



# THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

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Alysha Lewis-Coleman, Board Chair

Susan Stetzer, District Manager

May 2018 Full Board Minutes

Meeting of Community Board 3 held on Tuesday, May 22, 2018 at 6:30pm at PS 20, 166 Essex Street.

#### Public Session:

Michael Pastko – Opportunities in the Tech world. Resident of East Village. Web designer by trade. Mr. Pastko is committed to connecting residents to opportunities in the tech industry and to do this regularly every committee meeting.

Harry Bubbins – GVSHIP speaking in support of the Special District and update in the ULURP tech hub. City planning commission held one meeting with no public agenda on May 9th. A sham process designed to keep the public out. Borough President confirmed the concerns of development pressures. Is relying on Carlina Rivera's support and Congresswoman Maloney.

Eric Diaz – Loisaida Festival announcement for May 27th 12pm-5pm. Announcement for Vision Urbana Immigration, Senior, Youth and Health programs offered in CB3 including the HIV/Awareness Campaign COULDWETALK website launch.

Karlin Chan – Fundraiser announcement for Ricky Leung.

Paul Reyes – 2020 Census group representative. 35% of people living in Cb3 are Foreign Born. Interested in partnering with CBO's and CB3. Citizenship question delivered to Congress and they are deciding if it will be placed on the census 2020. Will be looking to hire to fill job positions during the 2020 census campaign.

#### Public Officials:

Mayor Bill de Blasio, Gabrielle Dann-Allah:

Public Advocate Letitia James, Adam Chen:

Comptroller Scott Stringer, Michael Stinson:

Congratulated the new board members for being accepted to the Best Cb3 in Manhattan! Gouverneur 6:30pm – 9pm Townhall Meeting on the Lower East Side.

Borough President Gale Brewer, Afraz Khan:

Reception for new appointments and re appointments on June 19th at Museum of Natural History June 19th 6:30pm. Developed an L train taskforce and they are meeting first time this Thursday. Provided testimony on the Tech Hub meeting. Event on Tuesday May 29th at 280 Broadway.

Congressmember Nydia Velazquez, Iris Quinones:

Congressmember Carolyn Maloney, Victor Montesinos:

Assemblymember Yuh-Line Niou, Mauricio, Pasmino:

Honored Ricky Leung and provided an award to his family for his work in the community. Escalator at East Broadway issue has been brought to the assemblywoman's attention and she will keep looking at it. Commissioner of Transportation has agreed to come to the community board to address issues.

Assemblymember Deborah J. Glick, Charlie Anderson:

Assemblymember Harvey Epstein, Mike Schweinsburg:

Congratulated all new CB members. First week in office signed on to the Dream Act to ease the cost for higher education for children of immigrants. Argued for a package of bills to protect residents and stop landlords from biased selective rent processes. Is in support of defending people with Disabilities taking public transportation.

State Senator Brian Kavanagh, Venus Galarza-Mullins:

Major victory for gun violence prevention, bill went to judiciary position to move the bill forward to the senate floor. 250 constituents attended Brian Kavanagh convention to express issues and concerns. Urging the MTA to mitigate the L train shutdown that will affect thousands of CB3 residents and commuters. M22 update, seeking a response from MTA. ADA fight continues to help residents with disabilities in the MTA.

State Senator Brad M. Hoylman, Caroline Wekselbaum:

Congratulate CB3 new members. Scott Stringer Townhall meeting announcement. Package of gun bills Senator Hoylman has been pushing in Albany to combat reckless gun violence. New bill to protect people from Robo calling, offering consumers free tools. Restore Net Neutrality. Teamed up with a California representative.

Councilmember Margaret Chin, Vincent Fang:

Councilmember Carlina Rivera, Sheila Rodriguez:

Councilwoman hosted her first district 2 fair with over 12 agencies present and lots of constituents' turnaround. First press rally at Cityhall joining Jacob Riis housing residents after going public on the repair issues. Carlina submitted testimony at the May 9th committee on the ULURP process for the Tech Hub. She wants to obtain a tech hub that represents the economic need of her constituents and supporting the rezoning of the community next to the hub. Carlina honors the work of Ricky Leung at the GOLES awards meeting.

District Attorney Office:

A huge initiative will no longer prosecute small possession of Marijuana based on a six month study from the DA office, supporting legalizing marijuana. Most lenient sentence announced that is without prosecution involving small possession of Marijuana. Summons rather than arrests are being promoted by the DA office. Small amounts of marijuana are classified as (more or less) 25 grams and less. If someone is a danger to the community or being a public nuisance they can still be arrested. Sex worker training is offered to the NYPD. Espousing records are not available yet as Marijuana is still illegal in New York State. Research the DA office has taken on Marijuana involved studying the effects of public safety. K-2 possession and distribution is still prosecuted and the DA office has a campaign against the possession and selling of K-2.

Members Present at First Vote:

David Adams	[P]	Alistair Economakis	[P]	Michael Marino	[P]
Yaron Altman	[P]	Shirley Fennessey	[P]	Jeremy Markman	[P]
Jesse Beck	[P]	David Ford	[P]	Antonio Martinez	[ ]
Dominic Berg	[P]	Ryan Gilliam	[P]	Alexandra Militano	[P]
Lee Berman	[P]	Debra Glass	[P]	Nancy Ortiz	[ ]
Victoria Berrios	[ ]	Herman F. Hewitt	[P]	Carolyn Ratcliffe	[P]
Karen Blatt	[P]	Trever Holland	[P]	Damaris Reyes	[P]
Lisa Burriss	[P]	Linda Jones	[P]	Richard F. Ropiak	[P]
Karlin Chan	[P]	Vaylateena Jones	[P]	Robin Schatell	[ ]
Jonathan Chu	[P]	Marnie Ann Joyce	[ ]	Laryssa Shainberg	[P]
MyPhuong Chung	[ ]	Meghan Joye	[P]	Clint Smeltzer	[P]
David Crane	[P]	Lisa Kaplan	[P]	Anisha Steephen	[ ]
Je'Jae Daniels	[P]	Olympia Kazi	[P]	Sandra Strother	[P]
Paul DeRenzo	[P]	Joseph Kerns	[P]	Josephine Velez	[P]
Eric Diaz	[P]	Mae Lee	[P]	Rodney Washington	[ ]
Daniel Dickson	[P]	Alysha Lewis-Coleman	[P]	Kathleen Webster	[P]
Dean Diongson	[P]	Luis Lopez	[P]		

Minutes:

Minutes of March 2018 were approved, as is.

**31 YES 0 NO 10 ABS 0 PNV MOTION PASSED**

Board Chairperson's Report:

Chairperson Alysha Lewis-Coleman

Provided an overview on the process for signing up to a committee and subcommittee. The sign up is due by June Full Board Meeting. By Laws Committee provided an updated Bylaws for all board members to review and become familiar.

