



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD NO. 3

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Dominic Pisciotta, Board Chair

Susan Stetzer, District Manager

March 2012 Full Board Minutes

Meeting of Community Board #3 was held on Tuesday, March 27, 2012 at 6:30pm at PS 124, 40 Division Street.

Public Session:

- 1) Mabel Fu spoke re NYPL budget cuts.
- 2) Dan Barasch invited the community to attend open house at the Mark Miller Gallery Sunday April 1. They plan to open an underground or "lowline:" park.
- 3) Susan LaRosa requested support for a birthday party honoring the founder of Henry Street, Lillian Wald, and a street closing for it May 6 from 12 to 3.
- 4) Jessica Disbroe spoke about the Bar on A.
- 5) Dale Goodson spoke against the application for 200 Avenue A.
- 6) Patty King spoke about the Bar on A.
- 7) Anne Scareno supports the Bar on A. She is the owner.

David Ferri (no #) spoke against the take-out window at 56 Avenue C.

- 8) Lee Thatcher spoke to let the community know about the 6th Street Community Center's 35th Anniversary Benefit gala, and about its CSA – Community Supported Agriculture – program.
- 9) Naobi Perdomo from Grand Street Settlement spoke about the PATH project, which is a comprehensive adolescent pregnancy prevention program.
- 10) Mitchell Levine, a friend of the owner of the Bar on A, became aware of the problems she was having with the neighbors. One neighbor upstairs phones every day. The bar owner maintains a decibel meter. No violations have ever been reported because they monitor. Recently, over 60 City officials swarmed the building. They were given violations which will be fought. People abuse the 311 system, creating a vigilante system. They've lost about \$65000 of business because of these unfounded complaints.

The Department of Transportation was present to answer any questions about the Delancey Street Safety Project. Richard Ropiak had a question about the illumination on a turn on a narrow street south of Delancey. The answer is that the plan is to ban the southbound left turn 4/7 on Essex, onto Delancey. David Crane added that Clinton will be opened, reducing traffic on Norfolk. Clinton is two-way but will be converted to one-way northbound between Grand and Delancey. Anne Johnson recommends that there be traffic agents be there at all times. This can't be guaranteed now but will be observed. The question was asked whether the left turn ban from 8 – 11 and 4 – 7. The answer is that this is one of the least safe pedestrian points in the city. Research shows that a 24-7 ban is the most effective so people don't have to look at their watch or try to remember the hours.

Public Officials:

Mayor Michael Bloomberg, Pauline Yu: Absent

Public Advocate Bill de Blasio, Phil Jones: Absent

Comptroller John Lui, Sandra Ung: Absent

Borough President Scott Stringer, Jennifer Ashley: He wrote a letter to Chancellor Walcott about the rejection of the serving of meat treated with ammonia in the schools. He released a report on the DOB titled "Time to Rebuild," about reforming the DOB, dividing it into 2 agencies, one on safety, and one on development. She encourages people to look at the Budget Transparency Program on his website. A focus is on putting control of community grants into community-based panels.

Congressmember Jerrold Nadler, Daniel Weisfeld: Absent

Congressmember Nydia Velazquez, as a member of the Small Business Committee, she is working on encouraging female entrepreneurship. She has other press releases and announcements available such as reducing smoking in the Chinese community.

Congressmember Carolyn Maloney, Victor Montesinos: Absent

Assembly Speaker Sheldon Silver, Zach Bommer: An on-time budget was achieved today. As an advocate for education, he is glad to announce an \$805M education increase targeting high-needs schools. The last 3 years of the MTA's capital budget has been approved, assuring the 2nd Avenue Subway, the Fulton Street Station, and greener buses. He is supporting a gun buy-back program in part because of increased gun violence on the Lower East Side. 289 Grant Street had a fire a couple of years ago. The tenants signed \$1 agreements to keep their names on the leases. It went to court. The building will be rebuilt and the tenants will move back in. DNA database legislation was passed and a law protecting domestic violence victims. An E-waste recycling event will be held this Sunday 10 – 4, organized by the Lower East Side Ecology Center. He sadly notes the passing of CB3 board member Carolyn Jeffers. Susan Stetzer asked if MTA funding meant no fare hikes but the answer isn't in yet.

Assemblymember Deborah J. Glick, Sarah Malloy-Good: A full report is available in the back. NYS Division of Housing and Renewal addressed "phony demolition," restricting the definition so it is harder to demolish rent-regulated buildings. Her office will help negotiate tax issues affecting same-sex couples.

Assemblymember Brian Kavanagh, Marcela Medina (sp?): Their annual Health Fair will be May 20. They'll be sending emails. She will leave her cards in the back as this is her first presentation.

State Senator Daniel L. Squadron, Rosemarie Diaz: The passing of the budget is so new that details won't be available until tomorrow. It was Sunshine Week in Albany, dedicated to showing the importance of transparency in government. PS126 opened their library last week, helped by funds the Senator allocated when he had funds to allocate. April 22 is the next Community Forum. Details are on the website.

