

FULL BOARD MINUTES

DATE: October 21, 2004
TIME: 6:30 P.M.
PLACE: NYU Vanderbilt Hall, 40 Washington Square South
Room 220

BOARD MEMBERS PRESENT: Steve Ashkinazy, Helene Burgess, Maria P. Derr, Doris Diether, Harriet Fields, Elizabeth Gilmore, Edward Gold, Jo Hamilton, Arthur Harris, Anne Hearn, Brad Hoylman, Aubrey Lees, Edward Ma, Don MacPherson, Dr. John Maggio, Rosemary McGrath, Philip Mouquinho, Ronald Pasquale, Judy Paul, David Reck, Rocio Sanz, Arthur Z. Schwartz, Shirley Secunda, Melissa Sklarz, James Smith, Chair, Community Board #2, Manhattan (CB#2, Man.) Shirley H. Smith, Sean Sweeney, Martin Tessler, Betty Williams, Michael Xu, Carol Yankay.

BOARD MEMBERS EXCUSED: Tobi Bergman, Keith Crandell, Don Lee, Chad Marlow, T. Marc Newell, Rick Panson, Robert Rinaolo, Mark Rosenwasser, Wilbur Weder.

BOARD MEMBERS ABSENT: Galal Chater, Lawrence Goldberg, Robert Riccobono, Ruth Sherlip,

BOARD STAFF PRESENT: Arthur Strickler, District Manager

GUESTS: Congressman Jerrold Nadler's office; Danielle Cabaldi-Micca, Senator Tom Duane'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; Council Member Margarita Lopez' office; Kate Seeley-Kirk, Council Member Christine Quinn's office; Howard Negrin, Ian Dutton, Alan Jacobs, Susan Goren, Edy Selman, N. Shipman, Denise & Jay Levine, Noreen C. Sweeney, Frank Collierius, Gary Tomei, Anna Benyo, David Rosenthal, Philip Young, Carter Booth, Harriette Boxer, Stanley Rosenberg, Lorraine Bourie, Mickey Newman, Jim Florent, Nuri Akgul, Norman J. Resnicow, Jacques Ouari, Richard Byrnes, George Capsis, Michael Kelly, Barbara Quart, Leonard Quart, Elaine Hudson, Ann Arlen, Marsha Flowers.

MEETING SUMMARY

Meeting Date – October 21, 2004
Board Members Present – 31
Board Members Excused– 9
Board Members Absent - 4

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II. PUBLIC SESSION

Non-Agenda Items

Critical Mass Bike Ride

Ian Dutton spoke in favor of the bike ride.

US Postal Service Cuts

Michael Kelly spoke against cuts in mail service.

Village Center for Care

Marsha Flowers made a general announcement and introduced herself.

9/11 Environmental Action

Ann Arlen spoke in favor.

Business Items

Service Corp. d/b/a Mix It. 20 Prince St. Alteration to Liquor License.

Jacques Ouari, principal, spoke regarding the application. Richard Byrnes, representing the applicant, spoke in favor of the alteration application.

Institutions Items

Washington Square Park

Howard Negrin, Edy Selman, N. Shipman, Barbara Quart, Leonard Quart, of Washington Pl. Block Assn. spoke against the commercialization of the park by NYU. Stanley Rosenberg, of E. 12th/13th St. Block Assn. spoke against the commercialization/restoration by NYU. Elaine Hudson, Mercer St. Block Assn., spoke against the commercialization of the park. Charles Capsis, of Charles St. Block Assn., stated that there should be something in between.

Social Services, Homeless & Senior Services

Lower East Side Harm Reduction Center

David Rosenthal spoke in favor of the harm reduction waiver resolution.

Traffic and Transportation Items

Proposed narrowing of West 13th Street near the western corner of 6th Ave, and 13th Street

Alan Jacobs, W. 13th St. Block Assn., spoke in favor of the proposal. Gary Tomei, W. 13th 100 Block Assn. spoke in favor of widening 13th St.

Waterfront Items

Hudson River Park Dog Run

Mickey Newman, Dog Owners' Action Committee, spoke in favor of the resolution. Jim Florent spoke in favor of a temporary dog run.

Zoning and Housing Items

110 Waverly Pl., to amend Variance for conduct of restaurant in R7-2 zoning district) to permit extension of existing restaurant cellar underneath rear portion of existing building for construction of a wine cellar.

Nuri Akgul spoke against the amendment of the variance. Norman J. Resnicow spoke in favor of the amendment subject to carrying out resolution conditions.

III. ADOPTION OF AGENDA

IV. ELECTED OFFICIALS PRESENT AND REPORTING

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.

Council Member Margarita Lopez' office,

Kate Seeley-Kirk, of Council Member Christine Quinn's office

V. ADOPTION OF MINUTES

Adoption of August Executive and distribution of and September full board minutes.

