



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD NO. 3

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Dominic Pisciotta, Board Chair

Susan Stetzer, District Manager

December 2009 Full Board Minutes

Meeting of Community Board #3 held on Tuesday, December 22, 2009 at 6:30pm at PS20, 166 Essex Street.

Public Session:

Morris Fajtelewicz: First VP of Auxiliary Police Supervisor Benevolent. Mr. Fajtelewicz is astounded at the EMS workers who were getting something to eat and were too busy to help someone in need. That would have never happened with the Rescue Squad. In existence since 1950-the squad consists of volunteers who are willing to help people and save lives. They used to have vehicles to go through the snow to help people which would have been handy in our recent storm. The Police Dept. has been slowly stripping away their responsibilities, most recently taking away the Auxiliary uniforms. Mr. Fajtelewicz is calling on all elected officials to take action. Save the Auxiliary Police.

Public Officials:

Mayor Michael Bloomberg, Lolita Jackson & Pauline Yu: Due to holiday party-no report!

Public Advocate Betsy Gotbaum, Tommy Lin:

Comptroller William Thompson, Sandra Duque:

Borough President Scott Stringer, Gregory Kirschenbaum: the BP has been on the forefront of the Section 8 vouchers that will be taken away due to lack of federal funding. BP has voiced his frustration and concern over the MTA doomsday budget most notably removing Metro Cards from students. The CEC (Comm Education Council) announced they are changing policy and will allow pre-k to be a point of entry into K. CB applications are due Dec 31. Applications for new members due Jan 15

Congressmember Jerrold Nadler:

Congressmember Nydia Velazquez, Iris Quinones:

Congressmember Carolyn Maloney, Victor Montesinos:

Assembly Speaker Sheldon Silver, Zach Bommer: The Speaker spoke to the Board. He congratulated Margaret Chin on her induction ceremony and thanked Alan Gerson for his years of service. He was happy to announce success in saving Pitt St. post office and thanked everyone who signed petitions. The Speaker spoke about the elimination of 3000 section 8 vouchers in the city and is joining Scott Stringer and Rosie Mendez to find a way to fill the gap. The City has promised to completely repave Chinatown streets such as Elizabeth St. His office is making a big push in Chinatown to have restaurants join the cooking oil recycling program. Finally the Speaker thanked CB3 for taking on tough issues.

Assemblymember Deborah J. Glick, Lisa Parson:

Assemblymember Brian Kavanagh, Israel Murguia: The Assemblymember wants to see the plan being put forward by NYCHA does not displace tenants. DOE has announced new admission policy for schools that allows pre-k to be the point of entry into a school.

State Senator Daniel L. Squadron, Rosemarie Diaz: Dominique Morgan spoke. There is a tentative date for the SLA Town Hall - Feb 4 at 6:30. Two important issues to come out of 2009 which the Senator will focus on in 2010 are ethics reform and protecting public transit.

State Senator Thomas K. Duane, John Bartos: The Marriage Equality Act was defeated and they are all disappointed. Sen. Duane wanted to thank everyone for their hard work on the bill. Check out Tom's Drill Watch -a group of articles about hydrofracturing.

Councilmember Alan Gerson, Patricia Olan: Councilmember Gerson spoke. The Grand Street Guild Tenant Association and the owners have reached an agreement. The 600 plus units will remain affordable housing. A bill was passed that gives community advanced notice to any area larger than 4 blocks that is changing traffic direction or adding lights. He attended a party celebrating the installation of state of art sound and lighting program at Living Theatre. Plans for Luther Gulick Park are proceeding. Their office has funded their website which will be the first website that can collect community input. They have

installed 197 cameras in NYCHA houses and have seen a remarkable improvement in safety. LES Youth Committee-the baseball team was a great success. "It's been a privilege and a pleasure to work with CB3-thank you very much." He also gave thanks to Patricia Olan.

Susan Stetzer: Thanked Alan for working with the CB especially the ultra low sulfur fuel bill for filming.

Councilmember Rosie Mendez, Jessica Nepomiachi: On Jan 12 there will be a follow up meeting on Dry Dock Park. Rosie is allocating \$800,000 for the renovation of the park.

