



# 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

June 2010 Full Board Minutes

Meeting of Community Board #3 held on Tuesday, June 22, 2010 at 6:30pm at PS 20, 166 Essex Street.

Public Session:

Paolo Lellis: The urban planning fellow for CB3, sponsored by the Manhattan Borough President's office. He reported the findings of a project done on retail and small business challenges in CB3.

Linda Janneh: NY DA's office. Spoke regarding the DA's illegal knives investigation. They are monitoring stores that sell knives, sponsoring a knife buy-back program and starting an educational campaign on the dangers of illegal knives. Knives are the overwhelming weapons of choice in Lower East Side crimes.

Vaylateena Jones: Vaylateena would like an update on the letter that CB3 sent out last year regarding the September 11 legislation.

Morris Faitelewicz: Thanked City Council members for preventing the NYPD from stifling 1st Amendment rights on June 23 and requested for assistance from elected officials.

Dave Korngut: attorney for Frank Prisinzano the owner of Frank's, Little Frankie's and Supper who is applying for a new beer/wine license at 150 E 2nd St (aka 24 Ave A). Committee vote was deadlocked. Frank owns three of the most successful Italian restaurants in the East Village. He wants to open a cafeteria-style restaurant serving good quality, fast food that is affordable.

Frank Prisinzano: He believes any noise complaints he may have regarding sidewalk congestion will be answered because he has a new policy in place. He will have full camera coverage on the inside and outside of the restaurant at all times so the sidewalk can constantly be monitored. He will have 3 strikes and you're out policy for hostesses that do not control sidewalk patrons. He will never apply for a full liquor license.

Rosalind Soloman: Spoke in support of the beer/wine license at Frank Prisinzano's new restaurant.

May Redding: has lived in the East Village for 13 years. She is in support of Frank Prisinzano's application. She wants to avoid more chain stores that have taken away from the neighborhood feel of this area.

Susannah Proctor: spoke in support of Frank Prisinzano 's application at 150 2nd St. for a beer/wine license.

Rigersi Menu: In support of Frank Prisinzano's license at 150 2nd St.. He believes Frank is a very nice, well-respected resident of our community.

Susan Stetzer: CB3 District Manager but speaking as a resident of Ave A. Wants the CB3 to not support the license Frank Prisinzano's application for a license at 150 E 2nd St. Since the committee could not pass a motion the vote is up to the full board. The real issue is planning and balance and loss of retail diversity in our neighborhood. We need more stores open during the day for pedestrian traffic. She and the residents of her block live in "noise hell". She is not saying that Frank's restaurants are not good, but there are too many licenses in this immediate area and an additional 190 people cannot be accommodated.

Elysa Sampson: lives on A and E 3rd St. She opposes the license at 150 E 2nd Street. Sidewalk congestion is still problematic. Every night she is confronted with noise, garbage and vomit. Please do not make it worse.

Ellyce di Paola: spoke in opposition of the license at 40 Ave B.

Christopher Erato: Ave A+B Block Association. Spoke in opposition to the application at 40 Ave B. The noise level is actually reasonable on Ave B now. We do not need a full liquor license on this block now. There are 8 full liquor licenses on Ave B between 3rd and 4th Streets. Bridge and tunnel people and owners are the only beneficiaries.

Frank Macken: East 4th St Block Association. He cannot reason a new full liquor license on that block. If it was a license that already existed it would be one thing but there is no need for a new license, even if it is a family restaurant.

Claude Bastide: 4th St Block Association. Spoke in opposition to the application at 40 Ave B.

Shawn Chittle: Spoke in opposition to the proposed license at 171 Ave A. He does not want more crowds in front of his building.

Keith Masco: The applicant at 171 Ave A. He is appealing the SLA Committee's decision. He has over 1000 signatures, over 150 from the block. The resolution that passed denying his application greatly overestimated the number of full liquor licenses on that block. It should be 4 full liquor licenses, not 6. The resolution clearly states that CB3 will approve an application if the applicant shows a public benefit and outstanding community support. He believes offering a full service seafood market and presenting 1000+ signatures does just that.

Anton van Dalen: has lived at 166 Ave A since 1972. He raised his children there when there were not many young families in the neighborhood. Now there are numerous families with young children. He has to keep his windows closed most of the day due to noise from deliveries, customers and refuge pick-ups. He is opposed to the license at 171 Ave A.

Michael Rosen: East Village Community Coalition. He was the developer of Red Square building. Saturation is saturation. It takes away from a community.

Andrew Coamey: lives at 167 Ave A. He opposes Sea on A at 171 Ave A. There is substantial opposition from the immediate area. He has letters from all 3 elected officials, and now over 190 residents from the block in opposition.

Meri Micara: thanked SLA committee for denying Sea on A at 171 Ave A. Block is crowded with patrons blocking sidewalk and blocking doorways. The new place 167 Ave A promised to be family restaurant but they are mostly just a lounge.

Joshua Bennett every night he hears profanity, loud noise. The trash is astonishing on ave a. Seafood will make it only worse. Have a seafood market, don't have a liquor license.

Jhouosna Samano: Spoke in support of the license at 171 Ave A, Sea on A.

Heidi Boghosian: There's an existing problem at 173 Ave A. She already cannot get into her building due to patrons blocking the doorway. She has to walk onto the street to get past them. There are extreme noise concerns in this area.

Laura Sewell: East 12th St Block Association. She wants the owners to please listen to the concerns of local residents. She is supporting the committee's decision on Sea on A. She also wants to add stipulations for Percy's on Ave A.

Dina Magnes: lives at 171 Ave A. She is against any more eating/drinking full liquor licenses on that block.

Monica: Supporting Sea on A. She wants fresh seafood on Ave A. There is no place to buy fresh fish in the neighborhood. She wants diversity on Ave A.

Lori Masco: sister of the applicant at 171 Ave A. She is in support of the application. She has seen the community changed to nothing but banks and chain stores. This is not another bar. It is a seafood restaurant with a seafood market. She urges us to overturn the SLA committee's decision.

Samantha Lemons: Spoke in support of Sea on A at 171 Ave A. She lives in the East Village and works on First Ave and 11th St. She is capable of going out, having a bite to eat and a few drinks without screaming and vomiting on the street. She would like more seafood in her neighborhood.

Ted Tarhan: Wants to support the application for Sea on A. Twelve blocks (Essex market) is too far to walk for fresh fish. He is opposing Percy's on Ave A.

Robert Mezas: spoke in favor of the fish market/seafood restaurant, sea on A.

Panama Harris: not present

Jimmy Solomas: corporate counsel for Percy's. The applicant handed in menus that proved the establishment would be a restaurant. He asked the board to support SLA committee's decision.

Dolores Schaefer: Over 20 residents showed up in opposition to the first meeting when this application came before the SLA Committee. She wants to add stipulations to the committee's motion.

Evan Cheng: not present.

