

REVISED

FULL BOARD MINUTES

DATE: March 24, 2005
TIME: 6:30 P.M.
PLACE: NYU Silver Building, 32 Waverly Place, Room 703

BOARD MEMBERS PRESENT: Tobi Bergman, Keith Crandell, Maria P. Derr, John Diaz, Doris Diether, Elizabeth Gilmore, Edward Gold, Lawrence Goldberg, Jo Hamilton, Arthur Harris, Anne Hearn, Brad Hoylman, Don Lee, Edward Ma, Don MacPherson, Dr. John Maggio, Rosemary McGrath, Philip Mouquinho, T. Marc Newell, Ronald Pasquale, Judy Paul, David Reck, Robert Riccobono, Mark Rosenwasser, Rocio Sanz, Arthur Z. Schwartz, Shirley Secunda, Melissa Sklarz, James Smith, Chair, Community Board #2, Manhattan (CB#2, Man.) Shirley H. Smith, Richard Stewart, Sean Sweeney, Wilbur Weder, Betty Williams.

BOARD MEMBERS EXCUSED: Steve Ashkinazy, Helene Burgess, Harriet Fields, Aubrey Lees, Chad Marlow, Robert Rinaolo, Carol Yankay.

BOARD MEMBERS ABSENT: Galal Chater, Rick Panson, Ruth Sherlip, Martin Tessler, Michael Xu.

BOARD STAFF PRESENT: Arthur Strickler, District Manager

GUESTS: Arturo Garcia-Costas, Congressman Jerrold Nadler's office; Jon Prosnit, 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; Erin Bennett, Public Advocate's office; Cheryl Grandfield, Richard Dodd, Cindy Tabucco, Larry Condon, Joe Galiardi, John Hoffee, Bonnie Marx, Lauren McGrath, Su Jung Lee, Jonathan Segal, Charles Walsh, Blanca Perez, William D. Stricklin, Carter Booth, Wayne W. Wood, Effie Miller, Elizabeth Howard, Melissa Howard, Jim Krantz, Jim Kober, Cathrin Stickney, Martin Dresner, Barbara Burns, John Banco, Arlene Goldman, Dan Calise, Honi Klein, Louise Symonds, Paolo Secondo, Jonathan Greenberg, Tim Tucker, Andrew Stern, Ian Dutton, Tom Parker, Mitchell Gelberg, Mary Condon, Michael Levine, Michael Lavery, John Ricker, Mary Johnson, Edy Selman, Rawley E. James, Susan Goren, Katherine Jahnes, Ann Ruble, Bob Zuckerman, Greg Dorogh, Rick W. Beltz, Monty Sonneborn, Chad Ruble, Dale Van Dyke, Michael Cogswell, Claire Martheleur, William Felder, Joan Felder, Lynne Litwin.

MEETING SUMMARY

Meeting Date - March 24, 2005
Board Members Present – 34
Board Members Excused–7
Board Members Absent - 5

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II. PUBLIC SESSION

Non-Agenda Items

Bellevue Hospital

Wilbur Weder reported.

Jefferson Market

Su Jung Lee spoke in favor of a benefit for the Jefferson Market Garden.

Greenwich Village-Chelsea Chamber of Commerce

Bob Zuckerman introduced himself as the new director of the Commerce.

City at Peace

Melissa & Elizabeth Howard spoke.

Gansevoort Hotel

Effie Miller spoke regarding noise coming from the hotel.

Noise Issues

Effie Miller spoke regarding noise coming from the Gansevoort Hotel and the Seravalli dig.

Business Items

Proposal to Extend the Village Alliance BID

Honi Klein (Executive Director of the BID), Jim Kober, Rick W. Beltz, Monty Sonneborn, Michael Lavery, Michael Levine, Mary Condon, Ann Ruble, Chad Ruble, Katherine Jahnes, Joe Gagliardi, Rawley E. James, Martin Dresner, Barbara Burns, James Krantz, Dale Van Dyke, Michael Cogswell, Tom Parker, Cathrin Stickney, L. Condon, Cheryl Grandfield, Richard Dodd, Arlene Goldman, French Roast Restaurant, Bonnie Marx, Daniel Calise, Claire Martheleur, Mitchell Gelberg, William Felder, Joan Felder, John Hoffee, Lynne Litwin, Tim Tucker, Cindy Tabucco, and Andrew Stern spoke in favor of the proposal to extend the BID's boundaries.

Parks, Recreation And Open Space

City's Redesign of Washington Square Park

Greg Dorogh spoke against the redesign. Jonathan Greenberg spoke regarding keeping the park public.

NY is Book Country

Mary Johnson spoke in favor of the event at Washington Sq. Park.

Social Services, Homeless And Senior Services

Senior Center at 240 Centre St. (Police Bldg.)

Don Lee spoke regarding the issue.

III. ADOPTION OF AGENDA

IV. ELECTED OFFICIALS PRESENT AND REPORTING

Arturo Garcia-Costas, of Congressman Jerrold Nadler's office, reported on appropriations for Community Board #2, Manhattan.

Jon Prosnit, 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

Erin Bennett, of Public Advocate's office.

V. ADOPTION OF MINUTES

Adoption of January minutes and distribution of February minutes

VI. EXECUTIVE SESSION

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

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

STANDING COMMITTEE REPORTS

BUSINESS

CORRECTION ON FEBRUARY 2005 BUSINESS RESOLUTION

THIS RESOLUTION WAS THE ORIGINAL ONE THAT WAS VOTED DOWN.

TWIMC, LLC d/b/a BESITO RESTAURANT, 357 West Broadway, NYC 10013

WHEREAS, the applicant appeared before the committee; and,

WHEREAS, this application is for an upgrade to an On Premise license in a 1,900 sq. ft. establishment located between Broome and Grand Streets, consisting of 62 tables seats and 7 bar seats with a Mexican/Latin cuisine (entrees from \$19-35.00) in a rustic cantina atmosphere; and

WHEREAS, the applicant stated that his hours of operation are Noon to 2 a.m., seven days a week; with background music only; and

WHEREAS, the applicant presented a portfolio of reviews from *Time Out*, *Zagat*, *New York Post*, *Daily News* and *City Guide*, as well as a copies of the menus (one for children as well as adults); and

WHEREAS, members of the community (more than 15 but less than 22) and their attorney appeared, submitted a written statement and a petition in opposition on the following grounds: **1)** over saturation of clubs and bars in the general area; **2)** general noise impact on area residents; and **3)** excessive traffic; and

WHEREAS, the applicant responded that the two residential tenants directly above the restaurant were in favor of this application;

THEREFORE, BE IT RESOLVED that CB#2, Man. has no objection to the issuance of an On Premise license to **TWIMC, LLC d/b/a BESITO RESTAURANT, 357 West Broadway, NYC 10013.**

Vote: Failed, with 18 Board members in opposition, 16 in favor, and 1 abstention.

THIS WAS THE FINAL RESOLUTION THAT WAS VOTED ON.

