



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD NO. 3

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Dominic Pisciotta, Board Chair

Susan Stetzer, District Manager

July 2010 Full Board Minutes

Meeting of Community Board #3 held on Tuesday, July 27, 2010 at 6:30pm at IS 131, 100 Hester Street.

Public Session:

BARBARA CAJDLER: Access Community Health Center. Open house announcement.
VANESSA RAMOS: Committee for Hispanic Children & Families. Overview presentation of agency.
VAYLATEENA JONES: WTC EHC CAC. Forum on 09/15, Surviving and Thriving after 9/11: Addressing the Health Impact of 9/11 on the Community.
TERRY MILES: WTC Environmental Health Center. Let the community know of upcoming educational forum 9/15 on 9/11 health issues for people who became ill in aftermath of 9/11. Toll free # on brochure.
VIRGINIE SOMMET: Petition to repair Sara D. Roosevelt Park and close it during the night, asking for more police controls, which is not enough, due to needles, broken glass, safety. Forsyth & Broome block. SS responded it IS closed at night. Issues were brought to Homeless Outreach, Parks Commissioner, and other officials.
CHRISTINA GIORGIO: Gardens/open spaces are precious and safe. Urges the board to consider moving all community gardens into Parks and preserve them permanently from development.
LUIS NIEVES, Executive Director, Loisaida. Requesting support for ULURP application for project on E 9 Street with a community center on ground floor, homeless youth housing on upper floors. Collaboration with University Settlement.
PATRICK JONES: Representative of Wai Sun Realty, requesting a variance to complete an eyesore, uncompleted 7-story building. Not a "self-created" hardship. Will return to the Committee in September.
JAE YU: Representative of Ludlow Noodle Inc. Within a resolution area, several vacant storefronts on block. Su – Sa 12 – 12. Quiet background music. 300 signatures to support restaurant wine license. Only 1 other on block. Owner has 13 years experience in lower Manhattan.
CAROL PUTTRE: Speaking against transfer of liquor license of Sin Sin due to ancillary noise, rudeness.
PETER RADLEY: 10 people appeared this bar due to inability to sleep to request non-transfer of license.
RUTH JASIMOVICH: Her children have had trouble sleeping for years due to Sin Sin liquor license transfer. People spill out into the street at night at 4 AM exodus. Drinking goes on till dawn. Taxis honk soliciting riders.
DAVID MULKINS: Opposition to Sin Sin license transfer. They make bigger signs to "Respect the Neighbors" but nothing gets better. Offered to put in soundproof windows in an adjoining apartment, indicating unwillingness to abate sound.
VERA MENCINSKA: Sin Sin crowds block fire hydrants, double park, spread up and down the street.
CARRIE YAMAOKA: Street violence and obvious drunkenness around Sin Sin is on the increase. Frequently calls 911 but there is not satisfactory response.

Public Officials:

Mayor Michael Bloomberg, Lolita Jackson & Pauline Yu: No one.

Public Advocate Bill de Blasio, Phil Jones: No one.

Comptroller John Lui, Sandra Ung: Checkbook NYC officially launched. Visit the website. See the handout.

Borough President Scott Stringer, Alec Schierenbeck: Attended meeting of Speak Up NY, BP initiative to create on-line tools to help CBs operate. Objective: Creation of a kind of "Facebook of government," a platform for interaction. Last week created Bank On Manhattan, about 110,000 Manhattanites with no basic financial services e.g. checking account. Make the system accessible to people with low financial literacy. August launch of "Blue Way" teams to re-imagine using East Side waterways.

Congressmember Jerrold Nadler, Daniel Weisfeld: No one.

Congressmember Nydia Velazquez, Xiaomin Zhao: Financial Reform bill signed into law. Consumer Protection Home Inspection Act passed to help consumers make a safe investment.

Congressmember Carolyn Maloney, Victor Montesinos: No one.

Assembly Speaker Sheldon Silver, Zach Bommer: SLA got a major upgrade to help them do their job better. Bill passed in Albany to stop innocent people from being pulled over and frisked. Their names will be eliminated from databases. E-waste recycling event last week on Essex and Hester. Great success. Rights given to domestic workers, same as for any other industry. Loft Law made permanent to get beyond perpetual extensions. Visit Governors Island this summer.

Assemblymember Deborah J. Glick, Lisa Parson: Law passed to return rent-stabilized apartment to rent-stabilized market, closing loophole allowing illegal use of these apartments as "hotel" rooms. Budget: Differential pricing for higher education shouldn't be tacked on to the end of this process, but needs more deliberation, to keep higher education affordable. Handout re LEGAL subletting of apartments.

Assemblymember Brian Kavanagh, Leslie Peña: Introduced herself, replacing Izzy Murguia

State Senator Daniel L. Squadron: All 32 Democratic Senators must vote Yes to pass the budget. Reiterated SLA strengthening due to working closely with the Speaker on nightlife issues. \$2M for tech upgrades. Should take about 18 months to upgrade. 6 police department liquor complaints in a 60 day period result in separating good operators from others. Passed legislation cracking down on careless driving after 2 children fatalities in Chinatown last winter. Retail Reports: Just rolled out. Covers retail diversity, how to retain it. Empire Zones being replaced (without pulling the rug out from existing ones) with Excelsior Program to better track job creation. Question from public: Several questions protecting tenants haven't been passed. He has sponsored or co-sponsored them, supports them all. Can't predict a vote. Personally disappointed that Marriage Equality Act not passed but feels the discussion moved the cause along.

