



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD NO. 3

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Dominic Pisciotta, Board Chair

Susan Stetzer, District Manager

October 2010 Full Board Minutes

Meeting of Community Board #3 held on Tuesday, October 26, 2010 at 6:30pm at PS 20, 166 Essex Street.

Public Session:

1. Johnny Zamot. Bombarded with film crews taking up parking spaces, blocking hydrants, DOE staff & school buses, etc.
2. Kim Neuscheler. Speaking for coalition to restore artificial turf soccer field at East 6th & East River Park. Requests CB3 support for this and for supporting it to Borough President office.
3. Kathleen Tam. Distributing an air quality and asthma survey for Chinese Progressive Assn.
4. Vaylateena Jones. 9/29 House of Representatives passed a 9/11 Health Compensation Act. On-line petition to support it. www.change.org. Leaving petitions in the back.
5. Patrick Jones, representing Wai Sun Realty and thanking the housing committee for giving time for an extensive hearing.
6. Ching Sun Wong, owner of Wai Sun Realty. In the noodle business, doesn't know much about real estate. Trying to rebuild noodle factory building at 183 East Broadway. Last year gave \$150,000 to the community in grants and donations, plus other benefits. Requesting support to restore the building.
7. Gary Tai. Asking for support to erect statue of Dr. Sun Yat-sen in Chinatown. Representing CCBA.

Public Officials:

Mayor Michael Bloomberg, Lolita Jackson: Meeting took place 10/15, Deputy Mayor Goldsmith just started, met with Lower East Side residents to introduce him to the diversity of the community and issues.

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

Comptroller John Lui, Sandra Ung: Nothing to report.

Borough President Scott Stringer, Alec Schierenbeck: Reported on infractions of use of bike lanes. They're not meeting their potential. Persistent complaints about inaccessibility of NYCHA housing for disabled people. Ramps, elevators, etc. don't work. A hearing 11.15. CB members whose terms are expiring need to reapply. If interested in joining the CB, 12/31/10 deadline. Applications on CB3 and Boro President websites.

Congressmember Jerrold Nadler, Daniel Weisfeld: No one.

Congressmember Nydia Velazquez, Iris Quinones: No one.

Congressmember Carolyn Maloney, Victor Montesinos: No one.

Assembly Speaker Sheldon Silver, Karen Hee: Made sure residents got into their building to retrieve belongings. Sponsored Ewaste recycling event with LES Ecology Center. Bowery Alliance of Neighbors meeting, details in his report. Expresses disappointment on 3 bills Gov. Paterson vetoed: HIV housing, & other bills. Lower Manhattan Development Corporation funding deadline 11/5.

Assemblymember Deborah J. Glick, Lisa Parson: No one.

Assemblymember Brian Kavanagh: 1) Focusing on repairs in public housing with alliance of tenants and elected officials including City Council Committee on Housing, GOLES, Senator Squadron, NYCHA officials dealing with a backlog of 100s of 1000s of repairs. Public hearing today of Assembly Housing Committee. Pushing for NYCHA to revamp the process. 2) Bill signed into law that will increase enrollment in child health insurance. Enrollment in successful lunch program will be used to enroll in health insurance too. 3) City Board of Elections Executive Director fired due to failures to get out ballots to armed services members overseas among other things. All is in preparation for successful elections 11/2. 4) Bike and bus lane program on 1st & 2nd Avenues: Working with others to make sure the lanes are working. The Boro President reported 100s of infractions. DOT and TLC met for the first time recently to coordinate problems with this issue. 5) Susan Stetzer requested help coordinating with DOH for rat problems.

State Senator Daniel L. Squadron: 1) 2 bills important in housing community for people with disabilities. Gov. Paterson vetoed them. As Chair of Social Services Committee, upset at veto of a bill to prevent people from being harassed out of their housing. 2) Lower Manhattan Development Corporation has \$200M+ available for groups below Houston. \$100M agreement it go to the cultural center at Ground Zero; not a fait accompli.

