



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD NO. 3

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Dominic Pisciotta, Board Chair

Susan Stetzer, District Manager

April 2010 Full Board Minutes

Meeting of Community Board #3 held on Tuesday, April 27, 2010 at 6:30pm at PS 20, 166 Essex Street.

Public Session:

Edwina Nunez-Gordon from the Mental Health Association spoke about his organization and handed out informational pamphlets.

James French: from Project Health. Invited the community to substance abuse discussion for parents and teens. It will take place May 9 at the Educational Alliance.

Anton van Dalen: Spoke in opposition to liquor license for Avenue A Seafood Bar and Grill. He's lived on Ave A for 39 years. The overabundance of bars and restaurants is hurting competition in the neighborhood.

Andrew Coaney: Spoke in opposition to the liquor license at 171 Avenue A. There are 13 licensed establishments within 500ft. The seafood market portion will only take up 2% of the business.

Meri Micara: Spoke in opposition to the proposed liquor license application on Ave A. She does not think it does anything for the community. She doesn't believe it will be a restaurant or seafood market but rather a bar/club.

Michael Rosen: from the EVCC. Spoke in opposition of Ave A liquor license. Ave A is no longer a place to sleep, raise a family or live peacefully. He is disappointed with the SLA committee's response to the over-proliferation.

Laura Sewell: Spoke in opposition to Ave A. Establishments promise restaurants and deliver dive bars. We need to deal with the policy issues.

Dina Magus: Spoke in opposition 171 Ave A. She lives directly above Bar on A and across from the proposed establishment. She is afraid of more pollution, vomiting, feces and garbage on the street.

Adam Lynch: FDNY. Expressed his sympathies to the victims of the fire on Grand Street. He is happy to see how much the community has supported him on preventing the closings of firehouses. The emergency response times that are published are skewed to the public.

Rosa Li: She is heralding a letter campaign in May to help save our libraries. Please write a letter of support to save your local library.

Elke Hofmann: spoke in favor of Bac 115 at 115 St. Marks Place. She is the applicant's attorney and was shocked on how the committee treated the applicant. The vote was 3-3 and therefore did not pass. The applicant came with 300 signatures and no came to speak against it. She urges the CB to support his application.

Vaylateena Jones: "I believe a new bill Int 58 is very similar to a former bill Intr 650 which I believed this board opposed. Beth Haroules of the NYCLU could be contacted and might possibly be able to give a presentation on the bill. I am asking this board to respond in some way to this bill."

Frank Macken: Spoke in support of SLA committee's refusal to grant a license to Zerza at 46 Ave B.

Kamini Vadhan: Applied for a beer wine license at her pizzeria, Singas and was denied by the SLA committee. She says the committee is supporting applicants that attract wealthier customers and denying those restaurants that cater to poorer people.

Amanda McEntyre: Announced the NYU 2031 meeting.

Bob Zuckerman: new Executive Director to LES BID introduced himself. He wants to have a great grand opening of new office space.

Yael Dadoun: Yael is an applicant who appeared before the SLA committee for a liquor license and was denied. She wants to move her restaurant into the space that Le Souk once occupied. She feels she is being unfairly punished for the crimes of Le Souk. She has had a great track record in the neighborhood and wants to be able to prove herself.

Public Officials:

Mayor Michael Bloomberg, Lolita Jackson & Pauline Yu: Spoke about how the City is helping the victims of the Grand Street Fire. They are finding them temporary homes and dealing with medical needs, transportation, lost documents etc. Lolita also announced the training for new CB members tomorrow night.

Public Advocate Bill de Blasio, Phil Jones:

Comptroller John Lui, Sandra Ung: The Comptroller introduced My Money NYC which will make New York City's finances more transparent by using the power of the Internet to provide unprecedented access to the City's finances and encourage citizen collaboration on fiscal matters. By the end of 2010, My Money NYC will include a suite of user-friendly transparency, collaboration, and performance measurement products.

The Department of Homeless Services (DHS) paid out millions of dollars (\$152.7 million in FY08) to non-contracted service providers based on an "honor system" of unwritten agreements, invented rates and duplicate clients lists, according to an audit initiated under former Comptroller William C. Thompson, Jr. and just completed by Comptroller John C. Liu. Comptroller Liu believes this is bad practice and does an incredible disservice to the City's Homeless.

Borough President Scott Stringer, Gregory Kirschenbaum: Greg congratulated new CB3 members. The BP, local officials and city agencies are working on a solution to temporary housing for the victims of the Grand St. fire. Currently they are all the way out by the airport in Queens. Charter Revision-promised a full top to bottom review. It looks like it is headed for the 2010 ballot which is much too soon to get community input. CB training is tomorrow night. Greg also announced he will be leaving the BP's office to go to law school.

Congressmember Jerrold Nadler, Daniel Weisfeld:

Congressmember Nydia Velazquez, Iris Quinones: Congresswoman Nydia Velazquez is working on the Puerto Rican status issue this week. On immigration reform she continues to work to build a coalition of organizations, churches and small businesses to unite behind comprehensive immigration reform. Regarding small business, The House Committee on Small Business will hold a hearing tomorrow entitled, "Evaluating the Impact of Small Business Trade Policy on Job Creation and Economic Growth". She is also working on financial reform and housing issues-she recently announced 23.5 million in Emergency funds for housing vouchers. The funds will be used to help cover a \$45 million shortfall in the NYCHA's Section 8 program that has 10,000 tenants housing at the risk of being revoked.

Rep. Velazquez is introducing Sen. Gillibrands's legislation, The Healthy Food Initiative, in the House. The bill would authorize President Obama to offer loans and grants to build 2,100 grocery stores across America including 273 in underserved parts of NYC. It could create 26,000 more jobs in the City.

Congressmember Carolyn Maloney, Victor Montesinos:

Assembly Speaker Sheldon Silver, Zach Bommer: Zach congratulated the new board members. Within the last hour the Assembly (hopefully) passed a great package of housing bills. Hopefully they'll be passed in Senate. Shelly attended PSA4's annual Community Council's Fellowship Breakfast. It is a chance to honor police and community members for exceptional service. Shelly joined other public with AAFE, DHCR, HPD and the Red Cross to discuss emergency, temporary and permanent housing for the victims of the Grand St. fire. The Speaker celebrated earth week by announcing a strong package of green bills at the Assembly. He wants to limit the use of dangerous compounds in manufacturing, improve and expand the recycling of hazardous materials and protect NY wetlands. He struck out against Arizona's Immigration Legislation.

