



# THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD NO. 3

59 East 4th Street - New York, NY 10003  
Phone: (212) 533-5300 - Fax: (212) 533-3659  
www.cb3manhattan.org - info@cb3manhattan.org

Dominic Pisciotta, Board Chair

Susan Stetzer, District Manager

## September 2009 Full Board Minutes

Meeting of Community Board #3 held on Tuesday, September 22, 2009 at 6:30pm at PS 20, 166 Essex Street.

### Public Session:

Theresa Hagan: A resident of a building on 2nd St between Ave B and C is looking for tax abatements for their non-profit building.

Jessica Williams: announced a flu outreach program that Access Community Health Center will offer to local businesses and residents.

Cedric Hines: from the Epilepsy Foundation offered the community health info and resources.

Pat De Angelis: member of the Con Ed Task Force of CB3, wants to inform the community of the resources that are at their disposal. They are hoping to distribute more funds to groups who have good ideas to help improve air quality and safety, especially around the Con Ed plant. The Task Force is requesting proposals and asked us to please spread the word.

Karen Michelle Mirks: announced that the NYC Business Solution Center provides free, quick & reliable information on a range of critical business issues including how to start a business, how to hire, how to navigate government regulation and secure financing.

Pearl Chin: member of Cb3 and Executive Director of Chinatown Manpower Project, Inc announced "Small Business Bootcamp", a training program. This 10 week program will teach start-ups and existing businesses how to design a development plan, navigate legal issues, secure financing, insurance and more. The program runs 10 Saturdays starting October 3  
From 10AM-5PM at 70 Mulberry Street, 3rd floor.

David Kupferberg: suggested adding a Houston St. cross-town bus service and eliminating the Ave B line.

Benjamin Shih, Andrew Fung and Howard Brito: introduced job programs for recently disabled and returning veterans to our community. 97% of the soldiers sign up for the GI bill but only 8% use all of their educational benefits while 30% never use any. They have built a temporary training site in the neighborhood to train soldiers for jobs. Soldiers are having great difficulty accessing the GI Bill money. The government is sitting on 230million which should be allocated to soldier's education. They would like to expand the program to the Seward Park area. The program is seeking to train 400 soldiers per 12 month cycle.

Matt Krivich: asked for support of the resolution to co-name Bowery between Rivington and Prince to "Bowery Mission Way" to honor the Bowery Mission which has been serving the community for over 100 years.

Rosa Brobeck: bringing the Board's attention to the state of 2 parks in the LES: Ahearn Park on Grand Street and East Broadway as well as Seward Park along Essex St. They are constantly dirty and dumping grounds.

Flora Huang: wanted to bring awareness to the community about ACS's Foster Care Program. CB3 makes up half of the children in foster care. Most come from public housing. She is looking for volunteers to provide support for parents.

Jessie Wilson: from ACS was looking for volunteers to help train and support foster parents.

Roberto Ragone: Executive Director of the LES BID announced two upcoming events: "International Pickle Day" which drew 18,000 last year will take place this Sunday from 11AM-4:30PM. "Apples On Orchard" will take place Sunday Oct 18 11-4:30 PM.

Margaret Chin: wanted to say hello and thank the community for the nomination for City Council.

Preeti Sodhi: recently graduated from Columbia and was the community planning fellow for CB3. She mapped all liquor licenses in the neighborhood whether they are op, rw etc. This map will be a helpful tool to use in SLA committee meetings. She also worked on survey project involving small businesses. The retail survey covered Ave A from Houston to 14th Street. Preeti pulled highlights from studies on small business issues that might be relevant to this neighborhood. She found it would be important to have a more detailed impact study.

Public Officials:

Mayor Michael Bloomberg, Lolita Jackson & Pauline Yu:

Public Advocate Betsy Gotbaum, Tommy Lin:

Comptroller William Thompson, Sandra Duque:

Borough President Scott Stringer, Gregory Kirschenbaum: The BP's office came out with a new report in August about school overcrowding. He thinks the DOE is off on the number of seats they put in each school. The Don't Block the Bus report looks at the main corridors of bus lanes and found that cars in bus lanes force busses into lanes that they shouldn't be in. Calling "shame on you" to an individual who was telling families they could get to the top of the public housing list in exchange for \$10,000.

Congressmember Jerrold Nadler, Erin Drinkwater:

Congressmember Nydia Velazquez, Iris Quinones:

Congressmember Carolyn Maloney, Victor Montesinos: Congressmember Maloney supports the President's plan on health care. In NY 13.6 % of people do not have health insurance. NY deserves health care that is secure and sustainable. She believes the Senate will pass this as well as a public option.

Assembly Speaker Sheldon Silver, Zach Bommer: Shelly is fighting to save the Pitt Street Post Office which is slated to close. Their signature drive collected over 1400 signatures which they gave to the Postmaster. Shelly participated in the first Annual Day of Service Remembrance. He served meals to 100's of seniors. The 500 ft rule amendment which he and Sen. Squadron introduced was finally passed. National Night Out was a huge success. Shelly visited the Neighborhood School and PS 63 for their first Day of School and gave out information to parents for afterschool programs and local libraries.

Assemblymember Deborah J. Glick Lisa Parson: Matt Borden was promoted to Chief of Staff so Lisa introduced herself as the new representative to CB3. She introduced two bills which will reduce nuisances created by tour bus megaphones by creating quiet zones. Residents have the right to livable streets that are not overcrowded with tour traffic or clogged with pollution.

Assemblymember Brian Kavanaugh, Paula Castro: The Assemblymember congratulated Margaret Chin. Both Houses passed a bill to improve energy efficiency and create green jobs. The bill opens up money to businesses looking to make capital improvements in order to "green" their businesses. Locally he is continuing his work on a sound housing campaign for state and city funding for public housing. He worked with the Parents Commission to address the issue of admissions for Pre-K and Kindergarten students. Kavanaugh is also focusing on voter safety and rights and election-day issues such as replacing old voting machines. The young man who was stabbed in broad daylight while visiting his grandmother was a case of misidentification. He is losing Paula Castro to the state of MA but thanked her for all her hard work.

State Senator Daniel L. Squadron, Jasmin Sanchez: The amendment on the 500 ft. rule passed. He is urging the Senate to pass his bill that would stop abuse of "owner occupancy" evictions of rent-regulated tenants. The bill would prohibit the eviction of tenants who have lived there for more than 20 years and would restrict owner occupancy to a single dwelling unit. The ethics reform legislation he sponsored failed to come to a vote due to Republican opposition and the fact they were down one vote. On Tuesday September 29 at 6pm at St. Johns University, Sen. Squadron will host an Education Town Hall meeting.

State Senator Thomas K. Duane, Romeo Ymalay: The DOH HIV/Hepatitis C Oversight Bill directs that department to oversee the treatment of these diseases in our state and local correctional facilities where it is currently overseen by the Department of Correctional Services. The Nursing Care Quality Protection Act requires healthcare facilities to disclose information on nursing staff to state regulators and the public. He gave testimony opposing Ben Shaoul's appeal to the BSA for ten variances to legalize the vertical extensions 514-516 East 6th Street.

