

FULL BOARD MINUTES

DATE: September 20, 201
TIME: 7:00 P.M.
PLACE: St. Vincent’s Hospital, 170 W. 12th Street
Cronin Auditorium, 10th Floor

BOARD MEMBERS PRESENT: Ann Arlen, Steve Ashkinazy, Glenn Bristow, Helene Burgess, Keith Crandell, Anthony Dapolito, Noam Dworman, Carol Feinman, Harriet Fields, Edward Gold, Arnold L. Goren, Jo Hamilton, Brad Hoylman, Honi Klein, Lisa LaFrieda, Don Lee, Aubrey Lees, Chair, Community Board #2, Manhattan (CB#2, Man.) Edward Ma, Rosemary McGrath, Don MacPherson, Doris Nash, T. Marc Newell, Judy Paul, Carol Reichman, Robert Rinaolo, Ann Robinson, Rocio Sanz, Ruth Sherlip, John Short, Melissa Sklarz, James Smith, Sean Sweeney, Lora Tenenbaum, Martin Tessler, Betty Williams, Carol Yankay.

BOARD MEMBERS EXCUSED: Charle-John Cafiero, Rev. Keith Fennessy, David Reck, Shirley Secunda, Wilbur Weder, Jeanne Wilcke.

BOARD MEMBERS ABSENT: Tobi Bergman, Doris Diether, Alan Jay Gerson, Elizabeth Gilmore, Anne Hearn, Debra Sandler, Arthur Z. Schwartz, Verna Small.

BOARD STAFF PRESENT: Arthur Strickler, District Manager

GUESTS: Daryl Cochran, Congressman Jerrold Nadler’s office; Scott Melvin, Senator Tom Duane’s office; Meg Reed, Senator Martin Connor’s office; Yvonne Morrow, Assembly Speaker Sheldon Silver’s office; Assemblymember Deborah Glick; Tom Castele, Councilmember Kathryn Freed's office; Andree Tenemas, Councilmember Margarita Lopez’ office; Maura Keaney, Councilmember Christne Quinn’s office, Blane Roberts, Man. Borough President’s office; Chris Sade, Augusta Brown, Lee S. Jabvin, Carol Woolmington, Mark Remington, Benjamin Ryan, David Poster, Barbara Baluta, Gary Parker, Emily Fancher, Frank Collierius, David Schaffer, Eliza Bradley, Alan Jacobs, Nancy Deckinger, Yu Quan Lee, Azar Fung, Mary K. Doris, Albert Bennett, James , Elana Posner, E.S. Ray,

MEETING SUMMARY

Meeting Date September 20, 2001
Board Members Present – 36
Board Members Excused– 6
Board Members Absent - 8

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II. PUBLIC SESSION

Business Items

SoHo House, 29-35 Ninth Ave.

Chris Sade, principal, and Carol Woolmington, spoke in favor of the liquor license application.

III. Adoption of Agenda

IV. Elected Officials Present and Reporting

Daryl Cochrane, of Congressman Jerrold Nadler's office

Scott Melvin, Senator Tom Duane's office

Meg Reed, Senator Martin Connor's office.

Yvonne Morrow, of Assembly Speaker Sheldon Silver's office

Assemblymember Deborah Glick office

Tom Castele, of Councilmember Kathryn Freed's office.

Andree Tenemas, Councilmember Margarita Lopez' office,

Maura Keaney, of Councilmember Christine Quinn's office

V. Adoption of Minutes

Adoption of July minutes. Distribution of July minutes.

VI. Executive Session

1. **Chair's Report** Aubrey Lees reported

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

3. AUGUST RESOLUTIONS

Proposed Amendment to Community Board #2, Manhattan Bylaws

WHEREAS Section 4(b) of the bylaws of CB#2, Man. provides that if the Board Chairperson is unable to serve as Chairperson until the end of his or her term, then the Vice Chairperson who received the most votes at the most recent board election shall succeed as Chairperson for the balance of the term; and

WHEREAS said bylaws further provide that if neither of the foregoing officers are able to serve, then the other Vice Chairperson shall succeed to the Chair for the balance of the term;

THEREFORE BE IT RESOLVED that the Vice Chairperson who received the most votes in the most recent board election shall have the title of 1st Vice Chair; and

BE IT FURTHER RESOLVED that the other Vice Chairperson shall have the title of 2nd vice Chairperson.

