



THE CITY OF NEW YORK
 MANHATTAN COMMUNITY BOARD NO. 3

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David McWater, Board Chair

Susan Stetzer, District Manager

March 2006 Full Board Minutes

Meeting of Community Board #3 held on Tuesday, March 28, 2006 at 6:45 at Public School 20, 166 Essex Street

Members Present At First Vote:

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

Public Session:

Linda Janneh, New York County District Attorney's office-Community Affairs Unit Liaison for the 5th, 7th, and 9th Precincts. Announced the New York County District Attorney's office summer internship program for Jr. High School and High School students. The program is for 14-17 year old students. There is a stipend of \$100 per week. The program is for Manhattan residents only. A flier was handed out with the program's specifics.

Maria Bottino spoke of a new school in Flushing, Queens named East-West School of International Studies. The school's program focuses on languages in Asian languages. Students will pick a language and study it through their High School years. There are small classes of 27 students and three classes per grade. The students also take English, History and Math classes. The school focuses rigorously on sciences and math and requires a lot of after school work. It is one of Mayor Bloomberg's mini-schools.

Vaylateena Jones spoke of concern regarding cuts to Bellevue hospital because it provides a lot of space for emergencies, a trauma unit and children's emergency room. It could be vital during a disaster and should be expanded to provide health services. It also has an Emergency Room on the first floor, which is not like any other hospital that serves our district.

Margaret Hughes from the Lower East Side Tenement Museum looks forward to opportunity to discuss their proposed landmarking of a portion of the Lower East Side and other neighborhood preservation strategies.

Edward Garcia stated that the Community Block party on 5/20 & 5/21 is not getting the cooperation from the City of New York's Department of Parks. He would like support of Community Board 3 for the party.

Kieishsha Garnes, Manager of the East River Park spoke about programming in the park, which she is in charge of, and hopes to make a difference. She wants to hear from the public about programs that could be brought to the park. One program offered now is a volunteer program, which needs a Board of Directors who will conduct outreach to the community and will be involved with youth and horticulture in the park. There will be soccer clinics and camps in the summer months. Some will start this summer and half will come next year. She announced her contact information by providing her phone number--212.529.7185.

Alex Gilliam spoke from the Hester Street Collaborative and on behalf of students from M.S. 131 regarding the balloting process for the Immigrant History Signage project on Allen Street. The project is in conjunction with the United Neighborhoods to Revitalize Allen and Pike and will be part of the co-naming of Allen St. as Avenue of the Immigrants. The balloting process is to nominate people and places important to the Lower East Side's and Chinatown's rich immigrant history. Street signs will be installed on lamp posts on Allen street between Grand and Broome Streets. Go to <http://www.leroystreetstudio.com/hsc> by 4/19/06 to nominate signs for the project.

Charles Komanoff, Greening a Block. Stated that Greening a Block received a good amount of response from the last meeting. One positive that came out of the meeting is that there will be a pilot program to run an Energy Efficiency Agency out of the organization's office so that businesses and residents can obtain access to information on energy efficiency.

David Lehmann, New York University's Community Relations Manager. Announced that the 2006 commencement ceremonies will be held in Washington Sq. Park and not at Shea Stadium as had been previously considered. NYU's VIP day will be April 24 will focus on sprucing up Washington Square Park.

The University along with the Hudson companies-has had meetings with community groups regarding the E. 12th St. dormitory. After being questioned by Joyce Ravitz, Mr. Lehmann stated that NYU does not have plans for the development at 10th St. and 3rd Ave. He reiterated that the University will keep Community Board 3 and community groups apprised on plans for other developments.

Barden Prisant asked about why NYU students aren't required to take NYC Mass Transit instead of using their private bus services. The response from Mr. Lehmann was that the University is part of the study to look at traffic in lower Manhattan.

Joyce Ravitz asked if NYU is recognizing the graduate student union yet. Mr. Lehmann wasn't able to tell the Board if NYU is recognizing the union. He stated that he would ask another representative from NYU to return to the Community Board in April to respond to this question. He provided his email address for board members and the community to contact him regarding this and other issues that were raised--david.lehmann@nyu.edu.

Alfredo Feliciano, Children's Magical Garden. Spoke on the need for speed bumps around P.S. 20 and P.S. 25. He has seen students hurt by cars driving fast. Rivington and Norfolk are the streets that probably need them. It was mentioned by Susan Stetzer that the board passed a resolution supporting speed bumps on Rivington St. last year. Some board members believe that DOT has a policy against speed bumps in front of schools.

Marcia Holman, Vice President for the Postgraduate Center for Mental Health and Meilan Chiu from the Department of Housing Preservation and Development. Requested the transfer of land located at 276 E. 3rd St. to develop a Children's Community Residence. This is part of a ULURP #C060311 HAM. The facility is for adolescents 12-16 years of age who have emotional disturbance. They will live there for two to three years. The residents are from the community and come to them so that they don't have to go to facilities outside of the community, the city or to hospitals. Two adults will be on site for supervision on a twenty-four by seven days a week basis.

Peter Silvestri, Whole Earth Bakery and Kitchen- Spoke regarding his business not having his lease renewed. It has been a vegetarian bakery since 1982 and has provided a lot of support for community activities and groups throughout the years. The landlord has given notice that he will not renew the lease for the baker. Mr. Silvestri requested the Community Board and others to support him in getting the lease renewed.

Pat De Angelis, East River Environmental Coalition. Invited community to a meeting about the Con Edison plant. There are two forums from 7:00-8:00 P.M.: 1) 4/20 at Solar 1 and 2) 4/24 at Village East Towers Community Room. There are issues of noise and minor explosions happening at the plant.

Esther Regelson, World Trade Center Community Labor Coalition and resident of lower Manhattan. Spoke on behalf of the labor coalition and asks to vote on the Community Board resolution to reject the EPA testing and clean up plan for 9/11.

Lindsay Beals. Spoke on behalf of New Bounce Deuce on 6th St. and 2nd Ave. She works at the bar and wants support their request for a full liquor license.

Elyse Cogan, resident in the building that Kong, Inc. is applying for a liquor license. She was opposed to issuing this beer and wine license.

Yigal Yedison. Spoke in support of the Bounce Deuce Bar that he's opening on 225 E. 6th St. The corporate name is E. Side Boys 7 LLC. It's a sports bar and will be upscale, providing a the benefit of having an updated and new place in the neighborhood.