Assemblymember Deborah J. Glick, Lisa Parson: Unfortunately she and other local officials were not able to find a suitable company to partner with St. Vincent's to keep it open. She is still working closely to make sure the health center that goes up in its place delivers a high quality of health care to the neighborhood. DOH has selected Lennox Hill as the provider to operate on that site until a long-term tenant is found. Glick's office hosted an event " Local Arts, Collective Strength: A Forum to Build Support for Our Neighborhood Theatres and Dance Companies" which was a great success. The forum aimed at encouraging collaborations between art organizations and local businesses.

Assemblymember Brian Kavanagh, Izzy Murguia: The Health Fair was a great success. They offered free cholesterol, blood pressure and glucose screenings. On Earth Day, Brian Kavanagh joined other public officials in launching a statewide campaign to end government use of Styrofoam. The campaign kicked off with an early morning rally at a Manhattan public school featuring parents, students, and piles of Styrofoam trays and cups

collected from schools and government buildings. He attended the PS4 Community Council Fellowship Breakfast.

State Senator Daniel L. Squadron, Rosemarie Diaz: On April 11 Daniel hosted the 2nd Annual District Community Convention bringing together close to 350 community members to discuss legislative and community priorities. Participants broke up into 23 different discussion groups. The Senator will be taking the feedback from these groups back to Albany with him. He announced a \$250,000 capital funding grant for the LES Girls Club new green building. Bard is hosting Neighborhood Day from noon-4 at Houston and FDR.

State Senator Thomas K. Duane, John Bartos:

Councilmember Margaret Chin, Patricia Olan: congratulations to new CB members. Councilmember has been working with other officials to help victims of Grand St fire. She drafted a bill designed to improve pedestrian safety in Lower Manhattan by bettering safety management around construction sites. Councilmember Chin will host a community forum on Consumer Rights with the Urban Justice Center on Tuesday May 4, from 6-9pm at 189 Allen St.

Councilmember Rosie Mendez, Jessica Nepomiachi: Lisa Kaplan spoke. Rosie is really pleased to be collaborating with Margaret Chin. Most recently they visited Senior Centers in the LES to reassure the elderly and condemn the recent hate crimes on older Asian women in the neighborhood. Rosie would like something more concrete and systematic to do in response to youth violence. Rosie supports our first vote tonight calling for a taskforce of city agencies and CB3 to hold a town hall meeting to address youth violence in the LES. She is beside herself on shortfall of section 8 housing funding. She and several of her colleagues met with Speaker Quinn to discuss the cancellation of 2,600 recently issued Section 8 vouchers. The budget crisis is dire.

Members Present at First Vote:

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

Minutes:

Minutes of February 2010 were approved, as is.

Board Chairperson's Report:

Board Report:

- Budget: We are working with other Boards to mount a defense of our budgets before the City Council. We are hopeful that the cuts will not be severe. Nothing is certain, therefore, I would like to tell members to not discuss the budget with staff. The unions have a procedure for handling lay-offs that the Chair and DM must follow. The unions notify the Chair and DM, however, we are not even allowed to discuss with the staff member. The union handles it all.
- Charter Revision: We are setting up a task force to explore and provide input into Charter Revision if there are any members who are interested.
- Committee Requests: Everyone please fill out your forms. You must select three options and indicate how many committees you are willing to be on. I will place new members first and then look at existing members requests.
- Susan and I met with DOF to discuss the upcoming visit by their Commissioner to the Economic Development Committee regarding the ballooning taxes that are being passed onto lease holders. We learned that this is likely the result of landlords not filling out the proper annual self-assessment paperwork and then DOF levies a greater tax on them. This is having unintended consequences on small businesses across the city and DOF is concerned and interested in trying to remedy it. Businesses are asked to come to

the Economic Development Committee meeting to testify to their circumstances. Susan will have more on this.

District Manager's Report:

District Manager Susan Stetzer

I would also like to extend a welcome to our new members. Please visit our website and check out the resources available. Also please call the office if you have any questions.

I would like to thank Greg Kirschenbaum for his tenure with the board. He has been incredibly supportive and worked with the office on an almost daily basis.

The Fire on Grand Street was a huge and tragic event. However, I have never seen such an amazing response. All the elected officials and agencies worked so quickly, efficiently, and with great transparency.

This Thursday the Department of Transportation will be presenting a public input session for the Bleecker/Bowery Transportation Study. The study will assess traffic and transportation conditions and community concerns. It is bounded by Essex /Avenue A to the east, Mercer Street to the west, E 5th/E 8th Street to the north and Spring St/Delancey to the south. The meeting is hosted by Community Boards 2 and 3.

Our Economic Development Committee will be meeting with the Commissioner from the Department of Finance. The main topic will be increasing real estate taxes on small businesses. Please recruit small businesses to come to the meeting with questions.

Committee Reports:

Executive Committee

- We passed a resolution asking local officials and community based organizations to join in a coalition or task force to hold a meeting on youth violence.
- The Outreach committee is going to collect and compile biographies of members that will include such things as: neighborhood, work, volunteer, and particular interests they have for being members of CB 3.
- Nomination committee was re-started. John Leo will chair it again. Please let me know if you are interested in being a member.

Executive Committee

VOTE: Whereas Community Board 3 residents have expressed concerns regarding an increase in youth violence over the last two years, Community Board requests elected officials, community based organizations, and city agencies to form a taskforce with the Community Board 3 to hold a LES town hall meeting to hear concerns regarding youth violence and plan together to address this issue that is the highest priority for our community.

