

## FULL BOARD MINUTES

**DATE:** April 22, 2004  
**TIME:** 6:30 P.M.  
**PLACE:** St. Vincent's Hospital, 170 W. 12<sup>th</sup> St.  
1<sup>st</sup> floor Cafeteria

**BOARD MEMBERS PRESENT:** Steve Ashkinazy, Tobi Bergman, Helene Burgess, Keith Crandell, Marie P. Derr, Doris Diether, Harriet Fields, Elizabeth Gilmore, Edward Gold, Jo Hamilton, Anne Hearn, Brad Hoylman, Barbara Jeter, Honi Klein, Lisa La Frieda, Aubrey Lees, Don MacPherson, Dr. John Maggio, Rosemary McGrath, Rick Panson, Judy Paul, Robert Riccobono, Mark Rosenwasser, Rocio Sanz, Melissa Sklarz, Cynthia Smith, James Smith, Chair, Community Board #2, Manhattan (CB#2, Man.) Sean Sweeney, Martin Tessler, Wilbur Weder, Carol Yankay.

**BOARD MEMBERS EXCUSED:** Lawrence Goldberg, Arthur Harris, Don Lee, Chad Marlow, T. Marc Newell, David Reck, Robert Rinaolo, Shirley Secunda, Shirley H. Smith.

**BOARD MEMBERS ABSENT:** Edward Ma, Doris Nash, Arthur Z. Schwartz, Ruth Sherlip, Betty Williams.

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

**GUESTS:** Daryl Cochrane, Congressman Jerrold Nadler's office; Jon Proson, Senator Tom Duane's office; Matt Viggiano, Senator Martin Connor's office; Deborah Lester, Assembly Speaker Sheldon Silver's office; Gregory Brender; Assembly Member Deborah Glick's office; Dirk McCall, Council Member Alan Gerson's office; Joseph Puma, Council Member Margarita Lopez' office; Carin Mirowitz, Council Member Christine Quinn's office; Marie Evans, Sherrie Greenberg, Mary Hall, Erin Bogard, John Evans, Edwin Ries, Lauralee Bruce, Barry A. Meyerson, Chris Walsh, Jonathan Segal, Demetri Daphnis, Shea Hovey, Ian Dutton, Michael Infranco, Mary Abbott, Lynn Pacifico, Jen Monan, Christine Folnoy, Brandon Mitchell, Vera Michaels, Emily Csendes, Stephen M. Evans III, Claire Evans, Irma Bauner, Jim Bond, Carol Kider, Susan Goren, Rebecca Litman, Carter Booth, Joseph Luena, Zella Jones, Andrew Berman.

### MEETING SUMMARY

Meeting Date – April 22, 2004  
Board Members Present – 31  
Board Members Excused– 9  
Board Members Absent - 5

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## **II. PUBLIC SESSION**

### **Non-Agenda Items**

#### Bellevue Hospital

Will Weder spoke regarding the hospital.

#### Emergency Preparedness Project

Carol Kider, of BAMRA, spoke regarding this topic.

#### Far W. Village

Andrew Berman spoke regarding the Far W. Village 51-40 ruling.

#### Dog Runs

Lynn Pacifico, Dog Owners' Action Committee, spoke in favor of dog run improvements.

### **Business Items**

#### TWIMC, LLC, d/b/a Café Sol, 357 West Broadway

Joseph Luena, owner, spoke in favor of the proposed liquor license.

Mary Abbott and Demetri Daphnis spoke against the proposed liquor license.

John Evans spoke regarding the liquor license application.

#### JEC II d/b/a One, 1-3 Little W. 12<sup>th</sup> St.

Barry A. Meyerson, attorney, spoke in favor of the sidewalk café application.

### **Environment Items**

#### Car Alarm Ban

Michael Infranco spoke in favor of a car alarm ban.

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

#### JEC II d/b/a One, 1-3 Little W. 12<sup>th</sup> St.

Barry A. Meyerson, attorney, spoke in favor of the alteration of the liquor license application to include sidewalk café and to convert a service bar to a stand-up bar.

### **Waterfront Items**

#### Public Art on Charles St. – “Big Apple” Sculpture

Rebecca Litman spoke against the installation of the “Big Apple” sculpture on Charles St. donated by Donna Karan.

### **Zoning and Housing Items**

#### Community Facility Zoning Text Change

Zella Jones, of NoHo Neighborhood Assn., spoke against the proposed zoning changes.

## **III. ADOPTION OF AGENDA**

## **IV. ELECTED OFFICIALS PRESENT AND REPORTING**

Daryl Cochrane, of Congressman Jerrold Nadler's office

Danielle Cabaldi-Micca, Senator Tom Duane's office

Deborah Lester, of Assembly Speaker Sheldon Silver's office

Gregory Brender, of Assembly Member Deborah Glick's office

Dirk McCall, of Council Member Alan Gerson's office.

Joseph Puma, of Council Member Margarita Lopez' office, reported on cuts to Section 8 budget and President Bush's budget.

Carin Mirowitz, of Council Member Christine Quinn's office

**V. ADOPTION OF MINUTES**

Adoption of February minutes and distribution of March minutes.

**VI. EXECUTIVE SESSION**

1. **Chair's Report** Jim Smith reported
2. **District Manager's Report** Arthur Strickler reported.

**STANDING COMMITTEE REPORTS**

**BUSINESS**

**1. RF Restaurant & Food Corp., d/b/a Café Espanol, 78 Carmine Street, NYC**

**WHEREAS**, the applicant appeared before the committee; and

**WHEREAS**, this application is for an On Premise License for a 61 person capacity Spanish restaurant at this location; and

**WHEREAS**, the applicant stated that the hours of operation will be from 11 AM to Midnight weekdays and until 1 AM on weekends; and

**WHEREAS**, the applicant stated that music would be background only; and

**WHEREAS**, no one from the community spoke in opposition to this application; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the issuance of an On Premise license to **RF Restaurant & Food Corp., d/b/a Café Espanol, 78 Carmine Street, NYC.**

Vote: Unanimous, with 31 Board members in favor.

**2. 218 Lafayette St. Rest. Corp., 218 Lafayette Street, NYC**

**WHEREAS**, the applicant appeared before the committee; and

**WHEREAS**, this application is an On Premise license for this 3100 square foot, 116 person capacity restaurant at this location that formerly operated as Cascabel; and

**WHEREAS**, the applicant stated that the hours of operation will be from 11 AM until 4AM seven days; and

**WHEREAS**, the applicant stated that the music will be background only; and

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the issuance of an On Premise license for the **218 Lafayette St. Rest. Corp., 218 Lafayette Street, NYC.**

Vote: Passed, with 29 Board members in favor, and 2 in opposition.

