



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

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

Gigi Li, Board Chair

Susan Stetzer, District Manager

January 2014 Full Board Minutes

Meeting of Community Board #3 held on Tuesday, January 28, 2014 at 6:30pm at PS 20, 166 Essex Street.

Public Session:

East 4th St. A/B Block Assoc speaking in support of SLA item 6 (denial of application of Love Craft):
Ellyse di Paola: We endorse full denial of SLA Committee item 6.

Clint Smelter: Spoke against Love Craft

Mark Henney: Applicant has refused to sign the stipulation we agreed to.

Michella Peck: We are worried this will become a club, which is what we lived with for 8 years. There was lots of noise (crowds, horns honking).

Christopher Erato: We negotiated in good faith and we pay high rents. We should not have to put up with this.

Casey Fvetsch: Lives above the proposed sight and does not believe the building can be properly sound proofed

Sharona Hirsch: Concerned that noise of pedestrians coming and going from the club would be too noisy

Luke Henry: We came up with a compromise after two hours of discussion, and the applicant should honor it

Carole Kostik: Asked whether any members had questions about the Task Force procedures. The only major change is the addition of a recommendation that people submit their ideas through a letter to the task force

Steve Zeitlin: Speaking about City Lore – a non-profits that promotes culture in the community. We have a new home that includes a gallery space.

Larry Hardison (Allied Health Career Pipeline Program): Offer free healthcare job training (CAN, medical assistant, pharmacy tech, patient care tech).

Roni Taradask (Community Healthcare Network): We offer a wide range of healthcare services for a wide range of age groups.

Vaylateena Jones: We are having a community night on February 1 (he has fliers)

Nick Dijoro: Thank you for your service.

P.O. Nicky Teo: We have a new email program for people to receive information from the NYPD.

Public Officials:

Mayor Bill de Blasio, Pauline Yu: Not Present

Public Advocate Letitia James: Not Present

Comptroller Scott Stringer: Not Present

Borough President Gale Brewer

(Jessica Mates): We are still staffing the office, and we will have a community liaison for your board soon.

Gale Brewer: We are starting an initiative of better information sharing among community boards. We are also going to meet with District Managers to discuss traffic safety.

Congressmember Carolyn Maloney, Victor Montesinos: Not Present

Congressmember Nydia Velazquez, Iris Quinones: We have fliers listing

Assembly Speaker Sheldon Silver, Zach Bommer: We will be breaking ground on Gulik Park in about three months. Speaker Silver is working to help repair the East Broadway F train escalator. We have fought to get

minimum wage increased, and we are trying to accelerate the increase to \$9.00/hour. We passed a bill to have the primaries consolidated – this is with the Senate.

Assemblymember Deborah J. Glick, Sarah Malloy-Good: We are now on the 20th floor of our building. Please check for traffic and parking regulation changes because of the Super Bowl.

Assemblymember Brian Kavanagh, Marcela Medina: We will be offering free tax prep services.

State Senator Daniel L. Squadron, Mauricio Pazmino:

State Senator Brad M. Hoylman: Thanked the community board. Introduced the new rep for CB3 (Maya Kurien). The Senate is holding up a vote on putting Roe v. Wade in our statutes. We are committed to changing this. We are also committed to working on issues like more tenant protection and home rule for NYC (so this city can raise its own taxes to fund itself). We have a traffic forum coming up.

Councilmember Margaret Chin, Patricia Olan: Funding request deadline are approaching. Councilmember Chin is chair of the Aging Committee and on the Transportation Committee and Youth Committee. We will overturn the paid sick leave bill veto.

Councilmember Rosie Mendez, Rosemarie Diaz: The Councilmember is co-sponsoring the paid sick leave bill. Jerry was permitted to remain in his newsstand on Astor Place. Rosie was assigned to the Housing and Buildings committee.

Members Present at First Vote:

David Adams	[P]	Vaylateena Jones	[P]	Teresa Pedroza	[A]
Dominic Berg	[P]	Meghan Joye	[P]	Carolyn Ratcliffe	[P]
Karen Blatt	[P]	Lisa Kaplan	[A]	Joyce Ravitz	[P]
Justin Carroll	[A]	Carol Kostik	[A]	Carlina Rivera	[P]
Jimmy Cheng	[A]	Ben Landy	[A]	James Rogers	[P]
MyPhuong Chung	[P]	Mae Lee	[P]	Richard F. Ropiak	[P]
David Crane	[P]	John Leo	[P]	Susan Scheer	[A]
Stephanie Dominici	[A]	Ricky Leung	[P]	Nancy Sparrow-Bartow	[P]
Morris Fajtelewicz	[P]	Alysha Lewis-Coleman	[P]	Wilson Tang	[A]
Flora Ferng	[P]	Gigi Li	[P]	Elinor Tatum	[leave]
Shoshannah Frydman	[A]	William LoSasso	[P]	Julie Ulmet	[P]
Gloria Goldenberg	[A]	Chad Marlow	[P]	Josephine Velez	[A]
Jan Hanvik	[P]	Bernard Marti	[A]	Rodney Washington	[P]
Ayo Harrington	[P]	Penina Mezei	[A]	Justin Yu	[A]
Herman F. Hewitt	[P]	Alexandra Militano	[P]	Thomas Yu	[A]
Anne K. Johnson	[A]	Chiun Ng	[P]		
Linda Jones	[P]	Ariel Palitz	[P]		

Minutes:

Minutes of November 2013 were approved, as is.

