

## **FULL BOARD MINUTES**

**DATE:** September 23, 1999

**TIME:** 7:00 P.M.

**PLACE:** St. Vincent's Hospital, 170 W. 12<sup>th</sup> Street  
Cronin Auditorium, 10<sup>th</sup> Floor

**BOARD MEMBERS PRESENT:** Ann Arlen, Tobi Bergman, Enid Braun, Glenn Bristow, Charle-John Cafiero, Keith Crandell, Anthony Dapolito, Doris Diether, Noam Dworman, Carol Feinman, Rev. Keith Fennessy, Alan Jay Gerson, Elizabeth Gilmore, Edward Gold, Arnold L. Goren, Jo Hamilton, Anne Hearn, Anthony Hoffmann, Brad Hoylman, Honi Klein, Lisa LaFrieda, Rachel Lavine, Aubrey Lees, Edward Ma, Rosemary McGrath, Michael Mirisola, Doris Nash, T. Marc Newell, David Reck, Carol Reichman, Robert Rinaolo, Debra Sandler, Arthur Z. Schwartz, Ruth Sherlip, John Short, Verna Small (left at 9:30), James Smith, Chair, Community Board #2, Manhattan (CB#2, Man.) Sean Sweeney, Abraham Tan, Lora Tenenbaum,, Martin Tessler, Wilbur Weder, Jeanne Wilcke, Betty Williams, Carol Yankay

**BOARD MEMBERS EXCUSED:** Helene Burgess, Shirley Secunda, Suzanne Williamson

**BOARD MEMBERS ABSENT:** Harriet Fields

**BOARD STAFF PRESENT** Arthur Strickler, District Manager.

**GUESTS:** Vinnie Maniscalco, Congressman Jerrold Nadler's office; Scott Melvin, Senator Tom Duane's office; Yvonne Morrow, Assembly Speaker Sheldon Silver's office; Debbie Roth, Assemblymember Deborah Glick's office; Tom Castele, Councilmember Kathryn Freed's office; Tony Simone, Councilmember Christine Quinn's office; Elizabeth Paul, Albert Bennett, Robert Goldstein, Bonnie Lynn, Jon Ritter, Lawrence G. Plumb, Marcia Hafif, Keith McNally, Robert Buxbaum, Martin Hechtman, Lynn Belser-Hechtman, Christine Sheddric, Adam Bentel, Warren Hatch, Kevin Berlin, Eldon Scott, R&J Richardson, Irene Towbin, Diane Fong, Camilla McGuire, Mary K. Doris, Paul Hestedt, Jan Klucsevseh, Pat Monte, Regina Cherry, Carlie Steen, Joan Semmd, Jeff Caplan, Michael Lane, Tony Goldman, Joey Goldman, Jony Ohlson, Seth Russell, Judy Russell, Robin Russell, George Watson, Jean Krampner, Eliza Bradley, George Rudge, Tsilda Bixbaum, Sasha Greene, Ed O'Connell, George Bliss, Stephen Lefkowitz,

### **MEETING SUMMARY**

Meeting Date –September 23, 1999  
Board Members Present –45-44 after 9:30  
Board Members Excused –3  
Board Members Absent - 1

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### 1. PUBLIC SESSION

#### **Non-Agenda Items**

##### Hydrants

Elizabeth Paul, DDC, spoke in favor of the removal of high-pressure hydrants.

##### Route 9A

Pat Monte, Vollmer Associates, and Robert Goldstein, Route 9A, spoke regarding “Intelligent Transport Systems.”

##### Greenwich House Mediation Center

Michael Lang and Jeff Caplan spoke in favor of the center, and how it has been beneficial in resolving many long-term problems/disputes. Call it’s free- (212) 505-6593.

Doris Diether reported that the Chelsea Plan was passed by City Council and printers were to be relocated. Also spoke regarding long distance charges.

##### Zoning Changes

Jeanne Wilcke spoke regarding a meeting that will take place on 9/29 at Cooper Union regarding NoHo and SoHo rezoning. Lora Tenenbaum will also be present.

Rosemary McGrath thanked Donna Blau for her service.

#### **Business & Institutions Items**

##### SOHO House New York, Inc., 123 Mercer St.

Bonnie Lynn, Warren Hatch and Robert Buxbaum spoke against the liquor license proposal. Stephen Lefkowitz, attorney for applicant, stated that the application for a liquor license has been withdrawn.

#### **14<sup>th</sup> St. Items**

##### Costco Proposal

Larry Plumb, of United Fruit & Commerce Workers Union, spoke against the proposed supermarket, stating it was non-union and it would hurt businesses in the area. George Watson, Armory Action Association spoke in favor of the resolution against Costco.

#### **Landmarks & Public Aesthetics Items**

##### SOHO House New York, Inc., 123 Mercer St. a/k/a 110 Greene St.

Regina Cherry spoke against the SoHo House landmark application. Stephen Lefkowitz, attorney for applicant, spoke in favor of the application.

Marcia Hafif spoke against construction on Mercer St.

##### 92 Greene Street a.k.a. 109 Mercer Street

Stephen Lefkowitz, attorney for applicant, spoke in favor of the application and thanked everyone for the resolution.

#### **Sidewalks, Public Facilities & Access Items**

##### Smithfield Associates, LLC, 9-19 Ninth Ave.

Keith McNally, applicant, spoke in favor of the application for a sidewalk café.

Sidewalk Café Task Force

Albert Bennett spoke in favor of the implementation of an inter-agency task force for sidewalk cafes.

**Budget Items**

Jan Kluceveseh spoke regarding budget allocations for the NY Public Library.

**Joint Parks & Traffic Items**

Sunflower Park

Kevin Berlin, George Bliss, spoke in favor of the proposal for a bike station in the park.

**II. Adoption of Agenda**

**III. Elected Officials Present and Reporting**

Vinnie Maniscalco, Congressman Jerrold Nadler's office reported on Nadler's bringing back funding for housing for people with AIDS; Hate Crime Bill; Support for CUNY; M-10 bus route.

Scott Melvin, of Senator Tom Duane's office reported that DHCR has moved to Gertz Plaza; Dept. of Sanitation to close Gansevoort Dog Run and park trucks there.

Yvonne Morrow, of Assembly Speaker Sheldon Silver's office reported on the 2<sup>nd</sup> Ave. subway.

Debbie Roth, of Assemblymember Deborah Glick's office introduced the new Chief of Staff Karen Foyer; worked to stop closing of housing for people with AIDS; Dog Run at Gansevoort, serious accidents on Sheridan Sq.; and supports resolution on Costco.

Dirk McCall, of Man. Borough President C. Virginia Fields' office thanked Donna Blau; reported on a 2<sup>nd</sup> Ave. subway fax campaign; the monitoring of Mulry Sq.; spoke against Charisma's liquor license (37-39-41 Downing St.); Is in favor of the resolution on Jane St.; extremely concerned about 110 Greene St. application.

Tom Castele, of Councilmember Kathryn Freed's office reported concern about 110 Greene St.'s beacon effect due to all glass enclosure; bill board cannot have lights that shine into residents' homes; Washington St. reversal has worked.

Tony Simone, of Councilmember Christine Quinn's office reported victory on the denial of liquor license for West St. lounge; Sanitation/Dog Run; Costco location is wrong for community.

Damaris Reyes, of Councilmember Margarita Lopez's office.

**IV. Adoption of Minutes**

Adoption of April minutes. Distribution of May minutes.