(Executive Committee)

39 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Land Use, Zoning, Public & Private Housing Committee

Chinatown Working Group:

Report:

moderations and discussions will take place at the next full board meeting: this coming Monday at American Legion 191 Canal, 2nd floor. 4-6pm

Monday, April 12th Meeting

1. Modifications to Zoning, Housing & Affordability sections of Chinatown Working Group preliminary action plan
no vote necessary
2. Requested support for a Car Sharing Zoning Text Amendment
no vote necessary
3. Requested support for State legislation to stop use of apartments as illegal hotels
VOTE: WHEREAS, New York City suffers from a shortage of affordable housing; and

WHEREAS, Manhattan community boards has always considered the preservation and development of affordable housing a top priority; and

WHEREAS, illegal hotels are units that are meant to be apartments but are illegally used as transient hotel rooms; and

WHEREAS, illegal hotels take available apartments from an already tight housing market, and disrupt the lives of the residents who still live in the building; and

WHEREAS, many tourists are unaware that the buildings in which they are staying are built for permanent residential use and do not meet hotel fire-safety codes; and

WHEREAS, illegal hotels often do not conform to the safety regulations for hotels set forth by the New York State Multiple Dwelling Law (MDL) and the New York City Building Code such as fire sprinklers and secondary egress; and

WHEREAS, illegal hotels often do not conform to the regulations set forth by the Peoples with Disabilities Act, thereby failing to ensure accessibility; and

WHEREAS, the proliferation of illegal hotels has become so prevalent that Mayor Bloomberg created an Office of Special Enforcement to investigate complaints; and

WHEREAS, the Appellate Court's decision in the City of New York v. 330 Continental LLC prevents effective enforcement against "illegal hotels"; and

WHEREAS, Mayor Bloomberg's administration participated in the drafting of legislation which closes loopholes to make it possible to prosecute and close down "illegal hotels"; and

WHEREAS, Assembly Member Richard N. Gottfried and State Senator Liz Krueger have introduced A. 10008/ S. 6873, which would clarify the Multiple Dwelling Law and New York City Administrative code to disallow transient occupancy (less than 30 days) of class A dwellings and provide a path to compliance for certain hotels that have class A certificates of occupancy, but were built prior to the enactment of the MDL in 1929 and were used as hotels prior to the enactment of the New York City Zoning resolution in 1961; and

WHEREAS, Mayor Bloomberg supports this legislation as indicated in the 'Memorandum in Support' from his Office of State Legislative Affairs;

THEREFORE, BE IT RESOLVED that the Manhattan Community Board 3 heartily supports the passage of A. 10008/S. 6873; and

THEREFORE, BE IT FURTHER RESOLVED that the Manhattan Community Board 3 urges all Manhattan State legislators to co-sponsor A. 10008/S. 6873.

Tuesday, April 20th Meeting

- Facilitated discussion on program specifics for SPURA sites development
no vote necessary

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

39 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Outreach Task Force

Report:

New member social had a great turnout.

We will be collecting member profiles so please email back.

1. Plan for new member event
no vote necessary
2. New member outreach
no vote necessary
3. Literature development
no vote necessary

Human Services, Health, Disability, & Seniors Committee

1. Modifications to Immigrant Affairs/Human Services sections of Chinatown Working Group preliminary action plan

VOTE: Committee passes the CWG's Immigrant & Social Services, and Education and Schools PAPs with the understanding that the following edits will be made:

- Education and Schools: "Study area" will replace "Chinatown" in entire section

- Immigrant Affairs and Social Services:
 - First proposal on pg. 1: "multilingual" will replace "bilingual"
 - Eliminate proposal 3 and 4 on page 2 – due to mention of SPURA
2. Presentation: Access-a-Ride—changes and updates
no vote necessary

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

39 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Youth & Education Committee

1. Modifications to Education sections of Chinatown Working Group preliminary action plan
VOTE: To accept the Chinatown Working Group preliminary action plan with corrections. The word bilingual should be changed to multilingual throughout the Plan, in addition to include the areas Chinatown include.
2. Discussion on the Department of Education's "Regulation A-812" banning home-baked goods in school bake sales but allowing for pre-packaged commercial snacks
VOTE: To adopt the following Resolution regarding Regulation A-812.

WHEREAS, the Department of Education, in June 2009, enacted a policy to ban all bake sales in City Schools; and

WHEREAS, bake sales are an important fundraising component of many schools, providing significant assistance to many extra curricula programs that would otherwise not exist; and

WHEREAS, bake sales provide a vital social component, offering individuals an opportunity to share cultural heritage, sample family recipes, and show off individual skills; and

WHEREAS, bake sales offer a variety of educational experiences for students; and

WHEREAS, in the fall of 2009 D.O.E. modified its policy to allow bake sales, on the condition that they only sell the pre-packaged products that are manufactured by D.O.E.'s contracted vendors, and which are currently available in school vending machines, such as Hydrox, Pop Tarts, Frito-Lay, Doritos, and Snapple, among others, all of which contain high fructose corn syrup and/or other unhealthy industrial food additives; and

WHEREAS, home bakers use healthier ingredients, having little or no access to industrial food additives; and

WHEREAS, under these new rules, there is little or no incentive for customers to buy products that are readily available elsewhere in the school building, every day and which have no unique personal appeal; and

WHEREAS, the key to making children and teenagers healthier is to educate them to make healthier choices, not to impose bans; and

WHEREAS, common sense dictates that there is no correlation between occasional bake sales, which have been a regular feature of school support since the early part of the 20th Century, and the threefold increase in childhood obesity in the United States that has occurred since the 1960s when schools began offering less healthy food options in lunch rooms and vending machines; and

WHEREAS, the main reason cited for the increase in childhood obesity are:

- Less physical activity among youth,
- More fast food, commercial foods and additives (such as corn syrup),
- Fewer home-cooked meals and less family time; and

WHEREAS, decreasing and preventing childhood obesity will also lead to a decrease in heart disease, diabetes, strokes, and many other serious problems; now

THEREFORE, BE IT RESOLVED that Community Board 3 Manhattan urges the Department of Education to repeal its ban on selling home baked foods at bake sales, and calls upon our elected officials to review this nonsensical D.O.E. policy and seek its repeal; and

THEREFORE, BE IT FURTHER RESOLVED that the Community Board 3 Manhattan supports efforts to increase school-based opportunities for physical activity among youth and decrease their consumption of industrially prepared foods and beverages.

(Youth & Education Committee)

Item 1: 39 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Item 2: 38 YES 0 NO 1 ABS 0 PNV MOTION PASSED

Transportation & Public Safety Committee

1. Modifications to Transportation/Sanitation/Public Safety sections of Chinatown Working Group preliminary action plan
no vote necessary
2. Con Edison update: Re: former 11th St Manufactured Gas Plant (MGP) program, indoor air and sump pump water sampling
no vote necessary
3. East Side Streets Campaign of Transportation Alternatives: a community-based effort to engage citizens and civic organizations from East Harlem to Chinatown in building a community coalition and in creating a Community Action Plan for pedestrian and cyclist safety improvements throughout the entire East Side of Manhattan
no vote necessary
4. 50 E 4th Street & 52 E 4th Street: Request for DOT sign for active driveway
no vote necessary
5. Requested support for Neighborhood School green roof

VOTE: WHEREAS, The Neighborhood School and Public School 63 share a public school building located at 121 East 3rd Street, in New York City; and is located within an Asthma Free School Zone; and

WHEREAS, combined, the two schools house over five hundred students, mostly from Community Board 3; and

WHEREAS, residents of CB3 have traditionally been leaders in all environmental efforts in NYC; and

WHEREAS, Borough President Scott Stringer provided funds for a feasibility study that found in favor of such a project; and

WHEREAS, Council Member Rosie Mendez supports it; now

THEREFORE, BE IT RESOLVED that Community Board 3 support s The Neighborhood School and Public School 63 in their effort to completely transform the school building roof by turning it into a green literacy classroom laboratory that will include, but not be limited to, plants, fruit trees, recycling, compost and other efforts that will build on a curriculum meant to educate and empower students at their school.