Fr. Patrick Moloney: Catholic priest for over 25 years in the LES. Pres of LES Housing Development Committee. Speaking on behalf of the applicant at Percy's. He is a man from the LES who raised 4 kids here. Not asking for a new license, asking for transfer.

Tod Tarhan: He is concerned about the size of the space at Percy's and the amount of people it can accommodate. He wants to make sure the stipulations are in the Community Board's recommendation to the SLA so that it operates as a restaurant, not a bar.

Public Officials:

Mayor Michael Bloomberg, Lolita Jackson & Pauline Yu: Introduced 2010's Summer Streets Program. It will take place the first 3 Saturdays in August from 7am-1am. Streets will be closed for pedestrians, many projects, fringe festival, 10k race, and swimming pools.

Public Advocate Bill de Blasio, Phil Jones:

Comptroller John Lui, Sandra Ung:

Borough President Scott Stringer, Alec Schierenbeck: Alec introduced himself as the new community liaison to CB3. His # 212-669-8774. Call me day and night!

Congressmember Jerrold Nadler, Daniel Weisfeld:

Congressmember Nydia Velazquez, Xiaomin Zhao: The House passed two important initiatives to aid small businesses: an update to SBA's financing initiatives such as the 7(a) and Microloan programs. They also took steps to make the Community Express loan program permanent.

Congressmember Carolyn Maloney, Victor Montesinos:

Assembly Speaker Sheldon Silver, Zach Bommer: please check out our report.

Assemblymember Deborah J. Glick, Lisa Parson: The Assemblymember is working with DOB to collect fines. There are over 202 million in outstanding building fees that never get collected. She is also supporting living wage.

Assemblymember Brian Kavanagh, Izzy Murguia: On June 28th the Sound Housing Campaign will have a brief meeting on NYCHA plans. It will be from 7-8 P.M. at Grand St. Settlement. His office will be hosting a series of health fairs at Baruch houses. Free dental exams and follow-ups, free glucose and blood pressure tests. He will be present at the rally to protest the closing of senior centers.

State Senator Daniel L. Squadron, Rosemarie Diaz: The Sen. worked hard with the Mayor and the Governor to eliminate the need for contributions that working homeless families pay towards shelters. He will be attending the Sound Housing Campaign's upcoming meeting and the rally for seniors in our neighborhood.

State Senator Thomas K. Duane, John Bartos: The Senate passed the Family Leave Act. Sen. Duane is supporting legislation that protects victims of sex trafficking by having prostitution stricken from their record.

Councilmember Margaret Chin, Patricia Olan: Margaret Chin spoke. Welcomed new members. Recognized Harry's death and said we have to answer disability and traffic issues on behalf of Harry. She is sick and tired of budget talks. She needs our help. Please call 311 to tell the mayor you don't want more cuts to senior centers, libraries, firehouses etc. She is pushing for alternate cuts, i.e. private consultants, and promoting long-term revenue generating programs. Hester St. Park opening was a huge success. She invites everyone to 1st Annual Community Day on July 17 on Governor's Island.

Councilmember Rosie Mendez, Jessica Nepomiachi: Rosie was officially elected as co-chair of the Women's Caucus on the City Council. The ULURP process began on 3rd-4th Ave Corridor Re-Zoning. She is working with Commissioner to try to save senior centers. There will be a free information session on how to rat-proof your community garden on July 24 from 1:30-3:30 P.M. at El Jardin del Paraiso on 5th St between C and D.

Members Present at First Vote:

David Adams	[P]	Anne K. Johnson	[P]	Dominic Pisciotta	[P]
Julia Andino	[P]	Linda Jones	[P]	Barden Prisant	[P]
Jimmy Cheng	[P]	Vaylateena Jones	[P]	Carolyn Ratcliffe	[P]
David Crane	[A]	Meghan Joye	[P]	Joyce Ravitz	[P]
Andrea Diaz	[P]	Joel Kaplan	[P]	Lois M. Regan	[A]
Harvey Epstein	[A]	Carol Kostik	[P]	Janet Riesel	[P]
Morris Fajtelewicz	[P]	John Leo	[P]	Richard F. Ropiak	[P]
Flora Ferng	[P]	Ricky Leung	[A]	Susan Scheer	[P]
Beth From	[P]	Gigi Li	[P]	David Silversmith	[A]
Edward Garcia	[P]	Bernard Marti	[P]	Mary Spink	[P]
Rabbi Y. S. Ginzberg	[P]	Bernice McCallum	[P]	Elinor Tatum	[P]
Gloria Goldenberg	[P]	David McWater	[P]	Rodney Washington	[P]
Jan Hanvik	[P]	Alexandra Militano	[P]	Samuel Wilkenfeld	[A]
Herman F. Hewitt	[P]	Maria Muentes	[P]	Justin Yu	[P]
Simon Huang	[P]	Chiun Ng	[P]	Thomas Yu	[P]
Bonnie Hulkower	[A]	Ariel Palitz	[P]		
Carolyn Jeffers	[P]	Thomas Parker	[P]		

Minutes:

Minutes of April 2010 were approved, as is.

Board Chairperson's Report:

Chairperson Dominic Pisciotta

Pearl Chin has resigned from the Board. Dominic introduced two new members, Linda Jones and Susan Cher. There will be a Charter Commission Hearing in Flushing this Thursday. He is asking Board members, if possible to please go out and testify. He thanked translators for donating their time at the SPURA meeting last night. The Borough President hosted an "Un-conference". It focused on potential uses of technology for CBs and community organizations.

District Manager's Report:

District Manager Susan Stetzer

A lot more public reconstruction has started in CB 3. This month the reconstruction of Houston from Bowery to FDR will start. I just attended a pre-construction meeting for the contractors and reminded them of issues that had come up in transportation meetings, such as the need to retune the Avenue A light and the need for extra safety measures at the Houston/Avenue A intersection. There will be a field office set up for community information and to resolve complaints.

The new bike lanes on Stanton and Rivington have been installed. There will also be bike lanes will come on 1st and 2nd Avenues. Glitches dome up—such as loading and unloading of school buses. Any problems should be reported so that they can be resolved.

Manhattan Bridge Reconstruction—some detour plans had to be updated, but the important issue is that bike riders and pedestrians will continue to have separate lanes.

Abandoned bikes can now be removed from City property by Sanitation. DOT will continue to remove abandoned bikes from bike racks.

Public libraries are in danger of losing funding because of the current budget problems. However, plans to close the firehouses have been taken off the table.

District Needs statements and budget priorities are on all of the agendas this month.

There will be a free workshop for all gardens on July 24 on best practices to be proactive against rodents. Free wastebaskets for your gardens will be provided.