VI. EXECUTIVE SESSION

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

STANDING COMMITTEE REPORTS

BUSINESS

1. Sweet Joe Lily LLC., d/b/a Sascha, 57-59 Gansevoort Street, NY

WHEREAS, the applicant appeared before the committee; and

WHEREAS, this application is for an On Premise license at this 4500 square foot 150 person premise formerly known as Hell; and

WHEREAS, the applicant stated that this will be a fine dining establishment with the hours of operation being from 8 AM until 2 AM seven days; and

WHEREAS, the applicant stated that music will be background only and that there will not be any djs utilized; 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 Sweet Joe Lily LLC., d/b/a Sascha, 57-59 Gansevoort Street, NY.

Vote: Unanimous, with 31 Board members in favor.

2. Little Branch LLC., d/b/a Little Branch, 22 Seventh Avenue South, NY

WHEREAS, the applicant appeared before the committee; and

WHEREAS, this application is for an On Premise license at this 1400 square foot 65 person premise formerly known as Now Bar; and

WHEREAS, the applicant stated that this will be predominantly a bar with light food and no kitchen with the hours of operation being from 7 PM until 3 AM seven days; and

WHEREAS, the applicant stated that music will be background only and that there will not be any djs or live music utilized; 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 Sweet Little Branch LLC., d/b/a Little Branch, 22 Seventh Avenue South, NY.

Vote: Unanimous, with 31 Board members in favor.

3. Bengal Club Inc., d/b/a Babu, 99 Macdougall Street, NY

WHEREAS, the applicant appeared before the committee; and

WHEREAS, this application is for an On Premise license at this 1500 square foot 45 person premise formerly known as Café Creole; and

WHEREAS, the applicant stated that this will be a fine dining Indian restaurant with the hours of operation being from 11:30 AM until 12:30 AM seven days; 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 Bengal Club Inc., d/b/a Babu, 99 Macdougall Street, NY.

Vote: Unanimous, with 31 Board members in favor.

4. Café Adriatico Inc., d/b/a Caffè Pane e Caiccolato, 10 Waverly Place, NY

WHEREAS, the applicant appeared before the committee; and

WHEREAS, this application is for an upgrade to a full On Premise license from a Beer and Wine at this 1600 square foot 100 person premise; and

WHEREAS, the applicant stated that there will be no change to their method of operation and that they have been at this location for over 20 years; 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 Adriatico Inc., d/b/a Caffè Pane e Caiccolato, 10 Waverly Place, NY.

Vote: Unanimous, with 31 Board members in favor.

5. Manhattan South Rest. Corp., d/b/a SoHo 323, 323 West Broadway, NY

WHEREAS, the applicant appeared before the committee; and

WHEREAS, this application is for an alteration of the existing On Premise license at this 3000 square foot 215 person premise; and

WHEREAS, the applicant stated that they wish to convert an existing service bar to a stand up bar with 3 seats and that there will be no change to their method of operation; 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 alteration of the existing On Premise license for Manhattan South Rest. Corp., d/b/a SoHo 323, 323 W. Broadway, NY.

Vote: Unanimous, with 31 Board members in favor.

6. Service Corp., d/b/a Mix It, 20 Prince Street, NY

WHEREAS, the applicant appeared before the committee; and

WHEREAS, this application is for an alteration of the existing On Premise license at this 1600 square foot 85 person premise; and

WHEREAS, the applicant stated that they wish to convert the basement of this premise into a lounge seating an additional 45 persons; and

WHEREAS, the applicant stated that the hours of operation will be until 2 or 3 AM not until Midnight as stated on his application; and

WHEREAS, this applicant has been in business since May 2004 and was licensed originally as a Beer and Wine establishment, however, prior to opening the applicant asked to be upgraded to a full On Premise license which was opposed by the Community Board however granted by the SLA; and

WHEREAS, the applicant then asked to extend the On Premise license to include a sidewalk café in spite of the fact that the applicant stated on his original application that no sidewalk café would be applied for; and

WHEREAS, now, the applicant desires to expand into the basement as a lounge. all this within less than six months of operation; and

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

THEREFORE, BE IT RESOLVED that CB#2, Man. has no objection to the alteration of the existing On Premise license for Service Corp., d/b/a Mix It, 20 Prince Street, NY.

Vote: Passed, with 21 Board members in favor, and 10 in opposition.

7. 14 Bar LLC., 416-418 West 14th Street, NY

WHEREAS, the applicant appeared before the committee; and

WHEREAS, this application is for a Cabaret license at this not yet open premise consisting of 2000 square feet and having a capacity of 175 persons; and

WHEREAS, the applicant had stated that they would be applying for a Cabaret license at the time when they applied for the On Premise license; and

WHEREAS, the applicant stated that the hours of operation will be until 4 AM; 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 a Cabaret license for 14 Bar LLC., 416-418 West 14th Street, NY

Vote: Passed, with 30 Board members in favor, and 1 in opposition.