Councilmember Alan Gerson, Patricia Olan: congratulated Margaret Chin for winning the nomination. Councilmember received a plaque for his commitment to science in NYC. He sponsored the 4th Annual Senior Sail on August 12th where over 12,000 senior citizens enjoyed free cruises on New York Harbor. Since July Two Bridges Community Center has a fully operational teen center. First annual Chinatown baseball tournament kicked off today. The LES Youth Committee meeting has been rescheduled for Oct 1. Gerson met with Louis Sanchez, Lower Manhattan Borough Commissioner and Tenants Ass. President Daisy Echevarria regarding the

tour bus parking on South Street which seems to be manifesting again. Since then many busses have been ticketed or towed away.

Councilmember Rosie Mendez, Jessica Nepomiachi: The Councilmember submitted testimony opposing the vertical extensions on 514-516 East 6th St. She introduced a bill requiring the licensing by the Dept. of Consumer Affairs of bars and restaurants that occupy outdoor private space on roofs, backyards or other similar outdoor space such as patios.

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 [P]	Vaylateena Jones [P]	Richard F. Ropiak [P]
Pearl Chin [P]	Meghan Joye [P]	Muzzy Rosenblatt [P]
David Crane [P]	Joel Kaplan [P]	Elizabeth Sgroi [P]
Andrea Diaz [A]	Sam Krueger [A]	David Silversmith [P]
Harvey Epstein [P]	John Leo [P]	Deborah A. Simon [A]
Morris Fajtelewicz [P]	Gigi Li [P]	Arlene Soberman [P]
Flora Ferng [P]	Bernice McCallum [P]	Nancy Rose Sparrow-Bartow [P]
Beth From [A]	David McWater [P]	Elinor Tatum [A]
Edward Garcia [A]	Alexandra Militano [P]	Rodney Washington [A]
Rabbi Y. S. Ginzberg [P]	Ariel Palitz [P]	David Weinberger [A]
Gloria Goldenberg [P]	Thomas Parker [P]	Harry Wieder [P]
Herman F. Hewitt [P]	Dominic Pisciotta [P]	Samuel Wilkenfeld [A]
Simon Huang [P]	Barden Prisant [P]	Noah Yago [A]
Bonnie Hulkower [P]	Carolyn Ratcliffe [P]	Thomas Yu [A]

Minutes:

Minutes of June 2009 were approved, as is.

Board Chairperson's Report:

Thanks to those members that came to the budget priorities hearing!

**BSA Testimony:** We spoke in support of the tenant's petition (BSA-81-08-A) to overturn the final determination issued by the Department of Buildings on February 1, 2008 on two applications for alteration: #104368845 and #104744877. In that decision the BSA recognized that the Department of Buildings exceeded its authority. Now the landlord seeks to get a waiver from the BSA so they no longer have to comply with the Multiple Dwelling Law.

Unfortunately, the appeal heard by the Board today had several disturbing similarities to the prior appeal.

**Pier 42 Meetings:** We had a meeting with the Port Authority regarding their looking at Pier 42 as an alternative site for WTC construction staging. We detailed the other anticipated projects in the district and our concerns that we already cannot handle the staging for Brooklyn Bridge work. There is going to be a follow-up meeting.

**Committee Restructuring:** There is a need for Economic Development to be by itself. There's a lot that needs to be researched and opportunities for us to spell out what is needed in our district. Housing should go back with Zoning and Planning. The number of items that have been considered over the last year can be adequately handled in the Zoning committee.

**Attendance:** I reiterated to chairs that they need to reach out to members to ensure they are coming to meetings. Basically, people need to go to the committee meetings they're assigned to and be prepared to do work outside of those meetings. Additionally, if anyone can volunteer sometimes in the office please let Susan know.

**Volunteering in Office:** Sometimes there are special projects in office that members could assist with. Please let Susan know that you would be interested in helping out.

**Committee Restructuring:** I would like to take Economic Development out of the current Economic Development, Zoning, and Planning Committee and make it its own committee.

**Items to report from the Borough Board Meeting:**

- **School overcrowding report:** BP's office will come and speak to report at committee meeting. They would like help determining what is happening with overcrowding locally and to work with local officials, the CEC,

and to try to use the report as a starting point for resolutions to improve the situation.

- **Paid Sick Leave Intro:** This issue is going on October agenda for vote. Over 1,000,000 employees would be positively impacted by this legislation that guarantees 9 days of sick leave for full-time employees and 5 for part-time per year.
- **Intro 1015:** This enables developers the chance to cure hazardous conditions on arrested lots before fines. I told the BP at last Thursday's meeting that we would consider signing onto resolution supporting its passage in Exec that night and vote on it at full board tonight as part of the Executive votes.

District Manager's Report:

District Manager Susan Stetzer

There are two sets of budget consultations for board members with city agencies. On September 29 our community board will meet with HPD, EDC, Parks, and DEP. We have sent each of these agencies an agenda of items we would like researched so that we can decide on what items to vote for as budget priorities for our district. On October 2 and October 9 we will also meet with other agencies as a group with the 12 Manhattan community boards. All board members are invited to these meetings and encouraged to attend. These meetings are extremely informative and give you a good idea on how things work.

The office has received many calls recently regarding public safety issues. There has been an increase in teen violence that is now involving younger kids than we have seen previously. Robberies are up in the 9th precinct. There seems to be a problem with people leaving their windows open. Please remember to close your windows to help prevent this.

There have been many calls regarding three recent deaths. There was a well publicized murder on Avenue A and 12th Street. The person who has been arrested is a convicted felon who had an illegal gun. This tragedy occurred outside a bar, but had no connection with the bar. There was also a death in a facility on the Bowery that was a tragic accident between two people who knew each other.

There is a new temporary art installation in the East River off Pier 35 at Montgomery St. There are underwater lights that interact with any moving object, such as the fish.

Committee Reports:

**Executive Committee**

1. **VOTE:** To restructure the Housing Committee and the Economic Development/Zoning/Planning Committee, as follows: Land Use/Zoning/Public and Private Housing Committee; and Economic Development Committee.

**THIS ITEM WAS PULLED FOR DISCUSSION**

David M: thinks there are many people on the board who are better qualified to deal with economic development issues and is concerned about the joining of these two.

Val J: thinks housing is its own issue and should take special attention.

Harvey E: There should possibly be a differentiation between public and private housing.

Dominic P: there have only been a few housing items for the last few years.

Val J: if we are more pro-active about NYCHA then we will have plenty agenda items.

Carolyn: what about having a NYCHA subcommittee within that committee.

Susan S: where will NYCHA agenda items that are on other committees go?

Harvey E: friendly amendment to add the words "public" and "private" in front of the word "housing" in the title. Amendment accepted by Dominic.

2. Support for Councilmember Garodnick's legislation (Intro 1015) to maintain the safety of construction sites where permitted work is temporarily suspended for safety and economic benefits.