Committee Reports:  
Executive Committee

▪ Community Board issues that should be reviewed by Charter Commission for inclusion in Charter reform

**VOTE:** Whereas Community Boards currently have charter-mandated responsibilities in reviewing and coordinating city service delivery, planning and reviewing land use, and making recommendations for the City budget, and

Whereas Community Boards are the structure for citizens to participate in planning for their community, and

Whereas reforms and clarifications in the City Charter would ensure that Community Boards can carry out their charter-mandated responsibilities in a meaningful manner, and

Whereas the following reforms would ensure these responsibilities could be carried out effectively,

**Therefore Community Board 3 requests that the charter revision commission should conduct meetings and hearings with Community Boards, including members and staff, for input as to the workings of the boards and clarifications and codifications requested,**

Whereas Community Boards have a budget of approximately \$200,000 for staff of 3-4 and office operating expenses, and

Whereas 90% of Community Board budgets are allocated for staff salaries, and

Whereas Community Boards have been threatened with budget cuts that would necessitate layoff of staff, and therefore would greatly reduce the ability of Community Boards to carry out mandated responsibilities,

**Therefore Community Board 3 recommends that Community Boards have independent budgets so they would not be under constant threat of having offices reduced in manner that would not allow them to carry out responsibilities,**

Whereas Community Boards have a charter-mandated responsibility to review, analyze and make recommendations on land use through the Uniform Land Use Review Procedure (ULURP) and

Whereas Community Boards are comprised of volunteer members without ability to work full time on review and who do not have urban planner expertise,

**Therefore Community Board 3 recommends that Community Boards have a full time urban planner on staff and budget appropriation to fund this position.**

Whereas Community Boards are city agencies with complex responsibilities that must operate according to City mandates that include many legal and procedural city requirements, and very small staff to support the volunteer board and office responsibilities, and

Whereas the Borough president's office processes payroll, but other administrative and technical support is lacking, and

Whereas Community Board managerial staff are the only city employees in NYC without personnel services and support,

And whereas Community Boards are the only city agencies without codes of conduct, and other standards,

**Therefore Community Board 3 recommends that full support services be assigned and codified to specific agencies/offices and include personnel support for staffing issues, personnel benefits, technical support and maintenance, use of city facilities for community meetings, fiscal information systems support, law department support, protections from harassment or unfair practices, and other support services that are included in other agencies.**

Whereas the appointment process for Community Boards has great impact on whether Community Boards truly represent all parts of a community and have the best possible diversity of expertise, therefore ensuring the ability to fulfill Community Board responsibilities, and

Whereas the City Charter requires the BP to appoint "adequate representation from the different geographic sections and neighborhoods with the community district" but there is no accountability for compliance, and

Whereas Community Board 3 has gone through periods of many vacancies and lack of diverse representation—in geographic, ethnic, areas of expertise, and other areas that need Community Board representation and

Whereas this has greatly impacted the Community Boards ability to effectively represent the community, and

Whereas the current MBP's targeted outreach and focus on areas of expertise has made our board more representative and more effective.

**Therefore Community Board 3 requests that the Charter commission consider creating standards and promoting transparency by publishing board demographics and vacancy status, which would promote more representative and effective boards,**

Whereas there are City Charter mandated time/notification periods, such as ULURP notification with mandated time period for Community Board review, and

Whereas ULURP agenda items must be posted in City Review, which is a 3-week process for submission and posting, and

Whereas Community Boards post meeting schedules and agendas in accordance with Open Meetings Law and with specific agendas to elicit the widest possible community input, and

Whereas there are often times when an agenda item just misses posting on the monthly Community Board agenda and must be held for a month for community notice and Community Board review,

**Therefore Community Board 3 recommends the charter commission review the mandated notification process to take into account Community Board schedules by giving notice at an earlier stage or lengthening the notification time.**

**(Executive Committee)**

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

**SLA & DCA Licensing Committee**

**The following items were discussed: 6,8,9,10,11**

**David McWater:** David McWater: spoke about the discrepancies the SLA committee has in approving applications in resolution areas. He believes we need a more consistent criteria when voting in these areas.

Mary Spink: we need to differentiate between legitimate restaurants and bars. Stipulations don't control the bar problems. She does not buy into the belief that if we don't approve bars and restaurants we won't have any new business. She supports the committee's vote on item 14.

Herman: We stay up listening to applicants until 2am because it is important to the community. We should not be presented as "anti-bar" on the committee. He speaks and votes with his own mind.

Carolyn: It is important to stay consistent in resolution area. Otherwise we are open to criticism for many different sides.

Beth From: we have to sit through these hard decisions every month. We vote on every applicant on individual basis. We work very hard to judge each application on its own merits. She invites other board members to come to a committee meeting.

Dominic: we had a procedures meeting last summer and implemented some of these changes. We should definitely schedule a policy meeting.

Val: We should be representing the community. She also thinks we should have a policy meeting.

Alex: there is a loose definition of public benefit on SLA website. She is open to ideas to changing this if someone has another approach. It is doubtful that a policy meeting will change the way members vote.

**Herman made a motion on #14. To adopt the second resolution that did not pass at the committee:**

**VOTE:** To deny the application for a restaurant wine license for Mansa Inc., 150 East 2nd Street, a/k/a 24 Avenue A, with a proposed business name of Raguboy, because 1) the proposed method of operation for this previously unlicensed corner location would be as an Italian cafeteria style restaurant with a certificate of occupancy of one hundred ninety (190) people and seating for one hundred twenty-one (121) inside and forty-four (44) people outside which would significantly impact the congestion and noise on this corner, 2) there are already fourteen (14) liquor licenses within one block of this location, two (2) of which, Aces and Eights and Mary O'Halloran's, have resulted in noise and crowds from patrons congregating on the sidewalk on most nights, 3) while the applicant stated that it believed crowds and noise would not be an issue because there would be ample indoor space to house waiting patrons, crowds and noise on the sidewalk continue to be problems at its present three (3) businesses located within this neighborhood despite the fact that all have expanded into the adjacent storefronts, in part to address these issues, and 4) there has been community opposition to the addition of a licensed premise at this corner location from nearby residents, four (4) of whom appeared to speak in opposition to this application and provided petitions from fifty (50) residents, and who complained that the existing businesses have caused them to suffer from unruly crowds and noise late into the night.

**Joyce:** thinks that having stips on 15 is an affront.

**Item 8 and 11, 14 and 15 were pulled for separate votes**

- 1. FY'2012 District Needs Statement & Budget Consultation Agenda  
no vote necessary

**Renewal with Complaint History**

- 2. Forbidden City (Lo-Eng Inc), 212 Ave A (op)

**VOTE:** To deny the renewal of the full on-premise liquor license for Lo-Eng Inc., doing business as Forbidden City, 212 Avenue A, because 1) residents who live within a block of this location, in the same building and in adjacent buildings appeared to complain about this location, stating that it cannot manage its patrons who congregate outside of its premise making noise and blocking the sidewalks (see photographs appended hereto) and that the noise and bass emanating from this location cause the walls and floors of the adjacent building located at 214 Avenue A and apartments within the subject building to vibrate and residents to be disturbed by sound, 2) in June of 2010, there have been twenty-three (23) complaints from area residents to Community Board #3 about loud noise and music from this business, and unruly crowds on the sidewalk, 3) many residents appeared before Community Board #3 to speak in opposition to this application, pointing to the apparent lack of or inadequate soundproofing given the excessive noise as well as increase in noise on nights when the business hosts five (5) or six (6) DJs at once and, by its own concession, does nothing to monitor their volume, 4) other than to state that it will eliminate this "DJ showcase," the licensee provided no adequate solution for controlling its patrons outside or rectifying the complaints of noise.