31 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Board Chairperson's Report:

Chairperson Gigi Li: We are meeting at PS 124 next month because after the meeting we will have a Lunar New Year Party at Nam Wah Tea Parlor. There is a \$10 donation which gets you one drink and staff. Meghan Joye will step down as co-chair and Bill LoSasso will become Vice-Chair. Gloria Goldenberg will chair the By-Laws Task Force. The first agenda item on the Land Use Committee meeting will also be a Parks Committee issues because it involves a Federal grant to look at how to develop the waterfront to be more resilient.

District Manager's Report:

District Manager Susan Stetzer:

We have applications for community board. They are due February 1.

We did not get a single snow complaint. The Department of Sanitation comes to the board looking for complaints so please let us know if there are any problems. If you see a homeless person, please call 311 so Homeless Outreach can help. People have been very good about calling 311 for outreach to the homeless during the very cold weather. There will be a rat prevention workshop for shelters and institutions on February 14 (see flier). We are also working with DOH in attacking rodent hot spots, such as 3rd Street. There are two Affordable Care Act workshops. The preliminary budget for FY15 is due in February, and then we have time to respond.

Committee Reports:

Executive Committee

- Continued discussion of community group policy
 - Community Group Principles and Protocols (see attached)
 - Community Group Listing Form (see attached)
 - Community Group Comment Form (see attached)

VOTE 1: To discard the Community Group Comment Form because its questions are invasive in nature and discouraging and intimidating to community groups. **THIS MOTION DID NOT PASS**

VOTE 2: To adopt the Community Group forms: 1) Community Group Comment Form 2) Community Group Listing Form and 3) Community Group Principles and Protocols.

LoSasso: Friendly Amendment revising "Principles and Protocols" (3) amending "CG Comment Form" to "any materials"

Alexandra Militano: Friendly Amendment inserting "when appropriate" in the last sentence of "Principles and Protocols" (3).

Chad Marlow: Asked to have forms voted on separately
(hand vote taken and majority in favor of voting all at once)
Li: We will still discuss each document at a time

Discussion of Community Group Principles and Protocols:

Vaylateena Jones: I don't know how this encourages the community to participate and communicate. I believe this is not that encouraging to the community.

LoSasso: We hoped that by putting the information online, and this was meant to encourage people to participate.

Joye: This will make it easier for community groups to reach out to SLA applicants.

Jones: This makes things more complicated and is not encouraging.

Stetzer: In the past, I spend a lot of time linking applicants to appropriate community groups. Sometimes I didn't always know if a community group was interested in a particular application. This strips away the layer of the office so all applicants and groups can contact each other.

Julie Ulmet: There is a reference to "best" practices in one place in the document and "recommended" practices in another document

LoSasso: This was a mistake. NYC Corporation Council asked that we use "recommended", and we will use this term in place of "best"

Li: Corp Council reviewed the document and gave us feedback.

Dominic Berg: This does not limit a group's ability to appear before the committee to participate. This is an optional way to participate before the meetings.

Mae Li: We've been distributing the community group form since 2005. We updated it again after Hurricane Sandy. We are giving the other information to the Chair.

Jones: I understand the listing form, but I don't understand how submitting testimony will encourage the community to participate.

Militano: This is a tool that groups can use in case they can't or won't appear at the meeting.

Marlow: I have received feedback from groups in the community that have not received this form very well.

We have to concern ourselves with the optics of what we're passing as a group – we have to be concerned with how we are perceived. Why are we passing this when it's a voluntary form? I would like to make a motion to strike the comment form from the rest of the package.

Stetzer: The comment form is very much like the complaint form on the website. Without a form, I don't get sufficient information initially. If they use they complaint form, I get all the information right away. It gives them a path. Some community groups have expressed that they want the form.

Lee: The introductory paragraph to the Comment Form needs editing – it comes off as defensive.

Militano: Sometimes people who don't receive instruction on how to give testimony on a regular basis need more structure because they don't feel comfortable speaking in public.

Carlina Rivera: The Comment Form might be seen as intimidating. The intentions are good, but we will probably have Susan spent a lot of time explaining the forms.

David Crane: I don't think this will be an impediment, even though I did.

Ayo Harrington: I find this to be difficult to look at as one document. This whole process started because a few people on the community board having the nerve to think they could suspend the community group. I spent the two hours at the Executive Committee meeting, and after I left, people in the Executive Committee meeting had a very negative conversation about me. I have public conversations. I have no problem with listing community groups on the Community Board website. But the groups we are talking about are block associations. We demand community groups submit information about their meeting, and we don't even let

community members see our draft agenda. The Community Board is a governmental entity and need to be transparent.

I'm against writing that the Comment Form is optional because no one will believe that the form is optional. I am against removing a group from the website and I am against the Executive Committee having this power. If people have something to say, they should say it to my face.

In the last Community Board meeting, I raised an issue of race. I have a responsibility as an African American to bring up inclusion of race, and if you have a problem with this, that's your problem and not mine. No member of this Community Board is ever going to talk me into a corner. The four people who were chosen to draft this document should have been people of color. This document is too complicated, and it will negatively affect members of our community.

Militano: Ayo needs to clarify what she means. There was a discussion in the Executive Committee about Ayo accusing Gigi of being a racist at the Health and Human Services committee meeting. It was a public meeting and Ayo could have participated. We should all be speaking to substantive issues.

Lee: Some other Community Boards have listings. Does anyone know how those groups got on their website.

Li: For part of the process, we looked at other boards. There is no consistent policies or method of listing.

Joyce Ravitz: Motion to postpone voting on this form until next month.

Jones: This form does not look like it was a guide to put your comments together.

Crane: We are ready to vote on this tonight. There is nothing we can add to this.

Berg: We have worked on this problem for four months. This has been fleshed out a lot.

VOTE: Motion to Postpone – Motion did not carry.