Vote: withdrawn.

BUSINESS

1. Da Silvano Corp., d/b/a Da Silvano, 260 Ave. of the Americas, NYC 10014

WHEREAS, the applicant and his architect appeared before the committee; and

WHEREAS, the applicant currently operates a restaurant with an on-premise liquor license at the above location; and

WHEREAS, the applicant is expanding into an adjacent vacant store to the south of the premises, adding approximately 40 additional seats; and

WHEREAS, the applicant stated that there will be no change in the hours of operation.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of this alteration application for Da Silvano Corp., d/b/a Da Silvano, 260 Ave. of the Americas, NYC 10014.

Vote: Unanimous, with 36 Board members in favor.

2. 10th and 4th Restaurant, LLC d/b/a L'Atelier, 189 West 10th Street, NYC 10014

WHEREAS, this location currently operates as the La Metairie Restaurant; and

WHEREAS, there will be no change in the menu, seating or operation of this restaurant whatsoever; and

WHEREAS, there are no current violations, nor did any members of the public object to this application.

THEREFORE BE IT RESOLVED that CB2 recommends approval of this application for 10th and 4th Restaurant, LLC d/b/a L'Atelier, 189 West 10th Street, NYC 10014.

Vote: Unanimous, with 36 Board members in favor.

3. 59 5th Avenue Café, Inc. d/b/a Luahn, 59 Fifth Avenue, NYC 10003

WHEREAS, the applicants and their attorney appeared before the committee; and

WHEREAS, this location is directly across from the New School and next door to the Cardozo Law School and has previously been turned down by CB#2, Man. three years ago; and

WHEREAS, the applicants stated that they will remain open until 4AM, and may apply for a cabaret license; and

WHEREAS, this location is rather large with a legal capacity of 174 persons; and

WHEREAS, members of the public testified that the current licensee, "The Three Micks" has been problematic and the source of many neighborhood complaints as it operates as a lounge and/or disco with loud DJ music and a restrictive door policy. This being contrary to their stipulated "no music" agreement with the community; and

WHEREAS, fourteen members of the public, in addition to a representative of the 13th St. Block Assn. were present at the committee meeting in opposition to this application.

THEREFORE BE IT RESOLVED that CB#2, Man. once again recommends denial of this application for an on premise liquor license to 59 5th Avenue Café, Inc. d/b/a Luahn, 59 Fifth Avenue, NYC 10003; and

BE IT FURTHER RESOLVED that CB#2, Man. calls upon the SLA to look into the viability of this application with regard to the distance from the New School and the Cardozo Law School; and

BE IT FURTHER RESOLVED that CB#2, Man. calls upon the SLA to hold a 500-foot Rule Hearing so that the views of the community can be heard and taken into account.

Vote: Unanimous, with 36 Board members in favor.

4. SF Union Square LLC d/b/a Outback Steakhouse, 140 Fourth Avenue, NYC 10003

WHEREAS the applicants and their attorney appeared before the committee; and

WHEREAS this will be a large restaurant with 7800 sq. ft. and seating for 230 persons; and

WHEREAS the applicant stated that their normal hours of operation will be until 10:30 PM weekdays and 11:30 PM on weekends; and

WHEREAS the applicant stated that this operation is more of a restaurant than a bar with liquor sales amounting to only 11% of total sales nationwide; and

WHEREAS the applicant assured the committee that any patrons waiting to be seated will be inside the premises and that no lines will be allowed to form outside; and

WHEREAS no one from the community appeared in opposition to this application, however, a representative of the Union Square South Community Advisory Board did appear and was afforded an opportunity to question the applicant regarding various issues of concern.

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of this application for an on premise license for SF Union Square LLC d/b/a Outback Steakhouse, 140 Fourth Avenue, NYC 10003; and

BE IT FURTHER RESOLVED that CB#2, Man. calls upon this applicant to meet with the local community groups as needed to resolve ongoing issues.