State Senator Thomas K. Duane, John Bartos: Absent

Councilmember Margaret Chin, Persephone Tan: She has newsletters in the back. She thanks CB3 for assisting Marilyn Louie's newsstand situation. A 3 months extension doesn't guarantee the solution she wants, but helps. She opposes the proposed co-location of Manhattan Charter School 2 as there are already 4 schools in this building. This would mix younger children with high school students. Chemical dependency clinics, specifically methadone, must involve community boards before their siting is approved. She is monitoring search and frisk rules.

Councilmember Rosie Mendez, Michele Burger: NYCHA's five-year plan is on-line. She outlined the 10 basic principles. She supports paid sick time. She supports the removal of derelict bikes from racks owned and managed by the DOT. The newsletter is available in the back.

Members Present at First Vote:

David Adams	[P]	Vaylateena Jones	[P]	Thomas Parker	[A]
Karen Blatt	[P]	Meghan Joye	[P]	Dominic Pisciotta	[P]
Jimmy Cheng	[P]	Joel Kaplan	[A]	Carolyn Ratcliffe	[A]
David Conn	[A]	Lisa Kaplan	[P]	Joyce Ravitz	[A]
David Crane	[P]	Carol Kostik	[P]	Lois M. Regan	[P]
Natasha Dillon	[A]	John Leo	[P]	Janet Riesel	[A]
Harvey Epstein	[P]	Ricky Leung	[P]	Carlina Rivera	[P]
Morris Fajtelewicz	[P]	Sam Leung	[A]	Richard F. Ropiak	[P]
Flora Ferng	[P]	Gigi Li	[P]	Susan Scheer	[A]
Rabbi Y. S. Ginzberg	[P]	William LoSasso	[P]	Nancy Sparrow-Bartow	[P]
Gloria Goldenberg	[P]	Bernard Marti	[P]	Gary Tai	[A]
Jan Hanvik	[P]	David McWater	[A]	Elinor Tatum	[P]
Herman F. Hewitt	[P]	Charlotte Miles	[A]	Rodney Washington	[P]
Simon Huang	[A]	Alexandra Militano	[P]	Jack Waters	[P]
Anne K. Johnson	[P]	Chiun Ng	[P]	Justin Yu	[P]
Linda Jones	[P]	Ariel Palitz	[P]	Thomas Yu	[P]

Minutes:

Minutes of January 2012 were approved, as is.

(January Minutes)

35 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Board Chairperson's Report:

Chairperson Dominic Pisciotta

- 1) He acknowledges the passing of Carolyn Jeffers. Information on services for her this Thursday at Mariners Baptist Temple are available by email. 2) All Chairs should know there is an update to the Open Meetings Law. If you're going to use substantive documents, anything to be made available for discussion, must be put up online as much in advance of the meeting as possible. 3) There is a new Assistant District Manager Juliana Dubovsky starting tomorrow. Please welcome her. She has a strong planning background. 5) The Seward Park Mixed Use Development Project will be discussed April 18 at a public meeting. The ULURP will be voted on at the next board meeting. There were concerns about big box stores. 2 stores on Delancey and 3 on Broome are required, which limits mid- or big-box stores, so they can't take space on the ground floor, but could on the second. The text of the ULURP will be on the CB3 website tomorrow.

District Manager's Report:

District Manager Susan Stetzer

- 1) She explained the newsstand issue. A one-month extension was granted. Now she has a three-month extension. More locations in the vicinity are being reviewed. 2) The Open Meeting Law: We will be attaching links on the calendar e.g. in the situation on the ULURP. 3) Minutes and Vote Sheets will be in future on the website, not just distributed to board members. 4) CB3 faces a \$12K cut. If not restored, we can't continue to exist as we have. 5) There is a DRAFT calendar. Parks will be scheduled on a non-traditional day. 6) Re the legislation of locating substance abuse clinics, community boards will be more involved in future. 7) Department of Planning is having 2 meetings 3/29 and 4/2 at Spector Hall, 22 Reade Street, re Manhattan Core Off-Street Parking.

Committee Reports:

DP reported on the Henry Street street closing. The E.C. voted in favor of it, and to fill the Treasurer vacancy. The latter is not voted on at full board. It was voted on in E.C.

Executive Committee

1. **VOTE:** Support for Henry Street Settlement Birthday party street closure - May 6th, 2012 (btwn Montgomery & Grand Street). Given that Henry Street Settlement, a 145-yr old organization, wanting to create an event for outreach, promotion for summer youth programs, meals on wheels, and work force development. However they have not been aware of time-line process, but due to time sensitivity, Community Board 3 will support the event.
2. **VOTE:** Vote to fill Treasurer vacancy. CB-3 has installed William LoSasso to fill the vacancy of treasurer of Community Board 3.

Transportation & Public Safety and Environment Committee

Lisa Kaplan asked about # 4. David Crane mentioned that the agencies should have consistent policies on hours when work can be done, e.g. on weekends, and what kind of community outreach they need to do. She'll vote "no" on it but doesn't want it pulled for separate vote. Harvey Epstein asks for a revision of language.

1. Delancey Street Pedestrian Safety Plan, various improvements between the Bowery and Clinton St
VOTE: A vote was called on this item only at 7:30 PM.