INSTUTIONS

NYU Coalition with NYC Parks Dept. re: Washington Sq. Park

WHEREAS the NYC Parks Dept. recently rented out Washington Sq. Park for the first time ever to a commercially-sponsored event that was planned with NYU and involved the use of NYU facilities where Parks was paid \$21,700; and

WHEREAS CB#2, Man. has been informed by Commissioner Castro's office that the policy of the NYC Parks Dept. is to hold commercial marketing events in Washington Sq. Park and

WHEREAS CB#2, Man. has had a long-standing policy formulated by its esteemed late Chair and Chair of its Parks Committee, Tony Dapolito, against commercially sponsored events in the Park and

WHEREAS CB#2, Man. through the efforts of Councilman Alan Gerson attempted to set ground rules including prohibiting retail sales in the Park but which ended with no agreement at all and resulted in such sales being held in the Park, and

WHEREAS what was intended to be a trial event for one year is now scheduled to be repeated in the Park for 2005 and

WHEREAS NYU had involved itself in this venture with a lag time of some 8 months working on this commercial event before it finally was presented before CB#2, Man. and is likely to do so with this and other events in the future and

WHEREAS NYU has recently hired a full time parks coordinator to involve itself with the redesign of Washington Sq. Park in light of its announced donation of \$1 million to the Parks Dept. and

WHEREAS there is considerable concern in the community that Washington Sq. Park not end up as a privatized design solely for the benefit of NYU

THEREFORE BE IT RESOLVED that CB#2, Man. calls upon the NYC Parks Dept. to revert back to a policy that prohibited commercial marketing events in Washington Sq. Park that existed while Tony Dapolito was still active and

BE IT FURTHER RESOLVED that CB#2, Man. calls on Parks Commissioner Benepe or his deputy, Commissioner Castro, to explain in an open forum to the CB#2, Man. community the process of how NYU's donation is to be used.

Vote: Unanimous, with 31 Board members in favor.

LANDMARKS AND PUBLIC AESTHETICS

1st LANDMARKS MEETING

LPC Item 4 - 210 West 10 St. - An apartment building built in 1911. Application is to legalize installation of a storefront.

WHEREAS, according to papers submitted by the applicant the violation has existed since 1999, prior to the current tenant's occupancy of the space, and

WHEREAS, the existing storefront differs radically from the original storefront, with the single glass fixed window being replaced by two openable panels with glass matching the store entrance, and

WHEREAS, the new awning, also in violation, is retractable, similar to those approved for many of the Village storefronts,

THEREFORE, BE IT RESOLVED CB#2, Man. finds the awning appropriate and recommends approval of this part of the plan, but

WHEREAS, the rest of *the* storefront seems inappropriate at this location

THEREFORE, BE IT RESOLVED CB#2, Man. recommends disapproval of the balance of the proposal.

Vote: Unanimous, with 31 Board members in favor.

LPC Item 6 - 130 Seventh Ave. South - One story commercial building built in 1937. Application is to install new storefront infill, an awning, & mechanical equipment on the roof.

WHEREAS, the applicant did not present any designation photos showing the original condition of this building, and

WHEREAS, the site is on the same block front with another restaurant and a third shop, neither of them in the style of the proposal, and

WHEREAS, the proposed storefront consists entirely of accordion glass doors which can be opened completely, and

WHEREAS, the only attempt to blend in with the other buildings on the block front is small designs in the bottom of the glass panels mimicking those of the other restaurant, and

WHEREAS, the other two items, the retractable awnings and the equipment on the roof are acceptable,

THEREFORE, BE IT RESOLVED CB#2, Man. recommends that the awnings and equipment be approved, but that design for the storefront be denied,

Vote: Unanimous, with 31 Board members in favor.

LFC Item 8 407 West 13 St. - Store & loft building built in 1909. Application is to install a new storefront infill.

WHEREAS, this building is in the newly designated Gansevoort Market Historic District, and therefore extra care should be given to any proposal which might act as a precedent, and

WHEREAS, the proposal does try to fit into the area by retaining the corrugated metal overhang at the front of the building, merely repairing it, but

WHEREAS, the balance of the proposal is for thick white glass panels and doors along the whole front of the building, separated only by the existing stone piers; and

WHEREAS, the proposal is to divide these panels with horizontal metal strips getting closer together as they go up the panels, thus creating a very busy facade on *this industrial* building, and

WHEREAS, since the panels are thick white glass, there is no visibility from the outside or inside, and no other buildings in the area have this type of treatment,

THEREFORE, BE IT RESOLVED CB#2, Man. recommends approval of the treatment of the corrugated metal overhand, but recommends denial of the proposed facade for the storefront.

