



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

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Gigi Li, Board Chair

Susan Stetzer, District Manager

November 2014 Full Board Minutes

Meeting of Community Board #3 held on Tuesday, November 25 at 6:30pm at PS 20, 166 Essex Street.

Public Session:

Linda Wang: Speaking as teacher for University High school, a school on Monroe Street, she said the street is dark and narrow and a traffic light in front of the school would be helpful.

Speakers in Support of Traffic Light on Water and Gouverneur Slip West:

Henry Pierre: He displayed pictures of the intersection to illustrate the need for a traffic light at the intersection.

Corli Robitz: She emphasized that the traffic light was important for the safety of seniors in the neighborhood.

Freddie Benton: He stated that cars take advantage of the lack of a traffic light by driving too fast on this intersection.

Mildred Zeno: She stated that she treats the intersection with a lot of caution because cars will often race around the corner on this street.

Claire Springston: She spoke about how terrified she is of the intersection because of the speed the cars drive around the intersection. She also requested speed bumps.

Doreen Mauro: She emphasized that safety issues in our neighborhood are real.

Ayo Harrington: She spoke about ongoing racism in the community that manifests itself in hailing a cab, our school districts, and more violent instances like shootings of black and latinos by police officers. She suggested people join protesters in Union Sq tonight. She celebrated new diversity on Community Board 3, but she stated that this diversity alone does not solve the problem.

Jillian Moya: Speaking for Ryan-Neena, she notified that Ryan-Neena open enrollment started for healthcare.

Speakers in Support of the Siempre Verde Garden:

Elissa Sampson: She stated that the garden would help preserve the community.

Susan Howard: Given the lack of green space in the community, she stated that this garden is badly needed.

Wendy Brawer: The garden has a small but important eco system and helps community members come together. Unlike the garden at the Essex Crossing development, at Siempre Verde gardeners can dig in the dirt.

Peter Cramer: Speaking as the founder of the Petit Versailles, he emphasized that the garden can be a refuge and a place for community programming.

Talisa Anderson: Speaking on behalf of the George Jackson Academy, she spoke about increasing the school's catchment and recruitment area as well as increasing the school's community partnerships.

Vaylateena Jones: Speaking on behalf of the LES Power Partnership, she updated the Community Board of the development of an emergency plan and training developed in conjunction with the Office of Emergency Management (OEM). In particular, she spoke about the importance of dust-mask awareness. She encouraged registered nurses and doctors to participate.

Dominic Berg: Speaking on behalf of Community Education Council 1, he asked for support opposing moving the new Success Academy Charter School to School District 1. He stated School District 1, which lies within Community District 3, is badly in need of better services. Moving a charter school to the community would put strain on the district resources.

Mary Cooley: Speaking on behalf of the Department of Consumer Affairs (DCA), she updated the Community Board on the work of DCA, including the small business relief package. She elaborated on the DCA's work to implement the "cure law", which helps small businesses cure fines before they are imposed. The work of DCA also includes work to help empower New Yorkers to be better with their finances and taking advantage of the

Earned Income Tax Credit. She emphasized that they are balancing enforcement and consumer protection with small business and individual aid.

Trevor Alexander: Speaking on behalf of the NYC Human Resources Administration, Department of Social Services, he spoke about reconciling arrears that are due to child support and Medicaid cases that remain open and are not attached to the income of the parents. He noted that the Department is trying to engage fathers in co-parenting and with the schools of their kids. He noted that the Department is engaging with faith-based organization to help keep children on a positive path and mediate conflicts between parents to promote co-parenting. He notified the Board of an organization called Lift that helps people prepare financial statements for Child Support Order.

Public Officials:

Mayor Bill de Blasio, Alize Beal: Not present.

Public Advocate Letitia James, Adam Chen: Over 3,000 New Yorkers have received help from the Public Advocate. The Public Advocate is supporting legislation that will help prevent and gather information on sexual assault on college campuses, including creating a mobile application to report incidents. The Public Advocate is holding a free flu shot event on December 1 at 80 Pitt St. from 11:00-2:00 regardless of insurance coverage. The Public Advocate created a taskforce to investigate discrimination of Muslims and Jewish people.

Comptroller Scott Stringer, Crystal Feng: The Comptroller investigated responses to rat complaints. The Comptroller will hold an event to celebrate Jewish culture.

Borough President Gale Brewer, Patricia Ceccarelli: Community Board applications will be live after Thanksgiving. They will be due January 30, 2015. The Borough President is starting to meet with non-profits and schools interested in applying for funding for capital projects. The Borough President congratulated the Chinatown Partnership and the Museum at Eldridge Street which both received funding. There are Community Board trainings offered on equal opportunity and diversity; other trainings will be offered after new Community Board appointments in May.

Congressmember Carolyn Maloney, Victor Montesinos: Not Present

Congressmember Nydia Velazquez, Iris Quinones: Not Present

Assembly Speaker Sheldon Silver, Zach Bommer: He celebrated the success of the recent job-training program hosted by the Lower East Side Employment Network (LESEN) and Community Board 3. Two hundred and Fourteen people attended the event and met with potential employers.

There were questions about whether having a criminal record would hinder the applicant's ability to be hired. LESEN has services for helping people to clean their record.

Assemblymember Deborah J. Glick: Not present

Assemblymember Brian Kavanagh, Carlos Ortiz: The Assemblymember spoke at City Hall at the rent regulation rally to help strengthen rent-regulation laws and help residents stay in their homes. Tuesday, December 2, there will be a flu shot drive at the district office.

State Senator Daniel L. Squadron, Mauricio Pazmino: The Senator formed the Smith Gas Taskforce to focus on the gas pipe problems at Smith Houses, which includes NYCHA, Con Ed, Hamilton-Madison Houses and other community partners. The Senator will hold two town halls, one on December 2 at 6:30PM at PS142. At these town halls, they will discuss rent regulation and tenant protection.

State Senator Brad M. Hoylman, Maya Kurien: In a recently federal Court of Appeals decision, the court determined that rent-stabilized apartments cannot be touched in a bankruptcy proceeding. Campos Plaza security has been down for two months. There have been cuts to eviction prevention services for 6 groups, three of which are in CD3.

Councilmember Margaret Chin: Cathy Dang has been appointed to the Community Board. The Councilmember is working to study ambient noise in the city. The Councilmember introduced a bill that would require the city government to have forms that allow people filling out the forms to identify as multi-racial. The Councilmember has been involved in helping to prevent pedestrian fatalities, many of which happen on truck routes that run through CD3. The Councilmember has been working with buildings on tenant harassment.

Councilmember Rosie Mendez, Sheila Rodriguez: The Councilmember held a town hall meeting in support of the CHARAS community center. The Councilmember was concerned that the “plastic bag” legislation was negatively affecting certain groups.

