



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD NO. 3

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David McWater, Board Chair

Susan Stetzer, District Manager

March 2007 Full Board Minutes

Meeting of Community Board #3 held on Tuesday, March 27, 2007 at 6:45 at PS 20, 166 Essex Street

Public Session:

Julia Rosner--Manhattan Legal Services, spoke about the Earned Income Tax Credit. In order to get it you need to file for it and could be eligible for a \$6,000 refund. Call 311 for free clinics and tax sites for more information. MLS provides a program for legal services for residents who are under an audit and if eligible will help get tax refunds unfrozen.

Mark Farfel & Jessica Clemente from DOHMH World Trade Center Health Registry. Came to speak about the 9/11 Health Registry. It became the largest health registry in the United States with 71,000 people enrolling. The registry is supposed to last for 20 years. They are in the midst of doing the first follow-up study. Currently has around 87,000 enrollees. Those who were caught in the dust cloud were twice as likely to have upper respiratory problems.

They just released a physician's guide to looking for illnesses and treating survivors of 9/11.

They are conducting the Registry's First Follow-up Health Survey with the baseline group that had registered. Residents in Lower Manhattan have been the least responsive group, so they came to speak at Community Board 3 to encourage everyone who has already enrolled to respond. The registry closed in 2004, but they are taking names in case the registry re-opens in the future. They are looking to study lower respiratory problems especially in building occupants and residents since they have not been as studied as those who worked on the pile.

Ethan Goodman, Basketball City- They are here to talk about the design only. They are going to do rehab on the building around the pier. The entrance is at Montgomery St. The esplanade will be partially renovated as well.

Barbara Porazzo, Two Bridges Neighborhood Council. She is opposed to Basketball City. She doesn't feel that this is an appropriate facility for the lower income neighborhood around the facility.

Michael Binkley, of 106 Norfolk St, spoke on the diminishing quality of life in the neighborhood. He brought up the idea of a class action lawsuit against the SLA.

John McDermott-- Would like for the full board to delay a vote on the inclusionary zoning plan in order to have time to study the plan. He doesn't feel that the 197A taskforce held enough public hearings.

Jean Standish, Coalition to Save the East Village-- Wants to defer vote on the City Planning meeting and proposal.

Sheri Lane and Nelson Fong- Brought pictures of how the bus stop for the B39 is blocking access to building and businesses at 123 Allen Street. Patrons waiting for the busses are blocking the doorways and access to the business.

Rob Hollander

Melissa Boldock, Greenwich Village Society for Historic Preservation-- Would like to see a delay in reviewing the rezoning plan presented by DCP. She also wanted to make an announcement about a rally on April 14 to stop a tenement from being turned into a mansion.

David Mulkins-- Spoke about the ridiculous amounts of noise emanating from the bars around 5th St. and now is facing the prospect of a 23 story Cooper Sq Hotel going up. He hears that they are trying to add 3 bars. He wants the board to be forceful in turning back the gentrification of the neighborhood.

Andres Puerta, Carpenters Union—He is happy to hear that the board is being aggressive with the hotel developers and pressing them to employ union workers.

Fred Softa—Expressed support for the zoning taskforce recommendations.

Jimmy Gumdrops “The Mayor of Attorney St.”, Unofficial Mayoral Committee-- Wanted to introduce himself. He just wants to make sure no more Starbucks pop up in the community. If you ever need anything he is usually playing basketball on Attorney St.

Shannon Li, American Cancer Society-- Wants Community Board's support for the June 9th Relay for Life event at Sara D. Roosevelt Park.

Shoshana Krieger, GOLES-- Has formed a coalition with other organizations to support zoning. They encourage returning the proposal from DCP and to reconsider their next steps to not include the EIS in the proposal.

Burt Baroff, BMCC-- Wanted to make the community aware of free training and employment.

Lesshia Wuie, NYPL-- Asked for continued funding support for the libraries. She also announced upcoming events.

Morris Failewecz, Auxillary Police-- Thanked everyone for their support of the two recently killed auxiliary police officers. He would like over site hearings on the plan for protecting the auxiliary officers.

Public Officials:

Mayor Michael Bloomberg, Lolita Jackson-- Not present.

Comptroller William Thompson, Rafael Escano--Not present.

Borough President Scott Stringer, Mary Cooley
Letters have been put in the mail regarding appointment status.

We have until March 30th to turn in the Community Board survey.

The Borough President's Office sponsored an Immigration Assistance Day.

Congressmember Carolyn Maloney, Victor Montesinos--
A press release was read regarding the Congressman's support for the bill to properly use the funding to support our troops and bring them home.

Congressmember Jerrold Nadler, Erin Drinkwater
The Congressman has been holding hearings on the politicization of the Justice Department's Civil Rights Division.

He has called for fixes to the Patriot Act following findings that the FBI abuse of National Security Letters.

Congressmember Nydia Velazquez--Not present.

Assembly Speaker Sheldon Silver, Michael Chang--
The Speaker is trying to increase openness and accountability in Albany.

They are trying to reach out to the Chancellor's office with regard to the underreporting of poverty in the schools since this calculation affects funding.

Assemblymember Deborah J. Glick, Gregory Brender
Assemblymember Glick was appointed Chair to the committee for Higher Education.

Assemblymember Brian Kavanagh, Jesse Dixon
The assemblymember has been addressing NYCHA concerns.