State Senator Thomas K. Duane, John Bartos: 2 legislative victories, 1 prohibiting bullying, fostering a harassment-free educational environment, plus new HIV law reducing stigma associated with testing. Hoping both will be passed into law.

Councilmember Margaret Chin, Patricia Olan: Governors Island: Successful outing Saturday 7/17. Emergency services work wonderfully. Fighting MTA fare hikes and closing of tollbooths. Aware of lack of parking in eastern Grand Street but bus parking/stops have appeared. Fridays 2- 4 she's available for constituent meetings.

Councilmember Rosie Mendez, Jessica Nepomiachi: City budget passed in June. Assigned additional funding to playground equipment at Lillian Wald Houses.

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	[A]	Vaylateena Jones	[P]	Carolyn Ratcliffe	[P]
David Crane	[P]	Meghan Joye	[P]	Joyce Ravitz	[P]
Andrea Diaz	[P]	Joel Kaplan	[P]	Lois M. Regan	[P]
Harvey Epstein	[P]	Carol Kostik	[P]	Janet Riesel	[P]
Morris Fajtelewicz	[A]	John Leo	[P]	Richard F. Ropiak	[P]
Flora Ferng	[P]	Ricky Leung	[P]	Susan Scheer	[P]
Beth From	[P]	Gigi Li	[P]	David Silversmith	[A]
Edward Garcia	[A]	Bernard Marti	[A]	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	[A]	Maria Muentes	[A]	Justin Yu	[A]
Simon Huang	[P]	Chiun Ng	[P]	Thomas Yu	[P]
Bonnie Hulkower	[A]	Ariel Palitz	[A]		
Carolyn Jeffers	[P]	Thomas Parker	[A]		

Minutes:

Minutes of May 2010 were approved, as is.

Board Chairperson's Report:

Chairperson Dominic Pisciotta

- 1) Resolution to repeal Dept of Education's ban on home-baked goods. Borough Board passed it last week.
- 2) Asking for volunteers for a few things. We need everyone to take on these responsibilities.
- 3) Addendum to Vote Sheet: Resolution in support of CB1's Cordoba House community center/mosque. CB1 members have been personally targeted for their support. We should support their autonomy to support what's best for their community.

District Manager's Report:

District Manager Susan Stetzer

- 1) CB3 has been working with community groups to host a meeting to deal with issue of increasing youth violence. The meeting will be held August 12. This is not a publicly posted meeting—we are working with approximately 30 community organizations including churches and police precincts. The City has created a new inter-agency group led by DYCD. Chinatown Y is representing LES to this group.
- 2) Community Board 3 and Council Members Mendez and Chin hosted a rat management workshop for Community Gardens last Saturday. Ten gardens attended the event, which was led by a DOH research scientist.
- 3) There are many movies being shot in the neighborhood. If you have an issue, you find the location manager, who is trained to deal with problems. You can also always email the community board with a specific problem.
- 4) East River work from Catherine/Pike Slip will be starting today. This will be noisy work.
- 5) Budget Issues: We are voting on District Needs tonight. We will have group consultations, all 12 Manhattan boards meeting with agencies, plus some individual meetings. I have a handout here with the schedules. There will be a public meeting in September to prepare for a vote at the October meeting.

Committee Reports:

Executive Committee

FULL BOARD: This is a borough-wide Borough President's Resolution. All CBs were asked to support it as is, or not support it, as it's tied to the NYS resolution.

Resolution Denouncing Arizona's New Immigration Law and Encouraging Immigration Reform

Whereas, America is a nation of immigrants and New York City is sustained by our immigrant past, present and future; and

Whereas, New York City is home to the largest population of immigrants of any city in the U.S.; well over 3 million foreign-born residents comprise nearly 40 percent of New York City's total population; and immigrants compose over 40 percent of the city's workforce and are essential to our economic output and stability; and

Whereas, over 30 percent of Manhattan's residents are foreign-born and a number of the borough's community districts are majority foreign-born; and

Whereas, the City of New York and the nation as a whole could benefit from comprehensive immigration reform that does not divide families or create a climate of fear in immigrant neighborhoods; and

Whereas, immigration reform is an issue that transcends party affiliation and requires input from all elected officials; and

Whereas, an enforcement-only approach to immigration is ineffective, cruel and wasteful of Federal and State resources; and

Whereas, the Governor of Arizona, on April 23, 2010, signed into law Senate Bill 1070 which requires Arizona law enforcement to question and arrest individuals if there is a "reasonable suspicion" that they are in the country undocumented; and

Whereas, Arizona's new law promotes a policy of profiling and infringes on individual civil rights; and

Whereas, any such law in the State of New York would violate our basic notions of fairness, decency and justice; and

Whereas, such laws create a significant chilling effect on many communities' willingness to report crimes and cooperate with police and government overall, and criminals will be more free to prey on immigrant communities, diminishing public safety for citizens as well as non-citizens; and

Whereas, the New York State Senate adopted a resolution denouncing any policy of profiling in New York State and urging the federal government to denounce any similar state sanctioned immigration policy; and

Whereas, the New York State Assembly adopted a resolution denouncing Arizona's new immigration law;

Therefore be it resolved that the Manhattan Community Board 3 denounces the passage and signing into law of Arizona's Senate Bill 1070 and urges Arizona not to implement the law; and

Therefore be it further resolved that the Manhattan Community Board 3 applauds the passage of Senate Bill J5081 and Assembly Bill K01282 by the New York State Legislatures and encourages the adoption of federal comprehensive immigration reform that strengthens the family immigration system, protects human and civil rights and provides a meaningful path to citizenship.