Joye: I don't think there's harm in getting information from community groups, and I do think it's very helpful.

Berg: motion to call the question

VOTE: Call the Question – Motion carries

VOTE: Motion Passes

(vote to postpone motion)

13 YES 15 NO 2 ABS 0 PNV MOTION DID NOT PASSED

(vote to pass motion)

19 YES 10 NO 1 ABS 0 PNV MOTION PASSED

SLA & DCA Licensing Committee

Applications within Saturated Areas

1. To be Determined, 132 St Marks Pl @ Ave A (op)

VOTE: Understanding that this is a sale of assets of a preexisting restaurant with a full on-premise liquor license, Community Board #3 moves to deny the application for a full on-premise liquor license for a corporation to be determined, with principals Adam Elzer, Alex Stupak, Amar Lalvani, Seth Cohen and David Rodolitz, for the premise located at 132 St. Marks Place, at the corner of St. Marks Place and Avenue A, 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 Mexican restaurant, with a kitchen open and 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 close any façade doors and windows at 10:00 P.M. each night,
- 4) it will play ambient recorded background music and will not have DJs, live music, promoted events, scheduled performances or any events at which a cover fee will be charged,
- 5) it will not apply for any alteration in its method of operation without first appearing before Community Board #3,
- 6) it will not commercially operate any outdoor areas,
- 7) it will not host pub crawls or party buses,
- 8) it will not have "happy hours,"
- 9) it will insure that there are no wait lines outside and designate an employee to monitor patron congestion and noise on the sidewalk outside of its business, and
- 10) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints

Community Board #3 is approving this application for a full on-premise liquor license although this is a location within five hundred (500) feet of numerous full on-premise liquor licenses because 1) this applicant has operated two (2) high quality Mexican restaurants without complaint for two (2) years in Community Board #2 and Community Board #3, 2) it has furnished thirty (30) signatures from area residents in support of its application, and 3) twenty-four (24) people at the committee hearing stated that they were in support of this application, five (5) of which were residents from the immediate neighborhood of this location.

2. Swauto Ltd, 25 Ave A btwn E 1st & E 2nd Sts (op/alt/convert part of basement to lounge with additional bar)

VOTE: To deny the application for an alteration of the full on-premise liquor license for Swauto Ltd., doing business as 2A, for the premise located at 25 Avenue A, between East 1st Street and East 2nd Street, to wit converting a portion of its basement to a lounge for patron use and adding an eight (8) foot by four (4) foot stand up bar with ten (10) stools to its basement, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that

- 1) it will close any façade doors and windows at 10:00 P.M. each night, and
 - 2) it will designate an employee to oversee patron noise and congestion on the sidewalk in front of its business.
3. To be Determined, 511 E 6th St (op)
withdrawn
 4. Claw Daddy's (Hachi Enterprises), 185 Orchard St (op)
withdrawn
 5. Wafels & Dinges (Degeest LLC), 15 Ave B @ E 2nd St (wb)

VOTE: To deny the application for a wine beer license for Degeest LLC, doing business as Wafels and Dinges, for the premise located at 15 Avenue B, at the corner of Avenue B and East 2nd Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that

- 1) it will operate as a waffle and ice cream cafe, serving food during all hours of operation,
- 2) its hours of operation will be 8:00 A.M. to 11:00 P.M. Sundays through Wednesdays and 8:00 A.M. to 2:00 A.M. Thursdays through Saturdays but it will cease the service of wine and beer at 11:00 P.M. all nights,
- 3) it will play ambient background music only, consisting of recorded music, and not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 4) it will not commercially use any outdoor areas,
- 5) it will close any façade doors and windows at 10:00 P.M. each night,
- 6) it will not apply for any alteration in its method of operation without first appearing before Community Board #3,
- 7) it will not seek an upgrade in class of its liquor license to a full on-premise liquor license,
- 8) it will not have "happy hours,"
- 9) it will not host pub crawls or party buses,
- 10) it will insure that there are no wait lines outside, and
- 11) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints

Community Board #3 is approving this application for a wine beer license although this is a location within close proximity of numerous liquor licenses because 1) it hours of service of alcohol will be limited, and 2) it has operated the same business in this city, albeit it from food trucks, for the past seven (7) years.

6. Love Craft, Johnny Favorite's (Sunrise Shadow LLC), 240 E 4th St (aka 50 Ave B) (op)

VOTE: To deny the application for a full on-premise liquor license for Sunrise Shadow LLC, with the proposed business names of Love Craft and Johnny Favorite's, for the premise located at 50 Avenue B a/k/a 240 East 4th Street, at the corner of Avenue B and East 4th Street, because the applicant failed to provide Community Board 3 with the required negotiated signed notarized stipulation which would become conditions of its license, which stated that:

- 1) it will operate as a full-service restaurant, specifically an American bistro and pizza restaurant, with both the first floor and basement used for dining and with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 12:00 P.M. to 12:00 A.M. Sundays through Thursdays and 12:00 P.M. to 1:00 A.M. Fridays and Saturdays,
- 3) it will close any façade doors and windows at 10:00 P.M. each night,
- 4) it will play ambient background music on both floors, consisting of recorded music on the ground floor and recorded music and live musicians in the basement, and will not have DJs, promoted events, scheduled performances or any events at which a cover fee will be charged,
- 5) it will not apply for any alteration in its method of operation without first appearing before Community Board 3,
- 6) it will not commercially operate any outdoor areas, including a sidewalk café,
- 7) it will not host pub crawls or party buses,
- 8) it may have "happy hours" ending at 7:00 P.M. each night,
- 9) it will insure that there are no wait lines outside and designate an employee to monitor patron congestion and noise on the sidewalk outside of its business,
- 10) it will conduct sound tests in all of the apartment in the building and install soundproofing to insure that music is inaudible in all apartments, and
- 11) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

Community Board 3 initially approved this application for a full on-premise liquor license although this is a location within five hundred (500) feet of numerous full on-premise liquor licenses because 1) this applicant had agreed at the committee meeting to operate a full-service restaurant on both floors with limited hours, 2) the applicant has operated a sports bar for ten (10) years in Community Board 2 without apparent complaints

and provided a letter of no complaint from Community Board 2, as well as letters of support from its local block association and merchants association, and 4) the applicant furnished ninety-eight (98) signatures from area residents in support of its application, and approximately twenty (20) people at the committee hearing stated that they were in support of this application.