VOTE: Resolution Supporting the Delancey Street Pedestrian Safety Plan

WHEREAS, DOT has presented a Delancey Street Pedestrian Safety Plan that incorporated many ideas that had been discussed for the past few months in the Delancey Street working group being led by Daniel Squadron, with participation by various City agencies, local elected officials and the CB3 District Manager and Transportation Committee Chair. The plan had also been presented in February and was enhanced to address some public and committee concerns. DOT plans to begin installation starting in May 2012; and

WHEREAS, The Delancey Street Pedestrian Safety Plan would make the following changes to the sidewalks and street network to increase pedestrian safety:

- Shorten crosswalks at 14 of 19 locations on the Delancey corridor with new neckdowns and median tip extensions. Pedestrian crossing distances would be reduced by a minimum of 5 feet, up to a 49 foot reduction at Clinton St.
- Convert Clinton St between Grand and Delancey to one-way north-bound, allowing easier and conflict-free access to the Williamsburg Bridge from the FDR Drive. This would restore the traffic pattern that had been in effect before work on the bridge began many years ago.
- Improve corridor traffic flow with full time left-turn bans from southbound Essex to Delancey, eastbound Delancey to Chrystie, and eastbound Delancey to Allen. Also, with right-turn only lanes off the westbound Williamsburg Bridge onto Clinton and

off westbound Delancey onto Essex, both of which will allow reduction of pedestrian crossing distances.

- Investigate signal timing modifications to allow for longer crossing time. For example, 8 seconds will be added for pedestrians to cross Delancey at the Clinton St crosswalk.
- Create new public space between Norfolk and Clinton St on the south side of Delancey St, using pavement markings and plastic posts, with planters or other amenities/street furniture. This would replace the two blocks of what are currently the service road; and

WHEREAS, DOT has adjusted the plan to address community and committee concerns raised at the February presentation:

- Improve safety at Grand St at Clinton St, where there are many pedestrians and where there will be many right turn movements. A leading pedestrian signal interval will be added to the light cycle in the crosswalk on Grand St. Left turns from eastbound Grand onto Clinton will be banned. Plastic posts will be installed to separate the bike lanes from the vehicle lane.
- Realign Essex St to improve southbound traffic flow, where there is a bus stop for the M14A and M9 routes. By removing four metered parking spaces and repositioning the traffic lanes, all four lanes will actually be wider than today, and there will be a marked curb lane with sufficient room for busses to pull to the curb.
- Increase pedestrian crossing time at the Delancey and Clinton crosswalk by eight seconds. The crosswalks will be repainted to align more clearly with the entrances through the concrete vehicle barrier; and

WHEREAS, Essex St and Delancey St is an accident-prone location. More pedestrians are injured at this intersection than any other along this corridor: 39 injuries between 2006-2010 (compared to 14 at Chrystie and at the Bowery), with 3 pedestrian fatalities between 2006-2012. The left-turn movement currently allowed from southbound Essex onto eastbound Delancey aggravates congestion and threatens pedestrian safety. Failure to yield by vehicles making left-turn movements is clearly a contributing factor in pedestrian injuries: 49% of pedestrian crashes along the corridor occurred when pedestrians were crossing with the walk signal (compared to 26% for the rest of Manhattan); and

WHEREAS, there is currently a limited time of day left-turn ban (during the 4-7pm M-F rush hour) from southbound Essex onto eastbound Delancey. Traffic headed to the Williamsburg Bridge tends to turn left on Broome, then left onto Norfolk, then right onto Delancey. About half of the traffic currently taking Norfolk St from Grand to Delancey is expected to relocate onto Clinton St, which is being opened for access to the Williamsburg Bridge. Therefore, instituting a full-time left-turn ban from southbound Essex onto eastbound Delancey should not increase congestion on Norfolk St, while reducing congestion on Essex St and increasing pedestrian safety; and

THEREFORE, BE IT RESOLVED, CB3-Manhattan supports the installation of all Delancey Street Pedestrian Safety Plan improvements discussed by DOT at the February and March transportation committee meetings.

2. No Parking/Standing signage at School at 101 Norfolk Street

VOTE: WHEREAS, Comprehensive Kids Developmental School (CKDS), located at 101 Norfolk St, has requested "No Standing" signage. This would accommodate about 4 minivan-sized school buses on Norfolk St, by the corner of Delancey St in front of the school's main entrance. Because the busses must turn off Delancey St onto northbound Norfolk St, it is important that there be enough room for all busses to pull to the curb; and

WHEREAS, CKDS is a New York State Department of Education funded preschool serving children ages 3-5 years of age with developmental delays; and

WHEREAS, CKDS is a multi-cultural, multilingual program providing an educational program to children and families representing more than one dozen nationalities; and

WHEREAS, CKDS provides educational and therapeutic services to children diagnosed with autism, cerebral palsy, Down syndrome, hearing impairments and other physical, emotional and mental disabilities; and

WHEREAS, CKDS has experienced rapid growth since its inception in 2007 and in continuing to expand to meet the needs of community children and their families at 383 Grand Street as well as 101 Norfolk Street; and

WHEREAS, CKDS students require adaptive equipment including but not limited to arm splints, leg braces, wheelchairs, travel chairs and protective helmets; and

WHEREAS, More than ten Department of Transportation (DOT) busses provide daily transportation, Monday through Friday, in the morning and in the afternoon, in accordance with the NYC Board of Education calendar; and

WHEREAS, There are approximately 60 children with developmental delays who must enter into the street and maneuver around both parked and parking cars to access the sidewalk; now

THEREFORE, BE IT RESOLVED, that CB3-Manhattan supports installation of a "No Standing" zone on Mon-Fri (on school days) 7:30-10 am and 1:30-4:00 pm at 101 Norfolk St in front of the entrance to the Comprehensive Kids Developmental School.