Ben Asim. Gave support for the Bounce Deuce Bar's liquor license application.

Steven Sugerman. Expressed concern about Kong Inc.'s application for a beer and wine license. This is a café that is opening in a former storefront where there hasn't been food or drink served before and is hesitant about them having a license until they understand how the cafe operates.

Joel Zweig, Attorney for the East Side Boys 7 LLC. He sought to speak against the reasons for the committee denying the license.

Jeanie Chin, Civic Center Residents Coalition Transportation Task Force. Spoke in support of the Community Board's resolution to oppose the EPA's flawed plan for testing and clean up. Also spoke against placard parking. Allowing for placard parking only exacerbates the toxic air pollution in the surrounding community.

Jan Lee, Civic Center Residents Coalition Transportation Task Force. Spoke against placard parking. There is a

double standard that the NYPD's top brass does not believe there's a problem in Chinatown, but the local precinct does think it's a problem. The local precinct plans to also crack down on illegal placards.

Geoff Lee, Civic Center Residents Coalition Transportation Task Force. Spoke against the illegal placard parking in Chinatown. He sees the same people every day that are commuting for non-official business. They block fire hydrants and emergency vehicles. He wanted the board to pass the resolution against placard parking.

Harvey Epstein, Neighborhood School. Spoke about the Annual Dance benefit for five District 1 schools. This year it's a Benefit Salsa Dance on 4/7 from 6:00-11:00 P.M. at the Angel Orensanz Foundation.

Suzannah B. Troy spoke against the proposed NYU mega dorm on the St. Ann's Church site.

Public Officials:

Assemblymember Deborah Glick-- Gregory Brender

Grateful to Community Board 3's Housing Committee's support for the tenants of 47 E. Third St. Assemblymember Glick is introducing two new bills to reform the State Liquor Authority application process and to make the SLA more accountable to the community. The bill A10049 is require proper notice at the establishment's entrance within 10 days of applying for a new or renewal liquor license. Bill A10050 mandates that community board be provided direct notice from the SLA of applications for liquor license renewals and to create a form for community board response that will become part of the official record, which will be considered by the SLA Commissioners in their deliberations. Email versions of the report are now available.

Assembly Speaker Sheldon Silver-- Jessica Loeser

M22 service cuts will not be made after lobbying the New York City Transit Authority.

Assembly Speaker Silver wants to congratulate Anne Johnson and others for the New York City Housing Authority forum on March 23 that was held to address the increase in service fees for heavy-duty appliances, repairs for resident-caused damages and parking fees. The Speaker is opposed to NYCHA not notifying residents of the proposed fee increases in a timely manner so they could comment on them as well as using these fees to balance budgetary shortfalls.

The Speaker has also reaffirmed the Assembly Majority's position that the funding issues contained in the Campaign for Fiscal Equity lawsuit must be addressed in this coming year's state budget.

Speaker Silver has announced a \$2.4 billion tax-cut package that is contained in the Assembly budget plan. It will provide direct tax relief to working families throughout New York State.

State Senator Martin Connor-Alice Cancel-District Leader for Lower East Side

Senator Connor testified against the liquor license application for 174 Ave. B because it would be within 200 Ft. of a house of worship.

On March 23, Sen. Connor participated in the NYCHA town hall meeting on the service fee increases. He asked for an extension of the comments due to short notice given to residents to do so.

State Senator Thomas K. Duane—David Chang

State Senator Duane introduced S.1864/A.3465, an Equal Rights Amendment bill that would enact long overdue protection of women's rights in New York State. The ERA would ensure that no person, because of sex, be subjected to discrimination in his or her civil rights by any other person or by any firm, corporation, or institution, or by any state agency or subdivision of the State.

He is also leading a taskforce against illegal hotel rentals in buildings that have apartments or Single Room Occupancy units that have been kept off the market for such rentals. Should these buildings continue to operate in this manner, they should be held to a different set of fire and health regulations that ensure the safety of everyone in the building, and as they are operating illegally without these assurances, they are putting all the residents at risk.

Congressmember Carolyn Maloney--Victor Montesinos

Reps. Maloney and Shays expressed concern that the Fiscal Year 2007 budget proposal lacks funding for the civil liberties oversight board created in 2004 when the landmark intelligence reform bill was passed. They have reiterated their commitment of a strong and effective board.

A coordinator to oversee the Federal Government's response to Ground Zero health impacts was announced. Dr. John Howard was appointed to the position of Director of the federal National Institute of Occupational Safety and Health.

The Fiscal Year 2007 New Starts Report released by the Federal Transit Administration will send hundreds of millions of dollars in federal funding for the East Side Access (\$300 million) and the Second Avenue Subway (\$102 million split among four other projects) transportation projects. Once the final design of the Second Avenue

Subway line is approved, the MTA can negotiate a full funding grant agreement with the FTA for an estimated \$1.3 billion more to the Subway.

Reps. Maloney and Brown-Waite introduced the Tanning Accountability and Notification Act, which would require Food and Drug Administration to determine whether the current labeling of indoor tanning beds provides sufficient information about the risks associated with indoor tanning.

There will be a Town Hall on the War in Iraq on April 10 from 12-1:30 P.M. at the Community Church of New York. It will include special guest Rep. John Murtha.

Congressmember Jerrold Nadler--Michael Kay- Not present

Congressmember Nydia Vasquez--Melissa Maldonado - Not present

Comptroller William Thompson--Rafael Escano -Not present

Executive Session:

Minutes:

Minutes of January, 2006 were approved, as is.

Councilmember's Reports:

Hon. Rosie Mendez--John Fout

Council Member Mendez held a press conference to raise awareness to Women's breast health. The Gouverneur Healthcare Services offers access to the Manhattan Breast Health Partnership, a state program that provides low/no-cost breast and cervical cancer services for women over the age of 40 who's lack of or inadequate health insurance doesn't covers screening or diagnostic services.

She has written letter to new Houston Street YMCA to discuss fees issues and a better method of providing affordability to the community at the facility.

Tenants rights—The Council Member's legislation Intros 118 and 79 were passed by the City Council to extend rent stabilization laws and declare a public emergency exists in housing as required to renew the Rent Stabilization law, respectively.

She will be reviewing institutional development in the community and introducing community facilities legislation that requires applicants for building permits to produce evidence that the building will be owned or leased for a minimum of thirty years by an eligible community facility.

