



Community Board 12M

711 West 168th Street – New York, NY 10032

Phone (212) 568-8500 Fax (212) 740-8197

ebsmith@cb.nyc.gov / www.nyc.gov/mcb12

Pamela Palanque - North, Chair
Ebenezer Smith, District Manager

October 27, 2010

Hon. Dennis Rosen
Chairman
New York State Liquor Authority
80 South Swan Street
Albany, NY 12210-8002

Re: Trio's Café & Lounge Inc. dba Arka Lounge
4488 Broadway

Dear Chairman Rosen:

Community Board 12 passed the following resolution with a vote of 29-2-1 at its October 26th 2010 general meeting not recommending the State Liquor Authority grant a Renewal of its On-Premises Liquor License to Trio's Café & Lounge Inc. dba Arka Lounge.

WHEREAS, Trio's Café & Lounge dba Arka Lounge, located at 4488 Broadway (bet Fairview & W. 193rd St) has duly notified Community Board 12 M of its intent to file an application for a renewal of its on premise liquor license; and

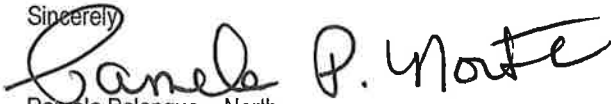
WHEREAS, the owner was a no show at the October 5th Economic Development Committee Meeting; and

WHEREAS, the Economic Development Committee having met on October 5th to hear comments from the community which raised concern about noise pollution, sidewalk congestion, illegal parking patterns and the criminal case against the owner Mr. Lantigua, in which he admitted to stealing \$800,000 in state tax revenue; and

WHEREAS, the 34th Precinct acknowledged the community concerns as valid, did not raise objection to the renewal of the on premise liquor license; therefore be it

RESOLVED, Community Board 12 (Manhattan) does not recommend that the State Liquor Authority grant a renewal of the on premise liquor license to Trio's Café & Lounge dba Arka Lounge.

Sincerely,


Pamela Palanque – North
Chair

Cc: Hon. Michael Bloomberg, Mayor
Hon. Scott Stringer, Manhattan Borough President
Hon. Charles Rangel, Congressman
Hon. Eric Schneiderman, State Senator
Hon. Bill Perkins, State Senator
Hon. Herman D. Farrell, Jr., Assembly Member
Hon. Adriano Espaillat, Assembly Member
Hon. Robert Jackson, Council Member
Hon. Ydanis Rodriguez, Council Member
Hon. Jeanique Greene, Commissioner, SLA
Hon. Noreen Healey, Commissioner, SLA



Community Board 12M

711 West 168th Street – New York, NY 10032

Phone (212) 568-8500 Fax (212) 740-8197

ebsmith@cb.nyc.gov / www.nyc.gov/mcb12

Pamela Palanque - North, Chair
Ebenezer Smith, District Manager

October 27, 2010

Hon. Dennis Rosen
Chairman
New York State Liquor Authority
80 South Swan Street
Albany, NY 12210-8002

Re: El Conde Steakhouse Corp.
4311 Broadway

Dear Chairman Rosen:

Community Board 12 passed the following resolution with a vote of 32-0-0 at its October 26th 2010 general meeting recommending the State Liquor Authority grant a Renewal of its On-Premises Liquor License to El Conde Steakhouse Corp.

WHEREAS, El Conde Steakhouse Corp, located at 4311 Broadway (at the corner of W. 184th Street) has duly notified Community Board 12 M of its intent to file an application for a renewal of its on premise liquor license; and

WHEREAS, the owner was a no show to the October 5th Economic Development Committee meeting; and

WHEREAS, the Economic Development Committee having met on October 5th to hear comments from the community, which raised no objection to the establishment and expressed satisfaction with the food, service and operation of the establishment; and

WHEREAS, the 34th Precinct raised no objection to the establishment; therefore be it

RESOLVED, Community Board 12 (Manhattan) does recommend that the State Liquor Authority grant a renewal of the on premise liquor license for El Conde Steakhouse Corp.