(Executive Committee)

22 YES 9 NO 0 ABS 0 PNV MOTION PASSED

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

2. FY'2012 District Needs Statement & Budget Consultation Agenda

VOTE: To update and amend the District Needs Statement.

Block Party Permits/Parks events

3. 9BC Tompkins Square, 7/31, E 9th St (Aves B & C)

VOTE: To approve a block party permit for Tompkins Square, 7/31, E 9th St (Aves B & C).

4. Big Top East Side, 8/7, E 5th St (Aves C & Dead End)

VOTE: To approve a block party permit for Big Top East Side, 8/7, E 5th St (Aves C & Dead End).

5. 12th Street Block Association, 9/25, E 12th St (Aves A & B)

VOTE: To approve a block party permit for 12th Street Block Association, 9/25, E 12th St (Aves A & B).

6. First annual NYC Women's Ball Hockey Charity Tournament, 9/25, Tompkins Sq Park Playground

VOTE: To approve park event for NYC Women's Ball Hockey Charity Tournament, 9/25, Tompkins Sq Park Playground.

7. O.U.R. waterfront event Aug 22 from under FDR on current East River esplanade area btwn Pike St & Catherine Slip

VOTE:: To approve park event for O.U.R. waterfront event Aug 22 from under FDR on current East River esplanade area btwn Pike St & Catherine Slip

8. Governors Island Park and Public Space Master Plan

no vote necessary

9. Proposal update for community use of park property at 33 E First Street

no vote necessary

10. Use of Park House at SDR Park

VOTE: Whereas three of the four built structures that exist in Sara D. Roosevelt (SDR) Park are currently being utilized for various purposes by the NYC Department of Parks & Recreation beyond the immediate needs and functions of residents of Community Board 3, and

Whereas the building located at the Hester Street Walkway in SDR Park is currently being used as the NYC Dept. of Parks & Recreation District Headquarters for Community Board 3 and houses other park staff for Parks Department, and .

Whereas both the first floor and basement of the building located at the Broome Street Walkway in SDR Park are currently being used to house the NYC Dept. of Parks & Recreation's Citywide Communications center., and

Whereas, both the first floor and basement of the building located at the Stanton Street walkway in SDR Park are currently being used by the NYC Dept. of Parks & Recreation for borough-wide storage, and

Whereas the single- floored building located on Delancey Street has been contracted out for senior services and serves the community well. It is not available for additional use, and.

Whereas the majority of the buildings in Sara D. Roosevelt Park and its district are shouldering a disproportionate share of the district, borough, and citywide functions of the NYC Department of Parks & Recreation, and

Whereas, the district and communities surrounding SDR Park have an extremely high density and low percentage of open space or facilities for youth and community recreation, with only 0.7 acres of open recreation space per 1,000 people. Less than 16% of the district's 1,077 acres are designated as open space or recreational facilities, and

Whereas increased access to safe, well-maintained public facilities for youth and community recreation would benefit existing residents, draw more users to SDR Park, and help reduce the persistent problems of youth violence that have been experienced in the area,

Therefore Be it resolved that The utilitarian functions of three of the four buildings in SDR Park (at Stanton, Broome and Hester Streets) should be spread around the district, city, and borough, rather than concentrated exclusively in a park that is one of the district's only viable sources of open recreational space, and

Therefore be it resolved that the first floor of the Stanton Street building should be turned over for community usage to increase recreational options and community gathering spaces in the district as this space is accessible and has a usable bathroom, features which poise it for appropriate use by the community in an area with a serious lack of community spaces. The Broome Street building's Borough-wide Communications Center could be housed in the basement thus opening up scarce and accessible community space in this densely populated area.

11. Tennis table at Tompkins Sq Park

VOTE: To support the idea of placing concrete ping pong table at Tompkins Square Park.

12. Report/votes from Waterfront Subcommittee

(13a) Basketball City—Lower East Employment Network

VOTE: BasketBall City will make best faith efforts to hire locally and will use the Lower East Side Employment Network for this purpose. BBC will provide job descriptions at an agreed-upon date to be decided before the opening of the facility. LES Employment Network will refer qualified candidates and track the success of referrals. This stipulation will be added to and made a part of the stipulation agreement already in effect between the Community Board and BasketBall City.

(13b) EDC request for preliminary design approval for portion of esplanade at Rutgers Slip

VOTE: WHEREAS, the design for the East River Waterfront has been evolving since the master plan was issued in 2005; and

WHEREAS, the design for the esplanade between Pier 35 and Pike Slip includes many familiar esplanade elements, including seating, planters, paving, grading, lighting and railings; and

WHEREAS, to fully maximize the use of the space under the FDR, the design includes public amenities such as ball courts, game facilities and other passive recreation uses;

NOW, THEREFORE, BE IT RESOLVED that Community Board 3, Manhattan supports the creation of design of the portion of the waterfront esplanade from Pier 35 to Pike Slip/Allen Street with full disability access, as presented to the Waterfront Subcommittee.

