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■ December 21, 2006
 ■ 6:30 P.M.
 ■ St. Vincent’s Hospital, 170 W. 12th Street
 Cronin Auditorium, 10th Floor

■ Steve Ashkinazy, Keen Berger, Tobi Bergman, Helene Burgess, Lisa Cannistracci, Leonard Cecere, Maria Passannante Derr, Chair, Community Board #2, Manhattan (CB#2, Man.) John Diaz, Doris Diether, Harriet Fields, Elizabeth Gilmore, Edward Gold, Jo Hamilton, Arthur Harris, Anne Hearn, Susan Kent, Don Lee, Edward Ma, Dr. John Maggio, Rosemary McGrath, Rick Panson, Annie Vanrenterghem-Raven, David Reck, Robert Riccobono, Robert Rinaolo, Rocio Sanz, Arthur Z. Schwartz, Shirley H. Smith, Richard Stewart, Sean Sweeney, Wilbur Weder, Elaine Young

■ Carter Booth, Lawrence Goldberg, Brad Hoylman, Raymond Lee, Elizabeth Loeb, Don MacPherson, Jason Mansfield, Philip Mouquinho, Patrick Munson, Judy Paul, Shirley Secunda, James Solomon, Betty Williams, Carol Yankay

■ Wheelah Feinberg, Garth Harvey, Christine Lindemann, Michael Xu

■ Bob Gormley, District Manager

■ Adam Riff, Senator Tom Duane’s office; Lee Grodin, Council Speaker Christine Quinn’s office; Gregory Brender, Assembly Member Deborah Glick’s office; Cindy Voorspuy, Council Member Alan Gerson’s office; John Fout, Council Member Rosie Mendez’s office; John Ricker, NYC Comptroller’s office; Guy Vantresca, Martha Soffer, Bill Morgan, Tony DeCicco, Kurt Kelly, Edward McFarland, Jonathan Ellis, Gregg Levine, Sean Hagerty, Alan Rusty, Henry Smith Miller, Eric Bromberg, Kris Polak, Ian Dutton, Jennifer Craft, Thomas Lamia, Gilda Vavalle, Myra Martin, M. Bloom, Chisato Shimada, Kim Whitener, Darren Drale, Laurie Fried, Alan Fried, James James Ripellino, Georgette Fleischer, James Corter, Fank Upham, Ruperto Arvelo, Robin Goldberg, Zella Jones, Jerry Johnson, Keith Goggin, Steve Wygoda, Andrew Schwartz, Michael Vinturnella, Nick Weiss, Jeffrey Weinstein, Rob Meller, Shane Benson, Steve Malkenson, Laura Clare, Marc Liu, Tom Borghesan, Jonathan Greenberg, Andrew Berman, Guy Sansone, Harry Kendall, Eve Szentesi, Daniel Killinger, James Colby, Ken Hiratsuka, Gloria Mclean Hiratsuka, Annie Shaver-Crandell, David Lehmann, Johana.



Meeting Date December 21, 2006
 Board Members Present – 32
 Board Members Excused–14
 Board Members Absent - 4



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NEW

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Small Business Administration

Martha Soffer spoke regarding programs the SBA is offering to small businesses.

Community Readiness

Rick Panson, Chair of Environment Committee, spoke regarding upcoming community readiness forums.

St. Vincent Catholic Medical Center

Guy Sansone, representing St. Vincent's, spoke regarding upcoming building projects.

New York University

David Lehmann, representing NYU, reported on upcoming events.

NYC Comptroller's Office

John Ricker, representing the Comptroller's office, issued a monthly update.

McBurney YMCA

Johana issued a general report.

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98 Kenmare Rest Group LLC, 187-189 Mulberry Street, NY

Guy Vantresca, Georgette Fleischer, and Robin Goldberg, spoke against the proposed liquor license application.

7th Avenue Restaurant Group LLC, 130-138 7th Avenue South, NYC

Keith Goggin and Michael Vinturnella, applicants, Steve Makenson, and Henry Smith Miller spoke against the resolution recommending denial.

Steve Wygoda and Jonathan Greenberg spoke in favor of the proposed liquor license application.

Andrew Schwartz, Nick Weiss, Jeffrey Weinstein, Rob Meller, Shane Benson, Laura Clare, Marc Liu, and Tom Borghesan, spoke against the proposed liquor license application.

Food First, LLC, d/b/a Blue Ribbon Bakery, 34 Downing Street, NYC

Jim Ripellino spoke against the proposed liquor license.

