

FULL BOARD MINUTES

DATE: May 20, 1999

TIME: 7:00 P.M.

PLACE: St. Vincent's Hospital, 170 W. 12th Street
Cronin Auditorium, 10th Floor

BOARD MEMBERS PRESENT: Ann Arlen, Tobi Bergman, Enid Braun, Glenn Bristow, Helene Burgess, Keith Crandell, Anthony Dapolito, Doris Diether, Noam Dworman, Carol Feinman, Rev. Keith Fenessy, Harriet Fields, Alan Jay Gerson, Chair, Community Board #2, Man. (CB#2-Man.); Elizabeth Gilmore, Edward Gold, Arnold L. Goren, Jo Hamilton, Anne Hearn, Anthony Hoffmann Honi Klein, Lisa LaFrieda, Aubrey Lees, Rosemary McGrath, Michael Mirisola, David Reck, Carol Reichman, Robert Rinaolo, Arthur Z. Schwartz, Ruth Sherlip, John Short, Sharon Slotnick, Verna Small, James Smith, Sean Sweeney, Lora Tenenbaum, Wilbur Weder, Jeanne Wilcke, Betty Williams, Suzanne Williamson, Carol Yankay.

BOARD MEMBERS EXCUSED: Charle-John Cafiero, Edward Ma, Doris Nash, T. Marc Newell, Debra Sandler, Abraham Tan, Martin Tessler.

BOARD MEMBERS ABSENT: Donna Blau, Rachel Lavine, Shirley Secunda.

BOARD STAFF PRESENT Arthur Strickler, District Manager.

GUESTS: Scott Melvin, Senator Tom Duane's office; Debbie Roth, Assemblymember Deborah Glick's office; Dirk McCall, Man. Borough President C. Virginia Field's office; Tom Castele, Councilmember Kathryn Freed's office; Damaris Reyes, Councilmember Margarita Lopez's office; Tony Simone, Councilmember Christine Quinn's office; Majid Jelveh, Michael Triedswetter, Mary K. Doris, Mary K. Doris, Robert McBrien, Wendy Kramer, George Rudge, Anmaru Maida, Eli Hausknecht, Armando Buria, Amy Stoller, Lillian Migliorini, Brad Hoylman, Luther Harris, Eliza Bradley, Jennifer McGlynn, Stacy Horne, Ellen Peterson-Lewis, Judy McCusker, Gardner Rankin, Robert Cohen, James Nall, Diane Fong, Tom Lunke, Judith Callet, Dana Giro.

MEETING SUMMARY

Meeting Date –May 20, 1999

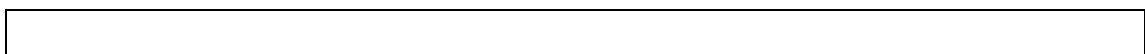
Board Members Present – 39

Board Members Excused – 7

Board Members Absent - 3

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II. Public Session

Non-Agenda Items

Business & Institutions Items

Traffic & Transportation Items

Landmarks & Public Aesthetics Items

Parks, Recreation & Open Space

Sidewalks, Public Facilities & Access Items

Zoning and Housing Items

III. Adoption of Agenda

Elected Officials Present and Reporting

Scott Melvin, of Senator Tom Duane's office reported.

Debbie Roth, of Assemblymember Deborah Glick's office reported.

Dirk McCall, of Man. Borough President C. Virginia Fields' office

Councilmember Kathryn Freed reported.

Tom Castele, of Councilmember Kathryn Freed's office reported

Tony Simone, of Councilmember Christine Quinn's office reported

Damaris Reyes, of Councilmember Margarita Lopez's office.

V. Adoption of Minutes

Adoption of April minutes. Distribution of May minutes.

VI. Executive Session

Chair's Report Alan Jay Gerson reported

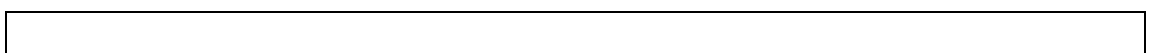
District Manager's Report Arthur Strickler reported.

