



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD NO. 3

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Dominic Pisciotta, Board Chair

Susan Stetzer, District Manager

April 2009 Full Board Minutes

Meeting of Community Board #3 held on Tuesday, April 28, 2009 at 6:30 at IS 131, 100 Hester Street.

Public Session:

Adam Cohn: would like to request a re-hearing for a full liquor license for his seafood restaurant, Butcher Bay. He said he has over 250 signatures in support of his upgrade to a full liquor license and that his track record has proven that he is a responsible owner/operator.

Buck Moorehead: spoke in support of a resolution from CB3 asking Governor Paterson and NYC DEC Chairman Grannis to ban the hydro fracturing process used to extract natural gas in order to protect the drinking water of NYC residents.

Kim Milton: announced a massive union demonstration on City Hall on May 6 to oppose the Mayor's cuts in funding for the City's Head Start, UPK and Kindergarten programs.

Marlyn Baum: is the Managing Director of Shadow Box Theatre Co. which has been an active theatre for 40+ years. They have just opened a new location in Lower Manhattan at 45 Bleeker St. Shadow Box works with schools, Head Starts, daycare, etc.

Amy Carlson: Spoke in opposition to granting a liquor license at 1Essex Street. She is a resident in the area and is concerned that the Canal Street area may become oversaturated with bars like other streets in the neighborhood. She notes the application for 1 Essex St. was taken off the agenda as late as the night before the committee meeting. It was put back on the agenda the morning of the meeting. Residents were therefore not notified and did not get a chance to voice their concerns at the meeting. She collected 75 signatures from surrounding residents who are opposed to any more liquor licenses in the area.

Marco Spier: spoke in opposition to the liquor license at 1 Essex St. He does not want the over proliferation that happened on Ludlow and Rivington to happen on Canal and Essex.

Sean Culbert: Is also opposed to the license at 1 Essex Street. He believes safes and restaurants that are granted liquor licenses just end up turning into bars. There are 11 bars within 500 feet. He has collected more signatures in opposition.

Thomas Yu: Has complaints about the commercial "Coach USA" busses parking in front of 1 Pike Street. The busses are blocking the M15 bus stop so they are now stopping in the middle of the street. They are not doing the 5 minute pick-up and drop off that they said they would. They idle. There are trespassers in the lobbies of nearby buildings. Busses circle the street. They have collected many signatures in opposition to these busses on their street.

Elizabeth Chan: Kids are running out into the middle of the street trying to get on the busses. Passengers are spitting littering and smoking on the street. Boomboxes are playing. On the weekends 50-60 passengers are standing on the sidewalk, blocking pedestrian traffic.

Albert Chan: Also spoke in opposition of the commercial busses on Pike Street. On a one block radius there are 3 different companies working.

Discussion: David Crane said the issue will be put on the transportation committee next month

Walter Paul: Wants the public to be aware of the hoax letter supposedly sent by the owners of Butcher Bay restaurant to the residents of 509 and 511 E 5th street. The hoax letter mentions a back yard deck and dancing which are problematic to those living in the neighborhood. He wants public to acknowledge that the applicant said there would be no backyard use. He wants to know if there will be live music.

Morris Faitelwitz: Has contacted elected officials about the post office changing its hours without the public being notified. No one can get there after work. Muni meters on Grand Street jumped from 25cents to 50 cents for 15 min. These are uptown prices and are too expensive for our neighborhood. We need to get Speaker Quinn on board in getting more training for the Auxilliary Police. They need to get back the rubber billy clubs they carried in the past in order to protect themselves. If not, they need to replace the billy clubs with something.

Public Officials:

Mayor Michael Bloomberg, Lolita Jackson & Pauline Yu: announced the 400th anniversary fireworks on West Side.

Public Advocate Betsy Gotbaum, Gabe Rosner:

Comptroller William Thompson, Sandra Duque:

Borough President Scott Stringer, Gregory Kirschenbaum: The Borough President's Office will be giving the Youth and Education committee a presentation regarding Mayoral control of the schools. He has proposed a far-reaching revision of state education law that would make local Community Education Councils (CECs) in New York City more independent from the city's Department of Education, with more clearly defined roles in the school system.