State Senator Martin Connor, Eva Rippeteau
He introduced a bill that would not allow a defendant from using the panic defense for any biased crime.

Talks with NYU regarding dorm construction on 12th St. and quality of life issues have ensued.

He is in talks about how to deal with DHCHR and the new commissioner.

State Senator Thomas K. Duane, David Chang
He encourages everyone to attend rally to support tenants at 47 E. 3rd St. who are being displaced by a developer looking to build a mansion.

Please review the March 27, 2007 report on Ethics reform.

Councilmember Alan Gerson, Michael Rajollia-- Luis Reyes is no longer with their office, so Michael is the new liaison.

City Council passed the commercial bicycle helmet law that had been introduced by Councilmember Gerson.

Councilmember Rosie Mendez-- DCP met with CB3 197A taskforce. She is happy that the taskforce integrated seven of the nine major points and wants their new proposal to be considered at the next taskforce meeting.

John Fout-- There will be a forum discussing Quality of Life in District 2 on March 29, which CB3 is a co-sponsor of.

Councilmember Mendez has introduced legislation to protect buildings that have received landmark designations. All demolition permits will be cancelled.

She is pushing for equal language access for City Housing Services.

Public Advocate Betsy Gotbaum--Simeon Banister

The Public Advocate has issued a report that the DOE is failing in school safety and treatment of students.

Members Present at First Vote:

David Adams [P]	Guido Hartray [A]	Verina Reich [A]
Paul Bartlett [P]	Herman F. Hewitt [P]	Richard F. Ropiak [P]
Rev. Joan Brightharp [A]	Carolyn Jeffers [P]	Estelle Rubin [P]
Mayra Cappas [P]	Anne K. Johnson [P]	Elizabeth Sgroi [P]
Wendy Cheung [P]	Joel Kaplan [P]	David Silversmith [P]
Rocky Chin [P]	Eden Lipson [Sick Leave]	Deborah A. Simon [A]
David Crane [P]	Bernice McCallum [A]	Pia Simpson [A]
Andrea Diaz [P]	David McWater [P]	Arlene Soberman [P]
George Diaz [P]	Alexandra Militano [P]	Nancy Rose Sparrow-Bartow [P]
Harvey Epstein [P]	Lillian Moy [A]	Harold Stelter [A]
Morris Fajtelewicz [P]	Roberto Ortiz-Arroyo [P]	Elinor Tatum [A]
Beth From [P]	Dominic Pisciotta [P]	David Weinberger [P]
Rabbi Y. S. Ginzberg [P]	Barden Prisant [P]	Nina Werman [A]
Alexander Gonzalez [P]	Carolyn Ratcliffe [P]	Harry Wieder [P]
Carlos Juan Gonzalez [P]	Joyce Ravitz [P]	Samuel Wilkenfeld [P]
Aurora Guzman [A]	Lois M. Regan [P]	Thomas Yu [P]

Minutes:

Minutes of January 2007 were approved, as is.

Board Chairperson's Report:

Chairperson David McWater

He announced that attendance will be taken at beginning and end of committee meetings.

Six new members will be joining the board. He feels that the board is strong now with new appointments.

Ethics committee will put together the nominating committee.

District Manager's Report:

February minutes have been issued for first review.

Please visit the new CB 3 website. A lot of new content has been added on the website.

SLA is now requiring all license holders to provide receipt of renewal notice to the community board. We only put renewals with complaints on the agenda.

WTC Health organization will present to the Health committee in May.

Committee Reports:

Executive Committee

No vote necessary

Ethics, Bylaw & Procedures Committee

- Bylaw review concerning open meeting issues
No vote necessary

200 Allen Street Hotel Task Force

- Labor Issues at 200 Allen Street

VOTE: Whereas CB 3 has urged the Pomeranc Group (Pomeranc), developers of the Hotel at 200 Allen Street (The Hotel), to meet with representatives of the International Brotherhood of Carpenters (The Union), to evaluate the Union's proposal that union carpenters be employed at the Hotel site; and

Whereas at the direction of Pomeranc, the General Contractor (GC) at the Hotel Site has met with representatives of the Union and has also solicited a bid from a sub-contractor that employs union carpenters; and

Whereas CB3 applauds the efforts made by Pomeranc and the Union to resolve this issue through good-faith negotiations; and

Whereas it is essential that the issue of employing union carpenters at the Hotel Site be resolved prior to the performance of the relevant carpentry work; and

Whereas the Union has committed to enroll those workers presently employed at the site into Union, so that the employment of union carpenters at the Hotel site does not displace those workers presently working there;

Be it resolved that in an effort to maintain the status quo during the resolution of this issue and to foster the spirit of good-faith negotiations and deliberations, CB3 urges Pomeranc to instruct its contractors to not engage in any interior carpentry work (including but not limited work involving: dry wall, flooring, ceilings, cabinetry and finishing work), until the issue of employing union carpenters is resolved; and be it further

Resolved that Pomeranc provide CB3, as soon as practicable, with information as to the number of carpenters presently employed at the Hotel site, the number of carpenters to be employed at the Hotel site as construction progresses and the work schedule to be utilized to complete the relevant carpentry work; and be it further

Resolved that CB3 urges Pomeranc to reach a final determination on this issue prior to the 200 Allen Street Hotel Task Force meeting on April 18, 2007, and to provide an update on this issue at said meeting.