However, Community Board 3 voted to deny the application for a full on-premise liquor license for Sunrise Shadow LLC at the January Full Board vote because the applicant declined to agree to these stipulations following the SLA & DCA Licensing Committee vote.

Cabaret License Application

7. Bakers Dozen Associates LLC, 199 Bowery
withdrawn

Alterations

8. Everyman Espresso LLC, 136 E 13th St btwn 3rd & 4th Aves (wb/include alcohol service in theater)
VOTE: To deny the alteration of the wine beer license for Everyman Espresso LLC, doing business as Everyman Espresso, for the premise located at 136 East 13th Street, between Third Avenue and Fourth Avenue, to wit allowing for the consumption of wine and beer in the two hundred twenty-three (223) seat theatre where it is located, 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 café concession for Classic Stage Company, a not-for-profit theatre, serving food during all hours of operation, and allowing consumption of wine and beer in the theatre during show times only,
 - 2) its hours of operation will be 7:00 A.M. to 10:30 P.M. Mondays through Fridays and 8:00 A.M. to 10:30 P.M. Saturdays and Sundays, and
 - 3) it will play ambient background music only, consisting of recorded music, within the concession area, and not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged.
9. Brazen Fox Kitchen & Craft Beer (106 3rd Ave NYC Inc), 106 3rd Ave (aka 145 E 13th St) (op/2nd Fl outdoor deck in back)
withdrawn

New Liquor License Applications

10. To be Determined, 120 Orchard St (op)
withdrawn
11. 9 East First Street LLC, 9 E 1st St btwn 2nd Ave & Bowery (upgrade to op)
VOTE: Understanding that this is a preexisting restaurant with a full on-premise liquor license and that the principals have a collective forty-five (45) years experience in the restaurant industry and are currently operating five (5) restaurants, Community Board #3 moves to deny the application for a full on-premise liquor license for 9 East First Street LLC, for the premise located at 9 East 1st Street, between Second Avenue and 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 modern steakhouse restaurant, with a kitchen open and serving food to within one (1) hour of closing,
 - 2) its hours of operation indoors will be 5:00 P.M. to 1:00 A.M. Mondays through Wednesdays, 5:00 P.M. to 2:00 A.M. Thursdays and Fridays, 11:00 A.M. to 2:00 A.M. Saturdays and 11:00 A.M. to 1:00 A.M. Sundays, and its outdoor patio within its building line will close no later than 11:00 P.M. Sundays through Wednesdays and 1:00 A.M. Thursdays through Saturdays,
 - 3) it will have a closed fixed façade with no open doors or windows,
 - 4) it will play ambient recorded background music and will not have live music, promoted events, scheduled performances or any events at which a cover fee will be charged, and although it may not have DJs as part of its daily operation, it may have private parties with DJs up to six (6) times per year,
 - 5) it will not apply for any alteration in its method of operation without first appearing before Community Board #3,
 - 6) it will not seek to operate a sidewalk cafe,
 - 7) it will not host pub crawls or party buses,
 - 8) it may have "happy hours" ending at 7:00 P.M. each night,
 - 9) it will ensure that there are no wait lines outside of its business and designate an employee to oversee patron congestion and noise outside of its business, and
 - 10) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.
12. 119 Orchard Property Inc, 119 Orchard St (op)
withdrawn
13. The Meatball Shop LLC, 84 Stanton St (upgrade to op)
withdrawn
14. To be Determined, 325 Bowery (op)
withdrawn
15. Il Posto Accanto (And Another One Inc), 190 E 2nd St (op)

withdrawn

16. Farfasha (Entrez Bar & Grill Inc), 162 2nd Ave (upgrade to op)

withdrawn

17. Feast (Two Guize LLC), 102 3rd Ave btwn E 12th & E 13th Sts (upgrade to op)

VOTE: To deny the application for a change in class of the existing beer wine license for Two Guize LLC, doing business as Feast, 102 Third Avenue, between East 12th Street and East 13th Street, to a full on-premise liquor license 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 with bakery, with a kitchen open and serving food to within a half hour (½) of closing,
- 2) its hours of operation will be 10:00 A.M. to 12:00 A.M. Mondays through Thursdays, 10:00 A.M. to 1:00 A.M. Fridays and Saturdays and 10:00 A.M. to 11:00 P.M. Sundays,
- 3) it will play ambient background music only, consisting of recorded music, and not have live music, DJs, 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 night,
- 5) it will not commercially use any outdoor areas,
- 6) it will not apply for any alteration in its method of operation without first appearing before Community Board #3,
- 7) it will not have "happy hours,"
- 8) it will not host pub crawls or party buses,
- 9) it will ensure that there are no wait lines outside, and
- 10) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints

Community Board #3 is approving this application for a full on-premise liquor license although this is a location within five hundred (500) feet of numerous full on-premise liquor licenses because 1) this business is a Michelin rated restaurant which has operated without complaint for one (1) year, 2) it has furnished fifty-one (51) signatures from area residents in support of its application for a change of class, and 3) when it first appeared before Community Board #3 in September of 2012, it agreed to modify its application to a wine beer license to demonstrate its commitment to the neighborhood and ability to operate a responsible business.