This past Saturday Go Green! LES hosted mall on allen. The BP launched his cooking oil recycling program at Russ & Daughters on the Lower East Side. The first pickup of used cooking oil will be turned into biodiesel fuel through the Go Green! Cooking Oil Recycling Program.

Congressmember Jerrold Nadler, Erin Drinkwater:

Congressmember Nydia Velazquez, Iris Quinones:

Congressmember Carolyn Maloney, Victor Montesinos: This morning Congresswoman Maloney introduced legislation for the Family Medical Leave Act to include domestic partners, in-laws, grandparents etc. It should recognize all kinds of family.

Assembly Speaker Sheldon Silver, Zach Bommer: He is trying to get the contract of 10 Stanton Street, a Section 8 building, extended past its deadline in 2010. He is meeting with the owners on May 8 to resume talks.

Speaker Silvered partnered with BP Stringer to introduce the Go Green! Cooking Oil Recycling Program that turns used cooking oil from restaurants into biodiesel. Tax credits will be given to those involved.

He is supporting a bill that puts a 5 cent deposit on water bottles.

Speaker Silver also introduced Bike Around Downtown at the South Street Seaport.

Illegal gun crackdown bill. ,main part is micro-stamping of cartridges.

He is co-sponsoring the gay marriage bill. He thinks it will finally pass in NY State.

Assemblymember Deborah J. Glick, Matt Borden: sent congratulations to the new CB3 members. She is proud that Assembly passed GENDA, a measure that would include gender identity and expression to the State's hate crime laws.

Assemblymember Glick submitted testimony to the City Council on charter schools. Bloomberg wants to have another 100,000 kids in charter schools. She thinks the City should focus on smaller class sizes and better teacher training rather than creating more charter schools.

Assemblymember Brian Kavanagh, Paula Castro: State Senator Daniel Squadron and Assembly Member Brian Kavanagh announced a bill that will cut idling time to 1 minute for all heavy-duty vehicles statewide. The bill would reduce air pollution in New York State and combat respiratory illnesses like asthma that can be triggered and exacerbated by poor air quality.

He announced a free college prep program on May 18 at 6-8pm for those taking entry exams.

State Senator Daniel L. Squadron, Jasmin Sanchez: They have moved into a new office at 401 Broadway. They have an open door policy. NYCHA is being under funded – they were not able to get the 62 million that they were owed, they got 3 million. He's fighting to keep funding for social services, such as the educational Alliance, Henry Street Settlement and Good 'Ol LES.

State Senator Thomas K. Duane, Romeo Ymalay: He was proud to stand with Governor Paterson as he announced the Marriage Equality Act on April 16. On April 8 he sponsored a presentation by the Vernon-Verona-Sherill Future Farmers of America of its mobile maple exhibit to 2nd through 5th graders from PS19. It taught children about maple syrup production in NY State.

Councilmember Alan Gerson, Patricia Olan: Welcomed new members to CB3. He announced a Town Hall meeting on traffic on Monday May 4.

The pitbull attack on Orchard Street that killed another dog inspired the reform of the laws that are geared towards protecting people not pets. They should include pets.

Councilmember Rosie Mendez, Jessica Nepomiachi: On May 2, Rosie, along with the friends and family of the late Dr. Frieda Zames, will be hosting a street co-naming ceremony in honor of Dr. Zames who was an admired civil and disability rights activist.

Members Present at First Vote:

David Adams [P]	Carolyn Jeffers [P]	Joyce Ravitz [P]
Paul Bartlett [P]	Anne K. Johnson [P]	Lois M. Regan [P]
Michael Byrne [A]	Vaylateena Jones [P]	Richard F. Ropiak [P]
Pearl Chin [P]	Meghan Joye [P]	Lawrence Rosenblatt [A]
David Crane [P]	Joel Kaplan [P]	Elizabeth Sgroi [A]
Andrea Diaz [P]	Sam Krueger [A]	David Silversmith [P]
Harvey Epstein [P]	John Leo [P]	Deborah A. Simon [P]
Morris Fajtelewicz [P]	Kam Chi Li [P]	Arlene Soberman [A]
Flora Ferng [P]	Bernice McCallum [P]	Nancy Rose Sparrow-Bartow [P]
John Fout [P]	David McWater [A]	Allen Strouse [P]
Beth From [A]	Alexandra Militano [P]	Elinor Tatum [P]
Edward Garcia [P]	Ariel Palitz [P]	David Weinberger [A]
Rabbi Y. S. Ginzberg [P]	Thomas Parker [P]	Harry Wieder [A]
Gloria Goldenberg [P]	Dominic Pisciotta [P]	Samuel Wilkenfeld [A]
Herman F. Hewitt [P]	Barden Prisant [P]	Noah Yago [A]
Bonnie Hulkower [A]	Carolyn Ratcliffe [P]	Thomas Yu [P]