Members Present at First Vote:

David Adams [P]	Carolyn Jeffers [P]	Carolyn Ratcliffe [P]
Paul Bartlett [P]	Anne K. Johnson [A]	Joyce Ravitz [P]
Michael Byrne [A]	Vaylateena Jones [P]	Lois M. Regan [A]
Pearl Chin [A]	Meghan Joye [P]	Richard F. Ropiak [P]
David Crane [A]	Joel Kaplan [P]	Muzzy Rosenblatt [A]
Andrea Diaz [A]	Sam Krueger [A]	Elizabeth Sgroi [A]
Harvey Epstein [A]	John Leo [P]	David Silversmith [P]
Morris Fajtelewicz [P]	Gigi Li [P]	Deborah A. Simon [A]
Flora Ferng [P]	Bernice McCallum [P]	Arlene Soberman [A]
Beth From [A]	David McWater [P]	Nancy Rose Sparrow-Bartow [P]
Edward Garcia [A]	Alexandra Militano [P]	Elinor Tatum [P]
Rabbi Y. S. Ginzberg [P]	Maria Muentes [A]	Rodney Washington [P]
Gloria Goldenberg [P]	Ariel Palitz [A]	David Weinberger [A]
Herman F. Hewitt [P]	Thomas Parker [P]	Harry Wieder [P]
Simon Huang [P]	Dominic Pisciotta [P]	Samuel Wilkenfeld [A]
Bonnie Hulkower [A]	Barden Prisant [P]	Thomas Yu [A]

Minutes:

Minutes of October 2009 were approved, as is.

Board Chairperson's Report:

Chairperson Dominic Pisciotta:

Dominic brought the Board's attention to our need for fundraising. The drastic cuts to CB budgets leave us no other choice. He is appreciative of Herman and Anne who are starting to take the lead on that.

District Manager's Report:

District Manager Susan Stetzer

Calendar of Meetings for next month are final calendars so please post in your buildings. There are massive cuts again in the community board budget. The good news is that we will have enough money to cover salaries. At last year's Rat Forum, we asked for the pilot program which was successful in the Bronx which investigates the rat population on a block-by-block basis. This program is now being implemented in Manhattan. CB3 contacted the Mayor's Office about youth violence. The City administration has decided to coordinate the agencies on the issue of teen violence.

Committee Reports:

Executive Committee

no vote necessary

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

1. Request for support for installation of temporary public art in Peter Cooper Park
no vote necessary
2. NY4Parks report: Immigrants, Culture, and NYC Parks
no vote necessary
3. New street fair/block party regulations
no vote necessary
4. Basketball City—community benefit agreement
no vote necessary

Economic Development Committee

1. Findings from survey of local reports/surveys on loss of local retail business
no vote necessary

2. Draft template to monitor local hirings from LES local hiring network
no vote necessary
3. Initializing discussions with agencies regarding local hiring for public construction jobs
no vote necessary

Land Use, Zoning, Public & Private Housing Committee

1. Review of committee procedures regarding variances and proposals
no vote necessary
2. Report from Chinatown Working Group
VOTE: The Land Use Committee continues to support the CWG using the tools at their disposal to address the economic issues set forth in the principles.
3. 183 East Broadway: preliminary presentation regarding variance request for height and floor area for project
no vote necessary
4. Special permit to allow 1 story rear enlargement at NY Eye & Ear Infirmary at 310 E 14th Street
no vote necessary
5. Discussion re: Development of urban design for Seward Park Urban Renewal Area (SPURA)
no vote necessary
6. Request for endorsement of "East Bowery Preservation Plan" to extend the low-rise zoning of west Bowery (in the Little Italy Special District & NoHo Historic District) to the east side
VOTE: The CB3 Land Use Committee continues to support the rezoning of the Bowery (previously approved in September 2007). We support the principles laid out in the proposed E Bowery Preservation Plan to extend the low-rise zoning of West Bowery.
7. ULURP: N100139ZRY, Dept of City Planning zoning text amendment: Strengthen front yard planting regulations, improve quality of open space and preserve streetscape character in lower density residential districts; Restore original intent of the Zoning Resolution to preserve landscaped front yards and public on-street parking spaces in high-density residential districts; Introduce curb cut regulations in previously unregulated districts to preserve streetscape character and public on-street parking spaces; Add streetscape character finding and emphasize pedestrian movement finding for curb cut authorizations; Ensure provision of adequate parking for new dwelling units added to existing residential buildings and maintenance of adequate parking in pre-1961 buildings; and Clarify and update regulations pertaining to planting and parking in other sections of the Zoning Resolution
VOTE: The Land Use Committee supports the proposal for the B neighborhoods. For the A neighborhoods, the rules should consider the needs of people with disabilities.