**VOTE:** **WHEREAS**, Council Member Dan Garodnick has introduced, with the co-sponsorship of Council Members Gale Brewer and Jessica Lappin, City Council Intro 1015 to maintain the safety of construction sites where permitted work is temporarily suspended; and

**WHEREAS**, Council Member Dan Garodnick has introduced, with the co-sponsorship of Council Members Gale Brewer and Jessica Lappin, City Council Intro 1015 to maintain the safety of construction sites where permitted work is temporarily suspended; and

**WHEREAS**, According to the Department of Buildings (DOB), open construction sites are a greater safety hazard to the public than active ones; and

**WHEREAS**, Stalled or abandoned construction projects can be a drag on neighboring commercial activity and property values; and

**WHEREAS**, Difficult economic conditions are contributing to stalled construction projects, as developers lose the necessary financing to complete their buildings; and

**WHEREAS**, The New York Times reported on July 19, 2009 that there are currently 362 stalled construction sites around the city, including 57 in Manhattan; and

**WHEREAS**, Intro 1015 would allow developers to renew work permits that would otherwise expire due to inactivity, provided that they notify the Buildings Commissioner when permitted work will be suspended and when it will be resumed, and that they submit a detailed plan for maintaining the safety of the construction site during the period when permitted work will be suspended, and that such plan be approved by the Buildings Commissioner; and

**WHEREAS**, Such safety plan shall contain proposed measures for securing the site from access by unauthorized persons, and schedules for inspecting the equipment remaining on such site, and such other provisions as the Buildings Commissioner shall require; and

**WHEREAS**, Intro 1015 would lead to increased monitoring of inactive work sites and would engage developers and the DOB in safety planning before hazards arise, rather than reacting to accidents after they have occurred; and

**WHEREAS**, Intro 1015 as proposed would not impose undue burdens on developers, but rather would create an incentive for them to secure inactive work sites by saving them from having to refile and/or update their building plans; and

**WHEREAS**, The City has a clear interest in preventing construction accidents; and

**THEREFORE, BE IT RESOLVED** that the Manhattan Community Board #3 supports the passage of Intro 1015 and urges its City Council members to vote in favor of such bill should it come before them for a vote.

**(Executive Committee)**

**35 YES 0 NO 0 ABS 0 PNV MOTION PASSED**

**Transportation & Public Safety Committee**

1. Pike/Allen Mall: ongoing discussion of traffic issues (joint Parks/Transportation agenda item)  
no vote necessary
2. DOT: Brooklyn Bridge Reconstruction presentation  
no vote necessary
3. Golden Express expanded commuter van service (to and from Manhattan bounded north by  
**VOTE:** That CB3-Manhattan does not grant approval for the request by Golden Express for expanded commuter van service to and from the historic core of Chinatown, because the application did not appear before the Transportation Committee for review of its application.
4. WK Car & Limo base license relocation to 108 Madison St  
**VOTE:** That CB3-Manhattan approves of the base license relocation for WK Car & Limo to 108 Madison St (at Market St) from 17 Allen St. This is not a change in operation: they will continue to use the same the number of vehicles and the same off street parking location at 75 Kenmare St.
5. Fung Wah Bus Transportation: bus stop request to pick up passengers at either 49-47 Chrystie St or 85 Chrystie St  
**VOTE:** WHEREAS, intercity buses have created a large amount of congestion and pollution in lower Manhattan. Buses circulating between pick-ups and drop-offs has exasperated the congestion and pollution impacts; and  
  
WHEREAS, CB3 believes the city should create a centralized area for bus pick-up, drop-off, and layovers to deal with this problem; and  
  
WHEREAS, CB3 does not wish to set a precedent by approving this bus stop; now  
  
THEREFORE, BE IT RESOLVED that CB3 denies the request for a bus stop at either 49-47 Chrystie St or 85 Chrystie St for the use of Fung Wah Bus Transportation.
6. Co-naming of Bowery btwn Stanton & Rivington to The Bowery Mission Way  
**VOTE:** WHEREAS, the Bowery Mission has been a valuable institution in the community, with their Bowery Mission Chapel at 227 Bowery for the past 100 years; and

WHEREAS, the Bowery Mission is the third oldest Rescue Mission in the United States. The Bowery Mission has been serving the homeless men and women in the City of New York since 1879. It is

among the most respected and high integrity institutions dedicated to the homeless. The Bowery Mission provides meals, shelter, showers, clothing and medical care to New York's homeless as well as a long-term residential recovery program for 82 homeless men; and

WHEREAS, the Bowery Mission brought signatures in support of a street co-naming in front of the Bowery Mission Chapel from 75% of the residents and 100% of businesses on the block; now

THEREFORE, BE IT RESOLVED that CB3-Manhattan supports a street co-naming designation as "The Bowery Mission Way" near 227 Bowery, on the east side of the Bowery at the intersection with Prince St, between Rivington and Stanton St. This co-naming will help preserve this historical presence and history on the Lower East Side.

**(Transportation & Public Safety Committee)**

**35 YES 0 NO 0 ABS 0 PNV MOTION PASSED**

**Environment Committee**

**no meeting scheduled**

**SLA & DCA Licensing Committee**

**Renewal with Complaint History**

1. Kion, 509 E 6th St (op) (106 Delancey Rest Corp)

**VOTE:** To inform the SLA that 106 Delancey Restaurant Corp., doing business as Kion, 509 East 6th Street, has failed to appear before Community Board #3 for renewal of its full on-premise liquor license and to address continued complaints from residents about noise as the result of its illegal backyard use and lack of adequate soundproofing and to ask that the SLA not consider this application until the applicant appears before this community board to address these complaints.

2. Absinthe, 111 1st Ave (rw) (FWC Cafe Inc)

**THIS MOTION DID NOT PASS - VOTE #1:** To deny the renewal of the restaurant wine license for FWC Café Inc., 111 First Avenue, because 1) while this applicant has only been operating since the Spring of this year, it has already received nineteen (19) 311 complaints for loud noise and loud music, as well as complaints to Community Board #3 from seven (7) neighboring residents regarding patrons drinking on the sidewalk and late night noise from the backyard and open façade and from live jazz bands playing adjacent to the open façade, 2) from the beginning of its operation, the applicant has been operating in violation of its stipulations with this community board which are also conditions of its license that (1) it close its backyard at 9:00 P.M. every night, 2) it not have live music, 3) it close its façade at 10:00 P.M. every night, and 4) it install an awning over its backyard area to baffle noise.

**THIS MOTION PASSED - VOTE #2:** To deny the renewal of the restaurant wine license for FWC Café Inc., 111 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 close its façade at 9:00 P.M. every night, and 2) it reaffirms that it will comply with its existing stipulations, and 3) it will not have live music and play ambient background music consisting of recorded music only.

3. Local 138, 138 Ludlow St (op) (Tavern 138 Inc)

**VOTE:** To approve the renewal of the full on-premise liquor license for Tavern 138 Inc., 138 Ludlow Street.

4. Heathers, 506 E 13th St (op) (Ariel Inc)

**VOTE:** To inform the SLA that Ariel Inc., doing business as Heathers, 506 East 13th Street, has appeared before Community Board #3 for renewal of its full on-premise liquor license and to address continued complaints from residents about noise emanating from and in front of its establishment and has since met with representatives of the residents and constructed and signed an agreement amending its method of operating to minimize any existing noise complaints (appended hereto), which states that the applicant agrees 1) to establish a telephone number, to be answered by an employee of Heathers, available during all hours of the business operation of Heathers, that the public can call to report a problem and agreeing that an employee will answer the telephone and keep a log of problems reported, the date and time of the problem reported and any action taken to correct the problem, 2) to make available to residents of East 13th Street a cell phone number to which text messages may be sent to the applicant directly reporting a problem and agreeing to respond to such text messages as quickly as possible under the circumstances, 3) to assign an employee to monitor traffic at the door of Heathers on Thursday evening from 9:00 P.M. to 1:00 A.M. and Friday and Saturday evenings from 10:00 P.M. to 4:00 A.M., who will inform all patrons entering Heathers of the bar's policies with respect to smoking and noise and who will enforce these policies among patrons who go outside to smoke and, further, if there is advance knowledge of a party of thirty (30) people or more coming to said bar on Sunday through Wednesday, an employee will be assigned to the door and if a crowd of thirty (30) or more people enters the bar on Sunday through Wednesday without advance knowledge, the person in charge will use his or her most prudent efforts to call in a temporary door person to monitor the door and enforce the bar's noise policies, 4) to instruct employees responsible for the door to verbally inform all patrons entering the bar that if they go outside to