Rebuilding the East River waterfront a priority. The area could be as great as Central and Prospect Parks. There are other important priorities. There was a public session last Thursday. Can weigh in on priorities through his website. He agrees that preserving what we have is extraordinarily important. 3) Legislation to improve the technology of the SLA. We'll see progress by 1.1.11. 4) Meeting to make the Bowery safer for pedestrians and more beautiful, at Confucius Park. If the police refer 6 complaints in a 6-month period, the liquor license can be revoked. It's the law but it's not being enforced.

State Senator Thomas K. Duane, John Bartos: Please pick up copies of the Senator's report.

Councilmember Margaret Chin, Patricia Olan: Lower Manhattan Development Corporation deadline 11/5. She urges that remaining funds go into cultural and community organizations, environmental and infrastructural projects. Held an Open House at the district office attended by 200 people. Will hold another. Harbor School on Governor's Island, PS 276, and a 3rd school had ribbon-cuttings. Working to restore bus service to Battery Park City residents, plus other service areas. Details in monthly newsletter. Every Friday 2- 5 open office hours.

Councilmember Rosie Mendez, Michelle Burger: Legislation introduced to ban smoking in parks and recreation areas. She opposes it. Held hearings on NYPD stop-and-frisk policies. Working on making community gardens permanent. The Office of the Mayor Citizen's Committee offering grants to beautify their blocks.

Members Present at First Vote:

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

Minutes:

Minutes of July 2010 were approved, as is.

Board Chairperson's Report:

Fundraising: We are in a desperate need to fund raise due to upcoming office move, needs to hire consultants, get more flexibility to cover for excessive leave for staff, bereavement gifts, etc... I am creating a task force to review the methods and possibilities for the Board itself or Friends of CB 3 to fund raise within the parameters of the Conflict of Interest Board. I would like Andrea, in her capacity as Treasurer, to draw up a plan that could be reviewed and implemented by the task force. The task force should be in full swing come 2011. Some executive members have volunteered to kick-start this but we need to recruit other board members to become heavily involved. So far Alex, Herman, Gigi, and Jan have volunteered. All of these people have full plates and need your involvement, so if there are any rain makers out there please step forward.

Committee Chair Handbook: Last month I distributed a handbook both at Executive Committee meeting and via email for Committee Chairs to follow procedures with the intent of improving smoother board and office operations. Chairs were asked in the email and at Executive Committee meeting to email me an acknowledgement of their receipt and having read it. So far I have only received and acknowledgment from Lois, Carol, Jan, and Richard. Everyone else, please send me your acknowledgment ASAP. I want to make sure we are all on the same page and if procedures aren't followed properly within three months from distribution I am going to ask to sit down individually to discuss expectations.

LMDC Hearing: I want to thank Thomas Yu for attending the Lower Manhattan Development Corporation hearing and testifying on our request for funds to go toward finishing the development of the East River Waterfront.

3rd Avenue/Bowery Rezoning: I would like to thank Susan Stetzer for testifying on behalf of CB 3 to support the 3rd Avenue rezoning. And I would like to thank Council Member Mendez and her staff along with City Planning for working hard to make this rezoning happen so quickly after agreement was made following the E. Village/ Lower East Side rezoning to get this done.

District Manager's Report:

- 1) In November with CB2 manager, meeting re cold weather issues as they affect the homeless. Not all agencies dealing with this issue e.g. forcible removals from the street are coordinating. Seeing many more homeless. Requests that these incidences be reported to CB3 and/or to 311.
- 2) Rats: Urgent Action Required. Manhattan has been indexed by DOH. CB 3 second highest area for failure to deal with the problem. January meeting for whole area planned. Dept. of Health giving free workshops for building superintendents. SS requests that people report which subway stations have rat problems.
- 3) 5th & 7th precincts having joint operations for long-distance buses. Some have been towed.
- 4) Bike riders: Usage increasing. Requests the public use lights for night riding. Lights might be given out by DOT. Susan Stetzer to research.
- 5) MTA, DOT, and elected officials reviewed bus cuts to see which might be restored. Big issue: Where cabs can pick up and drop off. They can in bus lanes, but not bike lanes.