Vote: Unanimous, with 36 Board members in favor.

5. El Tano Corp. d/b/a El Tano Restaurant, 78 Carmine Street, NYC 10014

WHEREAS the applicants appeared before the committee; and

WHEREAS the area was posted and no one from the community appeared in opposition of this application; and

WHEREAS the applicants desire to operate an Argentinean/Italian restaurant with 74 seats; and

WHEREAS there hours of operation will be until 10 PM weekdays and 11PM weekends; and

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of an on premise license for El Tano Corp. d/b/a El Tano Restaurant, 78 Carmine Street, NYC 10014.

Vote: Unanimous, with 36 Board members in favor.

6. Divel Enterprises, Inc. 350 Hudson Street, NYC 10014

WHEREAS, the applicant appeared before the committee; and

WHEREAS, the applicant stated that there would be no changes to the décor or hours of operation of this location, which is currently operating as Meigas, a Spanish restaurant; and

WHEREAS the applicant stated that the hours of operation will be until 10:30 PM weekdays and 11:30 weekends; and

WHEREAS the area was posted and there was no opposition to this application from the community;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of this application for an on premise license for Divel Enterprises, Inc., 350 Hudson Street, NYC 10014

Vote: Unanimous, with 36 Board members in favor.

LANDMARKS AND PUBLIC AESTHETICS

PUBLIC HEARING: LANDMARKS PRESERVATION COMMISSION, September 6, 2001

1. LPC Item: 7 – 127 Spring 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; now

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 36 Board members in favor.

2. LPC Item: 8 – 53 Mercer 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; now

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 36 Board members in favor.

3. LPC Item: 9 – 652 Broadway

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; now

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 36 Board members in favor.

4. LPC Item: ? – 42 West 12th Street

Application is to NYCDOT for reconstruction of a previously removed stoop and fence.

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; now

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 36 Board members in favor.

SOCIAL SERVICES, HOMELESS & SENIOR SERVICES

1. Training & Education Bill proposed by the Coalition for Access to Training and Education (CATE), to increase access to training and education.

WHEREAS a problem with the current method of operation of the WorkFare program often requires students who have not yet completed their education or are lacking in some basic skills to quit classes and go to work, and

WHEREAS this bill would permit welfare recipients to pursue the training and education needed to move from welfare to a permanent job at decent wages,

THEREFORE BE IT RESOLVED CB#2, Man. supports the proposed Training and Education Bill proposed by CATE.

Vote: Unanimous, with 36 Board members in favor.

2. Individuals with Disabilities Lawsuit against Duane Reade Stores

WHEREAS Individuals with Disabilities filed suit in US District Court against Duane Reade because it failed to adopt or implement policies that would ensure that its stores and pharmacies are accessible to people with physical disabilities, especially those with mobility impairments, and

WHEREAS Councilwoman Christine Quinn wrote a letter of protest to the President and CEO of Duane Reade, specifying various problems with its stores; and

WHEREAS the stores of Duane Reade in our area exhibit most of the problems cited by Councilwoman Christine Quinn - pharmacies located either in the basement or on the 2nd floor, elevators used for freight and not easily accessible for the handicapped, aisles partially blocked with merchandise, doors which do not open automatically,

THEREFORE BE IT RESOLVED that CB#2, Man. supports the stand taken by Councilwoman Quinn and suggests that the CB #2 sends a similar letter, protesting lack of access for those with disabilities, to the President of Duane Reade and also to all the Duane Reade stores in our area protesting these conditions.

Vote: Unanimous, with 36 Board members in favor.

ZONING AND HOUSING

2-8 Fifth Avenue Parking Garage BSA #727-59-bz Transient Parking Application to Renew a Variance for 15 Transient Parking Spaces.