(Land Use, Zoning, Public & Private Housing Committee)
30 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Human Services, Health, Disability, & Seniors Committee
no minutes submitted

Youth & Education Committee

- School District 2—rezoning to create catchments area for 2 new schools at PS 397/Spruce Street School and PS 276/ Battery Place School, 55 Battery Place , which are in CB 1 but may impact students in CB 3
no vote necessary

Transportation & Public Safety Committee

1. DOT presentation of "Lower Manhattan Street Management Bus Layover Options Study Final Report." – Report considers alternative parking solutions for buses serving Lower Manhattan, including possible use of Pier 42.

VOTE: Resolution Re: Potential future uses for Pier 42 and Comprehensive Lower Manhattan Bus Study

WHEREAS, the CB3-Manhattan Transportation was given a DOT presentation about the "Lower Manhattan Street Management: Bus Layover/Storage Options Study" Final Report (the bus study). The bus study focused on layover and storage needs for commuter buses serving Lower Manhattan. It, however, does not extensively analyze the intercity buses in Chinatown or tour buses, nor propose solutions. The bus study had proposed five solutions for further detailed analysis and possible implementation. NYCDOT has since revised the proposals to be pursued; and

WHEREAS, at the December 2009 Transportation Committee meeting, DOT confirmed that they are not going to pursue one of the strategies recommended in the bus study that would construct a bus parking facility underneath a green public space on the upper level of Pier 42, similar to that at Riverbank State Park; and

WHEREAS, The City had committed to long-term plans for the CB3 waterfront approved in the LMDC's 2007 Final Environmental Impact Statement (FEIS) titled "The East River Waterfront Esplanade & Piers Project." This FEIS covered a project that was based on the May 2005 waterfront concept plan "Transforming the East River Waterfront" developed by DCP, EDC, NYCDOT, and DPR, with funding from LMDC. As explained in the FEIS:

Without ... the Pier 42 Beach, the substantial land use benefits associated with the Proposed Action would be reduced. They would affect a smaller area and the linkages to other open spaces to the south and the north would not be improved. ... This alternative would be less supportive of public policies that call for increased open space and public access to the waterfront and the overall beneficial impacts would be substantially less with this alternative than with the Proposed Action.

Specifically, the City had also committed to reinforce the underpinning of Pier 42 (since implemented) and seek additional funding for the removal of the shed and construction of a new beach at Pier 42; and

WHEREAS, for many years, CB3 has supported the long-term plans for the CB3 waterfront, and in particular public access to Pier 42 along our waterfront. In fact, the FEIS project and the City's concept plan incorporated many of the ideas for improving the waterfront between the Brooklyn Bridge and East River Park contained in the "Charette Report and Design Principles" developed by the CB3 Waterfront Task Force and approved by CB3 in July 2004. In March 2009, CB3 passed a resolution regarding "Potential futures uses for Pier 42" (see attached), which "continued support for development of the Pier 42 area for passive, recreational, maritime-oriented, community use." The CB3 "Capital Priorities for Fiscal Year 2011" passed in October 2009 stated as our #1 priority: "Pier 42 -- reconstruction necessary to remove shed and maintain pier for public access for waterfront." Reconstruction and maintenance of Pier 42 is an important element in the plan to reclaim and revitalize our waterfront; and

WHEREAS, construction of a bus parking facility on Pier 42 would not be consistent with the Waterfront Revitalization Program (WRP). As required by the Federal Coastal Zone Management Act, any project within New York City's designated Coastal Zone Boundary must be assessed for consistency with the WRP, which is a 197-a Plan adopted by the City in 1999. A central policy goal of the WRP is to "Provide public access to and along New York City's coastal waters." As the bus study itself points out, "It may also be difficult to gain approval from New York State Department of Environmental Conservation (NYSDEC) to construct a bus parking facility as it is not a water-dependent use"; and