The Stonewall Inn, LLC, 53 Christopher Street, NYC

Tony DeCicco, applicant, spoke in favor of the proposed liquor license.

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Installation of a distinctive sidewalk at 23-29 Bond Street

Zella Jones, Harriet Fields, Harry Kendall, Eve Szentesi, Daniel Killinger, James Colby, Ken Hiratsuka, Gloria Mclean Hiratsuka, and Annie Shaver-Crandell, spoke in favor of the resolution recommending approval.

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469 West St./70 Bethune St. (Superior Ink site)

Jerry Johnson, representing the applicant, spoke in favor of the resolution recommending approval of the amendment to the application.

520 Broome St. (Tunnel Garage site)

Sean Hagerty, Gregg Levine, and Andrew Berman, spoke in favor of the application. Darren Drale spoke against the application.

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Adam Riff, Senator Tom Duane's office

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Gregory Brender, of Assembly Member Deborah Glick's office

Lee Grodin, of Council Speaker Christine Quinn's office

Cindy Voorspuy, Council Member Alan Gerson's office.

John Fout, Council Member Rosie Mendez's office.

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Adoption of October minutes. Distribution of November minutes will be deferred to next month.

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1. ■ Maria Passannante Derr reported
2. ■ Bob Gormley's report was deferred to next month.

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■ The applicant appeared before the committee; and

■ The applicant previously appeared before the committee in March 2006, resulting in a unanimous vote of the Full Board to recommend approval of an On Premise license; and

■ The applicant has come before the committee seeking approval of changes to its proposed operation; and

■ This application is for an On Premise license in a 345 s.f. restaurant/bar, located in a mixed use building between Bedford Street and 6th Avenue, with 20 table seats and 1 bar with 10 seats; and

■ The applicant stated that the hours of operation will be 12:00 p.m. – 2 a.m., music is background only; the applicant also owns the Blue Ribbon Bakery and Blue Ribbon Sushi, both in the immediate area of 34 Downing Street; food will be prepared with electrically powered cooking and heating equipment, in addition to dishes prepared off site; and

■ The applicant stated there are no plans to include an outdoor café, nor a backyard garden; and

■ There was significant community input, some for the applicant based on good reputation as an operator in the neighborhood, and some against the applicant based on fear of increased noise and pedestrian and vehicle traffic; a show of hands excluding persons employed by Food First revealed 10 persons against and 15 persons for the approval of the application;

■ That CB#2, Man., has no objection to the approval of an On Premise license to ■

Vote: passed, with 17 Board members in favor, 9 in opposition, and 2 abstentions.

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■ The applicant appeared before the committee; and

■ This application is for an On Premise license in a 1000 s.f. restaurant/oyster bar between Spring and Broome Streets, in a mixed use building, consisting of 50 table seats and 1 food counter with 19 seats; and

■ The applicant stated that the hours of operation will be 12:00 p.m. – 1:00 a.m. Sunday-Thursday and 12:00 p.m. – 2:00 a.m. Fridays and Saturdays; the music will be background only; there will not be an application for a sidewalk café, nor will there be a backyard garden; and

■ CB#2, Man. is concerned about the tendency for restaurants to stay open late and transform to become mostly drinking establishments during later operating hours, especially in neighborhoods where the intensity of late night activity has started to have a negative impact on the quality of residential life; and

:
In recognizing this, the applicant agreed to stipulate to close at 1:00 a.m. on weekdays and 2:00 a.m. on Fridays and Saturdays;

That CB#2, Man. has no objection to the granting of an On Premise license to provided the SLA take into account the saturation of licensed establishments in this area at the 500' Rule Hearing

Vote: Unanimous, with 32 Board members in favor.

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The applicant appeared before the committee; and

This application is for an On Premise license, in a mixed-use building between Bleecker and West 4th Streets for an 1800 s.f. restaurant, consisting of 80 table seats and 1 bar with 10 seats; and

The applicant stated that the hours of operation will be 11:00 a.m. – 12:00 a.m. Friday and Saturday, and 5:00 p.m. – 11:00 p.m. Sunday through Thursday; the music will be background only; there will not be a sidewalk café nor a backyard garden; and

There was no opposition to this application;

That CB#2, Man. has no objection to the granting of an On Premise license to

Vote: Unanimous, with 32 Board members in favor.