**V. Executive Session**

**1. Chair's Report** Jim Smith reported

**2. District Manager's Report** Arthur Strickler reported.

**3.SIDEWALKS, PUBLIC FACILITIES AND ACCESS**

**Application to NYC Dept. of Transportation for revocable consent to construct, install, and restore an entrance stoop, a fence and planted area at 138 W. 13th St.**

**WHEREAS** the area was posted, the applicant appeared before the committee and;

**WHEREAS** the applicant worked on the design of the stoop in conjunction with the Landmarks Preservation Commission and has received tentative Landmark approval;

**WHEREAS** the proposal is consistent with and conforms to the character of the block;

**THEREFOR BE IT RESOLVED** that the application to NYCDOT for revocable consent to construct, install, and restore an entrance stoop, a fence and planted area at 138 W. 13th St. is granted.

Vote: Passed, with 44 Board members in favor, and 1 abstention.

**New application for revocable consent by S.M. Restaurant on Greenwich, Inc., 15 Greenwich Ave., to operate an enclosed sidewalk café with 5 tables and 10 seats.**

**WHEREAS** the area was posted, the applicant appeared before the Committee; and

**WHEREAS** the enclosed sidewalk café has existed at this location for many years and this application is before the committee because of a change in ownership; and

**WHEREAS** there is sufficient passage for pedestrian safety and access;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends approval of a one (1) year revocable consent to S.M. Restaurant on Greenwich, Inc., 15 Greenwich Ave., to operate an enclosed sidewalk café with 5 tables and 10 seats.

Vote: Passed, with 44 Board members in favor, and 1 abstention.

**Renewal of application for revocable consent by Slaughtered Lamb, Inc. d/b/a Slaughtered Lamb Pub, 182 W. 4<sup>th</sup> St., to operate an unenclosed sidewalk café with 7 tables and 15 seats.**

**WHEREAS** the area was posted and the applicant appeared before the Committee; and

**WHEREAS** there is sufficient passage for pedestrian safety and access; and

**WHEREAS** since the applicant only maintains 5 tables and 10 seats, the committee approves only this amount of tables and seats; and

**WHEREAS** there appears to be outstanding violations;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends approval of a three (3) year revocable consent to Slaughtered Lamb, Inc. d/b/a Slaughtered Lamb Pub, 182 W. 4<sup>th</sup> St., to operate an unenclosed sidewalk café with 5 tables and 10 seats conditioned on correcting any and all outstanding violations.

Vote: Passed, with 42 Board members in favor, 2 in opposition, and 1 abstention.

#### **4. LANDMARKS & PUBLIC AESTHETICS**

##### **LPC Item: 5 - 489 Broome Street (Wooster and West Broadway)**

**WHEREAS** the signage has been reduced, extending over the commercial portion of the building and not the residential portion; and

**WHEREAS** the exterior lighting is supplied by incandescents in a fixed position pointing downward and inward; and

**WHEREAS** there will be only one banner which, at 3 ft. by 6 ft., will be in scale with the building; and

**WHEREAS** the applicant has agreed to remove the existing neon light which is currently turned off;

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

Vote: Unanimous with 45 Board members in favor.

##### **LPC Item: 6 - 125 Grand Street (Broadway/Crosby)**

**WHEREAS** this Federal style dwelling was built in 1825-26 and predates the industrial era of SoHo; and

**WHEREAS** the proposed lighting is modern and does not look appropriate on a building of this style; and

**WHEREAS** the proposed scope of work will change what may be the original and historical configuration, i.e. the entry onto the street at the west end of the storefront; and

**WHEREAS** this restoration, which proposes removing the existing stainless steel storefront, presents an opportunity to do a correct restoration using historical materials and not a trendy alternative;

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

Vote: Unanimous with 45 Board members in favor.

##### **LPC Item: 7 - 146 Spring Street (Wooster St.)**

**WHEREAS** this Federal-style building built in 1819 is among the oldest buildings in the Historic District; and

**WHEREAS** no one on the Community Board could recollect ever having seen such a large advertising sign painted on the side of a residential Federal-style building in any historic district in New York City or elsewhere; and

**WHEREAS** this sign is far out of scale; and

**WHEREAS** WINS Radio, the New York Times and the Villager newspapers have reported on downtown activists who are “bombing” or defacing billboards with paint canisters at heights in excess of 50 feet (see enclosed article); and

**WHEREAS** this proposed advertising sign which, at a mere 25 feet above the sidewalk and adjacent to an open parking lot, provides an enticing and accessible target for the “bombers” assault upon this billboard blight within our community; and

**WHEREAS** this fine old building does not deserve such a fate;

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

Vote: Unanimous with 45 Board members in favor.

**LPC Item: 8 - 69 Mercer St. Heard in July**

**LPC Item: 9 - 107 Grand St. Heard in July.**

**LPC Item: 10 - 139 Christopher St. Laid over.**

**LPC Item: 11 - 24 Horatio Street**

**WHEREAS** the limestone coping and paint does not match the color of the building that the proposed rooftop addition is on, but rather a building nearby; and

**WHEREAS** the rooftop addition can be seen from several vantage points;

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

Vote: Unanimous with 45 Board members in favor.

**LPC Item: 12 - 349 Sixth Avenue (W. 4th St./Washington Pl.)**

**WHEREAS** because this project is going forward as a residential conversion, this is a once-in-a-lifetime opportunity to configure the windows in the historical residential style, namely three sets of 6 over 6, and at the same time removing the existing steel and iron framework; and

**WHEREAS** if this done, the fenestration will be in rhythm with the two similar residential buildings to the south;

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

Vote: Unanimous with 45 Board members in favor.

**LPC Item: 13 - 60 West 8th Street (Sixth Ave./MacDougal St.)**

**WHEREAS** the proposed storefront in wood and glass utilizes historical materials, design and palette; but

**WHEREAS** the pilasters have a decidedly post-modern appearance within this traditional design;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends approval of this application; but **BE IT FURTHER RESOLVED** that we urge the applicant to refine the design further by narrowing the entablature at the entrance door to the width of the outer sides of the shaft of the pilaster.

Vote: Unanimous with 45 Board members in favor.

**LPC Item: 14 - 134 W. 13th Street**

**WHEREAS** the Landmarks Preservation Commission'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 45 Board members in favor.

## **5. BUSINESS & INSTITUTIONS**

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

#### **Happy Walking Boys Corporation, 184 W. 10<sup>th</sup> Street, NYC**

**WHEREAS** the applicant proposes to open a new 76-person capacity restaurant in the premises formerly occupied by Joe's Again; and

**WHEREAS** the applicant proposes to operate from 12:00 p.m. to 4:00 a.m., seven days a week; and

**WHEREAS** the applicant received no community opposition; and

**WHEREAS** there are three or more on-premises liquor establishments within 500 feet of the applicant's premises, thus necessitating a 500-foot rule hearing;

**THEREFORE BE IT RESOLVED** that CB#2, Man. has no objection to the applicant's request to the SLA for an on-premises liquor license to Happy Walking Boys Corporation, 184 W. 10<sup>th</sup> Street, NYC, and calls upon the SLA to hold a 500-foot rule hearing to ascertain community concerns, if any.

Vote: Unanimous, with 45 Board members in favor.