District Manager's Report:

District Manager Susan Stetzer

Encouraged all new members to be familiar with the CB3 website and to join the CB3 email list. Review of draft CB3 agenda. L train meeting in June was cancelled because updates are not ready. MTA will come in September to discuss. Major arrest in K-2 on Rivington. In July, K-2 will become a "Class A" narcotic in NYC. It is a health code felony to sell. Code Red is designated for homeless population in NYC when temperature is 90 degrees. Call 311 when individuals are seen homeless during high temperatures. The BID is now capturing information from the Maps and notes to create a Transportation committee report on traffic problems at Grand/Clinton for a resolution vote. Budget season starts and a vote on District Needs will take place in July. Last year's District Needs is on the Cb3 website for review and familiarity.

Committee Reports:

**Executive Committee**

no vote necessary

New Members gathering on June 10th at 59 E 4th street from 3pm-5pm. Potluck style. Email Nancy Ortiz for items to bring.

Nominating Committee met and

**SLA & DCA Licensing Committee**

1. Approval of previous month's minutes  
approved by committee

**Applications within Saturated Areas**

2. Stmarks Cafe LLC, 2 St Marks Pl btwn 2nd & 3rd Aves (op)

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

**WHEREAS**, Stmarks Café LLC is applying for a full on-premises liquor license to operate a restaurant in the premises located at 2 Saint Marks Place, between Second Avenue and Third Avenue, New York, New York; and

**WHEREAS**, this applicant is proposing to operate a restaurant with a certificate of occupancy of seventy-four (74) people, nineteen (19) tables and fifty-five (55) seats, a sixteen (16) foot bar with ten (10) stools, a kitchen open during all hours of operation serving "American pub food," hours of operation of 10:00 A.M. to 2:00 A.M. Sundays through Wednesdays and 10:00 A.M. to 4:00 A.M. Thursdays through Saturdays, accordion doors closing at 10:00 P.M., four (4) televisions, recorded music and live music consisting of one (1) to two (2) acoustic pieces, security guards Thursdays through Saturdays and other days, if needed, no pub crawls or party buses, happy hours to 8:00 P.M. and no wait lines outside; and

**WHEREAS**, this location previously housed a Greek restaurant which had been open for approximately one (1) year and prior to that an ale house which opened in 1995, both of which operated with full on-premises liquor licenses, and has been occupied by a business with a full on-premises liquor license prior to 1995; and

**WHEREAS**, although the applicant counted twenty-two (22) full on-premises liquor licenses within five hundred (500) feet of this location, there are thirty-three (33) full on-premises liquor licenses within five hundred (500) feet of this location per the SLA LAMP map and ten (10) full on-premises liquor licenses, two (2) pending full on-premises liquor licenses, ten (10) wine beer licenses and two (2) eating place beer license on this block of Saint Marks Place, between Second Avenue and Third Avenue; and

**WHEREAS**, the applicant has stated that it intends to operate a business that caters to families; and

**WHEREAS**, the applicant has operated Draught 55, located at 245 East 55th Street with a full on-premises liquor license since 2012; and

**WHEREAS**, the applicant has furnished evidence of community support, in that it provided petition signatures in support of its application, eighty-four (84) of which from area residents and has spoken with representatives of the local block association and a tenants association; and

**WHEREAS**, no residents appeared or submitted statements in opposition to this application; and

**WHEREAS**, given that this is an application for a restaurant in a location which Community Board 3 believes has operated with a full on-premises liquor license since prior to 1993, Community Board 3 would approve this application with stipulations governing its method of operation; now

**THEREFORE, BE IT RESOLVED** that Community Board 3 moves to deny the application for a full on-premises liquor license for Stmarks Café LLC, for the premises located at 2 Saint Marks Place, between Second Avenue and Third Avenue, 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, to wit a gastropub, with a kitchen open and serving food during all hours of operation,

- 2) its hours of operation will be 10:00 A.M. to 2:00 A.M. Sundays through Wednesday and 10:00 A.M. to 4:00 A.M. Thursdays through Saturdays,
- 3) it will close any front façade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances,
- 4) it will not commercially operate any outdoor areas,
- 5) it will install additional soundproofing, if needed,
- 6) it will employ security guards Thursdays through Saturdays, from 10:00 P.M. to closing and other days if needed,
- 7) it will play ambient background music only, consisting of recorded music and ambient acoustic live music, and will not have DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 8) ambient acoustic live music will consist of no more than two (2) pieces or instruments and will be played no more than once a month between the hours of 10:00 A.M. and 4:00 P.M.,
- 9) it will not apply for any alteration in its method of operation without first appearing before Community Board 3,
- 10) it may have "happy hours" to 8:00 P.M.,
- 11) it will not host pub crawls or party buses,
- 12) it will not have unlimited drink specials with food,
- 13) it will not have wait lines outside and will designate an employee to oversee patrons and noise on the sidewalk,
- 14) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 15) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

3. The Cabin (The Great Cabin LLC), 205 E 4th St btwn Aves A & B (op)

**VOTE: TITLE: Community Board 3 Recommendation To Deny**

To deny the application for a full on-premises liquor license for The Great Cabin LLC, with a proposed business name of The Cabin, for the premises located at 205 East 4th Street, between Avenue A and Avenue B, because the applicant would not agree to make as conditions the signed notarized stipulations that

- 1) it will operate as a full-service American tapas 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 1:00 A.M. Fridays and Saturdays,
- 3) it will not commercially operate any outdoor areas,
- 4) it will install soundproofing consistent with the recommendations of a sound engineer,
- 5) it will close any façade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances
- 6) 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,
- 7) it will not apply for any alteration in its method of operation without first appearing before Community Board 3,
- 8) it will not host pub crawls or party buses,
- 9) it will not have unlimited drink specials with food, including boozy brunches, and will not have discounts or promotions on drinks, discounts on shots or large format drinks,
- 10) it may have "happy hours" to 9:00 P.M. each night,
- 11) it will insure that there are no wait lines outside and will designate an employee to oversee patrons and noise on the sidewalk,
- 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

4. Upstate Craft Beer and Oyster Bar, 131 Ave A (op)  
withdrawn

5. Khyber Pass (Brothers Khyber Pass Corp), 34 St Marks Pl (upgrade to op)  
withdrawn

**Alterations**

6. Grey Lady (Barnorth Group LLC), 77 Delancey St @ Allen St (op/alt/add adjacent store at 79 Delancey St)

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

To deny the application for an alteration of the full on-premises liquor license for Barnorth Group LLC, doing business as Grey Lady, for the premises located at 77-79 Delancey Street, at the corner of Allen Street and Delancey Street, to wit extending its business and full on-premises liquor license into 102