WHEREAS, As the bus study itself points out, "Siting a bus parking facility in Community Board 3 for buses which had been laying over in Community Board 1 may raise environmental justice issues because the affected community is not the one benefiting from the location of the bus facility but the one bearing the environmental disadvantages"; now

THEREFORE, BE IT RESOLVED that CB3-Manhattan reiterates its continued support for development of the Pier 42 area for passive, recreational, maritime-oriented, community use -- what was publicized as the Lower East Side Beach -- and wishes to state its opposition to uses that are not perceived as "community friendly", including uses such as parking or storage on the Pier 42 parking area or pier for any transportation uses such as commuter buses or vans except for the previously approved staging use for the reconstruction of East River Park; and

THEREFORE, BE IT FURTHER RESOLVED that CB3-Manhattan expects DOT to come back as promised to the Transportation Committee before launching a comprehensive study of commuter, tour/charter, intercity/interstate and casino buses throughout Lower Manhattan, including the problems and needs in the CB3 district. On a separate front, the City is exploring legislation to better manage bus curbside activity. CB3 requests that DOT and the Mayor's Office coordinate work while conducting the comprehensive bus study and developing legislative needs for State action.

2. New TLC regulations
no vote necessary

3. New Eastern Express application for new commuter van service to/from Chinatown at Bowery & Division

VOTE: WHEREAS, New Eastern Express proposes to operate a licensed commuter van service between the historic core of Chinatown in Lower Manhattan and the satellite Chinatown in Flushing, seven days a week from 6 AM - midnight; and

WHEREAS, There are 7 TLC-licensed commuter van operators in Chinatown and the proposed service by New Eastern Express would duplicated existing service provided by the MTA; and

WHEREAS, CB3-Manhattan believes that the location now being proposed at the Bowery and Division St is not more suitable than the location proposed in October (88 East Broadway), because both are very congested with vehicles, pedestrians and loading/unloading activity. Furthermore, New Eastern Express did not approach the local precinct to work on a more suitable location as requested in our October 2009 resolution; and

WHEREAS, there are many diesel buses and vans operating in the area, which causes traffic congestion and increased pollution, affecting the health and safety of residents and pedestrians; now

THEREFORE, BE IT RESOLVED, CB3-Manhattan disapproves of the application for a proposed new TLC-licensed commuter van service to be operated by New Eastern Express.

4. TransXpress Service renewal application for existing van service in CB3 north by Delancey St/Kenmare St from Lafayette St to Essex St, east by Essex St from Delancey to E B'way, south by E B'way from Essex St along Worth St to Centre St
no vote necessary

(Transportation & Public Safety Committee)

30 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Environment Committee

no meeting scheduled

SLA & DCA Licensing Committee

Applications within Resolution Areas

1. St Marks PHO Corp, 13 St Marks Pl (rw)
VOTE: To inform the SLA that St. Marks PHO Corp. has withdrawn its application before Community Board #3 for a restaurant wine license at 13 St. Marks Place because its application was incomplete, and to ask that the SLA not consider this application until the applicant reapplies to this community board with the requisite thirty (30) days notice to the SLA.
2. Tuck Shop (Tuck Shop Two Corp), 115 St Marks Pl (rw)
VOTE: To deny the application for a restaurant wine license for Tuck Shop Two Corp. 115 St. Marks Place, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will operate as a full-service Australian café restaurant, serving food during all hours of operation, 2) it will close at 10 P.M. Sunday; 2 A.M. Mondays through Thursdays and 5 A.M. Fridays and Saturdays but serve beer no later than 4:00 A.M. Fridays and Saturdays. Community Board #3 is approving this application although it is on a block heavily saturated with existing liquor licenses because 1) this applicant has demonstrated substantial community support by producing petitions in support of its application containing eleven hundred (1,100) signatures, one hundred eighty-three (183) of which are from this block and the majority of which are from the immediate neighborhood, 2) the block association has recommended approval of this application because the applicant has worked with it to raise money for locals schools, and 3) this applicant has operated a similar business on 1st Street between First and Second Avenue for four (4) years without complaints.