TWIMC, LLC d/b/a BESITO RESTAURANT, 357 West Broadway, NYC 10013

WHEREAS, the applicant appeared before the committee; and,

WHEREAS, this application is for an upgrade to an On Premise license in a 1,900 sq. ft. establishment located between Broome and Grand Streets, consisting of 62 tables seats and 7 bar seats with a Mexican/Latin cuisine; and

WHEREAS, members of the community (more than 15 but less than 22) and their attorney appeared, submitted a written statement and a petition in opposition on the following grounds: **1)** over saturation of clubs and bars in this specific location; **2)** general noise impact on area residents; and **3)** excessive traffic and a lack of adequate enforcement; and

WHEREAS, this same application has already been denied by this Community Board approximately four months ago; and

WHEREAS, the overriding issue is the serious negative impact on the community of SoHo with more than 17 bars within a 500-foot radius;

THEREFORE, BE IT RESOLVED that CB#2, Man. objects to the issuance of an On Premise license to **TWIMC, LLC d/b/a BESITO RESTAURANT, 357 West Broadway, NYC 10013.**

Vote: Passed, with 24 Board members in favor, and 12 in opposition.

BUSINESS

MARCH RESOLUTIONS

1A. Proposal to Extend the Village Alliance BID north on 6th Avenue, University Place and Broadway

WHEREAS, the Executive Director of the Village Alliance BID appeared before the committee; and

WHEREAS, this application is to extend the Village Alliance BID north on 6th Avenue, University Place and Broadway; and

WHEREAS, the existing boundaries of the BID are:

- 6th Avenue from West 4th Street to 8th Street, both sides of the street;
- West 8th Street from 6th Avenue to 5th Avenue, both sides of the street;
- East 8th Street from 5th Avenue to University Place & the south side of 9th Street;
- East 8th Street from University Place to Broadway; on the north side to East 9th Street; on the south side to Astor Place;
- East 8th Street from Broadway to 2nd Avenue & St. Marks Place including the Astor Place Triangle; and,

WHEREAS, the proposed boundaries of the BID are:

- 6th Avenue, the west side, from 8th Street to the south side of 12th Street;
- 6th Avenue, the East side, from 8th Street to the south side of 13th Street;
- University Place, both sides of the street: from the north side of East 9th Street to the south side of East 13th Street;
- Broadway, both sides of the street: from the north side of East 9th Street to the south side of East 10th Street; and,

WHEREAS, real property owners within the BID are charged a special assessment which appears on their real estate tax bill, collected by the NYC Dept. of Finance and forwarded to the Village Alliance District Management Association (DMA), the entity responsible for managing the BID and delivering the planned services; and,

WHEREAS, members of the community who appeared and letters provided in support of the BID extension stated as follows:

- The Bid provides sanitation services (debris removal from the street and overflowing garbage cans), security, business promotion and streetscape improvement;

- The services provided for by the BID will provide quality of life amenities that contribute to the overall character, safety and attractiveness of the neighborhood;

WHEREAS, some of the members of the committee, opposed the extension of the BID on the following grounds:

- It forces property owners to incur additional taxation (in addition to increased real estate taxes and increased assessed values) for essential services that the City of New York already provides i.e. sanitation, security, trees and lighting;
- Once an area is designated as a BID, a mandatory special assessment is imposed, without notice (which the members cannot challenge) and, if not paid, will subject the property to an “in rem” foreclosure action;
- The BID is not voluntary; an individual real property owner cannot withdraw from the BID;

The people who eventually pay these assessments, i.e. shareholders in commercial and residential co-operative units and commercial lessees, do not have an opportunity to participate in a vote on this issue;

THEREFORE, BE IT RESOLVED that CB#2, Man., recommends of the **Proposal to Extend the Village Alliance BID north on 6th Avenue, University Place and Broadway**

Vote: Failed. See Substitute Resolution below.

1B. Proposal to Extend the Village Alliance BID north on 6th Avenue, University Place and Broadway

SUBSTITUTE RESOLUTION BY TOBI BERGMAN ON 4/22/05.

1B. EXTENSION OF VILLAGE ALLIANCE

WHEREAS, the Village Alliance BID has provided a variety of essential services to constituents within its current boundaries including, but not limited to, sweeping the sidewalks, emptying litter cans, removing graffiti, the hiring of special safety officers, improving street furniture and carrying out other capital improvements, and providing support services for Village Alliance merchants on an as-needed basis with the Landmarks Preservation Commission, the Department of Transportation, the Department of Environmental Protection and all other city agencies; and

WHEREAS, property owners and tenants in the proposed extension area on 6th Avenue from 8th Street to 13th, University Place from E. 9th to 13th & Broadway from 8th to 10th Street, have requested that similar services be provided to them by the Village Alliance;

WHEREAS, the Village Alliance further serves and supports the business community with a free website, free consumer advertising, free walking tours for the public, coupon books for shoppers, holiday decorations and the distribution of a destination brochure to visitor sites all around the City; and

WHEREAS, constituents in the current Village Alliance BID area have expressed great satisfaction with the BID's services, and the Village Alliance has been consistently rated as one of the highest performing BIDs in the City; and

THEREFORE, BE IT RESOLVED that CB#2, Manhattan, supports the proposed extension of the Village Alliance BID on 6th Avenue, University Place & Broadway.

Vote: Unanimous, with 34 Board members in favor.

2. LASSO NYC, INC. 19 Mott Street, NYC

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

WHEREAS, this application is for an upgrade from a beer and wine license to a new On Premise license located in a mixed use building between Kenmare and Grand Streets, consisting of 2,200 s.f. (1,100 s.f. in basement, storage and bathroom area); and

WHEREAS, this is a mixed use building and the owners live above the restaurant; and

WHEREAS, the applicant stated that this restaurant features upscale brick oven pizza and salads with 40 tables seats and no bar; and

WHEREAS, the applicant stated that music will be background only and the hours of operation will be Monday – Thursday, 6 p.m. to midnight; Friday through Sunday, noon to 1 a.m.; and

WHEREAS, there will be no sidewalk café, no use of the backyard and no occupancy in the cellar level; 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 issuance of an On Premise license to **LASSO NYC, INC. 193 Mott Street, NYC.**

Vote: Unanimous, with 34 Board members in favor.

3. LITTLE WEST 12TH LLC, 26 Little West 12th St., NYC

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

WHEREAS, this application is for a new On Premise license for a 9,000 s.f. restaurant (with 4,500 s.f. on each floor) located between 9th Avenue and Washington Streets, consisting of 291 seats in various settings: traditional dining, lounge dining, outdoor dining and bar dining; (including bar#1 – 12 seats; and bar#2 – 19seats) featuring an eclectic menu; and

WHEREAS, the applicants currently own One; and

WHEREAS, the applicant stated that the hours of operation will be 11 a.m. to 4 a.m. 7 days a week; and

WHEREAS, there are no residential units above or on either side of this location; and

WHEREAS, the applicants stipulated to closing the exterior and interior partitions at 11 p.m. on weekdays and midnight on weekends and closing them during the summer when the restaurant utilizes air conditioning; and

WHEREAS, one person from the community raised his hand in opposition and a second person raised her hand, halfway, in opposition because she indicated that the applicants had been co-operative in resolving a problem where her telephone wires had been crossed with those of the applicant;

THEREFORE, BE IT RESOLVED that CB#2, Man. has no objection to the approval of an On Premise license to **LITTLE WEST 12TH LLC, 26 Little West 12th St., NYC**

Vote: Passed, with 28 Board members in favor, 4 in opposition, and 2 abstentions.