Sincerely,

Pamela Palanque – North
Chair

Cc: Hon. Michael Bloomberg, Mayor
Hon. Scott Stringer, Manhattan Borough President
Hon. Charles Rangel, Congressman
Hon. Eric Schneiderman, State Senator
Hon. Bill Perkins, State Senator
Hon. Herman D. Farrell, Jr., Assembly Member
Hon. Adriano Espaillat, Assembly Member
Hon. Robert Jackson, Council Member
Hon. Ydanis Rodriguez, Council Member
Hon. Jeanique Greene, Commissioner, SLA
Hon. Noreen Healey, Commissioner, SLA



Community Board 12M

711 West 168th Street – New York, NY 10032

Phone (212) 568-8500 Fax (212) 740-8197

ebsmith@cb.nyc.gov / www.nyc.gov/mcb12

Pamela Palanque - North, Chair
Ebenezer Smith, District Manager

October 27, 2010

Hon. Dennis Rosen
Chairman
New York State Liquor Authority
80 South Swan Street
Albany, NY 12210-8002

Re: **400 West Cairo Corp. dba CAIRO**
400 W. 202nd Street

Dear Chairman Rosen:

Community Board 12 passed the following resolution with a vote of 25-7-0 at its October 26th 2010 general meeting recommending the State Liquor Authority grant a New On-Premises Liquor License to 400 West Cairo Corp. dba CAIRO.

WHEREAS, 400 W. Cairo Corp dba CAIRO, located at 400 W. 202nd Street (bet Post & 10th Avenues) has duly notified Community Board 12 M of its intent to file an application for a new on premise liquor license; and

WHEREAS, the owner Abraham Ogando and his representative Ismael Rodriguez were present to discuss the establishment and its benefit to the community; and

WHEREAS, the Economic Development Committee having met on October 5th to hear comments from the community which did not raised objection to the establishment and expressed that a new establishment not be penalized for the mistakes of other establishments; and

WHEREAS, the 34th Precinct did raised objection to the establishment (concern about proximity to TBA and Umbrella), but established some parameters with them that included at least a weeks advance notice to the precinct for when both the restaurant and banquet hall would be in operation as well as 2 required security guards at all times even when just the restaurant is in operation and more as necessary for when the banquet hall is in operation; therefore be it

RESOLVED, Community Board 12 (Manhattan) does recommend that the State Liquor Authority grant a new on premise liquor license to 400 W. Cairo Corp dba CAIRO.

Sincerely,


Pamela Palanque – North
Chair

Cc: Hon. Michael Bloomberg, Mayor
Hon. Scott Stringer, Manhattan Borough President
Hon. Charles Rangel, Congressman
Hon. Eric Schneiderman, State Senator
Hon. Bill Perkins, State Senator
Hon. Herman D. Farrell, Jr., Assembly Member
Hon. Adriano Espaillat, Assembly Member
Hon. Robert Jackson, Council Member
Hon. Ydanis Rodriguez, Council Member
Hon. Jeanique Greene, Commissioner, SLA
Hon. Noreen Healey, Commissioner, SLA



Community Board 12M

711 West 168th Street – New York, NY 10032

Phone (212) 568-8500 Fax (212) 740-8197

ebsmith@cb.nyc.gov / www.nyc.gov/mcb12

Pamela Palanque - North, Chair
Ebenezer Smith, District Manager

October 27, 2010

Hon. Dennis Rosen
Chairman
New York State Liquor Authority
80 South Swan Street
Albany, NY 12210-8002

Re: **EURO El Tina Restaurant Lounge & Billiards Corp.**
500 W. 207th Street

Dear Chairman Rosen:

Community Board 12 passed the following resolution with a vote of 26-6-0 at its October 26th 2010 general meeting recommending the State Liquor Authority grant a New On-Premises Liquor License to EURO El Tina Restaurant Lounge & Billiards Corp.