STANDING COMMITTEE REPORTS

ZONING AND HOUSING

1. Loft Law

WHEREAS Article 7C of the Multiple Dwelling Law (*the Loft Law*) will expire on June 30, 1999; and



WHEREAS hundreds of Interim Multiple Dwellings (*IMDs*) under the jurisdiction of the Loft Law are located in neighborhoods within CB#2, Man.'s district, including Chinatown, Little Italy, NoHo and SoHo; and

WHEREAS CB#2-Man. has long supported the rent stabilization protections and the required housing and fire code work necessary to achieve residential or LWQA certificates of occupancy for these IMD properties; and

WHEREAS the Guliani administration has proposed a straight five-year extension of the Loft Law and the New York State Assembly has introduced a similar bill, #A8361, which includes language that would create greater access to legalization financing for building owners;

THEREFORE BE IT RESOLVED that CB#2-Man. strongly supports Assembly Bill #A 8361 renewing the Loft Law and is encouraged by the Giuliani administration's commitment to bring these buildings into compliance with City housing and fire codes.

Vote: Unanimous, with 39 Board members in favor.

Review and Rewriting of West Side Zoning

Vote: Tabled.

1. **491-493 and 495-497 Greenwich Street (Between Spring & Canal Sts).**

WHEREAS, this is an application to build a 19-unit residential building with accessory garage with 28 on-site parking spots and ground floor UG 4-9 in a M1-6 zone; and

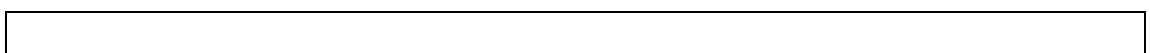
WHEREAS, while zoned M1-6, the Hudson Square area of CB#2-Man. has long been a mixed use community with many grandfathered and otherwise legal residential uses in addition to the predominantly industrial/commercial uses; and

WHEREAS, despite the presence of many residential buildings, large clubs and bars are as of right in the district and, due to the new adult establishment zoning, the area is also seeing pornography shops come into an area already saturated with rowdy bars and clubs; and

WHEREAS, there is also an extreme problem with traffic due to the presence of numerous trucking terminals and a sanitation garage in the M2-4 district that is across the street from the applicant, the Holland Tunnel and downtown traffic patterns; and

WHEREAS, CB#2-Man. is not confident that the applicant has proved its five findings, particularly with respect to the economic analysis; and is not sure that the proposed parking garage (added at the request of the community residents to help ameliorate the extreme traffic and parking problems in the area) is feasible because the site is located in an area identified by FEMA as a flood plain; and

WHEREAS, the applicant worked closely with Friends of Hudson Square to develop a proposal for a residential building that accommodates as many concerns of the neighbors as possible, including the parking garage for tenants only, a reduction of the number of stories from the original proposal and an agreement for a restrictive declaration that there would be no clubs or bars allowed in the building; and is commended for its response at the Zoning and Housing Committee's public hearing to have immediately agreed to place a seismograph to make sure that no damaging vibrations could threaten a 19th century residential building across the street that is on the national historic register; and



WHEREAS, local residents overwhelmingly indicated support for the zoning variance at the public hearing held by CB#2-Man.'s Zoning and Housing Committee, largely due to an expressed fear of what could otherwise happen at this site; and

THEREFORE BE IT RESOLVED that for the reasons cited above, that CB#2-Man., supports the application made by 491-493 and 495-497 Greenwich Street for a variance to build a 19-unit residential building with accessory parking and one ground floor space, UG 4-9, contingent upon the Board of Standards and Appeals prescribing the restriction, agreed upon by the applicant and to be incorporated in the building permit and the certificate of occupancy, that no bars or clubs shall be permitted in the ground-floor space, and that the approval of this application for a variance should not be taken as a precedent for any similar applications.

Vote: Passed, with 33 Board Members in favor, 4 in opposition, and 2 in abstention.

4. 262 West 12th Street (bet. West 4th St. & Greenwich Ave.)

WHEREAS, this is an application to the Board of Standards and Appeals for a variance for a basement enlargement to an existing four-story (including basement) single-family dwelling located in an R6 zone; and

WHEREAS, CB#2-Man. believes that all the findings have been met;

THEREFORE BE IT RESOLVED that CB#2-Man. is in favor of the application for a variance to enlarge the basement by 74 square feet made by 262 West 12th Street.

Vote: Unanimous, with 39 Board Members in favor.