smoke they must do so quietly so as not to disturb nearby residents, that patrons should remain in the designated smoking areas, that if patrons leave the bar to make a cell phone call, they should move away from the front of the bar and speak quietly, that non-smokers should not go outside to continue their conversation with a smoker, and that any patron who does not behave appropriately by speaking in a quiet voice will not be allowed to re-enter the bar and, further, that any employee staffing the door will ensure that patrons leaving the bar, especially those leaving in groups, do not congregate in front of the bar and will strictly enforce said policies, 5) to prominently display additional signage inside the bar and outside instructing patrons who go outside to smoke to do so very quietly, 6) keep the door closed after dark if there is music playing that can be heard from across the street or after dark if there are more than twenty (20) people inside the bar or by 10:00 P.M., regardless of how many patrons are in the bar, 7) to immediately lower the level of music if any resident of 506 East 13th Street reports to an employee that such person can hear the music his or her apartment even if the outside door is closed. Therefore Community Board #3 asks that the renewal be approved.

5. Cafe 81, 81 E 7th St (op)

**VOTE:** To deny the renewal of the full on-premise liquor license for 81 East 7th Pastry Shop Corp, doing business as Café 81, 81 East 7th Street, because 1) at the time of its original approval in March of 2005, this applicant was asked to sign an operating stipulation agreeing to operate as a restaurant which would not use its backyard commercially or use the recessed area in the front of its entrance for any other purpose than as an entrance and egress for patrons and agreeing to install soundproofing, 2) in March of 2005, the applicant redacted the portion of the stipulated agreement without the knowledge of Community Board 3 that restricted the use of the backyard and recessed area and the original motion was approved although the stipulation did not conform to it, 3) since that time there have been numerous resident complaints of noise coming from patrons of this establishment sitting at tables in said recessed area and loitering in front of this establishment, 4) although the applicant stated at his Community Board #3 committee hearing on September 14, 2009, that he was no longer using the recessed area for patron seating and service, a resident submitted photos showing such use and the District Manager stated she had seen it being used that day, 5) to remedy the complaints, Community Board #3 asked the applicant to sign a stipulation consistent with the original stipulation restricting outdoor use, designating an employee to quiet waiting patrons and posting signs on façade asking patrons to be quiet and reaffirming its method of operation as a restaurant, 6) despite complaints about its method of operation and noise this applicant has now submitted another altered stipulation removing the restriction of use of the recessed area, designation of an employee to ensure patrons in front are quiet and amending its method of operation to tavern (appended hereto).

**Sidewalk Café Application**

6. Thailand Café, 95 2nd Ave (enclosed) (KD International Corp)  
withdrawn

**Applications within Resolution Areas**

7. Sushi Hana, 111 Rivington St (rw)

**THIS MOTION DID NOT PASS - VOTE #1:** To deny the application for a restaurant wine license for Sushi Hana, 111 Rivington 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 sushi restaurant, serving food to within one (1) hour of closing, 2) its hours of operation will be from 11:30 A.M. to 12:00 A.M. Sundays through Wednesdays and 11:30 A.M. to 12:30 A.M. Thursdays through Saturdays. Although this application is in an area heavily saturated with licensed establishments and pedestrian and vehicular traffic, there are no restaurants of the same type in the immediate area.

**THIS MOTION PASSED - VOTE #2:**

WHEREAS, Sushi Hana, has applied for a restaurant wine license to operate a sushi restaurant located at 111 Rivington Street, between Ludlow Street and Essex Street, and

WHEREAS, 111 Rivington Street has never been a licensed premise and most recently operated as a hardware store; and

WHEREAS, Community Board #3 has long held that the increase in nighttime venues in and around Ludlow Street, especially at the intersection of Rivington Street, has resulted in persistent and numerous complaints regarding increased noise as well as increased pedestrian and vehicular traffic and said complaints have evolved over time from complaints that were once only about specific rowdy businesses to complaints that are now about noise and congestion resulting from the sheer volume of eating and drinking establishments; and

WHEREAS, said conditions continue to be prevalent in and around Ludlow Street between Houston Street and Delancey Street which currently has twenty-one (21) eating and drinking establishments and Rivington Street between Norfolk Street and Orchard Street which currently has eleven (11) eating and drinking licenses as well as a hotel liquor license with multiple venues; and

WHEREAS, Rivington Street between Ludlow Street and Essex Street has six (6) licensed premises, consisting of restaurant wine and full on-premise licensed establishments, as well as a hotel liquor license with multiple street level venues accessible to the public; and

WHEREAS, the Seventh Precinct and Community Board #3 has had to ask that the New York City Department of Transportation permanently change signage on the west side of Ludlow Street between Houston Street and Delancey Street to "NO STANDING FROM 11:00 P.M. TO 6:00 A.M. FRIDAYS AND SATURDAYS" because the street and sidewalks have been so overwhelmed by nighttime businesses and their attendant vehicular and pedestrian traffic and noise creating unsafe conditions for pedestrians and preventing police and other emergency vehicles from traveling down this street because of vehicles stopped in the street and pedestrians walking in the street to avoid already overcrowded sidewalks (Community Board #3 motion of November 2006 attached hereto); and

WHEREAS, said request has resulted in the New York City Department of Transportation permanently eliminating residential parking on the west side of Ludlow Street between Houston Street and Delancey Street in response to the overwhelming street and sidewalk congestion and the unsafe conditions; and

WHEREAS, there are several similar restaurants already operating within the immediate area; now

THEREFORE, BE IT RESOLVED that Community Board #3 moves to deny the application for a restaurant wine license for Sushi Hana, 111 Rivington.

8. Corp to be Formed, 180 Orchard St (rw)  
withdrawn

9. 812 Broadway Inc (Karaoke Boho), 196 Orchard St (rw)

**VOTE:** WHEREAS, 812 Broadway Inc., is applying for a restaurant wine license to operate a Karaoke lounge doing business as Karaoke Boho at 196 Orchard Street, between Houston and Stanton Streets; and

WHEREAS, the previous licensee for this location had applied to Community Board #3 and the New York State Liquor Authority to operate a restaurant which is different in use from a karaoke lounge; and

WHEREAS, Orchard Street is an extremely old, narrow street, historically comprised of low-rise tenements and small-scale manufacturing and retail; and

WHEREAS, Orchard Street is presently overwhelmed by nighttime licensed establishments of all types, as well as incredible vehicular and pedestrian traffic congestion attendant to the volume of these businesses; and

WHEREAS, Orchard Street is one of the worst area in the 7th precinct in terms of degraded quality of life as a result of so many licensed establishments within close proximity to each other, overwhelming pedestrian and vehicular traffic, patrons congregating in the street itself, late night horn honking and overwhelming noise emanating from businesses and from patrons as they move between businesses; and