Vote: Unanimous, with 31 Board members in favor.

LPC Item 5 – 218-224 West 4 St. - Legalize signage; and

LPC Item 7 - 373 Sixth Ave, - Legalize illuminated sign, flagpoles, banner & new door

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 their applications, now

THEREFORE, BE IT RESOLVED that CB#2, Man. strongly recommends denial of these applications in the absence of this important step in the review process.

Vote: Unanimous, with 31 Board members in favor.

LFC Item ? – 2-8 Ninth Ave. a/k/a 1-5 Little West 12 St. -Application is to legalize the replacement of a metal canopy without LPC permits.

WHEREAS, work had actually started on this project before designation, and

WHEREAS, the proposal involves copying a part of the original metal overhand which, still existed and extending it around the corner of the building, and

WHEREAS, a small portion of another overhang still existed, but in very poor condition and

WHEREAS, the new metal overhang would also replace this existing piece, creating a consistent overhang along the whole exterior of this building,

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

Vote: Unanimous, with 31 Board members in favor.

2ND LANDMARKS MEETING

Item 21- 433-439 Broadway, aka 44-46 Howard Street - SoHo-Cast Iron HD. A vacant lot. Application is to legalize paving the lot and installing metal enclosures without Landmarks Preservation Commission permits. Zoned M1-5B

WHEREAS, the applicant failed to appear; and

WHEREAS, this applicant has a history of causing major landmark violations in his other SoHo properties; and

WHEREAS, one property, Café Bari located on Broadway and Spring, has been before us for landmark violations; and

WHEREAS, another property, 72 Grand Street - which had been a viable one-story structure housing a thriving lumber store - was demolished by the applicant; and,

WHEREAS, instead of constructing a five-story mixed-use building that LPC approved, the site was dug up and left vacant and flooded for well over five years; and

WHEREAS, this situation weakened the foundation of the adjacent building, 74 Grand Street, causing it to buckle and its tenants to be vacated, and be issued a condemnation notice by the Department Of Buildings; and

WHEREAS, a Grand Street building owner telephoned the Chair of the Committee and said that last weekend a person identifying himself as a real-estate broker working for this applicant telephoned him wishing to purchase his building in order to tear it down and combine several more lots to be acquired in order to construct a large building on the sites. When the local building owner reminded the broker that the buildings were landmarked, the broker allegedly replied, “*Don’t worry about Landmarks*”; and

WHEREAS, this site of this application, 433-439 Broadway, also had a viable structure and business that was demolished (with LPC permits), with a dozen 30-foot tall London Plane trees and garden cut down in the process; and

WHEREAS, the land was paved over and the applicant installed an illegal tawdry flea-market; now

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

Vote: Unanimous, with 31 Board members in favor.

Item 22 - 475 West Broadway - SoHo-Cast Iron Historic District A neo-Grec style building built in 1878-79, designed by Frederick H. Gross. Application is legalize the modification of the vault cover and the installation of railings without Landmarks Preservation Commission Permits.

WHEREAS, there is no precedent for railings on West Broadway, within the Cast-Iron Historic District, nor for this type of building; and

WHEREAS, it does it even serve a security purpose because it was installed to attempt to privatize public sidewalk in order to allow an otherwise illegal sidewalk café to operate; and

WHEREAS, the applicant failed to appear; now

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

Vote: Unanimous, with 31 Board members in favor.

Item 23 – 15 Vandam Street - Charlton-King-Vandam Historic District. A row house built in 1829 and later altered. Application is to install flagpole and banner.

WHEREAS, we applaud the applicant for this attractive restoration of the Huron Club; but

WHEREAS, we prefer to see the base of the pole attached not at the proposed point within the doorway arch, but, rather, attached into the masonry by two angled supports *above* the line of the entablature; and

WHEREAS, the proposed modern lighting fixtures are modest in scale but not of a style compatible with this building – perhaps coach lights would be more appropriate; and

WHEREAS, the banner is somewhat oversized; now

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends overall approval of this application with the modifications noted above.

Vote: Unanimous, with 31 Board members in favor.

Item 24 - 271-273 West 4th Street - Greenwich Village Historic District. Two rowhouses combined with a new facade designed by G. Provot in 1934. Application is to replace windows installed without Landmarks Preservation Commission permits.

WHEREAS, we appreciate the applicant’s attempt to unify the fenestration of these contiguous properties; but

WHEREAS, the adjacent buildings are 19th-century structures with fenestration of that period and this application involves a façade created in 1934 in the Moderne style, which was typified by horizontal window-pane dividers; and

WHEREAS, this application requests vertical dividers to match the style of the adjacent 19th century buildings; and

WHEREAS, a building should be true to itself and not to its neighbors; now

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends the windows be replaced with horizontal dividers.