**3. 183 Rio Restaurant Inc., d/b/a Ipanema Lounge, 183 West 10<sup>th</sup> Street, NYC**

**WHEREAS**, the applicant and his representative appeared before the committee; and

**WHEREAS**, this application is for an On Premise license at this 1100 square foot 68 person capacity basement location that formerly was known as Smalls; and

**WHEREAS**, the applicant stated that the menu will be finger food and that the location will be a piano bar; and

**WHEREAS**, the applicant also stated that music will be background and live piano; and

**WHEREAS**, the applicant stated that the hours of operation will be from 6 PM until 3 AM seven days; and

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the issuance of an On Premise license to **183 Rio Restaurant Inc., d/b/a Ipanema Lounge, 183 West 10<sup>th</sup> Street, NYC.**

Vote: Unanimous, with 31 Board members in favor.

**4. 504 LaGuardia Restaurant Partners LLC d/b/a Jasper, 504 LaGuardia Place, NYC**

**WHEREAS**, the applicant appeared before the committee; and

**WHEREAS**, this application is for an On Premise license at this 1500 square foot 60 person capacity location that was formerly Due Amici; and

**WHEREAS**, the hours of operation will be from Noon until 2 AM seven days; and

**WHEREAS**, the applicant stated that the music will be background only; and

**WHEREAS**, the applicant stated that they will apply for a sidewalk café license; and

**WHEREAS**, no one from the community spoke in opposition to this application; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the approval of an On Premise license for **504 LaGuardia Restaurant Partners LLC, d/b/a Jasper, 504 LaGuardia Place, NYC.**

Vote: Unanimous, with 31 Board members in favor.

**5. Becassine, Inc. d/b/a Gavroche, 212 West 14<sup>th</sup> Street, NYC**

**WHEREAS**, the applicant appeared before the committee; and

**WHEREAS**, this application is for an On Premise license at this 1500 square foot 60 person capacity high end French restaurant that has been formerly operated as Cynthia's; and

**WHEREAS**, the applicant stated that the hours of operation will be until 11 PM weekdays and until Midnight on weekends; and

**WHEREAS**, the applicant stated that music will be background only; and

**WHEREAS**, the applicant also stated that they will be using the rear yard for seating; and

**WHEREAS**, no one from the community spoke in opposition to this application; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the issuance of an On Premise license for Becassine, Inc. d/b/a Gavroche, 212 West 14<sup>th</sup> Street, NYC.

Vote: Unanimous, with 31 Board members in favor.

**6. D.E.L. Inc., 455 Hudson Street, NYC**

**WHEREAS**, the applicants appeared before the committee; and

**WHEREAS**, the applicant stated that the hours of operation will be from 8 AM until 1 AM seven days and

**WHEREAS**, this application is for an On Premise license at this 530 square foot, 31 seat location; and

**WHEREAS**, the applicant stated that music will be background only; and

**WHEREAS**, the applicant and her husband and small child also live in the building; and

**WHEREAS**, one member of the community representing a block association appeared at the Committee meeting to determine what was going into this space; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the issuance of an On Premise license for **D.E.L. Inc., 455 Hudson Street, NYC.**

Vote: Unanimous, with 31 Board members in favor.

**7. Downtown Restaurant Group, d/b/a PM, 50 Gansevoort Street, NYC**

**WHEREAS**, the applicant appeared before the committee; and

**WHEREAS**, this application is for a Cabaret license at this 3500 square foot, 490 person capacity Tapas lounge; and

**WHEREAS**, the applicant stated that the hours of operation would not change; and

**WHEREAS**, one member of the community appeared for this application and stated that there have been some noise and vibration problems associated with this location. He also stated that the owner has been responsive in solving the problems. Both the applicant and the neighbor felt that the situation would be worked out; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of a Cabaret license for **Downtown Restaurant Group, d/b/a PM, 50 Gansevoort Street, NYC**

Vote: Passed, with 23 Board members in favor, and 9 in opposition.

**SENT BACK TO COMMITTEE FOR MAY RECONSIDERATION.**

**8. Mendared LLC d/b/a Orchid, 510 LaGuardia Place, NYC**

**WHEREAS**, the applicant appeared before the committee; and

**WHEREAS**, this application is for an On Premise license for this 1400 square foot 100 person capacity Moroccan lounge; and

**WHEREAS**, the applicant stated that the hours of operation will be from 11 AM until 4 AM seven days; and

**WHEREAS**, the applicant stated that the music will be background only; and

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the issuance of an On Premise license for **Mendared LLC d/b/a Orchid, 510 LaGuardia Place, NYC.**

Vote: Unanimous, with 31 Board members in favor.

**9. Cholo Dinero LLC d/b/a Corner Deli, 106 Kenmare Street, NYC**

**WHEREAS**, the applicant appeared before the committee; and

**WHEREAS**, this application is for an On Premise license at this 72 seat location that will be operated as a stylized Mexican diner; and

**WHEREAS**, the applicant stated that the hours of operation will be from 6 AM until 3 AM for the basement portion of the premise and will be open 24 hours in the street level portion; and

**WHEREAS**, the applicant stated that music will be background only; and

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the issuance of an On Premise license for **Cholo Dinero, LLC d/b/a Corner Deli, 106 Kenmare Street, NYC.**

Vote: Unanimous, with 31 Board members in favor.

**10. JEC II, LLC d/b/a One, 1 Little West 12<sup>th</sup> Street, NYC**

**WHEREAS**, the applicants appeared before the committee; and

**WHEREAS**, this application is for an alteration of the existing On Premise license at this location to extend their license into the recently applied for 62 seat Sidewalk café; and

**WHEREAS**, the applicant stated that there would be no change to the method of operation; and

**WHEREAS**, CB#2, Man. has heard credible allegations that well-behaved customers were manhandled by staff of the restaurant, and

**WHEREAS**, huge crowds gather nightly in front of this premise and the applicant had no plan as to where these crowds will stand once the entire sidewalk is occupied by a sidewalk cafe; and

**WHEREAS**, this entire area has become extremely crowded at night with many pedestrians having to walk in the street; and

**WHEREAS**, over this winter, a 150 seat sidewalk café was approved for the adjacent block and the premise directly next door to this location, the Gansevoort Hotel will have 250 outdoor seats, some on their own property and some on the sidewalk, beginning this summer; and

**WHEREAS**, the committee felt that approval of the sale of alcohol at an additional sidewalk location before observing the effect of the other newly approved 400 outdoor seats for at least one summer season would be ill advised; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. strongly objects to the alteration of the existing On Premise license for JEC II, LLC d/b/a One, 1 Little West 12<sup>th</sup> Street.

Vote: Passed, with 23 Board members in favor, 6 in opposition, 1 abstention, and 1 recusal (L. La Frieda).