Minutes:

Minutes of February 2009 were approved, as is.

Board Chairperson's Report:

Chairperson Dominic Pisciotta: Welcomed new members and asked them to please fill out committee request forms.

District Manager's Report:

District Manager Susan Stetzer

Office will be dislocated for 12-15 days while renovations

Parks having advocacy day 40 Washington Square South

Chinese owned businesses are being called and demanding money for the safety of businesses family. Claiming they're from big crime family demanding 20-30k.

PLAZA Forsyth and Division approved.

Committee Reports:

Executive Committee

1. Rutgers Tenants Association's Stick Ball Block Party Application, 5/23, 6/13, 7/18, 8/22 & 9/12, Rutgers Street, between Cherry & Madison Streets

VOTE: To approve the Block Party application of Rutgers Tenants Association for May 23, June 13, July 18, August 22 and September 12, 2009 as a street ballgame Party on Rutgers Street between Cherry and Madison Streets.

Dominic re-convened the nominating committee. There's a vote for officers in June.

(Executive Committee)

37 YES 0 NO 1 ABS 0 PNV MOTION PASSED

Personnel Task Force

- Establish evaluation procedures
no vote necessary

Transportation & Public Safety Committee

- 1. Request for "STOP" signs on Delancey & Lewis Sts for both east and west bound traffic lanes
VOTE: To postpone until May.
- 2. Support for NY Safe Roads Alliance for legislation to cap length of truck trailers & freight weight of trucks traveling on national highways & extending existing freeze on interstate operations of longer combination vehicles to national highway system

VOTE: Resolution Opposing Increases in Truck Weights and Lengths Operating on the Interstate and National Highway System

WHEREAS, Community Board 3-Manhattan is concerned for the health, welfare and safety of the City's residents and the conditions of its infrastructure; and

WHEREAS, CB3 is concerned that attempts are being made at the federal level to increase the size, weight and allowable number of trailers beyond the capacity of existing road infrastructure; and

WHEREAS, bigger and heavier trucks cause greater acceleration of the deterioration of the City's streets, roads and bridges, putting further pressure on local tax payers to fund regional infrastructure; and

WHEREAS, the investments in our City, State and Federal road systems have not kept up with increased traffic levels, current funding for road and bridges across all government levels in the State is inadequate and investments by local governments have been curbed by cuts in government funding and a shrinking state truck highway fund; and

WHEREAS, many of the municipal associations and community leaders have a history of opposing increases in truck weights an strongly oppose all legislation that attempts to shift costs and liability of private businesses onto local governments and taxpayers; now

THEREFORE, BE IT RESOLVED, that CB3-Manhattan opposes any legislation increasing truck weights and size beyond the capacity of our road systems and putting New York streets, roads and bridges at risk of increased damage or deterioration.

- 3. Milling and paving of Extra Place
VOTE: That CB3 understands that Avalon Bay has begun the process of applying to DOT for a Restricted Use Street permit for Extra Place. This is a short, narrow dead-end street coming off of E 1st St between the Bowery and Second Ave. Before a Restricted Use Permit can be granted, an Environmental Assessment Statement must be developed for the distinctive elements that might be added to Extra Place. In order to facilitate meaningful community input, CB3 requests that Avalon Bay and DOT come to a scheduled CB3 committee early in the design process.
- 4. DOT: Bike lane installation on Ave A from E Houston to E 14th St
no vote necessary
- 5. Fourth Street Arts Block: presentation regarding street light replacement plan (E 4th St btwn 2nd Ave & Cooper Square)
VOTE: That CB3 supports the Fourth Street Arts Block proposal to install distinctive "Bishop's Crook" lampposts or other suitable historic-looking lampposts, on E 4th St between the Bowery/Cooper Square and Second Ave. We prefer that these lamps use LED lighting if feasible.
- 6. Residents request for crosswalk on Clinton St midblock between Grand St and E Broadway
VOTE: NO VOTE NECESSARY
- 7. Request for loading/unloading zone in front of 55 1st Ave
VOTE: That CB3 requests installation of a "Truck Loading/Unloading Zone" for the hours of 9am-4pm weekdays, in front of 55 First Ave, located between E 3rd and E 4th Sts.