**Sidewalk Cafe Applications**

- 3. The Meatball Shop LLC, 84 Stanton St

**VOTE:** To approve the application for a sidewalk café permit for three (3) tables and twelve (12) seats for The Meatball Shop LLC, doing business as The Meatball Shop, 84 Stanton Street, because the applicant has signed a change agreement which will become part of its DCA license that 1) it will have three (3) tables with twelve (12) seats , and 2) its hours of operation will be from 12:00 P.M. to 11:00 P.M. weekdays and 12:00 P.M. to 12:00 A.M. Fridays and Saturdays.

- 4. Spina (Ducati Bagels LLC), 175 Ave B

**VOTE:** To approve the application for a sidewalk café permit for thirteen (13) tables and twenty-six (26) seats for Ducati Bagels LLC, doing business as Spina, 175 Avenue B.

- 5. One and One (12 1st Ave Restaurant Corp), 12 1st Ave

**VOTE:** To approve the application for a sidewalk café permit for twelve (12) tables and twenty-four (24) seats for 12 First Avenue Restaurant Corp., doing business as One and One, 12 First Avenue.

**Applications within Resolution Areas**

- 6. TK St Marks Corp, 26 St Marks Pl (rw)

**VOTE:** WHEREAS, TK St. Marks Place Corp. is seeking a restaurant wine license for its lunch box and bubble tea café located at 26 St. Mark's Place, between Second and Third Avenues; 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 there are already, as conceded by the applicant, seventeen (17) liquor license on this single block, most of which are restaurant wine licenses; 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 previous commanding officer of said precinct that no new liquor licenses be issued on this street; and

WHEREAS, there are now numerous fast food restaurants on this one (1) block of St. Marks Place similar in character to this business; and

WHEREAS, the applicant has failed to engage in any community outreach, which is a requirement of the community board application process, and despite the fact that it appeared last month before this community board and withdrew for this purpose; now

THEREFORE, BE IT RESOLVED that Community Board #3 denies the application for a restaurant wine license for TK St. Marks Place Corp., 26 St. Mark's Place.

7. TYDT Ocean Corp, 101 Ave A (op) THIS IS A TRANSFER APPLICATION

**VOTE:** To approve the transfer of a full on-premise liquor license to TYDT Ocean Corp., for the location at 101 Avenue A, currently doing business as The Pyramid Club, understanding that the method of operation as a club lounge and the business name will remain the same.

8. Little Printz Cafe LLC, 40 Ave B (op)

**VOTE:** To deny the application for a full on-premise liquor license for Little Printz Café LLC, 40 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 operate as a full-service restaurant, serving global Jewish influenced cuisine to within one (1) hour of closing and having seating for no less than seventy (70) people, 2) its hours of operation will be from 9:00 A.M. to 11:00 P.M. Mondays through Wednesdays, 9:00 A.M. to 12:00 A.M. Thursdays to Saturdays and 9:00 A.M. to 10:00 P.M. Sundays, 3) it will close its façade doors and windows at 10:00 P.M. every night, and 4) it will play recorded ambient background music only. While the applicant is applying for a new on-premise liquor license in area that this community board believes is overwhelmed with many licensed establishments, pedestrian and vehicular congestion and noise, this application provides a substantial public benefit in that it is offering global Jewish cuisine which is not offered by any area establishments.

9. JDY Cafe Inc, 6 St Marks Pl (op)

**VOTE:** WHEREAS, JDY Cafe Inc. is seeking to obtain a full on-premise liquor license for a Korean Japanese karaoke bar and restaurant on the second through fourth floors of a four (4) story building located at 6 St. Mark's Place, between Second and Third Avenues *and has failed to appear for community review of its application by this community board;* and

WHEREAS, this is a previously unlicensed location which operated as a multi-level video store and library for twelve (12) years and the current business of a Korean Japanese karaoke bar and restaurant has only been open since December of 2009 and has had a restaurant wine license for its mezzanine under the corporate name of Saint Marks Village Inc. since February 16, 2010; 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, there are already at least seventeen (17) liquor licenses on this single block, at least four (4) of which are full on-premise liquor licenses; 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 previous commanding officer of said precinct that no new liquor licenses be issued on this street; and

WHEREAS, there are now numerous Korean and Japanese restaurants on this one (1) block of St. Marks Place, as well as a karaoke business located directly across the street from this location; and

WHEREAS, *the applicant has failed to engage in any community outreach which is a requirement of the community board application process or to appear before this community board for review of its application;* and

WHEREAS, it should be noted that, per the SLA website, the existing license for this location is a restaurant wine license on the mezzanine of this building issued in February of 2010, however, blogs rating this location have written about its three (3) floors of bars and karaoke rooms, and both the Eater and Shecky's websites have reported that this business was serving beer and wine from the time that it opened in December of 2009 and prior to its receipt of its license from the SLA; now



THEREFORE, BE IT RESOLVED that Community Board #3 denies the application for a full on-premise liquor license for JDY Café Inc., 6 St. Mark's Place, second, third and fourth floors.

10. Café Hanover at St Marks Inc, 6 St Marks Pl (rw)

**VOTE:** WHEREAS, Café Hanover at St. Marks Inc. is seeking to operate a deli grocery with a restaurant wine license on the first floor and basement of a four (4) story building which currently houses a Korean Japanese karaoke bar and restaurant on the second through fourth floors, *and has failed to appear for community review of its application by this community board*; and

WHEREAS, this is a previously unlicensed location on St. Marks Place, between Second and Third Avenues, which operated as a multi-level video store and library for twelve (12) years and the current licensed business of a Korean Japanese karaoke bar and restaurant, which appears to be operating with the same name of Café Hanover as the deli grocery, has only been open since December of 2009 and has had a restaurant wine license for its mezzanine since only February of 2010; 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, there are already at least seventeen (17) liquor licenses on this single block, most of which are restaurant wine licenses; 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 previous commanding officer of said precinct that no new liquor licenses be issued on this street; and

WHEREAS, there are now numerous Korean and Japanese restaurants and groceries on this one (1) block of St. Marks Place; and

WHEREAS, *the applicant has failed to engage in any community outreach which is a requirement of the community board application process or to appear before this community board for review of its application*; and

WHEREAS, it should be noted that, per the SLA website, the existing license for this location is a restaurant wine license on the mezzanine of this building issued in February of 2010, however, blogs rating this location have written about its three (3) floors of bars and karaoke rooms, and both the Eater and Shecky's websites have reported that this business was serving beer and wine from the time that it opened in December of 2009 and prior to its receipt of its license from the SLA and it is the belief of this community board that the same applicant is seeking to now license the first floor and basement; now

THEREFORE, BE IT RESOLVED that Community Board #3 denies the application for a restaurant wine license for Café Hanover at St. Marks Inc., 6 St. Mark's Place, first floor and basement.