#### **Gattopardo, Inc. d/b/a Biblioteca, 337B West Broadway, NYC**

**WHEREAS** the applicant proposes to open a new 40-person capacity restaurant/bar in the premises formerly occupied by Box Bar; and

**WHEREAS** the applicant proposes to operate from 12:00 p.m. to 4:00 a.m., seven days a week; and

**WHEREAS** there are three or more on-premises liquor establishments within 500 feet of the applicant's premises, thus necessitating a 500-foot rule hearing; and

**WHEREAS** the applicant pledges that there would not be a sidewalk café and the French doors at the front of the establishment shall be closed by 10:00 p.m. daily; and

**WHEREAS** the applicant agreed to submit a letter to the SLA which places the previously mentioned as a stipulation to the applicant's liquor license;

**THEREFORE BE IT RESOLVED** that CB#2, Man. calls upon the SLA to place a stipulation on the applicant's license requiring the French doors to the establishment be closed by 10:00 p.m. daily and forbidding operation of a sidewalk café, and to hold a 500-foot rule hearing to ascertain other community concerns; and

**BE IT FURTHER RESOLVED** that CB#2, Man. would not have an objection to the applicant's request to the SLA for an on-premises liquor license to Gattopardo, Inc. d/b/a Biblioteca, 337B West Broadway, NYC, if the above stipulation is placed on its liquor license.

Vote: Unanimous, with 45 Board members in favor.

#### **NJB Enterprises, Ltd. d/b/a Mushroom Bay Restaurant, 535 Hudson Street, NYC 10014 (Charles St.)**

**WHEREAS** the applicant proposes to open a new 98-person capacity restaurant in a landmarked district of Greenwich Village; and

**WHEREAS** the applicant proposes to operate from 7:00 a.m. to 12:00 a.m., seven days a week; and

**WHEREAS** there are three or more on-premises liquor establishments within 500 feet of the applicant's premises, thus necessitating a 500-foot rule hearing; and

**WHEREAS** the applicant received no community opposition;

**THEREFORE BE IT RESOLVED** that CB#2, Man. has no objection to the applicant's request to the SLA for an on-premises liquor license to NJB Enterprises, Ltd. d/b/a Mushroom Bay Restaurant, 535 Hudson Street, NYC 10014 and calls upon the SLA to hold a 500-foot rule hearing to ascertain community concerns.

Vote: Unanimous, with 45 Board members in favor.

**Faylow Corp. d/b/a 14<sup>th</sup> Street Restaurant, 240 W. 14<sup>th</sup> Street, NYC 10011 (7<sup>th</sup> Ave.)**

**WHEREAS** the applicant proposes to open a new 116-person capacity restaurant; and

**WHEREAS** the applicant proposes to operate from 12:00 p.m. to 2:00 a.m., seven days a week; and

**WHEREAS** there are three or more on-premises liquor establishments within 500 feet of the applicant's premises, thus necessitating a 500-foot rule hearing; and

**WHEREAS** the applicant pledges to meet with residents to address community concerns regarding smoke from the kitchen and the exhaust equipment on the roof;

**THEREFORE BE IT RESOLVED** that CB#2, Man. has no objection to the applicant's request to the SLA for an on-premises liquor license to Faylow Corp. d/b/a 14<sup>th</sup> Street Restaurant, 240 W. 14<sup>th</sup> Street, NYC 10011, and calls upon the SLA to hold a 500-foot rule hearing to ascertain community concerns.

Vote: Unanimous, with 45 Board members in favor.

**GBND Corp., 130 W. 3<sup>rd</sup> Street, NYC 10012 (6<sup>th</sup> Ave.)**

**WHEREAS** the applicant proposes to open a new 200-person capacity bar/nightclub with live music; and

**WHEREAS** the applicant proposes to operate from 9:00 p.m. to 4:00 a.m., seven days a week; and

**WHEREAS** there are three or more on-premises liquor establishments within 500 feet of the applicant's premises, thus necessitating a 500-foot rule hearing; and

**WHEREAS** the applicant currently operates Café Wha? without any adverse impact on the community; and

**WHEREAS** the applicant received no community opposition and received support from local residents and a local merchant and resident association;

**THEREFORE BE IT RESOLVED** that CB#2, Man. has no objection to the applicant's request to the SLA for an on-premises liquor license to GBND Corp., 130 W. 3<sup>rd</sup> Street, NYC 10012, and calls upon the SLA to hold a 500-foot rule hearing to ascertain community concerns.

Vote: Unanimous, with 45 Board members in favor.

**Red Clam LLC, 170 Thompson Street, NYC 10012 (Bleecker St.)**

**WHEREAS** the applicant proposes to open a new Italian restaurant with a capacity of 70 persons; and

**WHEREAS** the applicant currently operates a restaurant, Babbo, which operates in a residential area in CB#2, Man. without a NYC Board of Standards & Appeals zoning variance for the use of a restaurant; and

**WHEREAS** there are three or more on-premises liquor establishments within 500 feet of the applicant's premises, thus necessitating a 500-foot rule hearing; and

**WHEREAS** there was no community opposition except for the non-confirming use issue with Babbo;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends that the SLA postpone any action on this matter until such as a variance for Babbo has been obtained.

Vote: Passed, with 43 Board members in favor, 1 abstention and 1 recusal.

**Applications to the State Liquor Authority (SLA) for alteration of license to sell liquor on-premises**

**Kurosu Corp., 38-40 Carmine Street, NYC 10012 (Bedford St.)**

**WHEREAS** the applicant proposes to change the service bar to a combination of service and sushi bar from which all drinks will be served, along with the daily appetizers of raw fish, and

**WHEREAS** the applicant has operated the restaurant without any adverse impact to the community; and

**WHEREAS** the applicant received no community opposition;

**THEREFORE BE IT RESOLVED** that CB#2, Man. has no objection to this alteration of an on-premises liquor license for Kurosu Corp., 38-40 Carmine Street, NYC 10012.

Vote: Unanimous, with 45 Board members in favor.

**Riomar Corp. d/b/a Kana, 324 Spring Street, NYC 10013 (Greenwich St.)**

**WHEREAS** the applicant proposes to serve alcohol beverages in its sidewalk café; and

**WHEREAS** the applicant has operated the restaurant without any adverse impact to the community; and

**WHEREAS** the applicant received no community opposition;

**THEREFORE BE IT RESOLVED** that CB#2, Man. has no objection to this alteration of an on-premises liquor license for Riomar Corp. d/b/a Kana, 324 Spring Street, NYC 10013.

Vote: Passed, with 43 Board members in favor, 1 abstention and 1 recusal.

**Village R&B Ltd. d/b/a Groove, 125 Macdougall Street, NYC 10012**

**WHEREAS** the applicant proposes to serve alcohol beverages in its sidewalk café; and

**WHEREAS** the applicant operates another on-premises liquor license establishment, 101 Club, which has received noise complaints; and

**WHEREAS** the applicant pledges that the sidewalk café would close by 10:30 p.m. daily and the French doors/windows would remain closed at all times during business hours in order to minimize noise complaints by local residents; and

**WHEREAS** the applicant agreed to submit a letter to the SLA which places the previously mentioned as a stipulation to the applicant's liquor license;

**THEREFORE BE IT RESOLVED** that CB#2, Man. calls upon the SLA to place a stipulation on the applicant's license requiring the closing of the sidewalk café by 10:30 p.m. daily, and the French doors/windows will stay closed while there is entertainment; and

**BE IT FURTHER RESOLVED** that CB#2, Man. would not have an objection to the applicant's request for an alteration to its on-premises liquor license to Village R&B Ltd. d/b/a Groove, 125 Macdougall Street, NYC 10012, if the above stipulation is placed on its liquor license.

