



# THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD NO. 3

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

David McWater, Board Chair

Susan Stetzer, District Manager

December 2005

Meeting of Community Board #3 held on Tuesday December 20, 2005 at 6:45 at P.S. 20 at 166 Essex Street.

MEMBERS PRESENT AT FIRST VOTE:

- |                          |                          |                               |
|--------------------------|--------------------------|-------------------------------|
| David Adams [P]          | Carolyn Jeffers [A]      | Verina Reich [P]              |
| Rev. Joan Brightharp [A] | Barbara Jeter [A]        | Richard Ropiak [P]            |
| Roberto Caballero [A]    | Anne Johnson [A]         | Estelle Rubin [A]             |
| Mayra Cappas [P]         | Joel Kaplan [P]          | Eunice Samuels [A]            |
| Rick Carman [P]          | Lisa Kaplan [P]          | Deborah Simon [A]             |
| David Crane [A]          | Jennifer Lim [A]         | Pia Simpson [A]               |
| Elizabeth Cruse [A]      | Bernice McCallum [P]     | Arlene Soberman [P]           |
| Andrea Diaz [P]          | David McWater [P]        | Nancy Rose Sparrow-Bartow [P] |
| George Diaz [P]          | Alexandra Militano [P]   | Harold Stelter [P]            |
| Harvey Epstein [P]       | Lillian Moy [A]          | Steven Tin [A]                |
| Morris Fajtelewicz [P]   | Jason Nagel [P]          | David Weinberger [P]          |
| Anthony Feliciano [A]    | Roberto Ortiz-Arroyo [A] | Harry Wieder [P]              |
| Rabbi Y.S. Ginzberg [P]  | Dominic Pisciotta [A]    | Samuel Wilkenfeld [P]         |
| Carlos Juan Gonzalez [A] | Barden Prisant [P]       | Michelle Withim [A]           |
| Herman Hewitt [P]        | Joyce Ravitz [A]         |                               |
| Keisha Hogans [A]        | Lois Regan [A]           |                               |

PUBLIC SESSION:

No members of public appeared and wished to speak.

PUBLIC OFFICIALS:

1. State Assemblyman S. Silver – Jessica Loeser acknowledged the service of Assemblymember Steve Sanders who served his district with distinction for more than 20 years and will be retiring in January 2006. She also reminded seniors to sign up for a prescription drug plan and information is available from SA Silver’s office on this issue.
2. US Rep. N. Velazquez – Melissa Maldonado reported on the Congresswoman’s newly passed legislation on immigration reform.

MINUTES:

Minutes of October 2005 were approved, as written.

BOARD VOTE

24 YES 0 NO

BOARD CHAIRPERSON'S REPORT:

David McWater encouraged board members to sit in the front of the room where they can be seen and can hear. He reminded board members about the holiday party which will be held directly after the meeting at the Magician. He announced three resignations from the board Michael Auerbach, David Diaz and Lisa Kaplan. David particularly acknowledged Lisa’s long-term and recent work. He explained that the position of Assistant Secretary which Lisa will vacate will be filled by a vote of the Executive Committee at their January meeting. Lisa was also chair of three task forces which will also require new chairs.

DISTRICT MANAGER'S REPORT:

The November minutes are distributed.

Con Edison will be doing major street work for feeder lines. The first phase will start at Cherry Street substation, going north up Cherry Street, Montgomery Street, Pitt Street and Avenue C to the substation on E. 13th Street. This work will be done in sections until July 06. Work permits are generally from 8:00 am to 7:00 pm Monday through Friday. Cherry Street is permitted from 9:00 a.m. to 2:00 pm Monday through Friday and 9:00 am to 6 pm on Saturday.

DOT has completed a lighting survey on Henry Street that CB 3 requested for 7th Precinct. New 250 watt High Pressure Sodium luminaries will be installed on existing light poles at Rutgers (SE corner), Jefferson (NW and SE corner, and Clinton and Henry Streets-(SE corner). This will greatly improve the lighting in the area. This will take place in second quarter of 2006. A lighting survey for Stanton Street will be completed at the end of December.