WHEREAS, EURO EL Tina Restaurant Lounge & Billiards Corp, located at 500 W. 207th Street (bet Post & 10th Avenues) has duly notified Community Board 12 M of its intent to file an application for a new on premise liquor license; and

WHEREAS, the owner Santiago Quezada and his representative Argilio Rodriguez were present to discuss the establishment and its benefit to the community; and

WHEREAS, the Economic Development Committee having met on October 5th to hear comments from the community, which raised concern about lingering effects from the previous owners and the basement location of the establishment; and

WHEREAS, the 34th Precinct raised concern about the establishment in particular related to the lack of visibility from the street level due to the basement location worked with the establishments to create additional restrictions which include closing at 3 AM, adding additional security at the front door, metal detectors, bar area and back door, requiring all security personnel to wear a uniform and adding a lift from the door to the basement level; therefore be it

RESOLVED, Community Board 12 (Manhattan) does recommend that the State Liquor Authority grant a new on premise liquor license to EURO EL Tina Restaurant Lounge & Billiards Corp.

Sincerely,

Pamela Palanque – North
Chair

Cc: Hon. Michael Bloomberg, Mayor
Hon. Scott Stringer, Manhattan Borough President
Hon. Charles Rangel, Congressman
Hon. Eric Schneiderman, State Senator
Hon. Bill Perkins, State Senator
Hon. Herman D. Farrell, Jr., Assembly Member
Hon. Adriano Espaillat, Assembly Member
Hon. Robert Jackson, Council Member
Hon. Ydanis Rodriguez, Council Member
Hon. Jeanique Greene, Commissioner, SLA
Hon. Noreen Healey, Commissioner, SLA



Community Board 12M

711 West 168th Street – New York, NY 10032

Phone (212) 568-8500 Fax (212) 740-8197

ebsmith@cb.nyc.gov / www.nyc.gov/mcb12

Pamela Palanque - North, Chair
Ebenezer Smith, District Manager

October 27, 2010

Hon. Dennis Rosen
Chairman
New York State Liquor Authority
80 South Swan Street
Albany, NY 12210-8002

Re: **839 W.181 Food Inc. dba The Dark Horse**
839 W. 181st Street

Dear Chairman Rosen:

Community Board 12 passed the following resolution with a vote of 18-14-0 at its October 26th 2010 general meeting not recommending the State Liquor Authority grant a New On-Premises Liquor License to 839 W.181 Food Inc. dba The Dark Horse.

WHEREAS, 839 W. 181st Food Inc dba The Dark Horse, located 839 W. 181st Street (bet Pinehurst & Cabrini Blvd) has duly notified Community Board 12M of its intent to file an application for a new on premise liquor license; and

WHEREAS, no representative was present to discuss the establishment and its benefit to the community; and

WHEREAS, it is protocol of the Economic Development Committee to give an automatic no vote to establishments that were duly notified of the committee meeting and do not attend; therefore be it

RESOLVED, Community Board 12 (Manhattan) does not recommend that the State Liquor Authority grant a new on premise liquor license to 839 W. 181st Food Inc dba The Dark Horse.

Sincerely,

Pamela Palanque – North
Chair

Cc: Hon. Michael Bloomberg, Mayor
Hon. Scott Stringer, Manhattan Borough President
Hon. Charles Rangel, Congressman
Hon. Eric Schneiderman, State Senator
Hon. Bill Perkins, State Senator
Hon. Herman D. Farrell, Jr., Assembly Member
Hon. Adriano Espaillat, Assembly Member
Hon. Robert Jackson, Council Member
Hon. Ydanis Rodriguez, Council Member
Hon. Jeanique Greene, Commissioner, SLA
Hon. Noreen Healey, Commissioner, SLA



Community Board 12M

711 West 168th Street – New York, NY 10032

Phone (212) 568-8500 Fax (212) 740-8197

ebsmith@cb.nyc.gov / www.nyc.gov/mcb12

Pamela Palanque - North, Chair
Ebenezer Smith, District Manager

October 27, 2010

Hon. Dennis Rosen
Chairman
New York State Liquor Authority
80 South Swan Street
Albany, NY 12210-8002

**Re: Pilon Restaurant Inc. dba Pilon Restaurant
1341 St. Nicholas Avenue**

Dear Chairman Rosen:

Community Board 12 passed the following resolution with a vote of 32-0-0 at its October 26th 2010 general meeting not recommending the State Liquor Authority grant a New On-Premises Liquor License to Pilon Restaurant Inc. dba Pilon Restaurant

WHEREAS, Pilon Restaurant Inc dba Pilon Restaurant, located at 1341 St. Nicholas Avenue (at the corner of W. 177th Sts) has duly notified Community Board 12M of its intent to file an application for a new on premise liquor license; and

WHEREAS, no representative was present to discuss the establishment and its benefit to the community; and

WHEREAS, it is protocol of the Economic Development Committee to give an automatic no vote to establishments that were duly notified of the committee meeting and do not attend; therefore be it

RESOLVED, Community Board 12 (Manhattan) does not recommend that the State Liquor Authority grant a renewal of its on premise liquor license to Pilon Restaurant Inc dba Pilon Restaurant.