Allen 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 seafood restaurant, with a kitchen open and serving food during all hours of operation, and will offer yoga classes between the hours of 6:00 A.M. and 7:30 P.M.,
- 2) its hours of operation will be 12:00 P.M. to 2:00 A.M. Sundays through Wednesdays and 12:00 P.M. to 4:00 A.M. Thursdays through Saturdays,
- 3) the hours of operation of its sidewalk café, consisting of four (4) tables and sixteen (16) seats, will be 12:00 P.M. to 11:00 P.M. all days,
- 4) it will employ two (2) security guards Thursdays and three (3) security guards Fridays and Saturdays, from 10:00 P.M. to closing,
- 5) it will install soundproofing at 102 Allen Street,
- 6) it will close any façade doors and windows at 77 Delancey Street at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances but will close any front or rear façade entrance doors at 79 Delancey Street and 102 Allen Street at 10:00 P.M. every night or when amplified sound is playing and will otherwise have a closed fixed facade at 79 Delancey Street and 102 Allen Street with no open doors or windows,
- 7) it will play ambient background music only, consisting of recorded music and will not have DJs, live music, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 8) it will not apply for any alteration in its method of operation without first appearing before Community Board 3,
- 9) it may have "happy hours" to 7:00 P.M. each night,
- 10) it will not host pub crawls or party buses,
- 11) it will not have unlimited drink specials with food,
- 12) it will insure that there are no wait lines outside and will designate an employee to oversee patrons and noise on the sidewalk,
- 13) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 14) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

#### **Sidewalk Cafe Applications**

7. Dudley's (Two Bikes LLC), 85 Orchard St (extend sidewalk cafe hours from 10pm to 12am)

**VOTE: TITLE: Community Board 3 Recommendation To Deny**

**WHEREAS**, Two Bikes LLC, doing business as Dudley's, is seeking an alteration of its full on-premises liquor license for the premises located at 85 Orchard Street, at the corner of Broome Street and Orchard Street, New York, New York, to wit changing the hours of operation for its sidewalk café from 9:00 A.M. to 10:00 P.M. all days to 10:00 A.M. to 10:00 P.M. Sundays, 9:00 A.M. to 12:00 A.M. Mondays through Thursdays and 9:00 A.M. to 1:00 A.M. Fridays and Saturdays; and

**WHEREAS**, this corporation was approved its full on-premises liquor license by Community Board 3 in March of 2004, with stipulations that it would 1) renovate consistent with plans presented in its application to the community board and 2) close its front doors and windows by 10:00 P.M. nightly; and

**WHEREAS**, this corporation was issued a full on-premises liquor license by the SLA on September 13, 2004; and

**WHEREAS**, the corporation was then approved for a sidewalk café permit for six (6) tables and twelve (12) seats in May of 2008 with an agreement that it would 1) close its café at 10:00 P.M. every night, and 2) have an awning extended over its café during its hours of operation to baffle any noise which might be heard by the residential tenants; and

**WHEREAS**, the corporation was then heard by Community Board 3 in April of 2013, for a new sidewalk café permit for eight (8) tables and twelve (12) seats, after the corporation had been purchased by new owners and the business had been renamed Dudley's, and was approved with an agreement that it would 1) have hours of operation of 9:00 A.M. to 10:00 P.M. all days, and 2) extend an awning over its façade while its sidewalk café was operating; and

**WHEREAS**, the corporation was then heard by Community Board 3 in June of 2017 for a sidewalk café permit modification to add two (2) tables and four (4) seats and extend its hours of operation, after the corporation had again been purchased by a new owner who is the present applicant, and was approved with an agreement that it would 1) have a café consisting of six (6) tables and twelve (12) seats, and 2) have hours of operation of 9:00 A.M. to 10:00 P.M. all days; and

**WHEREAS**, at the time that the present applicant was first heard by Community Board 3 for a modification of its sidewalk café permit, Community Board 3 had received complaints that during its brief operating history, the applicant had been extending the café past its permitted area, blocking the sidewalk with benches, A-frame signs and planters and keeping its façade open past 10:00 P.M. contrary to the its agreed stipulations; and

**WHEREAS**, the applicant has now been operating this business for approximately one and half (1½) years; and

**WHEREAS**, Community Board 3 continues to receive complaints that the applicant is extending the café past its permitted area and operating it past its agreed hours, blocking the sidewalk with benches, A-frame signs and planters and keeping its façade open past 10:00 P.M. contrary to the its agreed stipulations; and

**WHEREAS**, given that exemplary businesses in this area, which is plagued by nighttime street noise and excessively crowded sidewalks, close their sidewalk café no later than 10:00 P.M. or 11:00 P.M., Community Board 3 cannot approve the extension of operating hours for the sidewalk café of an applicant that in its short history operating this business has persistent complaints that it cannot adhere to its agreed use of its existing sidewalk café permit or its liquor license and cannot maintain a clear sidewalk for safe pedestrian passage; now

**THEREFORE BE IT RESOLVED** that Community Board 3 moves to deny the application for an alteration of the full on-premises liquor license for Two Bikes LLC, doing business as Dudley's, for the premises located at 85 Orchard Street, at the corner of Broome Street and Orchard Street, New York, New York, to wit changing the hours of operation for its sidewalk café from 9:00 A.M. to 10:00 P.M. all days to 10:00 A.M. to 10:00 P.M. Sundays, 9:00 A.M. to 12:00 A.M. Mondays through Thursdays and 9:00 A.M. to 1:00 A.M. Fridays and Saturdays.

8. Pure Green (Pure Green NYC 10th Street Corp), 152 2nd Ave btwn E 9th & E 10th Sts

**VOTE: TITLE: Community Board 3 Recommendation To Deny Unless Change Order Agreed To—Change Order Attached**

To approve the application for an unenclosed sidewalk café permit for seven (7) tables and fourteen (14) seats for Pure Green NYC 10th Street Corp., doing business as Pure Green, for the premises located at 152 Second Avenue, between East 9th Street and East 10th Street, because the applicant has signed a change agreement which will become part of its DCA license that

- 1) its café will consist of seven (7) tables and fourteen (14) seats, and
- 2) its hours of operation will be 8:00 A.M. to 10:00 P.M. all days

9. Nobody is Perfect (235 E 4th St Inc), 235 E 4th St btwn Aves A & B

**VOTE: TITLE: Community Board 3 Recommendation To Deny A Sidewalk Café Permit**

**WHEREAS**, 235 E 4th St Inc., doing business as Nobody's Perfect, is seeking a sidewalk café permit, for the premise located at 235 East 4th Street, between Avenue A and Avenue B, New York, New York; and