#### **11. Café Radicchio Corp., d/b/a D'Alessio, 387 Sixth Avenue, NYC**

**WHEREAS**, the applicant appeared before the committee; and

**WHEREAS**, this application is for an On Premise license at this location currently operated as Gioia Pizzeria; and

**WHEREAS**, this premise is 1600 square feet with a capacity of 40 persons; and

**WHEREAS**, the applicant stated that the music will be background only and that the hours will be until Midnight seven days; and

**WHEREAS**, no one from the community appeared in opposition to this application: and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the issuance of an On Premise license for Café Radicchio Corp., d/b/a D'Alessio, 387 Sixth Avenue, NYC.

Vote: Unanimous, with 31 Board members in favor.

#### **12. It's All Good Restaurant Partners LLC d/b/a SoHo Cantina, 199 Prince Street, NYC**

**WHEREAS**, the applicants appeared before the committee; and

**WHEREAS**, this application is for an On Premise license at this 900 square foot 48 person capacity authentic Mexican restaurant location formerly occupied as Elysee; and

**WHEREAS**, the applicant stated that music will be background only and that the hours of operation will be from Noon until 2 AM seven days; and

**WHEREAS**, no one from the community appeared to speak on this application;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the issuance of an On Premise license for **It's All Good Restaurant Partners LLC d/b/a SoHo Cantina, 199 Prince Street, NYC.**

Vote: Unanimous, with 31 Board members in favor.

#### **13. Grotto Azzura Inn, Inc., d/b/a Grotto Azzura, 177 Mulberry Street, NYC**

**WHEREAS**, the applicant appeared before the committee; and

**WHEREAS**, this application is to extend the existing On Premise license at this location into the sidewalk cafe; and

**WHEREAS**, the applicant stated that there would be no change to the method of operation; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the alteration of the existing On Premise license for **Grotto Azzura Inn, Inc., d/b/a Grotto Azzura, 177 Mulberry Street, NYC.**

Vote: Unanimous, with 31 Board members in favor.

**14. TWIMC, LLC, d/b/a Café Sol, 357 West Broadway, NYC**

**WHEREAS,** the applicants appeared before the Committee; and

**WHEREAS,** this application is for an On Premise license at this 1900 square foot 54 seat capacity location that formerly operated as Magnum; and

**WHEREAS,** the applicants stated that music would be background only and that the hours of operation will be from Noon to 2 AM weekdays and until 4 AM weekends; and

**WHEREAS,** there are already eight bars in operation on this block; and

**WHEREAS,** this location was operated very badly in the past and the Committee has received written objection from community leaders who have serious concerns regarding this application; and

**WHEREAS,** the plans that were presented to the Committee did not reflect the restaurant use that the applicants stated this premise would be operated as; and

**WHEREAS,** the plans showed a very small kitchen with no storage for liquor, dry groceries, garbage, employee lockers, or any walk in refrigeration that an operation of this size would require as there is no basement; and

**WHEREAS,** the Committee felt that this application felt more like a nightclub/lounge than a restaurant; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. strongly recommends denial of an On Premise license for **TWIMC, LLC, d/b/a Café Sol, 357 West Broadway, NYC.**

Vote: Passed, with 23 Board members in favor, 7 in opposition, and 1 abstention.

**15. Ovalie Corp., 132 West Houston Street, NYC**

**WHEREAS,** the applicant failed to appear before the committee; and

**THEREFORE, BE IT RESOLVED** that CB#2, MAN. Manhattan opposes the issuance of an On Premise license for **Ovalie Corp., 132 West Houston Street, NYC** and calls upon the SLA to return this applicant to the community should an application be filed in order that the concerns of the community can be fully aired.

Vote: Unanimous, with 31 Board members in favor.

**ENVIRONMENT**

**1. Audible Car Alarm Ban**

**WHEREAS,** Complaints about noise are the leading type of complaint called into the city's 311 central complaint line by residents of Community Board 2: and

**WHEREAS,** Audible car alarms are a major cause of such complaints and have been described by the New York Police Department as an "annoying and sometimes unbearable disturbance for residents in their homes"; and

**WHEREAS,** Vehicles with such alarms show "no overall reduction in theft losses" compared with vehicles without alarms, according to a study of 73 million vehicles by the Highway Loss Data Institute; and

**WHEREAS,** Over 50 New York City car alarm installation companies have pledged to disable car alarm sirens without cost, if they are banned; and

**WHEREAS,** Car owners can readily protect their vehicles with many affordable and truly effective silent devices, which immobilize cars or page motorists directly; and

**WHEREAS**, Int. 115, introduced in the City Council by Council Member Eva Moskowitz, would ban the installation, sale and use of car alarms in the five boroughs of New York City and grant authority to the Police Department to enforce its provisions; and

**WHEREAS**, The State Insurance Law requires insurance companies to provide an automatic discount to owners of cars equipped with anti-theft devices, including audible car alarms; now

**THEREFORE, BE IT RESOLVED** That CB#2, Man. urges the City Council to enact Int. 115 into law at its earliest possible opportunity; and

**BE IT FURTHER RESOLVED** That CB#2, Man. calls upon the State Legislature to amend the State Insurance Law to remove the automatic discount afforded to owners of cars in New York City with audible alarms.

Vote: Unanimous, with 31 Board members in favor

## **2. Deutsch Bank Demolition**

**WHEREAS**, agreement was reached on February 26, 2004 to demolish the Deutsche Bank building, a 40-story tower at 130 Liberty Street, directly in the path of the plume of toxic debris from the World Trade Center collapse on September 11, 2001; and

**WHEREAS**, because the building was directly downwind of the toxic plume, it has provided one of the best records of what made up that toxic cloud and the interior has been so toxic that hazardous-waste workers could not enter without hazmat protective gear to seal themselves off from their surroundings;

**NOW THEREFORE BE IT RESOLVED** that CB#2, Man. urges that the level of protection used for hazardous-waste workers in the Deutsche Bank building be used during demolition to prevent escape into the outside environment of the toxins therein, which now have come to include a dangerous toxic mold.

Vote: Unanimous, with 31 Board members in favor.

## **LANDMARKS AND PUBLIC AESTHETICS**

### **1<sup>st</sup> LANDMARKS MEETING**

**1. LPC Item 2 - 495 Broadway a/k/a 66 Mercer Street - Soho-Cast Iron Historic District.** A commercial style store and loft building, designed by Alfred Zucker, built in 1892-1893. Application is to install new storefront infill on the Mercer Street facade.