36 YES 0 NO 0 Abstention 0 PNV - MOTION PASSED

Housing & Land Use Committee

1. 421a application for Wai Sun Realty LLC at 183 E B'way

Recommendation: **Whereas** the applicant declined to appear before the committee and provide answers to critical questions;

Therefore, be it so resolved, that CB3 moves to deny the application.

2. HPD request for Certification of No Harassment for 241 Bowery from Jan'04 to Present

VOTE: **Whereas** there appears to be a clear pattern and practice of harassment to remove rent regulated SRO tenants from 241-5 Bowery, collectively known as the Sunshine Hotel;

Whereas the owner of said premises has apparently allowed conditions to deteriorate over the course of the past three years;

Whereas the owner admittedly seeks to construct a market-rate condominium without any affordable units;

Therefore, be it so resolved, that CB3 believes that there is cause for HPD to proceed with a hearing seeking to prevent the issuance of a Certificate of No Harassment, and CB3 asks that such a hearing be conducted in order to prevent the demolition of this building and the removal of its rent-stabilized tenants.

3. HPD request for Certification of No Harassment for 243 Bowery from Jan'04 to Present

VOTE: **Whereas** there appears to be a clear pattern and practice of harassment to remove rent regulated SRO tenants from 241-5 Bowery, collectively known as the Sunshine Hotel;

Whereas the owner of said premises has apparently allowed conditions to deteriorate over the course of the past three years;

Whereas the owner admittedly seeks to construct a market-rate condominium without any affordable units;

Therefore, be it so resolved, that CB3 believes that there is cause for HPD to proceed with a hearing seeking to prevent the issuance of a Certificate of No Harassment, and CB3 asks that such a hearing be conducted in order to prevent the demolition of this building and the removal of its rent-stabilized tenants.

4. HPD request for Certification of No Harassment for 245 Bowery from Jan'04 to Present

VOTE: **Whereas** there appears to be a clear pattern and practice of harassment to remove rent regulated SRO tenants from 241-5 Bowery, collectively known as the Sunshine Hotel;

Whereas the owner of said premises has apparently allowed conditions to deteriorate over the course of the past three years;

Whereas the owner admittedly seeks to construct a market-rate condominium without any affordable units;

Therefore, be it so resolved, that CB3 believes that there is cause for HPD to proceed with a hearing seeking to prevent the issuance of a Certificate of No Harassment, and CB3 asks that such a hearing be conducted in order to prevent the demolition of this building and the removal of its rent-stabilized tenants.

5. Clarification & confirmation of CB3 position on ULURP process & non-ULURP procedures

VOTE: **Whereas** CB3 believes that the community, through the community board, should have the right to an advisory opinion as regards to the disposition and use of city-owned property;

Whereas the ULURP established the community board's right to such an opinion;

Whereas UDAAP findings only pertain to a site's condition, specifically, its level of "blight," and that community input on UDAAP applications would therefore have to be limited solely to the discussion of blight, and;

Whereas not all ULURPs allow for full community board input as regards to the ultimate use of the site, e.g., when the ULURP results in the sale of a parcel at public auction;

Therefore be it resolved, that 1) whenever there is a choice between processing a parcel of land via a ULURP or UDAAP, the City government should make every effort to utilize the ULURP, and 2) City government should always opt for ULURPs which allow for full community board input with regard to the ultimate use of the site.

6. Discussion of possible use for now vacant section of Essex Street Market

VOTE: Whereas the community is anxious to ensure that it the opportunity to comment on any potential development of the Essex Street Market;

Therefore, be it resolved, that EDC or other appropriate agency appear before CB3 to report on the status of the site and discuss plans for its disposition.

36 YES 0 NO 0 Abstention 0 PNV (Excluding Item 6) - MOTION PASSED

35 YES 0 NO 1 Abstention 0 PNV (Item 6) - MOTION PASSED

197 Plan Task Force

1. Anti-Harassment and Demolition provision update

No vote necessary

2. CB 3 presentation regarding compliance and conformance rates, 3D modeling, and a GIS map for three proposed zoning types in his study area covering 9th to 13th St and 3rd to 4th Ave

No vote necessary

3. Revised Dept. of City Planning Zoning plan for 13th St to Houston/Delancey--Ave D to Bowery/Third Ave

DISCUSSION: David McWater gave a run down of where we are in the process of approving the plan and where this is in the overall process. We asked that City Planning give a letter of guarantee for an Environmental Impact Statement (EIS). David read a letter from Amanda Burden stating that they can't commit to analyzing specific alternatives in the EIS. David offered to send this back to committee. Harvey believes that we can make our position stronger and craft the best resolution to present to City Planning as a more unified community.

VOTE: Whereas, Manhattan Community Board 3 believe in its 11 point proposal for rezoning the Lower East Side\East Village and

Whereas, The Department of City Planning has made efforts to reach middle ground and a consensus with CB3, let it be resolved that;

At the Full Board Meeting, CB 3 will agree to support going forward with the DCP rezoning proposal provided that DCP agrees to include the following seven items as viable, actionable alternatives in the EIS.