Sincerely,

Pamela Palanque – North
Chair

Cc: Hon. Michael Bloomberg, Mayor
Hon. Scott Stringer, Manhattan Borough President
Hon. Charles Rangel, Congressman
Hon. Eric Schneiderman, State Senator
Hon. Bill Perkins, State Senator
Hon. Herman D. Farrell, Jr., Assembly Member
Hon. Adriano Espaillat, Assembly Member
Hon. Robert Jackson, Council Member
Hon. Ydanis Rodriguez, Council Member
Hon. Jeanique Greene, Commissioner, SLA
Hon. Noreen Healey, Commissioner, SLA



Community Board 12M

711 West 168th Street – New York, NY 10032
Phone (212) 568-8500 Fax (212) 740-8197
ebsmith@cb.nyc.gov / www.nyc.gov/mcb12

Pamela Palanque - North, Chair
Ebenezer Smith, District Manager

October 27, 2010

Hon. Dennis Rosen
Chairman
New York State Liquor Authority
80 South Swan Street
Albany, NY 12210-8002

Re: **El Reino de St. Nicholas Sports Bar**
1228 St. Nicholas Avenue

Dear Chairman Rosen:

Community Board 12 passed the following resolution with a vote of 32-0-0 at its October 26th 2010 general meeting not recommending the State Liquor Authority grant a New On-Premises Liquor License to El Reino de St. Nicholas Sports Bar.

WHEREAS, El Reino de St. Nicholas Sports Bar, located at 1228 St. Nicholas Avenue (bet W. 171st & W. 172nd Sts) has duly notified Community Board 12 M of its intent to file an application for a new on premise liquor license; and

WHEREAS, the owner Nicholas Romero and his representative David Rivas were present to discuss the establishment and its benefit to the community; and

WHEREAS, the Economic Development Committee having met on October 5th to hear comment from the community which raised concern about the need to have a bar underneath a barbershop where children could have easy access to it; and

WHEREAS, the 33rd Precinct raised objection to the license due to the concern that minors would be served, backroom gambling would occur and the owner not fully justifying the need for a bar underneath his barber shop; therefore be it

RESOLVED, Community Board 12 does not recommend that the State Liquor Authority grant a new on premise liquor license to El Reino de St. Nicholas Sports Bar.

Sincerely,

Pamela Palanque – North
Chair

Cc: Hon. Michael Bloomberg, Mayor
Hon. Scott Stringer, Manhattan Borough President
Hon. Charles Rangel, Congressman
Hon. Eric Schneiderman, State Senator
Hon. Bill Perkins, State Senator
Hon. Herman D. Farrell, Jr., Assembly Member
Hon. Adriano Espaillat, Assembly Member
Hon. Robert Jackson, Council Member
Hon. Ydanis Rodriguez, Council Member
Hon. Jeanique Greene, Commissioner, SLA
Hon. Noreen Healey, Commissioner, SLA



Community Board 12M

711 West 168th Street – New York, NY 10032
Phone (212) 568-8500 Fax (212) 740-8197
ebsmith@cb.nyc.gov / www.nyc.gov/mcb12

Pamela Palanque - North, Chair
Ebenezer Smith, District Manager

October 27, 2010

Hon. Dennis Rosen
Chairman
New York State Liquor Authority
80 South Swan Street
Albany, NY 12210-8002

Re: **La Matica Seafood Restaurant Corp.**
3845 10th Avenue

Dear Chairman Rosen:

Community Board 12 passed the following resolution with a vote of 29-3-0 at its October 26th 2010 general meeting recommending the State Liquor Authority grant a New Restaurant Wine License to La Matica Seafood Restaurant Corp.