(Transportation & Public Safety Committee)
37 YES 0 NO 1 ABS 0 PNV MOTION PASSED

Environment Committee

- 1. NYSDEC Con Ed Title V Permit & USEPA Review
VOTE: To have Ed Lloyd Attorney representing CB3 draft letter to EPA requesting a public hearing to review the State Implementation Plan as it affects CB3. CB3 feels that the State Implementation Plan is inadequate.
- 2. LES Go Green Update
no vote necessary
- 3. Resolution regarding drilling in Marcellus Shale and impact on NYS water supply
VOTE: WHEREAS, On July 23, 2008 Governor David Patterson signed A10526/S08169 into law, a bill setting certain technical requirements pertaining to well spacing which will facilitate the use of hydraulic

fracturing for natural gas recovery in an under ground geological formation known as the Marcellus Shale; and

WHEREAS, hydraulic fracturing has a controversial history in the United States with documented incidences of leaks, spills, explosions and water pollution in nine different states which have resulted in the contamination of local point sources of water; and

WHEREAS, hydraulic fracturing requires a mix of chemicals, including known carcinogens, that are injected into the earth at extreme pressure and whose compositions and concentrations are not publicly disclosed and which under certain circumstances could pose a serious risk to local point sources of water; and

WHEREAS, serious deficiencies in a review of the effects of hydraulic fracturing on drinking water supplies conducted by the U.S. Environmental Protection Agency (EPA) have been raised, including the alleged removal of key passages in that document by officials from the Office of Vice President Dick Cheney, as reported on October 14, 2004 by the Los Angeles Times, and the characterization of the report as "scientifically unsound" by an internal EPA whistleblower;

WHEREAS, a Freedom of Information Law request submitted by the Washington D.C. based non-profit organization Environmental Working Group indicates that the New York State Department of Environmental Conservation has conducted no independent testing to determine whether there are significant risks to drinking water supplies from hydraulic fracturing and has by default relied on the aforementioned EPA report to on at least two occasions to publicly state that hydraulic fracturing poses no threat to drinking water supplies; and

WHEREAS, ninety percent of the New York City water supply originates from the Catskill/Delaware watershed, which is within the boundaries of the Marcellus Shale, and is delivered to the city without filtration, making this water extraordinarily susceptible to contamination from hydraulic fracturing should an accident occur within the boundaries of the New York City watershed; and

WHEREAS, in his July 23, 2008 press release announcing the new law, Governor Patterson ordered a new Supplemental Generic Environmental Impact Statement that "will occur as part of a public process that ensures that concerns raised by residents who could be affected by drilling activities are heard and considered"; and

WHEREAS, the New York State Department of Environmental Conservation held the first of two rounds of public meetings on hydraulic fracturing in Allegany, Bath, Elmira, Binghamton, Oneonta and Lake Sheldrake but held no public meetings in New York City; now

THEREFORE, BE IT RESOLVED that Manhattan Community Board #3 unequivocally urges the New York State Department of Environmental Conservation to prohibit the use of hydraulic fracturing in the New York State and especially within the City watershed; and

THEREFORE, BE IT FURTHER RESOLVED that if hydraulic fracturing is permitted that the chemical ingredients used in hydraulic fracturing sites in New York State should be disseminated among all environmental regulatory agencies, water treatment facilities and first responders in the vicinity of the drilling site in order to mitigate potential damages that may arise should accidents occur; and

THEREFORE, BE IT FURTHER RESOLVED that if hydraulic fracturing is permitted that the New York State Department of Environmental Conservation should mandate the inclusion of "tracers" in hydraulic fracturing fluids which would allow emergency responders to track fracturing fluids should leaks, spills or contaminations occur. Additionally, the New York State Department of Environmental Conservation should mandate the use of the most environmentally benign fracturing fluids available, using off-shore hydraulic fracturing applications as a model and hold accountable for (all operating and authorizing) parties responsible for additional expense incurred if the City becomes responsible for a filtration system.