6. Discussion of risk of FDNY firehouse closures due to projected FY'2011 budget deficit
no vote necessary

(Transportation & Public Safety Committee)

39 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Environment Committee

no meeting scheduled

SLA & DCA Licensing Committee ITEMS 8 AND 12 WERE PULLED FOR DISCUSSION

1. Support for Dept of Health workshop of best practices for restaurants with rodent violations and create incentive letter for restaurants to participate

VOTE: To approve the contacting of eating and drinking establishments in this community who have failed inspections by the Department of Health for rat infestation in order to ask that they commit to attending the free Best Practices Workshop being offered by the Department of Health and to offer upon completion of this course a thank you letter from Community Board #3, as well as a letter to the New York State Liquor Authority and the Department of Consumer Affairs, where applicable, that said business has cooperated with the community by taking this course.

Renewal with Complaint History

2. Neway KTV, 90 Eldridge St (tw)

VOTE: To deny the renewal of the tavern wine license for Neway KTV, 90 Eldridge Street, because 1) although this licensee appeared before Community Board #3 in November of 2008 to apply for a full on-premise liquor license and was denied (see motion appended hereto), it did not submit notice to this community board when it applied for its tavern wine license and, consequently, circumvented our review of its application, 2) residents who live across the street and who appeared to complain about this location in 2008 again appeared in opposition to this business, stating that it cannot manage its patrons who congregate outside of its premise

making noise as late as 6:30 A.M. and are often observed by residents to be fighting, 3) in the past year, there have been thirty-seven (37) 311 complaints about loud noise and music from this business, 4) the previous location, doing business as Grand Street Billiards, was a nuisance location and the subject of numerous complaints of noise by residents of this street over a period of years, as well as action by the 5th Precinct and the present location has already been targeted by the Vice Squad of the New York Police Department who, the licensee conceded, conducted an operation and issued violations against it in February of 2010, and 5) Eldridge Street is a small residential side street, primarily occupied by families with children whose character is incompatible with this late night licensed premise.

Sidewalk Cafe Applications

3. Cafe Buon Gusto, (Avenue B Buon Gusto Corp), 76 Ave B (unenclosed)

VOTE: To inform DCA that Avenue B Buon Gusto Corp., located at 76 Avenue B, also known as 545-547 East 5th Street, has withdrawn its application before Community Board #3 for a sidewalk café permit, because the applicant failed to appear with its architect and to ask that DCA not consider this application until the applicant appears before this community board for comment on its application.

4. Ballaro Inc, 77 2nd Ave (unenclosed)

VOTE: To approve the application for a sidewalk café permit for eight (8) tables and eighteen (18) seats for Ballaro Inc,, doing business as Ballaro Caffè Prosciutteria, 77 Second Avenue, because the applicant has signed a change agreement which will become part of its DCA license that 1) it will have eight (8) tables with eighteen (18) seats, and 2) its hours of operation will be from 9:00 A.M. to 10:00 P.M. Sundays and 8:00 A.M. to 10:00 P.M. Mondays through Saturdays.

Applications within Resolution Areas

5. T Poutine LLC, 168 Ludlow St (rw)

VOTE: **WHEREAS,** Tpoutine has again applied for a restaurant wine license for 168 Ludlow Street, between Houston and Stanton Streets, after having been denied by this community board in May of 2009 (see motion appended hereto) and having withdrawn its application in March of 2010, after being informed that there are complaints against it; and

WHEREAS, this applicant has been operating a restaurant which has accordion doors and serves a limited menu consisting of variations of Canadian fries; and

WHEREAS, there have been recent complaints from residents from three (3) different buildings on Ludlow Street, that being the subject building, an adjacent building and a building located across the street from this business, and said complaints have been of loud music emanating from this business between 11:00 P.M. and 5:00 A.M., as well as noise emanating from a backyard patio and a lack of responsiveness and hostility from the managers when approached by residents to address these complaints; and

WHEREAS, although this applicant has represented that it has made efforts within the past month to address these complaints by physically lowering its speakers, as well as lowering the bass and volume of its music, by closing its doors earlier and by restricting its employees from using the backyard, there have been two (2) new complaints from a resident of its building and from a resident of the building across the street that the volume of noise is the same and it extends into the late night hours; and

WHEREAS, Ludlow Street is presently overwhelmed by nighttime licensed establishments of all types, as well as the noise and congestion attendant to the volume of these businesses and this business is already contributing to this condition without having a liquor license; and

WHEREAS, this applicant has failed to demonstrate the community support required for its application before Community Board #3; now

THEREFORE, BE IT RESOLVED that Community Board #3 moves to deny the restaurant wine license for Tpoutine, 168 Ludlow Street.

6. Bac 115 Corp, 115 St Marks Pl (rw)

THIS MOTION DID NOT PASS

VOTE: To deny the application for a restaurant wine license for Bac 115 Corp., for 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 Vietnamese French restaurant for the life of the liquor license, and 2) it will not extend its bar beyond six (6) feet. Community Board #3 is approving this application because this applicant has a history of operating businesses which will bring a quieter element to St. Marks Place.

THIS MOTION PASSED

VOTE: To deny the application for a restaurant wine license for Bac 115 Corp., located at 115 St. Marks Place,

between First Avenue and Avenue A, because 1) this location was previously unlicensed, having been operated as an ice cream shop, and 2) there has been demonstrated consistent opposition to the addition of any other liquor licenses on this block of St. Mark's Place because there are already seventeen (17) liquor license on this single block and the numerous existing nighttime establishments have resulted in significant noise and vehicular and pedestrian traffic, as well as a request by the previous commanding officers of said precinct that no new liquor licenses be issued on this street.