18. Moonstruck (88 2nd Ave Food Corp), 88 2nd Ave @ E 5th St (op)

VOTE: Understanding that this applicant has entered into a memorandum of understanding with the East Fifth Street Block Association regarding its method of operation (attached hereto) and that it has operated its business for eight (8) years at this location, Community Board #3 moves to deny the application for a full on-premise liquor license for 88 2nd Ave Food Corp., doing business as Moonstruck Diner, for the premise located at 88 Second Avenue, at the corner of Second Avenue and 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 restaurant, specifically an American diner, with a kitchen open and serving food during all hours of operation,
- 2) it will operate its restaurant twenty-four (24) hours a day all days, with a kitchen open and serving food during all hours of operation, but will serve alcohol no later than 1:00 A.M. all days,
- 3) it will close any façade doors and windows at 10:00 P.M. each night,
- 4) it will play ambient recorded background music and will not have DJs, live music, promoted events, scheduled performances or any events at which a cover fee will be charged,
- 5) it will not apply for any alteration in its method of operation without first appearing before Community Board #3,
- 6) it will not commercially operate any outdoor areas,
- 7) it will not host pub crawls or party buses,
- 8) it may have "happy hours" ending at 7:00 P.M. each night,
- 9) it will insure that there are no wait lines outside, and
- 10) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

19. Robataya (America Ootoya Inc), 231 E 9th St btwn 2nd & 3rd Aves (op)

VOTE: Understanding that this is a sale of assets of a preexisting restaurant with a wine beer license and that the business name of Robataya and method of operation as a Japanese robataya restaurant will be maintained, Community Board #3 moves to deny the application for a full on-premise liquor license for America Ootoya Inc., with a proposed business name of Robataya, for the premise located at 231 East 9th Street, between Second Avenue and Third Avenue, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that

- 1) it will operate as a full-service Japanese restaurant, with a kitchen open and serving food to within a half hour (½) of closing,
- 2) its hours of operation will be 12:00 P.M. to 11:00 P.M. all days,
- 3) it will have a closed fixed façade with no open doors or windows,
- 4) it will play ambient recorded background music and will not have DJs, live music, promoted events, scheduled performances or any events at which a cover fee will be charged,

- 5) it will not apply for any alteration in its method of operation without first appearing before Community Board #3,
- 6) it will not commercially operate any outdoor areas,
- 7) it will not host pub crawls or party buses,
- 8) it will not have "happy hours,"
- 9) it will install soundproofing around its HVAC or ventilation system to minimize noise heard by its residential neighbors,
- 10) it will insure that there are no wait lines outside and that employees and patrons do not gather in front of its entrance and the adjacent residential building entrances,
- 11) it will post signs on its façade asking patrons to be quiet and respectful of neighbors, and
- 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

20. Mei E Iron Sushi 38 Inc, 212 E 10th St @ 1st Ave (wb)

VOTE: Understanding that this is a sale of assets of a preexisting restaurant with a wine beer license, Community Board #3 moves to deny the application for a wine beer license for Mei E Iron Sushi 38 Inc., for the premise located at 212 East 10th Street, at the corner of East 10th Street and 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 sushi restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 11:30 A.M. to 11:00 P.M. Mondays through Thursdays, 11:30 A.M. to 11:30 P.M. Fridays, 12:00 P.M. to 11:30 A.M. Saturdays and 12:00 P.M. to 11:00 P.M. Sundays,
- 3) it will have a closed fixed façade with no open doors or windows,
- 4) it will play ambient recorded background music and will not have DJs, live music, promoted events, scheduled performances or any events at which a cover fee will be charged,
- 5) it will not apply for any alteration in its method of operation without first appearing before Community Board #3,
- 6) it will not commercially operate any outdoor areas,
- 7) it will not host pub crawls or party buses,
- 8) it may have "happy hours" to 8:00 P.M. each night,
- 9) it will not seek an upgrade in class of its liquor license,
- 10) it will insure that there are no wait lines outside, and
- 11) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

21. Fei Teng (Fei Teng Inc), 68 E Broadway btwn Catherine & Market Sts (wb)

VOTE: Understanding that this is a sale of assets of a preexisting restaurant with a wine beer license, Community Board #3 moves to deny the application for a wine beer license for Fei Teng Inc., with a proposed business name of Fei Teng, for the premise located at 68 East Broadway, between Catherine Street and Market 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, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 10:00 A.M. to 12:00 A.M. all days,
- 3) it will have a closed fixed façade with no open doors or windows,
- 4) it will play ambient recorded background music and will not have DJs, live music, promoted events, scheduled performances or any events at which a cover fee will be charged,
- 5) it will not apply for any alteration in its method of operation without first appearing before Community Board #3,
- 6) it will not commercially operate any outdoor areas,
- 7) it will not host pub crawls or party buses,
- 8) it will not have "happy hours,"
- 9) it will not seek an upgrade in class of its liquor license,
- 10) it will insure that there are no wait lines outside, and
- 11) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

22. To be Determined, 600 E 14th St (op)

withdrawn

23. 279 E Houston Corp, 279 E Houston St (wb)

withdrawn

Corporate Change w/Complaint History

24. Red Velvet (Red Velvet LLC), 174 Rivington St (op)

withdrawn

30 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Arts Task Force

No meeting scheduled in January

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

No meeting scheduled in January

Land Use, Zoning, Public & Private Housing Committee

- Pratt Center / Collective Partnership: Plan for Chinatown and Surrounding Areas
no vote necessary

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

1. Urban Fellow project: Inventory of medical services and facilities in CB3 and serving CB3, and analysis of district needs
no vote necessary
2. Demographer's final analysis of CB3 total population and school-age population changes
no vote necessary
3. SPURA school/next steps
no vote necessary

Economic Development

Richard Ropiak: We are working on a mechanism for collecting data on small businesses

1. Update from LES Employment Network
no vote necessary
2. Update on merchant organizing
no vote necessary
3. Update on EV Retail Diversity initiative
no vote necessary

Con Ed Task Force

1. Follow up on previously approved projects and resolutions
no vote necessary
2. Spring 2014 Funding Cycle Guidelines and timetable
VOTE: To approve revised guidelines.