Council Member Mendez has helped put together a working group of officials to propose legislation to remedy loopholes allowing property owners to evict tenants through the DHCR's practice of "substantial demolition" in rent stabilized buildings.

Hon. Alan Gerson--Luis Reyes- Not present

Borough President's Report:

Hon. Scott Stringer--Mary Cooley

The Manhattan Borough President's office has introduced a new newsletter.

Borough President Stringer announced the findings of the Independent Budget Office for office space at and around the WTC site. The findings indicate that office space in lower Manhattan will be tight (high demand), but the rents are not on par with what has been forecast by the Silverstein Properties and the City's Economic Development Corporation. The hope is that the findings will contribute to the public debate and spur movement on reconstruction at Ground Zero.

He is trying to get vacant NYCHA apartments online so that they can bring in needed revenue to NYCHA. Also congratulations to Anne on the NYCHA town hall meeting.

There was an NYU Meeting to discuss historic preservation as it pertains to the issues regarding NYU's expansion. Council Speaker Christine Quinn and Assembly Member Deborah Glick's office are starting dialogue on these development issues.

In the area of Community Board Reform and Empowerment over 400 candidates were interviewed. Letters were sent out to appointed candidates on March 31. Mary Cooley will be personally delivering the list the Community Board offices.

Board Chairperson's Report:
Chairperson David McWater

Meetings will not be on a set schedule for April. Agenda items need to be given to the office one week before the full board meeting.

Chairperson McWater announced that Community Board 3 will have seven new members that will come in at once. There will be a reception for them and volunteers to plan for it were asked to step forward.

Artie Strickler, the District Manager from CB 2 passed away unexpectedly last week. There were Community Board 3 representatives at the funeral.

There is going to be a change in the agenda order. The public session is after the elected officials, then the Board Chair's report, followed by the District Manager's report, and then the public speaking. The hope is that it will create more dialogue. It will be tried for three months.

Members are showing up too late at committees and leaving too early. It's important to have dialogues in these meetings. There have been positive results with the placard parking victories, SLA, NYU pulling out of 10th St. and 3rd Ave., 197 Zoning Task Force and all of these came about from recognizing the importance of working hard during the committee meetings and doing so.

District Manager's Report:

February minutes for first distribution were made available.

Community Board 3 has been fighting the liquor license for Whole Foods. Whole Foods has withdrawn its license application.

Doug Moi's video helped to uncover the problem of many illegally parked cars and placards used by court officers. His video will be aired Wednesday, March 29 at 6:45 A.M. on CBS Channel 2 and may be repeated at 5:00 P.M. It will end with a statement from the Police Department acknowledging the problem and that there is a lot of work to be done to fix it. The 5th Precinct is now ticketing parked cars. There was discussion about the municipal parking garage and how the outside parking has not receded since the garage was opened for use by the NYPD. There is a need to hold the NYPD to Community Board 3's resolution requiring them to utilize the garage.

NYU was negotiating for the land at 10th St. and 3rd Ave. for development, but has pulled out.

On April 6 there will be a training workshop on the SLA and 500 foot hearings. Barry Mallin, who is a lawyer known for his work representing communities against SLA licenses, has offered to give Community Board 3 a workshop.

On April 4, there will be a meeting regarding quality of life issues on Ave. B. Representatives from many agencies as well as the State Liquor Authority will be present.

The Taxi and Limousine Commission will be meeting with Community Board 3 after an intervention from the Mayor's office. There are also four TLC enforcement cars now assisting the 9th precinct on Thursdays through Saturdays.

Council Member Rosie Mendez's office will be coordinating complaints and other issues related to the DHCR's practice of "substantial demolition" in rent stabilized buildings.

Committee Reports:

Executive Committee

1. CB8 request for support for their housing forum

VOTE: To support the April 26 emergency preparedness forum of Community Board #8, Manhattan.

31 YES 0 NO 0 Abstention

SLA & Economic Development Committee

1. Amending resolution prohibiting additional liquor license applications for certain areas within CB 3

VOTE: To approve the resolution as amended and forward said amended resolution with a cover letter to the SLA, carbon copying the Department of Buildings and elected officials, and, further, amending said cover letter to include language that the Community Board wants to continue to construct operating agreements with prospective applicants that the SLA will honor as part of their liquor licenses.

(See Attachment A)

2. Proposal for letter to SLA for revocation of licenses used unlawfully

VOTE: To approve the resolution requesting that the State Liquor Authority sanction and/or investigate for possible revocation of its license any establishment that is abusing the privilege of having a liquor license by

operating that license in an illegal manner and to forward to the State Liquor Authority a letter with appended summonses and violations for businesses which are operating their licenses in an illegal manner and, further, removing from said letter the first clause of paragraph two beginning with "While Community Board 3 does not object to the possibility..."

Renewal with Complaint:

- 3. Croxley, 28 Ave B
Postponed until April.

Alterations/Transfers/Upgrades:

- 4. Image Foods, 108 E 4th St (trans)
VOTE: To approve the transfer of a restaurant/wine license to Image Foods, 108 East Fourth Street, provided the applicant furnishes a signed notarized stipulation that 1) it will close every night at 11 P.M., 2) it will serve food until within one (1) hour of closing, 3) it will operate as a restaurant for the life of the license, and 4) it will close its existing French doors at 10 P.M. on the weekdays and 11 P.M. on the weekends.
- 5. East Side Boys7, 103 2nd Ave (trans)
VOTE: To deny the transfer of a full on-premises license to East Side Boys7, 103 Second Avenue, based on the following factors: 1) the business has already been open on three (3) separate days within a one (1) week period and was observed to be failing to control crowds on the sidewalk, specifically on the 6th Street side of the premise, 2) while the applicant stated that he intends that the business be open no later than 2:00 A.M. every night, he refused to sign an agreement with the Community Board restricting his business hours to 2:00 a.m., 3) despite the fact that the applicant has admitted that the business is a sports bar that serves a primarily appetizer style menu consistent with its method of operation, it intends to apply for a sidewalk café on both 6th Street and Second Avenue even though the Community Board believes a sidewalk café is inconsistent with its use as a sports bar and incompatible with the surrounding community, and 5) the applicant provided resident petitions that, a large percentage of which were from people who do not reside in Community Board 3. All of these factors lead this Community Board to the conclusion that this business is going to operate and has, in fact, operated in a way that will not be to the benefit of this community.
- 6. Mosto, 87 2nd Ave (trans/op)
VOTE: To approve the transfer of a full on-premises license to Mosto, 87 Second Avenue, provided the applicant furnishes a signed notarized stipulation that 1) it will always be operated as a restaurant for the life of its license, 2) it will operate from 12 P.M. to 11 P.M. every night, 3) the garbage pick-up will be on the Second Avenue side of the business, 4) it will play only pre-recorded ambient background music, and 5) there will be no additional outdoor seating beyond the licensed enclosed sidewalk café.
- 7. The Boiler Room, 86 E 4th St (trans/op)
VOTE: To approve the transfer of a full on-premises license to The Boiler Room, 86 East Fourth Street, with the understanding that it is being transferred from the current principal shareholder to a family member, that there has been no history of complaints in its thirteen (13) years of operation and that the hours and method of operation, as well as business name, will remain the same.
- 8. Nolia, 158 Ave C (trans/op)
No Vote Necessary