THEREFORE, BE IT FURTHER RESOLVED that the New York State Department of Environmental Conservation is strongly urged to schedule public hearings in each of New York City's five boroughs during the second commenting period leading up to the issuance of the Supplemental Generic Environmental Impact Statement in late 2009; and that these public hearings require a minimum of 60 day comment period; and

THEREFORE, BE IT FURTHER RESOLVED that the State of New York must ensure the adequate

regulation, monitoring and supervision of all hydraulic fracturing sites by providing a budget to the New York State Department of Environmental Conservation that will ensure adequate personnel levels can be recruited and retain in order to achieve this goal.

4. Report from Con Ed Subcommittee
no vote necessary

(Environment Committee)

37 YES 0 NO 1 ABS 0 PNV (Except Item 1) MOTION PASSED

Item 1: 36 YES 0 NO 0 ABS 1 PNV MOTION PASSED

Landmarks Subcommittee:

1. Subcommittee goals
no vote necessary
2. Presentation by Landmarks Commission: overview of Landmarks Commission, how it functions and available resources
no vote necessary
3. CCM Mendez: CB3/council office collaboration on public informational meeting regarding Landmarking
VOTE: To work with Council Member Rosie Mendez's office to plan and present a Neighborhood Town Hall on Preservation in the Lower East Side in June of 2009.

(Landmarks Subcommittee)

37 YES 0 NO 1 ABS 0 PNV MOTION PASSED

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

1. EDC: Basketball City update
no vote necessary
2. Presentation from New Yorkers for Parks: Feedback on community meeting on Master Plan for parks and open spaces in NYC
no vote necessary

Parks Committee: Block Party Application

3. St Teresa's Church, 6/7, Rutgers St (Henry St & E B'way)
VOTE: To support the request by St. Teresa's Church for a block party on June 7, 2009 on Rutgers Street (Henry Street – East Broadway).
4. Fukien American Association, 6/21, Division St (Market & Catherine Sts)
VOTE: To support the request by Fukien American Association for a block party on June 21, 2009 on Division Street (Market – Catherine Streets).
5. Abounding Grace Ministries, 7/16, E 5th St (Aves C & D)
VOTE: To support the request by Abounding Grace Ministries for a block party on July 16, 2009 on East 5th Street (Avenues C – D).
6. Ride4Aiden, 7/18, Gouverneur St (Madison & Water Sts)
VOTE: To support the request by Ride4Aiden for a block party on July 18, 2009 on Gouverneur Street (Madison – Water Streets).
7. Abounding Grace Ministries, 7/28, E 6th St (Ave D & FDR Drive)
VOTE: To support the request by Abounding Grace Ministries for a block party on July 28, 2009 on East 6th Street (Avenue D – FDR Drive).
8. Reaching Youth for Christ Ministries, 8/8, E 12th St (Aves B & C)
VOTE: To support the request by Reaching Youth for Christ Ministries for a block party on August 8, 2009 on East 12th Street (Avenues B – C).
9. LES Hispanic Committee, 8/1, E 6th St (Ave D & FDR Drive)
VOTE: To support the request by LES Hispanic Committee for a block party on August 1, 2009 on East 6th Street (Avenue D – FDR Drive).
10. LES BID, 10/4, Broome St (Ludlow & Essex Sts)
VOTE: To support the request by NY Food Museum for a block party on October 4, 2009 on Broome Street (Ludlow – Essex Streets).

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

37 YES 0 NO 1 ABS 0 PNV MOTION PASSED

Arts Task Force

no minutes submitted

SLA & DCA Licensing Committee

1. Creation of sidewalk cafe guidelines
no vote necessary

2. Legislative clarification of 500-foot rule
no vote necessary

Renewal with Complaint History

3. Horus, 93 Ave B (rw)

VOTE: To deny the renewal of the restaurant wine license for Horus, 93 Avenue B, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will employ bonded licensed security personnel at all times, 2) it will maintain a limiter to minimize noise complaints, and 3) it will close its doors and windows at 10:00 P.M.