WHEREAS, these persistent detrimental conditions have resulted in the 7th Precinct and Community Board #3 asking that the Department of Transportation eliminate weekend nighttime parking on one side of Orchard Street, between Houston and Delancey Streets, to alleviate the existing pedestrian and traffic congestion and to minimize; and

WHEREAS, there are presently at least seven (7) licensed premises on this one (1) block of Orchard Street, located at 172, 173, 174, 187, 188, 191 and 198 Orchard Street, as well as a number of additional restaurant wine licenses; and

WHEREAS, as a result of the existing businesses on this block and specifically because of 187 Orchard Street which is the rear entrance to a hotel with multiple publicly accessed licensed venues, congestion and noise on this block have increased exponentially in the past year and a half (1½) with a corollary increase in complaints of noise from residents of this block; and

WHEREAS, this applicant is intending to operate an establishment which will be open until 2:00 A.M. Sundays through Thursdays and 3:30 A.M. Fridays Saturdays, and accommodate approximately one hundred forty (140) people at any given time, all of which will effectively maintain the nighttime noise and congestion on an already overwhelmed street; now



THEREFORE, BE IT RESOLVED that Community Board #3 moves to deny the restaurant wine license for 812 Broadway Inc., 196 Orchard Street.

10. Senor Izquierda, 175 Ludlow St (op)

**VOTE:** WHEREAS, Magz Ludlow Foods LLC, has applied for a full on-premise liquor license to operate a French bistro at 175 Ludlow Street, between Houston and Stanton Streets; and

WHEREAS, Ludlow Street is an extremely old, narrow street, historically comprised of low-rise tenements and small-scale manufacturing and retail; and

WHEREAS, Ludlow Street is presently overwhelmed by nighttime licensed establishments of all types, as well as incredible vehicular and pedestrian traffic congestion attendant to the volume of these businesses; and

WHEREAS, there are seventeen (17) liquor licensed establishments on Ludlow Street between Houston and Rivington Streets, as well as thirty (30) licensed establishments within five hundred (500) of this location, the majority of which provide some food service; and

WHEREAS, there are numerous French cafes and restaurants in the immediate area; and

WHEREAS, Ludlow Street may be the single worst area in the 7th precinct in terms of degraded quality of life as a result of so many licensed establishments within close proximity to each other, overwhelming pedestrian and vehicular traffic, patrons congregating in the street itself, late night horn honking and overwhelming noise emanating from businesses and from patrons as they move between businesses; and

WHEREAS, these persistent detrimental conditions have resulted in the 7th Precinct and Community Board #3 asking the Department of Transportation to eliminate weekend nighttime parking on the west side of Ludlow Street, between Houston and Delancey Streets, to alleviate the existing pedestrian and traffic congestion and to minimize noise; and

WHEREAS, the applicant is intending to operate an establishment which will be open until 2:00 A.M. Tuesdays and Wednesdays and 3:00 A.M. Thursdays through Saturdays which will effectively maintain the nighttime noise and congestion on an already overwhelmed street; now

THEREFORE, BE IT RESOLVED that Community Board #3 moves to deny the full on-premise liquor license for Magz Ludlow Foods LLC, 175 Ludlow Street.

11. Ramen Setagaya, 34 1/2 St Marks Pl (rw)

**VOTE:** WHEREAS, Ramen Setagaya is seeking to obtain a restaurant wine license for its Asian noodle restaurant located at 34½ St. Mark's Place, between Second and Third Avenues; and

WHEREAS, this is a location was had not been previously licensed; and

WHEREAS, there has been demonstrated consistent opposition to the addition of any other liquor licenses on this block of St. Mark's Place, located between Second and Third Avenues, because, as the applicant concedes, there are already nineteen (19) liquor license on this single block, most of which are restaurant wine licenses for similar establishments; and

WHEREAS, the numerous existing nighttime establishments have resulted in significant noise and vehicular and pedestrian traffic, conditions which have been specifically targeted for enforcement by the Ninth Precinct through the Model Block Program and which has resulted in a request by the commanding officer of said precinct that no new liquor licenses be issued on this street; and

WHEREAS, but for two (2) signatures, the applicant has failed to provide resident petitions which reflect that he has attempted to contact the residential community about his proposed license although it is a requirement of the community board application process; now

THEREFORE, BE IT RESOLVED that Community Board #3 denies the application for a restaurant wine license for Ramen Setagaya, 34½ St. Marks Place.

12. J&P Saint Marks Inc, 6 St Marks Pl (rw)

withdrawn

13. Poco, 29 Ave B (alt/op/sidewalk cafe) (Becaf LLC)

**VOTE:** To inform the SLA that Becaf LLC, 29 Avenue B, has withdrawn its application before Community Board #3 for renewal of its full on-premise liquor license and to extend its full on-premise liquor license to its

sidewalk café 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.