11. Sea on A (Violioy LLC), 171 Ave A (op)

**VOTE:** WHEREAS, Violioy LLC is seeking to operate a seafood tavern restaurant with a retail seafood counter and a proposed business name of Sea On A, located at 171 Avenue A, between 10th and 11th Streets and has asked to be reheard by this community board after having been disapproved for a full on-premise liquor license in April of 2010; and

WHEREAS, despite its representation that it will now have a larger fifteen (15) foot retail seafood counter open between the hours of 11:00 A.M. and 8:00 P.M., its plans and application still demonstrate that the primary use of this location will be as a restaurant and bar with only a minor portion of the business for use as a fish retailer, in that it intends to have twenty (24) tables with forty-eight (48) seats inside, six (6) tables with twenty-four (24) seats in a backyard dining area, a twenty-four (24) foot bar with fourteen (14) seats and a twenty-two (22) foot bar with nine (9) seats, all of which would be open to 2:00 A.M. every night; and

WHEREAS, there has been demonstrated opposition to the addition of any other liquor licenses on this block of Avenue A, in that petition signatures from one hundred twenty (120) residents of the block were submitted, as well as letters from the Alpha y Omega Church located within this block and The Boys Club located on the corner of 10th Street and Avenue A (appended hereto), while the applicant submitted petition signatures from one thousand fifty (1050) people, only one hundred twenty-four (124) of which were from the immediate neighborhood; and

WHEREAS, there are already at least thirteen (13) full on-premise liquor licenses within five hundred (500) feet of this location as conceded by the applicant and, on this single block, six (6) of the nine (9) storefronts have liquor licenses, four (4) of which are full on-premise liquor licenses and two (2) of which are restaurant wine licenses; now

THEREFORE, BE IT RESOLVED that Community Board #3 denies the application for a full on-premise liquor license for Violioy LLC at 171 Avenue A, between 10th and 11th Streets.

12. Horse Trade Management Group, 92-94 St Marks Pl (alt/tw/expansion to 92 St Marks, theatre lobby) withdrawn
13. 111 St Marks, 111 St Marks Pl (rw) withdrawn
14. Mansa Inc, 150 E 2nd St (rw) (aka: 24 Ave A)

**THIS MOTION DID NOT PASS**

**VOTE:** To deny the application for a restaurant wine license for Mansa Inc., 150 2nd Street, a/k/a 24 Avenue A, with a proposed business name of Raguboy, 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 Italian restaurant, 2) it will not operate a sidewalk café, 3) it will not seek to upgrade its liquor license, and 4) it will operate consistent with its application and its existing businesses. Community Board #3 is approving this application because the applicant provided signatures in support of its application from one hundred thirty (130) residents from the immediate area and because it has addressed its existing issues of noise and crowds on the sidewalks in front of its businesses by implementing a policy of firing managers and hostesses who fail to comply with crowd control measures and installing video cameras to monitor sidewalk crowds and noise.

**THIS MOTION DID NOT PASS**

**VOTE:** To deny the application for a restaurant wine license for Mansa Inc., 150 East 2nd Street, a/k/a 24 Avenue A, with a proposed business name of Raguboy, because 1) the proposed method of operation for this previously unlicensed corner location would be as an Italian cafeteria style restaurant with a certificate of occupancy of one hundred ninety (190) people and seating for one hundred twenty-one (121) inside and forty-four (44) people outside which would significantly impact the congestion and noise on this corner, 2) there are already fourteen (14) liquor licenses within one block of this location, two (2) of which, Aces and Eights and Mary O'Halloran's, have resulted in noise and crowds from patrons congregating on the sidewalk on most nights, 3) while the applicant stated that it believed crowds and noise would not be an issue because there would be ample indoor space to house waiting patrons, crowds and noise on the sidewalk continue to be problems at its present three (3) businesses located within this neighborhood despite the fact that all have expanded into the adjacent storefronts, in part to address these issues, and 4) there has been community opposition to the addition of a licensed premise at this corner location from nearby residents, four (4) of whom appeared to speak in opposition to this application and provided petitions from fifty (50) residents, and who complained that the existing businesses have caused them to suffer from unruly crowds and noise late into the night.

15. Percy's (Steelbar 180 Inc), 210-212 Ave A (op) (Al Diwan)

**VOTE:** To approve the transfer of the full on-premise liquor license to Steelbar 180 Inc., for the location at 210-212 Avenue A, currently doing business as Al Diwan.

**Alterations/Transfers/Upgrades**

16. Xiao Ye (Xiao Ye LLC), 198B Orchard St (trans/op)

**VOTE:** To deny the transfer of a full on-premise liquor license to Xiao Ye LLC, for the existing business Blue Elm, located at 198B 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 Taiwanese restaurant, serving food to within one (1) hour of closing, 2) it will close any façade doors and windows at 10:00 P.M. every night, and 3) its hours of operation will be from 12:00 P.M. to 11:00 P.M. Mondays through Wednesdays, 12:00 P.M. to 2:00 A.M. Thursdays and Fridays, 11:00 A.M. to 2:00 A.M. Saturdays and 11:00 A.M. to 11:00 P.M. Sundays.

17. Jay Cox Coal, 503-505 E 12th St (trans/op) withdrawn

18. Falai Panetterie (FM Pastry LLC), 79 Clinton St (up/op)

**VOTE:** To deny the application to upgrade to a full on-premise liquor license for FM Pastry LLC, doing business as Falai Panetterie, 79 Clinton 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 Italian restaurant, serving food to within one (1) hour of closing, and 2) it will not commercially operate any outdoor area.

19. MBM Lounge Inc, 212 Ave A (trans/op) (Forbidden City) withdrawn

20. The Draft (N&K Animal Productions LLC), 157 Ludlow St (trans/op) (The Blue Seats)

**VOTE:** To deny the transfer of a full on-premise liquor license to N&K Animal Productions LLC, for the existing business The Blue Seats, located at 157 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 maintain the same method of

operation as a full-service tavern restaurant, serving food to within one (1) hour of closing, 2) it will close any façade doors and windows at 10:00 P.M. every night, 3) it will not commercially use any outdoor area, including its backyard, and 4) its hours of operation will be from 5:00 P.M. to 4:00 A.M. Mondays through Fridays, 12:00 P.M. to 4:00 A.M. Saturdays and 12:00 P.M. to 2:00 A.M. Sundays.