13. Report/votes from Landmark Subcommittee

no vote necessary

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

31 YES 0 NO 0 ABS 0 PNV MOTION PASSED

SLA & DCA Licensing Committee

A RECOMMENDATION WAS MADE TO EXCLUDE MOTIONS THAT DID NOT PASS.

1. FY'2012 District Needs Statement

VOTE: To approve the Statement of Needs for this committee for Fiscal Year 2012 as amended.

Renewal with Complaint History

2. Double Down Saloon, 14 Ave A (op)

VOTE: To approve the renewal of the full on premises liquor license for Double Down Saloon, 14 Avenue A, provided the applicant furnish a signed notarized stipulation that 1) the backyard garden will close at 10:00 P.M. every evening and, if the applicant wants to expand its backyard hours in the future, it will appear before Community Board #3, 2) it will cease use of the backyard if noise becomes an issue or there are resident complaints, and 3) it will take appropriate measures to control noise and crowds in front of the establishment. CB3 has asked this applicant to reaffirm the original stipulations by re-signing that stipulation as part of its renewal.

FULL BOARD:

Sidewalk Cafe Applications

3. The Penny Farthing, 103 3rd Ave

VOTE: To deny the application for a sidewalk café permit consisting thirteen (13) tables and twenty-six (26) seats, for The Penny Farthing, 103 Third Avenue, because the applicant did not appear before Community Board #3 for review of its application.

4. The 13th Step, 149 2nd Ave

VOTE: To approve the application for a sidewalk café permit for six (6) tables and twenty-two (22) seats for The 13th Step, 149 Second Avenue.

Applications within Resolution Areas

5. Corp to be Formed, 121 Ludlow St (rw)
VOTE: To inform the SLA that Ludlow Noodle, Inc. has withdrawn its application before Community Board #3 for a restaurant wine license at 121 Ludlow Street and to ask that the SLA not consider this application until the applicant reapplies to this community board with the requisite thirty (30) days notice to the SLA.
6. Ramen Setagaya (Propose #101 Inc), 34 1/2 St Marks Pl (rw)
withdrawn
7. Culturefix (ADSCAS LLC), 9 Clinton St (rw)
VOTE: To deny the application for a restaurant wine license for ADS CAS LLC, 9 Clinton Street, because the applicant did not appear before Community Board #3 for review of its application or provide any application materials for review.
8. Horse Trade Management Group, 94 St Marks Pl (alt/tw/expansion to 92 St Marks, theatre lobby)
withdrawn

Alterations/Transfers/Upgrades

9. Mama Bar LLC, 34 Ave B (alt/op/expand to basement space)
VOTE: To deny the alteration of the full on-premise liquor license for Mama Bar LLC, doing business as Mama Bar, 34 Avenue B, adding an office and seating, consisting of nine (9) tables and eighteen (18) seats to the basement, adding a kitchen to the ground floor, extending the ground floor bar by seven (7) feet and closing the exit to the residential hallway of the same building, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will close all doors and windows by 10:00 P.M. every night to minimize noise emanating from business, 2) any DJ will operate in the basement of the business only, 3) it will operate the basement primarily as a dining room, consisting of nine (9) tables with eighteen (18) seats and serve food to within one (1) hour of closing, and 4) it will maintain a combined certificate of occupancy of less than seventy-five (75) people for both floors.
10. Spitzer's Corner (LES Gastro LLC), 101 Rivington St (trans/op) (NYLA Cafe LLC)
withdrawn
11. Robert Boose or Corp to be Formed, 59 Canal St (trans/op) (Swat Production)
withdrawn
12. Spina (Ducati Bagels LLC), 175 Ave B (alt/rw/extend to sidewalk cafe) WITHIN A RESOLUTION AREA
THIS MOTION DID NOT PASS
VOTE: To approve the alteration of the restaurant wine license for Ducati Bagels LLC, doing business as Spina, 175 Avenue B, to wit extending its restaurant wine license to a sidewalk café consisting of thirteen (13) tables and twenty-six (26) seats. Community Board #3 is approving this alteration application because the previous occupant of this commercial storefront had a liquor license as well as a sidewalk café.