7. Cafe Buon Gusto, (Avenue B Buon Gusto Corp), 76 Ave B (rw)

VOTE: To deny the application for a restaurant wine license for Avenue B Buon Gusto Corp., 76 Avenue B, also known as 545-547 East 5th Street, because the applicant did not appear before Community Board #3 for review of its application or provide any application materials for review and failed to post any community notice of its intent to apply for a liquor license.

8. Keith Masco, 171 Ave A (op)

VOTE (ORIGINAL MOTION): To deny the application for a full on-premise liquor license for Violily LLC, for 171 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 seafood restaurant bar, seating forty-eight (48) people and serving food to within one (1) hour of closing every night, and will operate a seafood market which will close no earlier than 8:00 P.M. every night, 2) it will not extend its bar more than twenty-four (24) feet, and 3) its hours of operation will be from 11:00 A.M. to 2:00 A.M. all days, 3) it will only use its backyard once it has been completely enclosed. 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 containing four hundred (400) signatures, fifty-four (54) of which are from this block and the majority of which are from the immediate neighborhood, and 2) it recognizes that there is public benefit in the retail sale of fresh seafood in this area. **(THIS MOTION WAS VOTED DOWN BY THE FULL BOARD).**

VOTE (NEW MOTION): To deny the application for a full on-premise liquor license for Voilily LLC, located at 171 Avenue A, between 10th Street and 11th Street, because 1) the applicant has represented that it will operate a seafood tavern restaurant with forty-eight (48) seats inside the premise and twenty-four (24) seats in an enclosed backyard, with a twenty-four (24) foot bar and a twenty-two (22) foot bar and a retail component consisting of a nine (9) foot retail service counter for the sale of seafood which would double as an oyster and clam shucking station, 2) its size and hours of operation from 11:00 A.M. to 2:00 A.M. every day would contribute to the late night noise and pedestrian congestion already experienced by residents of upper Avenue A, 3) although the applicant has stated that it will leave the small retail component of its business open from 11:00 A.M. to 2:00 A.M. every day, any benefit from this portion of the business is far outweighed by the addition of a full on-premise liquor license on this block which of Avenue A on which six (6) of the nine (9) commercial storefronts are license premises with full on-premise liquor licenses, 4) there was substantial opposition to this application, consisting of eighty (80) signatures from residents of the immediate area and seven (7) residents who appeared before this community board while the applicant produced four hundred (400) signatures from the East Village and Lower East, only fifty-four (54) of which were from residents of the immediate area, 5) the applicant concedes that there are thirteen (13) full on-premise liquor licenses within five hundred (500) feet of this location while residents have counted as many as twenty-two (22) full on-premise liquor licenses within the same area and there are as many as fifty-six (56) liquor licenses along Avenue A, and 6) this community board has listened to residents of this length of Avenue A, between 10th and 13th Streets, complain for years about how they are suffering from late night noise on the sidewalks and streets and from the businesses, as well as street and sidewalk congestion at nighttime because of the nighttime businesses and the addition of another licensed premise would be of no public benefit given their already impacted quality of life

9. Corp to be formed, 40 Ave B (op)
withdrawn

10. Zerza (Radouane Eljaouhari), 46 Ave B (op/removal from 308 E 6th St)

VOTE: WHEREAS, Radouane Eljaouhari, is seeking to remove its full on-premise liquor license from its existing business Zerza, located at 308 East 6th Street, to 46 Avenue B, to continue its method of operation as a Moroccan restaurant; and

WHEREAS, as the previous license holder for this location, doing business as Carthage Palace, had its license revoked on March 31, 2008, this is now an unlicensed location; and

WHEREAS, as there have been numerous complaints from residents of the surrounding buildings regarding the operation of the two (2) previous commercial tenants, Carthage Palace, which had its license revoked, and Carne Vale, which was availing itself of the use of said license to operate as a club, as well as police and New York State Liquor Authority activity, this community board has previously moved to deny any future liquor license application absent extraordinary circumstances and has notified the landlord of said motion; and

WHEREAS, although this applicant has a history without complaint at its location of 308 East 6th Street, it has failed to demonstrate the extraordinary circumstances which would cause this community board to approve another full on-premise liquor license for this location;

WHEREAS, the applicant concedes that there are at least eighteen (18) full on-premise liquor licenses within five hundred (500) feet of this location; and

WHEREAS, Avenue B is a narrow residential street which runs from Houston to 14th Streets and which physically narrows between 4th Street and Houston Street; and

WHEREAS, Avenue B between 5th Street and Houston Street is the worst area in the 9th Precinct in terms of degraded quality of life as a result of its numerous licensed establishments, overwhelming pedestrian and vehicular traffic, late night horn honking and noise from patrons moving between businesses and emanating from businesses; and

WHEREAS, the 9th Precinct and Community Board #3 have had to ask the Department of Transportation to eliminate weekend nighttime parking on one side of Avenue B between 4th Street and Houston Street in an effort alleviate traffic congestion and decrease late night noise in this area; now

THEREFORE, BE IT RESOLVED that Community Board #3 moves to deny the application the removal of a full on-premise liquor license belonging to Radouane Eljaouhari from 308 East 6th Street to 46 Avenue B.

11. In Vino (215 E 4th St Winery LLC), 215 E 4th St (alt/rw/two tables outside)

VOTE: To inform the SLA that 215 East 4th Street Winery LLC, doing business as In Vino, located at 215 East 4th Street, has withdrawn its application before Community Board #3 for an alteration to extend its restaurant wine license to sidewalk seating, 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.

12. Singas Famous Pizza (11 Classic Inc), 94 Ave C (rw)

VOTE (ORIGINAL MOTION): To deny the application for a restaurant wine license 11 Classic Pizza Inc., doing business as Singas Famous Pizza, 94 Avenue C, because 1) there are at least twelve (12) licensed premises within three (3) blocks of this location, 2) the applicant has failed to demonstrate the public convenience and advantage to the licensing of its business which has been open for only two (2) months and consists of four (4) tables with eight (8) seats, and 3) there was insufficient community outreach in that the applicant furnished only twenty-six (26) signatures from residents, not all of which were from the immediate area. **(THIS MOTION WAS VOTED DOWN BY THE FULL BOARD).**

VOTE (NEW MOTION): To send the application back to committee next month and to inform the SLA that the applicant has agreed to not apply to the SLA before returning to committee.