3. Request for No Standing Signage in front of Comprehensive Kids Developmental School at 383 Grand Street

withdrawn

4. Consistency in permitted weekend work hours by City agencies such as DOT, DOB

VOTE: Resolution Requesting Consistency in Permitted Weekend Work Hours by City Agencies

WHEREAS, City agencies have different regulations regarding noisy weekend work, for example the Dept of Buildings does not allow Saturday work before 9 and no Sunday work, and also works with the community to avoid negative impacts, but Dept of Transportation permits noisy work at all hours all weekend and does not notify or consult with the community to alleviate negative impact; and

WHEREAS, the community has unnecessary impacts from nonemergency work; and

WHEREAS, the inconsistent noisy work by one agency defeats the efforts of other agencies to regulate these impacts; and

WHEREAS, agency regulations regarding noisy weekend work should reflect nature and needs of community; and

WHEREAS, agencies should have consistent hours for nonemergency work and consistent methods of working with communities for notification and mitigating impact and respecting needs of community where possible, such as currently implemented by Dept of Buildings by posting permits on the web and consulting with the community boards and elected officials; now

THEREFORE, BE IT RESOLVED, CB3-Manhattan asks that DOT to limit non-emergency weekend work to 9 – 5 and provide advance notice at affected community boards. Furthermore, Community Board 3 requests that all City Agencies to coordinate community relations practices.

5. DOT traffic plan for Division Street between Market and Bowery
Gigi Li asked to have this sent back to committee as a business owner was not aware of this until hearing about it at meeting tonight. DOT did not do outreach, seems to be the concern. SS; The agencies don't do outreach on such issues, only on huge issues. Gigi: It's a translation issue in part. Justin Yu says it has been publicized in the Chinese media. Several people stated that it's improper to refer items back to committee because otherwise at every meeting, every dissatisfied person could say they didn't know about an issue, which is publicized in advance on the CB3 website, and ask to have it referred back.

VOTE: CB3-Manhattan supports the DOT traffic plan for Division Street between Market and Bowery. This will convert some of the roadbed into 6500 square feet of pedestrian space using planters, plastic posts and pavement markings. Street-side parking would be moved away from the curb lane. There will still be two travel lanes in the westbound direction. This plan will prevent the casino busses that congregate and double park in the area, which has been causing traffic congestion and a lot of crowds and sidewalk congestion near P.S. 124.

6. Pitt Street between Delancey north and South, (under bridge)- remove cobblestone and z-brick for resurfacing

Morris Faiteliwicz asked if the cobblestones could be re-used. The answer was no.

VOTE: CB3-Manhattan supports the DOT plan to replace the disrepaired section of cobblestone on Pitt St under the Williamsburg Bridge with pavement resurfacing. These cobblestones are not historic and the disrepair is causing a safety hazard.

7. Support for PS 42 request to DOT to investigate all-way stop signs and speed humps on Hester/Orchard, and Hester/Ludlow for school safety measures.

VOTE: CB3-Manhattan asks DOT to determine whether traffic-calming measures are warranted outside PS 42 near the intersections of Hester and Orchard St and of Hester and Ludlow St. There is a lot of commercial vehicle traffic in this area. A lot of vehicles also divert from Canal onto Orchard St, from Grand onto Ludlow St, and from Allen onto Hester St. Measures such as stop signs and speed humps are probably warranted to protect the preK-5 children at PS 42, and the MCCS day care on Grand and Orchard St.

8. Request to support grant request for feasibility study for a stand-alone redemption center in the East Village

VOTE: Request to support grant for feasibility study for a stand-alone redemption center

WHEREAS, the New York State Returnable Container Act, also known as the "Bottle Bill", has had a significant impact on and created a cleaner and healthier New York by reducing roadside container litter by 70 percent and recycling 90 billion containers, equal to 6 million tons of materials, which is an important step towards improving our footstep on our environment; and

WHEREAS, the bill favors upstate communities in which residents do not live next door to recycling centers usually attached to supermarkets in malls or surrounded by large parking lots. In New York City, however, most businesses required to recycle are directly next door to residential buildings and on residential streets. The resulting problems are numerous and include noise, loitering, health hazards and more; and

WHEREAS, if a stand-alone redemption center existed in our community, nearby businesses would be released from many recycling requirements; jobs would be created, hours could be tailored to meet the needs of recyclers and the problems associated with recycling next to residences would be removed and or greatly reduced; and

WHEREAS, All the Way E 4th St Block Association and a community partner to be identified is seeking funds for a feasibility study for placing a stand-alone redemption center in the East Village area; now

THEREFORE, BE IS RESOLVED that CB3-Manhattan supports their request for funding for the feasibility study for a stand along redemption center.