**WHEREAS**, this applicant was first heard by Community Board 3 for a full on-premises liquor license in September of 2016, and was denied unless it agreed to make as conditions of its license stipulations that it would 1) operate as a full-service French tapas restaurant, with a kitchen open and serving food during all hours of operation, 2) have hours of operation of 10:00 A.M. to 12:00 A.M. Sundays, 5:00 P.M. to 12:00 A.M. Mondays through Thursdays, 5:00 P.M. to 1:00 A.M. Fridays and 10:00 A.M. to 1:00 A.M. Saturdays, 3) close any front façade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances, 4) 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 would be charged, and have no more than twelve (12) in-house private parties per year, 5) not apply for any alteration in its method of operation without first appearing before Community Board 3, 6) have "happy hours" to 7:00 P.M. each night, 7) not host pub crawls or party buses, 8) not have unlimited drink specials with food or offer shots or large format beverages, 9) insure that there are no wait lines outside and designate an employee to oversee patrons and noise on the sidewalk, 10) conspicuously post its stipulation form beside its liquor license inside of its business, and 11) provide a telephone number for residents to call with complaints and immediately address any resident complaints; and

**WHEREAS**, this applicant was then issued a full on-premises liquor license by the SLA on March 27, 2017, and has been operating for approximately seven (7) months; and

**WHEREAS**, this applicant is now seeking to extend its business onto the sidewalk by obtaining a sidewalk café permit for sixteen (16) tables and thirty-two (32) seats in three (3) rows, with proposed hours of operation of 11:00 A.M. to 12:00 A.M. Sundays, 5:00 P.M. to 12:00 A.M. Mondays through Thursdays, 5:00 P.M. to 1:00 A.M. Fridays and 11:00 A.M. to 1:00 A.M. Saturdays; and

**WHEREAS**, five (5) residents appeared before and two (2) residents submitted letters to Community Board 3, stating that this business routinely leaves its windows open past 10:00 P.M., permits excessive patron crowds and noise on the sidewalk in front of its business, plays excessively loud music and allows cheering and chanting associated with its weekend boozy brunches, all of which are in violation of the conditions of its license; and

**WHEREAS**, a resident residing above the business stated that she owns a sound meter and has measured noise levels of fifty-seven (57) to sixty-four (64) decibels from her apartment and ninety (90) decibels from the restaurant, all well above the city sound ordinance; and

**WHEREAS**, the East 4th Street/Lower Avenue B Block Association appeared and submitted a statement in opposition to this application, stating that 1) there is loud music and patron noise emanating from this business even when windows are closed and, as corroboration of resident complaints, the business has received forty-five (45) 311 calls since it opened, eighteen (18) of which required police action to correct, 2) that the block association had met with the applicant who appeared unwilling to recognize or address resident complaints, 3) the business had received two (2) additional 311 calls, both of which required police action to address, and a block association member had to enter the business to complain about the loud music within the weekend preceding its community board hearing; and

**WHEREAS**, the applicant conceded that it had hosted live music and offered unlimited drink specials in its business, both of which are violations of the conditions of its liquor license; and

**WHEREAS**, notwithstanding that the applicant furnished fifty-six (56) petition signatures from area residents in support of its application and two (2) residents appeared in support of its application, Community Board 3 believes that this applicant is unable to safely manage a sidewalk café given its inability to address resident complaints of noise and its failure to operate its business consistent with the conditions of its current license; now

**THEREFORE, BE IT RESOLVED** that Community Board 3 moves to call before the New York City Council to review for denial the application for a sidewalk café permit for 235 E 4th St Inc., doing business as Nobody's Perfect, for the premise located at 235 East 4th Street, between Avenue A and Avenue B, New York, New York.

#### **New Liquor License Applications**

10. Regal Cinemas Inc, 115 Delancey St btwn Essex & Norfolk Sts (op)

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

To deny the application for a full on-premises liquor license for Regal Cinemas Inc., for the premises located at 115 Delancey Street, between Essex Street and Norfolk 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 full-service restaurant, in that it will operate as a movie theatre with food and drink service at theatre seats with tables and will have a kitchen open and serving food during all hours of operation with patrons carrying food and drink from the point of purchase to their movie seats and the service of only one (1) drink per patron at a time,
- 2) it will have food and alcohol service only for patrons who have purchased tickets for screenings,
- 3) its hours of operation will be 9:00 A.M. to 2:00 A.M. all days,
- 4) it will not commercially operate any outdoor areas,
- 5) it will install soundproofing,
- 6) it will employ doormen or security guards during all hours of operation,
- 7) it will have a closed fixed facade with no open doors or windows,
- 8) it will play ambient background music only, consisting of recorded music, and will not have live music, DJs, promoted events or any event at which a cover fee will be charged, scheduled performances will consist of movies or special events consisting of other projected screenings and it will have ticketed sales for movie or other projected screenings,
- 9) it will not apply for any alteration in its method of operation without first appearing before Community Board 3,
- 10) it will not have "happy hours,"
- 11) it will not host pub crawls or party buses,

- 12) it will not have unlimited drink specials with food,
- 13) it will insure that there are no wait lines outside and will designate an employee to oversee patrons and noise on the sidewalk,
- 14) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 15) 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-premises liquor license although this is a location in an area with numerous full on-premises liquor licenses because 1) this location is part of a large-scale new development which included the addition of a large movie theatre to this area, 2) this location is located on Delancey Street which is a large multi-lane commercial thoroughfare, and 3) the SLA made a declaratory ruling on December 6, 2017, that food and alcohol service according to this business model for this corporation and its theatres was sufficient for the approval of a full on-premises liquor license for a movie theatre.

11. The Marilyn (The Marilyn NYC LLC), 73 Monroe St btwn Pike & Market Sts (op)

**VOTE: TITLE: Community Board 3 Recommendation To Deny**

**WHEREAS**, The Marilyn NYC LLC has applied for a full on-premises liquor license for the premises located at 73 Monroe Street, between Pike Street and Market Street, New York, New York; and

**WHEREAS**, this applicant is seeking to operate a tavern speakeasy with a proposed business name of The Marilyn, a certificate of occupancy of seventy-four (74) people, six (6) tables and thirty-six (36) seats, a twenty-nine (29) foot bar with twenty-five (25) stools, hours of operation of 6:00 P.M. to 1:00 A.M. Sundays through Wednesdays and 6:00 P.M. to 4:00 A.M. Thursdays through Saturdays, a prep area serving "bar food," recorded background music, no security, no traffic or pedestrian plan, an intent to install soundproofing, no wait lines but no agreement to have staff monitor crowds and noise outside; and

**WHEREAS**, this is a previously unlicensed location in the basement level of a residential building and was last operated as a cell phone store; and