#### **Alterations/Transfers/Upgrades**

14. Zaitzeff, 18 Ave B (alt/op/method of operation) (High Chai LLC)  
no vote necessary - withdrawn
15. (currently Cafe Deville), 103 3rd Ave (trans/op) (East County Louth Inc)  
**VOTE:** To deny the transfer of a full on-premise liquor license to East County Louth Inc., 103 Third 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 restaurant tavern, and 2) it will close all doors and windows no later than 10:00 P.M. weekdays and 11:00 P.M. Fridays and Saturdays.
16. Webster Hall, 119-125 E 11th St (alt/op/add 3 bars) (Webster Hall Entertainment Corp)  
**VOTE:** To approve the alteration of the full on-premise liquor license for Webster Hall, 119-125 East 11th Street, to wit changing its five (5) existing service bars to stand up bars.
17. Kampuchea Noodle Bar, 78-84 Rivington St (alt/op/expansion) (We 3 Hospitality LLC)  
**VOTE:** To deny the alteration for Kampuchea Noodle Bar, 78-84 Rivington Street, to wit, extending its full on-premise liquor license to the adjacent storefront, 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 Cambodian restaurant, serving food to within one (1) hour of closing, 2) its hours of operation will be from 11:00 A.M. to 12:00 A.M. Sundays through Thursdays and 11:00 to 1:00 A.M. Fridays and Saturdays, 3) it will not have DJs or live music, and 4) it will have no more than ten (10) stools at its bar.
18. Cellar 58, 58 2nd Ave (alt/tw/sidewalk cafe) (58 2nd Ave Restaurant Corp)  
**VOTE:** To deny the alteration of the tavern wine license for 58 Second Avenue Restaurant Corp., 58 Second Avenue, to wit extending its tavern wine license to its sidewalk café, unless the applicant agrees before the SLA to add as conditions of its license the following signed notarized stipulation that 1) it will operate as a wine bar, which will serve food through the service of small plates, with the incidental service of alcohol with meals, and serving food to within one (1) hour of closing, 2) it will not have DJs, live music, promoted events or events at which a cover fee is charged and will play only ambient background music, 3) it will close all doors and windows no later than 10:00 P.M. and 4) it will extend its awning over its sidewalk café during its hours of operation to minimize noise.
19. Macondo, 157 Houston St (alt/op/extend license to 4 stools within stoop line) (Calle Catorce LLC)  
**VOTE:** To approve the alteration of the full on-premise liquor license for Calle Catorce, 157 Houston Street, to wit extending its service of alcohol to the four (4) stools located on the sidewalk which comprise the seating for the window counter which is already built into the façade of said business provided that the applicant continues to operate consistent with its existing stipulations which are conditions of its license.
20. Finnerty's Irish Pub, 221 2nd Ave (alt/op/stips/open facade door)  
**VOTE:** To deny the alteration of the full on-premise liquor license for Finnerty's Irish Pub, 221 Second Avenue, to wit allowing it to open its existing large façade door during operating hours, unless the applicant agrees before the SLA to add as conditions of its license the following signed notarized stipulation that it will close any doors and windows by 10:00 P.M. every night.
21. Evolution, 68 2nd Ave (alt/op/renovations/name change) (The Watering Hole of 2nd Ave Corp)  
**VOTE:** To deny the application for an alteration of the full on-premise liquor license for The Watering Hole of Second Avenue, 68 Second Avenue, because the applicant did not appear before Community Board #3 for review of its application or provide any application materials for review.
22. Raku Restaurant Inc (currently Chino's), 173 3rd Ave (trans/op) -  
**THIS IS A COMMUNITY BOARD #6 LOCATION**  
no vote necessary
23. Corp to be Formed (currently Butterfly, Butterfly), 14 Ave B (trans/op)  
withdrawn
24. Allen & Delancey, 115 Allen St (alt/op/extend hours) (Allen & Delancey LLC)  
withdrawn
25. Corp to be Formed (currently Kelley & Ping), 325 Bowery (trans/op)  
withdrawn
26. Home Sweet Home, 131 Chrystie St (alt/expansion to lower level/op) (TLS Chrystie LLC)  
**VOTE:** To deny the alteration of the full on-premise liquor license for Home Sweet Home, 131 Chrystie Street, to wit extending its operation into the ground floor of its location and adding a twenty-two (22) foot bar in the rear of the ground floor, unless the applicant agrees before the SLA to add as conditions of its license the following signed notarized stipulation that 1) it will continue to operate the ground floor as an art gallery, 2) it will install additional soundproofing to the ground floor, if necessary, and 3) it will designate or hire an employee to control crowds and noise in front of the establishment during gallery events or openings.
27. The Bowery Electric, 327 Bowery (alt/op) (Bowery Tech Restaurant LLC)  
**VOTE:** To deny the alteration of the full on-premise liquor license for The Bowery Electric, 327 Bowery, to wit adding fixed French doors to its façade and installing a three and a half (3½) foot service bar in its basement, because the applicant failed to provide the required signed notarized stipulation that its French doors will remain closed at all times.

28. Niagra, 112 Ave A (alt/op) (Tozzer Ltd)  
**VOTE:** To approve the alteration of the full on-premise liquor license for Niagra, 110-112 Avenue A, to wit adding widows to the façade of its 110 Avenue A storefront, installing benches on the interior of the front façade of 110 Avenue A and shortening the service bar on the first floor of the 110 Avenue A storefront.
29. Vbar 2 LLC (currently Tribe), 132 1st Ave (trans/op)  
 withdrawn
30. Jama Restaurant Corp (currently Recoup), 210 Rivington St (trans/op)  
**VOTE:** To deny the transfer of a full on-premise liquor license to Jama Restaurant Corp., 210 Rivington 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 tavern, 2) it will close any doors and windows by 10:00 P.M. every night, and 3) it will make reasonable efforts to control noise and congestion on the street and sidewalk in front of its location.
31. Uncle Charlie's (currently Ludlow Cafe), 87 Ludlow St (trans/op) (MLG Bar Inc)  
 withdrawn
32. House of An Inc (currently Golden Seafood Restaurant), 40 E B'way (trans/rw)  
**VOTE:** To deny the transfer of a restaurant wine license to House of An Inc., 40 East Broadway, 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 11:00 A.M. to 2:00 A.M. every day
33. Le Cubain (currently Casanis), 81 Ludlow St (trans/op) (LES Restaurant Corp)  
**VOTE:** To deny the transfer of a full on-premise liquor license to Le Cubain, 81 Ludlow 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 Cuban French restaurant, serving food to within one (1) hour of closing, 2) it will close at 12:00 A.M. all nights, 3) it will not operate its commercial fan while it is closed, 4) it will close any doors and windows at 10:00 P.M. every night, 5) if doors and windows are open, it will extend its awnings during all hours of operation to baffle any noise emanating from the establishment, 6) it will maintain the existing entrance and only use an interior entrance to access its basement dining space, and 7) it will play ambient background music only.
34. Meatball Shop (currently Slurp), 84 Stanton St (trans/rw) (The Meatball Shop LLC)  
**VOTE:** To deny the transfer of a restaurant wine license to Meatball Shop, 84 Stanton 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 meatball restaurant, serving food until closing, 2) its hours of operation will be from 12:00 P.M. to 4:00 A.M. every day, and 3) it will close any façade doors or windows at 10:00 P.M. every night.

**New Liquor License Applications**

35. Zait Restaurant Corp, 139 1st Ave (trans/rw)  
**THIS IS A TRANSFER APPLICATION**  
**VOTE:** To deny the transfer of a restaurant wine license to Zait Restaurant Corp., 139 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 Middle Eastern restaurant, serving food to within one (1) hour of closing, 2) its hours of operation will be from 4:00 P.M. to 2:00 A.M. every day, 3) it will close any façade doors or windows at 10:00 P.M. every night, and 4) it will cease commercial use of its backyard at 9:00 P.M. every night.
36. Corp to be Formed, 32 Mulberry St (trans/op)  
**THIS IS A TRANSFER APPLICATION**  
**VOTE:** To deny the transfer of a full on-premise liquor license to Bon LLC, 32 Mulberry 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 tavern, serving food to within one (1) hour of closing, 2) it will designate or hire an employee whenever necessary to control crowds on the sidewalk in front of the business, 3) it will install additional soundproofing, if necessary, to prevent noise from people and music from emanating onto the street, and 4) it will maintain a closed façade with no open windows or doors.
37. CBG Restaurant Inc (Caffe Buon Gusto), 545-547 E 5th St (rw)  
**THIS APPLICATION IS WITHIN A RESOLUTION AREA**  
**VOTE:** To deny the application for a restaurant wine license for CBG Restaurant Inc., 545-547 East Fifth Street a/k/a 76 Avenue B, because the applicant did not appear before Community Board #3 for review of its application or provide any application materials for review.
38. Great Caterers LLC (Balade), 208 1st Ave (rw)  
**VOTE:** To deny the application for a restaurant wine license for Great Caterers LLC, 208 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 Lebanese fusion restaurant, serving food to within one (1) hour of closing, 2) its hours of operation will be from 10:00 A.M. to 2:00 A.M. every day, 3) it will play ambient background music only, consisting of recorded music, and 4) it will close any façade doors or windows at 10:00 P.M. every night.