**WHEREAS**, although it is not part of this application, the applicant volunteered that he intended to replace the existing oversized banner for the New Era Café with a similar gargantuan banner for Eckerd Drugs. He was reminded that although the flagpole may be grand-fathered, the banner is not. Once the New Era Café banner is removed, Eckerd must apply for its own banner. We would recommend a small blade sign instead; and

**WHEREAS**, the banner and flagpole for the rear façade are unnecessary since this will not be an entrance to the store. The applicant indicated he would not press for it at the Commission; and

**WHEREAS**, curiously, the applicant provided no historic photos or tax photos of the building, so it is impossible to determine what was the original appearance of the rear, Mercer Street, facade; and

**WHEREAS**, historically, the rear facades of Broadway buildings, on Crosby Street, as well as Mercer Street, had no storefronts. Rather they served a utilitarian function as loading docks, as in the present condition, or rear or emergency exits. Often they had tall, uninviting, utilitarian iron shutters, as illustrated in the Badger catalogue; and

**WHEREAS**, currently we can think of only a few locations along the entire length of Crosby and Mercer Streets that have glass and metal storefronts, and they are of contemporary construction, and are used as active front entrances to small stores on these side streets. The Eckerd store goes the entire length of the block, some 200 feet, and its entrance is on Broadway; and

**WHEREAS**, we understand the need for a building owner to have an operable storefront to attract tenants, but this tenant stated that he does not intend to use this proposed storefront as an entrance to the store. Instead it will serve primarily as a display window, and a majority of the split Committee felt that was insufficient reason to alter the traditional utilitarian façade lest it create a domino effect for other new storefronts, eventually resulting in the loss of the traditional back-street feel these rear facades created, which is so evocative of SoHo's industrial past; now

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

Vote: Unanimous, with 31 Board members in favor.

**2. LPC Item 3: 321 Canal Street    Withdrawn**

**3. LPC Item: 4 - 625 Broadway** - NoHo Historic District. A Renaissance Revival style store and loft building designed by David W. King and built in 1896-98. Application is to construct a one-story rooftop addition and to alter entrance infill installed without Landmarks Preservation Commission permit(s). Zoned C6-2

**WHEREAS**, the Community Board previously approved the rooftop addition, due to its slight visibility; now it is even less visible from the street; and

**WHEREAS**, although the proposed change to the transom above the main door is an improvement, we would prefer to see something even more historic, because several of the members thought there was too much glass; now

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of this application for the rooftop addition; and

**BE IT FURTHER RESOLVED** that CB#2, Man. requests the Commission to consider the proposed presence of so much glass above the main door.

Vote: Unanimous, with 31 Board members in favor.

**4. LPC Item: 5 - 330 Lafayette Street (n.w. corner of Bleecker)** - NoHo H.D. A Romanesque Revival style warehouse building designed by George Keister and built in 1895-1896, with a later addition in 1897. Application is to replace windows on the 8th floor.

**WHEREAS**, the replacement of the existing square windows with eyebrow windows in the existing round-top openings will restore harmony and balance to the fenestration; and

**WHEREAS**, the wooden-clad beige aluminum windows, situated on the upper floors, will not detract from the character of this building or the district; now

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

Vote: Unanimous, with 31 Board members in favor.

**5. LPC Item: 6 - 49 Charles Street, a/k/a 253 West 4th St. - Greenwich Village HD**

**WHEREAS**, it was our guess – and only a guess - that perhaps the applicant ran out of the salvaged tiles that he was using, and the excessively deep soffit was an easy and simple solution; and

**WHEREAS**, the soffit looks much too thick, bulky and chunky; and

**WHEREAS**, perhaps addition of molding to soften this clunky appearance, or an application of an additional course of tiles, or replacement of all the tiles would be a solution; now

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

Vote: Unanimous, with 31 Board members in favor.

**6. LPC Item: 7 - 323-327 West 11th Street - Greenwich Village Historic District - LAID OVER**

**7. LPC Item: 8 - 95 7th Avenue South (Pennyfeathers)- Greenwich Village Historic District** A one-story building built in 1931. Application is to legalize the enlargement and Modification of a rooftop bulkhead without Landmarks Preservation Commission permits. Zoned C4-5

**WHEREAS**, the applicant convinced us of the need for the glass window on the rooftop door for security reasons; and

**WHEREAS**, the enlargement and re-orientation of the rooftop bulkhead does not further detract from this somewhat pedestrian building; now

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

Vote: Unanimous, with 31 Board members in favor.

**8. LPC Item: 9 – 87 7th Avenue South (Sushi Samba 7)- Greenwich Village Historic District**

**LAIID OVER**

## **2<sup>ND</sup> LANDMARKS MEETING**

**1 - 48 Howard Street - SoHo-Cast Iron Historic District** An Italianate style store and loft building constructed in 1860. Application is to install a guard booth on the sidewalk in front of the building.

**WHEREAS**, we understand the persistent and intractable severity of the security problem on this block; but

**WHEREAS**, we feel a guard's booth on public property should be done only as a last resort and that creative solutions be explored to solve the problem; for example, a serious attempt to remove the graffiti, based on the 'broken window' theory; or improved lighting or an alarm system; or a convex mirror outside to enable the guard to see all the stoop from inside the store; and

**WHEREAS**, the applicant does not have a signoff from the Department of Transportation for such a booth; and

**WHEREAS**, this suggestion is without precedence anywhere in the community board; now

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

Vote: Unanimous, with 31 Board members in favor.

**2 - 503-511 Broadway - SoHo-Cast Iron Historic District** Three store buildings built in 1878-79 designed by J. B. Snook. Application is to construct a rooftop addition. Zoned M1-5B

**Applicant asked to be held over.**

**3 - 25 7th Avenue (W. 12/W. 13) - Greenwich Village Historic District.** An apartment building built in 1962-63. Application is to legalize the installation of storefront infill, a security gate, tracks and housing, and an awning without Landmarks Preservation Commission permit(s).

**WHEREAS**, the generic 60s building does not contribute, but it is near some of the most charming houses in the district; and

**WHEREAS**, the building's storefronts are a mélange of styles, mostly bad; and

**WHEREAS**, even the two roll-down gates of this application are not identical; and

**WHEREAS**, we would prefer to see the gates repositioned inside the premises; and

**WHEREAS**, we would like to see the louvre glazed; now

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

**BE IT FURTHER RESOLVED** that CB#2, Man. recommends that the LPC work on a master plan for this building's storefronts.

Vote: Unanimous, with 31 Board members in favor.

**4 - 27 Barrow Street – (Greenwich House) Greenwich Village Historic District** A neo-Federal style community center designed by Delano & Aldrich and built in 1916-1917. Application is to install an illuminated poster box on the facade.

**WHEREAS**, this is the most subdued proposal for advertising a theater ever brought before us; and

**WHEREAS**, the tasteful poster box and lighting do not distract from the district or the building; now

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

Vote: Unanimous, with 31 Board members in favor.

**5 - 675 Greenwich Street - Greenwich Village Historic District** A school and gymnasium building designed by Renwick, Aspinwall and Guard and built in 1926. Application is to construct a one-story rooftop addition. Zoned R6

**WHEREAS**, the glass and metal addition does not detract from the 50s building, and it has a pleasing proportion, rhythm, scale and balance; now

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

Vote: Unanimous, with 31 Board members in favor.