New Liquor License Applications:

- 9. Pho Grand, 277 Grand St (rw)
VOTE: To approve the restaurant/wine license for Pho Grand, 277 Grand Street.
- 10. Kong Inc, 271 E 10th St (rw)
VOTE: To deny the restaurant/wine license for Kong Inc., 271 East 10th Street, because the applicant has failed to notify any of the surrounding residents about its proposed business plans and appeared before Community Board with no apparent understanding of the process for obtaining a liquor license or operating a business with a liquor license.
- 11. Café Brama, 104A 2nd Ave (rw)
No Vote Necessary
- 12. Daimyo Group, 207 2nd Ave (rw)
VOTE: To approve the restaurant/wine license for Daimyo Group, 207 Second Avenue, provided the applicant furnishes a signed notarized stipulation that 1) it will operate as a restaurant for the life of its license and 2) should it install sliding glass doors in the front of the establishment, they will be closed at 10:00 P.M. on weeknights and 11:00 P.M. on weekends.
- 13. FM Pastry, 79 Clinton St (rw)
VOTE: To approve a restaurant/wine license for FM Pastry, 79 Clinton Street, provided the applicant furnishes a signed notarized stipulation that 1) he will not apply for a sidewalk café license.

28 YES	1 NO	1 Abstention (SLA/Eco Dev Item 1)
29 YES	0 NO	1 Abstention (SLA/Eco Dev Item 2)
28 YES	1 NO	1 Abstention (SLA/Eco Dev Item 4)
28 YES	0 NO	2 Abstention (SLA/Eco Dev Item 5)
28 YES	1 NO	1 Abstention (SLA/Eco Dev Item 6)
28 YES	1 NO	1 Abstention (SLA/Eco Dev Item 7)
28 YES	1 NO	1 Abstention (SLA/Eco Dev Item 9)
29 YES	0 NO	1 Abstention (SLA/Eco Dev Item 10)
27 YES	2 NO	1 Abstention (SLA/Eco Dev Item 12)
27 YES	2 NO	1 Abstention (SLA/Eco Dev Item 13)

Public Safety & Sanitation Committee

1. World Trade Center Community Labor Coalition: request for EPA to design & implement an effective, science based sampling and cleanup program for residences and workplaces in all affected areas

Discussion: It was requested to specify the areas affected instead of leaving it broad. It was also clarified that this resolution was put together by the World Trade Center Community Labor Coalition and no friendly amendments were accepted since this was part of a strategy to support their specific resolution.

VOTE: To support the World Trade Center Community Labor Coalition request for the EPA to design and implement an effective, science based sampling and cleanup program for residences and workplaces in all affected areas.

Community Board #3 Manhattan Resolution

Re: EPA's 2005 Final Test and Clean Program should not be implemented

WHEREAS: The City of New York was suddenly and deliberately attacked on September 11, 2001, and

WHEREAS: The destruction of the World Trade Center not only killed thousands but also caused multiple contaminants, including polycyclic aromatic hydrocarbons (PAHs), lead, man – made vitreous fibers (MMVF), mercury, asbestos, and other toxic substances, to be deposited upon and within residences, places of employment, and mixed – use buildings in Lower Manhattan; and

WHEREAS: The legal responsibility for ensuring a thorough and responsible cleanup of such acts of terrorism, with regard to residences, place of employment, and mixed – use buildings, rests with the United States Environmental Protection Agency (EPA), in accordance with the National Contingency Plan, the National Response Plan, and Presidential Decision Directive 62; and

WHEREAS: In the summer of 2002, EPA implemented a poorly publicized, voluntary residential test and clean program that failed to adequately characterize and clean up WTC contaminants and that provided an inadequate cleanup of only 3,425 of the more than 25,000 apartments below Canal Street; and

WHEREAS: The August 21, 2003 report of EPA's Office of Inspector General was highly critical of EPA's 2002 test and clean efforts in Lower Manhattan and called on EPA to ensure that cleanup meets minimum Superfund site cleanup goals, to treat impacted buildings, and to include all geographic areas impacted by WTC dust; and

WHEREAS: In March of 2004, in response to requests from Senator Hillary Rodham Clinton, Congressman Jerrold Nadler, and the affected communities of residents and workers, EPA convened the WTC Expert Technical Review Panel which was charged with characterizing any remaining exposures and risks, identifying unmet public health needs, and recommending steps to further minimize risks associated with the aftermath of the World Trade Center attacks; and

WHEREAS: The Government Accountability Office (GAO), in its September 8, 2004 report "September 11 Health Effects in the Aftermath of the World Trade Center Attack," described a broad and continuing health impact, based on evidence that thousands of people involved in rescue, recovery, cleanup, as well as those who lived and worked in the WTC vicinity, were treated mainly for respiratory sicknesses; and

WHEREAS: In May 2005, Community Board #3 unanimously passed a resolution requesting additional EPA testing and clean up based on 7 key principles. The same resolution was subsequently passed by CB#1 and CB#2; and

WHEREAS: Medical experts testifying before the EPA WTC Expert Technical Review Panel and the New York City Council, reported finding evidence of serious, ongoing, and still emerging 9/11 – related environmental health impacts among Ground Zero workers, and downtown and Brooklyn residents and workers; and

WHEREAS: Unless proper scientific testing and cleanup are conducted, undetected toxic contaminants from the collapse and fires at the WTC could pose an ongoing threat to public health; and