21. Paris Cuisine Inc, 168 Ave B (trans/rw) (26 Seats)

**VOTE:** To deny the transfer of a restaurant wine license to Paris Cuisine Inc., for the existing business 26 Seats, located at 168 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 operate as a full-service French restaurant, seating twenty-six (26) people inside and six (6) people at a sidewalk café, and serving food to within one (1) hour of closing, and 2) its hours of operation will be from 2:00 P.M. to 11:00 P.M. every day.

22. Panda (The Mad Dragon LLC), 139 Chrystie St (up/op)

**VOTE:** To deny the application to upgrade to a full on-premise liquor license for The Mad Dragon LLC, doing business as Panda, 139 Chrystie Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will maintain its method of operation as a full-service Pan Asian café and art space, serving food to within one (1) hour of closing, 2) its hours of operation will be from 8:00 A.M. to 2:00 A.M. Mondays through Thursdays, 8:00 A.M. to 4:00 A.M. Fridays and Saturdays and 10:00 A.M. to 12:00 A.M. Sundays, 3) it will close its façade doors and windows at 10:00 P.M. every night, 4) it will play ambient background music only, consisting of recorded music, and 6) it will employ security personnel Thursdays through Saturdays.

23. Superdive (Rapture Cafe & Books LLC), 200 Ave A (alt/kitchen/size & location of bar)  
withdrawn

24. Corp to be Formed, 200 Ave A (trans/op) (Superdive)  
withdrawn

25. Mara's Homemade (Cajun Food Inc), 107 1st Ave (removal/op from 342 E 6th St)  
withdrawn

26. Spitzer's Corner (LES Gastro LLC), 101 Rivington St (trans/op) (NYLA Cafe LLC)  
withdrawn

27. Les Enfants Terribles (ZVAH Inc), 37 Canal St (alt/op/expansion into 6 Ludlow St)

**VOTE:** To deny the alteration of the full on-premise liquor license for ZVAH Inc., doing business as Les Enfants Terribles, 37 Canal Street, to wit extending its full on-premise liquor license into the adjacent storefront, located at 6 Ludlow Street, and adding twenty-eight (28) seats for dining inside and four (4) seats to its sidewalk cafe, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that it will close the façade windows and doors at 6 Ludlow Street no later than 11:00 P.M. every night.

#### **New Liquor License Applications**

28. Good Beer (Good Beer LLC), 422 E 9th St (eb)

**VOTE:** As this applicant has entered into a Memorandum of Understanding with the 9th Street A-1 Block Association, Community Board #3 moves to deny the application for an eating place beer license for Good Beer LLC, 422 East 9th 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 retail beer store, serving food during all hours of operation, 2) its hours of operation will be from 11:00 A.M. to 10:00 P.M. Mondays through Saturdays and 12:00 P.M. to 8:00 P.M. Sundays 3) there will be no standing bar or bar with stools, 4) it will have a closed facade, 5) it will play ambient background music only, consisting of recorded music, and will not have DJs or live music, 6) it will designate an employee or employees whose responsibilities will include monitoring the sidewalk in front of the business to deter noise and congestion from patrons, and 7) it will not seek to have a sidewalk café or commercially use the backyard.

29. Cotan Japanese Restaurant (Shigehiro Adachi Inc), 83 St Marks Pl (rw)

**VOTE:** To deny the application for a restaurant wine license for Shigehiro Adachi Inc., 83 St. Marks Place, 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 5:00 P.M. to 12:00 A.M. every day, and 3) it will play ambient background music, consisting of recorded music only.

30. Full House Cafe (Full House Cafe Inc), 97 Bowery (rw)  
withdrawn

31. Fay's Restaurant & Bar (Fay's Restaurant & Bar Inc), 141 Chrystie St (op)

**VOTE:** To deny the application for a full on-premise liquor license for Fay's Restaurant & Bar Inc., 141 Chrystie 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 Italian fusion restaurant, serving food to within one (1) hour of closing and having dinner seating for no less than one hundred forty-six (146) people in a first floor wholly designated to patron dining and a second floor which is divided into nine (9) private dining areas, seven (7) of which will also function as karaoke rooms, 2) its hours of operation will be from 4:00 P.M. to 4:00 A.M. Tuesdays through Fridays and 12:00 P.M. to 4:00 A.M. Saturdays and Sundays, 3) it will install 4040 sound barrier soundproofing, consistent with its soundproofing plan, 4) it will close its façade doors and windows at 10:00 P.M. every night, and 5) it will have at least two (2) security persons on duty Thursdays

through Saturdays and, when both floors are in operation, it will have least one (1) security person assigned to each floor, 6) it will have occasional DJs for private parties or promoted events and will otherwise play recorded music, and 7) it will not allow any food or alcohol onto the roof, which will be used principally as a garden, and will lose the roof to patrons at 8:00 P.M. every night.

32. 112 Stanton Restaurant Inc, 112 Stanton St (op)

**VOTE:** To deny the application for a full on-premise liquor license for 112 Stanton Restaurant Inc., 112 Stanton Street, because the applicant did not appear before Community Board #3 for review of its application or provide any application materials for review and failed to post any community notice of its intent to apply for a liquor license.

33. Han Hwa Kao, 116 Stanton St (rw)  
withdrawn

34. Mekong, 195 Chrystie St (op)  
withdrawn

35. SRO (Gong Hey Fat Choy LLC), 245 Bowery (op)

**VOTE:** To deny the application for a full on-premise liquor license for Gong Hey Fat Choy LLC, 245 Bowery 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 Spanish tapas restaurant, serving food to within one (1) hour of closing, and, while it will have a certificate of occupancy for one hundred seventy (170) people, it will have seating for one hundred sixty-five (165) people and its bar will include food display counters and a grill, 2) its hours of operation will be from 11:30 A.M. to 10:30 P.M. Sundays, 11:30 A.M. to 12:00 A.M. Mondays through Wednesdays, 11:30 A.M. to 1:00 A.M. Thursdays and 11:30 A.M. to 2:00 A.M. Fridays and Saturdays, 3) it will install soundproofing to buffer the residential areas at the location, including double layer soundproofing and a dropped ceiling, consistent with its soundproofing plan, 4) it will close its façade doors and windows at 10:00 P.M. every night, 5) it will play ambient background music only, consisting of recorded music, 6) it will make efforts to minimize outdoor loitering, including accepting reservations, creating a large entry area to accommodate waiting patrons and installing interior and exterior surveillance, 7) it will not apply for a sidewalk café permit, and 8) it will have a doorman on duty Thursdays through Saturdays, as well as a manager on duty all days of the week.