Members Present at First Vote:

David Adams	[P]	Linda Jones	[P]	Carolyn Ratcliffe	[P]
Dominic Berg	[P]	Vaylateena Jones	[P]	Joyce Ravitz	[P]
Karen Blatt	[A]	Meghan Joye	[P]	Carlina Rivera	[A]
Lisa Burriss	[P]	Lisa Kaplan	[P]	James Rogers	[P]
Justin Carroll	[P]	Carol Kostik	[P]	Richard F. Ropiak	[P]
Karlin Chan	[A]	Ben Landy	[P]	Christopher Santana	[A]
Jimmy Cheng	[A]	Mae Lee	[P]	Susan Scheer	[P]
MyPhuong Chung	[P]	John Leo	[P]	Nancy Sparrow-Bartow	[A]
David Crane	[A]	Alysha Lewis-Coleman	[P]	Julie Ulmet	[A]
Enrique Cruz	[P]	Gigi Li	[P]	Josephine Velez	[P]
Morris Fajtelewicz	[P]	William LoSasso	[P]	Rodney Washington	[P]
Flora Ferng	[A]	Chad Marlow	[A]	Kathleen Webster	[P]
Gloria Goldenberg	[P]	Penina Mezei	[A]	Justin Yu	[A]
Jan Hanvik	[P]	Alexandra Militano	[P]	Thomas Yu	[P]
Ayo Harrington	[A]	Chiun Ng	[P]	Zulma Zayas	[P]
Herman F. Hewitt	[P]	Ariel Palitz	[A]		
Anne K. Johnson	[P]	Teresa Pedroza	[A]		

Minutes:

Minutes of September 2014 were approved, as is.

34 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Board Chairperson's Report:

Chairperson Gigi Li:

- She thanked the members who ran for the Second Vice-Chair position and congratulated Alysha Lewis-Coleman on being elected to the position.

Lewis-Coleman: She notified the Community Board she was responsible for organizing the Community Board holiday party at Donnybrook, which will be held immediately following the December full Community Board meeting.

- Lisa Burriss has been appointed chair of the new Public Housing Subcommittee to the Land Use Committee
- Vaylateena Jones would chair the Health and Human Services Committee focusing on health and human services. Justin Carroll would remain chair of the Committee but oversee education and human rights.
- Carolyn Ratcliffe has been appointed to the Chair of the Arts Culture Taskforce
- There will be additional leadership positions:
 - o Landmarks will become a full committee and a separate chair will be appointed.
 - o Economic Development will have a new chair
 - o Land Use will have a new chair
- Vice Chair positions will be determined at the committee level
- The members who will be on the CB3/CB6 Joint Taskforce are:
 - o Thomas Yu
 - o William LaSasso
 - o Linda Jones
 - o Teresa Pedroza
- The community members will be:
 - o Damaris Reyes (Executive Director of GOLES)
 - o Melissa Aase (Executive Director of University Settlement)
 - o Gary Altman (President, East River Houses)
- The NYCHA resident will be: Nancy Ortiz (Vladeck Houses)
- The members of CB6 and its community partners will be:
 - o Ellen Imbimbo (CB6)
 - o Janet Handle (Waterside Plaza)
 - o Susan Steinberg (Chair of the Tenants Association of Stuyvesant Town and Peter Cooper Village)
- There was a raffle for two tickets to the Thanksgiving Day parade, which Jay Hanvik won.

District Manager's Report:

District Manager Susan Stetzer:

- The Lower East Side Employment Network job training fair was extremely successful. Staff from Assembly Speaker Silver worked hard on outreach--which resulted in 146 local participants and 214 total participants. The employers emphasized that training for specific jobs before interviewing is very important. There will be additional job training fairs every three months at different locations.
- Last year Santacon said they would not return to CB 3 this year, and has also just confirmed this. Last year they gave us the map and route prior to the pub crawl so that we were able to plan with the police. They did not change the route last year because of protests--it remained consistent.
- I testified for CB 3 today at the BSA hearing for the variance at 11 Avenue C to present the Board's position. The developer's attorney twisted the comments made by both Rosie's office and me and we will need to correct this at the next hearing. She did not feel very hopeful that the community input will be valued.

Committee Reports:

Executive Committee

no vote necessary

Transportation & Public Safety and Environment Committee

Transportation Item 10 was pulled for a separate vote. There was discussion on the merits of tolls on the East River bridges, including whether the tolls would reduce pollution, whether the tolls would be a regressive tax on low-income communities and how the community could prevent tolls from increasing. There was discussion that the resolution was narrowly confined to supporting a policy review of the transportation.

1. Approval of previous month's minutes

VOTE: To approve previous month's minutes.

2. DDC: Forsyth Streetscape and Plaza Reconstruction Project

no vote necessary

3. Request for support of proposal for WTC pediatric follow-up study

VOTE: Title: Community Board 3 Resolution to Support the World Trade Center Pediatric Study Proposal, "Childhood Exposures to Persistent Organic Pollutants in the World Trade Center Disaster and Cardiovascular Consequences"

WHEREAS: The James Zadroga 9/11 Health and Compensation Act (the "Zadroga Act") directs the World Trade Center Health Program to provide funding for research into the physical and mental health impacts of the WTC disaster on all exposed populations; and

WHEREAS: Community Board 3 (CB 3) has passed resolutions supporting the Zadroga Act, calling for the creation of the WTC Pediatric Program as part of the WTC Health Program, and supporting research on the impact of the WTC disaster on the health of exposed children; and

WHEREAS: The WTC Health Program's Scientific and Technical Advisory Committee on February 14, 2014 issued recommendations on WTC research priorities that included as high priorities research to assess health effects of WTC exposure on gestation and early life (childhood and adolescence) and to determine the usefulness of biomarkers for early detection of WTC-associated diseases; and,

WHEREAS: Although children are especially vulnerable to harm from environmental exposures, they have been the least studied exposed population, and therefore we still know very little about the health effects of the WTC disaster on the more than 30,000 children living or attending school or daycare in downtown; and,

WHEREAS: It has taken several years for WTCHP to fund the "Early Identification of World Trade Center Conditions in Adolescents," a study that is now underway and will not only add to knowledge about post-9/11 respiratory, cardiovascular and metabolic health, but will provide doctors with new tools for early detection of WTC health problems in adolescents; and

WHEREAS: Biomarkers of WTC chemicals have never been assessed in the WTC exposed pediatric population; and

WHEREAS: Research into the association between biomarkers of persistent WTC chemicals and obesity and other cardiometabolic consequences would provide invaluable insight into WTC exposure-outcome relationships and suggest the need for further medical monitoring and treatment.

THEREFORE BE IT RESOLVED THAT: CB 3 strongly urges WTCHP to fund "Childhood Exposures to Persistent Organic Pollutants in the World Trade Center Disaster and Cardiovascular Consequences" immediately, as a crucial step toward addressing key knowledge gaps about the ways in 9/11 has harmed the physical health of downtown's children, and aiding doctors in detecting and treating pediatric WTC health conditions, as provided for under the Zadroga Act, and

BE IT FURTHER RESOLVED THAT: CB 3 calls upon WTCHP to make the health of those who experienced 9/11 as children a research priority by funding research to arrive at a full understanding of WTC pediatric health impacts and to inform an excellent standard of WTC care.