WHEREAS: On November 29, 2005, the EPA released a final "Test and Clean Program" that, as currently constituted, is grossly under funded, inadequate, and technically and scientifically flawed, and will repeat the most serious limitations and deficiencies of the 2002 program as delineated by the Inspector General; and

WHEREAS: EPA's current program, by reverting to the limited geographic area (as defined in the 2002 program to be south of Canal Street and west of Pike and Allen Streets) and by excluding workplaces, schools, small businesses and firehouses, will fail to assess the extent of remaining contamination in buildings and in areas known to have been impacted; and

WHEREAS: EPA's current program, by addressing individual apartments rather than addressing buildings as integrated systems and by failing to provide for proper assessment and cleanup of building mechanical ventilation systems, is likely to result in inadequate cleaning and/or recontamination of cleaned spaces; and

WHEREAS: EPA's current program, by failing to use appropriate sampling methodologies and protocols, and failing to specify properly sensitive detection limits, will likely generate a stream of inaccurate data; and

WHEREAS: EPA's current program, by rendering ineligible apartments previously sampled and cleaned by EPA, will fail to detect and cleanup recontamination; and

WHEREAS: EPA's current program, by omitting from cleanup criteria sampling results from mechanical ventilation systems, plenums, closets, and other areas known to be reservoirs for contamination, will fail to detect hot spots and to trigger clean up contamination that may pose a continual health threat; and

WHEREAS: Although EPA's program, results from a 21 – month deliberation with the EPA WTC Expert Technical Review Panel, it did not receive the endorsement or support of a single panel member at the final December 13, 2005 panel meeting; and

WHEREAS: EPA's current program repeats a familiar pattern in which the Agency has sought to downplay the potential risks and convey false assurances regarding World Trade Center contamination, rather than developing a scientifically sound approach to assessing and reducing these risks; and

WHEREAS: On February 2, 2006, the Federal District Court in Manhattan ruled that a 2004 class action lawsuit against the EPA for failing to warn people of hazardous substances in the air following the collapse of the World Trade Center, and then failing to carry out an adequate cleanup of building interiors, could go forward, Judge Deborah A. Batts wrote, "No reasonable person would have thought that telling thousands of people that it safe to return to lower Manhattan, while knowing that such return could pose long-term health risks and other dire consequence, was conduct sanctioned by our laws", and called former EPA's Chief Whitman's actions "conscience – shocking",

Therefore Be It Resolved That: CB#3 calls on the EPA to abandon its technically and scientifically flawed 2005 Test and Clean program, and work with the residents and workers, community and labor organizations and elected officials to design and implement and effective, science based sampling and cleanup program for residences and workplaces in all affected areas.

And Further Be It Resolved That: CB#3 joins Senator Clinton, Congressman Nadler, Assembly Speaker Silver, State Senator Connor, Council member Gerson and the WTC Community – Labor Coalition in calling for the Government Accountability Office (GAO) to undertake an investigation into the EPA's failure to establish an effective, science – based testing and clean up plan in response to the September 11, 2001 terrorist attacks.

2. Greening a Block proposal to Con Edison 14th Street expansion settlement funds for a pilot program on one block to achieve gains in air quality and energy conservation by installing state-of-the-art energy efficiency measures

No Vote Necessary

Discussion: There will be an April 10 meeting to discuss the spending of settlement funds.

Transportation Committee

1. Request for "Do Not Block the Box" sign at Bowery & Delancey/Kenmore (border with CB2)

VOTE: WHEREAS, The intersection of the Bowery and Delancey/Kenmare Streets is a major intersection which has always been chaotic, with numerous vehicle/vehicle, vehicle/pedestrian and vehicle/bicycle accidents; and

WHEREAS, For about the past decade the traffic agents have kept the congestion to a minimum during the daylight hours. However, before the morning rush hours and after the evening rush hour there are no traffic agents on duty; and

WHEREAS, As well as being a major artery for bridge and tunnel traffic, the Bowery and surrounding area has become, in the past few years, a fast-growing bar and nightclub destination. Cars and limos are double - and triple-parked. Vehicles are parked at hydrants; parked in crosswalks increasing potential for pedestrian injury to persons attempting to cross the street; and parked in bus stops thus impeding access to buses; and

WHEREAS, These thoroughfares are also major emergency service routes. The emergency vehicles (police, fire, ambulance) cannot pass through the congestion;

THEREFORE, BE IT RESOLVED, that Community Board 3-Manhattan requests DOT to look into painting the asphalt at the intersection of the Bowery and Delancey/Kenmare Streets with diagonal grid lines and prominently placing signs stating "Don't Block the Box - Fine + 2 Points"; and

BE IT FURTHER RESOLVED, that Community Board 3-Manhattan requests that our state legislators support legislation to enable the City agencies to install gridlock cameras to assist with enforcement.

2. Dangerous Chinatown congestion caused by illegal parking of vehicles displaying dashboard placards

VOTE: Resolution Re: Dangerous Chinatown congestion caused by illegal parking of vehicles displaying dashboard placards.

WHEREAS, abuse of placard parking privileges is causing dangerous congestion in Chinatown, particularly in the historic core, located within the district of Community Board 3-Manhattan. Violations of placard parking regulations are routine and pervasive. Vehicles displaying legal dashboard placards should only be permitted to park in legal street-side parking spaces for a limit of 3 hours, and only when the vehicle is in use for official business. Commuting to work does not qualify as official business. Placard parking should be restricted to legal street-side parking locations, but has spread to every hard surface accessible from the street – at fire hydrants, at corners, crosswalks and curb cuts, in bus stops, in No Standing, No Parking and Loading/Unloading zones, even on the sidewalks; and

WHEREAS, the saturation of illegal commuter parking is an undue burden on the community in Chinatown, because the adjacent Civic Center has such a high concentration of government workers in 1 Police Plaza (NYPD), the Bernard B. Kerik Complex (Dept. of Correction), the Federal court buildings and the Municipal Building. According to a study conducted by Schaller Consulting, the census tract which includes these government buildings has the largest number of auto commuters of any in Manhattan. Most of the 24,780 workers in this district are government employees, and 57% of them drive to work. Since the study was conducted the problem has gotten much worse (it is based on 2000 U.S. Census data, which predates September 11, 2001); and