4. G MAC G CORP. d/b/a SLANE, 102 Macdougall St., NYC

WHEREAS, the applicant and her attorney appeared before the committee; and

WHEREAS, this application is for a transfer of an On-Premise license in a 1,000 s.f. restaurant, consisting of a total capacity of 73 seats (including 10 seats at the bar) between Bleecker and West 3rd Streets; and

WHEREAS, one principal of this applicant owns Alibi at 116 Macdougall Street and the other principal owns the Red Lion; and

WHEREAS, the applicant stated that the music will be background only and the hours of operation will be Noon to 4 a.m., seven days a week and there would be no sidewalk café or backyard garden use; 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 issuance of an On Premise license to **G MAC G CORP. d/b/a SLANE, 102 Macdougall St., NYC**

Vote: Unanimous, with 34 Board members in favor.

5. OVIDIU, LLC d/b/a au COIN DU FEU, 222 LAFAYETTE ST, NYC

WHEREAS, the applicant appeared before the committee; and

WHEREAS, this is an application for a new On-Premises license in a 1,125 s.f., moderately priced, family style, French restaurant, consisting of a total capacity of 50 seats (including 6 seats at the bar), located between Spring and Broome Streets; and

WHEREAS, the applicant stated that the music will be background only; the hours of operation will be 11 a.m. – 11 p.m., seven days a week, and there would be no sidewalk café or backyard garden use; 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 issuance of an On Premise license to **OVIDIU, LLC d/b/a AUCOIN DU FEU, 222 LAFAYETTE ST, NYC**

Vote: Unanimous, with 34 Board members in favor.

6. IFC CAFÉ, LLC, 327 AVENUE OF THE AMERICAS, NYC

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

WHEREAS, this application is for a new On Premise license in the ground floor café, consisting of 24 tables seats and 19 bar seats located on Sixth Avenue between West 4th and Carmine Streets in the building formerly known as The Health Store; and

WHEREAS, the applicant stated that the music will be background only and the hours of operation will be 8 a.m. – 2 a.m. seven days a week and there would be no residential units above the café, no sidewalk café or backyard garden use; and

WHEREAS, the menu will feature sandwiches, salads, “pub” fare, and desserts; and

WHEREAS, the applicant has scheduled a meeting with the two community block associations who are not opposed to the application but have some concerns;

THEREFORE, BE IT RESOLVED that CB#2, Man. has no objection to the issuance of an On Premise license to **IFC CAFÉ, LLC, 327 AVENUE OF THE AMERICAS, NYC**

Vote: Unanimous, with 34 Board members in favor.

7. 76 EAST 13TH PARTNERS, LLC, 76 East 13th ST., NYC

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

WHEREAS, this application is for a new On Premise license located in a 2 story commercial building between 4th Avenue and Broadway, consisting of 9,000 s.f., with 3 bars and 140 table seats formerly known as known as Spa and Plaid; and

WHEREAS, there has been a cabaret license at this premises for 20 years; and

WHEREAS, the applicant (who currently owns a O/P license at “Butter”) stated that music will be dj and background with occasional live music only and the hours of operation will be Monday – Saturday, 6 p.m. to 4 a.m. and will feature a sushi bar; and

WHEREAS, there will be no sidewalk café and no use of the backyard; and

WHEREAS, a representative from the Union Square Advisory Board (USAB) appeared stating that they were not opposed to this application. Subsequent to the meeting the USAB, again, advised that they were not opposed to the application on the condition that the new owner operates in compliance with the memo of understanding entered into in 1999 by the Azure Nightclub (the tenant at that time), which is binding upon any successor in interest;

THEREFORE, BE IT RESOLVED that CB#2, Man. has no objection to the issuance of an On Premise license to **76 EAST 13TH PARTNERS, LLC, 76 East 13th ST., NYC.**

Vote: Unanimous, with 34 Board members in favor.

8. CREATIVE EDGE PARTIES CATERERS, INC. d/b/a RIBNYC, INC., 357 WEST ST, NYC

WHEREAS, the applicant appeared before the committee; and

WHEREAS, this application is for a new On-Premise license, in the now vacant restaurant, formerly known as the Terminal Diner and the Lunchbox Diner located between Leroy and Clarkson Streets, consisting of a 1,300 s.f. premises with 49 table seats and 12 bar seats; and

WHEREAS, the applicant stated that this restaurant will feature barbeque and will utilize the outdoor garden; and

WHEREAS, the applicant stated that music will be background only and the hours of operation will be Monday – Friday, 11 a.m. to 11 p.m., Saturday, 11a.m. – midnight and Sunday, 11 a.m. to 8 p.m.; and

WHEREAS, there will be no sidewalk café; 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 issuance of an On Premise license to **CREATIVE EDGE PARTIES CATERERS, INC. d/b/a RIBNYC, INC., 357 WEST ST, NYC**

Vote: Unanimous, with 34 Board members in favor.

9. BELEZA, INC., d/b/a BELEZA CAFÉ, 130-132 SEVENTH AVENUE SOUTH, NYC

WHEREAS, the applicant appeared before the committee; and

WHEREAS, this application is for a new On Premise license located in a one story commercial building at the corner of 10th Street and Seventh Avenue South, consisting of 900 s.f. with 74 table seats (including 6 bar seats); and

WHEREAS, the applicant stated that music will be background only and the hours of operation will be 8 a.m. – 4 a.m. seven days a week; and

WHEREAS, the applicant will apply for a sidewalk café; and

WHEREAS, CB#2, Man. unanimously approved an O/P license at this location in January, 2004, but the restaurant did not open because one of the partners passed away; 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 issuance of an On Premise license to **BELEZA, INC., d/b/a BELEZA CAFÉ, 130-132 SEVENTH AVENUE SOUTH, NYC.**

Vote: Unanimous, with 34 Board members in favor.

10. PAOLO SECUNDO, OR ENTITY TO BE FORMED, 10-12 LITTLE WEST 12TH ST., NYC

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

WHEREAS, this application is for a new On Premise license located in a three story commercial building (with commercial tenants above) between Washington Street and Ninth Avenue, consisting of a 532 s. f. kitchen area, a 532 s. f. area with a 12 bar seats and 10 table seats and a 1,300 s. f. garden area with a high wall and “all weather” canopied enclosure with 112 table seats; and

WHEREAS, one of the principals owns O/P licenses at Galata, Madi and Barolo restaurants; and

WHEREAS, the applicant stated that the music will be background only and the hours of operation will be Noon – 1 a.m., seven days a week; and

WHEREAS, one member of the community appeared in favor of this application;

THEREFORE, BE IT RESOLVED that CB#2, Man. has no objection to the issuance of an On Premise license to **PAOLO SECUNDO, OR ENTITY TO BE FORMED, 10-12 LITTLE WEST 12TH ST., NYC.**

Vote: Passed, with 33 Board members in favor, and 1 recusal (D. MacPherson).

11. CULINART CORP., 521 WEST ST., NYC

WHEREAS, the applicant appeared before the committee; and

WHEREAS, this application is for a transfer of a catering license currently held by Robbins Wolfe, Inc., an established corporate caterer, located in a mixed use building between Horatio and Gansevoort Streets; and

WHEREAS, there will be no service of liquor on the premises for other than in conjunction with food samplings and demonstration dinners presented to prospective clients on site; 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 issuance of an On Premise license to **CULINART CORP., 521 WEST ST., NYC 10014.**

Vote: Unanimous, with 34 Board members in favor.

LANDMARKS AND PUBLIC AESTHETICS

1ST LANDMARKS MEETING

~~Item 3 - 547 Broadway - SoHo - Cast Iron Historic District~~

~~A warehouse built in 1888 and designed by O.P. Hatfield. Application is to legalize the installation of new storefront infill, signage and lighting without Landmarks Preservation Commission permits.~~

~~**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 CB2 recommends denial of this application in the absence of this important step in the review process.~~

THE ABOVE RESOLUTION WAS DELETED AND REPLACED WITH A MORE CURRENT ONE AT THE 2ND LANDMARKS MEETING.