4. Bridge deck rehabilitation at Houston St over the FDR
no vote necessary
5. Request for loading zone for Howard Johnson Inn, 5 Allen St

VOTE: Title: Community Board 3 Resolution to Approve a 15' Loading Zone at the Howard Johnson Inn, 5 Allen Street

To approve a 15' "No Standing" zone at the Howard Johnson Inn, 5 Allen Street directly in front of the Howard Johnson Hotel. Allen Street is very congested and the loading zone will increase safety and prevent double parking which would adversely affect traffic and the bike lane on Allen Street.

6. Request for support for traffic calming measures at the North East corner of Gouverneur Slip West and Water Street, and South West corner of Gouverneur Street and Water Street

VOTE: Title: Community Board 3 Resolution to Support the Installation of Traffic Controls at the Intersections of Water Street and Gouverneur Slip West and Gouverneur Slip East

WHEREAS, the intersections of Water Street and Gouverneur Slip West and Gouverneur Slip East currently have no traffic controls or marked crosswalks.

WHEREAS, the intersections are adjacent to Vladeck Houses, a residential complex with hundreds of apartments, and Gouverneur Court, a residence for people with special needs including psychiatric disabilities and HIV/AIDS.

WHEREAS, the intersections are heavily utilized by children in order to access a nearby playground. The intersections are also near the University Neighborhood High School and many high school students cross these intersections in order to reach Basketball City, located at the waterfront pier.

WHEREAS, motorists who are unfamiliar with the traffic flow will often turn right onto Gouverneur Slip West from the FDR service road in order to avoid the traffic signal at the corner of the FDR service road and Montgomery Street.

WHEREAS, the "Yield" sign currently located at the intersection of Water Street and Gouverneur Slip West is frequently obstructed by and knocked down by trucks.

Therefore be it resolved, that CB 3 urges NYCDOT to install a traffic control device and appropriate street markings at these intersections.

Further, be it resolved that CB 3 asks NYCDOT to install appropriate wayfinding signage for motorists at the intersection of Gouverneur Slip West from the FDR service road, in order to minimize the number of vehicles attempting to avoid the traffic signal at Montgomery Street and the FDR service road.

7. Support for state legislation A5355-This will amend the procedure for siting of electric substations to provide for Public Service Commission Review, which includes environmental review and public hearings

VOTE: Title: Community Board 3 Resolution to Support Bill No. A5355 and S3076, to Amend the Procedure for Siting Electric Substations for Public Service Commission Review

WHEREAS, siting a substation is within the un-reviewed discretion of a utility; and

WHEREAS, no procedure exists for the siting of electric substations, which should be a part of the procedure a utility must follow in order to take property for a substation site by condemnation; and

WHEREAS, these substations can have significant impacts on the surrounding communities, especially in densely populated areas; and

WHEREAS, electric substations should be subject to Public Service commission review, just as power plants and transmission lines are; and

WHEREAS, A5355 introduced in the Assembly by Assembly Member Richard Gottfried and S3076 introduced by Senator Brad Hoylman in the Senate would;

- 1) Expand the definition of major utility transmission facility to include a facility in which electric current is transformed from the transmission system to the distribution system or a facility within the current distribution system that is larger than 500 square feet and in which electric current is transformed.
- 2) Extend all the requirements of Article VII to electric substations.
- 3) Set out a procedure for the granting of a certificate of environmental capability and public need before a facility can be built.
- 4) Include environmental impact studies, public hearings, and judicial review of the decision.

NOW, THEREFORE, BE IT KNOWN that CB 3 supports and calls for the passage of A5355 and S3076 in 2015.

8. Request for state legislation to address the K2 legal/enforcement problems
no vote necessary

9. Follow up analysis of intercity bus mapping and potential recommendations
no vote necessary

10. Request for support on MOVE NY Fair Tolling and Transportation Reinvestment Plan

VOTE: Title: Community Board 3 Resolution of Support for a Review of Public Policy Proposals that Aim to Address Traffic Congestion within Community Board 3

WHEREAS, traffic congestion is a significant problem in the City of New York, including Community Board 3;

WHEREAS, the inequitable pricing structure of tolls on the East River bridges, in which all three bridges into Community Board 3 are toll-free, is a significant contributor to traffic congestion in portions of Community Board 3; and

WHEREAS, maintenance on New York City's bridges, roadways and mass transit system is presently deficient due to inadequate funding;

THEREFORE BE IT RESOLVED, that Community Board 3 calls on its elected officials to undertake a review of public policy proposals that claim to address the aforementioned problems, including but not limited to the Move NY plan, and to lend their immediate support to any proposals they deem likely to be effective;

BE IT FURTHER RESOLVED, that Community Board 3 believes any future plans should account for potential disparate financial impacts on residents of Community Board 3, or other specifically identifiable communities or groups, and provide fee discounts where warranted.

12 YES 21 NO 1 ABS 0 PNV MOTION PASSED (Transportation item 10)

34 YES 0 NO 0 ABS 0 PNV MOTION PASSED (Transportation excluding item 10 and 7)

33 YES 0 NO 1 ABS 0 PNV MOTION PASSED (Transportation item 7)

SLA & DCA Licensing Committee

SLA Item 10 Withdrawn

1. Approval of previous month's minutes

VOTE: To approve the October 2014 minutes,

2. Request for support for state legislation A05356: Agreed- upon stipulations shall be legally enforceable

VOTE: WHEREAS, Community Board 3 enters into agreements with liquor license applicants, which include stipulations, as conditions of support for these applications; and

WHEREAS, the creation of stipulations benefits and protects both the community and the liquor license applicants as they allow the parties to agree to a method of operation for a proposed licensed business; and

WHEREAS, the current administration of the New York State Liquor Authority makes stipulations conditions of liquor licenses and thereby enforceable by the New York State Liquor Authority; and

WHEREAS, previous administrations of the New York State Liquor Authority did not make stipulations conditions of liquor licenses; now

THEREFORE, BE IT REOLVED that Community Board 3 support Bill A05356, requiring stipulations to be listed as terms and conditions of liquor licenses and thereby specifically enforceable in a court of law.

Renewal with Complaint

3. Percy's Tavern, 210-212 Ave A @ E 12th St (op)

VOTE: TITLE: Community Board 3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

WHEREAS, Steelbar 180 Inc., doing business as Percy's Tavern, is seeking the renewal of its full on-premise liquor license, for the premise located at 210-212 Avenue A, at the corner of East 12th Street and Avenue A, New York, New York; and

WHEREAS, Community Board 3 has received resident complaints of this licensee operating as a sports bar, as well as complaints of noise from loud patrons emanating from open front doors during televised sporting events, loud unruly patrons on the sidewalk and patrons blocking the sidewalk in front of the business; now

THEREFORE, BE IT RESOLVED that Community Board 3 moves to deny the application to renew the full on-premise liquor license for Steelbar 180 Inc., doing business as Percy's Tavern, for the premise located at 210-212 Avenue A, at the corner of East 12th Street and Avenue A, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that

- 1) it will operate as a full-service American comfort food restaurant, with a kitchen open and serving food to within one (1) hour of closing,
- 2) it will close any façade doors and windows at 10:00 P.M. every night and during amplified performances, including but not limited to DJs, live music, and live nonmusical performances, as well as during any televised sporting events, promoted events and trivia nights,
- 3) it will post signs on its façade doors informing customers that it will close doors fifteen (15) minutes before events,
- 4) it will not apply for any alteration in its method of operation without first appearing before Community Board 3,
- 5) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 6) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