Vote: Unanimous, with 31 Board members in favor.

Item 25 - 60 Greenwich Avenue - Greenwich Village Historic District. A house constructed in the late 19th century. Application is to alter the storefront and to make the premises handicap accessible.

WHEREAS, we appreciate the renovation of this derelict building; and

WHEREAS, the restoration of prismatic glass and the color of the storefront are commendable; but

WHEREAS, let it be understood that the storefront is being restored to a late – 19th century condition and not the original 1839 condition; and

WHEREAS, we do have concern that a piece of the fabric of the original building, the brownstone column, may be scrapped and replaced with one of the later-installed cast-iron columns; now

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

Vote: Unanimous, with 31 Board members in favor.

Item 26 -157 West 12th Street - Greenwich Village Historic District A Greek Revival style building built in 1841 and altered in 1885. Application is to replace the windows.

Withdrawn

PARKS, RECREATION AND OPEN SPACE

1. LMDC Funds for Lt. Petrosino Park

WHEREAS, Lt. Petrosino Park, which is at the intersection of Lafayette and Spring streets, has long been in need of repairs and restoration; and

WHEREAS, the renovation of Lt. Petrosino Park has long been an ongoing priority of CB#2, Man.; and

WHEREAS, the Lower Manhattan Development Corporation (LMDC) has certain funds allocated to it for purposes of restoring parks and public spaces in the CB#2 area and as of yet no funds have been allocated to said area; and

WHEREAS, after 9/11 the need for this community space is extremely important and Lt. Petrosino Park lies in the catchment area;

THEREFORE, BE IT RESOLVED that CB#2, Man. requests that LMDC allocate the necessary funds to the Parks Department for the renovation and restoration of Lt. Petrosino Park.

VOTE: Unanimous, will 31 Board members in favor.

2. Proposal by NYC Dept. of Environmental Protection (DEP) for use of portions of Corporal John A Seravalli Playground at Hudson Street between Gansevoort and Horatio for a water tunnel shaft construction project.

WHEREAS, the DEP is planning to construct a shaft at Gansevoort Street adjacent to the north side of Seravalli Playground; and

WHEREAS, DEP has determined that the project will require use of approximately one third of this park as a work area, specifically to locate refrigeration equipment needed for this project, for a period of approximately 18 months; and

WHEREAS, DEP also proposes to use a smaller area of the park including the perimeter sidewalk along Gansevoort Street for a period greater than 18 months; and

WHEREAS, DEP has requested CB#2, Man. approval this use which requires temporary alienation of this parkland; and

WHEREAS, DEP and the Parks Department have agreed that upon returning this area to park use it is appropriate for the entire park to be renovated; and

WHEREAS, this park is in great need of renovation, which will benefit our community;

THEREFORE, BE IT RESOLVED does not to oppose the temporary alienation of park land and the use of the park for this project, with the following conditions:

1. DEP agrees to sign a memorandum of understanding with the community to fund design and renovations that will be undertaken by Parks, and this renovation work will begin as soon as work is completed in the larger of the two areas without waiting for final completion of the shaft work, and the entire park will be returned to park use as soon as possible; and
2. The park renovation will include replacement of all fences, pavements, plantings, play equipment, perimeter pavements with planting pits suitable for growth of large trees, and other features as designed by Parks with input at a cost of at least \$2.2 million ; and
3. The park renovation will also include renovation of the park house at an additional cost of \$600,000; and
4. DEP agrees to remove as few trees as possible, to identify these trees in advance, to suitably protect all other trees that may be subject to damage during the project, and to replace all trees that are removed with the largest practical diameter tree; and
5. DEP will work with CB-2 and Parks to assure that as much of the park as possible remains accessible and usable during the project so the loss to the community is minimized, including keeping all areas and entrances of the park clear of construction equipment and debris, keeping construction walls graffiti free, assuring adequate drainage, controlling noise and dust, preventing cueing of trucks in any area adjacent to the park; and DEP also agrees to move existing benches and provide low cost temporary amenities to assure the attractive appearance and continued use of the park during this period; and
6. The cost of these renovations will not impact DEP plans to build new parks at locations of other shaft sites within CB-2 acquired by DEP, specifically Hudson Street between West Houston and Clarkson where CB-2 has previously requested new youth recreation facilities, and the northeast corner of Grand and Lafayette, a site which CB-2 has not yet discussed.

VOTE: Unanimous, will 31 Board members in favor.

SOCIAL SERVICES, HOMELESS AND SENIOR SERVICES

Lower East Side Harm Reduction Center

WHEREAS, the Lower East Side Harm Reduction Center (LESHRC) is a nonprofit organization seeking to expand their program in our community;

THEREFORE BE IT RESOLVED, that CB#2, Man. fully supports the presence of LESHRC in the community.