Committee Reports:

Executive Committee

1. FY '2012 Capital & Expense Priorities

VOTE 1: To adopt the Capital Priorities as listed. Request to move # 22 up to position 7 or 8. Straw poll: 13 yes, of 33. Did not pass. Linda moved that # 22 move to # 10: Barden Prisant seconded. 21 in favor. The motion passed. Barden Prisant: Request to move library priorities up. SS: These do not come from any budget. It's a lobbying issue, not a budgeting issue. Thomas Yu: They will get the money from a separate source. This vote is to say that they are important, to help insure that they will get their funding. SS: CB3 doesn't meet with any agency that funds the libraries. They ask the City Council for funding, helped with this lobbying effort. Parks recommendations, however, are sent to a funding source. Herman Hewitt moved that Capital Priorities with the above amendment be accepted. Lois Regan seconded. David Crane polled. Motion passed.

VOTE 2: To adopt the Expense Priorities as listed. Discussion initiated by Barden Prisant as to why committees were grouped together, rather than all the # 1s from each committee being at the top of the list, etc. Herman Hewitt moved to vote as presented. Bernice McCallum seconded. David Crane polled.

2. Thanking Jim Solomon and Thomas Yu for their outstanding service to Chinatown Working Group (CWG)

VOTE: WHEREAS, Jim and Thomas worked effectively on the expansion of original group from 33 to 52 voting members, including a broad spectrum of representatives from community groups, residents, arts and cultural organizations, business and property owners, and housing and worker advocacy groups; and

WHEREAS, Jim and Thomas organized two successful Town Hall meetings with hundreds of participants from the community, conducted in English, Spanish, Cantonese, Mandarin, and Fujianese; and

WHEREAS, Jim and Thomas conducted a meeting with Transportation Secretary Ray LaHood on potential federal transportation initiatives in Chinatown as part of the White House Initiative on Asian Americans and Pacific Islanders; and

WHEREAS, Jim and Thomas facilitated the receipt of a grant of \$150,000 from the Lower Manhattan Development Corporation to hire a planning consultant to work under the direction of the CWG to create a 197-a community plan; and

WHEREAS, In their 18 month tenure as Co-Chairs of CWG, Jim and Thomas led the group from an ad hoc coalition of a few community stakeholders to become a powerful voice for community planning in Chinatown; now

THEREFORE BE IT RESOLVED, THAT Manhattan Community Board 3 wishes to extend its sincere thanks and gratitude to Jim Solomon and Thomas Yu for their fine service to the greater Chinatown community.

Quorum: Despite my pleas last month to attend committee meetings on time and for the entire duration, this month has proven to be another bad month with a couple of committees not having quorum. At Executive Committee we removed public members from certain committees who were affecting quorum and had a bad attendance record. Full board members are also in jeopardy of being removed. Depending on how bad your

absentee record is, I may remove you from the committee. I have discussed this on multiple occasions before, so those were warnings and you shouldn't be surprised if you are removed.

SLA: We discussed the SLA Policies DRAFT document that will be presented, reviewed, and discussed at tomorrow night's Policies meeting. The DRAFT report has been shared with Committee members and Exec to prepare for tomorrow night's discussion. The assumption is that we will need a final policies meeting in November to adopt recommendations.

(Executive Committee)

34 YES 0 NO 1 ABS 0 PNV MOTION PASSED

Transportation & Public Safety Committee

1. FY '2012 Capital & Expense Priorities

VOTE: To approve capital and expense budget priorities for FY 2012.

2. M15 bus layover on Pike Street, presentation
no vote necessary

3. Harry Wieder street co-name: Forsyth btwn Stanton & Rivington Sts. David Crane reported an extraordinary number of petition signers in support.

VOTE: Resolution to Support Co-naming Forsyth St between Stanton and Rivington St as "Harry Wieder Way"

WHEREAS, Harry Wieder was a longtime housing, disability, gay, lesbian and civil rights activist; and

WHEREAS, Harry resided on Forsyth Street between Stanton and Rivington Streets for almost 20 years; and

WHEREAS, Harry was at the forefront of most activist issues throughout the Lower East Side; and

WHEREAS, Harry Wieder served on Community Board 3 for almost 15 years, and

WHEREAS, Harry Wieder was a strong advocate to ensure people with disabilities had public access to all public spaces and services; and

WHEREAS, there is widespread community support for co-naming the street where Harry lived in his honor, as evidenced by the successful effort to gather signatures on a petition from at least 75% of the local community residents and a substantial number of residents throughout the City; now

THEREFORE, BE IT RESOLVED that CB3-Manhattan supports co-naming Forsyth St between Stanton and Rivington St as "Harry Wider Way."