4. Sixth Ward, 191 Orchard St btwn E Houston & Stanton Sts (op)

VOTE: TITLE: Community Board 3 Recommendation To Deny

WHEREAS, Food On Orchard LLC, doing business as The Sixth Ward, is seeking the renewal of its full on-premise liquor license, for the premise located at 191 Orchard Street, between East Houston Street and Stanton Street, New York, New York; and

WHEREAS, this applicant applied to the New York State Liquor Authority in 2005 with a proposed method of operation of a full-service vegetarian restaurant with a locally sourced menu and closing hours of 12:00 A.M. weeknights and 1:00 A.M. weekends, and was approved by the New York State Liquor Authority because that method of operation was considered to be a public benefit (see submission of the LES Dwellers which includes excerpts from the original SLA decision approving a full on-premise liquor license for Food On Orchard LLC); and

WHEREAS, consistent with that method of operation the business name filed with the New York State Liquor Authority continues to be Heirloom; and

WHEREAS, the applicant concedes that on or around 2007 it changed its method of operation to that of a restaurant bar that televises sporting events, serves non vegetarian food and has a closing time of 4:00 A.M. every night, although the applicant states that this change in method of operation was with notice to the New York State Liquor Authority; and

WHEREAS, this applicant has now been heard for a renewal of its full on-premise liquor license because of repeated complaints from residents of 1) late night noise from loud music from speakers, loud patrons and a projection screen in its backyard, 2) illegal use of its backyard and illegal construction of an atrium with an open roof in its backyard, 3) late night noise from loud music and patrons emanating from its open façade windows, 4) drunk unruly patrons in front of its business, and 5) lack of responsiveness and rudeness by staff to residents who complain; and

WHEREAS, there are pending New York City Environmental Control Board violations for not having a certificate of occupancy to commercially use the backyard, illegal construction in the backyard and a blocked exit in the backyard; and

WHEREAS, there are twelve (12) pending violations before the New York State Liquor Authority, issued on September 17, 2014, which include violations for filing a false statement and false information, use of the backyard without a permit and without conforming to building codes and a blocked exit; and

WHEREAS, there has been service of alcohol to the backyard although the liquor license for this licensee does not include the backyard; and

WHEREAS, there are approximately fifty-eight (58) full on-premise liquor licenses within two (2) blocks of this location and any deviation from the representations about the method of operation of a business in this area to the community board, the community and the New York State Liquor Authority will result in a significantly greater detrimental impact on the surrounding community because that deviation is occurring in an area with so many people and licensed businesses; now

THEREFORE, BE IT RESOLVED that Community Board 3 moves to deny the renewal the full on-premise liquor license for Food On Orchard LLC, doing business as The Sixth Ward, for the premise located at 191 Orchard Street, between East Houston Street and Stanton Street, New York, New York; and

THEREFORE, BE IT FURTHER RESOLVED that Community Board 3 is notifying the New York State Liquor Authority that given the foregoing reasons, Community Board 3 is unlikely to approve any alteration to extend the existing full on-premise liquor license of Food On Orchard LLC to its backyard.

Applications within Saturated Areas

5. Vintage B Inc, 56-58 Ave B (aka 235-237 E 4th St) (wb) (item will not be heard at committee)
no vote necessary
6. To be Determined, 137 Ave C (op)
withdrawn
7. Taquitoria (Rolled Taco LLC), 168A Ludlow St btwn E Houston & Stanton Sts (wb)

VOTE: TITLE: Community Board 3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

To deny the application for a wine beer license for Rolled Taco LLC, doing business as Taquitoria, for the premise located at 168A Ludlow Street, between East Houston Street and Stanton Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

- 1) it will operate as a restaurant, specifically a taquitoria serving rolled tacos, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 4:00 P.M. to 12:00 A.M. Sundays and Mondays, 4:00 P.M. to 2:00 A.M. Tuesdays through Thursdays and 4:00 P.M. to 4:00 A.M. Fridays and Saturdays,
- 3) it will not commercially operate any outdoor areas,
- 4) it will close any façade doors and windows at 10:00 P.M. every night,
- 5) it will play ambient background music only, consisting of recorded music, and not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 6) it will not seek a change in class of its liquor license to a full on-premise liquor license,
- 7) it will not apply for any alteration in its method of operation without first appearing before Community Board 3,
- 8) it will not have "happy hours,"
- 9) it will not host pub crawls or party buses,
- 10) it will insure that there are no wait lines outside and will diligently monitor the façade and entrance to insure that patrons do not exit the premise with any alcoholic beverage or attempt to consume any alcohol beverage on the bench in front of its business,
- 11) it will offer no more than three (3) alcoholic beverages for sale to its customers,
- 12) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 13) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints

Community Board 3 is approving this application for a wine beer license although this is a location in an area with numerous liquor licenses because 1) this applicant has operated its business at this location for more than one (1) year without complaints, 2) no one appeared in opposition to this application and the applicant furnished forty-eight (48) signatures from area residents in support of its

application, and 3) the applicant has agreed that it will offer for sale no more than three (3) different alcoholic beverages.

8. To be Determined, 206 Ave A btwn E 12th & E 13th Sts (op)

VOTE: TITLE: Community Board 3 Recommendation To Deny

WHEREAS, a corporation to be determined, with principal Gavin Moseley, is seeking a full on-premise liquor license to operate a tavern, with a proposed business name of The Garret, for the premise located at 206 Avenue A, between East 12th Street and East 13th Street; and

WHEREAS, notwithstanding that this is an application in a location which has a preexisting tavern with a full on-premise liquor license, this is a new application for a cocktail bar with hours of operation of 4:00 P.M. to 4:00 A.M. Mondays through Fridays and 12:00 P.M. to 4:00 A.M. Saturdays and Sundays, three (3) televisions, a twenty-seven (27) foot bar, an open facade and recorded background music; and

WHEREAS, many residents appeared in opposition to this application, stating that after meeting with the applicant to discuss its proposed method of operation, they are concerned that this applicant lacks experience to operate a licensed business generally, has no experience operating a licensed business in this neighborhood and lacked an understanding of the traffic and pedestrian congestion and noise issues specific to this area; and

WHEREAS, although the applicant furnished eighty (80) signatures from area residents in support of its application, it failed to articulate a public benefit in the addition of its business which it characterized as a sophisticated bar catering primarily to tourists and its own associates; and

WHEREAS, the applicant stated that its only experience owning a licensed premise is its eight (8) months of experience operating a smaller second-story location at 296 Bleecker Street, New York New York, which has none of the attendant sidewalk and street congestion issues that this location has; and

WHEREAS, the applicant failed to provide any documentation of the history of experience of its principals at licensed businesses or a reference from Community Board #2 regarding its history at this existing business; and

WHEREAS, although the applicant counts fourteen (14) full on-premise liquor licenses within five hundred (500) feet of this location, residents count twenty-five (25) full on-premise liquor licenses within five hundred (500) feet of this location; now

THEREFORE, BE IT RESOLVED that Community Board 3 moves to deny the application for a full on-premise liquor license for a corporation to be determined, with principal Gavin Moseley, with a proposed business name of The Garrett, for the premise located at 206 Avenue A, between East 12th Street and East 13th Street.