Item 4 - 712 Broadway - NoHo Historic District. A Romanesque style warehouse designed by Alfred Zucker and built in 1892-93. Application is to legalize the installation of a banner and illuminated sign without Landmarks Preservation Commission permits.

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 34 Board members in favor.

Item 5 - 269 West 11th Street - Greenwich Village H.D. A Greek-Revival style rowhouse built in 1836 by Andrew Lockwood. Application is to alter the areaway.

WHEREAS, the applicant stated that there are two elderly residents and a mother with child residing on the premise, and that the six historic front steps going down into the areaway are very steep and hard to negotiate; and

WHEREAS, the proposal is to extend the areaway by moving the fence forward about a foot to be in line with adjacent fences, to change the location of the fence gate from the middle to the left side, and to replace the existing six steps with two sets of three steps each, with a clear area between them; but

WHEREAS, it was pointed out to the applicant that most Greek Revival buildings had the fence gate where it currently is located, and that the current cast-iron pattern of the fence was not appropriate for a Greek-revival building; and, further,

WHEREAS, in response to a suggestion that a handicap ramp be installed in the areaway, the applicant stated that the areaway was neither long nor wide enough to accommodate a ramp; now

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

Vote: Passed, with 30 Board members in favor, 3 in opposition and 1 recusal (A. Schwartz).

Item 6 - 141 Perry Street - Greenwich Village Historic District. A Greek Revival style house built in 1846. Application is to legalize the installation of new windows and facade alterations without Landmarks Preservation Commission permits.

WHEREAS, a former owner of the property had removed original windows and lintels, and installed new windows and lintels that were not in the style and period of the building; and

WHEREAS, CB#2, Man., believes that, at a minimum, the parlor windows should be replaced with the correct windows for this building, and that the Commission should check to insure that the upper windows conform to Landmarks standards in regard to color, style, etc.; and

WHEREAS, CB#2, Man., believes that all the lintels should be replaced with the correct profiles; now

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends denial of this application unless the above-mentioned replacements and repairs are made.

Vote: Unanimous, with 34 Board members in favor.

Item 7 - 221 West 13th Street - Greenwich Village H.D. A transitional Italianate style rowhouse built by W.C. Rhineland in 1851. Application is to excavate the lot, to construct a rear yard addition, and to alter the front areaway. Zoned R6

WHEREAS, the proposal is to excavate the complete lot including under the existing building down to 5' 6" below the present cellar, extending out 11' feet into the rear yard; and

WHEREAS, the proposal further plans to construct an addition to this enlarged cellar in the rear yard – glass enclosed – to give light to the newly created cellar room, and excavate the front yard down to a similar depth to build a window in the front for additional light to this new cellar room; and

WHEREAS, many questions were raised regarding protection of the adjoining buildings and adjacent rear yards, particularly in light of the many recent excavation accidents that have significantly damaged adjacent buildings in the community, and

WHEREAS, there were complaints from neighbors about existing problems during construction and the reluctance of the applicant to meet with the neighbors to lay out the construction plans; and

WHEREAS, it was felt this application would set a dangerous precedent; and

WHEREAS, this type of proposed structure is not standard for our area and out of character with the historic district; and

WHEREAS, there were strong protests from neighbors; now

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

Vote: Unanimous, with 34 Board members in favor.

Item 8 - 649 Hudson Street, a/k/a 30 Gansevoort St.- Gansevoort Market H.D. A garage built in 1982. Application is to install new storefront infill.

WHEREAS, we do not consider this a “contributing building”; and

WHEREAS, the proposal to replace the existing metal garage door with a glass door and to replace the roll-down gate with a glass window with aluminum frame and trim is consistent with similar structures in the area; now;

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

Vote: Unanimous, with 34 Board members in favor.

Item 9 - 643 Hudson Street - Gansevoort Market Historic District. A rowhouse built c. 1840 and altered in the mid-twentieth century. Application is to install new storefront infill and signage.

WHEREAS, the proposed renovation is to reuse the original pilasters uncovered during exploratory work and to replace the rest of the material with wood, much like the other two buildings in this series of four that have been already renovated in an appropriate manner; and,

WHEREAS, the painted signage on the window and door is minimal and unobtrusive; now,

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

Vote: Unanimous, with 34 Board members in favor.

2ND LANDMARKS MEETING

Item 8 - 357 West Broadway (Broome/Grand)- SoHo-Cast Iron Historic District

A Federal Style brick dwelling built c.1825. Application is to modify alterations to a storefront installed in non-compliance with Certificate of Appropriateness 98-5607, and to install new exterior lighting.

WHEREAS, this is one of the oldest Federal buildings in the community board, and the proposal to clad the storefront in oxidized copper is an affront to this building and the historic district; and

WHEREAS, in fact, it would be preferable if the entire storefront was reconfigured to resemble something more historic; and

WHEREAS, the two proposed lighting treatments, modern and Spanish Colonial, are not in style with this building, and a simple coach-light fixture would be more acceptable; now

THEREFORE, BE IT RESOLVED that CB#2, Man. strongly recommends denial of this application for legalization, and urges that not only the copper be replaced with a traditional painted-wood treatment, but that the storefront be reconfigured with more attention given to historical design, symmetry and proportions; and

BE IT FURTHER RESOLVED that the LPC deny both proposed lighting fixtures and insist on a more traditional treatment.

Vote: Unanimous, with 34 Board members in favor.

Item 9 - 21-23 Mercer Street (Canal/Grand) - SoHo-Cast Iron Historic District

A store and factory building built in 1861. Application is to remove the fire escape, and alter the ground floor and install a new storefront.

WHEREAS, we approve the removal of half the fire escape and hope that at a future date the other half will be removed; and

WHEREAS, the proposed palette is historic and the storefront infill contributes to the building and the district; now

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

Vote: Unanimous, with 34 Board members in favor.

Item 10 - 150-152 Mercer Street a/k/a 581 Broadway - SoHo-Cast Iron H.D. An Italianate style store and loft building built in 1860. Application is to install shutters and to replace storefronts installed without Landmarks Preservation Commission permits.

WHEREAS, we congratulate the applicant for faithfully restoring the missing shutters, which are so evocative of the “back-street” ambience of Mercer, at a time when so many applicants on Mercer Street attempt to recreate storefronts that are the mirror image of the busy Broadway frontage; now

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

Vote: Unanimous, with 34 Board members in favor.

Item 11 - 475 West Broadway - SoHo-Cast Iron Historic District. A neo-Grec style building built in 1878-79 designed by Frederick H. Gross. Application is to install a painted wall sign.

Zoned M1-5A

HELD OVER

Item 12 - 732 Broadway PREVIOUSLY HEARD

Item 13 - 228 West 11th Street - Greenwich Village Historic District. A Greek Revival style rowhouse built in 1838. Application is to alter the areaway.

WHEREAS, members of the public attended to witness the presentation but the applicant did not appear; and

WHEREAS, the applicant called the community board the following day and stated, without an explanation, that they missed the meeting; and

WHEREAS, they were informed to return for the next community board meeting in two weeks; now

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial of this application unless the applicant appears before the Board in two weeks as they promised

Vote: Unanimous, with 34 Board members in favor.