Human Services, Health, Disability, & Seniors / Youth & Education Committee

No report.

1. Access-a-ride language issues
no vote necessary
2. Introduction to Streetworks LES Drop in (Safe Horizon)
no vote necessary
3. Review of Senior Inventory/Senior Services Issues
no vote necessary

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

No report.

1. Coleman Oval: updated skate park design and future projects that will be coordinated at Coleman Oval though the Adopt a Park agreement between Parks and Architecture for Humanity.
no vote necessary
2. Parks: upcoming improvements at Hamilton Fish Recreation Center
no vote necessary
3. Follow up concerns regarding park permitting process a) light share arrangements for night games, b)use of youth permits by adult programs, c) imbalanced granting of time slots)lack of open playing space/open play time
no vote necessary
4. Parks Event: 4th Annual Asian Immigrant Days, 5/5-5/6, SDR Park
no vote necessary

Arts & Cultural Affairs Task Force

1. Lower East Side Arts Jobs Training Program
no vote necessary

2. DesigNYC: 4 LES groups (out of 16 citywide) receive DesigNYC awards
no vote necessary
3. Request to cosponsor application for the NEA/Our Town grant to support arts & design organization / community projects
no vote necessary
4. LES Arts & Culture in Transportation Alternative's Bicycle Friendly Districts
no vote necessary

SLA & DCA Licensing Committee

Richard Ropiak asked about Item # 23, about not approving licenses mid-block. Lisa Kaplan said the person runs a falafel store. It's a little stand, not a bar in any sense. He's an immigrant entrepreneur. RR: In January, we had 2 similar items. One we passed, as many knew the local person. The other didn't, as a lot of people didn't show up to support it. Carlina reported that not everyone on the Committee agrees with the policy, therefore they grant variations to it. DP: We strive for consistency and fairness. Disagreement with policy must be brought to the board. It should be put on next month's SLA Policy Committee agenda.

Corporate Change

1. Luzzo's (Luzzo's 211 LLC), 211 1st Ave (op)
withdrawn
2. The Dressing Room Boutique & Bar (Nikki Max Enterprises LLC), 75 Orchard St (op)
no vote necessary

Applications within Resolution Areas

3. Yong Fa Restaurant Inc, 507 E 6th St (wb)
no vote necessary
4. San Matteo Panuozzeria E Birra (San Matteo Panuozzeria Inc), 121 St Marks Pl (b)
no vote necessary
5. Ave A Hospitality LLC, 200 Ave A (op)

VOTE: **WHEREAS**, Ave A Hospitality LLC has requested a rehearing of its application for a full on-premise liquor license for a restaurant and art gallery, to be located at 200 Avenue A, with a certificate of occupancy of one hundred fifty (150) people, nineteen (19) tables and fifty-two (52) seats, a twenty-four (24) foot bar with twelve (12) stools, hours of operation of 11:00 A.M. to 12:00 A.M. Sundays through Tuesdays and 11:00 A.M. to 2:00 A.M. Wednesdays through Saturdays, live musicians, DJs, promoted events and scheduled performances; and

WHEREAS, the same applicant was previously heard and denied by this community board as the corporation Not A Bookstore LLC, with all elements of its application the same, **expect its hours which have now been amended**, in April of 2011, and said application is still pending before the SLA; and

WHEREAS, this applicant has again met with the North Avenue A Neighbors Association and is proposing to decrease its hours from 11:00 A.M. to 2:00 A.M. Sundays through Tuesdays and 11:00 A.M. to 4:00 A.M. Wednesdays through Saturdays to those stated above, but continues to propose a method of operation which includes live musicians, DJs, promoted events and scheduled performances, all of which, including the newly proposed hours, are still inconsistent from other restaurants in the area which close by 12:00 A.M., and which will be detrimental to an already overburdened neighborhood; and

WHEREAS, there are at least twenty-one (21) full on-premise liquor licenses within five hundred (500) feet of 200 Avenue A, nine (9) of those located within the same block of Avenue A from 12th to 13th Streets, as well as one (1) tavern wine license, and at least eight (8) of these licensed establishments have 4:00 A.M. closing times; and

WHEREAS, the 9th Precinct complains that upper Avenue A has nighttime noise and traffic congestion issues because of the existing number of licensed establishments, and area residents complain about sleepless nights, dangerous traffic conditions and the necessity of walking in the street at nighttime because the sidewalks are overcrowded with patrons from all of the existing businesses; and

WHEREAS, there is no public benefit in the addition of another restaurant and art gallery in a district well known for its numerous restaurants, art galleries and live work spaces for artists, and in an immediate area in which there are twenty (20) art galleries without any liquor licenses; and

WHEREAS, this premise had been previously approved by this community board to operate as Rapture Café and Bookstore with stipulations that the service of alcohol would be incidental to that operation, it would reserve the majority of its layout for book shelves, not have DJs or live musicians, close its backyard at 9:00 P.M. every night and close no later than 2:00 A.M. every night, but it immediately violated the aforementioned stipulations by hosting scheduled live performances and closing at 4:00 A.M., then closed, filed an endorsement with the SLA without notice to the community board and reopened as a bar, doing business as Superdive, with keg service, unlimited drink specials and a 4:00 A.M. closing time; and

WHEREAS, the landlord of this premise which allowed Rapture Café and Bookstore and Superdive to operate to operate in methods inconsistent from their agreements with this community is now a principal in the pending application; and

WHEREAS, even with the slight amendment of its hours, community residents still voice extreme opposition to this application for all of the above-stated reasons; now

THEREFORE, that Community Board #3 again moves to deny a full on-premise liquor license for Ave A Hospitality LLC, for the premise located at 200 Avenue A.