Alterations/Transfers/Upgrades

3. FNBS Corp, 231 1st Ave (trans/rw) (currently Vinny Vincenz)
VOTE: To deny the application for a restaurant wine license for FNBS Corp., 231 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 Italian restaurant, serving food to within one (1) hour of closing, 2) it will not commercially operate any backyard area, 3) it will have a bar which can accommodate no more than six (6) bar stools.
4. Sahara East (Sahara East Restaurant Corp), 184 1st Ave (alt/rw/extend license to backyard)
VOTE: To deny the alteration application for Sahara East Restaurant Corp., 184 First Avenue, to wit extending its restaurant wine license to its backyard, because 1) this applicant who is currently commercially operating in its backyard and has erected a tent there to accommodate patrons, already has over one hundred (100) NYPD commercial noise complaints to 311 for this past year (attached hereto) which is evidence of its inability to manage its existing business, 2) the interior of said premise has an occupancy of twenty (20) patrons while the exterior has an occupancy of fifty (50) patrons and an extension of its license will more than double its capacity to serve beer and wine and will allow the predominant part of this business to be outdoors all year round given its existing tent in the backyard, 3) although the backyard of said premise is abutted by four (4) residential apartment building, the applicant has failed to provide resident petitions which reflect that he has attempted to contact the residential community which would be directly affected by his sale of alcohol

- outside their apartments windows and has furnished no more than nine (9) resident signatures in support of this expansion of its license from residents of First Avenue.
5. Heart of India (Triangle Four Corp), 79 2nd Ave (trans/rw) (currently The Madras Cafe)
VOTE: To deny the transfer of a restaurant wine license to Triangle Four Corp, for the premise currently doing business as Madras Café, located at 79 Second Avenue, because the applicant did not appear before Community Board #3 for review of its application or provide any application materials for review.
 6. BG Bar Inc, 113 Ludlow St (alt/op/additional bar)
VOTE: To approve the alteration of the full on-premise liquor license for BG Bar, Inc., 113 Ludlow Street, to wit adding a standup bar in its basement and moving its kitchen from the mezzanine area to the ground floor.
 7. Mitchell Banchik, 149 2nd Ave (trans/op) (currently Telephone Bar)
VOTE: To deny the transfer of a full on-premise liquor license to Mitchell Banchik, for the premise currently doing business as Telephone Bar, located at 149 Second 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 tavern, serving food during its hours of operation, 2) its hours of operation will be from 11:30 A.M. to 4:00 A.M. all days, 3) it will close and façade windows and doors at 10:00 P.M. every night, and 4) it will play recorded music only.
 8. 277 E 10th St Rest LLC, 277 E 10th St (trans/rw) (currently Persimmon)
VOTE: To deny the transfer of a restaurant wine license to 277 East 10th Street Restaurant LLC, for the premise currently doing business as Persimmon, located at 277 East 10th Street, and alteration of said license, to wit adding a bar, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will operate as a full-service restaurant, serving "rustic European food" to within one (1) hour of closing, 2) its hours of operation will be from 10:30 A.M. to 12:00 A.M. Sundays through Thursdays and 10:30 A.M. to 1:00 A.M. Fridays and Saturdays, 3) it will play ambient background music, consisting of recorded music only, 4) it will not commercially operate the backyard, 5) it will not use the outdoor space in front of the location for seating and will not apply to operate a sidewalk café, 6) it will keep its façade windows closed at all times. Community Board #3 is approving this application because the applicant has entered into a Memorandum of Understanding (attached hereto) with the 10th Street A-1 Block Association stating that it he will not seek to extend his hours within the first six (6) months of operating, it will ask patrons to wait inside, it will have a manager or employee on duty during all hours of operation to respond to neighbor complaints and it agrees it will not seek to upgrade to a full on-premise liquor license.
 9. Klimat Restaurant (7th Street Sushi Park Inc), 77 E 7th St (up/op, alt/hours of operation)
VOTE: To deny the application to upgrade to a full on-premise liquor license for 7th Street Sushi Park, Inc, doing business as Klimat, 77 East 7th Street, and the alteration application for its hours of operation, changing them from 12:00 P.M. to 12:00 A.M. all nights to 1:00 P.M. to 12:00 A.M. Sundays, 3:00 P.M. to 12:00 A.M. Mondays through Thursdays and 2:00 P.M. to 2:00 A.M. Fridays and Saturdays, because 1) this applicant misrepresented himself at his February 4, 2009 renewal hearing before the SLA, in that he allowed his attorney to incorrectly inform the SLA that he was operating a sushi restaurant which needed to serve wine and sake while, in fact, he has operated a German wine bar at this location for almost three (3) years, and he allowed his attorney to misstate that complaints made against him were anonymous although he had appeared before Community Board #3 in October and December of 2008 at which at least six (6) identified residents of this block appeared to complain about the noise and smoke emanating from his business, 2) there are still numerous complaints from residents regarding the noise emanating from this business as well as from patrons on the sidewalk, these are the same types of complaints that were addressed by this community board in October and December of 2008 and many of the recent complaints are for hours later than 1:30A.M. during the week which is inconsistent from the closing hours of 12:00 A.M. weekdays and 2:00 A.M. weekends agreed to in December of 2008, and noting that at the SLA hearing on February 4 2009, the applicant was informed that it was supposed to be closed at 12:00 A.M. all nights, 3) the applicant has conceded that there are at least four (4) liquor licenses within two hundred (200) feet of it, two (2) about this establishment on either side and in actuality there are at least thirty-four (34) full on-premise liquor licenses within five hundred (500) feet of this location, and 4) most of the complaints have been regarding noise emanating from a six (6) by six (6) foot garage-like door which comprises the majority of the façade of this business and which the applicant allows to remain open and which it allowed its attorney to mischaracterize as French windows to the SLA.
 10. 56 3rd Ave NY Restaurant LLC, 56 3rd Ave (trans/op) (currently Lan Restaurant)
VOTE: To deny the transfer of a full on-premise liquor license to 56 Third Avenue NY Restaurant LLC, premise currently doing business as Lan Restaurant, located at 56 Third Avenue, and alteration of said license, to wit changing its method of operation, its hours of operation and adding a bar, because 1) this is a transfer and alteration application for a restaurant tavern, specifically an Irish pub and restaurant, with proposed hours of operation from 11:00 A.M. to 2:00 A.M. Mondays through Wednesdays and 11:00 A.M. to 3:30 A.M. Thursdays and Fridays, an increased occupancy of one hundred twenty-five (125) people, with table seating for ninety-one (91) and a thirty-five (35) foot bar, while both of the previous businesses at this location were restaurants closing no later than 11:00 P.M. every night, with smaller occupancies and smaller bars and, consequently, the change in method of operation, hours of operation and occupancy for this proposed