WHEREAS CB#2, Man. approved the variance for 2-8 Fifth Avenue in 1991; and

WHEREAS the application was approved on the condition that the applicant complied with all the provisions of the existing variance, specifically that the illegal signs be removed, that the Washington Square North entrance be used only as an emergency exit, and that the lighting be approved by the NYC Landmarks Preservation Commission; and

WHEREAS the Washington Square exit is not being used as an emergency exit, but instead as a regular entrance and exit to the garage, as evidenced by the signs that state "Enter", "Exit" and "Open 24 Hours", the rate signs inside the door, and the free-standing sign outside the garage next to the steps of the adjacent building on Washington Square North; and

WHEREAS the Washington Square signage is in regular use and not temporary signage associated with the 8th Street entrance being closed due to the construction from the 8th Street sidewalk widening; and

WHEREAS cars are seen entering and exiting through the emergency exit as seen in the attached photos;

THEREFORE BE IT RESOLVED CB#2, Man. cannot recommend the renewal of the variance until such time as the applicant adheres to the conditions of the original variance. (See attachment)

Vote: Unanimous, with 36 Board members in favor.

SEPTEMBER RESOLUTIONS

Employee Raises

WHEREAS it is the aim of CB#2, Man. to recognize the hard work and effective performance of its District Manager, Community Associate, Community Assistant, and Community Service Aide and

WHEREAS such recognition is not only right but necessary in the interest of preserving the employees' morale and continued commitment to service with CB#2, Man. and

WHEREAS the current compensation for CB#2, Man.'s District Manager is less than 24 of the other 58 District Managers and, even with the increase indicated below, will remain lower than 19 of the other 58 District Managers and

WHEREAS CB #2 believes that the esprit, experience, and results obtained for board and community by its full time community service staff commands greater compensation than their current recompense from the city and

WHEREAS, although in funding these increases CB#2, Man. must move money in the board's fiscal 2002 city budget from the "Other Than Personal Services" (OTPS) section to the "Personal Services" (PS) section, but can readily subsidize the OTPS reduction from the non-city "Friends of CB#2" account,

THEREFORE BE IT RESOLVED that CB#2, Man. approves the following increases in salaries retroactive to July 1, 2001:

<u>Position</u>	<u>Increase</u>	<u>Current Salary</u>	<u>New Salary</u>
District Manager	\$ 3,799	\$ 66,201	\$ 70,000
Community Associate	1,200	38,481	39,681
Community Assistant	1,200	26,665	27,885
Community Service Aide	1,200	25,925	27,125

Vote: Passed, with 35 Board members in favor, and 1 in opposition.

Effect of Proposed Salary Increases for DM & staff - Retro to 7/1/01

District Manager

Current	\$ 66,201
Proposed	\$ 70,000
Increase	\$ 3,799

Community Associate

Current	\$ 38,481
Proposed	\$ 39,681
Increase	\$ 1,200

Community Assistant

Current	\$ 26,665
Proposed	\$ 27,865
Increase	\$ 1,200

Community Service Aide

Current	\$ 25,925
Proposed	\$ 27,125
Increase	\$ 1,200

Total Current Salaries: \$ 157,272

Total Proposed Salaries: \$ 164,671

Total Proposed Increases: \$ 7,399

Total City Budget \$ 175,758

Pers. Serv. Budget \$ 161,883

OTPS: \$ 13,875

Rev. Salary Budg. \$ 164,671

Rev. OTPS \$ 11,087

Pers. Serv. Deficit (\$ 2,788)

Transfer to PS

From OTPS \$ 2,788

Rev.Tot.City Budg. \$ 175,758

Vote: Passed, with 35 Board members in favor, and 1 in opposition.

STANDING COMMITTEE REPORTS

ENVIRONMENT AND PUBLIC HEALTH

1. The Necessity For Immediate Measures To Safeguard Our Population From An Attack On New York City's Drinking Water System

WHEREAS, just as terrorists have received flight training on U.S. planes in this country, so biology graduate students with loyalties to terrorist organizations have potentially been able to receive expert training here, and to learn the details of our municipal drinking water infrastructures; and

WHEREAS, because New York City's drinking water supply serves over 9 million people, it constitutes an eminent target for a terrorist attack with deadly designer toxins new to the scientific community; and

WHEREAS, the City's drinking water system consists of vast watersheds with large and small tributaries and reservoirs, very difficult to guard in its totality;