4. Sara Curry street co-name: St Marks Place btwn Ave A & 1st Ave
no vote necessary

5. Request for M9 bus service to extend to Bellevue Hospital

VOTE: That CB3-Manhattan supports the August 2010 letter from Rosie Mendez to the MTA/NYCT asking them to reconsider the termination of the new M9 bus route at 23rd St and First Ave, rather than extending up First Ave to reach Bellevue Hospital as the old M21 route did.

6. Newsstand Application: northwest corner, 207 Canal St & Mulberry St
no vote necessary

7. Request DOT to revise parking regulations in bike lanes to permit school bus loading/unloading, as Access-A-Ride is currently allowed
no vote necessary

8. DOT: Red Color Van Service request to expand number of commuter van (bounded on the north by Houston St from Houston St to South St; bounded on the south by South St from Clinton St to Fulton St)

VOTE: That CB3 does not support the application by Red Color Van Service to expand their operation in our area because the applicant did not appear for our Transportation Committee to discuss the applications.

(Transportation & Public Safety Committee)

34 YES 0 NO 1 ABS 0 PNV MOTION PASSED

Environment Committee

▪ Presentation on White Tops—painting roofs white for a cooler tomorrow
no vote necessary

Con Edison Task Force

NO MINUTES SUBMITTED

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

(no quorum, recommendation only). No report.

3. FY '2012 Capital & Expense Priorities

VOTE: To approve capital and expense budget priorities for FY 2012.

4. Support for statue of Dr. Sun Yat-sen on traffic island at Canal & Baxter

VOTE: To support the creation of a statue commemorating Dr. Sun Yat Sen on the traffic island triangle at Canal & Baxter Streets, pending approval from NYC DOT and Parks Departments.

5. Proposed legislation to ban on smoking in NYC Parks & Beaches

no vote necessary

6. East River Park: 6th Street ball field restoration of turf

no vote necessary

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

34 YES 0 NO 1 ABS 0 PNV MOTION PASSED

SLA & DCA Licensing Committee

A Militano: All listed stipulations have been received.

1. FY '2012 Capital & Expense Priorities

VOTE: To approve capital and expense budget priorities for FY 2012.

Renewal with Complaint History

2. Spur Tree (LLD3 LLC), 76 Orchard St (wb)

no vote necessary

Applications within Resolution Areas

3. Ichiban 71 Clinton Inc, 71 Clinton St (op)

withdrawn

4. On the C Pub Inc, 185 Orchard St (op) (removal from 129 Ave C)

VOTE: To deny the application for the removal of a full on-premise liquor license for On the C Pub Inc., from 129 Avenue C to 185 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 Vietnamese restaurant, serving food to within one (1) hour of closing, 2) its hours of operation will be from 11:30 A.M. to 12:00 A.M. Sundays through Wednesdays and 11:30 A.M. to 2:00 A.M. Thursdays through Saturdays, 3) it will play ambient background music, and 4) it will close any façade doors and windows by 10:00 P.M. every night.

5. JujoMukti Tea Lounge (JujoMukti Inc), 211 E 4th St (wb) (Mamlouk)

withdrew - no vote necessary

6. Totale Pizza (Totale Pizza Inc), 36 St Marks Pl (wb)

VOTE: To deny the application for a beer wine license for Totale Pizza Inc., 36 St. Marks Place, because the applicant did not appear before Community Board #3 for review of its application or provide any application materials for review,

7. Tre (Jersey Boys LLC), 173 Ludlow St (alt/op/addition of tables & chairs to back patio)

withdrew - no vote necessary

8. Habibi Lounge (Zaika Restaurant Corp), 198 Ave A (alt/op)

VOTE: To deny the application for an alteration to the full on-premise liquor license for Zaika Restaurant Corp., doing business as Habibi Lounge, 198 Avenue A, because the applicant did not appear before Community Board #3 for review of its application or provide any application materials, including a notice of alteration, for review.