5. 40 Prince Street (between Mulberry Street and Mott Street).

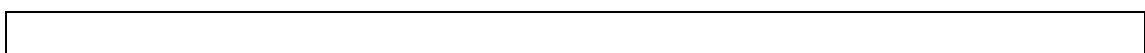
WHEREAS, this is an application to the Board of Standards and Appeals to extend the elevator shaft above 65 feet without the setbacks required under the Zoning Resolution for buildings located within the Special Little Italy District; and

WHEREAS the long-time owner of these three buildings (they were originally 3-story commercial buildings later combined and converted to mixed use commercial/residential) has now added another 4 stories but has run into a problem: by extending the original elevator shaft, which is located in the very front of the building, up to the seventh floor, he failed to comply with Section 109-131 of the Zoning Resolution which requires that the front building wall of any enlargement to extend the full length of its front lot line without setback up to the lesser of a height of six stories or 65 feet, after which there must be a setback of at least 10 feet; and

WHEREAS, the elevator shaft not only extends the full seven stories without a setback, but the bulkhead continues another 20 feet upwards past the roof; and

WHEREAS, the construction has already been done, evidently without building permits for the shaft; and, seemingly to try to pretend that this is in keeping with the intent of the Special Little Italy District zoning, the applicant is calling the elevator shaft housing a "clocktower" and plans to place a clock on the bulkhead; and

WHEREAS, the Zoning Resolution states that the Special Little Italy District is designed, among other things, to (i) "preserve and strengthen the historical and cultural character of the community" and names certain noteworthy buildings deemed to be "significant to the character of the area;" and (ii) to "permit rehabilitation...consistent with the residential character and scale of the existing buildings in the area" and the setback regulations, from which the applicant seeks relief, are vitally important to both of these purposes; and



WHEREAS, in another location, such an application might seem reasonable, but the purpose for the setback rule is of paramount importance with respect to this site because the building is immediately adjacent to the landmarked St. Patrick's Old Cathedral School (circa 1832), is directly across the street from landmarked and historically significant St. Patrick's Old Cathedral (circa 1786), and is within a 400-foot radius of a number of buildings identified in the ZR as of particularly significant to the character of the area, i.e., 266 Mulberry Street, 256-58 Mott Street and 262-72 Mott Street. Even more so-designated buildings are located just outside the 400-foot radius; and

WHEREAS, the lack of a setback and the construction of the elevator shaft/bulkhead/clocktower competes with and overwhelms the St. Patrick's Old Cathedral School and the School has weighed in as vehemently opposed to the variance; and

WHEREAS, the lack of a setback and the construction of the elevator shaft/bulkhead/clocktower not only competes with St. Patrick's Old Cathedral but also has the effect of "Disneyizing" the district with the clocktower concept, and the Cathedral has also recorded its strong opposition to approval of the variance; and

WHEREAS, the School has had other problems with the applicant during the construction phase, including dealing with masonry bits and other debris falling into the play yard (Councilmember Kathryn E. Freed had to intervene before the applicant was willing to make efforts to protect the children), and has now noticed that there are cracks appearing near the lintel on the second floor in the back, right near where the new construction abuts the School; and

WHEREAS, the analysis of the area and neighborhood in the Economic Feasibility Analysis is so overly broad in its that it is meaningless, and also flawed (its description of the subway stations miss nearby stations and stops and seems to pertain more to a west side applicant), and the economic analysis is highly questionable (e.g., it estimates a mortgage rate of 9%, when it would be, at the most 7.75% at this time and comparative sales are inappropriate); and

WHEREAS, as this area of Little Italy is becoming a more "in" place to live, CB#2 has been receiving more and more complaints about increased warehousing and tenant harassment from residents in rent stabilized or rent controlled apartments and, while CB#2 does not in any way believe that the applicant is engaging in such activity, it firmly believes that the grant of this variance, which makes it easier to enlarge the building past that contemplated and allowed for in the Zoning Resolution, could only serve as encouragement for more unscrupulous owners to maximize their investments at the expense of the neighborhood;

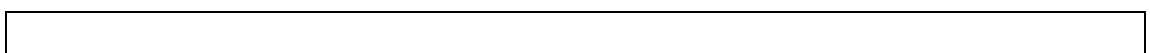
THEREFORE BE IT RESOLVED, that, for the reasons stated above, CB#2-Man. vehemently opposes approval of the application to the Board of Standards and Appeals made by 40 Prince Street.