9. To be Determined, 137 Ave A (op)

Withdrawn

10. Table 12 (188 Ave A Take Out Food Corp), 188 Ave A (upgrade to op) - WITHDRAWN
withdrawn

11. Mission Cantina (Mission Cantina LLC), 172 Orchard St at Stanton St (upgrade to op)

VOTE: TITLE: Community Board 3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

To deny the application for a change in class of its existing wine beer license to a full on-premise liquor license for Mission Cantina LLC, doing business as Mission Cantina, for the premise located at 172 Orchard Street, at the corner of Orchard Street and Stanton Street, as well as an alteration of its method of operation, to wit amending its operating hours, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations that

- 1) it will operate as a full-service Chinese Mexican restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 12:00 P.M. to 12:00 A.M. all days,
- 3) it will play ambient background music only, consisting of recorded music, and not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 4) it will locate its takeout window inside of its business and text waiting patrons for available tables to minimize pedestrian noise and congestion on the sidewalk around its business,
- 5) it will close any façade doors and windows by 10:00 P.M. every night,

- 6) it will not apply for any alteration in its method of operation without first appearing before Community Board 3,
- 7) it will not have "happy hours,"
- 8) it will not host pub crawls or party buses,
- 9) it will insure that there are no wait lines outside and will designate an employee to oversee patrons and noise on the sidewalk,
- 10) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 11) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints

Community Board 3 is approving this application for a full on-premise liquor license although this is a location in an area with numerous full on-premise liquor licenses because 1) this applicant has operated a food-focused restaurant at this location since November of 2013 and had previously operated a similar restaurant one block away, at 154 Orchard Street, from 2012 to 2013, and has an established reputation as a chef, 2) the applicant furnished one hundred seventy-six (176) signatures from area residents in support of its application, and 3) in addition to its method of operation as a full-service restaurant serving food at tables, the bar is used as a counter for the service of food.

Alterations

12. Cornerstone Cafe (AO Cafe & Restaurant LLC), 17 Ave B (aka 241 E 2nd St) (alt/op/convert service counter to patron bar with 5 seats)
withdrawn

New Liquor License Applications

13. Parmys Kabob and Grill Inc, 124-127 1st Ave (upgrade to op)
withdrawn
14. 41 1st Avenue Rest Corp, 41 1st Ave btwn E 2nd & E 3rd Sts (op)

VOTE: TITLE: Community Board 3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

Understanding that this is a sale of assets of a preexisting tavern with a full on-premise liquor license, that the business name of DBA, staff and method of operation of this business will be maintained and that this location has been continuously licensed for approximately forty (40) years, Community Board 3 moves to deny the application for a full on-premise liquor license for 41 1st Ave Rest Corp., for the premise located at 41 First Avenue, between East 2nd Street and East 3rd Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that

- 1) it will operate as a tavern,
- 2) its hours of operation will be 12:00 P.M. to 4:00 A.M. all days,
- 3) it will play ambient background music only, consisting of recorded music, and not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 4) it will close its backyard at 10:00 P.M. all days,
- 5) it will employ security guards as needed,
- 6) it will close any façade doors and windows at 10:00 P.M. every night and during amplified performances, including but not limited to DJs, live music, and live nonmusical performances,
- 7) it will not apply for any alteration in its method of operation without first appearing before Community Board 3,
- 8) it will insure that there are no wait lines outside,
- 9) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 10) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

15. To be Determined, 140 Orchard St btwn Rivington & Delancey Sts (op)

VOTE: TITLE: Community Board 3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

To deny the application for a full on-premise liquor license for a corporation to be determined, with principal Thomas Martin, for the premise located at 140 Orchard Street, between Rivington Street and Delancey 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 modern American restaurant, with a kitchen open and serving food during all hours of operation
- 2) its hours of operation will be 12:00 P.M. to 1:00 A.M. all days,
- 3) it will play ambient background music only, consisting of recorded music, and not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 4) it will not commercially use any outdoor areas,
- 5) it will close any façade doors and windows by 10:00 P.M. every night,

- 6) it will not apply for any alteration in its method of operation without first appearing before Community Board 3,
- 7) it will not have "happy hours,"
- 8) it will not host pub crawls or party buses,
- 9) it will insure that there are no wait lines outside,
- 10) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 11) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints

Community Board 3 is approving this application for a full on-premise liquor license although this is a location in an area with numerous full on-premise liquor licenses because 1) this applicant has operated a food-focused high quality restaurant at the adjacent location since October of 2013, 2) although there was one (1) speaker in opposition to the granting of a full on-premise liquor license at this location which previously operated as a restaurant with a wine beer license and more moderate hours, the applicant furnished thirty-six (36) signatures from area residents in support of its application.

16. To be Determined, 188 2nd Ave @ E 12th St (wb)

VOTE: TITLE: Community Board 3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

To deny the application for wine beer license for Dumpling 2 Avenue Inc., for the premise located at 188 Second Avenue, at the corner of East 12th Street and 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 Asian restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 11:30 A.M. to 12:00 A.M. Mondays through Fridays and 11:00 A.M. to 12:00 A.M. Saturdays and Sundays,
- 3) it will play ambient background music only, consisting of recorded music, and not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 4) it will not commercially use any outdoor areas at this time,
- 5) it will close any façade doors and windows by 10:00 P.M. every night,
- 6) it will not apply for any alteration in its method of operation without first appearing before Community Board 3,
- 7) it will not have "happy hours,"
- 8) it will not host pub crawls or party buses,
- 9) it will insure that there are no wait lines outside,
- 10) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 11) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

Applications within Saturated Areas

17. Lucky Cheng's (Red Room Hospitality LLC), 154 Ludlow St (op)
withdrawn

18. Speedy Romeo LES, 63 Clinton St btwn Rivington & Stanton Sts (op)

VOTE: TITLE: Community Board 3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

Understanding that this is a sale of assets of a preexisting Italian restaurant with a full on-premise liquor license and that Leah Tinari, one of the principals of this business will be a principal in the proposed application, Community Board 3 moves to deny the application for a full on-premise liquor license for a corporation to be determined, with principals Justin Bazdarich and Sam Bazdarich, with a proposed business name of Speedy Romeo LES, for the premise located at 63 Clinton Street, between Rivington Street and Stanton Street, as well as an alteration of this license, to wit, extending the license into the adjacent south storefront of 63 Clinton 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 Italian restaurant, with a kitchen open and serving food to within one (1) hour of closing,
- 2) its hours of operation will be 11:00 A.M. to 1:00 A.M. Sundays through Thursdays and 10:00 A.M. to 2:00 A.M. Fridays and Saturdays,
- 3) it will play ambient background music only, consisting of recorded music, and not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 4) it will not commercially use any outdoor areas,
- 5) it will close any façade doors and windows by 10:00 P.M. every night,
- 6) it will not apply for any alteration in its method of operation without first appearing before Community Board 3,
- 7) it may have "happy hours" to 7:00 P.M. every night,

- 8) it will not host pub crawls or party buses,
- 9) it will insure that there are no wait lines outside and will designate an employee to oversee patrons and noise on the sidewalk,
- 10) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 11) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints

Community Board 3 is approving this application for a full on-premise liquor license, as well as an alteration to extend this license into the adjacent storefront, although this is a location in an area with numerous full on-premise liquor licenses, because 1) Leah Tinari, one of the principals of the existing business at this location, will continue as principal of this new business, 2) the existing business has operated as a family-friendly restaurant without complaints for the past four (4) years, 3) the new principals have operated a family-friendly Italian restaurant in Brooklyn without apparent complaints for the past three (3) years, 4) there is a public benefit in the promotion of this restaurant that welcomes neighborhood families and uses locally purchased food, and 5) this applicant furnished fifty-nine (59) signatures from area residents in support of its application.