Item 14 - 92 Jane Street (Washington/Greenwich)- Greenwich Village H.D.

An Italianate style house built in 1858. Application is to construct a rooftop addition and change of the rear facade. Zoned R6

WHEREAS, the proposed rooftop addition is negligibly visible from outside the historic district and not at all visible from within; and

WHEREAS, this rear façade work is a unique exception, since there is no “doughnut hole” view to be preserved because the rear yard is surrounded by tall solid walls with no neighbors’ windows; and

WHEREAS, there is nothing unique, historic or distinguished about the architectural features that will be removed to create the new modernist rear façade; so, in this unique context, the proposed rear façade is acceptable in style; now

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

Vote: Unanimous, with 34 Board members in favor.

547 Broadway (Spring/Prince) SoHo Historic District. Application is to legalize the installation of a new storefront infill, signage and lighting without LPC permits.

WHEREAS, the non-conforming lighting has been removed; but

WHEREAS, the three transoms above the plate-glass window are too low relative to the transom above the entry door; and

WHEREAS, the signage should be relocated to the fascia portion of the cornice, or on the transom bar, or on the store window, or on a blade sign; and

WHEREAS, the general symmetry of the storefront door, windows and bulkhead appear acceptable; however, details were unclear regarding color; and

WHEREAS, the wooden portions of the storefront should be painted and not stained as is the case currently; now

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

Vote: Unanimous, with 34 Board members in favor.

SIDEWALKS, PUBLIC FACILITIES AND ACCESS

1. NEW Application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for Macelleria Restaurant, Inc., 48 Gansevoort Street, New York, N.Y. 10014 with 13 tables and 23 seats DCA#1188887.

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

WHEREAS, this restaurant is located between Greenwich and Washington Streets; and

WHEREAS, there is sufficient passageway for pedestrian safety; and

WHEREAS, there is no opposition from the community;

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Macelleria Restaurant, Inc., 48 Gansevoort Street, New York, N.Y. 10014 with 13 tables and 23 seats.

Vote: Unanimous, with 34 Board members in favor.

2. NEW Application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for NECF, Inc. d/b/a Mr. Dennehy's, 63 Carmine Street, New York, N.Y. 10014 with 14 tables and 28 seats DCA#1188879.

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

WHEREAS, this restaurant is located between 7th Avenue South and Bedford Streets with two entrances, one on Seventh Avenue and the other entrance on Carmine Street; and

WHEREAS, the café would be located on 7th Avenue South and not within the property line; and

WHEREAS, this restaurant is formerly known as Café Espanol; and

WHEREAS, there is sufficient passageway for pedestrian safety; and

WHEREAS, a letter in support of this application was submitted by the Carmine Street Block Association; and

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to NECF, Inc. d/b/a Mr. Dennehy's, 63 Carmine Street, New York, N.Y. 10014 Spice with 14 tables and 28 seats.

Vote: Unanimous, with 34 Board members in favor.

3. NEW Application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for Spice Market LLC, d/b/a Spice Market, 29-35 Ninth Avenue, York, N.Y. 10014 with 13 tables and 26 seats DCA#1187891.

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

WHEREAS, this restaurant is located at the corner of 13th Street and Ninth Avenue; and

WHEREAS, 4 tables would be located on 13th Street and 9 tables would be located on 9th Avenue; and

WHEREAS, there is sufficient passageway for pedestrian safety; and

WHEREAS, there is no opposition from the community;

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Spice Market LLC, d/b/a Spice Market, 29-35 Ninth Avenue, York, N.Y. 10014 with 13 tables and 26 seats.

Vote: Unanimous, with 34 Board members in favor.

4. NEW Application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for Matador Bistro Latino, LLC, 57 Greenwich Avenue, New York, N.Y. with 13 tables and 37 seats DCA#1189650.

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

WHEREAS, this restaurant is located between Greenwich and Perry Streets; and

WHEREAS, this café will have the same configuration as the prior establishments, The Dew Drop Inn and Sapore Due; and

WHEREAS, there is sufficient passageway for pedestrian safety; and

WHEREAS, there is no opposition from the community;

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Matador Bistro Latino, LLC, 57 Greenwich Avenue, New York, N.Y. with 13 tables and 37 seats.

Vote: Passed, with 33 Board members in favor, and 1 in opposition.

5. Modification Application to NYCDCA for revocable consent to operate an unenclosed sidewalk café to increase seating capacity for MGT Enterprises, LLC d/b/a Meet, 71-73 Greenwich Street, New York, N.Y. with 45 tables and 90 seats DCA#1101944.

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

WHEREAS, this restaurant is located at the corner of Gansevoort and Washington Streets; and

WHEREAS, this restaurant will be increasing its seating, from 45 to 60 seats on Gansevoort Street, by reconfiguring the tables (not increasing the space) and will add 15 tables and 30 seats on Washington Street; and

WHEREAS, there is sufficient passageway for pedestrian safety; and

WHEREAS, there is no opposition from the community;

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to MGT Enterprises, LLC d/b/a Meet, 71-73 Greenwich Street, New York, N.Y. with 45 tables and 90 seats.

Vote: Unanimous, with 34 Board members in favor.

6. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for Il Buco Corporation, 47 Bond Street, New York, N.Y. 10012 with 3 tables and 12 seats, DCA# 1109238.

WHEREAS, the area was posted and the applicant's general manager appeared before the committee; and

WHEREAS, this restaurant is located between Bowery and Lafayette Streets; and

WHEREAS, there has been a sidewalk café at this location since 2002; and, and

WHEREAS, there is no change in the configuration of this sidewalk café; and

WHEREAS, there is sufficient passageway for pedestrian safety; and

WHEREAS, the applicant assured the committee that the benches, near the curb, if any, will be permanently removed;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Il Buco Corporation, 47 Bond Street, New York, N.Y. 10012 with 3 tables and 12 seats.

Vote: Unanimous, with 34 Board members in favor.

7. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for I Malatesta Trattoria, Inc., 649 Washington Street, New York, N.Y. 10014 with 18 tables and 35 seats, DCA# 1076713 .

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

WHEREAS, this restaurant is located at the corner of Washington and Christopher Streets; and

WHEREAS, there has been a sidewalk café at this location since 2001; and

WHEREAS, the applicant agreed to provide updated plans; and

WHEREAS, there is no change in the configuration of this sidewalk café; and

WHEREAS, there is sufficient passageway for pedestrian safety; and

WHEREAS, there is no opposition from the community;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to I Malatesta Trattoria, Inc., 649 Washington Street, New York, N.Y. 10014 with 18 tables and 35 seats.

Vote: Unanimous, with 34 Board members in favor.

8. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for Pee Wee & Tyson, Ltd. d/b/a Café Gitane, 242 Mott Street, New York, N.Y. 10012 with 4 tables and 8 seats DCA#1011960.

WHEREAS, the area was posted and the applicant's general manager appeared before the committee; and

WHEREAS, this restaurant is located between Prince and Houston Streets; and

WHEREAS, there has been a sidewalk café at this location since 1994; and

WHEREAS, there is no change in the configuration of this sidewalk café; and

WHEREAS, there is sufficient passageway for pedestrian safety; and

WHEREAS, there is no opposition from the community;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Pee Wee & Tyson, Ltd. D/b/a Café Gitane, 242 Mott Street, New York, N.Y. 10012 with 4 tables and 8 seats.

Vote: Unanimous, with 34 Board members in favor.

9. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for Mekong Restaurant Corp., 44 Prince Street, New York, N.Y. 10012 with 6 tables and 12 seats, DCA#0928327.

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

WHEREAS, this restaurant is located between Mulberry and Mott Streets; and

WHEREAS, there has been a sidewalk café at this location for 10 years; and

WHEREAS, there is no change in the configuration of this sidewalk café; and

WHEREAS, there is sufficient passageway for pedestrian safety; and

WHEREAS, there is no opposition from the community;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Mekong Restaurant Corp., 44 Prince Street, New York, N.Y. 10012 with 6 tables and 12 seats.

Vote: Unanimous, with 34 Board members in favor.

10. Renewal application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for Jo Rach, Inc. d/b/a Caffé Palermo, 148 Mulberry Street, New York, N.Y. 10013 with 3 tables and 10 seats, DCA# 0920440.

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

WHEREAS, this restaurant is located between Hester and Grand Streets; and

WHEREAS, there has been a sidewalk café at this location for 25 years; and

WHEREAS, there is no change in the configuration of this sidewalk café; and

WHEREAS, there is sufficient passageway for pedestrian safety; and

WHEREAS, there is no opposition from the community;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Jo Rach, Inc. d/b/a Caffé Palermo, 148 Mulberry Street, New York, N.Y. 10013 with 3 tables and 10 seats.

Vote: Unanimous, with 34 Board members in favor.

11. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for Four Green Fields, LLC d/b/a Agave, 140 Seventh Avenue South, New York, N.Y. 10014 with 12 tables and 24 seats DCA#1133739.

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

WHEREAS, this restaurant is located between Charles and West 10th Streets; and

WHEREAS, there has been a sidewalk café at this location since 1996; and

WHEREAS, there is no change in the configuration of this sidewalk café; and

WHEREAS, there is sufficient passageway for pedestrian safety; and

WHEREAS, there is no opposition from the community;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Four Green Fields, LLC d/b/a Agave, 140 Seventh Avenue South, New York, N.Y. 10014 with 12 tables and 24 seats.

Vote: Unanimous, with 34 Board members in favor.

12. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for French Roast, Inc., 456 Sixth Avenue, New York, N.Y. 10011 with 8 tables and 16 seats DCA#0907203.

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

WHEREAS, this restaurant is located at the corner of 11th Street and 6th Avenue; and

WHEREAS, there has been a sidewalk café at this location since 1994; and

WHEREAS, there is no change in the configuration of this sidewalk café; and

WHEREAS, there is sufficient passageway for pedestrian safety; and

WHEREAS, there is no opposition from the community;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to French Roast, Inc., 456 Sixth Avenue, New York, N.Y. 10011 with 8 tables and 16 seats.

Vote: Unanimous, with 34 Board members in favor.

13. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for P.J.'s of Little Italy, Inc. d/b/a Pellegrino's, 138 Mulberry Street, New York, N.Y. 10013 with 7 tables and 14 seats, DCA#0883720.

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

WHEREAS, this restaurant is located between Hester and Grand Streets; and

WHEREAS, there has been a sidewalk café at the location since 1995; and

WHEREAS, there is no change in the configuration of this sidewalk café; and

WHEREAS, there is sufficient passageway for pedestrian safety; and

WHEREAS, there is no opposition from the community;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to P.J.'s of Little Italy, Inc. d/b/a Pellegrino's, 138 Mulberry Street, New York, N.Y. 10013 with 7 tables and 14 seats.

Vote: Unanimous, with 34 Board members in favor.

14. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for Two Bacalhaus, Inc. d/b/a Pao, 322 Spring Street, New York, N.Y. 10013 with 16 tables and 32 seats DCA#0957709.

WHEREAS, the area was posted and the applicant did not appear;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends DENIAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Two Bacalhaus, Inc. d/b/a Pao, 322 Spring Street, New York, N.Y. 10013 with 16 tables and 32 seats.

Vote: Unanimous, with 34 Board members in favor.

15. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by Emilia, Inc. d/b/a L'Ulivo, 184 Spring Street, New York, N.Y. 10012 with 4 tables and 8 seat DCA#0956419.

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

WHEREAS, this restaurant is located between Sullivan and Thompson Streets; and

WHEREAS, there has been a sidewalk café at this location for 10 years; and

WHEREAS, there is no change in the configuration of this sidewalk café; and

WHEREAS, there is sufficient passageway for pedestrian safety; and

WHEREAS, there is no opposition from the community; and

WHEREAS, they will maintain only the number of tables and chairs permitted;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Emilia, Inc. d/b/a L'Ulivo, 184 Spring Street, New York, N.Y. 10012 with 4 tables and 8 seats.

Vote: Unanimous, with 34 Board members in favor.

16. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for Barney Mac, LLC d/b/a Boxer's, 190 West 4th Street, New York, N.Y. 10014, with 6 tables and 12 seats DCA#1060551.

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

WHEREAS, this restaurant is located at the corner of West 4th and Barrow Streets; and

WHEREAS, there has been a sidewalk café at this location for 10 years; and

WHEREAS, the tables are located on West 4th Street only; and

WHEREAS, there is sufficient passageway for pedestrian safety; and

WHEREAS, there is no opposition from the community;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Barney Mac, LLC d/b/a Boxer's, 190 West 4th Street, New York, N.Y. 10014 with 6 tables and 12 seats.

Vote: Unanimous, with 34 Board members in favor.

17. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for Marbar, LLC d/b/a La Palapa Rockola, 359 Sixth Avenue, New York, N.Y. 10014 with 6 tables and 12 seats, DCA#1141303.

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

WHEREAS, this restaurant is located between West 4th Street and Washington Place, formerly known as McBells; and

WHEREAS, there has been a sidewalk café at this location for 2 years; and

WHEREAS, there is no change in the configuration of this sidewalk café; and

WHEREAS, there is sufficient passageway for pedestrian safety; and

WHEREAS, there is no opposition from the community;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Marbar, LLC d/b/a La Palapa Rockola, 359 Sixth Avenue, New York, N.Y. 10014 with 6 tables and 12 seats DCA#1141303.

Vote: Unanimous, with 34 Board members in favor.

18. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for Café Angelique, Inc., 68-70 Bleecker Street, New York, N.Y. 10013, with 3 tables and 6 seats DCA#1140615.

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

WHEREAS, this restaurant is located between Crosby Street and Broadway; and

WHEREAS, there has been a sidewalk café at this location for 2 years; and

WHEREAS, the applicant agreed to replace paper plates with porcelain; and

WHEREAS, there is no change in the configuration of this sidewalk café; and

WHEREAS, there is sufficient passageway for pedestrian safety; and

WHEREAS, there is no opposition from the community;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Café Angelique, Inc., 68-70 Bleecker Street, New York, N.Y. 10013, with 3 tables and 6 seats.

Vote: Unanimous, with 34 Board members in favor.

19. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for Eli-Lilla, Inc. d/b/a Café Roma, 385 Broome Street, New York, N.Y. 10013 with 8 tables and 16 seats DCA#0959350.

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

WHEREAS, this restaurant is located at the corner of Broome and Mulberry Streets; and

WHEREAS, there has been a sidewalk café at this location for 35 years; and

WHEREAS, is no change in the configuration of this sidewalk café; and

WHEREAS, there is sufficient passageway for pedestrian safety; and

WHEREAS, there is no opposition from the community;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Eli-Lilla, Inc. d/b/a Café Roma, 385 Broome Street, New York, N.Y. 10013 with 8 tables and 16 seats.