Vote: Passed, with 37 Board Members in favor, 1 in opposition and 1 recusal.

1. **Chelsea Rezoning Resolution.**

Vote: resolution not done –per Lora Tenenbaum.

1. **40-42 Thompson St. aka Chaos Watts St.-Application for a special permit to permit Use Group 12A, an eating and drinking establishment without restrictions on entertainment for more than 200 persons in an M1-5B zone (BSA #215/97BZ).**



THEREFORE BE IT RESOLVED that CB#2-Man. reiterates its December 1997 resolution (attached) opposing this application and requests that the Board of Standards & Appeals instruct the applicant to return to CB#2-Man., (since we have not heard from him since 12/97) to update us on his current application and any changes in the application, floor plans, operators of the premises, etc.

SEE ATTACHED PREVIOUS RESOLUTION RE: CHAOS – EXHIBIT I.

Vote: unanimous, with 39 Board members in favor.

ARTS

Washington Square Music Festival

WHEREAS the Washington Square Music Festival has presented free summertime concerts in the Park since 1953, adding a positive ambiance to the historic park, and

WHEREAS it has provided the community with excellent programs of classical music and jazz performed by internationally-known musicians representing many cultures, and

WHEREAS it is administered on a semi-volunteer basis and relies largely on public funding,

THEREFORE BE IT RESOLVED that CB#2-Man. supports the continuation of the Washington Square Music Festival, which has become a Washington Square Park tradition, and calls upon all available sources of funding including the City of New York to find funding for its 1999 season.

Vote: Passed, with 37 Board members in favor, 1 in opposition and 1 in abstention.

PUBLIC SAFETY & HEALTH

Safeguards Against Police Brutality

SEE ATTACHED RESOLUTION – EXHIBIT II.

Vote: Unanimous, with 39 Board members in favor.

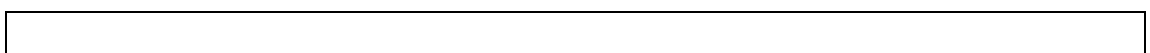
TRAFFIC AND TRANSPORTATION

1. NIGHT TIME PARKING RESTRICTIONS ON BEDFORD STREET BETWEEN 6TH & 7TH AVENUES

WHEREAS seven new restaurants have opened in the past year and a half on Bedford Street between 6th and 7th Avenues, increasing traffic on the very narrow street of barely three car widths, with cabs stopping to discharge passengers and cars backing in to park, resulting in car horns honking and unmitigated noise; and

WHEREAS 35 members of the Bedford Downing Block Association, including car owners, unanimously approved a resolution to propose a parking ban from Friday at 6:00 p.m. to Sunday at 8:00 am on the east side of Bedford Street from 6th to 7th Avenues to eliminate much of the horn blowing on crowded weekend nights; and

WHEREAS the east side of Bedford Street already has no parking all day Saturday, few residents park on that side of the street on Friday night because they'll only have to move their cars before 8:00 am on Saturday under the current regulations, and there are



alternative parking opportunities on nearby King, Downing, Carmine and McDougal Streets; and

WHEREAS in the current configuration, visibility of oncoming cars for pedestrians is obscured by parked cars on the east side of the street; and

WHEREAS a stop sign at on Bedford Street at Downing Street was knocked down some time ago and never re-installed, and there is a painted crosswalk across Bedford Street at Downing Street, both of which would help to slow down vehicular speeding that may be encouraged by opening a second lane of traffic; and

WHEREAS A No Truck @ signs used to be located in advance of the entrance to Bedford Street at Houston Street, but have disappeared;

THEREFORE BE IT RESOLVED that CB#2-Man. requests the installation of a “No Parking from Friday, 6:00 p.m. to Sunday, 8:00 am” on the east side of Bedford Street from 6th to 7th Avenues”; and

BE IT FURTHER RESOLVED that CB#2-Man urges that the missing Stop sign be reinstalled on Bedford Street at Downing Street, along with a flashing red light, which hand-in-hand will alert oncoming cars in advance to slow down for crossing pedestrians and as they travel along Bedford Street; and

BE IT FURTHER RESOLVED that CB#2-Man. urges that the missing “No Truck @” signs be reinstalled in advance of the entrance to Bedford Street at Houston Street to provide further relief to pedestrians and residents on this highly trafficked street.