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The applicant appeared before the committee; and

This application is for transfer of an On Premise license, pursuant to the purchase of the previously licensed location (Provence), a 2000 s.f. restaurant between Houston and Prince Streets, in a mixed-use building, consisting of 120 table seats and 1 bar with 6 seats; and

The applicant stated that the operation is to be a continuation of Provence, with the most notable change the addition of banquet seating; hours of operation will be 12:00 p.m. – 1:30 a.m.; the music will be at background level only; there will not be a sidewalk café nor a backyard garden; and

There was no opposition to this application;

That CB#2, Man. has no objection to the granting of an On Premise license to

Vote: Unanimous, with 32 Board members in favor.

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The applicant appeared before the committee; and,

This application is for transfer of an On Premise license, pursuant to purchase, for the Stonewall Bar, a 3,500 s.f. bar/cabaret; and

The applicant stated that the hours of operation will be 4:00 p.m. – 4:00 a.m. Seven days; and

The applicants stated that there would only be minor changes to the premises; and

The applicants have an established track record in the community at their other location, Duplex, and seem like a good fit for this space; and

No one from the community spoke in opposition to this application;

That CB#2, Man. has no objection to the approval of an On Premises license to

Vote: passed, with 27 Board members in favor, and 1 in opposition.

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The applicant appeared before the committee; and,

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This application is for an On Premise license in a previously licensed location, for a gourmet tea restaurant, located in a 1010 s.f. premise, in a commercial building between Broome and Grand Streets, with 30 table seats with 1 bar with 10 seats; and

The applicant stated that the hours of operation will be 7:00 a.m. – 11:30 p.m. weekdays and 8:00 a.m. – 12:00 a.m. weekends; there will not be a sidewalk café application nor a backyard garden; music will be background only; and

Sean Sweeney of the SoHo Alliance weighed in favoring the application, citing the operating hours as in keeping with a stipulation between the SoHo Alliance and the SLA; and

That CB#2, Man. has no objection to the approval of an On Premise license to

Vote: Unanimous, with 32 Board members in favor.

7/1/11

The applicant appeared before the committee; and,

This application is for transfer and alteration of an existing On Premise license in the premise known as Rafaella, a 2100 s.f. premise located in a commercial building between Charles and West 10th Streets, to operate as restaurants under two trade names, Tasca and Central Kitchen, with a connecting premise under one On Premise license, with 140 table seats, with 2 bars with 20 seats; and

When the applicant appeared at the November Committee meeting, they presented a set of plans, filed with the Dept. of Buildings, that were incorrect and incomplete. The plans showed the premises to be two completely separate restaurants with no connecting passageways between the two; and

When questioned as to why they were applying for one license instead of two, their attorney stated that the reason was because there was one common kitchen located in the basement. However, when basement plans were finally presented they showed two separate kitchens in the basement, and

When questioned as to whether they were buying the premises from the prior licensee, the applicant stated that they had dealt only with the landlord and that the prior licensee was “long gone” when they got involved with the premises; and

The applicant’s attorney later stated that they would be opening soon because they were going to file for a temporary license. When committee members questioned as to how they could get a temporary license if they had not dealt with the prior licensee, they suddenly remembered that they had dealt with the prior licensee but could not remember in what capacity; and

The applicants also stated that they planned to open the entire premise on the temporary license, however this is not possible because the entire premises were not formerly licensed or operated by the prior licensee, only the portion that was known as Rafaella’s is eligible for a temporary license; and

The applicant stated that the hours of operation will be 12 p.m. – 2 a.m.; there will be a sidewalk café application with a possible 100’ wide café, but no backyard garden; music will be background only; and

There was some concern from the community regarding venting which is very close to residential space; applicant pledged to work with neighbors to assure noise and odors from venting does not adversely affect quality of life; applicant further expressed a possible desire to install a rooftop garden in the future, but stipulated to never seek such an alteration upon discussing the issue with the committee and the community; and

There was a great deal of discussion regarding a landmarks issue concerning a new storefront on the southerly portion of the premises that is comprised of one continuous row of doors that open onto the sidewalk. The storefront was not presented to the CB#2, Man. Landmarks Committee nor was it approved by the Landmarks Preservation Commission as required; and

When discussing the issue, applicant’s architect stated that he had informed his client that the storefront was illegal, however, they claimed that work to the storefront had been done by a prior tenant of one space and that they hoped to open first and deal with the storefront later; this answer did not satisfy some committee

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members who felt that the storefront was now the responsibility of the applicant and should be corrected prior to opening for business;

That CB#2, Man does not recommend approval of an On Premise license to [REDACTED]

Vote: Passed, with 16 Board members in favor, 8 in opposition, and 3 abstentions.