6. Todd's Mill (162 Orchard Corp), 162 Orchard St (op)

VOTE: Understanding that this is an asset sale of a preexisting business, to deny the application for a full on-premise liquor license for 162 Orchard Corp., with a proposed business name of Todd's Mill, for the premise located at 162 Orchard Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will operate as a full-service restaurant, serving food during all hours of operation, 2) its hours of operation will be 9:00 A.M. to 2:00 A.M. Sundays through Thursdays and 9:00 A.M. to 4:00 A.M. Fridays and Saturdays, 3) it will play ambient background music only, consisting of recorded music, and not have DJs, live music, promoted events, scheduled performances or any event at which a cover fee will be charged, 4) it will close any façade doors or windows at 10:00 P.M. every night, and 5) it will employ one (1) security guard on weekends and additional security as needed.

7. Bikinis, 56 Ave C (wb)

VOTE: To deny the application for a beer wine license for a corporation to be determined, with principals Petrit Pula and Karina Correa and a proposed business name of Bikinis, for the premise located at 56 Avenue C, 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 food during all hours of operation, 2) its hours of operation will be 11:00 A.M. to 12:00 A.M. all days, 3) it will play ambient background music only, consisting of recorded music, and not have DJs, live music, promoted events, scheduled performances or any event at which a cover fee will be charged, 4) it will close any façade doors or windows at 10:00 P.M. every night, and 5) it will not commercially use the backyard for a period of two (2) years at which time it may revisit its use with the community board.

8. Babel, 129 Ave C (op)
withdrawn

9. 116 Avenue C Restaurant LLC, 116 Ave C (op)

VOTE: Understanding that this is an asset sale of a preexisting business, to deny the application for a full on-premise liquor license for 116 Avenue C Restaurant LLC, for the premise located at 116 Avenue C, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will operate a tavern, serving food during all hours of operation, 2) it will play ambient background music only, consisting of recorded music, and not have DJs, live music, promoted events, scheduled performances or any event at which a cover fee will be charged, and 3) it will maintain a closed fixed façade with no open doors or windows.
or windows.

10. To be Determined, 157 Ludlow St (op)
withdrawn

11. Drop Off Service, 211 Ave A (op)

VOTE: Understanding that this is an asset sale of a preexisting business and that the present applicants have been managers at this location for six (6) years and will maintain its method of operation and business name, to approve the full on-premise liquor license for a corporation to be determined, with principals Martin Kynaston and Laura Morand, doing business as Drop Off Service, for the premise located at 211 Avenue A.

12. The Skinny Bar Lounge (Orchid Street Enterprises LLC), 174 Orchard St (op/expand into adjacent space)

VOTE: To deny the application for an alteration of a full on-premise liquor license for Orchard Street Enterprises LLC, doing business as The Skinny Bar Lounge, 174 Orchard Street, to wit expanding its business presently located in the storefront 174A Orchard Street to the storefront 174B 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 a tavern, 2) its hours of operation will be 12:00 P.M. to 4:00 A.M. all days, 3) it will play recorded music and have DJs but not have live music, promoted events, scheduled performances or any event at which a cover fee will be charged, and 4) it will close any façade doors or windows by 10:00 P.M. every night, and 5) it will increase security, if needed. Community Board #3 is approving this alteration although this is a location in an area with numerous licensed premises because this is an extension of a preexisting business which has been operating for the past eight (8) years.

Alterations

13. Prime & Beyond (Prime & Beyond NY Inc), 90 E 10th St (wb/extend to backyard)
withdrawn
14. Wechslers (Eichstatt LLC), 120 1st Ave (wb/extend to backyard)
withdrawn
15. Sorella (Piedmont Hospitality LLC), 95 Allen St (op/expanding into adjacent space)
withdrawn
16. 93 Ludlow St Inc, 95 Delancey St (op/extend license to 2nd & 3rd Floors)
withdrawn