The Community Board and residents of Avenue B and East 4th Street have been opposing a new full liquor license application at 235 E. 4th Street for a 96-seat establishment. We have attended 500-foot hearings and filed testimony. We have supporting testimony from Assembly member Silver, State Senator Connor, Councilmember-elect Mendez and from the Commanding Officer of the Ninth Precinct. The residents submitted petitions, affidavits, and letters.

**Executive Committee**

**VOTE:** To approve United Fujianese of America Association's request for Block Party on Market Street between East Broadway and Division Street for February 12, 2006.

**Parks & Recreation Committee**

1. Request for Tompkins Sq Sunday Greenmarket to extend sidewalk use on 7th Street from 50 to 100 feet along with corresponding street parking.

**VOTE:** To approve the request from the Council on the Environment to extend the sidewalk use and corresponding curbside parking for the Tompkins Square Greenmarket on Sundays from 50 to 100 feet on 7th Street east of Avenue A provided that parking will be available to community residents if not being used by the Greenmarket and that use of these spaces will be facilitated by a system of passes coordinated by the Greenmarket.

2. Support for Intro 317 - delay of demolition of historically significant buildings and Intro 705 - NY City Council directing the Landmarks Preservation Committee to hold public hearing

**VOTE:** To table discussion on these Intros until January 2006.

3. Request for support for dog run in Parks property btwn Masaryk Towers & Hamilton Fish Recreation Center

**VOTE:** To table discussion of this request for one month.

4. Community proposals for 31 E 1st St - vacant park lot

**VOTE:** To table this item.

5. Basketball City Stipulation

No Vote Necessary

**Housing & Land Use Committee**

1. BSA 320-05-BZ, 113-119 4th Ave, application to permit physical culture establishment within portions of the cellar and first floor of existing mixed-use building

**VOTE:** To approve application to permit health club in this mixed-use building.

2. Community concerns regarding proposed 26-story NYU Dormitory at St Ann's site - 110 E 12th St

**VOTE:** To respond to community and board concerns regarding the proposed building by creating a subcommittee of board members that will make specific recommendations to NYU regarding the height, density and operation, of the proposed buildings.

**197 Plan Task Force**

No Votes Necessary

**Human Services & Seniors Committee**

No Meeting Scheduled

**Youth & Education Committee**

No Meeting Scheduled

BOARD VOTE ON THE EXECUTIVE, PARKS, AND HOUSING/LAND USE COMMITTEES:

26 YES 0 NO

**SLA & Economic Development Committee**

**Alterations/Transfers/Upgrades:**

1. Hu Do Seafood, 31 Division St (trans/rw)

**VOTE:** To approve the transfer of the restaurant/wine license for Hu Do Seafood, 31 Division Street, with the understanding that the business name, hours and method of operation as a Chinese restaurant will remain the same.

2. JB, AS, MA LLC, 171 Ave A (trans/rw)

**VOTE:** To deny the transfer of the restaurant/wine license for JB, AS, MA LLC, 171 Avenue A, because the applicant failed to furnish a signed notarized stipulation that 1) the French doors will be closed at 10:00 P.M. Sunday through Thursday and 11:00 P.M. Friday and Saturday and 2) food will be served to within one (1) hour of closing every night.

3. KMMA Corp, 196 Orchard St (trans/op)

**VOTE:** To rescind the prior motion denying the transfer of a full on-premises license for KMMA Corp, 196 Orchard Street, due to its failure to provide the requested stipulation and to now approve the transfer of said license because the applicant has appeared before Community Board #3 and provided a signed notarized stipulation that 1) it will operate as a full-service restaurant and 2) it will serve food to within one (1) hour of closing every night.

4. 205 Chrystie St Restaurant, 205 Chrystie St (alt)

**VOTE:** To deny the alteration to 205 Chrystie Street Restaurant, 205 Chrystie Street, adding a service bar to the basement, because the applicant failed to furnish Community Board #3 with a copy of the application and floor plans.