WHEREAS, La Matica Seafood Restaurant Corp, located at 3845 10th Avenue (bet W. 205th & W. 206th Sts) has duly notified Community Board 12M of its intent to file an application for a new restaurant wine license; and

WHEREAS, the owner Henry Familia and his representative Jose Enriquez were present to discuss the establishment and its benefit to the community; and

WHEREAS, the Economic Development Committee having met on October 5th to hear comments from the community, who did not object to the renewal of the license; and

WHEREAS, the 34th Precinct raised no objection to granting a new restaurant wine license; therefore be it

RESOLVED, Community Board 12 (Manhattan) recommends that the State Liquor Authority grant a new restaurant wine license for La Matica Seafood Restaurant Corp.

Sincerely,

Pamela Palanque – North
Chair

Cc: Hon. Michael Bloomberg, Mayor
Hon. Scott Stringer, Manhattan Borough President
Hon. Charles Rangel, Congressman
Hon. Eric Schneiderman, State Senator
Hon. Bill Perkins, State Senator
Hon. Herman D. Farrell, Jr., Assembly Member
Hon. Adriano Espaillat, Assembly Member
Hon. Robert Jackson, Council Member
Hon. Ydanis Rodriguez, Council Member
Hon. Jeanique Greene, Commissioner, SLA
Hon. Noreen Healey, Commissioner, SLA



Community Board 12M

711 West 168th Street – New York, NY 10032

Phone (212) 568-8500 Fax (212) 740-8197

ebsmith@cb.nyc.gov / www.nyc.gov/mcb12

Pamela Palanque - North, Chair
Ebenezer Smith, District Manager

November 5, 2010

Hon. Amanda M. Burden
Chair
City Planning Commission
Manhattan Borough Office
22 Reade Street
6th Floor West
New York, NY 10007-1216

RE: Columbia University – Baker Field Application

Dear Commissioner Burden:

At the October 26, 2010 general meeting of Community Board 12-Manhattan the following resolution conditionally supporting, subject to the terms of an enforceable public benefits agreement, the application submitted by Columbia University to the Department of City Planning requesting modifications to waterfront zoning requirements to facilitate construction of the proposed Campbell Sports Center at its Baker Field Campus was not passed. The vote was 13 in favor, 11 against, 2 abstentions and 7 not voting due to conflicts; i.e.: there was a tie vote.

Whereas: Columbia University (“CU”) proposes to construct a new 47,700 square foot sports facility (the “Campbell Sports Center” or the “Facility”) on its Baker Field campus (“Baker Field”), which is located in the Inwood section of Manhattan. Baker Field is bounded by West 218th Street, Broadway, Inwood Hill Park and the Harlem River. It is a waterfront zoning lot of 1,208,773 square feet, about 30 acres, that is jointly owned by CU (Lot 1) and New York Presbyterian Hospital (Lot 100). Given the square footage of the Facility, CU is required to comply with New York City’s waterfront zoning regulations (the “Regulations”); and

Whereas: CU states that the Facility is needed because Baker Field’s existing Chrystie Field House facility is 60 years old and lacks adequate space for the university to successfully compete with the athletic programs of its peer institutions. The Facility would be a five-story building located at the corner of Broadway and West 218th Street and would house offices for varsity sports and football, strength and conditioning space, student-athlete study spaces, an auditorium, a hospitality suite, mechanical, electrical and plumbing support space and vehicle storage spaces; and

Whereas: Compliance with the Regulations requires CU to provide a public shore-line walkway and waterfront yard or public access area (“PAA”) equal to 15% of the zoning lot. Given Baker Field’s size, the required size of the PAA would be 181,315 square feet or about 4.5 acres. Compliance with the Regulations also requires CU to provide bicycle parking, seating, trees and other plantings, lighting and irrigation in the PAA; and

Whereas: CU contends that it cannot comply with the Regulations due to space limitations, the location of existing buildings on Baker Field and site conditions, such as the topography of the shoreline. On April 29, 2010, CU submitted an application (the "Application") to the NYC Department of City Planning ("DCP") requesting approval of various modifications to the Regulations to facilitate construction of the Facility. The Application was certified by DCP on or about September 13, 2010 and forwarded to Community Board 12-Manhattan ("CB12-M") on September 17, 2010 for review. CB12-M has until November 5, 2010 to provide comments; and