THIS MOTION PASSED

- VOTE:** To deny the alteration of the restaurant wine license for Ducati Bagels LLC, doing business as Spina, 175 Avenue A, to wit extending its restaurant wine license to a sidewalk café consisting of thirteen (13) tables and twenty-six (26) seats, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that it will stop serving beer and wine at said café at 11:00 P.M. every night. Community Board #3 is approving this alteration application because the previous occupant of this commercial storefront had a liquor license as well as a sidewalk café and because the stated restriction placed upon the service of alcohol outdoors is intended to minimize the impact of additional noise and congestion to the street.
13. Lychee (Lychee Inc), 126 St Marks Pl (trans/rw) (Why Curry)
withdrawn
14. Ajaccio Inc, 40 Ave C (trans/op) (40 C)
VOTE: To deny the transfer of a full on-premise liquor license to Ajaccio Inc., for the existing business 40 C, located at 40 Avenue C, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) its hours of operation will be from 7:00 P.M. to 4:00 A.M. every day,) it will continue to employ a certified doorman to count patrons and check identifications, and 3) it will operate as a tavern.
15. Cosmic Cantina, 99 3rd Ave (alt/op/extend to sidewalk cafe)
no vote necessary
16. Ballaro Inc, 77 2nd Ave (alt/rw/extend to sidewalk cafe)
VOTE: To deny the alteration of restaurant wine license for Ballaro Inc., doing business as Ballaro, 77 Second Avenue, to wit extending its restaurant wine license to a sidewalk café consisting of eight (8) tables and eighteen (18) seats, 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 outdoor seating no later than 10:00 P.M. every night, 2) it will install barriers to enclose the café and insure that wait staff is serving within the perimeters of the café.
17. Sin Sin/Leopard Lounge (SL Global Inc), 85 2nd Ave (trans/op) (Sin Sin/Leopard Lounge)
VOTE: WHEREAS, SL Global Inc., is seeking to transfer a full on-premise liquor license located at 85 Second Avenue, on the corner of Second Avenue and East 5th Street, which is currently doing business as Sin Sin Leopard Lounge, a three (3) story bar lounge; and

WHEREAS, the applicant intends to maintain the same method of operation as a bar lounge with entertainment level music and DJs, promoted events and events where cover fees are charged, the same business name of Sin Sin Leopard Lounge and retain one of the principals of the existing business as a manager; and

WHEREAS, the existing business, Sin Sin Leopard Lounge, has been the subject of numerous complaints from residents of East 5th Street, a primarily residential street between Second Avenue and Cooper Square. Twenty (20) of these residents appeared before Community Board #3 and ninety-five (95) signatures and letters were submitted in opposition to this application (attached hereto). Their complaints consisted of late night noise from unruly patrons and patrons fighting on the sidewalk and street in front of the entrance located on East 5th Street, noise from patron vehicles and vehicles blocking the street late at night and observations of drug use by patrons standing in front of the East 5th Street entrance; and

WHEREAS, the existing business has received seventy-two (72) 311 commercial noise complaints for loud music loud party within the calendar years 2009 and 2010; and

WHEREAS, given that the relevant experience of the applicant is confined to restaurant experience in venues outside of this state and no experience operating a bar lounge, the applicant is not qualified to address the conditions created by this already problem location and has shown little inclination to effect any substantive changes in the substantive method of operation, in that the applicant is retaining the method of operation, business name and former principal as a manager and, while stating its intention to employ a different security company, has outlined a security plan for outside of the location that appears identical to that already in effect by the present owners, in that it consists of two (2) security guards outside on weekends; and

WHEREAS, there are at least twenty (20) full on-premise liquor licenses within one block this location; and

THEREFORE, BE IT RESOLVED that Community Board #3 moves to deny the application to transfer a full on-premise liquor license to SL Global Inc. for the location 85 Second Avenue.

18. G2 (103 Restaurant Corp), 103 Ave A (trans/op) (Ave A Japanese Restaurant)

VOTE: To deny the application for a transfer of the full on-premise liquor license for 103 Avenue A to 103 Restaurant Corp., because the applicant did not appear before Community Board #3 for review of its application or provide any application materials for review.

19. Residence (PDP 225 E Houston Inc), 225 E Houston St (trans/op) (Element)
withdrawn

New Liquor License Applications

20. Full House Cafe (Full House Cafe Inc), 97 Bowery (rw)

VOTE: To inform the SLA that Full House Café Inc. has withdrawn its application before Community Board #3 for a restaurant wine license at 97 Bowery, because its application was incomplete in that the applicant himself failed to appear with his representative 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.

21. Justified LLC, 102 1st Ave (op) (Lilly Coogan's)

VOTE: To deny the application for a full on-premise liquor license for Justified LLC, 102 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 doors and windows at 10:00 P.M. every night and while any musicians are playing, 2) it will have acoustic musicians with low amplification only in addition to recorded music.

22. Teany (Teany Cafe LLC), 90 Rivington St (rw)
withdrawn

23. Tin Lizard LLC, 511 E 5th St (rw) (Butcher Bay)

VOTE: To deny the application for a restaurant wine license for 511 East 5th Street LLC, 511 East 5th 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 continental restaurant, serving food during its hours of operation, 2) its hours of operation will be from 4:00 P.M. to 12:00 A.M. Mondays through Wednesdays, 4:00 P.M. to 1:00 A.M. Thursdays and Fridays, 9:00 A.M. to 1:00 A.M. Saturdays and 9:00 A.M. to 12:00 A.M. Sundays, 3) it will play ambient background music, consisting of recorded music, and 4) it will close its doors and windows at 9:00 P.M.