**WHEREAS**, this applicant was heard by Community Board 3 in April of 2018, but withdrew its application because it had engaged in no community outreach to residents of this and the adjacent buildings, had no plan for addressing noise or people outside, had no articulated plan for soundproofing this basement level location and because numerous residents appeared or submitted statements in opposition to this application; and

**WHEREAS**, the applicant has stated that it made no efforts to engage in an community outreach because it felt "ganged up on" by seven (7) community residents present at the last meeting; and

**WHEREAS**, in response to the request by Community Board 3 that the applicant engage a sound engineer to produce an engineer report and plan for soundproofing the location, the applicant furnished a one page letter from a person identifying himself as an audio engineer itemizing how he would soundproof the location with no accompanying sound evaluation of the location; and

**WHEREAS**, a representative of the Knickerbocker Tenants Association, a large residential development across the street from this location, submitted a letter in opposition to this application, stating that its organization is concerned about a late night business creating late night noise in an area that is heavily residential and comprised predominantly of families and seniors and where the majority of businesses are closed by 7:00 P.M. each night; and

**WHEREAS**, twelve (12) area residents, including the residents in the apartment adjacent to and the resident living above this location, appeared or submitted letters in vehement opposition to this application, all stating that 1) this is an application for full on-premises liquor license in an unlicensed location for a cocktail lounge which would be of no benefit to the residential community but attract people from outside the area, 2) that the applicant had failed to outreach to area residents or residents directly impacted by this proposed business although it withdrew its application last month to do that, 3) given the low ceilings and construction of this basement level location, the applicant would be unable to prevent noise and vibration from disturbing surrounding tenants, 4) this area is comprised predominantly of residents and the addition of this late night business would disrupt the existing residential community; and

**WHEREAS**, one (1) resident who appeared in opposition to this application also furnished thirty-two (32) petition signatures opposed to this application from the forty-two (42) residents of 73 Monroe Street and 75 Monroe Street; and



**WHEREAS**, the applicant stated that it has operated Lion Lion, located at 332 East 116th Street, with a full on-premises liquor license since October 25, 2016 and Seabourne, located at 228 Van Brunt Street in Brooklyn, with a full on-premises liquor license since December 15, 2015, as well as having operated a licensed business located at 20 Seventh Avenue; and

**WHEREAS**, the applicant failed to demonstrate community support for this application, in that it furnished only sixteen (16) petition signatures in support of its application, although this location is close to two (2) large scale residential communities, Knickerbocker Village and Rutgers Houses, and conceded that it collected some of those signatures from area businesses; and

**WHEREAS**, notwithstanding that there are two (2) full on-premises liquor licenses within five hundred (500) feet of this location per the SLA LAMP map, Community Board 3 believes that the applicant should not be approved for a full on-premises liquor license to operate a cocktail lounge speakeasy with late night hours in a quiet residential neighborhood comprised primarily of minority families and seniors; and

**WHEREAS**, should the SLA determine that this application for a full on-premises liquor license be approved, Community Board 3 believes that this applicant should be permitted to operate its business no later than 12:00 A.M. each night, given that the location has never been licensed, is within close proximity to numerous residents and is in an area where the majority of other businesses close no later than 7:00 P.M.; now

**THEREFORE, BE IT RESOLVED** that Community Board 3 moves to deny the application for a full on-premises liquor license for The Marilyn NYC LLC, with a proposed business name of The Marilyn, for the premises located at 73 Monroe Street, between Pike Street and Market Street, New York, New York.

12. Sensei (Gallery Sensei LLC), 135 Eldridge St (upgrade/op)  
withdrawn

13. ESQEV LLC, 83 1st Ave @ E 5th St (op)

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

**WHEREAS**, ESQEV LLC, is applying for a full on-premises liquor license to operate a restaurant in the premises located at 83 First Avenue, at the corner of East 5th Street and First Avenue, New York, New York; and

**WHEREAS**, this applicant is proposing to operate a pizza and burger restaurant with a certificate of occupancy of one hundred forty-five (145) people on the ground floor and basement, twenty-four (24) tables and seventy-five (75) seats on the ground floor and four (4) tables and eighteen (18) seats in the basement, a twenty (20) foot bar with ten (10) stools and an eleven (11) foot counter with three (3) stools on the ground floor and a twenty-one (21) foot bar with eleven (11) stools in the basement, a sidewalk café of eight (8) tables and eighteen (18) seats, hours of operation of 12:00 P.M. to 1:00 A.M. all days, a kitchen open all hours, a façade closing at 10:00 P.M., no televisions, recorded background music, ten (10) private parties per year, no security, no soundproofing, no pub crawls or party buses, no happy hours, no wait lines and staff outside to monitor crowds and noise; and

**WHEREAS**, this location has been continuously licensed since prior to 1993 with an existing full on-premises liquor license that was issued by the SLA on December 1, 1992; and

**WHEREAS**, there are nineteen (19) full on-premises liquor licenses within five hundred (500) feet of this location; and

**WHEREAS**, the applicant has not operated any licensed business in this community board district but was approved to operate a pizza restaurant with a full on-premises liquor license at 511 East 5th Street, between Avenue A and Avenue B, and has operated Pizza Loves Emily at 35 Downing Street, Brooklyn, New York, since March of 2017, which had a full on-premises liquor license issued by the SLA on August 4, 2017, as well as having operated pizza restaurants at 364 Grand Street, Brooklyn, New York, since 2017, and 919 Fulton Street, Brooklyn, New York, since 2011, and recently opening a similar business in Nashville, Tennessee; and

**WHEREAS**, the applicant has furnished petition signatures, thirty-four (34) of which were from area residents in support of its application; and

**WHEREAS**, given that this is a location which has been continuously licensed since prior to 1993 and, consequently, is not subject to a five hundred (500) foot hearing, Community Board 3 would approve this application provided that the applicant agree to stipulations governing its method of operation; now

**THEREFORE, BE IT RESOLVED** that Community Board 3 moves to deny the application for a full on-premises liquor license for ESQEV LLC, for the premises located at 83 First Avenue, at the corner of East 5th Street and First Avenue, 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 pizza and burger restaurant, with a kitchen open and serving food during all hours of operation and seating for dining on both floors,
- 2) its hours of operation will be 12:00 P.M. to 1:00 A.M. all days,
- 3) it will close any front or rear façade entrance doors at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances,
- 4) if permitted, it will operate a sidewalk café, consisting of seven (7) tables and eighteen (18) seats, with hours of operation of 12:00 P.M. to 10:00 P.M. all days,
- 5) 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, and will have no more than ten (10) private parties per year,
- 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 not have unlimited drink specials with food,
- 10) it will not have 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.