Vote: Unanimous, with 39 Board members in favor.

2. NIGHTTIME PARKING RESTRICTIONS ON BROOME STREET

WHEREAS taxis, cars and limousines, discharge passengers at Faruka, a late night establishment at 525 Broome Street between Thompson and Sullivan Streets, blocking and backing up the one lane of vehicular traffic; and

WHEREAS this blocking and backing up of vehicular traffic causes impatient drivers to blow their horns into the early hours of the morning; and

WHEREAS the community has complained that this noise and activity keeps them awake night after night; and

WHEREAS at a meeting of the SoHo Alliance, over two dozen residents and businesses unanimously supported night time a No Standing @ restrictions seven days a week on the south side of Broome Street, which is the side closest to the establishment and would allow taxis and limos to pull up to the curb, keeping the one lane of traffic free and reducing horn honking;

THEREFORE BE IT RESOLVED that CB#2-Man. requests a 6-month trial installation of “No Standing @ restrictions from 9:00 p.m. to 6:00 am seven days a week” on the south side of Broome Street between Thompson and Sullivan Streets.

Vote: Unanimous, with 39 Board members in favor.

1. FEDERATION GUIDANCE & EMPLOYMENT SERVICES (FEGS) 315 HUDSON STREET

--

WHEREAS the Federation Guidance & Employment Services (FEGS) moved into the Hudson Square neighborhood this past January bringing with them several hundred clients each day most of whom arrive by bus and van; and

WHEREAS the additional buses and vans have increased traffic congestion in an area that already has extensive traffic problems; and

WHEREAS FEGS and the neighborhood have established a Community Liaison Group with the express purpose of mitigating this traffic impact; and

WHEREAS FEGS has hired a dispatcher to help coordinate arrivals and departures of buses and vans and has agreed to work to have no more than three to four vehicles at a time, depending on their type and size, on Vandam Street, as well as to operate in good faith, working with the companies operating the buses and vans to make sure that these vehicles will not go beyond the FEGS frontage and loading dock, thereby not obstructing entrances of adjoining businesses; and

WHEREAS there are currently four cars parked at the entry to the FEGS facility and the FEGS clients, many of whom are physically and mentally challenged, must pass through these parked cars to get to the entry; and

WHEREAS if these parking spaces were eliminated and a bus-loading zone was established, FEGS could more quickly and safely move their clients, and the flow of the through traffic on Vandam Street would greatly improve; and

WHEREAS there is no traffic light at the intersection of Hudson Street and Vandam Street directly next to the FEGS entry, and the addition of the FEGS facility has greatly increased pedestrian traffic at this intersection including many users who are physically and mentally challenged; and

WHEREAS businesses and residents on Vandam Street report that there are many accidents at this intersection; and

WHEREAS the Community Liaison Group has unanimously requested the addition of a bus loading zone and a new traffic light; and

WHEREAS CB#2-Man. strongly supports the efforts of FEGS and the community to work together to solve common problems;

THEREFORE BE IT RESOLVED that CB#2-Man. requests that the NYC Department of Transportation (NYC DOT) establish a bus and van loading area directly in front of the FEGS entry on Vandam Street and post signage to read A No Standing Except Trucks/Buses Loading and Unloading 8:00 AM To 4:00 PM@; and

BE IT FURTHER RESOLVED that CB#2-Man. finds the addition of a new traffic light with cross walks at the intersection of Hudson Street and Vandam Street to be an important addition to the neighborhood and calls upon the NYC DOT to perform the required Warrant Study as soon as possible; and

BE IT FURTHER RESOLVED that CB#2-Man. encourages FEGS and the community to continue to work together in good faith to solve common problems and speedily resolve whatever issues may arise concerning FEGS or FEGS' neighbors.

Vote: Unanimous, with 39 Board members in favor.

BUSINESS & INSTITUTIONS

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1a. Applications to the SLA for New Licenses to Sell Liquor on Premises:

Namaskaar of SOHO, 337A W. Broadway, NYC 10013 (cor. Grand & W. Bway.)