24. La Isla (MJDD Enterprises Inc), 542 E 14th St (rw)
withdrawn

25. Vbar Amato (Vbar2 LLC), 319 Bowery (op)

VOTE: To deny the application for a full on-premise liquor license Vbar2 LLC, 319 Bowery, 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 and theatre, serving food to within one (1) hour of closing, with the basement and mezzanine to be used exclusively as a theatre consisting of eighty-one (81) theatre seats, and the restaurant located on the second floor consisting of thirty-three (33) tables and sixty-six (66) seats, 2) its hours of operation will be from 5:00 P.M. to 2:00 A.M. Sundays through Thursdays and 5:00 P.M. to 3:30 A.M. Fridays and Saturdays, 3) it will install soundproofing consistent with the attached plan, 4) it will employ at least two (2) security people every day, as well as at least one (1) security person Thursdays through Saturdays and as needed on other nights who will be designated to noise and pedestrian and vehicular traffic in front of the location, and 5) it will move waiting patrons into the holding area lobby on the ground floor of the building to minimize waiting crowds on the sidewalk. Community Board #3 is approving this full on-premise liquor license although there has been substantial opposition to and concern about the proliferation of licensed premises on the Bowery because it believes that there is a public benefit in the proposed method of operation as a theatre, this proposed method of operation will preserve a location which has been a historic local theatre institution and this applicant has furnished written support for this application from highly regarded producers and directors.

26. Berkli Parc, 61 Delancey St (rw)

VOTE: To deny the application for a restaurant wine license for Berkli Parc, 61 Delancey 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 and tavern, serving food consisting of California style cuisine during all hours of operation, 2) its hours of operation will be from 8:00 A.M. to 10:00 P.M. all days, and 3) it will play ambient background music, consisting of recorded music.

27. Wackywok (Panasia Kitchen Ltd), 129 Ave D (rw)

VOTE: To deny the application for a restaurant wine license for Panasia Kitchen Ltd, 129 Avenue D, because the applicant did not appear before Community Board #3 for review of its application or provide any application materials for review.

(SLA & DCA Licensing Committee)

31 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Arts & Cultural Affairs Task Force

1. FY'2012 District Needs Statement

VOTE: The Arts & Cultural Affairs Task Force delegates to Jan Hanvik to write up an arts and culture-related District Needs statement based on what was discussed at this meeting, incorporating into it facts and figures related to economic impact of arts and culture which Tamara Greenfield has submitted and will resubmit.

2. New Museum: Preliminary proposal for Festival of Ideas - a downtown initiative to bring together cultural & community organizations

no vote necessary

3. Art in Empty Storefronts

no vote necessary

4. Arts in Education Forum

no vote necessary

FULL BOARD: QUESTIONNAIRES FOR INITIATIVES 3 & 4 TO BE EMAILED TO THE FULL BOARD FOR THEIR INFORMATION.

(Arts & Cultural Affairs Task Force)

31 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Economic Development Committee

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: continue planning

no vote necessary

4. Chamber of Commerce: next steps

no vote necessary

FULL BOARD: ANNE JOHNSON REQUESTS THAT THEATERS BE INCLUDED IN THE TOWN HALL. RICHARD ROPIAK: NOT SURE HOW NOT-FOR-PROFITS CAN BE INCLUDED BUT THE OBJECTIVE IS TO HELP ALL SMALL BUSINESSES.

Economic Development Committee

31 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Land Use, Zoning, Public & Private Housing Committee

Monday, July 12th Meeting

FULL BOARD: 3 VOTES: 1 FOR EACH ULURP, PLUS ALL OTHER ITEMS IN LAND USE

1. ULURP 100452HAM: 535-537 E 11th St (B405, L44-45) – HPD is seeking UDAAP designation and disposition approval for the two City-owned vacant properties for the development of one 8-story building which will include 45 units for formerly homeless and low income individuals

VOTE 1: IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of property located at 535-537 East 11th Street (Block 405, Lots 44 and 45) as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate development of an eight-story building with approximately 46 units, to be developed under the Department of Housing Preservation and Development's Supportive Housing Loan Program.

Community Board 3 approves the ULURP.

**VOTE 2: WHEREAS: Residents of Community Board 3 are in desperate need of supportive housing programs; and
WHEREAS: Community Board 3 has an extensive record of supporting local housing for local residents; and**

WHEREAS: The Department of Homeless Services does not currently have a community preference requirement for its supportive housing programs; and

WHEREAS: Many former Community Board 3 residents are placed in supportive housing; now

THEREFORE BE IT RESOLVED THAT: Community Board 3 asks the Department of Homeless Services to create a community preference requirement for all supportive housing programs within Community Board 3.

FULL BOARD: ROLL CALL BY SECRETARY:

2. ULURP 100453HAM: 706-712 E 9th St (B378, L10) – HPD is seeking UDAAP designation and disposition approval of one City-owned vacant building which will be rehabilitated with a one-story addition for residential use. The project will consist of 46 units for low income young adults, young adults aging out of foster care and young single adults with children

VOTE 1: IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of property located at 706-712 East 9th Street (Block 378, Lot 10) as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property, to a developer to be selected by HPD;

to facilitate development of an five-story building with approximately 46 units, to be developed under the Department of Housing Preservation and Development's Supportive Housing Loan Program.

Community Board 3 approves the ULURP.

VOTE 2: WHEREAS: The Department of Housing Preservation and Development oversees numerous affordable housing programs; and

WHEREAS: These programs maintain affordable housing restrictions for only 30 years; and

WHEREAS: Community Board 3 has an extensive record of promoting permanent affordable housing in our community; and

WHEREAS: Creating a 99-year restriction on affordable housing will ensure longer term affordability for local residents; now

THEREFORE BE IT RESOLVED THAT: Community Board 3 asks the Department of Housing Preservation and Development to create a 99-year restriction on affordability, so long as appropriate government agencies are available to provide funding.