**6 - 95-103 Christopher Street, a/k/a 330-338 Bleecker St.- Greenwich Village H.D.** An apartment building designed by H.I. Feldman and built in 1930-31. Application is to legalize security gates installed without Landmarks Preservation Commission permits, to modify awnings installed without Landmarks Preservation Commission permits, and to install new awnings.

**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. **STRONGLY** recommends denial of this application in the absence of this important step in the review process.

Vote: Unanimous, with 31 Board members in favor.

**7. 69-71 7th Avenue South (Bleecker/Barrow)- Greenwich Village H.D.** A one-story building constructed after 1919. Application is to modify the storefront infill and to install light fixtures.

**WHEREAS**, the proposed gooseneck lighting is common in the Village; and

**WHEREAS**, the color scheme is sympathetic to the surrounding area; and

**WHEREAS**, the replacement windows and redwood frame are compatible with this building; now

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

Vote: Unanimous, with 31 Board members in favor.

**Item 8 - 408-414 West 13th Street - Gansevoort Market Historic District** A building designed by Charles N. & Selig Winston, and built in 1941 and an International style factory building designed by Lockwood Greene Engineers, Inc., and built in 1929-30. Application is to combine the buildings, modify storefront infill, and construct rooftop additions. Zoned M1-5

**WHEREAS**, matching the cornice line of the first two stories with that of the adjacent Colliers Building is a nice touch, but the dark grey palette is problematic and the glazing has no reference to other buildings in the district; and

**WHEREAS**, it may be difficult to construct a three-story mockup, but we feel some sort of visualization of the proposal should have been attempted in order to outline such a massive addition, which, although it may not be visible from directly in front, is likely to be seen from different angles and alter the massing of the district; and

**WHEREAS**, the side wall of 408-412 West 13<sup>th</sup> Street is cold and too massive, little resembling an industrial wall, more resembling a section of a modern terraced apartment building; or worse, a cascade of little terraces, like a Babylonian ziggurat; and

**WHEREAS**, 414 West 13<sup>th</sup> Street is among the first International style buildings built in the city and to have 408-412 resemble it so, diminishes its importance; now

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

**BE IT FURTHER RESOLVED** that CB#2, Man. recommends the applicant rework the design.

Vote: Unanimous, with 31 Board members in favor.

**146 Spring Street** (Wooster/West Broadway) A brick building built in 1819. Application is to install a storefront infill.

**WHEREAS**, this building is very historic, being one of the oldest buildings within the community board and still the residence of the first couple to move into SoHo, back in 1951; and

**WHEREAS**, the top of the residence door does not line up with the top of the store window, and these should be united; and

**WHEREAS**, the proposed painted steel and the extensive fenestration are uncharacteristic of an 1819 building; and

**WHEREAS**, the signband, lettering, and low bulkhead are out of scale with the building; and

**WHEREAS**, simply, the storefront is too modern for this old building; now

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

Vote: Unanimous, with 31 Board members in favor.

## **PARKS, RECREATION AND OPEN SPACE**

### **1. Renaming Carmine Street Recreation Center and Vesuvio Park in honor Anthony Dapolito.**

**WHEREAS** Anthony a/k/a Tony Dapolito was a long time, beloved member of CB#2, Man. and a great champion of the Parks in our community and neighborhood; and

**WHEREAS** Tony especially loved and advocated on behalf of Vesuvio Park and Carmine Street Recreation Center; and

**WHEREAS** it is only fitting and appropriate that these two parks be renamed in honor of and in loving memory of Tony;

**THEREFORE BE IT RESOLVED** that CB#2, Man respectfully requests that Vesuvio Park and Carmine Street Recreation Center be renamed the Anthony Dapolito Parks.

Vote: Unanimous, with 31 Board members in favor.

### **2. Decriminalization of Marijuana**

**WHEREAS**, Washington Square Park has for many years been a place where the criminal sale of marijuana is prevalent; and

**WHEREAS**, this criminal activity has a negative impact on the ambiance of the park at all times of the day, creating an antisocial, shady, and foreboding atmosphere throughout the park, turning away many community residents and city visitors alike, and spreading impacting the surrounding areas of the community; and

**WHEREAS**, the Police Dept. devotes substantial resources to the effort to control this criminal activity and makes many arrests at significant cost to the department and the court system, but to little or no avail as the activity is unabated for some forty years; and

**WHEREAS**, these resources are needed to fight crime, augment security, and improve the quality of life; and

**WHEREAS**, the availability of marijuana for sale in the park is a direct result of its unavailability through normal retail channels; and

**WHEREAS**, many otherwise law abiding and upstanding members of our community do partake in the use of marijuana or have partaken in the past; and

**WHEREAS**, the responsible use of marijuana is no worse than the responsible use of alcohol and the irresponsible use of the one is likewise no worse than the irresponsible use of the other; and

**WHEREAS**, the elected leadership of the City and State of New York are fully capable of regulating the sale and use of marijuana in the best interests their constituents;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. respectfully requests that the State of New York/United State Government decriminalize marijuana immediately so we can have our park back.

Vote: **SENT TO THE SOCIAL SERVICES COMMITTEE.**

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

#### **1. New Application to NYCDOT for Revocable Consent For A New Entry Stoop And Fenced-In Area In Front Of 81 Horatio Street, NYC.**

**WHEREAS**, the applicant's architect, appeared before the committee and,

**WHEREAS**, the area was posted, next door neighbor spoke in opposition and;

**WHEREAS**, this building had a stoop until 1920 and;

**WHEREAS**, most stoops have been removed to increase the size of the parlor floor and;

**WHEREAS**, applicant desires to restore the stoop and;

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

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends Approval for revocable consent for a new entry stoop and fenced-in area in front of 81 Horatio St., NYC.

Vote: Unanimous, with 31 Board members in favor.

#### **2. NEW Application to Department of Consumer Affairs for revocable consent to operate an unenclosed sidewalk café by Carmine Restaurant, Inc., d/b/a Il Cortile, 125 Mulberry St., with 9 tables & 18 seats, DCA # 1161434.**

**WHEREAS**, the expeditor appeared before the committee and;

**WHEREAS**, this restaurant is located in Little Italy and is in need of a sidewalk café and;

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

**WHEREAS**, there was no opposition form the community, and;

**THEREFORE, BE IT RESOLVED**, that CB#2 Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café by Carmine Restaurant, Inc., d/b/a Il Cortile, 125 Mulberry St., with 9 tables & 18 seats.

Vote: Unanimous, with 31 Board members in favor.