[REDACTED]

The applicant appeared before the committee; and,

This application is for an On Premise license for the 3rd floor of a health club where golf clinics are held, known as Drive 495, located in a 2100 s.f. portion of the premise, in a commercial building between Spring and Broome Streets, with 12 table seats, no bar, and a total capacity of 35 persons once equipment space is accounted for; and

The applicant stated that the hours of operation will be Monday-Thursday 5:30 a.m. – 10:30 p.m., Friday 5:30 a.m. - 9:00 p.m. and Saturday and Sunday 8:00 a.m. – 8:00 p.m.; there will not be a sidewalk café application nor a backyard garden; music will be background only; and

The space will be usable by subscribing members of the health club, by those who pay a daily member fee to use the facility, and for team building corporate events; there was no opposition to this application;

That CB#2, Man. has no objection to the approval of an On Premise license to [REDACTED] for the delineated portion of the operation.

Vote: Unanimous, with 32 Board members in favor.

[REDACTED]

The applicant appeared before the committee; and,

This application is for an On Premise license for a restaurant/lounge, in the location previously licensed as Nolita's, located in a 3300 s.f. premise, in a mixed use building with the entrance on Kenmare Street between Cleveland Place and Mulberry Street, with 160 table seats, 2 bars with 24 seats, and a maximum legal capacity of 249 persons; and

The applicant stated that the hours of operation will be Sunday-Wednesday 8:00 a.m. – 2:00 a.m. and Friday and Saturday 8:00 a.m. – 4:00 a.m.; there will be a sidewalk café application but not a backyard garden; music will be background only; and

There was opposition to the application expressed by the community based on potential noise, ventilation, traffic and overcrowding issues, as well as the close proximity of other similar licensed establishments; and,

Applicant was willing to stipulate to using a capacity of no more than 180 persons, but applicant was unwilling to comply with the committee's request to reduce the operating hours to result in earlier closing times for the proposed operation;

That CB#2, Man. objects to the approval of an On Premise license to [REDACTED]

Vote: Unanimous, with 32 Board members in favor.

[REDACTED]

The applicant appeared before the committee; and,

The application is for an On Premise license, pursuant to purchase of an Italian restaurant encompassing 2,000 s.f., located in a mixed use building between Canal and Hester Streets, consisting of 42 table seats and 1 bar with 10 seats; and

The applicant stated that the hours of operation will be 11:00 a.m. – 2:00 a.m.; the music is background only; there will not be a sidewalk café nor a backyard garden; and

:
This operation is less than 200' from the emergency exit of, and entrance to the rectory of, Most Precious Blood Church; it is not on the same street of any main entrance to the church; and

Having no opposition from the pastor of Most Precious Blood or the community, if the SLA finds the applicant not to be in violation of the 200' house of worship proscription against On Premise licenses, then CB2 Manhattan does not object to this application under these very specific and relatively unique facts, including: a restaurant operation which is a benefit to the community; no main entrance or exit of the church in question is on the same street as the applicant; there is no opposition from the community, and; there is no opposition from church leaders; and

subject to the caveats above, CB#2, Man. has no objection to the approval of an On Premise license to

Vote: Unanimous, with 32 Board members in favor.

The applicant appeared before the committee; and,

The application is for an On Premise license, pursuant to purchase of a restaurant encompassing 1500 s.f., located in a mixed use building off Houston Street, consisting of 53 table seats and 1 bar with 8 seats; and

The applicant stated that the hours of operation will be 4:00 p.m. – 3:00 a.m.; the music is background only; there will not be a sidewalk café nor a backyard garden; and

There was no opposition from the community; and

subject to the caveats above, CB#2, Man. has no objection to the approval of an On Premise license to

Vote: Unanimous, with 32 Board members in favor.

The applicant failed to appear before the committee or request a layover of consideration of the application to the next hearing; and,

This application is for an On Premise liquor license; and,

That CB#2, Man. strongly recommends denial of an On Premise liquor license to Samoa Restaurant Corp., 168 Sullivan Street, NYC and requests that the SLA send this applicant back to CB2 should this application proceed in order that this important step not be avoided and that the concerns of the community be fully heard.

Vote: Unanimous, with 32 Board members in favor.