FULL BOARD: SECRETARY RECORDED THE VOTE.

- 3. Review draft zoning proposals under consideration by the Chinatown Working Group's Culture, Affordability, Preservation & Zoning (CAPZ) and Economics Working Teams

no vote necessary

- 4. 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

VOTE: Whereas the hardship claimed by the developer is self-created; and

Whereas the development is out of scale; and

Whereas the building includes inappropriate setbacks; and

Whereas no affordable housing is included; and

Whereas the building violates the sliver law which this Committee has long supported; so

Therefore be it resolved, that CB3 recommends that the Board of Standards and Appeals deny the requested variance.

This item was postponed until September

FULL BOARD: Several board members expressed interest in gathering more information should the development present the issue again at the September meeting. Would new information be presented then, or a repeat of what has already been presented? DOB made mistakes in their review of the plans, to the developer's advantage. Is the developer then punished?

Motion to move further discussion to September meeting: Harvey Epstein: Second: David Crane.

- 5. FY'2012 District Needs Statement & Budget Consultation Agenda

VOTE: To approve modifications to District Needs Statement.

FULL BOARD: ALL OTHER COMMITTEE RESOLUTIONS: VOTE RECORDED BY THE SECRETARY

FULL BOARD: CHINATOWN WORKING CROUP: Report by John Liu. No CAPS meeting this week. Full Board Meeting in August. September Land Use Meeting update on Chinatown Working Group.

Monday, July 29th Meeting

committee will not meet until after the full board

no vote necessary

(Land Use, Zoning, Public & Private Housing Committee)

35 YES 3 NO 0 ABS 0 PNV (Excluding Items 1, 2 & 4) MOTION PASSED

Item 1: 37 YES 0 NO 0 ABS 1 PNV MOTION PASSED

Item 2: 38 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Item 4: 33 YES 5 NO 0 ABS 0 PNV MOTION PASSED

Outreach Task Force

- Meet with vendor to produce CB 3 outreach literature

no vote necessary

FULL BOARD: No report.

Human Services, Health, Disability, & Seniors Committee

- 1. FY'2012 District Needs Statement & Budget Consultation Agenda

VOTE: To approve modifications to District Needs Statement.

2. Manhattan Borough Board Resolution Denouncing Arizona's New Immigration Law
no quorum, sent to executive committee
FULL BOARD: No quorum. Acted on # 2.

Human Services, Health, Disability, & Seniors Committee
31 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Youth & Education Committee

1. FY'2012 District Needs Statement & Budget Consultation Agenda
VOTE: To approve modifications to District Needs Statement.
 2. Time Out from Testing: standardized testing for K-2
no vote necessary
 3. New Amsterdam Early Childhood Center, 1 Ave B: introduction of school
no vote necessary
 4. World Class Learning Academy, 44 E 2nd St: introduction of school.
no vote necessary
- FULL BOARD: New Amsterdam \$15K annual tuition. World Class: \$25K annual tuition.
LaSalle downsizing/moving to 4th Avenue.

Youth & Education Committee

31 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Transportation & Public Safety Committee

1. FY'2012 District Needs Statement & Budget Consultation Agenda
VOTE: To approve modifications to our committees' section of the FY-12 District Needs as noted during discussion.
 2. Safe Streets for Seniors Program in Chinatown
no vote necessary
 3. Dept of Design & Construction: City 3rd Water Tunnel (Shaft 30B), Installation of Trunk & Distribution Mains on Grand St btwn B'way & Essex
no vote necessary
 4. Request DOT to revise parking regulations in bike lanes to permit school bus loading/unloading, as Access-A-Ride is currently allowed
VOTE: To postpone until September 2010.
- FULL BOARD: IF NO QUESTIONS, NO REPORT. NO QUESTIONS.

(Transportation & Public Safety Committee)

31 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Environment Committee

no meeting scheduled

Con Edison Task Force

1. Status of Con Edison Settlement Fund
no vote necessary
 2. Compliance monitoring for expenditures
no vote necessary
 3. Settlement Fund planning
no vote necessary
- FULL BOARD: Reviews proposals for use of settlement money. \$3 3/4M awarded, some restricted, \$600K + awarded. Projects must be focused on health & safety, largely air quality, in 14th Street vicinity. Guidelines, including deadlines, on CB3 website.

New Business

Community Board 3 Resolution in Support of Community Board 1's Process to Evaluate the Cordoba Initiative's Cordoba House Project:

WHEREAS: On May 25, 2010, Community Board 1, Manhattan, passed the below resolution in support of the Cordoba Initiative's Cordoba House Project; and

WHEREAS: The members of Community Board 1 have received threats to their personal safety, including publishing of their personal information, prior to and following their support of a 15-story community center that includes a mosque as well as many other public accommodations; and

WHEREAS: A strong majority of Community Board 1 Members along with Congressman Jerrold Nadler, Manhattan Borough President Scott M. Stringer, State Senator Daniel L. Squadron, Assembly Member Deborah Glick, Council Member Margaret Chin, and Mayor Michael Bloomberg support the Cordoba Initiative's efforts to develop the Cordoba House Project and the important community facilities it will provide for the community at the now vacant 45-51 Park Place, which has been abandoned since September 11th; and