NOW THEREFORE BE IT RESOLVED that, while it is extraordinarily difficult to guard all of the City's massive drinking water resources from terrorist attack, rigorous early warning protective measures, taken in advance, such as those listed below, would make it possible to limit the impact of any attack on the water system, and it is incumbent upon our Federal and local officials to devise and deploy such protective measures as soon as possible as part of the Federally funded protective plan against terrorist attack; and

BE IT FURTHER RESOLVED that Community Board #2 Manhattan (CB#2) therefore strongly urges immediate action by Rudolph Giuliani, the Mayor of the City of New York, and his successor; in cooperation with by appropriate Federal agents; US Environmental Protection Agency (USEPA) Administrator Christine Todd Whitman; the NYCDEP; the NYS Department of Environmental Conservation; and with the assistance of the New York City Council and the New York State Legislature; to immediately devise and deploy a rapid response system to protect the over 9 million people who consume New York City's drinking water, in the event of a terrorist attack on the drinking water system; and

BE IT FURTHER RESOLVED that CB#2 suggests the following elements as necessary to a New York City rapid response/early warning drinking water protection plan:

- 1) Continuous testing of waters (using fast and inexpensive field methods such as the tetramitus test) at appropriate input points in the system, in order to detect attacks in remote areas of the system;
- 2) A method for rapid shut-down and isolation of parts of the system in the event of an attack anywhere in the system;
- 3) The fastest possible early warning system to alert the public;
- 4) Fulltime guarding of selected water resources, such as reservoirs, by police or military personnel;
- 5) Strategic stockpiling of water for emergency use.
- 6) A public information program regarding emergency preparedness measures.

BE IT FINALLY RESOLVED that, for obvious reasons, the tests used must be general toxicity tests that respond to any known or UNKNOWN toxin or poison, rather than specific chemical tests that measure only specific known toxins or poisons, such as arsenic, mercury, etc. General toxicity tests, including the tetramitus test and others using one-celled microorganisms, are fast and inexpensive field methods well suited to this challenge.

Vote: Unanimous, with 36 Board members in favor.

2. Protecting The Health Of WTC Rescue Workers, Their Families And Others From Asbestos And Toxic Chemicals In The Debris Of The WTC Site

WHEREAS, the mountains of debris remaining from the destruction of the World Trade Center contain asbestos and a possible "witches" "brew" of other contaminants with known and unknown health effects;

THEREFORE BE IT RESOLVED that every effort should be made to have rescue workers wear high quality masks or respirators, and to see to it that they are provided with showers and other proper means of decontamination when they leave the site, in keeping with the high standards already established by the City's health officials so that the health of their families is protected from the contaminants at the World Trade Center site; and

BE IT FURTHER RESOLVED that the required covering and wetting-down of debris being trucked from the site must be followed in order to protect the health of people along the truck routes, including residents of Staten Island who live near Fresh Kills, where the debris is deposited, and FBI agents and others who are searching the debris at Fresh Kills, who should also be provided with high quality masks.

Vote: Passed, 23 Board members in favor and 8 abstentions.

LANDMARKS AND PUBLIC AESTHETICS

PUBLIC HEARING: LANDMARKS PRESERVATION COMMISSION **September 22nd and September 25th, 2001**

1. LPC Item: 2 – 444 Broadway

WHEREAS, it is our practice to recommend denial of applications when no one appears to offer a presentation before the community board; but

WHEREAS, the events of September 11th may have been a reason for the inability of the applicants to make a presentation, although several applicants did appear;

THEREFORE, BE IT RESOLVED that CB#2, Man. strongly urges the applicant present in October; and if that is not feasible, then we rely on our trust that the LPC will reach an appropriate determination regarding the application.

Vote: Unanimous, with 36 Board members in favor.

2. LPC Item: 3 – 47 Greene Street An Italianate-style store and loft building built in 1866. Application is to alter the loading dock and install new storefront infill.

WHEREAS, the proposal to remove a loading dock which is not part of the original fabric is suitable for this building; and

WHEREAS, the materials, style and colors proposed is similar to other contributing buildings in the cast-iron district; and

WHEREAS, the proposal will restore a characteristic symmetry and rhythm to the façade;

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

Vote: Unanimous, with 36 Board members in favor.