Alterations/Transfers/Upgrades

13. Robert Boose or Corp, 59 Canal St (trans/op) (Swat Production)
withdrawn

14. Bklyn Local Draft LLC, 161 E Houston St (trans/op) (Oliva)

VOTE: **WHEREAS**, it is often necessary for applicants and representatives who appear before the Community Board #3 State Liquor Authority/Department of Consumer Affairs Licensing Committee to withdraw agenda items because negotiations and or paperwork are not complete; and

WHEREAS, there have been instances where applicants and representatives have given their thirty (30) day notice to Community Board #3, withdrawn said notice and then immediately applied to the New York State Liquor Authority; and

WHEREAS, Community Board #3 has therefore asked applicants when withdrawing to agree that they will not be heard by the New York State Liquor Authority until they first appear before Community Board #3; and

WHEREAS, while most applicants and their representatives have honored this request, a small number have refused to do so; now

THEREFORE, BE IS RESOLVED that Community Board #3 recommends the denial of the application to transfer the full on-premise liquor license located at 161 East Houston Street, which is currently doing business as Oliva, to Bklyn Local Draft LLC, because said applicant has refused to ask the New York State Liquor Authority that its application not be heard until it first appears before Community Board #3. Community Board #3 will hear this application and make a substantive recommendation

at any later date if said applicant resubmits notice to the community board with the requisite thirty (30) day notice to the New York State Liquor Authority.

15. Corp to be Formed, 29 2nd Ave (trans/op) (The Cock)

VOTE: To deny the transfer of a full on-premise liquor license to Corporation to be Formed, for the existing business The Cock, located at 29 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 employ two (2) security guards who will be stationed inside and at the door during all hours of operation, and 2) it will post signs on its façade asking patrons to be quiet and respectful of neighbors.

16. Corp to be Formed, 351 E 12th St (trans/op) (Restaurant Leon)

VOTE: WHEREAS, it is often necessary for applicants and representatives who appear before the Community Board #3 State Liquor Authority/Department of Consumer Affairs Licensing Committee to withdraw agenda items because negotiations and or paperwork are not complete; and

WHEREAS, there have been instances where applicants and representatives have given their thirty (30) day notice to Community Board #3, withdrawn said notice and then immediately applied to the New York State Liquor Authority; and

WHEREAS, Community Board #3 has therefore asked applicants when withdrawing to agree that they will not be heard by the New York State Liquor Authority until they first appear before Community Board #3; and

WHEREAS, while most applicants and their representatives have honored this request, a small number have refused to do so; now

THEREFORE, BE IS RESOLVED that Community Board #3 recommends the denial of the application to transfer the full on-premise liquor license located at 351 East 12th Street, which is currently doing business as Restaurant Leon, to a Corporation to be Formed, because said applicant has refused to ask the New York State Liquor Authority that it not be heard until its application first appears before Community Board #3. Community Board #3 will hear this application and make a substantive recommendation at any later date if said applicant resubmits notice to the community board with the requisite thirty (30) notice to the New York State Liquor Authority.

17. Corp to be Formed, 200 Ave A (trans/op) (Superdive)
withdrawn

18. An Choi (SaigonNYC Ltd), 85 Orchard St (alt/rw/expansion into space next door)

VOTE: To deny the alteration of restaurant wine license for SaigonNYC Ltd., doing business as An Choi, 85 Orchard Street, to wit extending its restaurant wine license into the adjacent Storefront, know as Storefront A, and adding twenty-four (24) seats for dining, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will operate as a full-service Vietnamese restaurant, serving food during all hours of operation, 2) its hours of operation will be from 11:00 A.M. to 10:00 P.M. Sundays through Wednesdays and 11:00 A.M. to 12:00 A.M. Thursdays through Saturdays, 3) it will have a closed façade, and 4) it will close its patio at 8:00 P.M. every night.

19. Waterloo, 102 Ave C (trans/rw) (Mr C's)

VOTE: WHEREAS, it is often necessary for applicants and representatives who appear before the Community Board #3 State Liquor Authority/Department of Consumer Affairs Licensing Committee to withdraw agenda items because negotiations and or paperwork are not complete; and

WHEREAS, there have been instances where applicants and representatives have given their thirty (30) day notice to Community Board #3, withdrawn said notice and then immediately applied to the New York State Liquor Authority; and

WHEREAS, Community Board #3 has therefore asked applicants when withdrawing to agree that they will not be heard by the New York State Liquor Authority until they first appear before Community Board #3; and

WHEREAS, while most applicants and their representatives have honored this request, a small number have refused to do so; now

THEREFORE, BE IS RESOLVED that Community Board #3 recommends the denial of the application to transfer the restaurant wine license located at 102 Avenue C, to Waterloo, because said applicant has refused to ask the New York State Liquor Authority that its application not be heard until it first appears before Community Board #3. Community Board #3 will hear this application and make a substantive recommendation at any later date if said applicant resubmits notice to the community board with the requisite thirty (30) day notice to the New York State Liquor Authority.