**New Liquor License Applications:**

5. Abitino's East Village Corp, 157 2nd Ave (rw)

**VOTE:** To deny a restaurant/wine license for Abitino's East Village Corp, 157 Second Avenue, because the applicant failed to furnish photographs of the establishment and petitions of support for said location, noting change and type of establishment, with resident signatures from the subject and adjacent premises.

6. Charles Hansen, 169 E Broadway (op) THIS IS A TRANSFER

- VOTE:** To deny the transfer of a full on-premises license to Charles Hansen, 169 East Broadway, because the applicant failed to agree to all of the items included in the requested signed notarized stipulation that 1) additional sound-proofing will be installed if it is needed, 2) the hours of operation will be from 4:00 P.M. to 2:00 A.M. Monday through Thursday, 4:00 P.M. to 4:00 A.M. Friday and Saturday and closed on Sunday, 3) the applicant will not use the backyard, and 4) the applicant will not have live music, DJs or promoted events.
7. East Village Singas Pizza, 176 2nd Ave (rw)  
**VOTE:** To deny a restaurant/wine license for East Village Singas Pizza, 176 Second Avenue, because the applicant failed to furnish photographs of establishment and petitions of support for said location, noting change and type of establishment, with resident signatures from the subject and adjacent premises.
8. El Portal Restaurant, 95 Allen St (rw)  
**VOTE:** To approve the restaurant/wine license for El Portal Restaurant, 95 Allen Street, based on the good fifteen (15) year history of this applicant at its prior location within Community Board #3 and provided the applicant furnishes a signed notarized stipulation that 1) food will be served to within one (1) hour of closing every night and 2) the backyard must be closed by 10:00 P.M. Sunday through Thursday and 11:00 P.M. Friday and Saturday.
9. Bao Li, 13 Eldridge St (rw)  
**VOTE:** To deny the restaurant/wine license for Bao Li, 13 Eldridge Street, due to the applicant's failure to appear before Community Board #3 or to furnish Community Board #3 with an application for this proposed license for its review.
10. Soy, 102 Suffolk St (rw)  
**VOTE:** To approve the restaurant/wine license for Soy, 102 Suffolk Street, understanding that the method of operation as a Japanese restaurant and hours will remain the same and given that there have been no complaints in this business's four (4) year history.
11. 137 Essex St Restaurant, 137 Essex St (op)  
**VOTE:** To approve the full on-premises license for 137 Essex St. Restaurant Corp, 137 Essex Street, provided the applicant furnishes a signed notarized stipulation that 1)it will be a full service restaurant serving Asian-fusion food, 2)it will close no later than 2:00 A.M. Monday through Saturday and 12:00 A.m. Sunday, 3) it will serve food to within one (1) hour of closing every night, 4) it will provide contact information for the community to address any concerns or complaints I a timely manner, 4) there will only be background music during the week and DJs will only be employed on the weekends, and 5) there will be no live music or promoted events.
12. Space Ship #8 Entertainment, 59 Canal St (rw)  
**VOTE:** To deny the restaurant/wine license for Space Ship #8 Entertainment, 59 Canal Street, due to the applicant's failure to appear before Community Board #3 or to furnish Community Board #3 with an application for this proposed license for its review.
13. Thailand Café, 95 2nd Ave (rw)  
**VOTE:** To approve the restaurant/wine license for Thailand Café, 95 Second Avenue, with the understanding that the method of operation as a Thai restaurant, business name and hours of operation will remain the same.
14. Division Karaoke, 41 Division St  
**VOTE:** To approve a restaurant/wine license for Division Karaoke, 41 Division Street, with the understanding that the proposed establishment will be a karaoke bar with six (6) tables and one (1) karaoke station at which to stand and sing.
15. Ariel, 506 E 13th St (op)  
**VOTE:** To rescind the prior vote to deny the full on-premises license for Ariel, 506 East 13th Street, due to its failure to provide the requested stipulation because the applicant has now appeared before Community Board #3 and provided a signed notarized stipulation that 1) it will serve gluten-free food in keeping with its method of operation as a tavern, however, Community Board #3 cannot take a position on this application at this time as there is an outstanding letter of revocation against this applicant from the New York City Department of Buildings because there is a question about whether this location can be commercially used and Community Board #3 cannot endorse a liquor license for an establishment in a location that cannot be commercially used.
16. Classic Stage, 136 E 13th St  
**VOTE:** To approve a tavern wine license for Classic Stage, 136 east 13th Street, with the understanding that it will continue to operate as a non-profit theater serving wine from it concession stand.