Vote: Passed, with 43 Board members in favor, 1 abstention and 1 recusal.

**Katalat Restaurant Corp. d/b/a Tiffany's Restaurant, 222-224 W. 4<sup>th</sup> Street, NYC 10014 (7<sup>th</sup> Ave.)**

**WHEREAS** the applicant proposes to alter the premises by eliminating 38 seats, a bar and salad bar and partition this area from the dining room; and

**WHEREAS** the applicant's alteration has no effect on the Certificate of Occupancy; and

**WHEREAS** there is no material effect;

**THEREFORE BE IT RESOLVED** that CB#2, Man. has no objection to this alteration of an on-premises liquor license for Katalat Restaurant Corp. d/b/a Tiffany's Restaurant, 222-224 W. 4<sup>th</sup> Street, NYC 10014.

Vote: Unanimous, with 45 Board members in favor.

**I. TREES ON MULBERRY STREET (LITTLE ITALY)**

**WHEREAS** residents of Little Italy have initiated a beautification and tree-planting program for all of Little Italy with broad community support from not only residents, but building owners and small businesses, too, and

**WHEREAS** local property owners, including owners on Mulberry Street, have made proper signed applications to the Community Board and to the New York City Parks Department for a Fall planting of trees by the city, and

**WHEREAS** the Mayor's Street Activities and Permits Office (SAPO), headed by Mildred Duran, contacted the Parks Department seeking to block planting trees on Mulberry Street because they would interfere with street fairs and challenged the existence of already-planted trees on Mulberry Street, incorrectly claiming there was a "no tree" zoning policy for Mulberry Street in Little Italy and

**WHEREAS** the lack of community opposition to trees being planted on Mulberry Street is underscored by the head of the Little Italy Chamber of Commerce's own statement at the Chamber's May, 1999 meeting (attended by residents, business and building owners) that the Chamber had no objections to the planting of trees on Mulberry Street and saying that such planting would not interfere with street fairs,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. calls upon the NYC Parks Department and the Mayor's Street Activities and Permits Office to recognize the legality of, and a community consensus for, tree-planting on Mulberry Street and strongly urges the Parks Department to ensure that the number of trees already approved by them for planting on Mulberry Street this Fall (along with the already approved number of trees for other streets in Little Italy) are, indeed, planted so that the beautification program for all of Little Italy will continue on schedule and

**BE IT FURTHER RESOLVED** that CB#2, Man. affirms and supports the right of the community in Little Italy, in general, and on Mulberry Street in particular, to continue their beautification and tree-planting program.

Vote: Passed, with 44 Board members in favor, and 1 abstention.



## **VII. PROTECTING THE PRINTING INDUSTRY**

**WHEREAS** the printing industry and craft on the Lower West Side of Manhattan, including the Varick and Hudson corridors of Community Board #2 (Manhattan)'s district, continues to make a significant, irreplaceable, long-term contribution to our district's (and our city's) economy, culture, and well-being; and

**WHEREAS** the industry's and craft's continued location in its historic area within our district, wherein many buildings are uniquely suitable for the industry's heavy equipment, remains critical in order to provide proximity and access to the area's art, literary and new media communities and industries, as well as to the myriad other printing industry customers; and

**WHEREAS** the printing industry and craft at its present location has long co-existed with the rest of our district's residential and commercial communities; and

**WHEREAS** recently convened an emergency community meeting on the future here of the printing industry, bringing together and establishing an unprecedented coalition and collaboration among businesses, unions and community residents dedicated to preserving the printing district in the CB#2 area; and

**WHEREAS** the said meeting made clear that our community and this board share the concerns and sentiments reflected in a statement presented by the Central Labor Council (CLC) and;

**WHEREAS** the meeting also made clear that the proposed Chelsea re-zoning plan as presently drafted will undermine the printing industry within the CB#2 district;

**THEREFORE BE IT RESOLVED**, CB#2, Man. endorses and adopts the attached statement, which is based upon the CLC's statement noted above, as the policy of the board; and

**BE IT FURTHER RESOLVED** that CB#2, Man reiterates its position that the City Council eliminate the 14<sup>th</sup> Street South blocks within the CB #2 district from the proposed Chelsea Re-Zoning Plan; and

**BE IT FURTHER RESOLVED** that CB#2, Man calls upon the city government to work with the community and the board to develop a plan involving both zoning and non-zoning strategies to perpetuate the printing industry and craft here at its historic location consistent with the needs of area residents.

Vote: Passed, with 43 Board members in favor, 1 in opposition, and 1 abstention.

Approval by the board of Resolution #5 herein (entitled "Protecting the Printing Industry") will accomplish adoption by the board, as policy, of the following statement:

### **Community Board #2 Statement of Policy in Support Protecting New York City's Printing Industry**

For over a century, New York City has been our nation's center of the printing industry. Printing is a \$4 billion New York City industry which directly employs thousands of working men and women in good paying jobs with decent benefits and which provides essential support services for other important sectors of our economy, including advertising, financial services, graphic design, publishing and, most recently, the new Internet media.

Printing is a highly skilled artisan craft, truly an art, which offers very good wages. The median salary of a pressman is between \$20 and \$30 an hour. A color separator in a bindery can earn between \$10 and \$17 per hour. These, like most positions in the industry, are high paying jobs that do not require a college degree.

In addition, the work force is relatively diverse. The New York Industrial Retention Network estimates that 65% of people employed in printing are minorities and women. The industry has job placement alliances with a number of New York City-based community organizations, as well as strong job training initiatives through vocational schools such as the High School for Graphic Arts and Bushwick High School.

Manhattan's printers must remain in Manhattan in order to survive. They fill a market niche that demands close proximity to Manhattan's advertising agencies, design studios, new media enterprises and related businesses. They fill a cultural niche that demands close proximity to Manhattan's Art Center. Forcing these printers to leave Manhattan will force them out of business and result in the loss of thousands of these well-paying jobs with ripple effects throughout the economy. A printing exodus would also undermine our city's, and especially lower Manhattan's position as a world art and literary center.

Additionally, the reduction in the diversity of jobs caused by the loss of the printing industry segment will also seriously weaken New York City's ability to endure and bounce back from economic downturns, as well as erode the many benefits to our city's social fabric that derive from a diverse economy. Therefore it would be a tragedy if New York City failed to take the measures necessary to preserve and encourage the survival and growth of this crucial industry,

But far from encouraging the survival of this industry, it sometimes seems that New York is assisting in its destruction. In the Chelsea area, the City Planning Commission has reported out to the City Council a Section 197(a) Plan which calls in part for certain blocks to be "upzoned" from manufacturing to residential.

In lower Manhattan, the city has stood by while landlords like the Trinity Church Real Estate Corporation raise rents and pursue a policy of refusing to renew printing leases in favor of commercial uses more lucrative in the short term, uses allowed as of right in manufacturing areas, such as Varick and Hudson Streets. This policy of planned, or allowed, destruction of the printing industry must end. We must all preserve the thousands of jobs relying upon the printing industry and craft and the economic, social and cultural benefits resulting from the existence of these jobs.

Community Board #2 (Manhattan) and the community we represent look forward to working with the City Council and the Mayor to further develop and implement policies and programs to facilitate the retention of the printing industry and craft in its historic neighborhood in our district.