WHEREAS, traffic congestion impacts Chinatown businesses by causing delivery delays, rescheduling, missed deliveries and surcharges imposed by suppliers. Visitors, shoppers and diners are discouraged from entering Chinatown as a result of the congestion. Because of the excessive use of loading and unloading zones by illegally parked cars, businesses have been slow to recover from the impacts of 9/11, and many have gone out of business altogether. Economic development as well as growth of existing businesses is stifled as a result of the congestion; and

WHEREAS, illegally parked cars block virtually every fire hydrant in Chinatown daily thereby restricting emergency access. This is particularly dangerous when vehicles are parked on both sides of the street and only permit a single lane of traffic to flow. When this fire lane is blocked or delayed by delivery vehicles that are loading and unloading in the fire lane due to inability to park at loading/unloading zones, this is a recipe for disaster. Efficient City sanitation is hampered due to restricted access to garbage cans. Accidents occur more often when pedestrians are forced out into the street because crosswalks are blocked by illegally parked cars. Ambulettes and Access-a-Ride vehicles are challenged daily as they attempt to pick up and drop off seniors and the disabled on their way to hospital and health care centers. Rather than stop in loading zones they must resort to picking up patients while they stop traffic in the middle of the street; and

WHEREAS, the elderly and disabled in Chinatown are especially vulnerable victims of dangers resulting from the loss of curb cuts, which allow for wheelchairs and scooters, due to illegally parked cars. Wheelchairs and scooters, as well as those with walkers must go far out of their way to look for a curb cut. Blocked bus stops also make it hazardous for those in wheelchairs and motorized scooters to be seen by drivers; and

WHEREAS, Silent but no less deadly than the obvious obstruction of City streets is the threat to public health in the Chinatown community as a secondary effect of illegally parked cars. As truck drivers and delivery vans are forced to repeatedly circle while looking for a place to stop to either pick up or deliver goods, the emissions from these vehicles that contribute to the overall pollution already affecting the area that is sandwiched between perennially congested Canal St and the Bowery. Noise pollution, particularly from traffic congestion, reduces the quality of life and increases stress levels;

THEREFORE, BE IT RESOLVED, that Community Board 3-Manhattan requests immediate enforcement of existing laws concerning placard parking in the historic core of Chinatown, bounded by Canal St, the Bowery, Worth St and Baxter St. Enforcement is critical in the following types of illegal parking spaces – at fire hydrants, at corners, crosswalks and curb cuts, on the sidewalks, in the bus stops on the Bowery and Worth St, in the No Standing zone on Worth St, and in Loading/Unloading zones.

3. Hotel 91, 91 E Broadway, request for "No Standing Anytime" signage
VOTE: To approve the request by Hotel 91 to have DOT install "No Standing Anytime" signage at 91 East Broadway.

Parks & Recreation Committee

Street Fair Application

1. Our Lady of Sorrows, Pitt St (Stanton & Rivington), 10/5/06-10/8/06
VOTE: To approve the request by Our Lady of Sorrows for a street fair from 10/5/06 – 10/8/06 on Pitt Street between Stanton & Rivington Streets.

Block Party Applications

2. Theater for the New City, E 10th St (1st & 2nd Aves), 10/31/06
VOTE: To approve the request by Theater for the New City for a block party on 10/31/06 on 10th Street between 1st and 2nd Avenues; approval for this event is contingent on receiving no complaints from the prior events on 5/27/06 and 10/31/06; approval is further contingent on the applicant receiving all necessary permits prior to the event.
3. Theater for the New City, E 10th St (1st & 2nd Aves), 5/27/06
VOTE: To approve the request by Theater for the New City for a block party on 5/27/06 on 10th Street between 1st and 2nd Avenues; approval for the subsequent two events on 8/5/06 and 10/31/06 is contingent on receiving no complaints from the 5/27/06 event; approval is further contingent on the applicant receiving all necessary permits prior to the event.
4. Theater for the New City, E 10th St (1st & 2nd Aves), 8/5/06
VOTE: To approve the request by Theater for the New City for a block party on 8/5/06 on 10th Street between 1st and 2nd Avenues; approval for this event is contingent on receiving no complaints from the prior event on 5/27/06; approval is further contingent on the applicant receiving all necessary permits prior to the event.
5. A1 E 10th St Block Association, E 10th St (1st Ave & Ave A), 6/3/06
VOTE: To approve the request by A1 E. 10th Street Block Association for a block party on 6/3/06 on 10th Street between 1st Avenue and Avenue A pending receipt of a letter of approval from the Block Association prior to the full Board meeting.
6. Eldridge Street Project, 12 Eldridge St (Canal & Division), 6/11/06
VOTE: To approve the request by the Eldridge Street Project for a block party on 6/11/06 on Eldridge Street between Canal and Division Streets.
7. A Gathering of the Tribes, E 3rd St (Aves C & D), 8/29/06
VOTE: To approve the request by A Gathering of the Tribes for a block party on 8/29/06 on 3rd Street between Avenues C and D.
8. Chinese Christian Herald Crusades, Orchard St (Grand & Hester), 6/3/06
VOTE: To approve the request of Chinese Christian Herald Crusades for a block party on 6/3/06 on Orchard Street between Grand and Hester Streets.
9. Mariners' Temple Baptist Church, Oliver St (Madison & Chatham Sq), 9/16/06
VOTE: To approve the request by Mariners' Temple Baptist Church for a block party on 9/16/06 on Oliver Street between Madison Street and Chatham Square.
10. Christian Missionary Church, E 7th St (Aves C & D), 5/27/06
VOTE: To approve the request by the Christian Missionary Church for a block party on 5/27/06 on 7th Street between Avenues C and D.
11. Immaculate Conception School, E 13th St (Ave A & 1st Ave), 5/21/06
VOTE: To deny the request by Immaculate Conception School for a block party on 5/21/06 on 13th Street between 1st Avenue and Avenue A due to nonappearance before the Board committee.
12. Sea of Galilee Church, Stanton St (Pitt & Ridge), 9/2/06
VOTE: To approve the request by Sea of Galilee Church for a block party on 9/2/06 on Stanton Street between Pitt and Ridge Streets.
13. Bicycle Film Festival, E 2nd St (1st & 2nd Aves), 5/13/06
VOTE: To approve the request of the Bicycle Film Festival for a block party on 5/13/06 on 2nd Street between 1st and 2nd Avenues.
14. St Marks Church in the Bowery, E 11th St (2nd & 3rd Aves), 5/27/06
VOTE: To approve the request by St. Mark's Church in the Bowery for a block party on 5/27/06 on 11th Street between 2nd and 3rd Avenues.
15. Reaching Youth for Christ Ministry, E 12th St (Aves B & C), 6/24/06
VOTE: To approve the request by Reaching Youth for Christ Ministry for a block party on 6/24/06 on 12th Street between Avenues B and C.
16. Reaching Youth for Christ Ministry, E 7th St (Aves B & C), 7/29/06
VOTE: To approve the request by Reaching Youth for Christ Ministry for a block party on 7/29/06 on 7th Street between Avenues B and C.
17. E 3rd St Block Association, E 3rd St (Aves B & C), 6/10/06
VOTE: To approve the request by East 3rd Street Block Association for a block party on 6/10/06 on 3rd Street between Avenues C and D.
18. Russian Orthodox Cathedral, E 2nd St (1st & 2nd Aves), 9/23/06
VOTE: To approve, with no amplified sound, the request by the Russian Orthodox Cathedral for a block party on 9/23/06 on 2nd Street between 1st and 2nd Avenues.