Alterations/Transfers/Upgrades

9. Roastown Coffee St Marks (Roastown Coffee St Marks Inc), 133 2nd Ave (trans/wb) (Pizzanini)

VOTE: To deny the transfer of a beer wine license to Roastown Coffee St Marks Inc., with a proposed business name of Roastown Coffee St Marks, for 133 Second Avenue, which is currently doing business as Pizzanini, 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 café, serving oriental and western fusion food during all hours of operation, 2) its hours of operation will be from 6:00 P.M. to 11:00 P.M. all days, 3) it will not have open doors or windows and will maintain a fixed facade, and 4) it will play ambient background music, consisting of recorded music only.

10. TKR Planners Inc, 108 E 4th St (trans/rw) (Knife & Fork Rest & Wine Bar)

VOTE: To deny the transfer of a beer wine license to TKR Planners Inc., for 108 East 4th Street, which is currently doing business as Knife & Fork Restaurant & Wine Bar, 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 4:00 P.M. to 12:00 A.M. all days, 3) it will close any doors and windows at 10:00 P.M. every night, and 4) it will play ambient background music, consisting of recorded music only.

11. Corp to be Formed, 58 E 1st St (trans/op) (The Elephant)

VOTE: As this applicant has entered into a Memorandum of Understanding with the First Street Block Association (attached hereto), Community Board #3 moves to deny the application to transfer the full on-premise liquor license to DCVHR58 Inc., whose principal is Dimitri Vlahakis, for 58 East 1st Street, which is currently doing business as The Elephant, 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 countryside Italian 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. all days, 3) any facade doors or windows will consist of double-paned insulated glass and will close by 10:00 P.M. weekdays and 11:00 P.M. weekends, 4) it will play ambient background music, consisting of recorded music only, 5) it will install additional soundproofing consistent with plans provided by a sound engineer, 6) it will not have any exterior bench seating, 7) it will install a sound system which does not have any bass or sub woofers, and 8) it will post signs on its façade asking patrons to be quiet.

New Liquor License Applications

12. Project 6 LLC, 87 Stanton St (op)

VOTE: To deny the application for a full on-premise liquor license for Project 6 LLC, 87 Stanton Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will operate as a full-service seafood restaurant and oyster bar, serving food to within one (1) hour of closing, 2) its hours of operation will be from 12:00 P.M. to 4:00 A.M. all days, 3) it will play ambient background music, consisting of recorded music only, 4) it will close any façade doors and windows by 10:00 P.M. every night, and 5) it will install adequate soundproofing.

13. Wackywok (Panasia Kitchen Ltd), 129 Ave D (wb)
withdrawn

14. Rivington Parlor LLC, 155 Rivington St (op)
withdrew - no vote necessary

15. Amazing 66 Restaurant (Amazing 66 Group Inc), 66 Mott St (wb)
withdrew - no vote necessary

16. Yuba Group LLC, 105 E 9th St (rw)

VOTE: As this applicant has entered into a Memorandum of Understanding with the East Village Owners and Renters Association (attached hereto), Community Board #3 moves to deny the application for a beer wine license for Yuba Group LLC, 105 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 full-service Japanese restaurant, serving food to within one (1) hour of closing, 2) its hours of operation will be from 11:30 A.M. to 11:30 P.M. Sundays through Thursdays and 11:30 A.M. to 12:30 A.M. Fridays and Saturdays, 3) it will not have French doors or windows, 4) it will play ambient background music, consisting of recorded music only, 5) it will install additional soundproofing, if necessary, 6) it will not seek to commercially use any outdoor space, including the sidewalk and any back or side yard, and 7) it will not seek to upgrade its license to a full on-premise liquor license for the length of its business.

17. Mama Juana Cafe, 107 Norfolk St (op)
withdrew - no vote necessary

18. Bizet LLC, 150 E 14th St (op)

VOTE: To deny the application for a full on-premise liquor license for Bizet LLC, 150 East 14th Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will operate as a full-service restaurant, serving burgers and other food during all hours of operation, 2) its hours of operation will be from 7:00 A.M. to 12:00 A.M. Sundays through Thursdays and 7:00 A.M. to 2:00 A.M. Fridays through Saturdays, 3) it will play ambient background music, consisting of recorded music only, 4) it will maintain a fixed plate glass façade with no open doors or windows, and 5) it will not commercially use the backyard.