New Liquor License Applications

17. Hotel East Houston (Soho New York Lodging LLC), 151 E Houston St (op)
withdrawn
18. The Little Fox (The Fuzzy Wuzzy LLC), 96 Orchard St (op)
VOTE: To deny the application for a full on-premise liquor license for The Fuzzy Wuzzy LLC, with a proposed business name of The Little Fox, for the premise located at 96 Orchard Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will operate as a full-service restaurant, serving food during all hours of operation, 2) its hours of operation will be 11:00 A.M. to 12:00 A.M. Sundays through Thursdays and 11:00 A.M. to 2:00 A.M. Fridays and Saturdays, 3) it will play ambient background music only, consisting of recorded music, and not have DJs, live music, promoted events, scheduled performances or any event at which a cover fee will be charged, and 4) it will maintain a closed fixed façade with no open doors or windows.
19. Malaimarke Inc, 318 E 6th St (bw)
VOTE: To deny the application for a beer wine license for Malaimarke Inc., for the premise located at 318 East 6th 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 Indian restaurant, serving food during all hours of operation, 2) its hours of operation will be 11:00 A.M. to 12:00 A.M. Sundays through Thursdays and 11:00 A.M. to 3:00 A.M. Fridays and Saturdays, 3) it will play ambient background music only, consisting of recorded music, and not have DJs, live music, promoted events, scheduled performances or any event at which a cover fee will be charged, and 4) it will maintain a closed fixed façade with no open doors or windows.
20. Food World Restaurant (Food World Restaurant Inc), 19 Eldridge Street (b)
VOTE: To deny the application for a beer license for Food World Restaurant Inc., doing business as Food World Restaurant, for the premise located at 19 Eldridge Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will operate as a full-service Chinese restaurant, serving food to within one (1) hour of closing, 2) its hours of operation will be 10:00 A.M. to 3:00 A.M. all days, 3) it will play ambient background music only, consisting of recorded music, and not have DJs, live music, promoted events, scheduled performances or any event at which a cover fee will be charged, and 4) it will maintain a closed fixed façade with no open doors or windows.
21. Lo-Fi (KAD LLC), 21 Essex St (op)
THIS WAS CHANGED TO A VOTE TO DENY BECAUSE THE STIPULATIONS WERE NOT RECEIVED.
VOTE: To deny the application for a full on-premise liquor license for KAD LLC, with a proposed business name of Lo-Fi, for the premise located at 21 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 tavern, serving food during all hours of operation, 2) its hours of operation will be 4:00 P.M. to 2:00 A.M. all days, 3) it will play ambient background music only, consisting of recorded music, and not have DJs, live music, promoted events, scheduled performances or any event at which a cover fee will be charged, and 4) it will close any façade doors and windows at 10:00 P.M. every day. Applicant did not agree to stipulations, therefore the Community Board denies this application.
22. Village Grill 82 Inc, 202 2nd Ave (wb)
VOTE: To deny the application for a beer wine license for Village Grill 82 Inc., 202 Second Avenue, because the applicant did not appear before Community Board #3 for review of its application or provide any application materials for review.
23. Sahara Citi, 137 E 13th St (wb)
VOTE (THIS MOTION DID NOT PASS): To deny the beer wine license for Sahara Citi Restaurant Inc., with a proposed business name of Sahara Citi, for the premise located at 137 East 13th Street,

because this location had been a grandfathered noncompliant commercial use, to wit a video store, on a side street which is zoned residential and such use was permitted to serve local retail needs and Community Board #3 believes such use should not be extended to eating and drinking establishments on side streets where they are not permitted under existing zoning and did not previously exist and, further, believes that approving a beer wine license for an eating and drinking establishment at this location is an extension of this noncompliant use.

VOTE (THIS MOTION PASSED): To deny the application for a beer wine license for Sahara Citi Restaurant Inc., with a proposed business name of Sahara Citi, for the premise located at 137 East 13th 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 Mediterranean restaurant, serving food during all hours of operation, 2) its hours of operation will be 11:00 A.M. to 12:00 A.M. all days, 3) it will play ambient background music only, consisting of recorded music, and not have DJs, live music, promoted events, scheduled performances or any event at which a cover fee will be charged, and 4) it will close any façade doors and windows at 10:00 P.M. every day.

24. Mi Casa Es Su Casa Restaurant Lounge Inc, 140 Orchard St (wb)

VOTE: To deny the application for a beer wine license for Mi Casa Es Su Casa Restaurant Lounge Inc., for the premise located at 140 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 Latin restaurant, serving food to within one (1) hour of closing, 2) its hours of operation will be 11:00 A.M. to 10:00 P.M. Sundays through Wednesdays and 11:00 A.M. to 1:00 A.M. Thursdays through Saturdays, 3) it will play ambient background music only, consisting of recorded music, and not have DJs, promoted events, scheduled performances or any event at which a cover fee will be charged, and may have live unamplified musicians Fridays and Saturdays, and 4) it will close any façade doors and windows at 10:00 P.M. every day and while live musicians are playing.

25. To be Determined, 176 Delancey St (op)
withdrawn

26. Iconic Hand Rolls (IHR One LLC), 83 St Marks Pl aka 135 1st Ave (wb)

VOTE: To deny the application for a beer wine license for IHR One LLC, with a proposed business name of Iconic Hand Rolls, for the premise located at 83 St. Marks Place a/k/a 135 First Avenue, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will operate as a full-service Japanese restaurant, serving food during all hours of operation, 2) its hours of operation will be 12:00 P.M. to 12:00 A.M. all days, and 3) it will play ambient background music only, consisting of recorded music, and not have DJs, live music, promoted events, scheduled performances or any event at which a cover fee will be charged.