Additional Committee Items (continued from Parks)

- 19. Park Event App: May Day Organization, Tompkins Square Park, 4/30/06, 5/1/06, 6/11/06, 8/2/06
VOTE: To table the requests by the May Day Organization until the April 2006 committee meeting.
- 20. Presentation by Parks Dept regarding East River Park Summer Programs
 No Vote Necessary

- 21. Lower East Side Tenement Museum's request for support for a landmark district. The proposed district encompasses the area bounded on the west by Allen St, on the east by Essex, north by Houston, and south by Division, with an extension that would include Eldridge Street below Canal St. It sits within a larger Lower East Side Historic District, which was placed on the National Register of Historic Districts.
 Withdrawn

(Public Safety/Transportation/Parks)

- 31 YES 0 NO 0 Abstention (excluding Transportation Item 3, Parks Items 13 & 14)
- 30 YES 1 NO 0 Abstention (Transportation Item 1)
- 28 YES 3 NO 0 Abstention (Parks Item 13)
- 30 YES 0 NO 0 Abstention 1 Present Not Voting (Parks Item 14)
 (by Mayra Cappa)

Housing & Land Use Committee

- 1. ULURP C060311HAM: designation of property located at 276 E 3rd St (B372, L11) as an Urban Development Action Area

Discussion: The deed restriction for this site was explained by HPD to be in draft form. Deed restrictions are a minimum of 20 years. It will take 2-4 months for finishing the drafting of the deed. The Board asked that the property be a ULURP for community use and that it wants to have this community use forever. It was suggested that this is the Board's stance before the City Council, City Planning and the Mayor. This facility is being designed to comply with New York State Office of Mental Health standards.

VOTE: To approve ULURP C060311HAM conditioned upon HPD keeping the community use similar to or for affordable housing for low income residents in perpetuity.

- 2. Presentation regarding construction issues/timeline at 200 Allen Street
 No Vote Necessary

- 3. Tenants concerns regarding demolition application at 345 E 5th St

Discussion: David McWater was concerned that the resolution as drafted in committee validates the landlord and his strategy of eviction by insisting that he find a new way to do his demolition and clearly this does not address the problem. It was thought that the Board should add this to the resolution that was passed in February. The tenant representative explained what was being planned by the landlord. The Board should probably support the tenants and not get into the rehabilitation issue of how to do it.

VOTE:

Whereas Community Board 3 feels that this proposed demolition is part of a strategy for this developer to remove tenants throughout the City and the gambit needs to be ended.

Community Board 3 resolves to notify DHCR and our elected officials that it is the belief of Community Board 3 that the owner of 343 and 345 East 5th Street, adjacent buildings, is utilizing DHCR regulations regarding demolition of occupied buildings as a subterfuge to end rent-regulated tenancies within these buildings and undertake "gut-rehabilitation" of currently occupied buildings without actually demolishing the buildings and thereafter develop the "new" units at market-rate.

197 Plan Task Force

- 1. To approve the following letter to be sent to DCP

VOTE: Community Board #3 wishes to work with the NYC Department of City Planning to amend the zoning for a substantial section of its community. It is agreed that DCP shall be the sole applicant, but it is anticipated that CB#3 will be closely consulted in all significant decisions. The Board's principles are as follows:

- Preserve the residential character of the neighborhood;
- Preserve its current scale and mid-rise character;
- Establish a district more in keeping with current planning principles of contextual design;
- Preserve the mixed-income character of the neighborhood through the use of Inclusionary Zoning;
- Eliminate the opportunity for community facility overdevelopment allowed under the current zoning;
- We are against additional commercial overlays in any part of the plan including, but not limited to, St Mark's Place.

The proposed perimeter of the area is the north side of East 13th Street, the west side of Avenue D, the north side of Houston Street, the West side of Pitt Street, the north side of Delancey Street, the east side of Essex Street, the north side of Grand Street, 100 feet in from the east side of Bowery and 100 feet in from the west side of Third Avenue.

We also want 100 feet in from Fourth Avenue and Third Avenue included in the study area. If it is determined that this area could not move ahead with the rest of the project, it would be studied as an alternative, follow-up corrective action.

We believe it is appropriate to zone contextually with the most appropriate types being R7A, R7B and R8B. Furthermore, we believe that at least Avenue A, First and Second Avenues should be considered for an Inclusionary Zone provision. We also recognize that Houston and Delancey Streets are appropriate for a higher inclusionary zoning density provision, i.e., R8A. We do request additional information based on future study and we would like to consider an Inclusionary Zone provision in other areas where appropriate.

We urge that you include the anti-harassment provision from the special Clinton district.

We are aware that this is a large project and are excited with DCP's willingness to undertake it. Manhattan Community Board 3 is here to offer any support that is needed to move this project along in the previously-discussed timely fashion, i.e., five months for certification. We look forward to working with you on this project and we would like to have access to materials as they develop.