19. Spitzers 2015 LLC, 126 Ludlow St (op)
withdrawn

20. Los Feliz 2015 LLC, 109 Ludlow St (op)
withdrawn

Alterations

21. Sebastian LC (LES Restaurant Corp), 81 Ludlow St (aka 246 Broome St) (alt/op/extend hours to 4am all nights)
withdrawn

New Liquor License Applications

22. The John Lamb (Delancey Square Hospitality), 119 Essex St btwn Rivington & Delancey Sts (op)

VOTE: TITLE: Community Board 3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

Understanding that this is a sale of assets of a preexisting full-service restaurant with a full on-premise liquor license, Community Board 3 moves to deny the application for a full on-premise liquor license for Delancey Square Hospitality LLC, with a proposed business name of The John Lamb, for the premise located at 119 Essex Street, between Rivington Street and Delancey 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 American restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 12:00 P.M. to 2:00 A.M. Mondays through Fridays and 11:00 A.M. to 2:00 A.M. Saturdays and Sundays,
- 3) it will play ambient background music only, consisting of recorded music, and not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged and will have no more than eight (8) private parties per month,
- 4) it will not commercially use any outdoor areas,
- 5) it will close any façade doors and windows by 10:00 P.M. every night,
- 6) it will not apply for any alteration in its method of operation without first appearing before Community Board 3,
- 7) it will not have "happy hours,"
- 8) it will not host pub crawls or party buses,
- 9) it will insure that there are no wait lines outside,
- 10) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 11) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints

Community Board 3 is approving this application for a full on-premise liquor license although this is a location in an area with numerous full on-premise liquor licenses because 1) Joe Valentine, one of the principals of this proposed business, has an eight (8) year history of operating a much larger full-service restaurant, with a corporation name of AA Firebird LLC, located at 365 West 46th Street, without apparent complaints, 2) the proposed menu is expansive which is consistent with the method of operation of a full-service restaurant, and 3) the applicant proposes to offer takeout and delivery service to the surrounding community.

23. Shanghai Cuisine (R+M Century Inc), 89-91 Bayard St @ Mulberry St (op)

VOTE: TITLE: Community Board 3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

Understanding that this is a corporate sale of a preexisting full-service restaurant with a full on-premise liquor license which has operated for seventeen (17) years and that the applicant intends to

maintain its business name and method of operation, Community Board 3 moves to deny the application for a full on-premise liquor license for R+M Century Inc., with a proposed business name of Shanghai Cuisine, for the premise located at 89-91 Bayard Street, at the corner of Bayard Street and Mulberry Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that

- 1) it will operate as a full-service Chinese restaurant, with a kitchen open and serving food to within one (1) hour of closing,
- 2) its hours of operation will be 11:30 A.M. to 10:30 P.M. Sundays through Thursdays and 11:30 A.M. to 11:30 P.M. Fridays and Saturdays,
- 3) it will play ambient background music only, consisting of recorded music, and not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 4) it will not commercially use any outdoor areas,
- 5) it will close any façade doors and windows by 10:00 P.M. every night,
- 6) it will not apply for any alteration in its method of operation without first appearing before Community Board 3,
- 7) it may have "happy hours" to 7:00 P.M. every night,
- 8) it will not host pub crawls or party buses,
- 9) it will designate an employee to oversee patrons and noise on the sidewalk,
- 10) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 11) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

24. To be Determined, 181 Essex St btwn E Houston & Stanton Sts (wb)

VOTE: TITLE: Community Board #3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

Understanding that this is a sale of assets of an existing full-service restaurant with a wine beer license, Community Board #3 moves to deny the application for a wine beer license for a corporation to be determined, with principals Annie Morton and David Peterson, for the premise located at 181 Essex Street, between East Houston Street and Stanton Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that

- 1) it will operate as a full-service American restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 12:00 P.M. to 12:00 A.M. Mondays and Tuesdays, 12:00 P.M. to 1:00 A.M. Wednesdays, 12:00 P.M. to 2:00 A.M. Thursdays and Fridays, 11:00 A.M. to 2:00 A.M. Saturdays and 11:00 A.M. to 12:00 A.M. Sundays,
- 3) it will play ambient background music only, consisting of recorded music and live music consisting of one (1) acoustic guitarist, but will not have DJs, promoted events, scheduled performances or any event at which a cover fee will be charged and its live music will not play later than 9:00 P.M.,
- 4) it will not commercially use any outdoor areas,
- 5) it will close any façade doors and windows by 10:00 P.M. every night or during any live performances,
- 6) it will not apply for any alteration in its method of operation without first appearing before Community Board #3,
- 7) it will not seek a change in class of its liquor license to a full on-premise liquor license understanding that it is within two hundred (200) feet of a school, to wit P.S. 20, located at 160 Essex Street,
- 8) it may have "happy hours" to 7:00 P.M. every night,
- 9) it will not host pub crawls or party buses,
- 10) it will insure that there are no wait lines outside and will designate an employee to oversee patrons and noise on the sidewalk on weekends and when necessary,
- 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

25. Lucille (Little Rebel Inc), 134 1st Ave @ St Marks Pl (op)

VOTE: TITLE: Community Board #3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

Understanding that this is a sale of assets of an existing tavern with a full on-premise liquor license which has been operating since 1998, Community Board #3 moves to deny the application for a full on-premise liquor license for Little Rebel Inc., for the premise located at 134 First Avenue a/k/a 85 St. Marks Place, at the corner of First Avenue and 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 tavern with a seafood style menu, with an electric kitchen open and serving food during all hours of operation,

- 2) its hours of operation will be 2:00 P.M. to 4:00 A.M. Mondays through Fridays and 11:00 A.M. to 4:00 A.M. Saturdays and Sundays,
- 3) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 4) it will operate any sidewalk café for which it receives a permit no later than 10:00 P.M. Sundays through Thursdays and 11:00 P.M. Fridays and Saturdays,
- 5) it will close any façade doors any windows at 10:00 P.M. every night,
- 6) it will not apply for any alteration in its method of operation without first appearing before Community Board #3,
- 7) it will employ a security guard all days,
- 8) it will not host pub crawls or party buses,
- 9) it may have "happy hours" to 7:00 P.M. each night,
- 10) it will insure that there are no wait lines outside and will designate an employee to oversee patrons and noise on the sidewalk,
- 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints

Community Board #3 is approving this application for a full on-premise liquor license although this is a location in an area with numerous full on-premise liquor licenses, as well as on a block with numerous full on-premise liquor licenses and wine beer licenses, because 1) this location has operated as a tavern with a full on-premise liquor license since 1998, 2) the applicant has demonstrated a strong history of operating a tavern without complaint in this community, in that it has operated The Wayland, located at 700 East 9th Street, since January of 2012 without complaints, and 3) there was no opposition to this application and the applicant furnished fifty-four (54) signatures from area residents in support of its application and one (1) resident of 700 Est 9th Street appeared to speak in its support, stating that the applicant operates a well-managed quiet tavern at that location and contributes significantly to the community.