39. Belgium NYC Corp (Belgium Ale House), 54 2nd Ave (rw)  
**VOTE:** To deny the application for a restaurant wine license for Belgium NYC Corp., 54 Second 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 Belgian restaurant, consisting of dining areas on both its ground and basement floors, and serving food to within one (1) hour of closing, 2) its hours of operation will be from 7:00 A.M. to 2:00 A.M. Sundays through Wednesdays, 7:00 A.M. to 3:00 A.M. Fridays and 7:00 A.M. to 4:00 A.M. Saturdays, 3) it will play ambient background music only, consisting of recorded music, and 4) it will close any façade doors or windows at 10:00 P.M. every night.
40. Iron Sushi Village, 212 E 10 St (rw)  
**THIS IS A TRANSFER APPLICATION**  
**VOTE:** To deny the transfer of a restaurant wine license to Iron Sushi Village, 212 East 10th 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, 2) its hours of operation will be from 12:00 P.M. to 11:00 P.M. Mondays through Thursdays and 12:00 P.M. to 11:30 P.M. through Sundays, 3) it will not have DJs, live music or promoted events, and play ambient background music only, and 4) it will not commercially use the backyard as it is not zoned for such use.
41. NY Restaurant Supplies Inc (Angel's Share & Village Yokochō), 29 3rd Ave (op)  
**VOTE:** To deny the application for a full on-premise liquor license for NY Restaurant Supplies Inc., 29 Third Avenue, because the applicant did not appear before Community Board #3 for review of its application or provide any application materials for review.
42. New J&B Inc (Jin Bin Seafood Restaurant), 39-41 E B'way (rw)  
**VOTE:** To deny the application for a restaurant wine license for New J&B Inc., 39-41 East Broadway, 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, 2) its hours of operation will be from 9:00 A.M. to 11:00 P.M. every day, and 3) it will not have djs or live events and will only play ambient background music only, consisting of recorded music.
43. HCT LLC, 11 Doyers (op)  
 withdrawn
44. Silkstone One LLC (Rushbury), 17 Orchard St (op)  
**VOTE:** To deny the application for a full on-premise liquor license for Silkstone One LLC, 17 Orchard 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 locally grown, locally sourced modern British food to within one (1) hour of closing, 2) its hours of operation will be from 10:00 A.M. to 12:00 A.M. every day, 3) it will not have French doors or windows, 4) it will maintain a clean sidewalk, and 5) it will play ambient background music only.
45. Smile LLC, 440 E 9th St (rw)  
**VOTE:** To inform the SLA that Smile LLC, 440 East 9th Street, has withdrawn its application for a restaurant wine 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.
46. Max Burgers LLC (Rockwells Express), 53 E 8th St (rw)  
 withdrawn
47. Thinking Fourth Ave LLC, 123 4th Ave (rw) Late Withdrawal  
**VOTE:** To deny the application for a restaurant wine license for Thinking Fourth Avenue LLC, 123 Fourth Avenue, because the applicant did not appear before Community Board #3 for review of its application or provide any application materials for review.
48. Cafe Mocha Inc, 116 2nd Ave (rw)  
 withdrawn
49. Yee Eng Corp, 105 1/2 Mosco St (rw)  
**VOTE:** To inform the SLA that Yee Eng Corp, 105 1/2 Mosco Street, has withdrawn its application for a restaurant wine 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.
50. Tenzin & Tenzin Corp, 306 E 6th St (rw)  
**VOTE:** To inform the SLA that Tenzin & Tenzin, 306 East 6th Street, has withdrawn its application for a restaurant wine 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.

**(SLA & DCA Licensing Committee)**

**35 YES 0 NO 0 ABS 0 PNV (Excluding Items: 3, 5, 7, 10, 11, 17, 18, 30, 39, 40, 43 & 45) MOTION PASSED**  
**Item 3: 34 YES 0 NO 0 ABS 1 PNV MOTION PASSED**  
**Item 5: 34 YES 1 NO 0 ABS 0 PNV MOTION PASSED**  
**Item 7: 32 YES 3 NO 0 ABS 0 PNV MOTION PASSED**  
**Items 10 & 11: 33 YES 2 NO 0 ABS 0 PNV MOTION PASSED**  
**Items 17 & 18: 32 YES 0 NO 3 ABS 0 PNV MOTION PASSED**  
**Item 30: 34 YES 0 NO 0 ABS 1 PNV MOTION PASSED**

Items 39, 40, 43 & 45: 32 YES 0 NO 3 ABS 0 PNV MOTION PASSED

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

- 1. Update on Corlears Hook park redesign and construction  
**VOTE:** To support the redesign and construction of the Corlears Hook Park ballfield.
- 2. Use of parks for corporate events such as Home Depot promotion  
no vote necessary
- 3. As a corollary to Item #1, Corlears Hook Park redesign  
**VOTE:** To invite the NYC Design Commission to attend the October 2009 CB#3 Parks Committee to discuss with the committee the role of the Design Commission.

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

35 YES 0 NO 0 ABS 0 PNV MOTION PASSED

**Economic Development, Zoning, & Planning Committee**

- 1. Report from Chinatown working group  
no vote necessary
- 2. Amendment of 3rd/4th Avenue Corridor Re-zoning resolution to change proposed zoning from C6a to C6-2A and area should be bounded by 3rd to 4th Avenue, 9th Street to 13th Street  
**VOTE:** That CB#3 is very pleased that the Department of City Planning has proposed to change the zoning of the area bounded by 3rd to 4th Avenue, 9th Street to 13th Street in keeping with this board's longstanding concern about overdevelopment in this area. DCP's proposal to rezone the area to C6-2A does impose much needed height restrictions, lessens the incentive to build dorms, and introduces inclusionary housing provisions. However, while moving ahead toward making such changes expeditiously, we encourage DCP to consider lowering the FAR and height caps still further in the mid-blocks of this area.
- 3. Support for Chinatown Working Group principles

**THIS ITEM WAS PULLED FOR DISCUSSION**

Harvey E: thinks they should add that the Chinatown working Group remains open to members and speak to the needs of the disabled in Chinatown.

David M: thinks Harvey wants to add that because STAFF showed up to meeting with a letter calling CWG, Bloomberg and CB3 racist. He does not want to entertain such behavior.

Gigi: STAFF was asked to be a part of the CWG at its formation and they declined.

David M: it is the exact same resolution Board 2 passed to which STAFF had no comment. Calls for a straw vote that indicates board does not want to delay the vote of the resolution.

Harvey: wants to make an amendment: on second whereas to add "physical accessibility" after "families and youths" and to also add "Whereas the Working Groups remains open to all community organizations and residents of the Chinatown and the Lower East Side;" after the second whereas.

David: These people have chosen not participate in the CWG. They have hijacked meetings, paid people to show up and demonstrated and insulted the community boards. We should not be negotiating with them.

Joyce: suggests a friendly amendment adding "physical accessibility" after "revitalization" in the second whereas. Motion passed.

**VOTE:** WHEREAS, the Chinatown Working Group is a community-based planning initiative on the future of Chinatown whose goal is to support the community's residents, businesses and visitors; and

WHEREAS, the Chinatown Working Group members include Chinatown's stakeholders, representatives of community groups, Community Boards #1, 2 & 3, which contain portions of Chinatown within their boundaries, and interested parties whose focus is on issues of shared concern throughout Chinatown including but not limited to affordability, preservation, revitalization, physical accessibility and the social and economic well being of families, and youths; and

WHEREAS, the Chinatown Working Group's objective is to articulate common goals for Chinatown's future and work with City agencies to formulate and implement a community-based plan; and

WHEREAS, the Chinatown Working Group is doing extensive outreach in the Chinatown community including hosting a Town Hall on June 1 at PS 124 attended by approximately 200 people; all Chinatown Working Group meetings are open to everyone and the minutes of its meetings (including a video of the Town Hall) are posted on its website: [www.chinatownworkinggroup.org](http://www.chinatownworkinggroup.org); and

WHEREAS, the Chinatown Working Group conducts the following regular Working Team meetings: Culture, Affordability, Preservation and Zoning; Economics & Transportation; Immigrant Affairs & Parks; Education and Schools; and

WHEREAS, these Working Teams have after extensive review/outreach proposed the attached Guiding Principles to be adopted by the full Chinatown Working Group at its next monthly meeting on September 14, as the basis for future planning recommendations by the CWG; and

WHEREAS, Community Board #3 is a voting member of the Chinatown Working Group; now

THEREFORE, BE IT RESOLVED that Community Board #3 endorses the Chinatown Working Group's Guiding Principles as proposed by the CWG's Working Teams.