business are substantial, 2) it is unclear whether this is a transfer application or a new application given that the previous business has closed, its license is not in safekeeping and it has apparently not yet tendered a completed renewal application to the SLA, 3) the area within a two (2) block radius of this location is heavily populated with existing bars and restaurants and, while that would not impact the five hundred (500) foot rule if this location has been continuously licensed since 1993, the cumulative effect of the human and traffic congestion and noise from all of these businesses has resulted in the creation of a community organization within the past two (2) years, as well as numerous community meetings involving the businesses, residents, local precinct and community board, to respond to these complaints, and the addition of another business would overwhelm an already overburdened area.

11. Dona Gallo Inc, 126 St Marks Pl (trans/rw) (currently Why Curry)
withdrawn

New Liquor License Applications

12. 200 Allen Cafe Inc, 200 Allen St (op)
withdrawn
13. Luke's Lobster (Lucas Holden), 93 E 7th St (eb)
withdrawn
14. Corp to be Formed, 169 Bowery (op)

VOTE: To deny the application for a full on-premise liquor license for Rhong-Tian @ Collective Hardware Corp., 169 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 Thai restaurant, serving food to within one (1) hour of closing, 2) it will install soundproofing as needed, 3) its hours of operation will be from 8:00 A.M. to 2:00 A.M. weekdays and 8:00 A.M. to 4:00 A.M. Fridays and Saturdays, 4) any windows will remain closed during its hours of operation, 5) it will play ambient background music, consisting of recorded music only, and will have no live music, DJs, promoted events, scheduled performances or events at which a cover fee would be charged, and 6) it will have an occupancy of seventy-four people and will have table seating for fifty-six (56) people and seating for ten (10) people at a bar.