14. Hotel Tortuga Inc, 246 E 14th St (op)  
withdrawn

15. Entity to be formed by B Krawitz, 213 2nd Ave (op)  
withdrawn

16. Classic Man LLC (Classic Man Barber Lounge), 443-445 E 9th St (op)  
withdrawn

17. The 11th Street Bar (Delta 510 Corp), 510 E 11th St btwn Aves A & B (op)

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

To deny the application for a full on-premises liquor license for Delta 510 Corp., with a proposed business name of The 11th Street Bar, for the premises located at 510 East 11th Street, between Avenue A and Avenue B, 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 tavern, 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 12:00 P.M. to 4:00 A.M. Saturdays and Sundays,
- 3) it will not commercially operate any outdoor areas,
- 4) it will employ security guards Fridays and Saturdays from 8:00 P.M. to closing,
- 5) it will close any front or rear façade entrance doors at 10:00 P.M. every night or when amplified sound is playing and will otherwise have a closed fixed facade with no open doors or windows,
- 6) it will play ambient background music only, consisting of recorded and live music, but will not have DJs, promoted events, scheduled performances or any event at which a cover fee will be charged and will play live music no later than 12:00 A.M. each night,
- 7) it will not apply for any alteration in its method of operation without first appearing before Community Board 3,
- 8) it may have "happy hours" to 8:00 P.M. each 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,
- 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-premises liquor license although this is a location in an area with numerous full on-premises liquor licenses because 1) this applicant will

maintain the business name and method of operation of the existing business, 2) this applicant is comprised of a principle who has managed the business for the past seven (7) years and two principles who operate three (3) licensed businesses, Lucky Jack's, located at 129 Orchard Street, from 2004 to present, Blue Haven, located at 108 West Houston Street, from 2010 to present and Donnybrook, located at 37 Clinton Street from 2001 to present, of which two are located within this community board district, and 3) although the resident of the carriage house located behind the business appeared in opposition to this application, the applicant furnished petition signatures in support of its application, ninety-eight (98) of which were from area residents, including eight (8) residents of the building and seventy-six (76) residents of the block in support of its application and six (6) residents appeared to speak on its behalf.

18. UKI Freedom LLC, 136 2nd Ave btwn St Mark Pl & E 9th St (op)  
withdrawn

19. E & Y Hospitality LLC, 157 2nd Ave btwn E 9th & E 10th Sts (op)

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

To deny the application for a full on-premises liquor license for E & Y Hospitality LLC, for the premises located at 157 Second Avenue, between East 9th Street and East 10th 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 full-service American Mexican restaurant, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be 5:00 P.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 not commercially operate any outdoor areas,
- 4) it will close any front or rear façade entrance doors at 10:00 P.M. every night or when amplified sound is playing and will otherwise have a closed fixed facade with no open doors or windows,
- 5) 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,
- 6) it will not apply for any alteration in its method of operation without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials with food,
- 9) it may have "happy hours" to 8:00 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-premises liquor license although this location is in an area with numerous full on-premises liquor licenses because 1) this is a sale of assets of an existing restaurant with a full on-premises liquor license, 2) the applicant furnished petition signatures, thirty-four (34) of which were from area residents, in support of its application, and 3) the proposed business is a full-service restaurant with moderate hours of operation.

20. Ikinari Steak (Kuni's Corporation), 90 E 10th St (upgrade to op)  
withdrawn

21. Entity to be formed by H Cheng, 197 2nd Ave (op)  
withdrawn

**Hotel Applications**

22. Allen Street Hospitality LLC (Allen Hotel), 140 Allen St btwn Broome & Grand Sts (op)

**VOTE: TITLE: COMMUNITY BOARD 3 RESOLUTION APPROVING THE FULL ON-PREMISES LIQUOR LICENSE FOR THE ALLEN HOTEL INC., DOING BUSINESS AS THE ALLEN HOTEL, FOR THE CELLAR OF 88 ALLEN STREET, SUBJECT TO CERTAIN RESTRICTIONS ON USE**

**WHEREAS**, the applicant, The Allen Hotel Inc., by its qualified representative or principal, is seeking to obtain a full on-premises liquor license for cellar level bar lounge in a seven (7) story hotel, doing business name The Allen Hotel, located at 88 Allen Street, between Broome Street and Grand Street, New York, New York; and

**WHEREAS**, said applicant will maintain the primary method of operation of said location for temporary lodging, with an entrance located on Allen Street, between Broome Street and Grand Street, and will maintain the following ancillary public uses:

- 1) an interior ground floor lobby with no alcohol service, a closed facade and open during all hours of operation with seating for registration and a coffee bar and breakfast counter; and
- 2) an interior basement tavern lounge of eight hundred eighty (880) square feet with a certificate of occupancy of fifty-nine (59) people, eight (8) tables and forty (40) seats consisting of tables, chairs and couches, a fourteen and a half (14½) foot bar with ten (10) stools, hours of operation of 2:00 P.M. to 12:00 A.M. all days, a prep area serving appetizers and desserts during all hours of operation, a closed façade, recorded background music, no DJs, live music, no promoted events, scheduled performances or events with cover fees, no pub crawls or party buses, happy hours to 8:00 P.M. each night and no wait lines outside; and

**WHEREAS**, the applicant stated that the service of alcohol will be confined to the cellar bar lounge and there will be no alcohol service to other public areas of the hotel or to hotel rooms; and

**WHEREAS**, there are twenty (20) full on-premises liquor licenses within five hundred (500) feet of this location; and

**WHEREAS**, the applicant has operated a multi-level restaurant, doing business as Congee Village, at 100 Allen Street, for twenty-one (21) years which now operates with a full on-premises liquor license; now

**THEREFORE, BE IT RESOLVED** that Community Board 3 moves to deny the application to obtain a full on-premises liquor license for The Allen Hotel Inc., for a cellar level tavern lounge within a seven (7) story hotel, located at 88 Allen Street, between Broome Street and Grand Street, New York, New York unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulations, that

**Generally**, 1) its primary and only entrance to the hotel accessible to the public and hotel lodgers will be located on Allen Street, between Broome Street and Grand Street, 2) all loading and unloading will occur on Allen Street, 3) deliveries and garbage and other pick-ups will occur on Allen Street, south of the public entrance, at an entrance designated for this use and garbage will be retained inside of the hotel until pick-up, 4) the hotel will not commercially operate any outdoor areas, 5) the hotel will not host or permit pub crawls or party buses in any of its areas, 6) the hotel will not have unlimited drink specials with food in any of the areas where food is served, 7) staff or security guards will insure that there are no wait lines, loitering, crowds or noise outside on Allen Street and will insure that patrons with alcohol do not leave the cellar bar lounge, 8) exterior lights will be at low levels, located on the first story of the hotel on Allen Street and Broome Street and will be directed down or away from neighboring windows, 9) the hotel will not apply for any alteration in its method of operation without first appearing before Community Board 3, 10) the hotel will conspicuously post its stipulations beside its liquor license inside of the cellar bar lounge, and 11) the hotel will provide a telephone number for residents to call with complaints and will immediately respond to any resident complaints; and