1. CB3 and the City of New York agree that at least 30% of the floor area developed of the projected increase in built residential FAR will be for permanently affordable housing available to households at or below 80% of the area median income under a tiered system where lower income households will also be accommodated in fair proportion. If mutually agreed upon estimates of the private development that is likely to occur under this zoning indicates that this minimum will not be achieved, the City will make available development or preservation sites in the study area to achieve this overall percentage;
2. Zone R7A base FAR of 3.45 [with overlay, but not commercial equivalent] with 4.6 FAR Inclusionary Zoning [IZ] for 1st and 2nd Avenues, Avenues A, C and D; Forsythe, Essex and Allen Streets [on all wide streets (width of 75' or more), north and south of Houston Street, except Houston Street, Delancey Street, and Chrystie Street];
3. Zone Houston and Delancey Street with a new contextual IZ district with a base FAR of 4.5 with an IZ bonus to 6.0 and a height cap of 100' [height and density in between DCP proposed R7A and R8A]. Special consideration should be given to the north side of Houston Street where narrow streets intersect, to determine the appropriate boundaries of this zone.
4. Zone Chrystie Street with a base FAR of 6.0 with an IZ bonus to 8.0 and a height cap of 150' [R8X] or as an R8A with IZ as DCP proposed [compare and evaluate both options in EIS in regards to benefits and adverse impacts].
5. Commercial Zoning south of Houston: The EIS should include and provide detailed information regarding the location and extent of current commercial and retail use below Houston Street so that appropriate use regulations be developed in accordance with areas that contain commercial establishment uses that provide living wages, but curbs the current proliferation of commercial hotels and nightlife establishments.
6. Landmark survey of rezoning area.
7. Energy efficient and green building (LEED compliant) requirements when Government financing or tax abatement used. Provision for green building sustainable development

legislative and programmatic instruments to be included at time of certification, or groundwork in EIS for a follow-up ULURP action.

4. Examination of soft site data for Delancey and Christie Streets
No vote necessary

No vote necessary

Human Services & Seniors Committee

No vote necessary

Youth & Education Committee

- Support to open schoolyards for public use during non school hours
No vote necessary

SLA & Economic Development Committee

Renewals with Complaint History

1. Hop Devil Grill, 129-125 St Marks Pl (op)

VOTE: To ask the SLA to revoke the full on-premises liquor license for Hop Devil Grill, 129-125 St. Marks Place, because 1) this applicant has had four (4) violations for selling alcohol to minors within the past year (see attached police violations), 2) as a result of the violations it has received for selling alcohol to minors, this establishment was closed pursuant to nuisance abatement, 3) as a result of said closing, there is a stipulation of settlement governing the establishment's continued operation and mandating that the applicant engage in prophylactic measures to prevent future illegal conduct, 4) that despite this settlement and the measures it now has in place, the applicant has received an additional violation for selling alcohol to a minor on March 7, 2007, and 5) that this license was approved as a transfer application by this community board understanding that the applicant was seeking to operate a family-friendly restaurant on a street that is already overwhelmed with rowdy licensed establishments and pedestrian and vehicular traffic attendant to those establishments and which has been the target of concentrated police activity to alleviate these conditions and that this applicant has operated in a manner inconsistent with its representations as a family-friendly restaurant as evidenced above and has advertised in a manner that emphasizes the one hundred twenty-four (124) beers it sells.

2. Vinny Vincenz Pizzeria, 231 1st Ave (rw)

VOTE: To approve the renewal of the restaurant/wine license for Vinny Vincenz Pizzeria, 231 First Avenue, understanding that the applicant has enclosed the back door which will effectively resolve the resident complaints that employees using the back door during early morning hours were causing excessive noise.

Sidewalk Café Application

3. Café Brama, 157 2nd Ave

VOTE: To approve the application for a sidewalk café permit for twelve (12) tables and twenty-four (24) seats for Café Brama, 157 Second Avenue, because the applicant has signed a change agreement to close said café at 10:00 P.M. Sundays through Wednesdays and 12:00 A.M. Thursdays through Saturdays, which will become part of his DCA license.

4. Third Ave Restaurant, 64 3rd Ave

VOTE: To approve the application for a sidewalk café permit for Third Avenue Restaurant, 64 Third Avenue, for (8) tables and sixteen (16) seats on Third Avenue and two (2) tables and four (4) seats on 11th Street, to be located between the corner of Third Avenue and the first phone booth on 11th Street, because the applicant has signed a change agreement which will become part of his DCA license to 1) close said café at 10:00 P.M. Sundays through Thursdays and 12:00 A.M. Fridays and Saturdays and 2) to install sound baffling devices, such as awnings, above said café should noise complaints arise.

Alterations/Transfers/Upgrades

5. Tozzer, 112 Ave A (up/op)

Withdrawn

6. Jing Feng, 2-6 Eldridge St (trans/rw)

VOTE: To approve the transfer of a restaurant/wine license to Jing Feng, 2-6 Eldridge Street, with the understanding that the location will maintain the same method of operation as a full-service Chinese restaurant and the same hours of operation, closing at 2:00 A.M.

7. J&J International, 51 1st Ave (alt/op)

VOTE: To deny the alteration to J&J International, 51 First Avenue, increasing the certificate of occupancy in the basement from 20 to 50 people and allowing for the construction of a "safe area" which would provide the safe egress of this increased number in the event of an emergency, because 1) this establishment was closed pursuant to nuisance abatement on December 15, 2006, because of its repeated sales of alcohol to minors, unlicensed security, overcrowded premise and numerous incidents of reported criminal activity at said location, including fighting and two (2) stabbings, 2) as a result of said closing, there is a stipulation of settlement governing the establishment's continued operation, which includes a court appointed monitor at said location, 3) the closing of this establishment and subsequent stipulation of settlement is, in part, due to the licensee's inability to control its existing patron population, 4) the licensee has stated before this community board that his intention in increasing the occupancy in the basement of said establishment is to move rowdy patrons he cannot control from in and around the front of his establishment into the basement, and 5) there is community opposition to an expansion of this establishment.