**Guidelines to submit proposals for Community Board 3 Consolidated Edison
Settlement Funds
(REVISED JANUARY 2014)**

NEXT SUBMISSION DEADLINE, FOR SPRING 2014 FUNDING CYCLE:

- **FOR OPTIONAL OR MANDATORY LETTER OF INQUIRY (IF APPLICABLE): MARCH 5, 2014**
- **FOR FULL PROPOSALS: APRIL 2, 2014**
- **DEADLINES ARE 4 PM TO PERMIT PROMPT DISTRIBUTION OF MATERIALS TO TASK FORCE MEMBERS.**

TASK FORCE MEETING TO REVIEW LETTERS OF INQUIRY: MARCH 18, 2014, 6:30 PM SHARP

Guidelines: Proposals will be considered within the scope of the Consolidated Edison Settlement Fund if:

"Implementation of projects such as local air quality improvement, health improvement, or amenities programs in the vicinity of the East River Complex." Proposals are reviewed by a committee of volunteers and all deadlines for submissions must be adhered to without exception. Please read these guidelines carefully and comply fully with them.

What we are looking for. Proposals that:

- Benefit residents of the area around the plant and prioritize air quality improvement effort closest to the plant.
- Prioritize benefits to air quality, health and safety, consistent with the nature of the Article X involvement of the community
- For the Spring 2014 funding cycle, CB3 is seeking proposals that primarily ameliorate air quality, health and/or quality of life problems in the vicinity of the Con Ed plant. Proposals that are primarily educational, research or outreach in nature are not being sought.
- Projects led by or that engage with local organizations with a strong connection to the CB3/CB6 areas, and projects that provide for local resident involvement and employment
- Achieve measurable goals related to improvement in the environment

- Proposals must be for projects that are fully scoped and for which the proposer has already received written external bids or estimates for any significant work or services being procured outside the organization. Relationships with any partners outside the proposer's organization must be established prior to the proposal being made. Funds cannot be reallocated once a project is approved.
- Funding Amounts: Initial funding amounts will be in the range of \$50,000-\$150,000 (though exceptions can be made for strong proposals that demonstrate a greater need). It is strongly recommended that all proposers first present their ideas to the Task Force through a Letter of Inquiry. Proposals in excess of \$175,000 MUST first be submitted as a letter of inquiry before a proposal may be submitted (see "Letters of Inquiry" below).

Projects outside Manhattan CB3 and CB6 will NOT be considered.

Proposal content -- limit to 10 pages:

- Written description including goals, activities, leadership, how proposed project fits in organizational mission
- Timeline
- Deliverables including measurement of impacts if applicable
- Detailed project budget. All elements of your proposal must be scoped and budgeted. Proposers are encouraged to identify their own sources of contingency funding if needed for their project. Requests for contingency funds for a project will receive close scrutiny and proposals must identify how such funds will be applied if not ultimately used for the project. Phased projects must have separate budgets for each phase and will be subject to additional review prior to release of funds for each stage after the first.
- Identify other funding that has been or is being sought for this project. Describe how your project will be sustainable after receiving funding from the Settlement Fund. Documentation of additional funding may be required by the Task Force.
- Description of organization including form of incorporation, history, annual budget, and audited financial statements. Audited financial statements will not be counted towards the 10 page limit.
- Tax ID numbers will be required of successful applicants.

Evaluation criteria:

- How well does proposal meet threshold criteria (above)?
- Is proposal complete, clear, realistic, well thought-out and ready to implement as soon as funded?
- Is proposal consistent with the organization's mission and resources?
- How does proposed project mesh with other initiatives in the community?
- Does proposed project leverage other resources?
- **Late proposals will not be considered.**

Process/timeline

- 2 cycles per year (Spring/Summer, Fall/Winter); proposals will not be considered outside of these two cycles.
- At first meeting following submissions, Task Force members will have reviewed proposals and proposers are required to attend for questions and discussion. If the Task Force determines that there are substantial shortcomings after its initial review, it may decide that the proposal will not be considered that funding cycle.
- If after initial review the proposal is deemed strong enough for continued consideration, the proposer may be asked for additional information to be submitted within 10 days. Failure to submit the requested information by the date required will cause the proposal to be dropped from consideration.
- At following meeting, the Task Force will vote on whether or not to recommend funding to the full Community Board 3. Proposers must attend this meeting as well. The Task Force may not be able to consider a proposal for funding if the applicant is not present to answer questions.
- After an affirmative vote by full Board, the project is submitted to NYC Law Department, NYS Department of Public Service and Con Edison, all of which need to agree that this it is an appropriate use of Settlement Funds. This stage may take many months and there is no assurance that these parties will consent to the project.
- All proposals are public and will be posted on the Community Board 3 website.