20. Heart of India (Triangle Four), 79 2nd Ave (trans/rw) (Madras Cafe)
VOTE: As this applicant has entered in a Memorandum of Understanding with the East Fifth Street Block Association (attached hereto), Community Board #3 moves to deny the transfer of a restaurant wine license to Triangle Four Corp., for the existing business Madras Cafe, located at 72 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 Indian restaurant, serving food during all hours, 2) its hours of operation will be from, 11:00 A.M. to 12:00 A.M. Sundays through Thursdays and 11:00 A.M. to 1:00 A.M. Fridays and Saturdays 3) it will close any façade windows at 10:00 P.M. every night, 4) it will play ambient background music only, consisting of recorded music, and will not have DJs, live music, promoted events or events at which a cover fee would be charged, and 5) it will designate an employee or employees whose responsibilities will include monitoring the sidewalk in front of the business to deter noise and congestion from patrons.
21. 157 Brick Oven LLC, 157 2nd Ave (trans/op) (Cafe Brama)
VOTE: To deny the application for a full on-premise liquor license 157 Brick Oven LLC, with a proposed business name of Sempre Pizza Bar, 157 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 Italian restaurant, serving food to within one (1) hour of closing every night 2) its hours of operation will be from 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 its façade at 10:00 P.M. every night, and 4) it will play ambient background music only, consisting of recorded music.
22. The Meatball Shop LLC, 84 Stanton St (alt/rw/extend to sidewalk cafe)
VOTE: To deny the alteration of a restaurant wine license for The Meatball Shop LLC, doing business as The Meatball Shop, 84 Stanton Street, to wit extending its restaurant wine license to a sidewalk cafe, consisting of three (3) tables and twelve (12) seats, 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 full-service meatball restaurant, serving food during all hours of operation, 2) its hours of operation will be from 12:00 P.M. to 4:00 A.M. all days and the hours of operation of its sidewalk café, consisting of three (3) tables and twelve (12) seats, will be from 12:00 P.M. to 11:00 P.M. weekdays and 12:00 P.M. to 12:00 A.M. Fridays and Saturdays, 3) its façade will close at 10:00 P.M. every day, and 4) it will move its speakers which are mounted above its façade further into the interior of business, to minimize noise and bass emanating to the street.
23. Belgium Ale House (Belgium NYC Corp), 54 2nd Ave (alt/rw/extend to sidewalk cafe)
 withdrawn
24. YB Tapas Inc, 234 E 4th St (trans/rw) (Ma Ya)
VOTE: To deny the transfer of a restaurant wine license to YB Tapas Inc., 234 East 4th 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 Spanish tapas restaurant, with ground floor and basement dining areas and serving food to within one (1) hour of closing every night, 2) its hours of operation will be from 4:00 P.M. to 12:00 A.M. Sundays through Thursdays and 4:00 P.M. to 1:00 A.M. Fridays and Saturdays, 3) it will have a closed fixed facade, and 4) it will play ambient background music only, consisting of recorded music.
- New Liquor License Applications**
25. Nonna Apa Pizzeria (Zorro Inc), 105 Clinton St (rw)
 withdrawn
26. L'Oubli (The Mark Bar LLC), 188 Suffolk St (op)
VOTE: To deny the application for a full on-premise liquor license for Demarchbar LLC, 188 Suffolk Street, with a proposed business name of L'Oubli, 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 tavern restaurant, serving French small plates during all hours of operation, 2) its hours of operation will be from 12:00 P.M. to 4:00 A.M. all days, 3) it will have a closed fixed facade, and 4) it will play ambient background music only, consisting of recorded music.
27. NAI LLC, 174 1st Ave (rw)
VOTE: Understanding that this location has been operating as a tapas restaurant for many years, to deny the application for a restaurant wine license for NAI LLC, 174 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 Spanish tapas restaurant, serving food to within one (1) hour of closing, 2) its hours of operation will be from 11:30 A.M. to 1:30 A.M. Mondays through Thursdays, 11:30 A.M. to 2:30 A.M. Fridays, 10:30 A.M. to 2:30 A.M. Saturdays and 10:30 A.M. to 1:30 A.M. Sundays, 3) it will have a closed facade, and 4) it will play ambient background music, consisting of recorded music, except that it will have live acoustic music once a week, consisting of a flamenco troupe, and 5) its façade windows will close at 10:00 P.M. every night.
28. NY Restaurant Supplies Inc (Angel's Share & Village Yokocho), 29 3rd Ave (op)
VOTE: To inform the SLA that NY Restaurant Supplies Inc., doing business as Angel's Share & Village Yokocho, located at 29 Third Avenue, has withdrawn its application before Community Board #3 for a full on-premise liquor license, 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.
29. Thirsty's (ADSCAS LLC), 86 Clinton St (rw)

- withdrawn
30. Alphabet Cafe (Mend Inc), 600 E 14th St (rw)
VOTE: To deny the application for restaurant wine license for Mend Inc., 600 East 14th Street, doing business as Alphabet Cafe, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will maintain its method of operation as a full service restaurant, to wit a coffee shop diner, serving food to within one (1) hour of closing, 2) its hours of operation will be from 6:00 A.M. to 10:00 P.M. all days, and 3) it will have a closed facade.
31. This Little Piggy Had Roast Beef (TLP1STAVE LLC), 149 1st Ave (eb)
VOTE: To deny the application for an eating place beer license for TLP1STAVE, LLC, 149 1st Ave, doing business as This Little Piggy Had Roast Beef, 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 roast beef sandwich shop, serving food during all hours of operation, 2) its hours of operation will be from 11:00 A.M. to 4:00 A.M. all days, 3) it will have a closed facade, and 5) it will play ambient background music only, consisting of recorded music.
32. Cotan Japanese Restaurant (Shigehiro Adachi Inc), 83 St Marks Pl (rw)
 withdrawn
33. Seven Seas of India (BGJ Food Corp), 203 E Houston St (rw)
VOTE: To deny the application for a restaurant wine license for BGJ Food Corp., 203 East Houston Street, doing business as Seven Seas of India, 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 buffet and deli, serving food during all hours of operation, 2) it will have no music, and 3) it will have a closed fixed glass facade.
34. Mary Ann's (Vargomez Corp), 300 E 5th St (op) THIS IS A TRANSFER APPLICATION
VOTE: To deny the transfer of a full on-premise liquor license to Vargomez Corp., for the existing business Mary Anne's, located at 300 East 5th Street, because the applicant failed to provide the required signed notarized stipulation that 1) it will operate as a full-service Mexican restaurant, maintaining the name Mary Anne's and serving food to within one (1) hour of closing, 2) its hours of operation will be from, 12:00 P.M. to 10:00 P.M. Sundays and Mondays, 12:00 P.M. to 10:30 P.M. Tuesdays, 12:00 P.M. to 11:30 P.M. Wednesdays and Thursdays and 12:00 P.M. to 12:00 A.M. Fridays and Saturdays 3) it will close its façade windows at 10:00 P.M. every night, 4) it will play ambient background music only, consisting of recorded music, and will not have DJs, live music, promoted events or events at which a cover fee would be charged, and 5) it will designate an employee or employees whose responsibilities will include monitoring the sidewalks in front of the business to deter noise and congestion from patrons.
35. East Side Restaurant Management LLC, 178 E 7th St (eb)
VOTE: To deny the application for an eating place beer license for East Side Restaurant Management LLC, 178 East 7th 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 consisting of organic new American cuisine to within one (1) hour of closing, 2) its hours of operation will be from, 11:00 A.M. to 11:30 P.M. Sunday through Thursdays and 11:00 A.M. to 12:00 A.M. Fridays and Saturdays 3) it will have a closed fixed façade, 4) it will serve beer at tables only, and 5) it will play ambient background music only, consisting of recorded music.
36. Good Beer (Good Beer Inc), 422 E 9th St (eb)
VOTE: To inform the SLA that Good Beer Inc, with a proposed business name of Good Beer, has withdrawn its application before Community Board #3 for an eating place beer license, to be located at 422 east 9th Street, and to ask that the SLA not consider this application until the applicant reapplies to this community board with the requisite thirty (30) days notice to the SLA.
37. Corp to be Formed, 101 Stanton St (rw)
VOTE: To deny the application for a restaurant wine license for Corp. to be Formed, located at 101 Stanton Street, between Ludlow Street and Orchard Street, with a proposed business name of Melted, because 1) while the applicant has represented that it will operate a grilled cheese sandwich shop, it has a limited menu and proposed closing hours of 12:00 A.M. weekdays and 2:00 A.M. weekends, 2) residents of this building appeared in opposition to the granting of a restaurant wine license to this applicant, as well as its proposed hours, and complained that the result of the existing nighttime businesses on both Ludlow Street and Orchard Street, as well as the two (2) story adjacent Stanton Social, located at 99 Stanton Street, are already crowded noisy sidewalk in front of their building late into the night on most nights of the week and late night revelers who often leave urine and vomit in their building entryway on most mornings, and 3) there are seventeen (17) liquor licensed establishments on Ludlow Street between Houston and Rivington Streets, and nine (9) liquor licensed establishments on Orchard Street between Houston and Stanton Streets, as well as those on Stanton Street, overwhelming pedestrian and vehicular traffic, patrons congregating in and around those streets, late night horn honking and overwhelming noise emanating from businesses and from patrons as they move between businesses.
38. Stromboli Pizza (Stromboli Pizza Inc), 83 St Marks Pl (rw)
 withdrawn