8. Applicant for 503-505 E 12th St (trans/op)

- VOTE:** To deny the transfer of a full on-premise liquor license to Calab, 503-505 East 12th Street, unless the applicant agrees before the SLA to incorporate as conditions of its license the following signed and notarized stipulation, that it will 1) close the backyard at 10:00 P.M. Sundays through Thursdays and 11:00 P.M. Fridays and Saturdays, presuming that it is legal to commercially use said backyard, 2) not have more than sixteen (16) people in the backyard at any given time, 3) use the backyard for sitdown dining only, 4) have a sound baffling awning open over said backyard from 7:00 P.M. until it closes every night, 5) operate as a full-service restaurant serving food to within one (1) hour of closing every night, 6) close no later than 12:00 A.M. Sundays, 2:00 A.M. Mondays through Wednesdays and 3:00 A.M. Thursdays through Saturdays, 7) not have DJs, live music, promoted events, or any event at which a cover fee is charged.
9. Jerry Doyle, 12 Ave A (trans/op)
VOTE: To deny the transfer of a full on-premise liquor license to Jerry Doyle, 12 Avenue A, unless the applicant agrees before the SLA to incorporate as conditions of its license the following signed and notarized stipulation, that it will 1) employ a doorman on the weekends to check IDs and control crowds, 2) not allow rowdy patrons who have been asked to leave back into the establishment, and 3) post signs on its façade advising patrons to be quiet and to be courteous to surrounding neighbors.
10. East Market Restaurant, 75-85 E B'way (trans/rw)
VOTE: To approve the transfer of the restaurant/wine license to East Market Restaurant, 75-85 East Broadway, understanding that the location will maintain the same method of operation as a full-service Chinese restaurant that will close no later than 2:00 A.M. and have occasional live music during private affairs and parties.
11. Café Orlin, 41 St Marks Pl (up/op)\
VOTE: To approve the upgrade to a full on-premise liquor license for Café Orlin, 41 St. Mark's Place, because the applicant has operated without complaint since 1981 and understanding that the applicant will not construct a bar, will have table service of alcohol only and will not change its method of operation as a full-service restaurant.
12. Alive Restaurant, 345 E 6th St (trans/op)
 Withdrawn
13. Evelyn McHue, 171 Ave C (trans/op)
VOTE: To deny the transfer of a full on-premise liquor license to Evelyn McHue, 171 Avenue C, unless the applicant agrees before the SLA to incorporate as conditions of its license the following signed and notarized stipulation that, it will 1) employ a doorman and/or security personnel on weekends and, if needed, for additional nights, to check identifications and monitor patron noise in front of the establishment, 2) install soundproofing and provide proposed soundproofing plans to Community Board 3 and the SLA within one (1) month of the full board meeting, 3) not have French doors or windows or open any façade doors or windows during the hours of operation, 4) not have DJs, live music, promoted events or any event at which a cover fee is charged, 5) have one (1) principal on site during all hours of operation.
14. Chris Losinske, 85 Ave A (trans/op)
 Withdrawn
15. Long Xi Li, 71 Eldridge St (trans/rw)
VOTE: To approve the transfer of a restaurant/wine license to Long Xi Li, 71 Eldridge Street, with the understanding that the location will maintain the same method of operation as a full-service Chinese restaurant.
16. Westville East, 173 Ave A (trans/rw)
VOTE: To deny the transfer of a restaurant/wine license to Westville East, 173 Avenue A, unless the applicant agrees before the SLA to incorporate as conditions of its license the following signed and notarized stipulation, that it will 1) close no later than 11:00 P.M. every night, 2) operate as a full-service restaurant, serving food to within one (1) hour of closing, 3) close all doors and windows at 10:00 P.M. every night, and 4) play ambient background music only, consisting of tapes and CDs.
17. Himi Corp, 71 Clinton St (trans/op)
 Withdrawn
- New Liquor License Applications**
18. Mei Mae, 38 Ludlow St (rw)
 Withdrawn
19. Flora & Jasper, 247 Broome St (rw)
VOTE: To deny the application for a restaurant/wine license for Flora & Jasper, 247 Broome Street, unless the applicant agrees before the SLA to incorporate as conditions of its license the following signed and notarized stipulation, that it will 1) close no later than 1:00 A.M. weekdays and 3:00 A.M. weekends and be open at 10:00 A.M. daily, 2) serve food to within one (1) hour of closing every night and operate as a full-service restaurant serving Icelandic, French and American cuisine, 3) not have DJs, live music, promoted events or any event at which a cover fee is charged, 3) make efforts to disperse patrons waiting outside of the establishment on Broome Street, and 4) post signs asking patrons to be quiet and to respect neighboring residents.
20. Third Ave Hospitality, 55 3rd Ave (op)
VOTE: To deny the application for a full on-premise liquor license for Third Avenue Hospitality, 55 Third Avenue, because the applicant did not appear before Community Board #3 for review of its application or provide any application materials for this board to review.
21. Moonstruck, 88 2nd Ave (rw)
 Withdrawn
22. Arooj Corp, 92 3rd Ave (rw)
 Withdrawn