WHEREAS the applicant is purchasing an existing Indian cuisine restaurant that has been in operation 3 years with an on-premises liquor license; and

WHEREAS this establishment has peacefully coexisted with the SOHO community for this same period of time with no adverse impact, and

WHEREAS the applicant is proposing to conduct the same type of business with 20 tables and a capacity of 74 persons with a closing time of midnight and

WHEREAS there was no neighborhood opposition;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval by the SLA of an on-premises license for Namaskaar of SOHO, 337 W. Bway. NYC 10013.

Vote: Unanimous, with 39 Board members in favor

Bar D'O, LLC d/b/a Bar D'O, 34 Downing Street. NYC 10014 (a/k/a 29 Bedford St.)

WHEREAS this application involves a corporate restructuring of an existing license which has been in operation for approximately 2 years, and

WHEREAS the applicant's operations have resulted in late night –early morning problems of noise, exiting crowds which disturb the densely populated neighborhood's peace and tranquility due to the manner in which the applicant conducts its business, where no such problems existed in the licensed premises prior to its operation by the applicant and

WHEREAS there have been numerous complaints made to the manager who has met with the neighborhood residents in good faith but which have not included the owners of Bar D'O and

WHEREAS CB#2, Man. desires to facilitate a harmonious co-existence between the owners of Bar D'O and the neighboring residents, and

WHEREAS both sides have agreed to meet to try and resolve these problems,

THEREFORE BE IT RESOLVED that CB#2, Man. supports whatever agreement can be mutually arrived at between the applicant and the community and strongly urges the SLA to use its regulatory power to effectuate such a resolution and

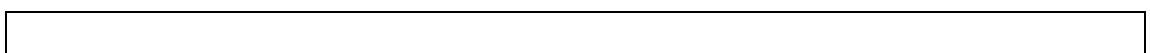
BE IT FURTHER RESOLVED that CB#2, Man. will monitor this applicant's behavior for the purpose of its future on-premises renewal in the Year 2000.

Vote: Passed, with 38 Board members in favor and 1 abstention.

New Era Café, 495 Broadway, NYC 10012 (Broome & Spring).

WHEREAS the applicant has been in operation as a 75 person capacity restaurant with a wine license since October 1998 and

WHEREAS the applicant is now proposing to function as a restaurant with an on-premises license still keeping the same 11PM-midnight closing time that it has operated at previously and



WHEREAS the applicant is in a 7 story commercial loft building with a use group 6 compliance letter and adheres to the occupancy capacity of the NYC Department of Buildings and is in a commercial area with no impact upon residential neighborhoods and

WHEREAS there was no community opposition;

THEREFORE BE IT RESOLVED that CB#2, Man. has no objection to an on-premises license for New Era Café, 495 Broadway, NYC 10012.

Vote: Unanimous, with 39 Board members in favor.

393 Lafayette Restaurant Corp. d/b/a Serafina, 393 Lafayette St. NYC 10003 (NEC 4th Street)

WHEREAS the applicant is proposing to open a restaurant with a capacity of 45 tables and 170 persons, and

WHEREAS the applicant currently operates 3 other restaurants with on-premises licenses with no reported adverse histories, and

WHEREAS the applicant's premises is located in a landmark building and has applied to the NYC Landmarks Preservation Commission for approvals to its pending renovations, and

WHEREAS the applicant's premises within 500' of 12 other on-premises locations thus mandating a 500' rule hearing,

THEREFORE BE IT RESOLVED that CB#2, Man. does not oppose the granting of an on-premises license to 393 Lafayette Restaurant Corp. d/b/a Serafina 393 Lafayette St. NYC 10003 and

BE IT FURTHER RESOLVED that CB#2, Man. recommends that the SLA hold a 500' rule hearing to ascertain any community concerns and make any approval conditional upon the applicant obtaining the necessary sign-offs and approvals of the NYC Landmarks Preservation Commission and the NYC Department of Buildings with regard to the legal Certificate of Occupancy which have not yet been obtained as of this date.

Vote: Passed, with 37 Board members in favor and 2 in opposition.

Applications to the SLA for Alteration of License to Sell Liquor on Premises.