### **III. ENVIRONMENT**

#### **REGARDING THE SPRAYING OF THE CITY WITH MALATHION TO KILL S.L.E. MOSQUITOES**

**WHEREAS**, in response to an outbreak of St. Luis Encephalitis (S.L.E.), a mosquito-borne, sometimes life-threatening disease, the City has undertaken a program of repeatedly spraying by air and truck the five boroughs of the City of New York with Malathion and other pesticides; but

**WHEREAS**, while government, scientific, medical and academic experts caution that Malathion is a poison which must be used under strict safety guidelines to prevent human and animal contact, the Mayor has nonetheless described this neurotoxin as “harmless” in public announcements; and

**WHEREAS**, in addition, the City’s program has not undertaken to educate people on precautions to prevent contact with Malathion, including wash-downs of playground equipment after spraying, as is done in Los Angeles County and other jurisdictions where spraying is taken more seriously; and the City’s community notification program has not been comprehensive, timely or accurate, with the consequence that parents with children in playgrounds, and others, have been sprayed directly with Malathion, because they were misinformed by the published spraying schedule; and

**WHEREAS**, more experienced jurisdictions, including Los Angeles County and Fire Island, have come to rely on preventive measures, including release of sterile insects to prevent reproduction of disease-bearers, placement of bacillus-impregnated rings in standing water to stop larvae development, and release of dragonflies which consume huge quantities of adult mosquitoes, but which may be killed by spraying; and

**WHEREAS** experts urge for the future a mosquito control program, with the necessary buildup of the City’s public health infrastructure, including the Department of Health’s Bureau of Pest Control, which once was effective and now has almost ceased to exist, in a dangerously complacent cost-cutting;

**NOW THEREFORE BE IT RESOLVED** that CB#2, Man. urges the Mayor to immediately undertake a high priority, aggressive and accurate program of public notification and education, including neighborhood posting outdoors and in stores and community centers, both to prevent exposure of people and animals to Malathion and other insecticides and to enlist the public in eliminating sources of standing water where mosquitoes breed; and

**BE IT FURTHER RESOLVED** that CB#2, Man. urges the Mayor and the City Council to provide funds and authorization to build up the NYC Department of Health’s Bureau of Pest Control to a level which would permit it once again to play an important public health role in pest prevention and public education; and

**BE IT FINALLY RESOLVED** that CB#2, Man. urges our Mayor to stop referring to Malathion as “harmless”.

*Submitted from the floor to the Full Board of Community Board #2, Manhattan, on Sept. 23, 1999, by Ann Arlen, Chair, Environment & Public Health Committee.*

Vote #1: Failed, with 26 in opposition, 11 in favor, and 2 abstentions.

Vote #2: Passed, with 39 Board members in favor, 4 in opposition and 2 abstentions.

#### **STANDING COMMITTEE REPORTS**

##### **Costco Proposal for 14<sup>th</sup> Street Armory Site**

##### **SEE ATTACHED RESOLUTION –EXHIBIT I.**

Vote: Passed, with 44 Board members in favor, and 1 abstention.

#### **SIDEWALKS, PUBLIC FACILITIES AND ACCESS**

##### **1. Application to NYC Dept. of Transportation for revocable consent to construct, install and restore the stone paving and metal guard rail in front of 4 St. Luke’s Place.**

##### **SEE ATTACHED RESOLUTION –EXHIBIT II.**

Vote: Unanimous, with 44 Board members in favor.

**2. New Application for revocable consent to operate an enclosed sidewalk café for Johnny Rocket's Group, Inc., 42 E. 8<sup>th</sup> St., with 4 tables & 12 seats (continued)**

**SEE ATTACHED RESOLUTION-EXHIBIT III.**

Vote: Unanimous, with 44 Board members in favor.

**3. New Application for revocable consent to operate an enclosed sidewalk café for Paesano of Mulberry St. Corp., 136 Mulberry St., with 3 tables & 6 seats.**

**SEE ATTACHED RESOLUTION-EXHIBIT III.**

Vote: Unanimous, with 44 Board members in favor.

**4. New Application for revocable consent to operate an enclosed sidewalk café for Smithfield Associates, LLC, 9-19 9<sup>th</sup> Ave. with 21 tables & 84 seats.**

**SEE ATTACHED RESOLUTION-EXHIBIT III.**

VOTE: Passed, with 38 Board members in favor, 5 in opposition, and 1 abstention.

**5. Request for Sidewalk Café Enforcement Task Force**

**SEE ATTACHED RESOLUTION-EXHIBIT IV.**

Vote: Passed, with 27 Board members in favor, 12 in opposition.

**ZONING AND HOUSING**

**1. Application submitted by the Department of Citywide Administrative Services for the disposition of two City-Owned properties: (a) 49 Dominick Street and (b) 178 Christopher Street. DCP Application C990599 PPM.**

**178 Christopher Street (Block 604; Lot 6)**

**WHEREAS**, the building at this site is a fine building with many possibilities that the City has allowed to fall into disrepair and which is, if not hazardous, may be close to irreparable;

**THEREFORE BE IT RESOLVED** that, while CB#2, Man.) has no objection to the auctioning of this property, it recommends that the City not wait for auction, the earliest of which will take place in the Spring, but to dispose of the property posthaste; and

**BE IT FURTHER RESOLVED**, that calls for immediate action to prevent further decay and loss of value of this property pending disposition.

Vote: Unanimous, with 44 Board members in favor.

**49 Dominick Street (Block 579; Lot 44)**

**BE IT RESOLVED**, that CB#2, Man., recommends disposition of this small lot that is sited next to a large parking lot; and

**BE IT FURTHER RESOLVED**, that CB#2, Man. notes that the property is currently being used for backyard parking by a private enterprise and suggests that the City make sure that proper rent is being paid to the City for use of this property.

Vote: Unanimous, with 44 Board members in favor.

**2. 503 Broadway (between Broome and Spring Streets). S special Permit Application for NY Sports Club. BSA #163-99-BZ.**

**WHEREAS**, NY Sports Club was already in the midst of constructing its facility at 503 Broadway, in the heart of SoHo, at the time it filed its application with the DOB and started operating in July, without a Special Permit; and

**WHEREAS**, in addition to proving to the satisfaction of the community that the facility is a legitimate physical culture establishment and not a screen for prostitution, the applicant must show that the proposed use does not

impair the essential character or the future use or development of the surrounding area and this is where the applicant fails the test; and

**WHEREAS**, the Zoning Text that establishes SoHo and NoHo specifically prohibits physical culture establishments as of right in M1-5A and M1-5B zoning districts (Sec. 42-14 D(3)(e) and therefore creates a larger duty of care with respect to conforming with the essential character of the community, which this applicant does not meet by virtue of its proposed signage on the third-floor windows; and

**WHEREAS**, the proposed signage will be one of the largest in SoHo (one of the other “largest” is already on the same building), will be the first such sign placed above the upper windows of a SoHo building (other than the Guggenheim Museum, whose plain metal signage is unobtrusive and also advertises an ARTS use) and is unnecessary, as there is more than sufficient signage on and immediately above the ground floor entrance; and

**WHEREAS**, SoHo was created as, and continues to be is an arts community – it has even been defined as such in recent dictionaries. Any historical reference to large, bright signage as a precedent for the applicant’s is made to preexisting signage, at least 3 decades gone (if not closer to 9 decades) that is completely out of character with the current use of SoHo and is a poor precedent for the future development of the district;

**THEREFORE BE IT RESOLVED** that CB#2, Man. finds with the residents and businesses in the SoHo Community that the overlarge garish signage proposed to be juxtaposed over the third floor windows of NY Sports Club, 503-511 Broadway, and insisted upon by the applicant, will impair the essential character and the future use or development of the SoHo area and recommends denial of the application unless the plan for the third floor signage is withdrawn.