23. Gaston Tal, 85-87 Orchard St (rw)

VOTE: To deny the application for a restaurant/wine license for Gaston Tal, 85-87 Orchard Street because 1) this is a location that has never been license previously, 2) this proposed establishment would be located on Orchard Street, which is already overcrowded by traffic and people patronizing existing nighttime businesses and, most recently, this overwhelming congestion has resulted in Community Board #3, at the request of the 7th Precinct, voting to ask the Department of Sanitation to eliminate parking on one side of Orchard Street between Houston and Delancey Streets, on weekend nights, 3) this location would be adjacent to an existing licensed location and across the street from an additional licensed location, which is a restaurant with a similar method of operation and menu that has successfully operated for several years without a restaurant/wine license until recently, and 4) for the foregoing reasons, the applicant will not provide a benefit to the community on a street already saturated with numerous licensed establishments and suffering from the effects of a voluminous nighttime business.

24. Jselito, 125 Ave D (rw)

DISCUSSION: They are applying for a full liquor license, not beer wine. It was voted to amend for a full liquor license.

VOTE: To approve the application for a full on-premise liquor license for Jselito, 125 Avenue D, understanding that this business will be operated in the same manner and with the same business name as the applicant's prior business which was located at 94 Avenue C and operated without complaints for eight (8) years.

25. Kong Inc, 271 E 10th St (rw)

No votes necessary.

26. Taco Taco, 205 Allen St (op)

VOTE: To deny the application for a full on-premise liquor license for Taco Taco, 205 Allen Street, unless the applicant agrees before the SLA to incorporate as conditions of its license the following signed and notarized stipulation that it will 1) operate as a full-service restaurant, serving Mexican food, 2) have operating hours of 11:00 A.M. to 11:00 P.M. Sundays through Thursdays and closing at 12:00 A.M. Fridays and Saturdays and 3) have no DJs, no live music, no promoted events or any event at which a cover fee is charged.

27. Bowery Wine, 11 E 1st St (op)

VOTE: To deny the application for a full on-premise liquor license for Bowery Wine, 11 East 1st Street, unless the applicant agrees before the SLA to incorporate as conditions of its license the following signed and notarized stipulation that it will 1) close no later than 1:00 A.M. weekdays and 2:00 A.M. weekends, 2) seat no more than twenty-four (24) patrons in the side yard at any given time, 3) close the side yard at 10:00 P.M. weeknights and 11:00 P.M. weekends, 4) install an awning that will cover the side yard during operating hours, 5) install security cameras throughout the establishment, 6) maintain a host at the entrance to check identifications, and 7) only allow access to the outdoor seating area through the interior of the establishment.

28. Golden Taste, 42 Bowery (rw)

VOTE: To approve the application for a restaurant/wine license for Golden Taste, 42 Bowery Street, understanding that the location will maintain the method of operation as a full-service Chinese restaurant.

29. Fuzhou Restaurant, 84 Forsyth St (rw)

VOTE: To deny the application for a restaurant/wine license for Fuzhou Restaurant, 84 Forsyth Street, unless the applicant agrees before the SLA to incorporate as conditions of its license the following signed and notarized stipulation that it will 1) close at 10:00 P.M. weeknights and 11:00 P.M. weekends, 2) operate as a full-service Chinese restaurant, serving food to within one (1) hour before closing, 3) employ a doorman/security guard, as needed, to monitor and control patron congestion in front of the establishment, 4) install soundproofing on party walls (walls shared with neighboring residential buildings), 5) have no music, consistent with its application to Community Board #3, and 6) arrange for garbage pickup to occur immediately after closing.

30. La Mama (stipulation)

VOTE: To rescind the previous denial of the application for a restaurant/wine license for La Mama, 74a East Fourth Street, because of its failure to provide the requested signed and notarized stipulations and to now deny the application for a restaurant/wine license for La Mama, 74a East Fourth Street unless the applicant agrees before the SLA to incorporate as part of its license the following signed and notarized stipulation, that it will 1) be serving beer and wine from 9:30 P.M. to 12:30 A.M. Thursdays through Saturdays and from 5:00 P.M. to 8:00 P.M. on Sundays and 2) operate a beer and wine concession counter/area for service to patrons only during intermission and prior to shows.

36 YES 0 NO 0 Abstention 0 PNV (Excluding Item 2) - MOTION PASSED

35 YES 1 NO 0 Abstention 0 PNV (Item 2) - MOTION PASSED

Public Safety & Sanitation Committee

Paul announced that there will be two meetings coming up next month.

1. Presentation of Chinatown Partnership clean streets program

No vote necessary

2. ASPCA proposed resolution in support of model animal care and control legislation

DISCUSSION: Barden Prisant asked if the legislation will include a no-kill position. David Crane said the question was asked about this and it is not part of the legislation.

VOTE: To support in principal the ASPCA's proposed resolution in support of model animal care and control legislation until final review of the legislation comes from the New York City Council.