4. Cozy Cafe, 43 E 1st St (bw)

VOTE: To deny the renewal of the restaurant wine license for Cozy Café, 43 First Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will cease commercial operation of its backyard patio, consistent with the law.

Applications within Resolution Areas

5. La Lucha, 147 Ave A (eb)

VOTE: To inform the SLA that La Lucha, 147 Avenue A, has withdrawn its request for an eating place beer license before Community Board #3 and to ask that the SLA not consider this application until the applicant reapplies to this community board with the requisite thirty (30) days notice to the SLA.

6. Casa De Chabela, 40 Ave B (rw)

Withdrawn

Alterations/Transfers/Upgrades

7. Blue Seats, 157 Ludlow St (alt/add bar)

withdrawn

8. Full City Coffee (Roots & Vines), 409 Grand St (alt/hours)

VOTE: To deny the alteration to Full City Coffee, 409 Grand Street, to wit extending its closing hours to 4:00 A.M. every night, unless the applicant agrees before the SLA to maintain as conditions of its license the following signed notarized stipulation that 1) it will remain a full-service restaurant, serving food to within one (1) hour of closing every night, and 2) it will continue to open at 7:00 A.M. Mondays through Fridays and 9:00 A.M. Saturdays and Sundays.

9. RZ Restaurant (Cafe Deville), 103 3rd Ave (trans/op)

withdrawn

10. Kuta, 65 Rivington St (alt/change stips to allow for sidewalk cafe)

VOTE: To deny the alteration to Circle Seven, doing business as Kuta, 65 Rivington Street, to wit removing the restriction from its stipulation which prohibits it from applying for a sidewalk café permit, unless the applicant agrees before the SLA to maintain as conditions of its license the following signed notarized stipulation that 1) it will close no later than 11:00 P.M. every night, 2) it will operate as a full-service Southeast Asian restaurant, serving food to within one (1) hour of closing, 3) it will close all of its doors and windows by 10:00 P.M. every night, and 4) it will discard its refuse during its hours of operation to minimize late night noise.

11. Butcher Bay, 511 E 5th St (up/op)

VOTE: To deny the application to upgrade to a full on-premise liquor license for Butcher Bay, 511 East 5th Street, between Avenues A and B, because 1) the applicant has failed to demonstrate any unique public benefit warranting the upgrade to a full on-premise liquor license for this applicant which by its own estimation is within five hundred (500) feet of twenty-three (23) other such licenses, and 2) this is an unusual residential side street which is only one (1) block long and is not a through street, being bordered on Avenue B by the entrance to a public school, to wit The Earth School, and on Avenue A by a large scale residential housing development known as Village Views.

12. Terroir, 413 E 12th St (alt/hours)

VOTE: To deny the alteration to Terroir, 413 East 12th Street, to wit extending its hours of operation to Sundays from 5:00 P.M. to 12:00 A.M., unless the applicant agrees before the SLA to maintain as conditions of its license the following signed notarized stipulation that 1) it will remain a full-service restaurant, serving small plates with the incidental service of alcohol, 2) it will have no French doors or windows, 3) it will only play ambient background music and will not have DJs, live music, promoted events or any event at which a cover would be charged, and 4) its hours of operation will be 5:00P.M. to 12:00A.M. Sundays and it will close no later than 2:00 A.M. Mondays through Saturdays.

13. 12 1st Ave Restaurant (One and One), 76 E 1st St (trans/op)

VOTE: To deny the transfer of a full on-premise liquor license to 12 First Avenue Restaurant, 76 East 1st Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will continue to operate as a restaurant tavern, serving food until 2:00 A.M. every night, 2) its hours of operation will be from 11:00 A.M. to 4:00 A.M. Saturdays and Sundays and 12:00 P.M. to 4:00 A.M. Mondays through Fridays, 3) it will employ a DJ in the basement level only, and 4) it will close its façade doors at 10:00 P.M. every night.