The applicant appeared before the committee; and,

The application is for a Beer & Wine license (which licenses are normally not heard by the committee) for a café/restaurant encompassing 900 s.f., located in a residential building between 8th Avenue and West 4th Street, consisting of 24 table seats and 1 bar with 12 seats; and

The applicant stated that the hours of operation will be 8:00 a.m. – 12:00 a.m.; the music is background only; there will not be a sidewalk café application nor a backyard garden; and

There were 5 persons from the community in opposition, expressing concern that the operation will evolve into a bar with an On Premise license, and citing noise and traffic complaints spilling over from the meat packing district; and

The committee found nothing untoward or alarming regarding the application, especially in light of the permissive rules for Beer & Wine licenses, and encouraged the applicant and the community to begin a dialogue to settle any differences or problems; the applicant further stated that there is no intent to ever seek an On Premise license at this location;

CB#2, Man. has no objection to the approval of a Beer & Wine license to

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Vote: Unanimous, with 32 Board members in favor.

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■ Greenwich Village Historic District. An apartment house designed by Charles C. Platt and built in 1958. Application is to modify two terrace enclosures.

■ The applicant seeks to upgrade and improve two existing terrace enclosures which currently have wooden shingle siding and can be described as having a “fishing shack” appearance, and

■ The applicant will be using modern materials more consistent with the 1958 building architecture; and

■ Members of the Committee expressed strong concern that approval of the application not be taken as precedent for such terrace enclosures in the Greenwich Village Historic District, but appreciated that the existing “fishing shack” appearance was neither historic nor tasteful and that the community aesthetic would benefit by the proposed upgrade; and

■ The Committee repeats its position that illegal and unauthorized construction and renovation will not be condoned by this Committee and that applicants seeking approval should be prepared to prove the legality of the existing structure as well as the proposed work; and

■ The applicant was cautioned that the legality or illegality of the two terrace enclosures herein could not be determined by this proceeding and that if such enclosures violate the building code the applicant should be directed to remove them by the Department of Buildings regardless of any approval herein; and

■ CB#2, Man. does not object to the application to modify two terrace enclosures at 3 Sheridan Square.

Vote: Unanimous with 32 Board members in favor.

2nd ■

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A Classical style store and loft building designed by Robert Mook and built in 2369-70. Application is to replace the existing sidewalk which includes vault lights, with solid concrete.

■ The existing sidewalk extending the length the building includes historic vault lights which are characteristic of the SoHo Cast Iron Historic District, and

■ The applicant seeks to remove the current sidewalk and replace it with solid concrete without the vault lights, and

■ The applicant stated that the purpose of not replacing the vault lights in the new sidewalk was the added cost and anticipated added maintenance,

■ That CB#2, Man. objects to the applicant’s proposed replacement of the current sidewalk at 483-485 Broadway unless the vault lights are also replaced, and reminds the applicant that the added cost of any historic feature, including vault lights, will be recouped by the added value to all properties by restoring and maintaining the historical and landmark character of the area.

Vote: Passed, with 31 board members in favor and 1 abstention

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A loft and light manufacturing building constructed in the early 19th century and altered in 1910. Application is to construct a rooftop addition.

■ The applicant seeks to add a stairway bulkhead approximately nine feet higher than the existing roof, utilizing plate glass for the new enclosure, and adding equipment on the roof to provide new central air conditioning for the building, and

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The applicant seeks to make the new bulkhead less visible from the street by leveling the currently staggered height parapet, which decreases in height from the front to the rear, by raising the rear parapet to match the height of the front parapet, and

Other than describing the proposed new parapet work, the applicant provided little or no information concerning the nature, including the size and materials to be utilized, of its rooftop addition proposal (new stairwell bulkhead), leaving the Landmarks Committee with insufficient information upon which to render an informed recommendation, and

CB#2, Man. does not object to the application solely to the extent that the applicant seeks to raise the parapet of 148 Spring Street, and

CB#2, Man. objects at this time to any other rooftop addition, including the proposed stairway bulkhead, and request the applicant complete its application by presenting sufficient detail of its design plans.

Vote: Unanimous, with 32 board members in favor.

112 Mercer Street a/k/a 541 Broadway - SoHo Cast Iron Historic District. A neo-classical style store and loft building designed by Charles Mettam and built in 2369. Application is to install new storefront infill.

The applicant seeks to install two new storefront picture windows consistent with the historical and landmark character of the area, and

The applicant assured the Landmarks Committee that it would not install additional lighting, and

That CB#2, Man. approves the proposed storefront infill at Mercer Street a/k/a 541 Broadway.

Vote: Unanimous, with 32 board members in favor.

A Greek Revival style rowhouse designed by Samuel Winant and John Degraw and built 1840. Application is to install a cast iron stoop and create new window openings.