PROPOSED RESOLUTION IN SUPPORT OF ASPCA MODEL ANIMAL CARE AND CONTROL LEGISLATION

WHEREAS: there exists a serious stray animal and dangerous dog problem in New York City and hundreds of unwanted dogs and thousands of cats continue to wander our streets reproducing at alarming rates; and

WHEREAS: many of the stray animals suffer from exposure to the elements, disease, lack of food, water, shelter, and veterinary care, mistreatment, vehicular accidents, and the risk of rabies; and

WHEREAS: many of the dogs that live on the streets have attacked children and the elderly, causing serious physical injury and the possibility of disease transmission; and

WHEREAS: stray animals pose a serious public health threat and danger to people, children and other animals; and

WHEREAS: pet overpopulation continues to plague the city, and thousands of dogs and cats are brought to our city shelters each year, costing New York City residents upwards of \$7.5 million to house and euthanize approximately 48% of the animals; and

WHEREAS: New York City spends only \$0.93 per capita on animal control, one of the lowest in the nation; and

WHEREAS: the pet industry generates approximately \$106 million in tax revenues annually, the New York City budget, only allocates approximately 7% of these monies on animal control services each year; and

WHEREAS: the city licenses only 10% of the estimated 1 million dogs residing in the city, and is losing close to \$8 million in revenue annually to fund its animal control program; and

WHEREAS: although inroads have been made New York City does not have a comprehensive, adequately funded animal care and control program;

THEREFORE BE IT RESOLVED: that Community Board 3 supports legislation proposed by the American Society for the Prevention of Cruelty to Animals that would create animal control officers and fund sufficient levels of services to retrieve animals, maintain shelters in each borough for lost, stray, and homeless animals, license the estimated one million dogs residing in the city, promote and further spaying and neutering of dogs and cats, and help enforce animal neglect laws.

Transportation Committee

1. Request to move B39 bus stop to same location as M15 bus stop at the corner of Delancey & Allen

VOTE: To ask the MTA/NYCT to work with the representatives of the commercial and residential tenants at 123 Allen St concerning relocation of the B39 bus stop. The present location causes access problems for the tenants, and the sidewalk is too narrow for the installation of a bus shelter.

2. LES Girls Club request for "No Parking" signage in front of 56 E 1st St

Withdrawn

3. Request for support for Zipcars at Essex St

DISCUSSION: Zipcars are a for profit company. They came to ask for expedited access to spaces in the municipal lot, but the lot has a 4 year waiting list.

No vote necessary

4. Request to install bike racks on Allen Street Mall

VOTE: To support the Parks Dept. proposal to have bike racks installed in the Allen St. Mall. This would help reduce the problem of illegal chaining of bicycles to fences. DOT and Parks will discuss appropriate locations and numbers of racks, as well as appropriate signage explaining the time limitations and that motorized vehicles are not permitted.

5. Request for signage change to "No Parking Anytime" at 621 Water St

VOTE: To ask DOT to appropriately mark the space between the fire hydrant and the parking lot entrance on the East side of Gouverneur Slip East between Water St and the FDR Drive, closest to Water St. There should be "No Standing Anytime" signage at this location.

6. 9th Precinct - return to original parking signage at 321 E 5th St

VOTE: To ask DOT to replace the signs for "Parking for Authorized Vehicles Only" that were originally located on E 5 St between First and Second Aves in front of the 9th Precinct at 321 E 5 St. The Precinct will be returning to this location by May 2007, so the signage should be installed soon.

7. Request for installation of pedestrian crossing lights at the of Grand St and E B'way, and to adjust the positioning of the parking meters on the north side of the street so cars do not block the pedestrian crossing

No vote necessary

8. DOT presentation: Montgomery Bike Lane

No vote necessary

9. Discussion of possible sites for Orchard Street Farmers' Market

No vote necessary

Parks & Recreation Committee

1. Basketball City - Update from EDC & request for support for design

DISCUSSION: This is a separate item from what the Parks Department is proposing for the waterfront that will be along Basketball City. It doesn't appear that there are any conflicts between the plans for Basketball City and the East River rehabilitation.

David Crane pointed out that over the last year they have reduced their fees, have lowered their lease to 15 years from 30 years, and have agreed to give access to local schools. He thinks that if we don't go for this, it would have the potential to go commercial.

The ULURP will come up in two months.

VOTE: To support the design of the proposed Basketball City facility with the following recommendations: (1) that the entrance from the roadway be changed to enhance safety; (2) that the proposed exterior signage be reduced to conform to the needs of a residential area.