Letters of Inquiry

While proposals will not be accepted outside of the two annual cycles, interested parties may at any time submit a brief (2-3 page) letter of inquiry to ascertain on a preliminary, non-binding basis whether their project fits the general goals of the Settlement Fund. Feedback from the Task Force will be entirely informal and will in no way create a presumption that an eventual proposal would be recommended for funding. As noted above, Letters of Inquiry are recommended to all potential applicants and any planned proposal in excess of \$175,000 MUST first be submitted as a Letter of Inquiry.

Submissions

- Submissions should be made by email to the Community Board 3 office, which will distribute them to the Task Force members. The email address to submit to is:

conedsettlementfund@cb3manhattan.org

29 YES 0 NO 0 ABS 1 PNV MOTION PASSED

Transportation & Public Safety and Environment Committee

1. Street co-naming Beastie Boys Square at Rivington Street btwn Ludlow St and Essex St

VOTE: WHEREAS, the cover of the Beastie Boys' second album, "Paul's Boutique," was photographed at the intersection of Ludlow St and Rivington St in 1989. Seventeen residents of the 19 apartments with addresses on the block of Rivington Street between Ludlow St and Essex St have signed a petition to co-name the block "Beastie Boys Square." The designation is requested to hang below the Rivington St signage on the SW corner of Ludlow St; and

WHEREAS, the CB3 Guidelines for Street Co-naming adopted in May 2006 contain two main criteria that should be met by the proposed honoree: either the honoree should be a deceased individual involved in the community for 15 years, or a non-profit organization for 30 years; and

WHEREAS, this requested co-naming falls outside the guidelines criteria, so it would need to be recommended for approval under the clause: The Board may also approve applications outside of these guidelines when there is exceptional and highly acclaimed accomplishment or involvement linked to Manhattan Community Board 3; and

WHEREAS, CB3 believes that a request that is an exception to the guidelines must demonstrate a high level of support from the residents that live on the block and in the immediate area and will therefore be impacted by this co-naming; now

THEREFORE, BE IT RESOLVED, CB3-Manhattan asks the applicant requesting a street co-naming for Rivington Street between Ludlow St and Essex St as "Beastie Boy Square" to temporarily withdraw the application and continue to collect petition signatures to demonstrate there is substantial support from the local community. Signatures from residents should represent 75% of the total number of residential units and businesses on the blocks of Rivington St and Ludlow St that intersect at the corner. However, a petition with signatures of at least 150 residents of immediately adjacent surrounding blocks is required if the 75% threshold would be fewer than 150 residential units, and a petition with signatures of 500 residents will be sufficient if the 75% threshold would be larger than 500. The Transportation Committee will accept that petition as evidence that a substantial number of local residents believe there is a compelling link between an exceptional and highly acclaimed accomplishment of the Beastie Boys and the location at the corner of Ludlow St and Rivington St.

Crane: If we pass this motion, we set the expectation that community support alone is sufficient.

Militano: I'm opposed to this motion because this application doesn't fall into any category. There is no highly acclaimed accomplishment achieved by this group in this area. And this corner is already overwhelmed because of the number of bars.

Berg: This is a publicity stunt. I love the Beastie Boys, but they have not done anything to our community.

Alysha Lewis-Coleman: We should not pass this.

Morris Fajtelewicz: This motion does not make any sense

VOTE: WHEREAS, the cover of the Beastie Boys' second album, "Paul's Boutique," was photographed at the intersection of Ludlow St and Rivington St in 1989. Seventeen residents of the 19 apartments with addresses on the block of Rivington Street between Ludlow St and Essex St have signed a petition to co-name the block "Beastie Boys Square." The designation is requested to hang below the Rivington St signage on the SW corner of Ludlow St; and

WHEREAS, the CB3 Guidelines for Street Co-naming adopted in May 2006 contain two main criteria that should be met by the proposed honoree: either the honoree should be a deceased individual involved in the community for 15 years, or a non-profit organization for 30 years; and

WHEREAS, this requested co-naming falls outside the guidelines criteria, so it would need to be recommended for approval under the clause: The Board may also approve applications outside of

these guidelines when there is exceptional and highly acclaimed accomplishment or involvement linked to Manhattan Community Board 3;

THEREFORE, BE IT RESOLVED, CB3 does not support a street co-naming for Rivington Street between Ludlow St and Essex St as "Beastie Boy Square" because it does not meet the CB3 co-naming guidelines.

Marlow: We told the group to withdraw. It looks bad to vote them down in abstention.

Crane: We made it clear it would be voted on tonight.

Ravitz: I withdraw her motion.

Marlow: The language itself talks about what to do in their case.

Lee: It's not just that they didn't get enough signatures; it's that they have no connection to the community.

Berg: call the question.

2. Bleecker/Bowery/Houston traffic study: additional information re: Ave A and Ave B area

VOTE: WHEREAS, Community Board 3, Manhattan (CB3) requested that the Bleecker/Bowery/Houston traffic study be extended to Ave B in order to study the long-standing traffic problems on Ave A and B. The third and last public meeting jointly held for CB2 and CB3 was on Nov 20; and

WHEREAS, the study hasn't highlighted Ave A and B as problematic corridors, so this problem will still need to be addresses. The traffic problems causes a traffic backup on Ave A and B and surrounding side streets, especially late at night/early morning on the weekend. The constant horn honking during these hours is a quality of life issue; now

THEREFORE, BE IT RESOLVED, CB3 would like to request DOT continue to work with CB3 to resolve these issues. In this effort, CB3 would like DOT to consider measures including, but not limited to, signal timing.