15. Luna Pizza (Old New York Pizza Inc), 227-231 Park Row (rw)
VOTE: To approve the application for a restaurant wine license for Old New York Pizza, Inc., doing business as Luna Pizza, 227-231 Park Row.

16. Theatre St. Marks Inc, 80 St Marks Pl (op)
VOTE: To deny the application for a full on-premise liquor license for Theatre St. Marks, Inc., 80 St. Marks Place, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will continue to operate as a theatre with the ancillary service of alcohol at its existing bar which seats nine (9) and tables which seat fourteen (14) in an area with an occupancy of seventy-four (74), 2) said bar area will continue to function as an area where patrons wait during the intermissions of performances, 3) there will be no amplified music in the bar area, and 4) its hours of operation will continue to be 12:00 P.M. to 2 A.M. Sundays through Thursdays and 12:00 P.M. to 4:00 A.M. Fridays and Saturdays.

17. Corp to be Formed, 180 2nd Ave (op)
VOTE: To deny the application for a full on-premise liquor license for Church and Louie, Inc., 180 Second 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 Cajun restaurant and bar, serving food to within one (1) hour of closing, 2) its hours of operation will be from 4:00 P.M. to 2:00 A.M. Sundays through Thursdays and 4:00 P.M. to 4:00 A.M. Fridays and Saturdays, 3) it will close any façade doors and windows by 10:00 P.M. every night and maintain an open awning over its façade, and 4) it will play ambient background music, consisting recorded music only, and not have DJs, live music, promoted events, scheduled performances or any event at which a cover fee is charged.

(SLA & DCA Licensing Committee)

30 YES 0 NO 0 ABS 0 PNV (Excluding Items: 8, 10 & 14) MOTION PASSED

Items 8, 10 & 14: 28 YES 0 NO 2 ABS 0 PNV MOTION PASSED

Arts Task Force

1. Manhattan CB Theater & Arts Task Force Initiatives Fall 09: a) Non-Profit Arts Incentive for Community Facility Space (CB2 arts/institutions draft proposal); b) Theater Subdistrict Fund Grant Criteria (CB4 draft proposal); c) Other Common Manhattan Arts TF initiatives
no vote necessary
2. Outstanding Support of the Arts Award
no vote necessary
3. Future of the Arts in CB3? General Discussion
no vote necessary
4. Update: Planning for CB3 Arts Education Workshop/Forum March 2010
no vote necessary

Members Present at Last Vote:

David Adams [P]
Paul Bartlett [P]
Michael Byrne [A]
Pearl Chin [A]
David Crane [A]
Andrea Diaz [A]
Harvey Epstein [A]
Morris Fajtelewicz [P]
Flora Ferng [P]
Beth From [A]
Edward Garcia [A]
Rabbi Y. S. Ginzberg [P]
Gloria Goldenberg [P]
Herman F. Hewitt [P]
Simon Huang [P]
Bonnie Hulkower [A]

Carolyn Jeffers [P]
Anne K. Johnson [A]
Vaylateena Jones [P]
Meghan Joye [P]
Joel Kaplan [P]
Sam Krueger [A]
John Leo [P]
Gigi Li [P]
Bernice McCallum [P]
David McWater [P]
Alexandra Militano [P]
Maria Muentes [A]
Ariel Palitz [A]
Thomas Parker [P]
Dominic Pisciotta [P]
Barden Prisant [P]

Carolyn Ratcliffe [P]
Joyce Ravitz [P]
Lois M. Regan [A]
Richard F. Ropiak [P]
Muzzy Rosenblatt [A]
Elizabeth Sgroi [A]
David Silversmith [P]
Deborah A. Simon [A]
Arlene Soberman [A]
Nancy Rose Sparrow-Bartow [P]
Elinor Tatum [P]
Rodney Washington [P]
David Weinberger [A]
Harry Wieder [P]
Samuel Wilkenfeld [A]
Thomas Yu [A]

Meeting Adjourned