OLD BUSINESS:

Tenzin & Tenzin Corp, 306 E 6th St (rw)

VOTE: To deny the application for a restaurant wine license for Tenzin & Tenzin Corp, doing business as Cherin Sushi, 306 E 6th St., unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will operate as a full-service Japanese restaurant, serving food to within one (1) hour of closing, 2)its hours of operation will be from 5:00 P.M. to 12:00A.M. Sundays through Thursdays and 5:00 P.M. to 1:00 A.M. Fridays and Saturdays, and 3) it will play ambient background music, consisting of recorded music.

SLA & DCA Licensing Committee

39 YES 0 NO 0 ABS 0 PNV (Excluding Items 8 & 12) MOTION PASSED

Item 8 (ORIGINAL MOTION): 10 YES 26 NO 4 ABS 0 PNV MOTION DID NOT PASS

Item 8 (NEW MOTION): 29 YES 10 NO 1 ABS 0 PNV MOTION PASSED

Item 12 (ORIGINAL MOTION): 17 YES 23 NO 0 ABS 0 PNV MOTION DID NOT PASS

Item 12 (NEW MOTION): 38 YES 1 NO 0 ABS 0 PNV MOTION PASSED

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

1. Modifications to Parks, Arts, Culture, & Historical Preservation sections of Chinatown Working Group preliminary action plan.

no vote necessary

2. Tompkins Square Park, Old Bandshell Concerts regarding noise complaints, 5/09, 8/08

VOTE: To ask NYC Parks Department to construct a movable temporary baffle 8ft high and 20 ft in length to act as a sound inhibitor during performances at Tompkins Square Park to mitigate noise nuisance to the surrounding residential areas.

Block Party Application

3. Immigrant Social Services Children Block Party, 6/6 Henry Street (Rutgers & Pike)

VOTE: To approve the Immigrant Social Services Children Block Party on 6/6 at Henry Street (btwn. Rutgers & Pike).

4. Make Music New York Block Party, Mon 6/21 Suffolk Street (Rivington & Delancey)

VOTE: To approve the Make Music New York Block Party, on Mon 6/21 Suffolk Street (btwn. Rivington & Delancey).

5. A1 E 10th St Block Association, 6/26, E 10th St (1st Ave – Ave A)

VOTE: To approve the A1 E. 10th St Block Association, 6/26, E 10th St (btwn. 1st Ave – Ave A).

6. St Marks Place Block Party, 8/14 St Marks Pl (1st Ave & Ave A)

VOTE: To approve the St Marks Place Block Party, 8/14 on St Marks Pl (1st Ave & Ave A).

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

39 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Economic Development Committee

Subcommittee on forum on Retail Challenges and Resources (6:00pm)

▪ First steps to plan format, partnerships, outreach

no vote necessary

Subcommittee on "Art in Empty Spaces" (6:00pm)

1. Planning for strategy to identify spaces and organizations to implement art in empty spaces

no vote necessary

2. Continuing discussion of a CB#3 Chamber of Commerce

no vote necessary

Economic Development Committee (6:30pm)

1. Modifications to Economic Development sections of Chinatown Working Group preliminary action plan

no vote necessary

2. Update on retail diversity/retail inventory study

no vote necessary

3. Planning for town hall

no vote necessary

4. Planning for "art in empty spaces"

no vote necessary

Members Present at Last Vote:

| | | | | | |
|--------------|-----|--------------------|-----|----------------------|-----|
| David Adams | [P] | Andrea Diaz | [P] | Edward Garcia | [P] |
| Julia Andino | [A] | Harvey Epstein | [P] | Rabbi Y. S. Ginzberg | [P] |
| Jimmy Cheng | [P] | Morris Fajtelewicz | [P] | Gloria Goldenberg | [A] |
| Pearl Chin | [P] | Flora Ferng | [P] | Jan Hanvik | [P] |
| David Crane | [A] | Beth From | [A] | Herman F. Hewitt | [P] |

| | | | | | |
|------------------|-----|--------------------|-----|-------------------|-----|
| Simon Huang | [P] | Bernice McCallum | [P] | Janet Riesel | [P] |
| Bonnie Hulkower | [A] | David McWater | [A] | Richard F. Ropiak | [P] |
| Carolyn Jeffers | [P] | Alexandra Militano | [P] | Elizabeth Sgroi | [A] |
| Anne K. Johnson | [P] | Maria Muentes | [P] | David Silversmith | [P] |
| Vaylateena Jones | [P] | Chiun Ng | [P] | Mary Spink | [P] |
| Meghan Joye | [P] | Ariel Palitz | [A] | Elinor Tatum | [P] |
| Joel Kaplan | [P] | Thomas Parker | [P] | Rodney Washington | [P] |
| Carol Kostik | [P] | Dominic Pisciotta | [P] | Harry Wieder | [P] |
| John Leo | [P] | Barden Prisant | [P] | Samuel Wilkenfeld | [A] |
| Ricky Leung | [P] | Carolyn Ratcliffe | [P] | Justin Yu | [P] |
| Gigi Li | [P] | Joyce Ravitz | [P] | Thomas Yu | [A] |
| Bernard Marti | [P] | Lois M. Regan | [P] | | |

Meeting Adjourned