The applicant seeks to add a new exterior cast iron stairway “stoop” along the front of the building leading from the sidewalk to a new front entrance on the first floor to be created by removing the existing double windows, increasing the size of the opening and installing new wooden doors, and

The applicant seeks to add three new windows to the Bedford side of the building,

The Bedford side of the building appears imbalanced and unattractive because windows currently exist only on the left portion of the exterior wall, and

The building was renovated prior to 1930 in an attempted Mediterranean style which does not match the historic context of the neighborhood,

That CB#2, Man. approves the proposed addition of three new windows on the Bedford side of the building, and

That CB#2, Man. objects to the addition of the exterior cast iron stairway “stoop” because it neither matches nor enhances the attempted Mediterranean style of the building and would distinguish the building even more from the existing historic and landmark character of the area.

Vote: Unanimous, with 32 board members in favor.

The renovation of Petrosino Park has been fully funded, and the project is ready to move into its construction phase, and

The CB#2, Man. Parks Committee held a public hearing on the Parks Department’s final design proposal, it is hereby

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That the design is approved with the following suggestions for revision and/or addition and/or continued inclusion:

1. That more seating be added to the West side of the park, including but not limited to, benches outside of the fence.
2. That additional bike racks be installed.
3. That an element be added which engages children.
4. That the lighting proposed by the Parks Department be maintained, not reduced; and it is further

That CB#2, Man. applauds the activism of Friends of Petrosino Park, and commends its work in involving the surrounding community in this important project, and it is further

That CB#2, Man. applauds the positive, responsive attitude shown by Chris Crowley and Bob Redmond of the Parks Department to suggestions and criticisms made by the public and members of CB2 at the public hearing.

Vote: Unanimous, with 32 Board members in favor

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The Anthony Dapolito Recreation Center is a critical asset to our community, and

The Center has a leaky roof, and

CB#2, Man. that the Parks Department is urged, as expeditiously as possible, to repair the roof of the Dapolito Center utilizing Requirements money already in the budget of the Parks Department.

Vote: Unanimous, with 32 Board members in favor

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Bleecker Playground is one of the most heavily used playgrounds in the City, but does not have bathrooms which are accessible to those with the need to use a wheelchair, and

CB2 is committed to the proposition that bathrooms within public parks should be wheelchair accessible,

That CB2 calls upon City Council Speaker Quinn, Borough President Stringer, and the Mayor to provide capital funds, during fiscal year 2007-2008, to renovate the bathrooms in Bleecker Playground so that they are wheelchair accessible.

Vote: Unanimous, with 32 Board members in favor

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The representatives for the owners, Goldman Properties, appeared before the committee along with the architects; and

The Architects of the project proceeded to explain that the sidewalk which is 100 feet in length and 16 feet wide would be covered with granite stone slabs each measuring 16 feet long by 5 feet wide and 8 inches thick; and

This total surface measuring approximately 1600 square feet of sidewalk on Bond Street between Lafayette Street and Bowery would be entrusted to the artist Ken Hiratsuka to create a Keith Haring-type random and continuous carving onto the entire sidewalk surface; and

Members of both committees and the public participants proceeded to contribute their opinions, feelings and critiques which were as numerous as the number in attendance; and

The final vote is a clear indication as to the community's opinion on this application;

:
That Community Board #2 Manhattan, approves the installation of a distinctive sidewalk at 23-29 Bond Street

Vote: 19 in favor, 8 opposed and 1 abstention.

The New York City Department of Transportation (DOT) has suggested a series of parking regulation changes on the streets listed below and requested input from this Community Board; and

These changes seem reasonable because they will increase the availability of free parking, which is in short supply, thus benefiting residents in the neighborhoods where they are proposed; and

Notwithstanding these benefits, (i) it is unclear why DOT chose these particular streets to examine the parking regulations when many others nearby have the same regulations, and (ii) increasing free parking can exacerbate traffic congestion and contribute to idling automobiles and increased harmful carbon dioxide emissions, all which necessitates DOT instituting a comprehensive re-examination of the City's alternate side parking policy.