**Specifically**,

**With respect to the ground floor lobby lounge**, 12) there will be no alcohol service, 13) food and beverages will be available through a coffee breakfast counter, 14) it will be accessed through the hotel lobby entrance on Allen Street, and 15) only recorded background music will be played and there will be no live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged; and

**With respect to the basement restaurant lounge**, 16) it will be a tavern lounge serving food during all hours of operation, 17) its hours of operation will be 2:00 P.M. to 12:00 A.M. all days, 18) it may have "happy hours" to 8:00 P.M. each night, 19) it will be accessed by patrons through the hotel entrance on Allen Street, 20) it will have a closed fixed façade with no open doors or windows, and 21) only background music will be played, consisting of recorded music, and it will not have DJs, live music, promoted events, scheduled performances or any event at which a cover fee would be charged.

23. The Allen Hotel (The Allen Hotel Inc), 88 Allen St (op)  
withdrawn

**Items not heard at Committee**

24. Ichibantei (Ichibantei Pub Inc), 401 E 13th St (wb)  
withdrawn

25. New Shanghai Deluxe Corp, 50 Mott St (wb)  
no vote necessary

26. Hot Box Restaurants (Verlio LLC), 77 2nd Ave (wb)

- no vote necessary
- 27. Dun Huang East Village (Dun Huang Corp), 300 E 12th St (aka 188 2nd Ave) (wb)
  - no vote necessary
- 28. Reception Bar Inc, 45 Orchard St (wb)
  - no vote necessary
- 29. Spaghetti Incident Pasta Shop (Babbomio Inc), 231 Eldridge St (wb)
  - withdrawn
- 30. Pell 23 Inc, 23 Pell St (wb)
  - no vote necessary
- 31. Seoul Garden Inc, 43 Mott St (wb/corp change)
  - no vote necessary
  - Vote to adjourn
    - approved by committee

**36 YES 0 NO 4 ABS 0 PNV MOTION PASSED (excluding SLA items 10, 17, 22)**  
**32 YES 4 NO 4 ABS 0 PNV MOTION PASSED (SLA items 10)**  
**35 YES 0 NO 4 ABS 1 PNV MOTION PASSED (SLA items 17)**  
**35 YES 1 NO 4 ABS 0 PNV MOTION PASSED (SLA items 22)**

**Transportation, Public Safety, & Environment Committee**

1. Approval of previous month's minutes
  - approved by committee
2. DOT: Doyers St Seasonal Closure

**VOTE: TITLE: Support for Doyers Street 2018 Seasonal Closure**

**WHEREAS**, the Department of Transportation/DOT is proposing to a seasonal street closure of Doyers Street in Chinatown from July 1, 2018 to September 30, 2018. The same street had the same closure in Fall 2017; and

**WHEREAS**, the Chinatown BID will be the maintenance and programming partner. Survey of businesses and pedestrians for the 2017 street closure indicated that the closure was very popular; and

**WHEREAS**, the 2018 street closure will include street art installations; so

**THEREFORE BE IT RESOLVED**, that Community Board 3 approves the 2018 seasonal street closure of Doyers Street.

3. Request for installation of speed humps: E 7th St btw 1st and 2nd Ave, Forsyth St btw Stanton and Rivington St, two speed humps on Cherry St btw Catherine Slip and Market St

**VOTE: TITLE: Support for Installation of Speed Humps on Forsyth St btw Stanton St and Rivington St, two speed humps on Cherry St btw Catherine Slip and Market St**

**WHEREAS**, in 2015, constituents contacted the Department of Transportation/DOT and requested the installation of a speed hump on the block of Forsyth St btw Stanton St and Rivington St, and two speed humps on Cherry St btw Catherine Slip and Market St; and

**WHEREAS**, the constituent's complaint was a combination of vehicles speeding on Forsyth St from Delancey St to Houston St and a very large number of pedestrians, including many elderly, children, and those with disabilities crossing back and forth across Forsyth St, between the park and a housing for the deaf, a charter school and the BRC Senior Center; and

**WHEREAS**, the constituent's complaint was of vehicles speeding on Cherry St between Catherine St and Market St, and a very large number of pedestrians, including children and seniors cross the street to access the waterfront, and residents have reported that vehicles travel very fast on Cherry Street at night; and

**WHEREAS**, DOT issued a letter in May 2018 stating that the block of Forsyth St btw Stanton St and Rivington St, and two speed humps on Cherry St between Catherine Slip and Market St met the criteria for a speed hump and that the speed humps would be installed pending Community Board 3 approval; so

**THEREFORE BE IT RESOLVED**, that Community Board 3 supports the installation a speed hump on the block of Forsyth St btw Stanton St and Rivington St, and two speed humps on Cherry St btw Catherine Slip and Market St and asks that DOT complete the installation expeditiously.

4. Orchard/Broome Street Seat - Lower East Side Partnership

**VOTE: TITLE: Support for Orchard/Broome Street Seat - Lower East Side Partnership**

**WHEREAS**, The NYC DOT Street Seat program has operated in multiple locations within the Community District 3; and

**WEHREAS**, The need for pedestrian amenities on the Broome and Orchard corridor has been expressed by merchants, residents and property owners; and

**WHEREAS**, Enhancements to the streetscape which attract and drive foot traffic to small, local merchants are necessary given changes in economic conditions mainly due to nearby transformative development; and

**WHEREAS**, Additional bicycle parking is needed given high demand through the community and in particular at the intersection of Orchard and Broome Streets; so

**THEREFORE BE IT RESOLVED** Community Board 3 supports the installation of a non-platform Street Seat – Bike Corral Hybrid located on southwest corner of the intersection at Orchard and Broome Streets; and

**BE IT FURTHER RESOLVED**, that Community Board 3 supports the expansion of the Bike Corral located on Broome Street just east of the intersection of Orchard and Broome Streets; and

**BE IT FURTHER RESOLVED**, that Community Board 3 requested the LES Partnership to identify an appropriate location for changes to accommodate the relocation of the eight existing Muni-meter parking spots along Orchard Street that will be displaced by the installation of pedestrian amenities. Any proposed parking changes should be brought back to Community Board 3.