36. Corp to be Formed, 115 Allen St (op) THIS IS A TRANSFER APPLICATION

**VOTE:** To deny the transfer of a full on-premise liquor license to Corporation to be Formed, for the location at 115 Allen Street, currently doing business as Allen & Delancey, 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 Scottish restaurant, serving food 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 Fridays and 11:00 A.M. to 2:00 A.M. Saturdays and Sundays, 3) it will install the soundproofing plan appended hereto, 4) it will close its façade doors and windows at 10:00 P.M. every night, and 5) it will play ambient background music only, consisting of recorded music, and have no live music, DJs, promoted events or events at which a cover fee is charged

37. Isaac Brown (Isaac Brown Restaurant Group Inc), 39 2nd Ave (rw)

**VOTE:** To deny the application for a restaurant wine license for Isaac Brown Restaurant Group Inc., 39 Second Avenue, a/ka 36 2nd 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 farm to table restaurant, serving food during all hours of operation, 2) its hours of operation will be from 5:00 P.M. to 2:00 A.M. Mondays through Fridays and 11:00 A.M. to 2:00 A.M. Saturdays and Sundays, 3) it will close any façade doors and windows at 10:00 P.M. every night, 4) it will play ambient background music, consisting of recorded music, and have no live music, DJs, promoted events or events at which a cover fee is charged, 5) it will install soundproofing, and 6) it will have at least one employee designated to address crowd control and noise in the outdoor area within its building line.

38. The Bargain District, 122 Orchard St (op)  
withdrawn

39. Sweet Grapes Wine Bar LLC, 39 Essex St (rw)

**VOTE:** To deny the application for a restaurant wine license for Sweet Grapes Wine Bar LLC, 39 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 coffee shop and wine bar, serving food during all hours of operation, 2) its hours of operation will be from 12:00 P.M. to 12:00 A.M. Sundays through Wednesdays and 12:00 P.M. to 2:00 A.M. Thursdays through Saturdays, 3) it will close any façade doors and windows at 10:00 P.M. every night, and 4) it will play ambient background music, consisting of recorded music, and occasionally have an acoustic live musician provided windows and doors will be closed by 8:00 P.M. when live music is playing.

**(SLA & DCA Licensing Committee)**

**39 YES 0 NO 1 ABS 0 PNV (Excluding Items 8, 11, 14 & 15) MOTION PASSED**

**Item 8: 31 YES 9 NO 0 ABS 0 PNV MOTION PASSED**

**Item 11: 23 YES 17 NO 0 ABS 0 PNV MOTION PASSED**

**Item 14: 28 YES 11 NO 1 ABS 0 PNV MOTION PASSED**

**Item 15: 24 YES 16 NO 0 ABS 0 PNV MOTION PASSED**

### **Charter Revision Hearing**

- CB3 hearing on potential charter commission amendments that concern Community Boards  
**VOTE:** Charter Revision Commission Community Board 3 Resolution Calling on the Charter Revision Commission to Put Fair Share and Section 197-a Reform on the 2010 Ballot:

WHEREAS, the 2010 Charter Revision Commission was empaneled by Mayor Bloomberg on March 3, 2010 to conduct a comprehensive review of the structure and operation of city government; and

WHEREAS, Mayor Bloomberg specifically charged the Commission with "examining the changes made by the 1988 and 1989 Charter Revision Commissions, and other subsequent changes, in light of the lessons learned over the past two decades and the new challenges and opportunities that have since arisen"; and

WHEREAS, the 1989 Charter Revision Commission revised the City Charter by adding Charter §'s 203 and 204 (i.e. - the fair share provisions), requiring City agencies to publicly announce all City facilities proposed to be sited, expanded, reduced or closed in each of the 59 Community Boards in the Citywide Annual Statement of Needs; and

WHEREAS, the 1989 Charter Revision Commission revised the City Charter by amending Charter § 197-a calling on the Department of City Planning to propose minimum standards for form and content of "197-a plans" to allow for the review and public hearings of such plans by the Department "within a reasonable time period"; and

WHEREAS, during the administrative rule-making period following the 1989 Charter Revision, the Department of City Planning enacted rules enabling City agencies to propose City facilities anytime after the annual publication of the Statement of Needs by merely sending a letter to Community Boards informing them of their intentions, thereby rendering the entire fair share hearing process meaningless by effectively removing those items from the fair share process; and

WHEREAS, during the administrative rule-making period following the 1989 Charter Revision, the Department of City Planning enacted rules allowing the Department lengthy periods of time for 197-a review, sometimes taking years before certifying 197a plans for review; and

WHEREAS, lower income communities of color have historically borne the brunt of facilities siting and polluting infrastructure, such as transfer stations, sewage treatment centers, sludge plants and brownfields, while suffering disproportionately from environmental health indicators; now

THEREFORE, BE IT RESOLVED that Community Board 3 calls on the Charter Revision Commission to reform the fair share and 197a sections of the City Charter this year to comply with the original intent of NYC voters in 1989.

### **(Charter Revision Hearing)**

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

### **Arts & Cultural Affairs Task Force**

1. Arts in Education Forum  
no vote necessary
2. Art in Empty Storefronts  
no vote necessary
3. NYSCA and DCA cuts/budgets  
no vote necessary
4. Manhattan Meeting of Arts/Arts & Culture Task Force Chairs  
no vote necessary

### **Economic Development Committee**

Small business forum is postponed

1. FY'2012 District Needs Statement & Budget Consultation Agenda  
no vote necessary
2. Follow up to Dept of Finance presentation—action plan regarding property taxes  
no vote necessary
3. Town hall: finalize planning  
no vote necessary
4. Chamber of Commerce: next steps

- no vote necessary
- 5. Old Business: Mott Street Survey
- no vote necessary

**Land Use, Zoning, Public & Private Housing Committee**  
**Monday June 7th Meeting**

Passed the ULURP for 3rd-4th Ave Corridor Rezoning. Thanked all involved.  
 Chinatown Working Group: received a grant to have a city planner help them with 197a's.

- 1. FY'2012 District Needs Statement & Budget Consultation Agenda
- no vote necessary
- 2. BSA 61-10 BZ: variance requested for 183 E Broadway to permit completion of construction of at 7-story building in R7-2 & C1-5 zoning District
- no vote necessary
- 3. Cabrini Center for Nursing and Rehabilitation's current and future site search status update
- VOTE:** Requesting that the Economic Development Corporation provide assistance to the Cabrini Center for Nursing and Rehabilitation in finding a long-term site in the Lower East Side

WHEREAS, the Cabrini Center for Nursing and Rehabilitation provides beds and programs for local residents; and

WHEREAS, Cabrini has been providing service for local residents for over 18 years; and

WHEREAS, their current site is no longer appropriate for their needs; now

THEREFORE, BE IT RESOLVED that Community Board 3 encourages the Economic Development Corporation to meet with the Cabrini Center to assist them in finding an alternative long-term site for their facility in our community.