Vote: Unanimous, with 31 Board members in favor.

TRAFFIC AND TRANSPORTATION

1. Proposed Narrowing of West 13th Street Near the Western Corner of 6th Ave, and 13th Street

WHEREAS West 13th Street, just to the west of Sixth Avenue, has been dug up by MTA New York City Transit (“NYCT”) as part of their project to rehabilitate and expand their existing emergency ventilation fan plant, and is to be reconstructed by MTA sometime in 2005 or 2006 when the project is completed; and

WHEREAS most of West 13th Street between 6th and 7th Avenues always has had a street width of 29’10”, but in that area just west of Sixth Avenue the pre-project street width has been significantly wider (36’10”), resulting in an extremely narrow sidewalk on the north side of the street; and

WHEREAS this narrowed sidewalk has endangered pedestrians with its curtailed walking space forcing them into the street, and this has been further exacerbated by the presence of a parking garage, from which cars spill onto and block the already narrow sidewalk; and

WHEREAS both the West 13th Street 100 Block Association and the Upper West 13th Street Block Association, representing approximately 300 residents, have requested that the street in this area just west of Sixth Avenue be narrowed to the same 29'10" width of most of West 13th Street when NYCT completes the ventilation project and reconstructs the street, so that the sidewalk curb on the north side of the street there is uniformly aligned with the curb line to its west and the sidewalk is widened; and

WHEREAS NYCT has promised to replace trees that have been dug up, and correcting the curb misalignment in question would provide more breathing room for trees in addition to room for more greenery which people on the block are willing to furnish and maintain, presenting an ideal opportunity for exemplary improvement at the same cost and effort for needed reconstruction.

THEREFORE BE IT RESOLVED that CB#2, Man. urges NYCT, when its fan plant/ventilation rehabilitation and expansion project on West 13th Street is completed and the roadway is being reconstructed, to rebuild the roadway in the area just west of Sixth Avenue narrowed to the same 29'10" width of most of West 13th Street between 6th and 7th Avenues, with the sidewalk curb on the north side of the street there uniformly aligned with the existing curbline to its west to provide a consistent, continuous curbline and a wider sidewalk, thereby increasing pedestrian safety and providing for an enhanced aesthetic environment.

Vote: Unanimous, with 31 Board members in favor.

2. NYC Dept. of Transportation Proposals for the Meat Packing District

WHEREAS, the New York City Department of Transportation ("DOT") in the attached letter to Community Board No. 2 (Manhattan) (the "Community Board") dated July 20, 2004, made a number of proposals to help address traffic issues in the Meat Packing District; and

WHEREAS, the Traffic and Transportation Committee/14th Street Task Force of the Community Board has met to discuss these proposals, and while the community disagrees with some of the proposals, the Community Board greatly appreciate DOT's attention to this pressing issue; and

WHEREAS, overall, the community (both residential and commercial) thinks that DOT should work closely with local residents and businesses to develop a rational approach that preserves the historic character of the neighborhood while encouraging traffic to move slower (i.e., traffic calming), rather than easing traffic flow, in the interest of both residential safety and commercial viability in the area.

THEREFORE, BE IT RESOLVED, that the Community Board makes the following specific responses to DOT's letter:

- **Parking:** The community does not see any rationale for changing the existing parking regulations on Greenwich Street from Gansevoort Street to Jane Street, and Ninth Avenue between Little West 12th and Gansevoort Streets. Changing the parking regulations would reduce parking for residents as well as create a thoroughfare for vehicles that would endanger pedestrians. Input from local residents and commercial establishments needs to be strongly considered before any changes to regulations are proposed.
- **Taxi Stands:** The community agrees that the installation of taxi stand(s) might be warranted. However, the placement of such stands needs community input. One of the DOT's proposed locations (i.e., the East side of Greenwich Street between Horatio and Gansevoort Streets) isn't appropriate because it is a residential block. The second proposed location (i.e., the North side of Little West 12th Street between Ninth Avenue and Washington Street) **isn't appropriate** because meat trucks load and unload all night at that location. The third location (i.e., Ninth Avenue from Little West 12th to 13th Street) is a more feasible location because the street is wide. However, this proposed location is where the major congestion occurs, and it is unclear whether the addition of a taxi stand would solve the problem or exacerbate it. One possible location the community has suggested considering is one-half of the west side of Ninth Avenue between 13th and 14th Streets (the half of the street closer to 14th Street). However, any determination of a potential taxi stand location needs to be worked out in consultation with the Gansevoort Market Task Force and finalized only after testing it on a trial basis.
- **Street Lighting:** Both residents and business representatives strongly disagree with a plan to install lighting on Gansevoort Street, Little West 12th Street and West 13th Street because it will negatively affect the special character of the neighborhood and be bad for businesses. The entire area has a busy street life throughout the night. Restaurants and meatpacking businesses are well lit and busy both inside and out, and create sufficient ambient light for the sidewalks and streets. The community does not understand the rationale or impetus for such a study. In addition, we are concerned that the new lighting poles might be installed without community input as to their design.