5. Presentation re safety issues for commercial garbage trucks

no vote necessary

6. Review of last year's District Needs Statement

no vote necessary

7. Vote to adjourn

approved by committee

**37 YES 0 NO 3 ABS 0 PNV (excluding Transportation item 3)**

**35 YES 0 NO 5 ABS 0 PNV (Transportation item 3)**

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

1. Approval of previous month's minutes

approved by committee

2. Basketball City: outreach and scholarships

no vote necessary

3. Presentation of proposed design for renovation of Joseph Sauer Playground

**VOTE: TITLE: Support for the Proposed Design and Renovation of Joseph Sauer Playground**

Support for the Proposed Design and Renovation of Joseph Sauer Playground

**WHEREAS**, Joseph C. Sauer Park, located on East 12th Street between Avenues A and B, is a Community Parks Initiative; and

**WHEREAS**, there is a plan to upgrade active spaces and incorporate resilient features; and

**WHEREAS**, the park design will include two swings, a bucket swing, two spinners, a tire swing, new accessible play equipment and a new seating area; and

**WHEREAS**, the New York City Department of Parks will maintain a water source accessible for use by both adjacent community gardens; and

**WHEREAS**, during construction, Parks will ensure that the adjacent community gardens are minimally affected and not used as a staging areas; and

**WHEREAS**, as part of the upgrading work, the surrounding sidewalk will be reconstructed and new lighting will be installed in the park; and

**WHEREAS**, Parks will keep the possible future connection to the restroom and conduct a walkthrough of the restroom area with the City Councilmember's Office and Community Board 3 to determine its feasibility; and

**WHEREAS**, the park will also have accessible pathways throughout and a companion seating area; and

**WHEREAS**, there is a dog run two blocks away at Tompkins Square Park, this park should be dog-free; and

**WHEREAS** for safety, maintenance and for fiscal reasons, the height of the existing fencing should be kept; so

**THEREFORE BE IT RESOLVED**, that Community Board 3 supports the proposed upgraded design of Joseph C. Sauer Park.

4. Update on Pier 42: schematic design of park and conceptual design of playground

**VOTE: TITLE: Support for the Updated Conceptual and Schematic Design of Pier 42**

**WHEREAS**, Pier 42, located along the East River, is being redeveloped as to reclaim waterfront area as a park and create a resilient waterfront; and

**WHEREAS**, the proposed playground design includes accessible play and spray areas and will reuse the harbor seals which are currently in East River Park. The seals are being moved to accommodate the new ESCR plan which will reconfigure many of the existing areas in East River Park; and

**WHEREAS**, the Park will be the first in NYC to have solar lighting throughout as part of the overall resiliency plan; and

**WHEREAS**, the additional comfort office space will also allow for the assignment of seasonal playground associate staff and allow for parks to gain well needed office space; and

**WHEREAS**, New York City Parks Department ("Parks") will also consider using solar Big Bellies thorough the park instead of the traditional Public Space Receptacles as part of the overall resiliency plan; and

**WHEREAS**, Parks will also install an 18" (average) curb wall along the shared path to allow for use of Pier 42 during construction of the ESCR project. Parks will also prevent the new park from being used as a staging area; and

**WHEREAS**, Parks will keep design consistent with the other new surrounding waterfront parks; so

**THEREFORE BE IT RESOLVED**, that Community Board 3 supports the updated conceptual and schematic design of Pier 42.

5. EDC Update on waterfront issues

no vote necessary

6. Request for support for use of Ball field 5 and 6 in John Lindsay East River Park from 8am-1pm for ten weekends in the fall for youth recreational soccer

no vote necessary

7. Report from Arts & Cultural Affairs Subcommittee

**VOTE:** That DCLA to return to Subcommittee in 6 months with further updates on implementation of Create NYC and for DCLA to include pursuing regaining Old PS 64 at 605 E. 9th St for Artist for some of the 500 units of Artist Workspace and its return to the community as a Community and Cultural Center.

8. Vote to adjourn

approved by committee

**37 YES 0 NO 3 ABS 0 PNV**

**Landmarks Committee**

meeting canceled

**Land Use, Zoning, Public & Private Housing Committee**

no meeting scheduled

**Economic Development Committee**

1. Approval of previous month's minutes

- approved by committee
- 2. Follow up on Chinatown filming issues  
no vote necessary
- 3. Vote to adjourn  
approved by committee

**37 YES 0 NO 3 ABS 0 PNV**

**Health, Seniors, & Human Services / Youth, Education, & Human Rights Committee**

- 1. Approval of previous month's minutes  
approved by committee
- 2. Follow up discussion Essex school crossing  
no vote necessary
- 3. Continued Work on District Needs Statement  
no vote necessary
- 4. Follow up on status of Rivington House  
no vote necessary
- 5. Reports from CAB's  
no vote necessary
- 6. Vote to adjourn  
approved by committee

**37 YES 0 NO 3 ABS 0 PNV**

**Bylaws Committee**

The committee met three times with three major changes. The timing of election of officers being one of them. Election would be from September with vote on November instead of Spring time elections when new members are coming in and not informed enough to have an educated vote. The new drafted bylaws are in the CB3 website. All Cb3 members will receive an email with the new Bylaws.

Vote to adjourn

**Members Present at Last Vote:**

David Adams	[P]	Alistair Economakis	[P]	Michael Marino	[P]
Yaron Altman	[P]	Shirley Fennessey	[P]	Jeremy Markman	[P]
Jesse Beck	[P]	David Ford	[P]	Antonio Martinez	[]
Dominic Berg	[P]	Ryan Gilliam	[P]	Alexandra Militano	[P]
Lee Berman	[P]	Debra Glass	[P]	Nancy Ortiz	[]
Victoria Berrios	[]	Herman F. Hewitt	[P]	Carolyn Ratcliffe	[P]
Karen Blatt	[]	Trever Holland	[P]	Damaris Reyes	[]
Lisa Burriss	[P]	Linda Jones	[P]	Richard F. Ropiak	[P]
Karlin Chan	[P]	Vaylateena Jones	[P]	Robin Schatell	[]
Jonathan Chu	[P]	Marnie Ann Joyce	[]	Laryssa Shainberg	[P]
MyPhuong Chung	[]	Meghan Joye	[P]	Clint Smeltzer	[P]
David Crane	[P]	Lisa Kaplan	[P]	Anisha Steephen	[]
Je'Jae Daniels	[P]	Olympia Kazi	[P]	Sandra Strother	[P]
Paul DeRenzo	[P]	Joseph Kerns	[P]	Josephine Velez	[P]
Eric Diaz	[P]	Mae Lee	[P]	Rodney Washington	[]
Daniel Dickson	[P]	Alysha Lewis-Coleman	[P]	Kathleen Webster	[P]
Dean Diongson	[P]	Luis Lopez	[P]		

Meeting Adjourned