Whereas: The modifications requested in the Application include:

- 1) authorization to modify the requirements for the location and minimum dimensions of the waterfront PAA and to allow a portion of the PAA to be off-site on adjoining public property,
- 2) authorization to modify design requirements and standards for improvements within the waterfront PAA, and
- 3) certification by the Chairperson of the City Planning Commission that the proposed site plan complies with the provisions of Section 62-50 of the Zoning Resolution (General Requirements for Visual Corridors and Waterfront Public Access Areas) and Section 62-60 (Design Requirements for Waterfront Public Access Areas) as modified by the authorizations requested in the Application; and

Whereas: Instead of the PAA required by zoning (approximately 4.5 acres), CU proposes to provide a PAA of approximately one-half acre or 22,900 square feet. An additional 9,318 square feet of CU-owned property, consisting of proposed freshwater marsh and plantings ("Boathouse Marsh"), also would be dedicated to public use but does not qualify under zoning as being part of the PAA; and

Whereas: Part of the proposed 22,900 PAA, 5,107 square feet or 22 percent, is to be located on city-owned property, and a portion of the waterfront at the western end of Baker Field, comprised of more than 11,000 square feet, is also city-owned property (the "City Property") and contains a portion of the Baker Field boat house, that has existed on that site since circa 1926; and

Whereas: CU proposes to enter into a Memorandum of Understanding ("MOU") with the NYC Department of Parks and Recreation ("Parks") stipulating the future use of the City Property. Under the MOU CU and Parks would enter into a license, maintenance and operating agreement whereby CU would improve the City Property pursuant to a plan approved by Parks in consultation with DCP. The license agreement would provide for dual use of the City Property and the existing dock by CU and members of the public; and

Whereas: The size of the PAA proposed by CU is approximately **10 percent** of the size of the PAA required by zoning and further the proposed PAA and Boathouse Marsh provide the public with limited access to the waterfront; and

Whereas: CU met with CB12-M Land Use Committee and the Parks and Cultural Affairs Committee on various occasions to discuss the Boathouse Marsh, the Facility, the draft Application and related issues. In the course of these meetings, committee members and members of the public raised concerns related to, among other things, public access to

and use of the waterfront, public access to and use of Baker Field facilities, public safety, traffic and parking, environmental remediation, the design of the Facility and streetscape issues; and

Whereas: CB12-M passed a resolution in April 2010 (the "Resolution") summarizing 15 community accommodations that CU could implement to appropriately compensate the public in exchange for the zoning modifications and waivers requested in the Application and for exclusive use of the City Property for decades; and

Whereas: The Environmental Assessment Statement prepared as part of the Application contains ambiguous or contradictory statements concerning site contamination and the need for remediation; and

Whereas: A public hearing (the "Public Hearing") was held on Wednesday, October 6, 2010 to obtain public comment on the Application. The Public Hearing was attended by over 100 members of the public who requested that CU address matters such as public use of and access to the waterfront, public use of and access to facilities at the Baker Field, site contamination and environmental remediation, traffic and parking impacts, ongoing liaison with the community, the creation of a community advisory board for Baker Field, enhanced security, preserving and enhancing the waterfront's eco-system, the operating hours of the proposed Boathouse Marsh, reduction of noise from mechanical systems and from the public address systems, the need for educational programs for local youth, the need for public waterfront programs and activities, ensuring that the public will have fair, equitable and realistic access to the dock and to the City Property that would be made available for public and private use under the MOU, extending Manhattan's waterfront greenway around Inwood and improving the balance of the city-owned property beyond the existing dock; and

Whereas: The Boathouse Marsh and other improvements proposed under the MOU are agreeable enhancements to underutilized waterfront property and the Application, in direct response to prior community feedback, addresses some of matters discussed at the Public Hearing and outlined in the Resolution (such as items 1, 3 and 5 in the Resolution that relate to security/staffing, direct waterfront/waterway access and public access to the existing dock), but could go further with respect to addressing some or all of the other items; and