If lighting must be installed please use Bishop Crook type lights that are appropriate to an historic area, such as Gansevoort Market Area. We also request that Community input is important in these situations.

- **Parking Regulations:** While it is desirable to conduct an evaluation, the community's concern is that competing needs of the neighborhood be fully considered. The current parking regulations were developed to protect the needs of the meatpacking industry, which still has a substantial presence in the area. Therefore, the community hopes that any evaluation will be thorough, involve interviews with local residents and operators of both meatpacking and other businesses, and that any proposed changes be considered by the community board before being placed into effect.
- **Pavement Markings:** The community only knows of only one crosswalk/pavement marking and does not consider its refurbishment desirable. As you know, the cobblestone streets are a defining element of this recently designated historic district and refurbishing or creating new crosswalks/pavement markings risks that they will be damaged or destroyed. Other alternatives to make crossing safer should be explored.
- **New Traffic Signals or Stop Signs:** The community does not think that new signals are necessary at the locations cited in your letter. A "traffic calming" approach that looks to roadway design solutions would be preferable. However, a four-way stop sign at the intersection of Greenwich and Horatio Streets would be desirable. In addition, we would like DOT to study the timing of the signal at the intersections of Ninth Avenue, Hudson and 14th Streets. It is important to carefully balance the need to relieve vehicle congestion on Ninth Avenue, northbound below 14th Street with the needs of the many pedestrians to cross at 14th Street safely, perhaps by extending that walk time by 20 to 35 seconds.
- **Highway Design:** The community strongly objects to any plan that proposes removing cobblestone that will allow DOT to place roadway markings on asphalt sections; and

BE IT FURTHER RESOLVED that the Community Board makes the following additional suggestions:

- Lower the "no-honking" signs to eye-level throughout the neighborhood (e.g., at 14th Street and 9th Avenue and Hudson Street);
- Consider changing the parking regulations on the south side of West 13th Street between Hudson Street and Ninth Avenue to "No Parking, loading and unloading only – 24 hours";
- Discuss with the community how to deal with limousines;
- Study the feasibility of a 'traffic island' in the large intersection of Gansevoort and Little West 12th Streets with Ninth Avenue, using bollards (or some other method) that would delineate clear traffic lanes without removing or damaging the historic cobblestones;
- Consider the possibility that other activities may evolve in the neighborhood (e.g., a flower market and a farmer's market on week-ends); and
- Work with the police department to ensure consistent enforcement of the existing rules and regulations in order to protect the quality of life for the businesses in Gansevoort Market and the residents of the surrounding neighborhoods.

Vote: Unanimous, with 31 Board members in favor.

WATERFRONT

1. Roundup

WHEREAS, the residents of CB#2, Man. who are dog owners as well as others who are sensitive to potential environmental concerns wish to avoid exposure to toxic chemicals and pesticides; and

WHEREAS, the Hudson River Park Trust (HRPT) has utilized and had previously approved the use of "Roundup," a chemical application used in the Park which has become a focus of some controversy; and

WHEREAS, the HRPT wishes to work with the community by reviewing the use of this chemical and search for acceptable alternatives while also continuing to maintain its grounds;

THEREFORE, BE IT RESOLVED that CB#2, Man. has agreed to work with dog owners and environmentally concerned residents to search for alternative recommendations of acceptable lawn treatments; and

BE IT FURTHER RESOLVED that CB#2, Man. calls upon HRPT to cease using Roundup and notify us prior to any anticipated or further use of this chemical in the Park.

Vote: Unanimous, with 31 Board members in favor.

2. Dog Run

WHEREAS, those residents of CB#2, Man. who are dog owners have had numerous problems with the current dog run in our area in the Hudson River Park; and

WHEREAS, animals have suffered from injuries directly related to the current size of the dog run, which is considered insufficient in size proportionate to the number of animals that use the Park; and

WHEREAS, the Hudson River Park Trust has been helpful in improving the existing dog run by making improvements and correcting problems and has shown its interest in accommodating dog owners;

THEREFORE, BE IT RESOLVED that CB#2, Man. asks the Hudson River Park Trust to identify a location of 10,000 square feet, or as close to this size as is practical, for either a temporary or permanent location for a larger dog run to be available to residents in our area.

Vote: Unanimous, with 31 Board members in favor.

ZONING AND HOUSING

1. 341 Canal Street Block 299 Lots 1, Cal. No. -04-BZ, Board of Standards and Appeals variance application pursuant to Section 72-21 to permit construction of a mixed-use building with six full stories, mezzanines, a partial seventh floor, and a full cellar, to contain commercial use on the ground floor and 58 residential units above within a M 1 -5 B zoning district.