Vote: Unanimous, with 44 Board members in favor.

### **3. 34 West 14<sup>th</sup> Street. Special Permit Application for NY Sports Club. BSA# 172-99-BZ.286**

**WHEREAS**, this sports club facility has been operating for some months without proper permit; and

**WHEREAS**, in addition to proving to the satisfaction of the community that the facility is a legitimate physical culture establishment and not a screen for prostitution, the applicant must show that the proposed use does not impair the essential character or the future use or development of the surrounding area and this is where there is a problem; and

**WHEREAS**, while the 14<sup>th</sup> Street, “Main Entrance” side of the sports facility conforms to the character of 14<sup>th</sup> Street, the 13<sup>th</sup> Street entrance, which is used from 6am to 1pm and from 5pm to 9pm on weekdays and from 10am to 1pm on weekends, and the proposed signage for this entrance, are not appropriate for a block that has become largely residential in nature;

**THEREFORE, BE IT RESOLVED**, that CB#, Man. recommends approval of the application made by NY Sports Club for to operate a physical culture facility at 34 West 14<sup>th</sup> Street but urges that the weekday opening hour for the 13<sup>th</sup> Street entrance be 8am, that the hours become part of the Special Permit and that the proposed vertical sign for the 13<sup>th</sup> Street entrance be found unnecessary and inappropriate due to the nature of the block and the presence of adequate signage already installed.

Vote: Unanimous, with 44 Board members in favor.

## **JOINT PARKS & RECREATION AND TRAFFIC & TRANSPORTATION**

### **Sunflower Park and Sun Station**

**WHEREAS**, a presentation by the "Friends" of "Sunflower Park & Sun Station" was made at a joint public meeting with the Traffic & Transportation and Parks, Recreation & Open Space committees; and

**WHEREAS**, the location at Broome, Watts and Thompson Streets forms a triangle that is currently and for years has been an unattractive, disorganized blight, is also inundated by traffic at it's edges and is a pedestrian nightmare; and

**WHEREAS**, the proposed project includes a landscaped park with a variety of trees and plantings, provision of facilities for bicycles and pedi-cabs, pedestrian amenities, public art, a coffee and juice bar and the addition of sidewalks around the perimeter; and

**WHEREAS**, this major intersection of SOHO would be enhanced by introducing new green space, which our community sorely lacks and will also provide an opportunity for alternative transportation, creating a pedestrian friendly access and amenities, and will offset some of the air and noise pollution with a filtering shield of greenery in that area filled with trucks and cars entering the Holland Tunnel; and

**WHEREAS**, the community has expressed a great interest in cleaning up this area for many, many years and several community groups as well as organizations and elected officials have been contacted by the Friends of sunflower Park; and

**WHEREAS**, the Bike Station Concept is especially useful for commuting cyclists, tourists, residents and businesses, and to date has been combined with transit hubs and has had a great deal of success in cities throughout the US, such as Los Angeles, Chatsworth, Long Beach, and Palo Alto California; Pittsburgh, PA; Seattle, Washington; and

**WHEREAS**, the location identified for implementation for such a facility has been chosen to encourage bicycle commuting for car pooling Holland Tunnel commuters; and

**WHEREAS**, members of the local community testified that there is a need for safe bicycle parking facilities as well as a green space in the immediate area; and

**WHEREAS**, the project being proposed at the Broome/Watts/ Thompson Triangle is in keeping with the goals of the federal program TEA-21 and ISTEA; and

**WHEREAS**, Enhancement Funds are available for construction costs for this type of station through TEA-21, and current deadlines have been extended for this project to find a city agency sponsor; and

**WHEREAS** the NYC Parks Department has shown a great interest in sponsoring this project for capital funds through the TEA-21/ Enhancement program for this NYC-DOT property;

**THEREFORE BE IT RESOLVED** that CB#2, Man, urgently petitions that the NYC DOT assign the property known as the Triangle at Broome, Watts and Thompson Streets to the NYC Department of Parks in order to be designated as a "Greenstreet" Project; and

**BE IT FURTHER RESOLVED** that CB# 2, Man., urges the NYC DOT to move as quickly as possible, if not faster to assign this property to the NYC Department of Parks so that the sunflower Park and Sun Station will have the opportunity for the Parks Department to sponsor their TEA-21/ Enhancement application; and

**BE IT FURTHER RESOLVED** that Community Board No. 2, Manhattan, strongly urges The NYC Parks & Recreation Department to sponsor the sunflower Park and Sun Station's TEA-21/ Enhancement application.

Vote: Unanimous, with 44 Board members in favor.

## **TRAFFIC & TRANSPORTATION**

### **Additional and Current Operation of Commuter Van Services in Lower Manhattan**

**WHEREAS**, CB#2, Man. has been and continues to be extremely concerned by the increased volume of traffic, illegal trucks and commuter vans in Lower Manhattan as well as the lack of funds for NYPD Traffic Enforcement especially at the locations being requested for use by commuter van applicants; and

**WHEREAS**, Lower Manhattan already is serviced by numerous existing Mass Transit–subway and bus service stops, reaching all of NYC; and

**WHEREAS**, there is a lack of enforcement, curbing, regulating, or directing the influx of the already increased truck & vehicle traffic in Lower Manhattan, as well as a lack of an overall traffic plan for the city from NYC-DOT and City Planning and no consideration on their part of the tremendous impact additional commuter vans would have in an already congested and environmentally damaged community by adding more idling engines, double and illegal parking; and

**WHEREAS**, New York City is committed to improvements in air quality, particularly in non attainment areas such as Canal Street – China Town/ Little Italy and its impacted north and south areas (already –"Hot Spots"), but NY State-DOT, NYC-DOT and the TLC "Review Process" only determine the fitness of the van service applicant, don't inspect or regulate the daily activities of the commuter vans, or enforce the current laws, allowing hundreds of already approved vans to continue operation although breaking the law; and

**WHEREAS**, insufficient time is given for the Community Board to respond to public hearings as for example, the NYC-DOT division of Surface Transit sent to the Community Board, received by Traffic Committee on May 14th applications for 145 additional vans in the Bowery & Canal Street corridors, requesting comments at a public hearing on June 7th, 1999, not allowing the Traffic Committee and the Community Board enough time to issue a response; and

**WHEREAS**, the City Council had a moratorium on approvals of new and expanded commuter van services for the past year because these common carriers" as defined by the law should -"*operate over a non-specified or irregular routes with a seating capacity of at least nine but not more than twenty passengers*", and some vans had more than twenty passengers, created congestion in an already over used, traffic inundated residential neighborhood compromising the quality of life for residents and businesses;

**THEREFORE BE IT RESOLVED** that CB#2, Man. strongly opposes all additional and expanded Commuter Van– "Common Carriers" in lower Manhattan, pending the conclusion of a thorough objective traffic study for the Canal and Bowery Corridors and heavily trafficked, congested, "hot spots" of China Town and Little Italy; and

**BE IT FURTHER RESOLVED** CB#2, Man. calls on the Office of the Manhattan Borough President, the City Council and other elected officials, the NYC-DOT, City Planning and the Mayors office to undertake a serious, unbiased study of traffic and transportation to and within the China Town/ Little Italy–Bowery and Canal corridors for which these commuter van applications are made, to determine the impact of van service and the optimum traffic and multi-modal transportation strategy for accommodating the needs of the area's residents and workers for an effective pollution and congestion-free community and withhold the award of any and all permits pending the conclusion of this study; and

**BE IT FURTHER RESOLVED** CB#2, Man. calls on Community Boards No. 1 and No. 3 to support this resolution by issuing similar resolutions for their district.