#### **3. NEW application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by Le Figaro, Inc., 184 Bleecker St., with 17 tables & 34 seats, DCA# 1161236.**

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

**WHEREAS**, there was no opposition from the community and;

**WHEREAS**, this restaurant is under new ownership using the same name and is asking for the same amount of tables and seats as presently exists and; has had a sidewalk café for more than 20 years and;

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

**THEREFORE, BE IT RESOLVED** that CB#2 Man. Recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café by Le Figaro, Inc., 184 Bleecker St., with 17 tables & 34 seats.

Vote: Unanimous, with 31 Board members in favor.

**4. NEW application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by JEC II LLC, d/b/a One, 1-3 Little West 12<sup>th</sup> St., with 31 tables & 62 seats, DCA#1161856.**

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

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

**WHEREAS**, this street is 20 feet wide on Ninth Avenue and 15 feet wide on Little West 12<sup>th</sup> Street; and

**WHEREAS**, this is a new establishment in the Meatpacking District and;

**WHEREAS**, there are a total of eight sidewalk cafes in a 30 block area constituting the Meatpacking District and;

**THEREFORE, BE IT RESOLVED** that CB#2 Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café by JEC II LLC, d/b/a One, 1-3 Little West 12<sup>th</sup> St., with 31 tables & 62 seats, DCA#1161856.

Vote: Passed, with 21 Board members in favor, 6 in opposition, 3 abstentions, and 1 recusal (L. La Frieda).

**5. NEW application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by GGMD Restaurant d/b/a Alma Blu, 179 Prince St., with 2 tables and 4 seats, DCA# 1162730.**

**WHEREAS**, the applicant appeared before the committee and;

**WHEREAS**, this area is designated “R-7” and does not allow sidewalk cafes and;

**THEREFORE, BE IT RESOLVED** that CB#2 Man. recommends DENIAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to GGMD Restaurant d/b/a Alma Blu, 179 Prince St., with 2 tables & 4 seats.

Vote: Unanimous, with 31 Board members in favor.

**6. NEW application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by Macdougall Bleecker Corp., 89 Macdougall St., with 17 tables & 34 seats, DCA# 1163023 (transfer).**

**WHEREAS**, the expeditor appeared before the committee and;

**WHEREAS**, the area was posted there was no opposition for the community and;

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

**THEREFORE, BE IT RESOLVED** that CB#2 Man. Recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Macdougall Bleecker Corp., 89 Macdougall St., with 17 tables & 34 seats.

Vote: Unanimous, with 31 Board members in favor.

**7. RENEWAL application to NYCDCA for revocable consent to operate an ENCLOSED sidewalk café for Red Lion Bleecker, Inc., 151 Bleecker St., with 7 tables and 13 seats DCA# 0981715.**

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

**WHEREAS**, there is no opposition from the community and;

**WHEREAS**, there is sufficient passageway for pedestrian safety and public access and;

**WHEREAS**, there are no complaints on file at the Board office and;

**WHEREAS**, this establishment has had an enclosed sidewalk café for 23 years and;

**THEREFORE, BE IT RESOLVED** That CB#2 Man. Recommends Approval of a TWO YEAR revocable consent to operate an ENCLOSED sidewalk café to Red Lion Bleecker, Inc., 151 Bleecker St., with 7 tables and 13 seats.

Vote: Unanimous, with 31 Board members in favor.

**8. RENEWAL application to NYCDCA for revocable consent to operate an ENCLOSED sidewalk café by Japonica Restaurant, 100 University Pl., with 7 tables & 20 seats, DCA# 0885853.**

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

**WHEREAS**, there was no opposition from the community and no complaints on file at the Board office and;

**WHEREAS**, this restaurant has had an enclosed sidewalk café for 8 years and;

**WHEREAS**, there is sufficient passageway for pedestrian safety and public access and;

**THEREFORE, BE IT RESOLVED** that CB#2 Man. Recommends approval of a TWO YEAR revocable consent to operate ENCLOSED sidewalk café to Japonica Restaurant, 100 University Pl., with 7 tables & 20 seats.

Vote: Unanimous, with 31 Board members in favor.

**9. RENEWAL application to NYCDCA for revocable consent to operate an ENCLOSED sidewalk café by Amedeo Buona Sera Corp. d/b/a Trattoria Il Bambino, 94 University Pl., with 12 tables & 24 seats, DCA#0883648.**

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

**WHEREAS**, there was no opposition from the community and no complaints on file at the Board office and;

**WHEREAS**, there is sufficient passageway for pedestrian safety and public access,

**WHEREAS**, this restaurant has had an enclosed sidewalk café for 12 years and;

**THEREFORE, BE IT RESOLVED** that CB#2 Man. Recommends APPROVAL of a TWO YEAR revocable consent to operate an ENCLOSED sidewalk café to Amedeo Buona Sera Corp. d/b/a Trattoria Il Bambino, 94 University Pl., with 12 tables & 24 seats.

Vote: Unanimous, with 31 Board members in favor.

**10. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by Caffè Silvestri d/b/a Caffè Napoli, 191 Hester St., with 26 tables & 47 seats, DCA# 0956923.**

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

**WHEREAS**, there is no opposition from the community and no complaints on file at the board office and;

**WHEREAS**, is sufficient passage for pedestrian safety and public access and;

**WHEREAS**, there has been a sidewalk at this location for 8 years and;

**THEREFORE, BE IT RESOLVED** that CB#2 Man. Recommends APPROVAL of a TWO-YEAR, revocable consent to operate an unenclosed sidewalk café to Caffè Silvestri d/b/a Caffè Napoli, 191 Hester St., with 26 tables & 47 seats.

Vote: Unanimous, with 31 Board members in favor.

**11. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by A.C.A. 110 Mulberry, Inc. d/b/a La Bella Ferrara, 110 Mulberry St., with 6 tables & 12 seats, DCA#0787968.**

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

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

**WHEREAS**, there are no complaints on file at the board office and;

**THEREFORE, BE IT RESOLVED** that CB#2 Man. Recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café for A.C.A. 110 Mulberry, Inc. d/b/a La Bella Ferrara, 110 Mulberry St., with 6 tables & 12 seats.

Vote: Unanimous, with 31 Board members in favor.

**12. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by Gallo Nero d/b/a Ciao, 185 Blecker St., with 11 tables & 22 seats, DCA#1099505.**

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

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

**WHEREAS**, there are no complaints on file at the board office and;

**WHEREAS**, this establishment has had a sidewalk café for 2 years and;

**THEREFORE, BE IT RESOLVED** that CB#2 Man. Recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café for Gallo Nero d/b/a Ciao, 185 Blecker St., with 11 tables & 22 seats.

Vote: Unanimous, with 31 Board members in favor.