WHEREAS; The area was posted and there was significant opposition to this application, And;

WHEREAS; CB#2, Man. and the community worked hard on the Amendment of the text of Section 74-712 of the Zoning Resolution to allow, by City Planning Commission special permit, modification of use regulations for vacant or substantially vacant sites within M.1-5A and M1-5B zoning districts located in historic districts designated by the Landmarks Preservation Commission, And;

WHEREAS, The Amendment of the text of Section 74-712 applies to this site and many of the requirements of this section are not part of this application including the minimum size of 1,200 sq ft. for all residential units, that eating and drinking establishments and catering facilities of any kind not be allowed, and that the existing Floor Area Ratio of 5 be maintained, And,

WHEREAS; One of the reasons that CB#2, Man. was willing to allow the Amendment of the text of Section 74-712 was to avoid Board of Standards and Appeals variance applications such as this one, And;

WHEREAS, This building is seeking a variance that would allow a higher Floor Area Ratio than what is allowed under the M1-5A zoning which would greatly impact the essential fabric of the lower rise SOHO neighborhood, And;

WHEREAS, The applicant has claimed that compliance with requirements for construction in an Historic District is a unique hardship of this site and there are a great many sites in CB#2, Man. that are also in an Historic District which calls to question this as a "unique hardship", And;

WHEREAS; The site is a large and very well located corner lot that is mostly rectangular in shape which calls to question the shape of the lot as a "unique hardship",

THEREFORE BE IT RESOLVED, That CB#2, Man. strongly opposes this application for a Board of Standards and Appeals variance and the Board requests that the, applicant fully comply with all of the requirements of Section 74-712 that apply to this site, And;

THEREFORE BE IT FURTHER RESOLVED, That CB#2, Man. does not find that compliance with requirements for construction in an Historic District is a unique hardship of this site, And;

THEREFORE BE IT FURTHER RESOLVED, That CB#2, Man. is strongly opposed to the granting of this variance at a higher Floor Area Ratio than what is allowed under the M1-5A zoning. (FAR 5) and the Board requests that any reduction in floor area be made by retaining the mezzanines on lower floors and removing floors from the top of the building, And;

THEREFORE BE IT FURTHER RESOLVED, should this project move forward, that CB#2, Man. requests regular construction coordination meetings with the community as this project progresses, And,

THEREFORE BE IT FURTHER RESOLVED, should this project move forward, that CB#2, Man. requests that that every effort be made to minimize the impacts of construction and that the contractor carefully inspect the subsurface excavation and the foundations of the surrounding buildings and use seismic monitors to protect the surrounding buildings.

Vote: Unanimous, with 31 Board members in favor.

2. 110 Waverly Place, Application by Babbo Realty, LLC, Amendment to BSA Cal. No. 239-02-BZ Board of Standards and Appeals to amend the Variance (originally granted on December 17, 2002 for the conduct of a restaurant in an R7-2 zoning district) to permit the extension of the existing restaurant cellar underneath the rear portion of the existing building for the construction of a wine cellar.

WHEREAS; CB#2, Man. supported the original Variance application and the Board recognizes that this amendment to the original Variance is minor in nature and would have few if any long term impacts on the community, And;

WHEREAS; CB#2, Man. approved the original Variance application with conditions that have been met, And,

WHEREAS, No new floor area is proposed and no additional restaurant capacity will result, And;

WHEREAS; The short term impacts of construction and the potential for damage to the surrounding buildings are of great concern to the Board and the community.

THEREFORE BE IT RESOLVED, that CB#2, Man. supports this application for an Amendment to BSA Cal. No. 239-02-BZ Board of Standards and Appeals to amend the Variance (originally granted on December 17, 2002 for the conduct of a restaurant in an R7-2 zoning district) to permit the extension of the existing restaurant cellar underneath the rear portion of the existing building for the construction of a wine cellar, And;

THEREFORE BE IT FURTHER RESOLVED, that CB#2, Man. asks the Board of Standards and Appeals to carefully consider the concerns of the adjoining property owners and require any reasonable measures necessary to protect their interests, And;

THEREFORE BE IT FURTHER RESOLVED, should this project move forward, that CB#2, Man. requests regular construction coordination meetings with the adjoining property owners as this project progresses, And,

THEREFORE BE IT FURTHER RESOLVED, should this project move forward, that CB#2, Man. requests that that every effort be made to minimize the impacts of construction and that the contractor carefully inspect the subsurface excavation and the foundations of the surrounding buildings and use seismic monitors to protect the surrounding properties.

Vote: Passed, with 30 Board members in favor, and 1 in opposition.

NEW BUSINESS

Respectfully submitted,

Secretary
Community Board #2, Manhattan