Vote: Unanimous, with 34 Board members in favor.

20. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for J.P.G., LLC d/b/a Philip Marie, 569 Hudson Street, New York, N.Y. 10014 with 9 tables and 18 seats DCA#1003313.

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

WHEREAS, this restaurant is located at the corner of Hudson and 11th Streets; and

WHEREAS, there has been a sidewalk café at this location since 1999; and

WHEREAS, the applicants stated that they do not serve liquor or food after midnight and further agreed to provide updated plans; and

WHEREAS, there is no change in the configuration of this sidewalk café; and

WHEREAS, there is sufficient passageway for pedestrian safety; and

WHEREAS, there is no opposition from the community;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to J.P.G., LLC d/b/a Philip Marie, 569 Hudson Street, New York, N.Y. 10014 with 9 tables and 18 seats.

Vote: Unanimous, with 34 Board members in favor.

21. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for Rio Mar, Corp. d/b/a Kana, 324 Spring Street, New York, N.Y. 10013 with 4 tables and 13 seats DCA#1003195.

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

WHEREAS, this restaurant is located between Greenwich and Washington Streets; and

WHEREAS, there has been a sidewalk café at this location for 6 years; and

WHEREAS, there is no change in the configuration of this sidewalk café; and

WHEREAS, there is sufficient passageway for pedestrian safety; and

WHEREAS, there is no opposition from the community;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Rio Mar, Corp. d/b/a Kana, 324 Spring Street, New York, N.Y. 10013, with 4 tables and 13 seats.

Vote: Unanimous, with 34 Board members in favor.

22. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for Caffe Sorrento, 132 Mulberry Street, New York, N.Y. 10013 with 4 tables and 8 seats, DCA#0885835.

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

WHEREAS, this restaurant is located between Hester and Grand Streets; and

WHEREAS, there has been a sidewalk café at this location since 1985; and

WHEREAS, there is no change in the configuration of this sidewalk café; and

WHEREAS, there is sufficient passageway for pedestrian safety; and

WHEREAS, there is no opposition from the community;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Caffe Sorrento, 132 Mulberry Street, New York, N.Y. 10013 with 4 tables and 8 seats.

Vote: Unanimous, with 34 Board members in favor.

23. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for Le Basket, Inc. 683 Broadway, New York, N.Y. 10012 with 10 tables and 31 seats, DCA#1108196.

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

WHEREAS, this restaurant is located at the corner of West 3rd Street and Broadway; and

WHEREAS, there has been a sidewalk café at this location since 2002; and

WHEREAS, there is no change in the configuration of this sidewalk café; and

WHEREAS, there is sufficient passageway for pedestrian safety; and

WHEREAS, CB#2, Man. members who live in the immediate area represented at the Board meeting that this establishment operates as a deli with no table service and the outdoor area is not maintained; and

WHEREAS, the applicant's attorney represented that there is waiter service and that this café closes at midnight during the week and 1 a.m. on Saturday; and

WHEREAS, one representative from the community appeared, was not opposed to the application but requested that the applicant comply with all applicable rules and regulations;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends DENIAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Le Basket, Inc. 683 Broadway, New York, N.Y. 10012 with 10 tables and 31 seats.

Vote: Passed, with 26 Board members in favor, 5 in opposition, and 3 abstentions.

24. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for Icon, LLC d/b/a Pioneer Bar, 218 Bowery, New York, N.Y. 10012 with 2 tables and 8 seats DCA#1135858.

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

WHEREAS, this restaurant is located between Prince and Spring Streets; and

WHEREAS, there has been a sidewalk café at this location for 2 years; and

WHEREAS, there is no change in the configuration of this sidewalk café; and

WHEREAS, there is sufficient passageway for pedestrian safety; and

WHEREAS, there is no opposition from the community;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Icon, LLC d/b/a Pioneer Bar, 218 Bowery, New York, N.Y. 10012 with 2 tables and 8 seats.

Vote: Unanimous, with 34 Board members in favor.

25. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for La Mela Ristorante Italiano, Inc. 167-171 Mulberry Street, New York, N.Y. 10013 with 16 tables and 32 seats DCA#1147392.

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

WHEREAS, this restaurant is located between Grand and Broome Streets; and

WHEREAS, there has been a sidewalk café at this location for one year; and

WHEREAS, there is no change in the configuration of this sidewalk café which consists of three storefronts; and

WHEREAS, there is sufficient passageway for pedestrian safety; and,

WHEREAS, there is no opposition from the community;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to La Mela Ristorante Italiano, Inc., 167-171 Mulberry Street, New York, N.Y. 10013 with 16 tables and 32 seats.

Vote: Unanimous, with 34 Board members in favor.

26. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for Mam Rest., Inc. d/b/a Gallo Nero, 192 Bleecker Street, New York, N.Y. 10012 with 8 tables and 16 seats DCA#1109871.

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

WHEREAS, this restaurant is located between Macdougall Street & Sixth Avenue; and

WHEREAS, There has been a sidewalk café at this location for at least 3 years; and

WHEREAS, there is no change in the configuration of this sidewalk café; and

WHEREAS, the applicant agreed to provide updated plans; and

WHEREAS, there is sufficient passageway for pedestrian safety; and

WHEREAS, there is no opposition from the community;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Mam Rest., Inc. d/b/a Gallo Nero, 192 Bleecker Street, New York, N.Y. 10012 with 8 tables and 16 seats.

Vote: Unanimous, with 34 Board members in favor.

27. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for Valdino West, Inc., 581 Hudson Street, New York, N.Y. 10014 with 6 tables and 18 seats DCA#1026862.

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

WHEREAS, this restaurant is located between Bank and West 11th Streets; and

WHEREAS, there has been a sidewalk café at this location for 6 years; and

WHEREAS, there is no change in the configuration of this sidewalk café; and

WHEREAS, there is sufficient passageway for pedestrian safety; and

WHEREAS, there is no opposition from the community;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Valdino West, Inc., 581 Hudson Street, New York, N.Y. 10014 with 6 tables and 18 seats.

Vote: Unanimous, with 34 Board members in favor.

28. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for Le Gans Restaurant, 46 Gansevoort Street, New York, N.Y. 10014 with 10 tables and 19 seats, DCA#1034274.

WHEREAS, the applicant did not appear before the committee;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends DENIAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Le Gans Restaurant, 46 Gansevoort Street, New York, N.Y. 10014 with 10 tables and 19 seats.

Vote: Unanimous, with 34 Board members in favor.

29. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for 129 Management Restaurant Corp. d/b/a Da Gennaro, 129 Mulberry Street, New York, N.Y. 10013 with 13 tables and 33 seats DCA#0981502.

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

WHEREAS, this restaurant is located between Hester and Grand Streets; and

WHEREAS, there has been a sidewalk café at the location since 1997; and

WHEREAS, the applicant agreed to provide updated plans; and

WHEREAS, there is no change in the configuration of this sidewalk café; and

WHEREAS, there is sufficient passageway for pedestrian safety; and

WHEREAS, there is no opposition from the community;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to 129 Management Restaurant Corp. d/b/a Da Gennaro, 129 Mulberry Street, New York, N.Y. 10013 with 13 tables and 33 seats.

Vote: Unanimous, with 34 Board members in favor.