27. Angelica Kitchen Inc, 300 E 12th St (wb)

VOTE: To deny the application for a beer wine license for Angelica Kitchen Inc., doing business as Angelica Kitchen, for the premise located at 300 East 12th 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 food during all hours of operation, 2) its hours of operation will be 11:30 A.M. to 10:30 P.M. all days, 3) it will play ambient background music only, consisting of recorded music, and not have DJs, live music, promoted events, scheduled performances or any event at which a cover fee will be charged, and 4) it will close any façade doors and windows at 10:00 P.M. every day.

28. Keybar, 134 Orchard St (op)
withdrawn

29. Zoe (Zoe Brown Bear LLC), 245 Eldridge St (op)

VOTE: As this applicant has entered in a Memorandum of Understanding with the Eldridge Street Block Association (attached hereto), Community Board #3 moves to deny the application to upgrade to a full on-premise liquor license for Zoe Brown Bear LLC, doing business as Zoe, for the premise located at 245 Eldridge Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will operate as a full-service restaurant, serving food to within one (1) hour of closing, 2) its hours of operation will be 8:00 A.M. to 12:00 A.M. Sundays through Thursdays and 8:00 A.M. to 2:00 A.M. Fridays and Saturdays, 3) it will play ambient background music only, consisting of recorded music, and not have DJs, live music, promoted events, scheduled performances or any event at which a cover fee will be charged, 4) it will close any façade doors and windows at 10:00 P.M. every day, 5) it will not apply for a sidewalk café permit, and 6) it designate an employee to disperse patrons in front of the business.

SLA Policy Task Force (March 28, Public Hearing Only)

Meghan Joye brought up several concerns which will be brought up at the next Task Force meeting.

1. Reso area changes regarding hours for beer/wine applicants
no vote necessary
2. Request for SLA rule change to have licensees notify Community Boards when applying for changes in stipulations or other Method of Operation changes

no vote necessary

Economic Development Committee

1. Small Business Development Center: suggestions for businesses dealing with raising rents
no vote necessary
2. Presentation by Pratt: Formula Retail Zoning and NYC Special Districts
no vote necessary
3. Review of Special Purpose Districts in NYC
no vote necessary

Land Use, Zoning, Public & Private Housing Committee

Thursday, March 8th Meeting

- Seward Park ULURP: City to Present Outline of Draft ULURP Application, including Land Use Actions and Illustrative Site Plan Drawings
no vote necessary

Wednesday, March 21st Meeting

- 314 E 2nd St: new building utilizing floor area bonus under Inclusionary Housing Program
VOTE: WHEREAS the proposed building at 314 E 2nd Street is being built consistent with LES rezoning, including inclusionary housing; and

WHEREAS the building will have 135 units, 30 of which will be affordable; and

WHEREAS in-building amenities that are available to market-rate tenants will also be affordable for residents at 40% AMI; now

THEREFORE BE IT RESOLVED CB3 supports the project at 314 E 2nd Street.

Gigi Li: Chinatown Working Group meets Monday.

Outreach Committee: April 1 is re-appointments deadline

Richard Ropiak: Lois Regon was not reappointed and he hopes her talents will be considered In a future re-appointment. DP encourages her to apply as a Public Member to serve on any committee.

(Transportation Item 1)

35 YES 0 NO 0 ABS 0 PNV MOTION PASSED

(March 2012 Vote Sheet excluding Transportation Item 1)

36 YES 0 NO 0 ABS 0 PNV MOTION PASSED (excluding SLA item 23)

35 YES 1 NO 0 ABS 0 PNV MOTION PASSED (SLA item 23)

Members Present at Last Vote:

David Adams	[P]	Vaylateena Jones	[P]	Thomas Parker	[A]
Karen Blatt	[P]	Meghan Joye	[P]	Dominic Pisciotta	[P]
Jimmy Cheng	[P]	Joel Kaplan	[A]	Carolyn Ratcliffe	[A]
David Conn	[A]	Lisa Kaplan	[P]	Joyce Ravitz	[A]
David Crane	[P]	Carol Kostik	[P]	Lois M. Regan	[P]
Natasha Dillon	[A]	John Leo	[P]	Janet Riesel	[A]
Harvey Epstein	[P]	Ricky Leung	[P]	Carlina Rivera	[P]
Morris Fajtelewicz	[P]	Sam Leung	[A]	Richard F. Ropiak	[P]
Flora Ferng	[P]	Gigi Li	[P]	Susan Scheer	[A]
Rabbi Y. S. Ginzberg	[P]	William LoSasso	[P]	Nancy Sparrow-Bartow	[P]
Gloria Goldenberg	[P]	Bernard Marti	[P]	Gary Tai	[P]
Jan Hanvik	[P]	David McWater	[A]	Elinor Tatum	[P]
Herman F. Hewitt	[P]	Charlotte Miles	[A]	Rodney Washington	[P]
Simon Huang	[A]	Alexandra Militano	[P]	Jack Waters	[P]
Anne K. Johnson	[P]	Chiun Ng	[P]	Justin Yu	[P]
Linda Jones	[P]	Ariel Palitz	[P]	Thomas Yu	[P]

Meeting Adjourned 8:15 PM