That Community Board No. 2, Manhattan, supports changing the parking regulations to Alternate Side Parking/Street Cleaning regulations at the following locations from the current regulations as indicated:

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|-----------------|--|-------|-----------------------|
| Sullivan Street | Between W. 3 St. and Washington Sq. So. | East: | N/P 8a-6p Tu, Th, Sa. |
| Sullivan Street | Between W. Houston St. and Bleecker St. | East: | N/P 8a-6p Tu, Th, Sa. |
| | | West: | N/P 8a -6p M, W, F. |
| Bedford Street | Between 6 Ave. and Downing St. | East: | N/P 8a-6p Tu, Th, Sa |
| Bedford Street | Between Carmine St. and Leroy St. | East: | N/P 8a-6p Tu, Th, Sa |
| | | West: | N/P 8a-6p M, W, F. |
| W 10 St. | Between 6 Ave. and 5 th Ave. | North | N/P 8a-6p M, W, F. |
| | | South | N/P 8a-6pm Tu,Th, Sa |
| W 13 St. | Between 6 Ave. and 7 th Ave. South. | North | N/P 8a-6p M, W, F |
| | | South | N/P 8a-6p Tu, Th, Sa. |

Vote: Passed, with 25 Board members in favor, 7 in opposition and 1 abstention.

The Light House Pre-School has been in operation at 82 Bowery for six years, serving many children from our district (specifically, Chinatown) and beyond, including students who travel from Long Island, Queens and Staten Island on a daily basis; and

Parents who drop their children off by automobile use a method whereby they call the school in advance on their cell phones and a teacher or teacher's aid will be dispatched to receive the student in the morning and will bring the children to their parents' cars at the end of the day; and

Traffic police have been issuing many summonses to parents during the brief amount of time required to put their children in or out of the car seat, creating a sense that traffic police are acting unreasonably and creating a hardship for parents.

That CB#2, Man., (i) supports changing the parking regulations in front of the Light House Pre-School at 82 Bowery from "No Standing – 6 a.m. – 10 a.m.", "no standing 4 p.m. – 7 p.m." to "No Parking" to allow safe drop-offs/pick-ups of children at the Light House Pre-School and (ii) in lieu of any traffic regulation change, strongly urges the NYC Department of Transportation to issue a moratorium on traffic police issuing summonses to parents dropping and collecting their children in front of 82 Bowery (the Light House Pre-School).

Unanimous, with 32 Board members in favor.

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█ The application is for a Judo Club on part of the first floor of the building at 547 Greenwich St. which is a residential co-op on the upper floors, and.

█ The other half of the first floor is occupied by a restaurant and concerns were raised about the noise and vibrations created by a Judo Club with the thin wall between the two commercial spaces, and

█ The owner of the Oisha Judo Club operates at least one other such establishment in Manhattan, has been in business for at least 20 years, and attended the meeting to answer questions about the hours of operation, clientele, and the type of activities involved in the practice of judo, and

█ The applicant has or will install special flooring to absorb vibrations, and since the walls have mirrors, participants will not be slamming into the walls, and

█ Although the applicant has not “formally” notified the residents by mail, he has met with some of them and the co-op board, who have indicated approval of this application, and has agreed to provide us with proof of the required notification of all on-site tenants,

█ CB#2, Man. has no objection to the grant of a Special Permit for a Physical Culture Establishment at 547 Greenwich St./112 Charlton St.

Vote: Unanimous, with 32 Board members in favor.

2█ Application to reopen and amend the previous BSA resolution and replace approved plans with revised set of plans reflecting new design for the building and minor modifications to prior BSA approvals.

█ The original application for this site came to Community Board #2 in 2005 requesting a 20-story and 3 story mixed-use development in an MI-5 zoning district, and

█ This original proposal met strong objections from the surrounding community, and

█ In April 2005 CB#2, Man. voted to oppose the application on the basis that we did not feel it met all the findings required for the variance and was out of scale for the area, and

█ After the applicant made some modifications in his proposal, the BSA granted the variance for 469 West St. on January 10, 2006, for a 15 story and 3 story building with 64 dwelling units, a height of 186’9” (including bulkhead), setbacks of 10’ on West St. & 15’ on Bethune St. and West 12 St., and an FAR of 5, with 60 parking spaces, and

█ The applicant has made minor modifications in the plans, which required him to return to the BSA and Community Board, and

█ These changes include elimination of the commercial uses, reducing some of the apartment sizes which led to an increase in units from 64 to 84, adding a basement to the townhouses (but still maintaining the FAR of 5), introducing a pool, lounge, children’s playroom and gym in the basement of the building and moving the car parking to the mezzanine level above the first floor, and

█ The applicant is masking the new car ramp from the adjoining buildings on West 12 St. with landscaping on either side, and

█ The major change in the building is the exterior design, changing what had been designed as an industrial style building into what looks like a residential building, and making the townhouses independent of each other as they usually are on townhouse Village streets, and

█ The actual changes to the variance, which is what we are to comment on, are minor and actually improve the project,

█ CB#2, Man. recommends approval of the design changes requested for 469 West St.