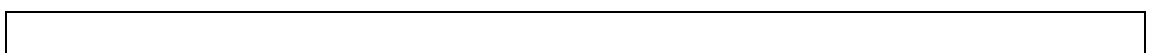
173 Mott Street. Ltd. d/b/a Double Happiness, 173 Mott St, NYC 10012 (Broome).

WHEREAS this applicant appeared before CB#2, Man. over one year ago as a new applicant for an on-premises license and

WHEREAS the applicant has conducted their restaurant business in a fashion that has been harmonious to the co-existence of business and residential uses, and

WHEREAS the applicant is now proposing to expand from its basement location to the ground floor and is in compliance with NYC Department of Buildings Certificate of Occupancy for the premises, and

WHEREAS the applicant has garnered community support for this expansion and alteration to its license



THEREFORE BE IT RESOLVED that CB#2, Man. recommends by the SLA of an alteration to the license of 173 Mott Street Ltd. d/b/a Double Happiness, 173 Mott St. NYC 10012.

Vote: Unanimous, with 39 Board members in favor.

LANDMARKS

1. LPC Item 19: 143 Greene Street (Houston)

WHEREAS the applicant has produced no historical precedent for a sign on this building which is situated at the gateway to SoHo; and

WHEREAS the proposed work is, in effect, an alteration to a building facade, yet serves no preservation purpose;

THEREFORE BE IT RESOLVED that CB#2-Man. recommends denial of this application.

Vote: Unanimous, with 39 Board members in favor.

1. LPC Item 20: 152 Wooster Street

WHEREAS the applicant has produced no historical precedent for a sign on this building which is situated at the gateway to SoHo; and

WHEREAS the proposed work is, in effect, an alteration to a building facade, yet serves no preservation purpose;

THEREFORE BE IT RESOLVED that CB#2-Man. recommends denial of this application.

Vote: Unanimous, with 39 Board members in favor.

1. LPC Item 21: 106 Spring Street and 93 Mercer Street

WHEREAS the Landmarks Preservation Commission's (LPC's) publication *The Certificate of Appropriateness Public Hearing: Information for Applicants* states that "applicants are strongly encouraged to contact the Community Board to arrange for review of the proposal before the public hearing"; and

WHEREAS the applicant did not contact the Community Board; and

THEREFORE BE IT RESOLVED that CB#2-Man. recommends denial of this application in the absence of this important step in the review process;

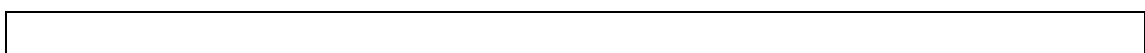
Vote: Unanimous, with 39 Board members in favor.

1. LPC Item 22: 135 Spring Street

WHEREAS the LPC's publication *The Certificate of Appropriateness Public Hearing: Information for Applicants* states that "applicants are strongly encouraged to contact the Community Board to arrange for review of the proposal before the public hearing"; and

WHEREAS the applicant did not contact the Community Board; and

THEREFORE BE IT RESOLVED that CB#2-Man. recommends denial of this application in the absence of this important step in the review process;



Vote: Unanimous, with 39 Board members in favor

1. **LPC Item 23: 38 Greene Street (Grand St.)**

WHEREAS the applicant produced no photographs to illustrate the extent to which the two banners obscure the facades along the street, nor to show the scale of the banners in relation to the building; and

WHEREAS Board members who did visit the site observed that the banners noticeably obscured numerous facades; and

WHEREAS this building has illegal banners and flagpoles that ought to be considered in a comprehensive plan;

THEREFORE BE IT RESOLVED that CB#2-Man. recommends that this be held over until the applicant supplies photographs, and until the other businesses submit their banner applications in order to produce a more cohesive and comprehensive installation plan.

Vote: Unanimous, with 39 Board members in favor.