3. LPC Item: 4 – 62 Crosby Street Application is to install a flagpole and banner.

WHEREAS, on September 7th, six days prior to the Landmarks Committee meeting, the architect called the community board office and informed the assistant, Julio Mora, that he was not going to appear before us to make a presentation because:

- six days was insufficient notification by the LPC for him to take time from his schedule to appear before the committee (although that six-day period did not deter other applicants from appearing); and
- anyway, the last time he appeared before the community board his proposal was denied, so why bother this time around;

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

FURTHER, BE IT RESOLVED that the LPC strongly suggest to the applicant that he not dismiss this important part of the application process, and, instead, make time in October to appear before us.

Vote: Unanimous, with 36 Board members in favor.

4. LPC Item: 5 – 388 Bleecker Street A row house with a commercial ground floor built in 1853. Application is to install new storefront infill and signage.

WHEREAS, we prefer that the original brownstone fascia as shown in the archive photo be restored and not covered with the plywood and crown molding as shown in the drawing (compare similar buildings on Bleecker Street between (West 11th and Bank Streets); but

WHEREAS, the removal of the roll-down grille and gate track, and the A/C unit, and the iron security grille and storefront, and the cracked section of the step are welcomed; and

WHEREAS, the proposed recessed soffit light fixture, the insulated glass transom panel, the choice of paint colors, and other proposed refurbishments are appropriate; and

WHEREAS, although the residential door treatment is not historic, it is nevertheless tasteful;

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

Vote: Unanimous, with 36 Board members in favor.

5. LPC Item: 6 – 70 Barrow Street

WHEREAS, it is our practice to recommend denial of applications when no one appears to offer a presentation before the community board; but

WHEREAS, the events of September 11 may have been a reason for the inability of the applicants to make a presentation, although several applicants did appear;

THEREFORE, BE IT RESOLVED that CB#2, Man. strongly urges the applicant present in October; and if that is not feasible, then we rely on our trust that the LPC will reach an appropriate determination regarding the application.

Vote: Unanimous, with 36 Board members in favor.

6. LPC Item: 7 – 273 West 12th Street. A Federal-style row house built in 1830. Application is to construct a new stoop, stoop gate and areaway fence, and rear-yard addition. Zoned R6

WHEREAS, the applicant made no presentation regarding the stoop work, so we will not address that; but

WHEREAS, regarding the rear-yard addition, in this case the building is surrounded by taller and more massive buildings, and the addition will not be as imposing as some similar proposals we have seen; and

WHEREAS, given that the application leaves substantial portions of the original rear façade intact, and is using the same materials and the same size wooden clapboards as the original rear façade, as well as 6 over 6 fenestration, and that the addition replicates the overall effect of the original façade, and does not destroy the original tea rooms, as some applicants have done;

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

Vote: Unanimous, with 36 Board members in favor.

7. LPC Item: 8 – 255 West 12th Street

WHEREAS, it is our practice to recommend denial of applications when no one appears to offer a presentation before the community board; but

WHEREAS, the events of September 11th may have been a reason for the inability of the applicants to make a presentation, although several applicants did appear;

THEREFORE, BE IT RESOLVED that CB#2, Man. strongly urges the applicant present in October; and if that is not feasible, then we rely on our trust that the LPC will reach an appropriate determination regarding the application.

Vote: Unanimous, with 36 Board members in favor.

8. LPC Item: 9 – 49 Grove Street

WHEREAS, it is our practice to recommend denial of applications when no one appears to offer a presentation before the community board; but

WHEREAS, the events of September 11th may have been a reason for the inability of the applicants to make a presentation, although several applicants did appear;

THEREFORE, BE IT RESOLVED that CB#2, Man. strongly urges the applicant present in October; and if that is not feasible, then we rely on our trust that the LPC will reach an appropriate determination regarding the application.

Vote: Unanimous, with 36 Board members in favor.

9. 53 Mercer Street Application is for the installation of an awning, 5 feet by 2 -1/2 feet

WHEREAS, because this application arrived from LPC after the community board's calendar and notifications had been mailed and the applicant did not attend;

THEREFORE, BE IT RESOLVED that CB#2, Man. has no recommendation.