Whereas: It is critical that any community accommodations that CU agrees to in order to obtain support for the Application be legally enforceable; Now, therefore, be it

Resolved: Community Board 12-Manhattan recommends that the City Planning Commission, the City Planning Commission Chair and the City Council not approve the Application unless Columbia University enter into a binding and enforceable agreement with the City Council to address the concerns raised at the public hearings and substantially provide for community accommodations outlined in the Resolutions and discussed at the Public Hearing; and be it further

Resolved: Community Board 12-Manhattan calls upon Columbia University to provide the Department of City Planning with a copy of its proposed plan for providing public access to the facilities at Baker Field well in advance of the its meeting to vote on the Application, and be it further

Resolved: Community Board 12-Manhattan calls upon Columbia University to do a thorough environmental investigation of the site that will resolve the ambiguous contradictory statements in the Environment Assessment Statement and will review the eight spills listed on the New York Spills database, and further calls upon Columbia University to submit the remediation plan to the Community Board prior to the start of construction, and be it further

Resolved: Community Board 12-Manhattan recommends that Parks and Columbia review the MOU with the community and modify it through as necessary to address community concerns, and that Parks and the Law Department review the legality of the MOU as a means to regulate public use of the City Property.

Sincerely,



✓ Pamela Palanque – North
Chair

Cc: Hon. Michael Bloomberg, Mayor
Hon. Scott Stringer, Manhattan Borough President
Hon. Charles B. Rangel, Congressman
Hon. Eric Schneiderman, State Senator
Hon. Bill Perkins, State Senator
Hon. Herman D. Farrell, Jr., Assembly Member
Hon. Adriano Espaillat, Assembly Member
Hon. Robert Jackson, Council Member
Hon. Ydanis Rodriguez, Council Member
Wayne A. Benjamin, AIA, Chair, Land Use
Edwin Marshall, Department of City Planning



Community Board 12M

711 West 168th Street – New York, NY 10032

Phone (212) 568-8500 Fax (212) 740-8197

www.nyc.gov/mcb12

Pamela Palanque-North, Chair
Ebenezer Smith, District Manager

November 8, 2010

Hon. Jonathan Mintz
Commissioner
Department of Consumer Affairs
42 Broadway
New York, NY 10004

**RE: Sol's Restaurant Inc. dba IL SOLE
233 Dyckman Street**

Dear Commissioner Mintz:

Community Board 12 passed the following resolution by a vote of 24-8-0 at its general meeting on October 26, 2010 recommending that the Department of Consumer Affairs not grant an Unenclosed Sidewalk Café License renewal to Sol's Restaurant Inc. dba IL SOLE unless the owner agrees to close the sidewalk cafe at 10 p.m.

WHEREAS, Sol's Restaurant Inc dba IL SOLE, located at 233 Dyckman Street (bet. Broadway & Seaman Avenue), has duly notified Community Board 12M of its intent to file an application for a renewal of its unenclosed sidewalk café license; and

WHEREAS, The owner Sandra Jaquez was present at the Economic Development Committee meeting on October 5th to discuss the establishment and its benefit to the community; and

WHEREAS, Members of the community raised concerns regarding the noise pollution that comes from the sidewalk cafes on that street; and

WHEREAS, At the board's general meeting, Council Member Robert Jackson and Assembly Member Herman D. Farrell, Jr.'s representative stated that they are opposed to the license renewal until such time that Il Sole agrees to close its sidewalk café at 10 p.m. as other restaurants on the street have agreed to do; now, therefore, be it

RESOLVED, Community Board 12-Manhattan recommends that the Department of Consumer Affairs not grant a renewal of the application for an unenclosed sidewalk to Sol's Restaurant Inc dba IL SOLE unless the owner agrees to close the sidewalk cafe at 10 p.m.

Sincerely,

Pamela Palanque-North
Chair

c: Hon. Scott Stringer, Manhattan Borough President
Hon. Charles Rangel, Congressman
Hon. Eric Schneiderman, State Senator
Hon. Herman D. Farrell, Jr., Assembly Member
Hon. Adriano Espaillat, Assembly Member
Hon. Robert Jackson, Council Member