1. **LPC Item 24: 152 Mercer Street (Prince/Houston Sts.)**

WHEREAS this building and the adjacent twin building are special in the Cast-Iron District because of the unique folding shutters on the ground floor; and

WHEREAS historically Mercer Street is the industrial back entrance and loading area for the fashionable Broadway emporiums, and any storefront treatment should preserve the design and feel of the historical use of the Mercer facades; and

WHEREAS the folding metal shutters of this building are permanently pinned back behind the storefront, totally hidden from view, unlike the extant shutters of the adjacent twin building; and

WHEREAS long-time residents of Mercer Street recall both storefronts with visible shutters present until recently, and therefore question the legality of the storefront as it presently exists; and

WHEREAS the storefront is constructed of inappropriate bare distressed wood and the applicant requests to have a large metal logo sign above the entrance in addition to a large 20 sq. ft. banner (5' by 4') on an lengthy 8' flagpole (Mercer is about 10 ft. wide);

THEREFORE BE IT RESOLVED that CB#2-Man. recommends denial of this application; and

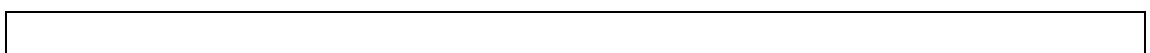
BE IT FURTHER RESOLVED that the shutters be made operational and the question of proper permits for the existing storefront get resolved.

Vote: Unanimous, with 39 Board members in favor.

1. **LPC Item 25: 558 Broadway - Held over**

1. **LPC Item 26: 35 West 10th Street**

WHEREAS a visible rooftop addition is inherently inconsistent on a 1831 Federal rowhouse in an Historic District; and



WHEREAS this rooftop addition is visible;

THEREFORE BE IT RESOLVED that CB#2-Man. recommends denial of this application; and

BE IT FURTHER RESOLVED that CB#2-Man. finds that the applicant is using quality housing as a method of circumventing the coverage in the F.A.R., and we believe the intent of quality housing legislation was not meant to be applied to single-family luxury housing.

Vote: Unanimous, with 39 Board members in favor.

1. LPC Item 27: 72 Charles Street (Bleecker/W.4th Sts.)

WHEREAS we believe that the applicant should adhere to the guidelines regarding wooden windows for a building of this size;

THEREFORE BE IT RESOLVED that CB#2-Man. recommends denial of this application.

Vote: Unanimous, with 39 Board members in favor.

1. LPC Item 28: 2 Fifth Avenue

WHEREAS the LPC's publication *The Certificate of Appropriateness Public Hearing: Information for Applicants* states that "applicants are strongly encouraged to contact the Community Board to arrange for review of the proposal before the public hearing"; and

WHEREAS the applicant did not contact the Community Board or appear before the Landmarks Committee to present this application; and

THEREFORE BE IT RESOLVED that CB#2-Man. recommends denial of this application in the absence of this important step in the review process.

Vote: Unanimous, with 39 Board members in favor.

1. LPC Item 29: 3 Sheridan Square

WHEREAS the LPC's publication *The Certificate of Appropriateness Public Hearing: Information for Applicants* states that "applicants are strongly encouraged to contact the Community Board to arrange for review of the proposal before the public hearing"; and

WHEREAS the applicant did not contact the Community Board or appear before the Landmarks Committee to present this application; and

THEREFORE BE IT RESOLVED that CB#2-Man. recommends denial of this application in the absence of this important step in the review process.

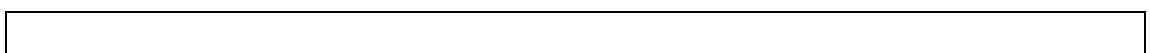
Vote: Unanimous, with 39 Board members in favor.

1. LPC Item 30: 207 W. 10th Street (Bleecker/W.4th Sts.)

WHEREAS these window openings are not visible from the street;

THEREFORE BE IT RESOLVED that CB#2-Man. recommends approval of this application.

Vote: Unanimous, with 39 Board members in favor.



SIDEWALKS, PUBLIC FACILITIES AND ACCESS

SEE ATTACHED RESOLUTIONS – EXHIBIT III.

PARKS, RECREATION & OPEN SPACE

Filming in John DeSavio Playground

SEE ATTACHED RESOLUTION – EXHIBIT IV.

Vote: Unanimous, with 39 Board members in favor.

WATERFRONT

Hudson River Park – Segment 4

SEE ATTACHED RESOLUTION – EXHIBIT V.

Vote: Unanimous, with 39 Board members in favor.

Respectfully submitted,

Carol Yankay, Secretary
Community Board #2, Manhattan