Vote: Unanimous, with 36 Board members in favor.

PARKS, RECREATION AND OPEN SPACE

Presentation Of A Proposal For A Temporary Art Installation At Duarte Square Sixth Ave. And Grand St. Adrian Sas Public Art Coordinator Of The Dept. Of Parks And Andrea Salerno, From Art In General, Will Be The Presenters.

WHEREAS a proposal to install a temporary work of art in Duarte Square, located at Sixth Avenue between Canal and Grand Streets; and

WHEREAS all Department of Parks procedure have been followed and approved by Adrian Sas, Public Arts Coordinator.

THEREFORE BE IT RESOLVED that CB#2-Man., approves the proposal to install Temporary Art in Duarte Square from Oct. 2001 to February 2002 of a new project called "Hush"

Vote: Unanimous, with 36 Board members in favor.

BUSINESS

SEPTEMBER RESOLUTIONS

1. SoHo House New York, LLC. d/b/a SoHo House, 29-31 Ninth Avenue, NYC 10014

WHEREAS, the applicants, their attorney and their architect appeared before the committee; and

WHEREAS, the applicants currently operate similar establishments in England; and

WHEREAS, this application is for an on premise license for room service and mini bar service for a 34 room hotel and for a 15,000 sq. ft. restaurant/lounge seating 360 persons in addition to a 200 person capacity rooftop lounge at this location; and

WHEREAS, the applicants presented the committee with a letter outlining their plans in addition to a two page, thirteen item, list of stipulations that they requested be attached to and made part of their liquor license, **(copy attached)**; and

WHEREAS, the applicants agreed to delete stipulation #3 from this list as the committee felt that it was inappropriate and improper; and

WHEREAS, the applicant agreed to withdraw the rooftop lounge from this application, however, they will return at another time with a revised plan for the roof after consultation with the community; and

WHEREAS, one member of CB#2, Man. spoke in favor of this application and no one from the community appeared at the committee meeting in opposition; and

WHEREAS, there are more than 3 licensed premises within 500 feet of this location,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of an on premise license for the 3rd floor restaurant/lounge, room service and mini bar only and will reconsider the rooftop use at another time for SoHo House New York, LLC, d/b/a SoHo House, 29-31 Ninth Avenue, NYC 10014.

BE IT FURTHER RESOLVED that CB#2, Man. calls upon the SLA to hold a 500 foot hearing on this matter.

Vote: Passed, with 21 Board members in favor, 10 in opposition, 2 abstentions and 1 recusal (J. Paul).

2. Washington Square North, LLC., d/b/a Washington Park, 24 Fifth Avenue, NYC 10014

WHEREAS, the applicant appeared before the committee; and

WHEREAS, this application is for the restaurant portion of this property only; and

WHEREAS, this location has been used as a restaurant for over 30 years; and

WHEREAS, the applicant is a well known chef/owner with an international reputation;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of this application for Washington Square North, LLC, LLC d/b/a Washington Park, 24 Fifth Avenue, NYC 10014

Vote: Unanimous, with 36 Board members in favor.

3. Filmhall.com, d/b/a Delux, 510 La Guardia Place, NYC 10012

WHEREAS, the applicant appeared before the committee; and

WHEREAS, the applicant stated that there would be no cooking at this location; and

WHEREAS, the applicant stated that there would be no waiter/waitress service at this location; and

WHEREAS, the menu presented was a very light “coffee bar” style menu, more suitable to a beer and wine license;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of this application for an on premise license to Filmhall.com d/b/a Delux, 510 La Guardia Place, NYC 10012.

Vote: Unanimous, with 36 Board members in favor.

4. Suryavanshi, 302 Bleecker Street, NYC 10014

WHEREAS the applicant appeared before the committee; and

WHEREAS this is an existing location known as Surya Indian Restaurant that the applicant is buying from the current owner; and

WHEREAS the applicant stated that the hours of operation will be from 5:30 PM to 11:30 PM; and

WHEREAS the applicant stated that there will be no change to the operation or menu of this restaurant; and

WHEREAS no one from the community appeared in opposition to this application;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of this application for an on premise license for Suryavanshi, 302 Bleecker Street, NYC 10014.