- 4. Car Share Text Amendment, N100284ZRY: proposed citywide zoning text amendment that would allow car-share vehicles to park in off-street parking garages and lots in suitable locations
- VOTE:** The committee unanimously supports Car Share Text Amendment, N100284ZRY as a clarification to the zoning text, regarding the parking of car-share vehicles.
- 5. 3rd Ave Corridor Rezoning: Zoning map and text amendments for the area bounded by E 9th St & E 13th St, btwn 3rd Ave & 4th Ave, and including the east-side block frontage on 3rd Ave btwn E 9th and E 13th. ULURP N100419ZRM, Zoning Text Amendment to make the Inclusionary Housing Program applicable within the proposed rezoning area & ULURP 100420ZMM, Zoning Map Amendment to rezone an existing C6-1 district to a C6-2A district
- VOTE:** In the matter of an application submitted by the NYC Department of City Planning pursuant to Sections 197-c and 201 of the NYC Charter for an amendment of the Zoning Map, Section No. 12c, by changing from a C6-1 District to a C6-2A District property bounded by East 13th Street, a line 100 feet easterly of Third Ave., East 9th Street, and Fourth Ave. Borough of Manhattan, Community District 3 as shown on a diagram (for illustrative purposes only) dated may 24, 2010, and subject to the conditions of CEQR Declaration E-254.

See link for details of zoning change:  
[http://www.nyc.gov/html/dcp/html/third\\_corridor/index.shtml](http://www.nyc.gov/html/dcp/html/third_corridor/index.shtml)

- VOTE:** Request that City Planning consider lowering the FAR in the 3rd Avenue Corridor Rezoning

WHEREAS, Community Board 3 supports the rezoning of the 3rd and 4th Avenue corridor; and

WHEREAS, Community Board 3 appreciates all the work the City Planning Commission has done to move forward this rezoning; now

THEREFORE, BE IT RESOLVED that Community Board 3 request that the City Planning Commission look at lowering the commercial, residential and community facility FAR to ensure it is compliant with the existing residential character of our community.

- 6. Discussion of guidelines and principles for participation in the NYU planning process
- no vote necessary

**(Land Use, Zoning, Public & Private Housing Committee)**  
**38 YES 0 NO 0 ABS 0 PNV (Excluding Item 5) MOTION PASSED**  
**Item 5: 35 YES 0 NO 2 ABS 0 PNV MOTION PASSED**

**Monday June 21st Meeting**

- Facilitated discussion on program specifics for SPURA sites development  
no vote necessary

**Outreach Task Force**

- Resolution Writing 101—How to write a community board resolution. All Board members, new and old, are encouraged to attend. Followed by Q & A –any questions you have about how, what, and why of community boards  
no vote necessary

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

- FY'2012 District Needs Statement & Budget Consultation Agenda  
no vote necessary

**Youth & Education Committee**

none submitted

**Transportation & Public Safety Committee**

- FY'2012 District Needs Statement & Budget Consultation Agenda  
no vote necessary
- Update on Allen/Pike Street Pedestrian & Bicycle Transportation Improvements  
no vote necessary
- Update on Brooklyn Bridge Rehabilitation: repainting of bridge structure & rehabilitation of ramps and approaches  
no vote necessary
- Cooper Square Hotel request to extend loading zone on Bowery from 36 ft to 72 ft  
**VOTE:** WHEREAS, since the Cooper Square Hotel request for an extended loading zone was denied in January 2010 (see attached) there has been a significant improvement of their loading operations. They have stopped doing loading operations on Fifth St in compliance with their agreement with the Fifth Street Block Association, including in front of the JASA senior residence, and also not in the Access-A-Ride stop on the Bowery. The Hotel has agreed to continue not using these areas; and  
  
 WHEREAS, there are no nearby truck loading zones to service this 145 room hotel. The existing 36 foot "Hotel Loading Zone" is too tight for use of the businesses and guests; and  
  
 WHEREAS, there are only two residents on the Bowery between 4th St and 7th St, and both have written letters supporting the Hotel's request; now  
  
 THEREFORE BE IT RESOLVED that CB3 approves of extending the "Hotel Loading Zone" at the Cooper Square Hotel at 25 Cooper Square from 36 feet to 72 feet, which would extend to the fire hydrant at the corner of Fifth St and the Bowery.
- Request DOT to investigate how to better accommodate our disabled residents, including increased access to parking for drivers with SVI permits  
no vote necessary

**(Transportation & Public Safety Committee)**  
**38 YES 0 NO 0 ABS 0 PNV MOTION PASSED**

**Environment Committee**

no meeting scheduled

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

- FY'2012 District Needs Statement & Budget Consultation Agenda  
no vote necessary
- New Museum: Preliminary proposal for Festival of Ideas—a downtown initiative to bring together cultural & community organizations  
no vote necessary
- Report from 5/26 Waterfront Subcommittee regarding Waterfront planning and Basketball City  
**VOTE:** Pier 42 - EDC Discussion of Short-term Revenue Generating Uses for East River Waterfront Esplanade Project  
  
 WHEREAS, recognizing the need to raise funds to support the maintenance of the East River Waterfront Esplanade Project, Economic Development Corporation (EDC) explored possible short-term plans to raise such funds; and

WHEREAS, EDC plans to use the area adjacent to Pier 42 (excluding the shed area) as a storage area for movie vans and vehicles; and also for public parking of up to 150 vehicles for a period not to exceed three years from June 2010; and

WHEREAS, the long-term plan for Pier 42 was developed and adopted by the Community Board 3 Waterfront Task Force and approved by the full Board over five years ago and is still in effect for long-term planning; now

THEREFORE, BE IT RESOLVED that Community Board #3 supports the current City plan for a short-term, maximum three-year period, for movie vehicle storage and a public parking lot to generate funds for the maintenance of the Community Board 3 waterfront.

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

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

Members Present at Last Vote:

David Adams	[P]	Anne K. Johnson	[P]	Dominic Pisciotta	[P]
Julia Andino	[P]	Linda Jones	[P]	Barden Prisant	[P]
Jimmy Cheng	[P]	Vaylateena Jones	[P]	Carolyn Ratcliffe	[P]
David Crane	[A]	Meghan Joye	[P]	Joyce Ravitz	[P]
Andrea Diaz	[P]	Joel Kaplan	[P]	Lois M. Regan	[A]
Harvey Epstein	[A]	Carol Kostik	[P]	Janet Riesel	[P]
Morris Fajtelewicz	[P]	John Leo	[P]	Richard F. Ropiak	[P]
Flora Ferng	[P]	Ricky Leung	[A]	Susan Scheer	[A]
Beth From	[A]	Gigi Li	[P]	David Silversmith	[P]
Edward Garcia	[P]	Bernard Marti	[P]	Mary Spink	[P]
Rabbi Y. S. Ginzberg	[P]	Bernice McCallum	[P]	Elinor Tatum	[A]
Gloria Goldenberg	[P]	David McWater	[P]	Rodney Washington	[P]
Jan Hanvik	[P]	Alexandra Militano	[P]	Samuel Wilkenfeld	[A]
Herman F. Hewitt	[P]	Maria Muentes	[P]	Justin Yu	[P]
Simon Huang	[P]	Chiun Ng	[P]	Thomas Yu	[P]
Bonnie Hulkower	[A]	Ariel Palitz	[P]		
Carolyn Jeffers	[P]	Thomas Parker	[P]		

Meeting Adjourned