickets will be sold in an assigned boarding order system so that customers will not need to arrive early to jockey for positions.
- Trash bags will be used to collect litter and will be kept in storefront or will leave with the bus.
- Buses will keep to schedules, which will be published online or printed, as much as possible.
- The number of buses at this stop will not exceed the stated number of buses per hour/per day.
- All buses purchased in the future will be equipped with diesel particulate filters and use ultra-low sulfur fuels and will also be equipped with exhaust gas recirculation emission control technology; and

WHEREAS even though the operator will only stop briefly to pick up passengers at the proposed location on one of the blocks between Essex and the Williamsburg Bridge. These blocks are the access to the Williamsburg Bridge and a lot of traffic feeds into the bridge from the surrounding neighborhood streets. The proposed stop will interrupt flow of traffic in a way that is detrimental to an already congested area.

THEREFORE, BE IT RESOLVED, that CB3 recommend that DOT *issue a permit* for Monroe Bus Line Inc to operate their bus service at a designated curbside bus stop located not at 125 Delancey St, but collocated with the nearest B39 bus stop west of Essex Street, provided that the preceding list of stipulations agreed between the applicant and CB3 will be attached to the DOT permit.

4. Monroe Bus Line Inc - on the north side of Delancey St from Essex St to Ludlow St in front of 100 Delancey St

VOTE: TITLE: Approve a Curbside Bus Stop for Monroe Bus Line Inc on the South side of Delancey St from Essex St to Ludlow St

WHEREAS, Monroe Bus Line Inc. has applied for a designated bus stop for curb-side unloading operations located at 100 Delancey St, between Essex St and Ludlow St. The buses will operate under the Monroe Bus Line Inc. name, providing service between New York City and Monroe NY with six departures between 9:20am-6:35pm Monday through Thursday, and three arrivals Friday between 10:15am-1:50pm; and

WHEREAS, the applicant has entered into an agreement with CB3 to adhere to the following stipulations:

- Tickets will be sold only online, or at a designated ticket agency not on the street.
- Tickets will be sold in an assigned boarding order system so that customers will not need to arrive early to jockey for positions.
- Trash bags will be used to collect litter and will be kept in storefront or will leave with the bus.
- Buses will keep to schedules, which will be published online or printed, as much as possible.
- The number of buses at this stop will not exceed the stated number of buses per hour/per day.
- All buses purchased in the future will be equipped with diesel particulate filters and use ultra-low sulfur fuels and will also be equipped with exhaust gas recirculation emission control technology; and

WHEREAS even though the operator will only stop briefly to pick up passengers at the proposed location on one of the blocks between Essex and the Williamsburg Bridge. These blocks are the egress from the Williamsburg Bridge and a lot of traffic feeds from the bridge into the surrounding neighborhood streets. The proposed stop will interrupt flow of traffic in a way that is detrimental to an already congested area.

THEREFORE, BE IT RESOLVED, that CB3 recommend that DOT *issue a permit* for Monroe Bus Line Inc to operate their bus service at a designated curbside bus stop located not at 100 Delancey St, but collocated with the nearest B39 bus stop west of Essex Street, provided that the preceding list of stipulations agreed between the applicant and CB3 will be attached to the DOT permit.

5. Aurora Tourism Services LLC dba New York Iconic Cruises - on the east side of Allen St from Grand St to Hester St

VOTE: TITLE: Approve a Curbside Bus Stop for Monroe Bus Line Inc at 58 Allen St between Grand St and Hester St

WHEREAS, Aurora Tourism Services LLC has applied for a designated bus stop for curb-side unloading operations located at 58 Allen St between Grand St and Hester St. The buses will operate under the New York Iconic Cruises name, providing sightseeing service within New York City with six pick-up/drop-offs between 8:00am and 6:00pm seven days a week; and

WHEREAS, the applicant has entered into an agreement with CB3 to adhere to the following stipulations:

- Tickets will be sold only online, or at a designated ticket agency not on the street.
- Tickets will be sold only for specific boarding times and will not be oversold.
- Tickets will be sold in an assigned boarding order system so that customers will not need to arrive early to jockey for positions.
- Sidewalk lines will be single file, and only for the next assigned bus.
- There will be a staff person on duty for every arrival and departure to guide loading / unloading, to have direct contact to dispatch to inform passengers of delays, and to engage in crowd and noise control.
- Trash bags will be used to collect litter and will be kept in storefront or will leave with the bus.
- Staff will routinely clean up the sidewalk by bus stop.
- Buses will keep to schedules, which will be published online or printed, as much as possible.
- The number of buses at this stop will not exceed the stated number of buses per hour/per day.
- All buses purchased in the future will be equipped with diesel particulate filters and use ultra-low sulfur fuels and will also be equipped with exhaust gas recirculation emission control technology; and

THEREFORE, BE IT RESOLVED, that CB3 recommend that DOT issue a permit for Aurora Tourism Services LLC to operate their bus service at a designated curbside bus stop located at 58 Allen St, provided that the preceding list of stipulations agreed between the applicant and CB3 will be attached to the DOT permit.