WHEREAS: Community Boards represent a very local form of democracy, adhere to public processes that attempt to be transparent and open, serve to increase community involvement in civic matters with the intent of bettering their immediate communities, and therefore often lead dialogues that weigh the benefits of community planning projects such as the Cordoba House Project; and

WHEREAS: Community Board members serve in an all-voluntary capacity and represent a cross-section of their community. They often consider contentious matters and work many volunteer hours to find the best resolution for the local residences and businesses. Despite these efforts, Community Board 1 members faced personal attacks and physical threats emanating all from people outside of the community district when considering the Cordoba House Project; and

WHEREAS: Although Community Board 1 explicitly did not take a stand on the religious aspect of the project and supported only the public component, it was the anti-Muslim vitriol that filled most opponents' speeches and prompted supporters who live in the community as well as volunteers for the Board to be called "murderers," despite their residential proximity to Ground Zero and the obvious fact that they were victims on that horrible day; and

WHEREAS: Community Board 1 members lived through the aftermath of September 11 first-hand and best understand what their community needs to heal, redevelop, and prosper, now

THEREFORE BE IT RESOLVED THAT: Community Boards continue to be a valued and vital component of short and long-term planning in the City of New York. Community Board 3, Manhattan, accepts that Community Board 1 properly fulfilled its role to provide advisement in a planning matter such as the Cordoba House Project; and

BE IT FURTHER RESOLVED THAT: Community Board 3 applauds and supports the rights of members of Community Board 1 and the above named elected officials who took a courageous stand to better their community. They recognized the history of public accommodations comingling with religious freedom of expression in our country and were not deterred from supporting it in Lower Manhattan. They demonstrated the power of democracy in America and their role in it. They are positive examples for future generations of Americans, especially New Yorkers, who study the historical foundations and building blocks of our pluralist society and learn that their input has value in continuing the civic advancement of America.

The Cordoba Initiative Resolution as passed by Community Board 1, Manhattan:

WHEREAS: The Cordoba Initiative was founded in 2002 by Imam Feisal Abdul Rauf, who has been the Imam of the Farah Mosque at 245 West Broadway in Tribeca since 1983; and

WHEREAS: The Cordoba Initiative presented its concept and preliminary plan for the Cordoba House Project before the Financial District Committee of Community Board 1 at its May 5, 2010 meeting; and

WHEREAS: The Cordoba House will provide a community center, a 500-seat performing arts center & lecture hall, culinary school, exhibition space, swimming pool, fitness gym, basketball court, restaurant, library, art studios, and childcare; and

WHEREAS: The Cordoba Initiative states that its programs and facilities will be open to the general public and will be very helpful in meeting a number of important community needs; and

WHEREAS: The Cordoba House will create over 150 full-time and over 500 part-time jobs, and investment of over \$100 million in infrastructure in the Financial District; and

WHEREAS: The as of right proposed scale and massing of the building concept at 15 stories is not inappropriate for the location in the Financial District just south of Tribeca; and CB1 respects the grief of family members who lost loved ones on 9/11, and urges the Cordoba Initiative to continue its outreach to 9/11 family members, and

WHEREAS: The Cordoba Initiative has committed to an ongoing dialogue with Community Board 1 on the

Cordoba House Project as development proceeds, and Community Board 1 looks forward to that dialogue, now

THEREFORE BE IT RESOLVED THAT: Community Board 1 stands with Rep. Jerrold Nadler, Manhattan Borough President Scott M. Stringer, State Senator Daniel L. Squadron, Assembly Member Deborah Glick, Council Member Margaret Chin and their support of the Cordoba Initiative's efforts to develop the Cordoba House Project and the important community facilities it will provide for our community at the now vacant 45-51 Park Place, which has been abandoned since September 11th; and

BE IT FURTHER RESOLVED THAT: Community Board 1 takes no position regarding the religious aspects of or any religious facilities associated with either the Cordoba Initiative or the Cordoba House Project.

New Business

17 YES 12 NO 2 ABS 0 PNV MOTION PASSED

FULL BOARD: SECRETARY RECORDED THE VOTE.

Members Present at Last Vote:

David Adams	[P]	Anne K. Johnson	[P]	Dominic Pisciotta	[P]
Julia Andino	[A]	Linda Jones	[P]	Barden Prisant	[P]
Jimmy Cheng	[A]	Vaylateena Jones	[A]	Carolyn Ratcliffe	[P]
David Crane	[P]	Meghan Joye	[P]	Joyce Ravitz	[P]
Andrea Diaz	[A]	Joel Kaplan	[P]	Lois M. Regan	[P]
Harvey Epstein	[A]	Carol Kostik	[P]	Janet Riesel	[P]
Morris Fajtelewicz	[A]	John Leo	[P]	Richard F. Ropiak	[P]
Flora Ferng	[P]	Ricky Leung	[P]	Susan Scheer	[P]
Beth From	[P]	Gigi Li	[A]	David Silversmith	[A]
Edward Garcia	[A]	Bernard Marti	[A]	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	[A]	Maria Muentes	[A]	Justin Yu	[P]
Simon Huang	[P]	Chiun Ng	[A]	Thomas Yu	[P]
Bonnie Hulkower	[A]	Ariel Palitz	[A]		
Carolyn Jeffers	[P]	Thomas Parker	[A]		

Meeting Adjourned: 10:20 PM