14. Peace and Love Hospitality Inc., doing business as Destination, 211 Ave A (trans/op)

VOTE: To deny the transfer of a full on-premise liquor license to Peace and Love Hospitality Inc., doing business as Destination, 211 Avenue A, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will operate as a full-service restaurant, specifically

a neighborhood grill serving American comfort foods to within one (1) hour of closing, 2) its hours of operation will be from 5:00 P.M. to 2:00 A.M. Mondays through Tuesdays, 5:00 P.M. to 3:30 A.M. Wednesdays through Fridays, 12:00 P.M. to 3:30 A.M. Saturdays and 12:00 P.M. to 2:00 A.M. Sundays, and 3) it will play ambient background music only.

15. F&C Bari, 207-213 Allen St (alt/add basement)
withdrawn

16. Rong Hang, 38 Eldridge St (trans/rw)

VOTE: To deny the transfer of a restaurant wine license to Rong Hang, 38 Eldridge Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will operate as a full-service Chinese restaurant, serving food to within one (1) hour of closing, and 2) its hours of operation will be from 10:00 A.M. to 12:00 A.M. every night.

17. Kasadela Izakaya, 647 E 11th (trans/rw)

VOTE: To deny the transfer of a restaurant wine license to Kasadela Izakaya, 647 East 11th Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will operate as a full-service Japanese restaurant, serving food to within one (1) hour of closing, and 2) its hours of operation will be from 5:30 P.M. to 12:30 A.M. Mondays through Thursdays, 5:30 P.M. to 1:30 A.M. Fridays and Saturdays and 4:30 P.M. to 11:30 P.M. Sundays, 3) it will play ambient background music only, and 4) it will close its doors and windows at 10:00 P.M. every night.

New Liquor License Applications

18. D Rivers, 132 1st Ave (op)

VOTE: To deny the application for a full on-premise liquor license for D Rivers, 132 First Avenue, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will operate as a full-service Spanish American tapas restaurant, serving food to within one (1) hour of closing, 2) its hours of operation will be from 7:00 A.M. to 12:00 A.M. Mondays through Thursdays, 7:00 A.M. to 2:00 A.M. Fridays and 10:00 A.M. to 2:00 A.M. Saturdays and 10 A.M. to 12 A.M. Sundays, 3) it will play ambient background music only, 4) it will close its façade doors and windows at 10:00 P.M. every night, and 5) it will host nonprofit events for the Lower East Side Girls Club at least three (3) times per year.

19. Cookout Grill, 214 1st Ave (eb)

VOTE: To deny the application for an eating place beer license for Cookout Grill, 214 First Avenue, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will continue to operate as a barbeque grill restaurant, serving food during its hours of operation, 2) its hours of operation will be from 11:00 A.M. to 12:00 A.M. every day, and 3) it will play ambient background music only.

20. 1 Essex LLC, 1 Essex St (rw)

VOTE: To deny the application for a restaurant wine license for 1 Essex LLC, 1 Essex Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will operate as a full-service restaurant, serving local organic and indigenous food to within one (1) hour of closing, 2) its hours of operation will be from 5:00 P.M. to 11:00 P.M. Mondays through Wednesdays, 5:00 P.M. to 12:30 A.M. Thursdays through Saturdays and 10:00 A.M. to 5:00 P.M. Sundays, and 3) it will play ambient background music only. **(WITHDRAWN)**

VOTE: To inform the SLA that subsequent to the vote of the full board on April 28, 2009, 1 Essex LLC, 1 Essex Street, agreed to withdraw its application for a full on-premise liquor license before Community Board #3 and to ask that the SLA not consider this application until the applicant reapplies to this community board with the requisite thirty (30) days notice to the SLA. This withdrawal has been made by the applicant to address additional issues which were raised at the full board hearing of Community Board #3 regarding the previous approval of only a restaurant wine license for this location by the community board, the application for a full on-premise liquor license within five hundred (500) feet of three (3) or more additional licenses and to allow for additional community input. **(THIS MOTION PASSED)**

21. May Chan Ramen & Robotayaki, 119 2nd Ave (rw)

VOTE: To inform the SLA that May Chan Ramen & Robotayaki, 119 Second Avenue, has withdrawn its request for an eating place beer license before Community Board #3 and to ask that the SLA not consider this application until the applicant reapplies to this community board with the requisite thirty (30) days notice to the SLA.