(SLA & DCA Licensing Committee)

34 YES 0 NO 1 ABS 0 PNV MOTION PASSED

Arts & Cultural Affairs Task Force

1. FY '2012 Capital & Expense Priorities
no vote necessary

2. New Museum, Festival of Ideas for a New City, re: major downtown initiative next May that will bring together many cultural, educational and community organizations under a conceptual umbrella
no vote necessary

3. DYCD resources for arts education/arts in education in CB3's
no vote necessary

4. LMDC funding update
no vote necessary

5. Arts in Education Forum
no vote necessary

6. Art in Empty Storefronts
no vote necessary

Economic Development Committee

No report.

- 1. FY '2012 Capital & Expense Priorities

VOTE: To approve capital and expense budget priorities for FY 2012.

- 2. Introduction to new Avalon Bay Director of Retail and update on retail spaces at Avalon Bay development
no vote necessary

(Economic Development Committee)

34 YES 0 NO 1 ABS 0 PNV MOTION PASSED

Land Use, Zoning, Public & Private Housing Committee

(no quorum, recommendation only)

- 1. FY '2012 Capital & Expense Priorities

VOTE: To approve capital and expense budget priorities for FY 2012.

- 2. ULURP N110090ZRY: Zoning text amendment to clarify and preserve the intent of the zoning regulations in relation to the terms "development" and "building", as defined terms in the Zoning Resolution

VOTE: That CB#3 approve the ULURP # N110090ZRY zoning text amendments to clarify the intent of the zoning regulations in relations to the terms "Development" vs "Building" in the New York City's building code.

- 3. BSA 61-10 BZ: variance requested for 183 E Broadway to permit completion of construction of a 7-story building in R7-2 & C1-5 zoning District

VOTE: WHEREAS, Community Board #3 Land Use and Housing Committee has had extensive deliberations on the requested variance for 183 East Broadway; and

WHEREAS, 183 East Broadway has numerous zoning violations and is unfinished, and an eyesore and a blight on the immediate community due to its non-completion; and

WHEREAS, the owner has stated that the development initially received DOB's approval after 8 meetings, and later after construction was underway, that DOB's approval was subsequently determined to be incorrect; and

WHEREAS, Community Board #3 is uncomfortable that there is considerable uncertainty about the DOB rulings and wants this matter reviewed in the correct forum – The New York City's Board of Standards and Appeals; and

WHEREAS, Community Board #3 is concerned that our position on the particular variance not set a precedent for other housing development in the neighborhood; and

WHEREAS, Community Board #3 acknowledges that the owner has a long standing history in the community as a provider of jobs, and when requested to provide community benefits, has respond affirmatively by offering to rent the community facility space, the building's basement and first floor, to a not- for- profit organization at an agreed upon below market rate rent; and

WHEREAS, Community Board #3 urges transparency in the selection of the not-for-profit user of the community facility space, and request the owner to consider a longer lease term than 10 years, and or the right to renew for an additional 10 years with similar terms; now

THEREFORE, BE IT RESOLVED that Community Board #3 approves the requested Variance for 183 East Broadway.

- 4. 400-402 Grand St: support for TIL Program
no vote necessary

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

34 YES 0 NO 1 ABS 0 PNV (Excluding Item 3) MOTION PASSED

Item 3: 31 YES 0 NO 4 ABS 0 PNV MOTION PASSED

Human Services, Health, Disability, & Seniors Committee

(no quorum, recommendation only)

- 1. FY '2012 Capital & Expense Priorities

VOTE: To approve capital and expense budget priorities for FY 2012.

- 2. AAFE-presentation on programs and services available to help people stop smoking
no vote necessary

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

34 YES 0 NO 1 ABS 0 PNV MOTION PASSED

Youth & Education Committee

(no quorum, recommendation only)

- FY '2012 Capital & Expense Priorities

VOTE: To approve capital and expense budget priorities for FY 2012.

Chinatown Working Group: John Leo gave a report. Barden Prisant brought up concern of ACATF guest that "quality" of arts education in Chinatown is declining. John: This person can report to the CWG.

(Youth & Education Committee)

34 YES 0 NO 1 ABS 0 PNV MOTION PASSED

Members Present at Last Vote: (David Crane polled.)

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

Meeting Adjourned