**BOARD VOTE ON SLA COMMITTEE:**

26 YES 0 NO

**Public Safety & Sanitation Committee**

No Votes Necessary

**Transportation Committee**

1. St Stanislaus Church request for signage change from "No Parking Anytime" on north side of E 7th St btwn Ave B & 1st Ave to allow for parking on Sundays from 8am-2pm  
**VOTE:** To write letter to DOT asking why there are "No Parking Anytime" signs on the north side of East 7th Street between Ave A and First Ave. St Stanislaus Church is interested in allowing parking on Sunday between the hours of 8:00 a.m. – 2:00 p.m.
2. Change Avenue B from 2-way traffic to 1-way north traffic  
 No Vote Necessary
3. Bella Tile, 408 E 11th St - request to amend previous motion to deny extension of existing "Loading/Unloading Zone," possibly by shortening the no parking area at 416/418 E 11th St from the existing 50 feet to 25 feet

**VOTE:** To request that DOT reposition the "Loading/Unloading Zone" presently located in front of 402-404-406-406 East 11th St. The new zone would extend from the west edge of Bella Tile's yard curbcut at 406 East 11th Street to the west 60 ft. toward 1st Avenue. This new zone would accommodate 53-foot trucks without blocking access to the yard. The portion of the zone currently to the east of the curbcut would revert to street-side parking.

4. CB3 Policy regarding street co-namings: possibly limit number of hearings per year, or publish criterion in guidelines

**VOTE:** That CB3 consider co-naming Streets at only two Transportation Committee meetings per year, scheduled in advance of City Council Hearings for same.

**BOARD VOTE ON TRANSPORTATION COMMITTEE:**

26 YES 0 NO

**Ethics Committee**

No Meeting Scheduled

**New Business**

Motion to support the letter written by State Assemblymember Deborah Glick and to write to Governor Pataki and Majority Leader Bruno, strongly advocating that the next Commissioner of the State Liquor Authority be a resident of New York City to insure that he/she will fully appreciate the very direct impact that inconsiderate establishments have on the residents of Manhattan in particular.

**MEMBERS PRESENT AT LAST VOTE:**

David Adams [P]	Carolyn Jeffers [A]	Verina Reich [P]
Rev. Joan Brightharp [A]	Barbara Jeter [A]	Richard Ropiak [P]
Roberto Caballero [A]	Anne Johnson [P]	Estelle Rubin [A]
Mayra Cappas [P]	Joel Kaplan [P]	Eunice Samuels [A]
Rick Carman [P]	Lisa Kaplan [P]	Deborah Simon [A]
David Crane [P]	Jennifer Lim [A]	Pia Simpson [A]
Elizabeth Cruse [A]	Bernice McCallum [P]	Arlene Soberman [P]
Andrea Diaz [P]	David McWater [P]	Nancy Rose Sparrow-Bartow [P]
George Diaz [P]	Alexandra Militano [P]	Harold Stelter [P]
Harvey Epstein [P]	Lillian Moy [A]	Steven Tin [A]
Morris Fajtelewicz [P]	Jason Nagel [P]	David Weinberger [P]
Anthony Feliciano [A]	Roberto Ortiz-Arroyo [A]	Harry Wieder [P]
Rabbi Y.S. Ginzberg [P]	Dominic Pisciotta [A]	Samuel Wilkenfeld [P]
Carlos Juan Gonzalez [A]	Barden Prisant [P]	Michelle Withim [A]
Herman Hewitt [P]	Joyce Ravitz [A]	
Keisha Hogans [A]	Lois Regan [A]	

MEETING ADJOURNED