Vote: Unanimous, with 44 Board members in favor.

## **BUSINESS & INSTITUTIONS**

### **1. SOHO House New York, Inc., 123 Mercer St., NYC 10013 (Prince-Spring).**

**WHEREAS** the applicant is proposing to open a 4,950 sq. ft. restaurant and 2 bars with a capacity of 200 persons on 3 floors with a ground floor entry and then an express elevator to the 12<sup>th</sup> floor, 13<sup>th</sup> floor and a proposed roof expansion, and

**WHEREAS** the building is a 13 story loft building containing approximately 12 residential tenants which extends through to Greene Street thus creating a dual street impact, and

**WHEREAS** testimony and a review of plans submitted before CB2 Manhattan disclosed that these residential tenants would be adversely affected by this proposed on-premises operation due to noise, traffic, and building safety as the plan of operation would intermingle commercial patrons and residential tenants on the upper floors, and

**WHEREAS** the applicant's building does not contain a Certificate of Occupancy that allows a restaurant/bar and is first applying to the NYC Building Department to change the use and is also applying to the NYC Landmarks Preservation Commission for permission to add 1,500 sq. ft. to the roof, and

**WHEREAS** this premises is located in one of the highest concentrations of on-premises liquor licenses in New York State and is well within 500' feet of more than 3 on-premises establishments, and

**WHEREAS** 123 Mercer Street also houses KAVEHAZ, a live music café that has nightly band performances and which has an on-premises license whose clientele, crowds and loud music adversely impacts building residents,

**THEREFORE BE IT RESOLVED** that CB#2, Man. regards this application as a "piling on" to an overabundance of on-premises licenses in the neighborhood as well as adding to an overburdened building that already contains one on-premises license and thus is decidedly not in the public interest and

**BE IT FURTHER RESOLVED** that CB#2, Man. strongly recommends that the SLA deny an on-premises license to SOHO House New York, Inc., 123 Mercer Street, NYC 10013, and

**BE IT FURTHER RESOLVED** that CB#2, Man. calls upon the SLA to hold a 500' rule hearing so that the community's input and concerns can be heard on this matter.

Vote: Unanimous, with 44 Board members in favor.

### **2. Alfama Restaurant, Inc. 551 Hudson St. NYC 10014 (Hudson & Perry)**

**WHEREAS**, the applicant is proposing to open a 73 person/21 table restaurant serving Portuguese cuisine, and

**WHEREAS** the applicant has produced a Letter of No Objection from the NYC Dept. of Buildings as to Use Group 6, there having been other prior restaurant establishments in this location, and

**WHEREAS** there are more than 3 on-premises licenses within 500' of the applicant's premises but there is community support for continued use of the premises as a bonafide restaurant,

**THEREFORE BE IT RESOLVED** that CB#2, Man. does not oppose the granting of an on-premises license to Alfama Restaurant, Inc. 551 Hudson St. NYC 10014 and calls upon the SLA to hold a 500' rule hearing to ascertain community concerns, if any.

Vote: Unanimous, with 44 Board members in favor.

### **3. New York University d/b/a The Torch Club, 18 Waverly Place, NYC 10003**

**WHEREAS** NYU is proposing to operate a private University dining and drinking facility with a capacity of 200 persons on 3 floors that is open to faculty, administrative staff, alumni and their guests, and

**WHEREAS** hours of operation are 8AM to 10 PM, Monday to Friday with weekends closed, and

**WHEREAS** there will be no commercial use as the public will not be allowed to use the facility, and

**WHEREAS** there are more than 3 other on-premises establishments within 500' of the location,

**THEREFORE BE IT RESOLVED that CB#2, Man. does not oppose the granting of an on-premises license to New York University d/b/a The Torch Club, 18 Waverly Place NYC 10003 and calls upon the SLA to hold a 500' rule hearing to ascertain community concerns, if any.**

Vote: Unanimous, with 44 Board members in favor.

**4. Belga Corp., 400 West 14<sup>th</sup> Street, NYC 10014**

**WHEREAS** the applicant submitted a notice to CB#2, Man. that it intends to apply for an on-premises license, and

**WHEREAS** no application was submitted to CB#2, Man. and, further, the applicant did not appear at the public meeting

**THEREFORE BE IT RESOLVED that CB#2, Man. calls upon the SLA to defer any action on Belga Corp., 400 West 14<sup>th</sup> Street, NYC 10014 until the applicant appears before us with the proper information and forms.**

Vote: Referred back to Committee in Oct. - Unanimous, with 44 Board members in favor.

**5. Barrow Street Restaurant Corp., 87 Seventh Ave. South, NYC 100014 (cor. Barrow)**

**WHEREAS** the applicant is in process of transferring this on-premises license from the Time Café (South on Seventh, LLC) of which the applicant was one of the stockholders, and

**WHEREAS** the applicant will now be the sole stockholder of the new corporation, and

**WHEREAS** there are no substantial changes in the operation, and

**WHEREAS** the applicant has produced a Certificate of Occupancy from the NYC Dept. of Buildings indicating Use Group 6 for the ground floor and roof with a capacity of 155 and 50 persons, respectively

**THEREFORE BE IT RESOLVED that CB#2, Man. does not oppose the granting of an on-premises license to Barrow Street Restaurant Corp., 87 Seventh Avenue South, NYC 100014.**

Vote: Unanimous, with 44 Board members in favor.

**Note: (From the August Executive Committee)**

**6. Red Clam LLC, 170 Thompson Street, NYC 10012 (Blecker)**

**WHEREAS** a previous resolution linked Red Clam with Babbo Restaurant on Waverly Place, and

**WHEREAS** subsequent deliberations by CB#2, Man. revealed that the 2 restaurants may have overlapping ownership interests but are each effectively stand-alone operations and should be evaluated separately, and

**WHEREAS** Red Clam has adhered to all necessary administrative requirements and should not be linked to Babbo

**THEREFORE BE IT RESOLVED that CB#2, Man. hereby rescinds its resolution of August 19, 1999 (calling upon the SLA to postpone action on this matter until a zoning variance has been obtained for Babbo) and does not oppose the granting of an on-premises license to Red Clam LLC, 170 Thompson Street, NYC 10012.**

Vote: Passed with 43 Board members in favor, and 1 abstention.

**LANDMARKS & PUBLIC AESTHETICS**

**PUBLIC HEARING: LANDMARKS PRESERVATION COMMISSION, 9/28/99**

**1. LPC Item: 23 110 Greene Street, a.k.a. 123 Mercer Street (Prince & Spring)**

**WHEREAS** the applicant has requested a month's extension to modify the design;

**THEREFORE BE IT RESOLVED** that CB#2, Man. accepts the applicant's request to hold it over a month.

Vote: Unanimous, with 45 Board members in favor.