Street Fair & Block Party Applications

2. St Marks Church, 5/5, E 11th St (btwn 2nd & 3rd Aves)
VOTE: To support the request by St. Mark's Church for a block party on East 11th Street (2nd - 3rd Aves.) on May 5, 2007.
3. Bicycle Film Festival, 5/19, E 2nd St (btwn 1st & 2nd Aves)
VOTE: To support the request by Bicycle Film Festival for a block party on East 2nd Street (1st - 2nd Aves.) on May 19, 2007.
4. Two Bridges Neighborhood Council, 5/26, 3rd Ave (btwn E 5th - E 14th Sts)
VOTE: That although this is a respected organization within Community Board #3 and has made positive contributions to our neighborhood, based on CB#3's long-standing street fair guidelines, this request is denied based on CB#3's policy of one street fair per major avenue per year and to the policy of requiring organizations sponsoring street fairs to be adjacent to the applicant's requested location.
5. Eldridge St Project, 6/3, 12 Eldridge St (btwn Canal & Division Sts)
VOTE: To support the request by the Eldridge Street Project for a block party on Eldridge Street (Canal - Division Streets) on June 3, 2007.
6. St Teresa Church, 6/3, Rutgers St (btwn Henry St & E B'way)
VOTE: To support the request by St. Teresa Church for a block party on Rutgers Street (Henry St. - East Broadway) on June 3, 2007.
7. Reaching Youth for Christ Ministries, 6/23, E 12th St (btwn Aves B & C)
VOTE: To support the request by Reaching Youth for Christ Ministries for a block party on East 12th Street (Avenues B - C) on June 23, 2007.
8. Betances, 6/23, Henry St (btwn Grand & Montgomery Sts)
VOTE: To support the request by Betances Health Center for a block party on Henry Street (Grand - Montgomery Streets) on June 23, 2007.
9. Gathering of the Tribes/East 3rd St BA/La Bodega de la Familia , 8/29, E 3rd St (btwn Aves C & D)
VOTE: To support the request by Gathering of the Tribes, the East 3rd Street Block Association and La Bodega de la Familia for a block party on East 3rd Street (Avenues C - D) on August 29, 2007.
10. 10th Stuyvesant St Block Assoc, 9/8, E 10th St (btwn 2nd & 3rd Aves)
VOTE: To support the request by the 10th - Stuyvesant Street B.A. for a block party on East 10th Street (2nd - 3rd Avenues) on September 8, 2007.
11. Mariner's Temple Baptist Church, 9/15, Oliver St (btwn Madison St & St James Pl)
VOTE: To support the request by the Mariner's Temple for a block party on Oliver Street (Madison Street - St. James Place) on September 15, 2007.
12. Russian Orthodox Cathedral, 9/22, E 2nd St (btwn 1st & 2nd Aves)
VOTE: To support the request by the Russian Orthodox Cathedral of Holy Virgin Protection for a block party on East 2nd Street (1st - 2nd Avenues) on September 22, 2007.
13. Theater for the New City, 5/26, E 10th St (btwn 1st & 2nd Aves)
VOTE: To support the request by Theater for the New City for a block party on East 10th Street (1st - 2nd Avenues) on May 26, 2007.
14. Theater for the New City, 8/4, E 10th St (btwn 1st & 2nd Aves)
VOTE: To support the request by Theater for the New City for a block party on East 10th Street (1st - 2nd Avenues) on August 4, 2007 contingent on receiving no complaints from the May 26th event.
15. Theater for the New City, 10/31, E 10th St (btwn 1st & 2nd Aves)
VOTE: To support the request by Theater for the New City for a block party on East 10th Street (1st - 2nd Avenues) on October 31, 2007 contingent on receiving no complaints from the May 26th and August 4th events.

Park Event Application

16. Relay for Life of Chinatown, 6/9, Sara. D. Roosevelt Park
VOTE: To support the request by Relay for Life of Chinatown for use of Sara D. Roosevelt Park (Hester - Grand Streets) for a cancer awareness event on June 9, 2007 pending receipt of Parks Dept. approval and letters of support from the community.

36 YES 0 NO 0 Abstention 0 PNV (Excluding Parks Items 1 & 2) - MOTION PASSED
35 YES 0 NO 0 Abstention 1 PNV (Parks Item 2) - MOTION PASSED
35 YES 0 NO 1 Abstention 0 PNV (Parks Item 1) - MOTION PASSED

Cooper Square Urban Renewal Area Task Force

1. Update on the renaming of Community center (Cooper Square Community Center) as voted on by

Community Board 3, as requested by Community Residents

No vote necessary

2. Final decision on budget request from YMCA/University Settlement

No vote necessary

3. Phipps Housing Management, Extra Place: review of 30 year regulatory agreement with NYC to keep housing affordable

No vote necessary

Members Present at Last Vote:

David Adams [P]

Paul Bartlett [P]

Rev. Joan Brightharp [A]

Mayra Cappas [P]

Wendy Cheung [P]

Rocky Chin [P]

David Crane [P]

Andrea Diaz [P]

George Diaz [P]

Harvey Epstein [P]

Morris Fajtelewicz [P]

Beth From [P]

Rabbi Y. S. Ginzberg [P]

Alexander Gonzalez [P]

Carlos Juan Gonzalez [P]

Aurora Guzman [A]

Guido Hartray [A]

Herman F. Hewitt [P]

Carolyn Jeffers [P]

Anne K. Johnson [P]

Joel Kaplan [P]

Eden Lipson [Sick Leave]

Bernice McCallum [A]

David McWater [P]

Alexandra Militano [P]

Lillian Moy [A]

Roberto Ortiz-Arroyo [P]

Dominic Pisciotta [P]

Barden Prisant [P]

Carolyn Ratcliffe [P]

Joyce Ravitz [P]

Lois M. Regan [P]

Verina Reich [A]

Richard F. Ropiak [P]

Estelle Rubin [P]

Elizabeth Sgroi [P]

David Silversmith [P]

Deborah A. Simon [A]

Pia Simpson [A]

Arlene Soberman [P]

Nancy Rose Sparrow-Bartow [P]

Harold Stelter [A]

Elinor Tatum [A]

David Weinberger [P]

Nina Werman [A]

Harry Wieder [P]

Samuel Wilkenfeld [P]

Thomas Yu [P]

Meeting Adjourned at 9:00 P.M.