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Vote: Unanimous, with 32 Board members in favor.

The application is to permit residential uses and ground floor retail, both prohibited in an M1-5B district, and a public parking garage not permitted in residential development.

This proposal is a revision of the original proposal, increasing the size to nine stories instead of 8 stories, 51 residential units instead of 48, and increasing the number of parking spaces from 117 to 280. Along Broome St. the building will be reduced to 7 stories from 8, but rising to 9 stories on the Thompson St. side, stepping down to 6 stories after 80 feet, and

The 3-story underground garage will be accessed from Broome St. with 2 car elevators taking cars down to the below grade attended garage floors, and

The existing one story building at Sullivan and Broome Sts. will be retained as retail space, with other retail spaces in the main building, and

Even with 10' ceilings for the residential floors, the building rises to 101' at the roofline, with another 26' of bulkhead, at the end of two streets with buildings of 4 to 6 stories in height, and

The site is within both the 100-year and 500-year flood zones, and the report from Mueser Rutledge Consulting Engineers found groundwater 8.4 feet below grade, which is a concern since they intend to excavate down for three levels of underground parking in an area with 100 year old buildings, and little information on the foundations of these old structures, and

Under Section 72-21, the applicant is required to make the five findings set forth in the text, and despite the fact that the site is within the M1-5B District, no analysis was done on Joint Living Work Quarters, the use actually permitted in this district in older buildings, and

The Community Board questions the massive increase in prices from the earlier report to this one in a relatively short period of time, for instance, the acquisition costs for the site rising \$5 million, and

Some of the comparables did not seem to be comparable, especially in Schedule I where the size of the units were mostly much too large, and

David Good from Mueser Rutledge was present to explain the procedures for protecting the adjoining buildings from harm, but the neighbors also had an engineer there, Robert J. Murray from Murray Engineering, who expressed serious doubts about the safety procedures outlined, and requested close cooperation between the two groups which got a hesitant response from the applicant, and

The applicant refused to agree to a request by the neighbors not to rent to a restaurant or bar, and that also raised concerns about the amount of cooperation they could expect, and

Additional questions regarding the safety of the adjoining buildings with this new even deeper excavation at the site and additional questions re the changes in the financials have not been answered, and

There is no "as of right" for residential FAR in a M1-5 zone and the surrounding community is built residential under 3.55 FAR for 7 or 8 adjoining lots (one lot is built 4.04 FAR), and

The applicant has also included an extra 10,000 sq. ft. of FAR above the already excessive 5FAR by using the provisions of the Quality Housing bonus section of the NYC Zoning Resolution that is allowed for development only in R or C zones, not M districts, and

There were several alternative uses that could have preserved this landmark quality, but undesignated, building, especially from a Boston garage condominium operator, and

The developers chose to quickly demolish the building and close down an existing profitable business, and

The actual income and expense figures claiming that a 5 FAR is absolutely necessary are also questionable (for instance the claim that the capitalized value of the commercial spaces, which is figured at \$90/sq ft, are very low. Recent rentals on Thompson St. less than 100 ft. away are closing at \$145/ft. There are no retail spaces in the area that rent for \$90/ft.) and the use of a 9% cap rate to calculate the capitalized value of the retail which has not been the prevailing rate in lower Manhattan for 15 years, as opposed to using the current commercial condo cap rates of 5.2%-5.5% thus producing a swing or more than \$20 million in projected income, and

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No income has been added for day parking, which in this district, with its extreme scarcity of parking, can account for far more income than the monthly rates charged, and

The ratio of gross square footage to net buildable square footage is 24%, unheard of in the industry which averages 15%-17% thus creating a classic example of high cost projections and dubious income projections to justify a hardship, and

No documentation was given for the claim of total project cost of \$700/ft (not including land acquisition) that seems very high and

This Board is meant to consider impact on the community and

It is not the business of the Community Board or for that matter the Board of Standards & Appeals to maximize developer's returns as opposed to granting the minimum necessary variance (especially on a new purchase where exhaustive due diligence was done by one of the City's largest developers),

CB#2, Man. opposes this application for BSA variances for 520 Broome St.

Vote: Unanimous, with 32 Board members in favor.

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Respectfully submitted,

Jo Hamilton
Secretary
Community Board #2, Manhattan