4. Request for zoning variance for 180 Ludlow St  
no vote necessary
5. Discussion of development process for Seward Park Urban Renewal Area (SPURA)  
no vote necessary
6. City Planning presentation on urban design and development options for Seward Park Urban Renewal Area (SPURA)  
no vote necessary

**(Economic Development, Zoning, & Planning Committee)**

**35 YES 0 NO 0 ABS 0 PNV (Excluding item 3) MOTION PASSED**

**Item 3: 28 YES 5 NO 3 ABS 0 PNV MOTION PASSED**

**Housing, Land Disposition, & NYC Housing Authority Committee**

**no meeting scheduled**

**Human Services, Health, Disability, & Seniors Committee**

Chair: All of our elected officials signed on to oppose the closing of the Pitt St Post office.

1. Health care reform

**VOTE:** WHEREAS, Community Board 3, Manhattan believes that health care is a right, not a privilege; and

WHEREAS, Community Board 3 believes that the government has a unique obligation to guarantee affordable, comprehensive health care for all its people; and

WHEREAS, the majority of New Yorkers receive their health insurance from their employer, but the rate of employer-sponsored insurance is dropping throughout the country; and

WHEREAS, 13% of New York State residents are uninsured, most of whom are from working families; and

WHEREAS, in addition to the uninsured, many are underinsured, which means they have high cost sharing or benefits limits, and 1 in 6 people in New York State polled who had consistent insurance coverage in the past year reported that they could not fill a needed prescription due to a lack of money or health insurance and nearly 1 in 8 were not able to get or postponed medical care for the same reasons; and

WHEREAS, a recent poll conducted by Community Service Society found that 22% of New Yorkers surveyed had not gotten or postponed necessary medical care because of lack of money or insurance, pure community rating; now

THEREFORE, BE IT RESOLVED that Community Board 3 believes the government must reform health care and that health care reform must include the following ten elements as written by the Health Care for all New York campaign:

- Everyone must have health coverage and access to health care.
- Health coverage must be affordable to the family budget.
- Health coverage must include comprehensive benefits to meet people's needs.
- Government must be an active watchdog and regulator of the health care system.
- Health coverage must include strong consumer protections
- Consumer assistance programs must be created and funded to ensure that our universal coverage goals are realized.
- Government must promote transparency in health systems and ensure consumers easy access to information about health quality and outcomes.
- States should be allowed to go beyond the federal plan to offer a more comprehensive health coverage and protections.

- Health coverage must promote equity in health care utilization and outcomes.
- Health coverage must eliminate racial and ethnic disparities in health care access and quality.
- The health care system must reduce disparities in health care access between people with serious illnesses and disabilities and those without.
- Health insurance must be portable and enrolling into existing and new public health insurance programs must be administratively simple.
- Everyone must have the choice of a public health plan or be able to keep their employer provided healthcare benefits.
- Health care reform must include effective cost controls that promote quality.
- All employers must contribute fairly to the cost of health care, and employers' health costs must be predictable and in reasonable proportion to their total labor costs.
- The safety-net health care delivery system must be preserved and enhanced; and

BE IT FURTHER RESOLVED that Community Board 3 asks that its federal elected officials vote for health reform that includes these basic points, especially including the public option.

2. Proposed closing of Pitt Station Post Office, 185 Clinton St

**VOTE:** WHEREAS, the US Postal Service is considering closing the Pitt Street station at 185 Clinton St., and

WHEREAS, New York City is one of the most densely populated regions in the world; and

WHEREAS, most Manhattanites walk to their local post office; and

WHEREAS, the Pitt Street Station is located in a dense residential community known as Cooperative Village, comprised of 4,500 apartments and is part of the NORC (naturally occurring retirement community) program, indicating that most of the residents are seniors and have greater difficulty in walking significant distance; and

WHEREAS, the nearest post office to Pitt Station is Knickerbocker Station, which is a minimum of 10 blocks from the Pitt Street Station; and

WHEREAS, there is a lack of public transportation from the Pitt St. post office to the next closest post office (Knickerbocker Station); and

WHEREAS, the Pitt street stations is a street level ADA accessible station, but the Knickbocker station requires elevator use for accessibility, which often requires long waits or is often out of order; now

THEREFORE, BE IT RESOLVED that Community Board 3 joins our local elected officials in requesting that the USPS keep the Pitt Street Station open for the use of the many people in the immediate area who depend on this station.

3. Update of World Trade Center Health Registry Issues

no vote necessary

4. Armed Forces Career Corp: presentation of pilot program for disabled and recent veterans searching for work and affordable housing

no vote necessary

**(Human Services, Health, Disability, & Seniors Committee)**

**35 YES 0 NO 0 ABS 0 PNV (Excluding Item 1) MOTION PASSED**

**Item 1: 29 YES 5 NO 1 ABS 0 PNV MOTION PASSED**

**Youth & Education Committee**

**no meeting scheduled**

**Con Edison Task Force**

- Outreach efforts for Con Edison settlement funds

no vote necessary

**Members Present at Last Vote:**

David Adams [P]

Paul Bartlett [P]

Michael Byrne [P]

Pearl Chin [P]

David Crane [P]

Andrea Diaz [A]

Harvey Epstein [P]

Morris Fajtelewicz [P]

Flora Ferng [P]

Beth From [A]

Edward Garcia [A]

Rabbi Y. S. Ginzberg [P]

Gloria Goldenberg [P]

Herman F. Hewitt [P]

Simon Huang [P]

Bonnie Hulkower [P]  
Carolyn Jeffers [P]  
Anne K. Johnson [P]  
Vaylateena Jones [P]  
Meghan Joye [P]  
Joel Kaplan [P]  
Sam Krueger [A]  
John Leo [P]  
Gigi Li [P]  
Bernice McCallum [P]  
David McWater [P]

Alexandra Militano [P]  
Ariel Palitz [P]  
Thomas Parker [P]  
Dominic Pisciotta [P]  
Barden Prisant [P]  
Carolyn Ratcliffe [P]  
Joyce Ravitz [P]  
Lois M. Regan [P]  
Richard F. Ropiak [P]  
Muzzy Rosenblatt [A]  
Elizabeth Sgroi [P]

David Silversmith [P]  
Deborah A. Simon [A]  
Arlene Soberman [P]  
Nancy Rose Sparrow-Bartow [P]  
Elinor Tatum [A]  
Rodney Washington [A]  
David Weinberger [A]  
Harry Wieder [A]  
Samuel Wilkenfeld [A]  
Noah Yago [A]  
Thomas Yu [A]

Meeting Adjourned