26. To be Determined, 359-361 Grand St (op)
withdrawn

27. Sensei (Gallery Sensei LLC), 278 Grand St (op)
withdrawn

28. Spaghetti Incident (Mamamia Corp), 231 Eldridge St btwn E Houston & Stanton Sts (wb)

VOTE: TITLE: Community Board #3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

Community Board #3 moves to deny the application for a wine beer license for Mamamia Corp., for the premise located at 231 Eldridge Street, between East Houston Street and Stanton Street, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that

- 1) it will operate as a full-service Italian restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 11:00 A.M. to 12:00 A.M. Sundays through Thursdays and 11:00 A.M. to 2:00 A.M. Fridays and Saturdays,
- 3) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 4) it will not commercially use any outdoor areas,
- 5) it will have closed fixed façade with no open doors or windows and will close any façade entrance doors by 10:00 P.M. every night,
- 6) it will not apply for any alteration in its method of operation without first appearing before Community Board #3,
- 7) it will not seek a change in class of its liquor license,
- 8) it will not have "happy hours,"
- 9) it will not host pub crawls or party buses,
- 10) it will insure that there are no wait lines outside,
- 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

Items not heard at Committee

29. Apotheke (Trummer Bar LLC), 9 Doyers St (op/corp change)
no vote necessary

30. Sichuan Hot Pot Cuisine Inc, 34 Pell St (wb)

- no vote necessary
- 31. Buddha Bodai Two Kosher Vegetarian Restaurant Inc, 77 Mulberry St (wb)
no vote necessary
- 32. Kikis (Kikis Plan A Group LLC), 130 Division St (wb)
no vote necessary
- 33. The Bean (147 First Ave Bean LLC), 147 1st Ave (wb)
no vote necessary
- 34. G & Nishi Inc, 54-56 Third Avenue (wb)
no vote necessary
- 35. Pho Thanh Hoai (Pho Thanh Hoai 1 Inc), 73 Mulberry St (wb)
no vote necessary
- 36. 4T USA Inc, 127 4th Ave (wb)
no vote necessary
- 37. Charrva (Bistro Uruguay), 131 Essex St (wb)
no vote necessary
- 38. Zund New York Inc, 84 E 10th St (wb)
no vote necessary
- 39. To be Determined, 293 E Houston St (aka 3 Clinton St) (wb)
no vote necessary

33 YES 0 NO 0 ABS 0 PNV MOTION PASSED

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

- 1. Approval of previous month's minutes
VOTE: To approve.
- 2. Essex Crossing Site 5 Park, request for support for design
VOTE: Title: Community Board 3 Resolution to Support the Proposed Conceptual Design of the Open Space on Site 5 of Essex Crossing

Whereas, the City of New York, acting through the Economic Development Corporation and Department of Housing Preservation and Development, issued a Request for Proposals for the redevelopment of nine parcels owned by the City of New York in the Lower East Side of Manhattan; and

Whereas, the nine parcels are all a portion of the Seward Park Urban Renewal Area (SPURA); and

Whereas, the selected developer, Delancey Street Associates, is required to develop and construct an open space of 15,000 square feet on Site 5 as outlined in the ULURP application approved by the City Planning Commission; and

Whereas, Delancey Street Associates and its landscape architect presented conceptual plans to the Community Board 3 Parks, Recreation, Cultural Affairs, Landmarks, and Waterfront Committee on March 19th, 2014 and July 10th, 2014, and also held a Community Visioning Session on May 29th, 2014, and subsequently incorporated comments from the community and Community Board 3 members after each meeting; and

Whereas, Delancey Street Associates has presented a more finalized conceptual design on November 13th, 2014, that achieves the defined goals of the Declaration of Large Scale General Development; and

Whereas, Delancey Street Associates will commit to begin outreach at 50% construction completion of the open space, for the formation of a public advisory committee, which will advise on the program of the open space, and that said committee will be assembled by substantial completion of the open space;

Therefore, be it resolved, that Community Board 3 supports the proposed conceptual design of the open space on Site 5.

- 3. Request for support for proposed LES Community Gardens District
no vote necessary
- 4. Request for support to transfer Siempre Verde Garden (181 Stanton St/137 Attorney St) to the Parks Dept for preservation under the GreenThumb program
VOTE: TITLE: Community Board 3 Resolution to Support the Transfer of 137 Attorney Street and 181 Stanton Street from Housing, Preservation and Development (HPD) to the Department of Parks and

Recreation (DPR) for the Continued and Permanent Use by Siempre Verde Garden as a Green Thumb Community Garden

WHEREAS, the two (2) lots located at 137 Attorney Street and 181 Stanton Street are currently owned by Housing Preservation and Development (HPD); and

WHEREAS, while CB 3 strongly supports the creation of affordable housing in this community, the circumstances under which CB 3 supported the 2012 proposal to develop an Inclusionary Housing project on these lots no longer remain, and said support was withdrawn in a Land Use committee resolution passed by CB 3 on October 28, 2014; and

WHEREAS, these small, interior, L-shaped lots have remained undeveloped since at least the 1980s, at which time parts of the lots were begun to be cared for and maintained as "Siempre Verde Garden" by neighbors; and

WHEREAS, in October 2012, CB3 supported " .. the use of 181 Stanton Street and 137 Attorney Street for an interim garden until NYC HPD comes up with a plan for the site"; and

WHEREAS, these lots were licensed by HPD in November 2012 for use as a community garden known as "Siempre Verde Garden", which license was administered by Green thumb and was renewed by HPD in 2013; and

WHEREAS, since receiving a license from HPD to operate as a community garden, the members of Siempre Verde Garden have undertaken substantial and documented efforts to clear and rehabilitate these lots into a productive community garden and open space, have successfully implemented multiple grants to further these efforts, have received various awards and certifications in recognition of these efforts, and have used these lots to demonstrate a model for sustainability in NYC; and

WHEREAS, Siempre Verde Garden provides environmental, ecological, cultural, educational, economic, health and other benefits to the community, has engaged local residents of all kinds in free community-based programming, and has played an active and constructive role in the community through its partnerships with local private, public, and non-profit entities; and

WHEREAS, Siempre Verde Garden submitted to CB 3 a petition containing more than 2,000 signatures opposing the development of these lots and supporting their preservation as a community garden; and

WHEREAS, Community District 3, particularly the area south of Houston Street, is underserved by the provision of open space, and the disposition and development of these lots would deprive the community of much needed open space that cannot be replaced; so

THEREFORE, BE IT RESOLVED, that CB 3 supports the transfer of these lots from HPD to the Department of Parks and Recreation (DPR) for their continued and permanent use as a Green Thumb community garden and respectfully requests that our elected leaders assist Siempre Verde Garden in that effort.