22. Gena's Grill, 210 1st Ave (rw)

VOTE: To deny the application for a restaurant wine license for Gena's Grill, 210 First Avenue, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will operate as a full-service Caribbean restaurant, serving food to within one (1) hour of closing, 2) its hours of operation will be from 7:00 A.M. to 11:00 P.M. every day, and 3) it will play ambient background music only.

(SLA & DCA Licensing Committee)

37 YES 0 NO 1 ABS 0 PNV (Excluding Items: 1, 11 & 19) MOTION PASSED

Item 1: 36 YES 1 ABS 1 NO 0 PNV MOTION PASSED

Item 11: 35 YES 1 ABS 2 NO 0 PNV MOTION PASSED

Item 19: 36 YES 1 ABS 1 NO 0 PNV MOTION PASSED

Economic Development, Zoning, & Planning Committee

- 1. Report from Chinatown working group
no vote necessary
- 2. Discussion of development of Seward Park Urban Renewal Area (SPURA)
no vote necessary
- 3. CAAAV report on gentrification of Chinatown
no vote necessary

Housing, Land Disposition, & NYC Housing Authority Committee

- Impact of new hotels in CB 3 south of Houston
no vote necessary

Human Services, Health, Disability, & Seniors Committee

there were no agenda items - no vote necessary

Youth & Education Committee

Report: various groups came before the committee looking for cb3 support on their positions on Mayoral control. They decided to support the Parent Commission.

- 1. Requested support for Youth Council initiative - an after school program for high school students
VOTE: To support the youth Council Initiative (Transform America)in CB 3, and to assist them in finding a place to conduct meetings. Carolyn and Joyce agreed to try and find space.
- 2. CB3 position on Mayoral control of schools
no vote necessary
- 3. Request for support from The Parent Commission on School Governance and Mayoral Control for Recommendations on School Governance
VOTE: WHEREAS, Mayoral Control sun setting is June 30, 2009; and

WHEREAS, the Parent Commission on School Governance and Mayoral Control presented a comprehensive structure for parental input; and

WHEREAS, under Mayoral Control there has been a lack of parental and educators' input in the New York City Education System; now

THEREFORE, BE IT RESOLVED, that Manhattan Community Board 3 endorses the principles, goals and proposals of the Parent Commission, to create a Governance System distinguished by an educational partnership between the Mayor, parents and educators who together would endeavor and strive toward a consensus in an effort to improve our New York City Schools.

(Youth & Education Committee)

37 YES 0 NO 1 ABS 0 PNV MOTION PASSED

Members Present at Last Vote:

- | | | |
|--------------------------|------------------------|-------------------------------|
| David Adams [P] | Carolyn Jeffers [P] | Joyce Ravitz [P] |
| Paul Bartlett [P] | Anne K. Johnson [P] | Lois M. Regan [P] |
| Michael Byrne [A] | Vaylateena Jones [P] | Richard F. Ropiak [P] |
| Pearl Chin [P] | Meghan Joye [P] | Lawrence Rosenblatt [A] |
| David Crane [P] | Joel Kaplan [P] | Elizabeth Sgroi [A] |
| Andrea Diaz [P] | Sam Krueger [A] | David Silversmith [P] |
| Harvey Epstein [P] | John Leo [P] | Deborah A. Simon [P] |
| Morris Fajtelewicz [P] | Kam Chi Li [P] | Arlene Soberman [A] |
| Flora Ferng [P] | Bernice McCallum [P] | Nancy Rose Sparrow-Bartow [P] |
| John Fout [P] | David McWater [A] | Allen Strouse [P] |
| Beth From [A] | Alexandra Militano [P] | Elinor Tatum [P] |
| Edward Garcia [P] | Ariel Palitz [P] | David Weinberger [A] |
| Rabbi Y. S. Ginzberg [P] | Thomas Parker [P] | Harry Wieder [A] |
| Gloria Goldenberg [P] | Dominic Pisciotta [P] | Samuel Wilkenfeld [A] |
| Herman F. Hewitt [P] | Barden Prisant [P] | Noah Yago [A] |
| Bonnie Hulkower [P] | Carolyn Ratcliffe [P] | Thomas Yu [P] |

Meeting Adjourned