**13. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by Nilo, Inc. & Viola, Consulting LLC, d/b/a Mezzogiorno Restaurant, 195 Spring St., with 11 tables & 26 seats, DCA#0832737.**

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

**WHEREAS**, there was no opposition from the community and;

**WHEREAS**, the applicant's blueprints show 22 seats and not 26 seats and;

**WHEREAS**, there are no complaints on file at the board office and;

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

**THEREFORE, BE IT RESOLVED** that CB#2 Man. Recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Nilo, Inc. & Viola, Consulting LLC, d/b/a Mezzogiorno Restaurant, 195 Spring St., with 11 tables & 22 seats.

Vote: Unanimous, with 31 Board members in favor.

**14. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by A Rozzano, Inc. d/b/a Sapore Due Restaurant, 57 Greenwich Ave., with 13 tables & 37 seats, DCA#1105743.**

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

**WHEREAS**, there was no opposition from the community and;

**WHEREAS**, there are no complaints on file at the board office and;

**WHEREAS**, this establishment has had a sidewalk café for 5 years and;

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

**THEREFORE, BE IT RESOLVED** that CB#2 Man. Recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to A Rozzano, Inc. d/b/a Sapore Due Restaurant, 57 Greenwich Ave., with 13 tables & 37 seats.

Vote: Unanimous, with 31 Board members in favor.

**15. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by Dynamic Music Corp. d/b/a Olive Tree Café, 117 MacDougal St., with 4 tables & 8 seats, DCA#0807555.**

The applicant did not appear and this application will be held over to the May, 2004 meeting.

**16. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by Pasta Presto Village, 93 Macdougall St. with 6 tables & 12 seats, DCA#0830176**

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

**WHEREAS**, there is no opposition from the community and;

**WHEREAS**, this restaurant has been in business for 18 years at this location with a sidewalk café and;

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

**THEREFORE, BE IT RESOLVED** that CB#2 Man. Recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café by Pasta Presto Village, 93 Macdougall St. with 6 tables & 12 seats.

Vote: Unanimous, with 31 Board members in favor.

**17. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by Kid Rest. Corp. d/b/a Manatus, 340 Bleecker St. with 6 tables & 12 seats, DCA#0885879.**

**WHEREAS**, the applicant appeared before the committee and;

**WHEREAS**, the area was posted and;

**WHEREAS**, this has been a sidewalk café for 13 years and;

**WHEREAS**, there are no complaints on file at the board office and;

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate and unenclosed sidewalk café to Kid Rest. Corp. d/b/a Manatus, 340 Bleecker St. with 6 tables & 12 seats.

Vote: Unanimous, with 31 Board members in favor.

**18. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by Monster Sushi Hudson, Inc., 535 Hudson St. with 15 tables & 32 seats, DCA#1109205.**

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

**WHEREAS**, this applicant has come a long way in pleasing the community and;

**WHEREAS**, there was no opposition from the community and no complaints on file at the Board office and;

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends APPROVAL for a TWO YEAR revocable consent to operate an unenclosed sidewalk café to by Monster Sushi Hudson, Inc., 535 Hudson St. with 15 tables & 32 seats.

Vote: Unanimous, 31 with Board members in favor.

**19. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by Maneken Corp. d/b/a Petite Abeille, 466 Hudson St. with 6 tables & 11 seats, DCA#0979768.**

**WHEREAS**, the applicant appeared before the committee and;

**WHEREAS**, the area was posted, there was no opposition from the community and;

**WHEREAS**, the applicant should move his umbrellas that extend over the removable railing and;

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

**WHEREAS**, there are no complaints on file at the board office and,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Maneken Corp. d/b/a Petite Abeille, 466 Hudson St. with 6 tables & 11 seats.

Vote: Unanimous, with 31 Board members in favor.

**20. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by Biassanot Corp. d/b/a Da Andrea, 557 Hudson St. with 5 tables & 12 seats, DCA#1096547.**

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

**WHEREAS**, there was no opposition from the community and no complaints on file at the Board office and;

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

**WHEREAS**, this restaurant has had a sidewalk café for two years and;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends APPROVAL for a TWO-YEAR revocable consent to operate an unenclosed sidewalk café to Biassanot Corp. d/b/a Da Andrea, 557 Hudson St. with 5 tables & 12 seats.

Vote: Unanimous, with 31 Board members in favor.

**21. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by Hudson Falafel, Inc., 516 Hudson St. with 8 tables & 15 seats, DCA# 0955186.**

The applicant did not appear and this application will be held over for the May, 2004 meeting.

**22. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by 7<sup>th</sup> & Barrow, LLC d/b/a Sushi Samba 7, 87 – 7<sup>th</sup> Ave. South, with 16 tables & 40 seats, DCA# 1080161.**

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

**WHEREAS**, on the RENEWAL portion of this application, there was no opposition from the community and;

**WHEREAS**, as presently configured, except for the oversized umbrellas, there is sufficient passage for pedestrian safety and public access and;

**WHEREAS**, the applicant agreed to utilize smaller umbrellas and;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL for a TWO YEAR revocable consent to operate an unenclosed sidewalk café to 7<sup>th</sup> & Barrow, LLC d/b/a Sushi Samba 7, 87 – 7<sup>th</sup> Ave. South, with 16 tables & 40 seats.

Vote: Passed, with 29 Board members in favor, and 2 in opposition.

**23. MODIFICATION application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by 7<sup>th</sup> & Barrow, LLC d/b/a Sushi Samba 7, 87 – 7<sup>th</sup> Ave. South, with 31 tables & 62 seats, DCA# 1160996.**

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

**WHEREAS**, there was substantial opposition from the community and;

**WHEREAS**, in a prior application on this agenda, CB#2, Man. approved 16 tables and 40 seats for this applicant and;

**WHEREAS**, there currently exists 6 sidewalk cafes (enclosed and unenclosed) on the block from Grove to Bleecker Street and;

**WHEREAS**, if this application were granted there would not be sufficient passage for pedestrian safety and public access and;

**THEREFORE BE IT RESOLVED** that CB#2, Man., recommends **DENIAL** of the **MODIFICATION** application for a TWO YEAR revocable consent to operate an unenclosed sidewalk café to 7<sup>th</sup> & Barrow, LLC d/b/a Sushi Samba 7, 87 – 7<sup>th</sup> Ave. South, with 31 tables & 62 seats.

Vote: Unanimous, with 31 Board members in favor.

**24. MODIFICATION application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by Four Green Fields, d/b/a Agave, 140-142 7<sup>th</sup> Ave. South with 24 tables & 48 seats, DCA#1159453.**

The applicant stated that they would not go forward with this application due to their non-acquisition of the adjacent premises.

## **SOCIAL SERVICES, HOMELESS AND SENIOR SERVICES**

### **Veteran Affairs Hospital Closure**

**SEE ATTACHED EXHIBIT I.**

Vote: Unanimous, with 31 Board members in favor.