31 YES 0 NO 0 Abstention (Housing Item 1)
30 YES 0 NO 0 Abstention (Housing Item 3)
28 YES 2 NO 0 Abstention (197 Plan Task Force)

Human Services & Seniors Committee

No Meeting Scheduled

Youth & Education Committee

No Meeting Scheduled

Cooper Square Urban Renewal Task Force

No Meeting Scheduled

Con Ed Advisory Task Force

No Votes Necessary

Members Present At Last Vote:

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

ATTACHMENT A:

**RESOLUTION PROHIBITING ADDITIONAL LIQUOR
LICENSES FOR CERTAIN AREAS WITHIN
COMMUNITY BOARD THREE**

WHEREFORE, the increasing proliferation of liquor licensed establishments, to wit bars, clubs, lounges and restaurants, within Community Board 3 is apparent and well documented; and

WHEREFORE, the increase in nighttime venues has resulted in persistent and numerous complaints regarding increased noise as well as increased pedestrian and vehicular traffic and said complaints have evolved over time from complaints that were once only about specific rowdy locations in my experience regarding complaints and from visiting these areas—this is not about rowdy locations or specific locations, it is generally because of the sheer volume you have referred to elsewhere and contributed to by rowdy nature of some of the people on the street. to complaints that are now about noise and congestion resulting from the sheer volume of liquor licensed establishments; and this already says that now we are getting complaints about volume alone.

WHEREFORE, the prior moratoria imposed by Community Board 3, at the request of community residents, for 12 St. Mark's Place, St. Mark's Place between First Avenue and Avenue A, Sixth Street between Avenue A and Avenue B, Avenue A between Houston Street and Fourteenth Street, Ludlow Street between Houston Street and Stanton Street and Clinton Street between Houston Street and Delancey Street, had been an inadequate means of communicating to the New York State Liquor Authority the deteriorating and deleterious conditions for residents because of licensed establishments operating within said locations; and

WHEREFORE, Community Board 3 is now comprised of these and additional geographic areas where the vast number of liquor licensed establishments operating within those areas has greatly diminished the quality of life of New York State resident within Community Board 3, said areas being as follows:

1. Ludlow Street between Houston Street and Delancey Street which currently has nine (9) liquor licenses, six (6) of those between Houston Street and Stanton Street and three (3) between Stanton Street and Delancey Street;
2. St. Marks Place between First Avenue and Avenue A which currently has fourteen (14) liquor licenses;
3. 12 St. Marks Place, for which there have been persistent community complaints throughout its history as a licensed establishment;
4. Clinton Street between Houston Street and Rivington Street which currently has fifteen (15) liquor licenses, seven (7) located between Houston Street and Stanton Street and eight (8) located between Stanton Street and Rivington Street;
5. Sixth Street between Avenue A and Avenue B which currently has seven (7) liquor licenses, three of which are adjacent and have been the source of persistent community complaints;
6. Avenue A between Houston Street and Fourteenth Street, which currently has thirty-seven (37) liquor licenses;
7. Rivington Street between Norfolk Street and Orchard Street which currently has eleven (11) liquor licenses, including one (1) hotel license which contains a lounge, a club and a 5,000 square foot restaurant, all of which is open to the public;
8. Avenue C between Houston Street and Fourteenth Street which currently has twenty-one (21) liquor licenses;
9. First Avenue between First Street and Second Street which currently has nine (9) liquor licenses and has been publicized as one of the noisiest blocks in the City;
10. Orchard Street between Houston Street and Rivington Street which currently has nine (9) liquor licenses, seven (7) of those between Houston Street and Stanton Street;
11. St. Mark's Place between Second Avenue and Third Avenue which currently has fifteen (15) liquor licenses and which has been the subject of the New York Police Department's Model Block Initiative because of nightlife problems;
12. Fourth Street between Avenue A and Avenue B which currently has seven (7) liquor licenses;
13. First Street between First Avenue and Second Avenue which currently has eight (8) existing licenses; and
14. Avenue B between Houston Street and Fourteenth Street which currently has thirty-two (32) liquor licenses.

WHEREFORE, Community Board 3 recognizes that residents from all of the aforementioned areas have continuously complained about noise from patrons on the street in front of licensed establishments, in the backyards of licensed establishments, traveling between licensed establishments and emanating from the businesses themselves, as well as from taxis and limousines dropping off and picking up people patronizing these establishments; and

THAT, the local police precincts have enlarged their cabaret and quality of life units in an effort to address the overwhelming pedestrian and vehicular noise conditions that have resulted from the licensing of so many establishments within such close proximity to each other on relatively narrow streets and avenues,, and have begun to coordinate services from the Department of Transportation, Department of Sanitation, Department of Environmental Protection, Department of Buildings, the New York Fire Department, and the enforcement division of the Taxi and Limoseum Commission as well as instituting numerous operations to control these conditions on specific streets and avenues, most notably, Avenue A, Avenue B, Second Avenue and Ludlow Street, and to stop the illegal operation of specific licensed establishments in these areas; and

THAT, Community Board 3 believes that prospective applicants for new licenses and upgrades of existing licenses within the aforementioned areas should have sufficient notice that their applications will be denied because of the quality of life and safety conditions that exist because of the present number of licensed establishments within said areas, and that said notice is made to prevent any prospective applicant from loss of investment or monies with respect to any given location;

BE IT RESOLVED THAT, Community Board 3 continues to implore the State Liquor Authority to credit the personal, historic and geographic experience of Community Board 3 and its residents when describing the detrimental effects of continuing to grant licenses within said Community Board 3 areas; and

FURTHER, Community Board 3 asks that the New York State Liquor Authority deny new licenses in these areas where the existing number of operating licensed establishments within five hundred far feet exceeds three (3), where there is little benefit, economic or otherwise, to the public and where the increasingly deleterious effects of existing licensed nighttime businesses on the quality of life of New York State residents living within those areas, far outweighs any benefit obtained from the addition of one (1) more license;

BE IT FURTHER RESOLVED THAT, any new liquor license application or any application for an upgrade in license class or any alteration application which would result in the physical expansion of an existing business, will be denied by Community Board 3 if said application is for any location within the above-stated areas; and

FURTHER, that the receipt of any of the above-referenced applications by the Community Board 3 district office will cause a letter, on Community Board 3 letterhead, to be sent to the New York State Liquor Authority, stating that Community Board 3 denies said application because said area already contains a designated number of licenses, which will be enumerated within the body of said letter, and that it is the belief of Community Board 3, due to the existing licenses that the addition, upgrade or expansion of any license within said area is unequivocally against any community benefit as required by existing statute; and

FURTHER, should said resolution be repealed at some future date, each of the area's preexisting moratoria will be automatically reinstated with notice of ninety (90) days to each block association affected.