3. Clinton/Grand Street traffic study results

no vote necessary

4. Consideration of revisions for street co-naming guidelines

VOTE: Resolution to Amend the "CB3 Guidelines for Street Co-naming" Petition Requirements

WHEREAS, Community Board 3, Manhattan (CB3) adopted our "CB3 Guidelines for Street Co-naming" in May 2006. In order to ensure that the proposed co-naming has substantial support from the local community, the existing guidelines require the applicant to submit a count of the total number of residences and businesses on the on the block, and a petition that must be signed by a minimum 75% of the total number of residential units and 75% of the total number of businesses on the block; and

WHEREAS, CB3 has approved ten block co-namings under the existing guidelines, and it has become evident that the flat 75% threshold on a single block isn't well suited to all possible co-naming locations in the CB3 community district:

- The location for a street co-naming sign is always at the corner of two streets, even if technically only one of the blocks is being co-named. DOT policy is to install a single street co-naming sign instead of installing co-naming signage at both ends of a block.
- There is a large variation in block sizes, so the generic 75% threshold could be surprisingly small or large. In CB3 experience, most co-naming petitions have required between 165 and 615 signatures of residents. That is the range represented by the September 2013 request to co-name the block of E 2nd St between Aves A and B as "Mary Spink Way" (with 220 residential units), and the September 2007 request to co-name the block of E 4th St between First Ave and Ave A as "Frieda Zames Way" (with about 820 residential units); and

WHEREAS, The "CB3 Guidelines for Street Co-naming" would be improved by amending the requirements so that:

- A street co-naming request should specify that the street co-naming sign should be installed beneath a particular regular street name sign at a particular street corner.
- A street co-naming should be supported by the immediately surrounding community, which includes residents and businesses of all street blocks surrounding the particular corner where the co-naming is installed, not just the street to which the co-naming is applied.

- A petition representing 75% of the residential units in the immediate area may be reasonable for ordinary blocks, but to be equitable for all applications, the petition requirement should be capped at a minimum of 150 and maximum of 500 residential signatures.

THEREFORE, BE IT RESOLVED, that the "CB3 Guidelines for Street Co-naming" shall be revised so that CB3 shall require the applicant to request the exact location for the street co-naming designation: beneath a particular regular street name sign at a particular street corner. Also, CB3 shall require a petition with signatures from residents and businesses on all the blocks that intersect at the corner: any building that has an address on the first block of the streets forming the intersection should be included. Since CB3 shall consider this petition as evidence that there is substantial support from the local community who believe there is a strong connection between the proposed co-naming and the proposed location, CB3 shall require that petitions meet one of the following thresholds:

- If there are more than 200 residential units on the immediately affected blocks, a petition should have signatures representing 75% of all residential units and businesses on the blocks.
- If the immediately affected blocks are so large that the 75% threshold would be more than 500 residents, a petition with 500 signatures of residents and 75% of the businesses of the blocks would be sufficient.
- If the immediately affected blocks are so small that there are fewer than 200 residential units, a petition should have signatures from 150 residents and 75% of the businesses of those blocks or adjacent surrounding blocks.

5. Newsstand application for 2nd Avenue & East 1st Street

VOTE: CB3 approves of the installation of a newsstand on the west side of 2nd Avenue about 37 feet south of the corner with East 1st Street. It is evident that there is sufficient sidewalk space, so there should be no pedestrian impact.

6. Newsstand application for 124 E 14th St

VOTE: CB3 approves of the installation of a newsstand on the sidewalk in front of 124 E 14th St, which is on the north side of E 14 St between Third and Fourth Ave, in front of the P.C. Richard & Son business. The proposed newsstand is not located near the M14 bus stop, nor near the building entrance. It is evident that there is sufficient sidewalk space, so there should be no pedestrian impact.

Bus Stop Permit Applications

7. UTWT Bus Lines Inc, 14 Allen Street

no vote necessary

30 YES 0 NO 0 ABS 0 PNV MOTION PASSED (all excluding Transportation item 1)

0 YES 26 NO 1 ABS 0 PNV MOTION DID NOT PASSED (Transportation item 1)

24 YES 1 NO 1 ABS 0 PNV MOTION PASSED (vote on resolution prohibiting naming Beastie Boy Square)

Members Present at Last Vote:

David Adams	[P]	Vaylateena Jones	[A]	Teresa Pedroza	[A]
Dominic Berg	[P]	Meghan Joye	[A]	Carolyn Ratcliffe	[P]
Karen Blatt	[A]	Lisa Kaplan	[A]	Joyce Ravitz	[P]
Justin Carroll	[A]	Carol Kostik	[A]	Carlina Rivera	[P]
Jimmy Cheng	[A]	Ben Landy	[A]	James Rogers	[P]
MyPhuong Chung	[P]	Mae Lee	[P]	Richard F. Ropiak	[P]
David Crane	[P]	John Leo	[P]	Susan Scheer	[A]
Stephanie Dominici	[A]	Ricky Leung	[A]	Nancy Sparrow-Bartow	[P]
Morris Fajtelewicz	[P]	Alysha Lewis-Coleman	[P]	Wilson Tang	[A]
Flora Ferng	[A]	Gigi Li	[P]	Elinor Tatum	[leave]
Shoshannah Frydman	[A]	William LoSasso	[P]	Julie Ulmet	[P]
Gloria Goldenberg	[A]	Chad Marlow	[P]	Josephine Velez	[A]
Jan Hanvik	[P]	Bernard Marti	[A]	Rodney Washington	[P]
Ayo Harrington	[P]	Penina Mezei	[A]	Justin Yu	[A]
Herman F. Hewitt	[P]	Alexandra Militano	[P]	Thomas Yu	[A]
Anne K. Johnson	[A]	Chiun Ng	[P]		
Linda Jones	[P]	Ariel Palitz	[P]		

Meeting Adjourned