**2. LPC Item: 24 92 Greene Street, a.k.a. 109 Mercer Street (Spring & Prince)**

**WHEREAS** the proposed reconstruction of the two original Fernbach buildings in this parking lot is a remarkable preservation effort; but

**WHEREAS** the proposed building on Mercer Street is a trifle too experimental and a building with more traditional style or materials should be considered;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends approval of the application regarding Greene Street and requests the applicant to re-work the Mercer portion of the application.

Vote: Unanimous, with 45 Board members in favor.

**3. LPC Item: 25 2 Wooster Street (Canal St. - Held Over)**

**4. LPC Item: 26 395 West Broadway**

**WHEREAS** this application calls for a stylish banner hung on a double-pole system, but

**WHEREAS** the banner is a bit too large at 17 square feet;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends approval of this application if there would be a slight reduction in size.

Vote: Unanimous, with 45 Board members in favor.

**5. LPC Item: 27 - 555 Broadway (Prince & Spring)**

**WHEREAS** one banner per store is appropriate; and

**WHEREAS** this application proposes four large banners, thirty sq. ft. each; and

**WHEREAS** buildings on Broadway have only one or two stores on the ground floor;

**WHEREAS** this appears to be an attempt to get extra banners;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of this application for so many large banners.

Vote: Unanimous, with 45 Board members in favor.

**6. LPC Item: 28 25 Fifth Avenue**

**WHEREAS** the project is well-conceived despite some questions on the prominence and materials of the trellis;

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

Vote: Unanimous, with 45 Board members in favor.

**7. LPC Item: 29 555 Hudson Street (Perry&W.11th)**

**WHEREAS** this splendid facade restoration is a phase I alteration for a master plan for the building

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends approval of this application and we await eagerly the phase 2 restoration.

Vote: Unanimous, with 45 Board members in favor.



**8. LPC Item: 30 137 Seventh Avenue South (W.10th&Charles)**

**WHEREAS** there is no historical precedent for banners in the Greenwich Village Historic District; and

**WHEREAS** the existing sign protrudes beyond the approved sign band; and

**WHEREAS** although we find that the current sign is unacceptable to the standards of the Historic District (an application never came before us), it is sufficient for this tenant's needs and thus a banner is unnecessary;

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

Vote: Unanimous, with 45 Board members in favor.

**9. LPC Item: 31 122 Washington Place (6th&7thAves)**

**WHEREAS** the original windows are proposed to be re-aligned to accommodate an interior renovation undertaken with a C.N.E.; and

**WHEREAS** this re-alignment will alter the design and the historic character of the building;

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

Vote: Passed, with 43 Board members in favor, 1 in opposition, and 1 abstention.

**10. LPC Item: 32 97 Charles Street (Bleecker & Hudson)**

**WHEREAS** we found inadequate the presentation of the storefront proposal regarding the before and after; and

**WHEREAS** although the same sign box will be maintained, the proposed sign of interior-lit Plexiglas is not historic;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of this application and would like a more in character with the historic district. in size, material and lettering.

Vote: Unanimous, with 45 Board members in favor.

**11. LPC Item: 33 24 Fifth Avenue**

**WHEREAS** we like the work proposed for the arched windows, masonry repair and loggia; but

**WHEREAS** we found that relocating the non-bearing partition to heighten the glass door was debatable;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends approval of this application, but urges the applicant to consider reducing the overall size of the glass window above the terrace door.

Vote: Unanimous, with 45 Board members in favor.

**12. LPC Item: 34 289 Bleecker Street**

**WHEREAS** the applicant phoned Florence Arenas of the community board requesting a delay, but failed to send written notice as requested;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends that this controversial application be held over as per the applicant's request.

Vote: Unanimous, with 45 Board members in favor.

**LESBIAN, GAY, BISEXUAL AND TRANSGENDER**

**Planters and Bollards at the Jane Street `Triangle.**

**WHEREAS** there is support from community groups including the Jane Street Association, the Horatio Street Association, The West Village Committee, the Chelsea Village Partnership and the 31 Jane Street Tenants Association for a "green " space at the site of the Jane Street Triangle; and

**WHEREAS** the NYCDOT has presented a design that includes 16 “period” bollards and 7” Soho” planters that will restrict vehicular and cycle access to the pedestrian safety zone; and

**WHEREAS** the NYCDOT design provides wheelchair access through the pedestrian safety zone; and

**WHEREAS** the NYCDOT would like CB#2-Man. approval before ordering the planters and the bollards; and

**THEREFORE BE IT RESOLVED** that CB#2-Man. approves of the planters and bollards at the perimeter of the site and urges the DOT order them, so they might be in place, by Spring ‘2000.

Vote: Passed, with 40 Board members in favor and 4 in opposition.

## **ARTS**

### **Proposal by International Studio Program at 325 Spring St.**

**WHEREAS** CB#2-Man. has a commitment to preserving and supporting the Arts out of a recognition of the important economic and cultural impact created by this major industry within our board area; and

**WHEREAS** rising real estate values and other changing economic factors have contributed to the erosion of the arts community within CB#2-Man.; and

**WHEREAS** International Studio Program, a not-for-profit organization, has presented a proposal for an expansion of its program in a new site, at 325 Spring Street in the UPS building, which, combined with other arts groups and organizations will form an Arts Center that will contribute new support for existing arts activity as well as encouraging further cultural development for the downtown area; and

**WHEREAS** CB#2-Man. assumes that the proposed use of 325 Spring St. would be as-of-right and International Studio Program indicates its willingness to continue working with CB#2 and the community as a whole as a whole as the project evolves.

**THEREFORE BE IT RESOLVED** that CB#2-Man. recognizing that economic forces such as rising real estate prices has shrunk our arts community, enthusiastically expresses its support for the proposed Art Center, as well as the hope that UPS will recognize the positive impact this use of its property will have on the immediate neighborhood as well as the hope that UPS will recognize the positive impact this use of its property will have on the immediate neighborhood as well as the larger region; and

**BE IT FURTHER RESOLVED** that CB#2-Man. hopes that endorsement of the concept of this proposal will include our elected officials and a broad support will influence the negotiations between UPS and International Studio Program towards a positive outcome.

Vote: Unanimous, with 45 Board members in favor.

## **YOUTH**

### **Voucher Resolution**

**WHEREAS** the future of New York City is strongly dependent on an educated citizenry; and

**WHEREAS** there are many students in New York City, particularly those in poorer neighborhoods, who are not adequately serviced by schools housed in decrepit buildings not conducive to teaching and learning, where large class sizes prevail; and

**WHEREAS** the voucher system was designed to affect poorer parents access to private schools; and

**WHEREAS** even with vouchers, the majority of poor parents veer toward the less expensive parochial schools, in violation of the Separation of Church and State principle mandated by the New York State constitution; and

**WHEREAS** the voucher system often favors the better student, removing these pupils from the public schools and leaving the poorer students languishing in them.

**THEREFORE BE IT RESOLVED** that CB#2-Man. strongly opposes the funneling of scarce public education funds into private schools instead of using such monies to help the poorer student learn in reasonably pleasant surroundings, small classes and from knowledgeable teachers; and

**BE IT FURTHER RESOLVED** that raised academic standards and student performance can best be achieved by encouraging creative competition within the public school system.

Vote: Passed, with 43 Board members in favor and 2 in opposition.

Respectfully submitted,

Michael Mirisola, Secretary  
Community Board #2, Manhattan

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