5. Report from Landmarks Subcommittee

VOTE Title: Community Board 3 Resolution to Support the Certificate of Appropriateness application by the Downtown Art and Alpha Omega Theatrical Dance Company for modifications to the façade of 70 East 4th Street (block 459, Lot 21), a building within the East Village/Lower East Side Historic District

WHEREAS, 70 East 4th Street was built in 1832/33 with architect not determined; and

WHEREAS, the East Village/Lower East Side Historic District designation report notes that the historic detailing has been largely removed or concealed; the stoop removed; the lower stories reconfigured; window lintels and sills removed; attic story and cornice removed; and the façade parged; and

WHEREAS, the designation report declares the style to be "none"; and

WHEREAS, rooftop elements cannot be seen from either E 3rd Street or E 4th Street; and

WHEREAS, it was necessary to provide a street level entrance to meet ADA requirements; and

WHEREAS, the client and the architect were challenged with a program for contemporary performance and art and, under the "Design Excellence Program," have achieved a high-quality building within the Historic District that makes a statement of quality architecture for our time; so

THEREFORE BE IT RESOLVED, Community Board 3 approves the application for a Certificate of Appropriateness for modifications to the façade of 70 East 4th Street.

Be if further resolved, the committee suggests that renderings be created showing the door surround and lighting and that the applicant work with LPC staff to assure that the signage and lighting are in context with the neighboring buildings.

6. Report from Arts Subcommittee
no vote necessary

33 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Land Use, Zoning, Public & Private Housing Committee

There was an update on the status of the tenants at 400 Grand Street and the work of the Housing Preservation Department to help them find a new home.

1. Approval of previous month's minutes

VOTE: To approve the October 2014 Land Use & Housing minutes, with the update that Committee member Bill LoSasso is amending his vote on Item #6 to "Present Not Voting" due to his employer being engaged in a business transaction with the entity addressed in the resolution passed by the Committee.

2. Support for campaign to increase enforcement against illegal hotels
no vote necessary
3. Chinatown Working Group (CWG) update
no vote necessary
4. 400 Grand Street Update

VOTE: Title: Community Board 3 Recommendation to HPD and Essex Crossing developers to work together to provide deposit monies to facilitate the purchase of apartments for those remaining tenants of 400 Grand Street considering purchase of apartments in a manner that will not negatively impact their HPD or credit records and to also facilitate their move out in an orderly and non-disruptive fashion

WHEREAS, it is necessary that the remaining residents of 400 Grand Street vacate the building so that demolition can take place in preparation for the Essex Crossing development; and

WHEREAS, HPD states that all residents have been linked to apartments, meaning that they are either filling out application packages or completing the application and relocation process; and

WHEREAS, HPD has stated to the Committee that certain funds are available to residents of 400 Grand Street as down payment for those who wish to purchase apartments as they relocate from 400 Grand Street; and

WHEREAS, HPD, the residents, the developers, and the residents' legal team have been communicating regarding the residents move out, which deadline is currently scheduled by HPD for December 1, 2014; and

WHEREAS, Manhattan Legal Services and the residents feel that this move-out deadline date will be unnecessarily difficult for the residents due to its proximity to Thanksgiving; so

THEREFORE, BE IT RESOLVED, CB 3 recommends that HPD work with the residents' legal counsel (Manhattan Legal Services) to advance to tenants in a timely fashion any and all obligated deposit monies needed to facilitate the purchase of apartments, and that City and developer be flexible with the move out date to allow tenants to move out in an orderly fashion that does not disrupt the Thanksgiving holiday and does not risk a negative marks on their files.

5. Inclusionary Housing Program application for 100 Avenue A
no vote necessary
6. ULURP C130321ZSM: Special permit for additional parking spaces for 180 Orchard Street Parking Garage, CEQR # 12DCP191M

VOTE: Title: Community Board 3 Resolution to approve ULURP C130321ZSM: Special permit for additional parking spaces for 180 Orchard Street Parking Garage, CEQR # 12DCP191M

IN THE MATTER OF an application submitted by 180 Orchard Retail LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Zoning Resolution

Section 13-45 (Special Permits for additional parking spaces) and Section 13-451 (Additional parking spaces for residential growth) to allow an attended public parking garage with a maximum capacity of 99 spaces on portions of the ground floor, cellar and sub-cellar of a proposed mixed-use building on property located at 180 Orchard Street (Block 412. Lots 8-11. 27-29. 32-36. &1001-1003) in a C4-4A District in the Borough of Manhattan, Community District 3, CB3 approves the application for a special permit.

33 YES 0 NO 0 ABS 0 PNV MOTION PASSED

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

no meeting scheduled

Economic Development

1. Approval of previous month's minutes
no vote necessary
2. DCA presentation: Local Law 153—The "Cure Law" which allows businesses to cure (correct) first-time, signage-related violations
no vote necessary

Con Ed Task Force

no minutes submitted

The Taskforce received three applications for funding. If the Taskforce funded all of the applications for the amount requested, the Taskforce would be out of money.

Ethics, By-laws & Procedures Task Force

1. Approval of previous month's minutes
VOTE: Motion made and seconded to approve minutes of October 22, 2014 meeting.
2. Duties of Officers
no vote necessary
3. Timing for first draft of revised by-laws
no vote necessary

33 YES 0 NO 0 ABS 0 PNV MOTION PASSED

Members Present at Last Vote:

David Adams	[P]	Linda Jones	[P]	Carolyn Ratcliffe	[P]
Dominic Berg	[P]	Vaylateena Jones	[P]	Joyce Ravitz	[P]
Karen Blatt	[A]	Meghan Joye	[P]	Carlina Rivera	[A]
Lisa Burriss	[P]	Lisa Kaplan	[P]	James Rogers	[P]
Justin Carroll	[P]	Carol Kostik	[P]	Richard F. Ropiak	[P]
Karlin Chan	[A]	Ben Landy	[A]	Christopher Santana	[A]
Jimmy Cheng	[A]	Mae Lee	[P]	Susan Scheer	[P]
MyPhuong Chung	[P]	John Leo	[P]	Nancy Sparrow-Bartow	[A]
David Crane	[A]	Alysha Lewis-Coleman	[P]	Julie Ulmet	[A]
Enrique Cruz	[P]	Gigi Li	[P]	Josephine Velez	[P]
Morris Fajtelewicz	[P]	William LoSasso	[P]	Rodney Washington	[P]
Flora Ferng	[A]	Chad Marlow	[A]	Kathleen Webster	[P]
Gloria Goldenberg	[P]	Penina Mezei	[A]	Justin Yu	[A]
Jan Hanvik	[P]	Alexandra Militano	[P]	Thomas Yu	[P]
Ayo Harrington	[A]	Chiun Ng	[P]	Zulma Zayas	[P]
Herman F. Hewitt	[P]	Ariel Palitz	[A]		
Anne K. Johnson	[P]	Teresa Pedroza	[A]		

Meeting Adjourned