30. RENEWAL application to NYCDCA for revocable consent to operate an enclosed sidewalk café for Japonica USA, Inc., 100 University Place, New York, N.Y. 10003 with 7 tables and 20 seats DCA#0885853.

WHEREAS, the area was posted and the applicant did not appear before the committee;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends DENIAL of a TWO YEAR revocable consent to operate an enclosed sidewalk café to Japonica USA, Inc., 100 University Place, New York, N.Y. 10003 with 7 tables and 20 seats.

Vote: Unanimous, with 34 Board members in favor.

31A. RENEWAL application to NYCDCA for revocable consent to operate an enclosed sidewalk café for S.M. Restaurant on Greenwich, Inc. d/b/a Empire Szechuan Greenwich, 15 Greenwich Avenue, New York, N.Y. 10014, with 5 tables and 10 seats DCA#1015138.

WHEREAS, the area was posted and the applicant's corporate officer appeared before the committee; and

WHEREAS, this restaurant is located at the corner of Christopher and 10th Streets; and

WHEREAS, there has been a sidewalk café at this location for more than 20 years; and

WHEREAS, the applicant agreed to provide updated plans; and

WHEREAS, there is no change in the configuration of this sidewalk café; and

WHEREAS, there is sufficient passageway for pedestrian safety; and

WHEREAS, there is no opposition from the community;

THEREFORE, BE IT RESOLVED that Community Board #2, Manhattan recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to S.M. Restaurant on Greenwich, Inc. d/b/a Empire Szechuan Greenwich, 15 Greenwich Avenue, New York, N.Y. 10014 with 5 tables and 10 seats.

Vote: FAILED. SEE SUBSTITUTE RESOLUTION BELOW.

31B. RENEWAL application to NYCDCA for revocable consent to operate an enclosed sidewalk café for S.M. Restaurant on Greenwich, Inc. d/b/a Empire Szechuan Greenwich, 15 Greenwich Avenue, New York, N.Y. 10014, with 5 tables and 10 seats DCA#1015138.

WHEREAS, the area was posted and the applicant’s corporate officer appeared before the committee; and

WHEREAS, this restaurant is located at the corner of Christopher and 10th Streets; and

WHEREAS, there has been a sidewalk café at this location for more than 20 years; and

WHEREAS, the applicant agreed to provide updated plans; and

WHEREAS, there is no change in the configuration of this sidewalk café; and

WHEREAS, there is sufficient passageway for pedestrian safety; and

WHEREAS, there is no opposition from the community

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to S.M. Restaurant on Greenwich, Inc. d/b/a Empire Szechuan Greenwich, 15 Greenwich Avenue, New York, N.Y. 10014 with 5 tables and 10 seats.

Vote: Unanimous, with 34 Board members in favor.

TRAFFIC AND TRANSPORTATION

1. Proposed New Stop Sign at Bedford and Downing Streets to Create a Four-way Stop

WHEREAS, there is a stop sign at the intersection of Bedford and Downing Streets on Downing Street, but not Bedford Street; and

WHEREAS, several years ago, at the behest of the Bedford Downing Block Association the community board requested that a stop sign be placed at this intersection on Bedford Street but the request was denied by the New York City Department of Transportation (DOT); and

WHEREAS, since the community board’s last request for an additional stop sign on Bedford Street, commercialization in the neighborhood has grown considerably, making the intersection more dangerous due to the increasing the number of delivery trucks, pedestrians and tourists. In addition, neighborhood residents indicate that they have witnessed an increase in traffic accidents and, in one instance, an accident where a leashed dog was struck and killed by a car in front of a group of children.

THEREFORE BE IT RESOLVED that CB#2, Man., supports placing a stop sign on Downing Street at the intersection of Bedford and Downing Streets in order to make the intersection safer for both pedestrians and motorists.

Vote: Unanimous, with 34 Board members in favor.

2. Recently-Obtained Traffic Counts on Houston Street.

WHEREAS, the New York City Department of Transportation (DOT) has provided recently-updated traffic data for Houston St. at the request of this board and elected officials; and

WHEREAS, the data shows that few vehicles turn from westbound Houston Street onto southbound Mercer Street, which confirms this board’s position that the construction of a turning bay at this location not justified; and

WHEREAS, the data shows that there is only a small volume of traffic traveling eastbound on Houston Street, which suggests that there is little justification for a turning bay at Mercer Street and West Broadway, because vehicles face very little opposing traffic and are able to make the turn in a single light cycle; and

WHEREAS, as this community board has stated in the past, any design element meant to accommodate turning traffic, such as a turning bay or turning arrow, reduces the margin of safety for pedestrians crossing the intersection, either by shrinking medians or reducing time available for crossings.

THEREFORE BE IT RESOLVED THAT CB#2, Man., thanks DOT for complying with the community board's request for traffic counts, but reiterates its opposition to the plans for the construction of turning bays at Mercer Street and West Broadway because they are not justified by the traffic counts.

Vote: Unanimous, with 34 Board members in favor.

WATERFRONT

Sailing at The Piers

WHEREAS, CB#2, Man, desires to foster environmentally friendly sports and boating uses in lower Manhattan; and

WHEREAS, it has been requested that we provide an impetus to uses such as sailing at piers located within the our Board area; and

WHEREAS, there is substantial support for non-profit organizations who are primarily concerned with offering education and instruction in the art of sailing;

THEREFORE, BE IT RESOLVED that CB#2, Man. calls upon the Hudson River Park Trust to diligently work towards creating a hospitable and affordable environment for qualified and responsible non-profit candidates -- to help foster the use of sailing at Pier 40 or other locations as it may deem appropriate

Vote: Unanimous, with 34 Board members in favor.

YOUTH

Governor George Pataki's Proposed Budget Reductions for the Program

WHEREAS, the Proposed Project contains \$2.4 billion in Medicaid cuts and over \$230 million in provider taxes on hospitals, nursing homes and home health service providers; and

WHEREAS, these Medicaid cuts would disproportionately affect the elderly and disabled, as 70 percent of current Medicaid dollars are spent on the elderly and disabled; and

WHEREAS, these cuts significantly hurt hospitals and other health-care institutions that are already in a financial crisis; and

WHEREAS, these cuts would most likely increase the number of uninsured in our community, decrease access to long-term care services for our elderly and disabled, unduly restrict access to needed drug therapy and eliminate some so-called potential services; and

WHEREAS, these cuts would negatively impact the quality of care all New Yorkers receive and chorus those denied coverage to seek treatment for routine illnesses in emergency rooms instead of primary care providers; and

WHEREAS, CB#2, Man. recognizes the financial strain placed on both State and Local governments by increasing Medicaid; and

WHEREAS, the budget proposed by the Governor is conditional on the State assuming the local share of Medicaid costs on legislative acceptance of the proposed cuts; and:

WHEREAS, there are other alternatives to reduce State and Local Medicaid expenditures such as making health and long-term care insurance more affordable, consolidating New York's pharmaceutical purchases and revising the Federal Medicaid funding formula;

THEREFORE, BE IT RESOLVED that CB#2, Man. strongly urges Governor George Pataki, our State Legislator, the Mayor and City Council of New York City to find other ways to reduce the budget rather than cutting Medicaid coverage services, imposing new fees and eligibility requirements on Medicaid recipients and imposing additional taxes on our health care facilities and providers.

Vote: Unanimous, with 34 Board members in favor.

NEW BUSINESS

Respectfully submitted, Mark Rosenwasser, Secretary, Community Board #2, Manhattan