Vote: Unanimous, with 36 Board members in favor.

5. Sirocco Restaurant, Inc, 199 Prince Street, NYC 10014

WHEREAS the applicants appeared before the committee; and

WHEREAS the location has been the La Frontiere restaurant for many years; and

WHEREAS this is a relatively small location with 35 seats; and

WHEREAS the applicant stated that there would be no changes to the bar or layout and that they would not apply for a sidewalk café license; and

WHEREAS, no one from the community appeared in opposition of this application;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of an on premise license for Sirocco Restaurant, Inc., 199 Prince Street, NYC 10014

Vote: Unanimous, with 36 Board members in favor.

6. Spring Leopard, LLC. D/b/a Il Gatto Pardo, 307 Spring Street, NYC 10014

WHEREAS, the applicant appeared before the committee; and

WHEREAS, the applicant stated that there would be no live music; and

WHEREAS the applicant stated that the hours of operation will be until 11:30 AM to 11:00PM; and

WHEREAS there was no opposition to this application from the community and one CB#2, Man. board member spoke in favor of this application;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of this application for an on premise license for Spring Leopard, LLC., d/b/a Il Gatto Pardo, 307 Spring Street, NYC 10014

Vote: Unanimous, with 36 Board members in favor.

SIDEWALKS, PUBLIC FACILITIES AND ACCESS

1. New Application to NYCDOT for revocable consent to reconstruct a stoop and fence previously removed at 42 W. 12th Street, NYC.

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

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

WHEREAS there is sufficient passage for pedestrian safety and access;

THEREFORE BE IT RESOLVED that the application to NYCDOT for revocable consent to reconstruct a new stoop and fence at 42 West 12th Street was approved by CB # 2, Man.

Vote: Unanimous, with 36 Board members in favor.

2. New application to NYCDOT for revocable consent to reconstruct a stoop and fence in a landmark district at 67 Bedford Street, between Morton and Commerce Street.

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

WHEREAS the building was built in 1836 and there was a stoop there before; and

WHEREAS the stoop and fence conforms to the character of the block that already has six stoops and fences consisting of four concrete steps and a landing.

THEREFORE BE IT RESOLVED that CB #2, Man. recommends approval to construct a stoop and fence at 67 Bedford Street.

Vote: Unanimous, with 36 Board members in favor.

1. New application to NYCDOT for revocable consent to operate an unenclosed sidewalk café by Oystergirl, Inc d/b/a Mary's Fish Camp 246 West 4th Street, NYC, 4 tables and 8 seats.

The applicant withdrew the application, because Department of City Planning had already denied this sidewalk café. The committee agreed not to do a resolution on this café application.

2. Renewal of application to NYC Dept. of Consumer Affairs for revocable consent to operate an unenclosed sidewalk café for Xando Cosi, 841 Broadway, at 13th Street, NYC.

The applicant failed to appear and the matter will continue until next month.

3. Renewal of application for consent to operate an unenclosed sidewalk café for Poy Laung Thai Restaurant, 210 Thompson Street, NYC, with 4 tables & 8 seats, DCA #1005307.

The applicant asked to be held over until October 8th, 2001.

4. Renewal application to NYC Dept of Consumer Affairs & NYC Dept. of Transportation for revocable consent to operate an enclosed sidewalk café for Sange Restaurant, Inc. d/b/a Tio Pepe Restaurant, 168 West 4th Street, NYC, with 8 tables & 16 seats – DCA# 0693313.

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

WHEREAS there was no opposition from the community; and

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

WHEREAS this has been an enclosed sidewalk café for twenty-five years;

THEREFORE BE IT RESOLVED the CB #2 Man. recommends approval of a three (3) year revocable consent to operate an enclosed sidewalk café to Tio Pepe Restaurant for 8 tables, 16 seats.

VOTE: Passed, with 3 Board members in favor, and 1 recusal (R. Sanz).

NEW BUSINESS

Respectfully submitted,

Robert Rinaolo, Secretary
Community Board #2, Manhattan