6. Go New York Tours Inc dba Topview Sightseeing - on the west side of Pike Slip from Cherry St to South St

VOTE: TITLE: Approve a curbside bus stop for Go New York Bus Tours hop on/hop off service on the west side of Pike Slip from Cherry Street to South Street.

WHEREAS Go New York Tours Inc has applied for a designated bus stop for curbside loading/unloading on the west side of Pike Slip from Cherry Street to South Street. The buses will operate under the TopView Sightseeing name, providing hop on/hop off bus tour service through Manhattan and Brooklyn. This bus stop would be served by 14 pick-ups and drop-offs, from 11:30am to 6:00pm seven days a week.

WHEREAS the entirety of the west side block of Pike Slip between Cherry and South Streets is currently a no standing zone, and contains a DSNY special waste drop-off site.

WHEREAS, the applicant has entered into an agreement with CB3 to adhere to the following stipulations:

- Tickets will be sold only online, or at a designated ticket agency not on the street.
- Tickets will be sold in an assigned boarding order system so that customers will not need to arrive early to jockey for positions.
- Trash bags will be used to collect litter and will be kept in storefront or will leave with the bus.
- Buses will keep to schedules, which will be published online or printed, as much as possible.
- The number of buses at this stop will not exceed the stated number of buses per hour/per day.
- All buses purchased in the future will be equipped with diesel particulate filters and use ultra-low sulfur fuels and will also be equipped with exhaust gas recirculation emission control technology; and

WHEREAS there is a cluster of tourist buses operating in this immediate area which have been causing various problems because of the number of tourists traveling to the boats operating behind pier 36. The following issues should be addressed when this stop goes into operation:

- there are no public bathrooms in this area and tourists are waiting a while for the boat or the bus and need restrooms, which the city has not provided
- there are food vendors providing services to the tourists but there are insufficient trash receptacles and service
- pedestrians cannot cross safely at south street and pike slip because of insufficient crossing times

THEREFORE, BE IT RESOLVED that CB3 recommend that DOT issue a permit for Go New York Bus Tours to operate their bus service at a designated curbside bus stop located at the west side of Pike Slip from Cherry Street to South Street, provided that the preceding list of stipulations agreed between the applicant and CB3 will be attached to the DOT permit.

THEREFORE, BE IT FURTHER RESOLVED that CB3 asks DOT to work to address the issues explained above (lack of bathrooms, lack of trash receptacles, and unsafe pedestrian crossing) or work with other agencies to do so to mitigate problems caused by tourist buses in this area.

THEREFORE, BE IT FURTHER RESOLVED CB3 encourages Go New York Bus Tours to work with Friends of Pier35 to address this and other issues that may come up.

7. Vote to adjourn
approved by committee

39 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding Transportation items 3,4,5,6)

38 YES 0 NO 0 ABS 1 PNV MOTION PASSED (Transportation items 3,4,5,6)

Vote to adjourn

39 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Members Present at Last Vote:

David Adams	[P]	Jake Gold	[P]	Richard Ropiak	[P]
Yaron Altman	[P]	Andrea Gordillo	[A]	Thomas Rosa	[P]
Sarah Rose Batchu	[P]	Kanielle Hernandez	[P]	Robin Schatell	[P]
Lee Berman	[P]	Herman Hewitt	[P]	Heidi Schmidt	[P]
Ana Calderon	[A]	Trever Holland	[P]	Arnette Scott	[P]
Karlin Chan	[P]	Vaylateena Jones	[P]	Laryssa Shainberg	[P]
David Crane	[P]	Jeanette Kim	[A]	Sandra Strother	[A]
Eric Diaz	[P]	Michelle Koppersmith	[A]	Daniel Tainow	[P]
Tareake Dorill	[P]	Mae Lee	[P]	Josephine Velez	[P]
Alistair Economakis	[P]	Wendy Lee	[P]	Troy Velez	[P]
Jaime Felber	[A]	Alysha Lewis-Coleman	[A]	Rodney Washington	[P]
Larry Fenn	[P]	Amanda Liu	[P]	Joshua Waterman	[P]
Shirley Fennessey	[P]	David Louie	[P]	Kathleen Webster	[P]
Kathryn Freed	[P]	Laura Lugo	[P]	Jacky Wong	[A]
Ryan Gilliam	[P]	Paul Rangel	[P]	July Yang	[P]
Debra Glass	[P]	Damaris Reyes	[P]		

Meeting Adjourned