## **TRAFFIC AND TRANSPORTATION**

### **Dilapidated Brick Crosswalks Along Lower Sixth Avenue**

**WHEREAS**, many of the brick paving blocks delineating crossing areas along lower Sixth Avenue (the “brick crosswalks”) have sunk into the asphalt as the street has been resurfaced over the years and many bricks are missing; and

**WHEREAS**, the irregular surface of the brick crosswalks poses a safety hazard to pedestrians; and

**WHEREAS**, the brick crosswalks apparently serve no pedestrian, historic or aesthetic benefit;

**THEREFORE BE IT RESOLVED**, that CB#2, Man. urges the New York City Department of Transportation to survey the condition of the brick crosswalks, remove those that are unsafe and repave the crossing areas. The crossing areas could be marked possibly by employing “perma-pattern” materials or by using a decorative design.

Vote: Unanimous, with 31 Board members in favor.

## **WATERFRONT**

### **1. Proposal for Safety Improvements at the Segment Four Dog Owner Recreational Facilities**

**WHEREAS** at the existing dog run in segment four of the Hudson River Park Trust, the following safety issues must be addressed by the Trust:

#### **SECURE FENCE:**

The north fence of the run is not secure, especially the NW corner of the run where the retaining wall is right next to the low north fence (the north fence is lower due to its not being mounted on the retaining wall as it is on the east, south and west sides of the run). Large and small dogs can get out easily at the northern corner of the run by stepping on the retaining wall then jumping over the fence. The retaining wall ledge in effect makes the north fence approximately only 18" high in the 2 north corners.

**SURFACE:**

The run surface, which is used in tennis courts, is very slippery when wet. This very slippery surface causes dogs chasing a ball (or each other) to slam into the cement barricades surrounding the run (except for the north.) There have been many serious slip and fall incidents at the run already. The trust should use a crushed granite surface, which the Trust is already using in the 2 "overlooks" as well as to use/modify the drainage system designed for a small balls field (The Bark, a national magazine for dog owners, did a review on run surfaces last year and reported that crushed granite is the preferred treatment for dog runs nationally).

**BENCH:**

The large circular bench in the middle of the run needs to be removed as soon as possible because it is dangerous, for dogs that go beneath it; it takes up too much space. It needs to be replaced with benches on the side of the run.

**SIZE:**

Since this is the only public dog run in the West Village, the segment four dog run needs to be enlarged from 3,400 square feet to 10,000 square feet. This can be accomplished by extending the southern border of the run further south.

**SHADE:**

The summer sun cooks the run and everything in it, effectively making the run unusable for most of the day. A small free-form shade, like the trust used on the piers, would help solve this problem.

**BULLETIN BOARD:**

All dog runs have bulletin boards that are used for announcements and education.

**WATER SOURCE:**

All dog runs need a hose and a solid surface where the hose is placed. A water source provides cooling in the summer and easy access for cleaning.

**SEPARATE RUN FOR SMALL DOGS:**

Plans for a run for dogs under 25 pounds need to be included for segment three of the Hudson River Park as small dogs are in danger of injury when mixed in with larger dogs. Many owners of small dogs (rightfully) do not use runs where all sized dogs are combined. Since there are at least 2 to 3 times as many owners of small dogs as other dog owners, we need a small run IN ADDITION to & SEPARATE from the existing run.

**THEREFORE, BE IT RESOLVED** that CB#2, Man., strongly urges the Hudson River Park Trust to take swift and immediate action to on the safety issues raised herein.

Vote: Unanimous, with 31 Board members in favor.

**2. Big Apple Sculpture**

**WHEREAS** A brief review of the sculpture “Big Apple” was discussed among committee members; and

**WHEREAS** Comments were made about the contemplated date for installation, which is anticipated to be either in June or September of this year in the Park at the foot of Charles Street; and

**WHEREAS** Members of the committee viewed the sculpture and toured the studio where it is stored.

**WHEREAS** The committee was advised by The Hudson River Park Trust that due to the temporary nature of the placement, there was no requirement that we approve the matter -- but that we were being offered the information for review. The committee subsequently took a vote after hearing any comments from the community.

**THEREFORE BE IT RESOLVED** there were no objections from anyone, a vote was taken which was unanimous in favor of the installation.

Vote: Unanimous, with 31 Board members in favor.

**ZONING AND HOUSING**

**Proposal by The Department of City Planning For an Amendment to the Zoning Text For Community Use Facilities. N040202ZRY**

**WHEREAS**, CB#2, Man. recognizes the need for reform to the zoning text for Community Use Facilities, and;

**WHEREAS**, The changes that are proposed are primarily intended for one- and two-family neighborhoods and would have minimal affect on zoning districts in CB#2, Man., And;

**WHEREAS**, There is an expectation and an urgency to address the particular Community Use Facilities issues in CB#2, Man., and;

**WHEREAS**, This proposal does not address the issue of the as of right increase in bulk for Community Use Facilities, and;

**WHEREAS**, Restrictions proposed to limit Health Care Facilities would not apply in the zoning districts in CB#2, Man. and the board has experienced problems with large Health Care Facilities in residential districts, And;

**WHEREAS**, The proposal would modify the zoning text definition of college or school dormitory or fraternity or sorority houses to clarify that these community facility uses are student accommodations, however, the issue of whether Faculty Housing is a Community Use Facility remains unaddressed, And;

**WHEREAS**, The wide variety of accessory uses that can come with colleges and universities needs clarification, and;

**WHEREAS**, Houses of worship would be permitted as-of-right, rather than by special permit, in M1 Districts and the Board would no longer be able to review these applications, And;

**WHEREAS**, The wide variety of accessory uses that can come with Houses of worship also need clarification, And;

**WHEREAS**, The proposal would extend the prohibitions on building in a required rear yard, however, schools, houses of worship, colleges and universities, and hospitals and related facilities would continue to be governed by current rules that allow rear yard construction, And;

**THEREFORE, BE IT RESOLVED**, That CB#2, Man. strongly supports the concept of reforming the zoning text for Community Use Facilities, however, the Board finds that this proposal falls short of its intended goals, And;

**BE IT FURTHER RESOLVED**, That the basic issue of the as of right increase in bulk for Community Use Facilities should be addressed in this and any similar proposal, And;

**BE IT FURTHER RESOLVED**, That CB#2, Man. requests that the current requirement for a special permit for Houses of worship in M1 Districts be retained so that the Board would be able to review these applications And;

**BE IT FURTHER RESOLVED**, That CB#2, Man. requests that the Department of City Planning reconsider this proposal and amend the text change to include the concerns of the Board, And,

**BE IT FURTHER RESOLVED**, That CB#2, Man. further requests that the Department of City Planning study the related issues in CB#2, Man. and propose reforms for Community Use Facilities that will address our concerns.

Vote: Unanimous, with 31 Board members in favor.

**NEW BUSINESS**

Respectfully submitted,

Mark Rosenwasser  
Assistant Secretary  
Community Board #2, Manhattan