

FULL BOARD MINUTES

DATE: April 19, 2007
TIME: 6:30 P.M.
PLACE: St. Vincent's Hospital, 170 W. 12th Street
Cronin Auditorium

BOARD MEMBERS PRESENT: Steve Ashkinazy, Keen Berger, Tobi Bergman, Carter Booth, Sigrid Burton, Leonard Cecere, Maria Passannante Derr, Chair, Community Board #2, Manhattan (CB#2, Man.) Doris Diether, Robert Ian Dutton, David Ethan, Harriet Fields, Sheelah Feinberg, Elizabeth Gilmore, Edward Gold, David Gruber, Jo Hamilton, Anne Hearn, Brad Hoylman, Zella Jones, Amanda Khan, Susan Kent, Arthur Kriemelman, Raymond Lee, Elizabeth Loeb, Edward Ma, Ke-Wei Ma, Don MacPherson, Jason Mansfield, Rosemary McGrath, Philip Mouquinho, Judy Paul, Lois Rakoff, Annie Vanrenterghem-Raven, David Reck, Robert Riccobono, Erin Roeder, Rocio Sanz, Wendy Schlazer, Arthur Z. Schwartz, Shirley Secunda, James Solomon, Richard Stewart, Sean Sweeney, Wilbur Weder, Carol Yankay, Elaine Young

BOARD MEMBERS EXCUSED: Christine Lindemann, Shirley H. Smith

BOARD MEMBERS ABSENT: Lawrence Goldberg

BOARD MEMBERS NOT FULLY PRESENT: Lisa Cannistracci

BOARD STAFF PRESENT: Bob Gormley, District Manager, and Florence Arenas, Community Coordinator

GUESTS: Erin Drinkwater, Congressman Jerrold Nadler's office; Adam Riff, Senator Tom Duane's office; Lee Grodin, Council Speaker Christine Quinn's office; Gregory Brender, Assembly Member Deborah Glick's office; Manhattan Borough President Scott Stringer, Hunter Johansson, Manhattan Borough President Scott Stringer's office; Council Member Alan Gerson, Paul Nagle, Council Member Alan Gerson's office; John Fout, Council Member Rosie Mendez's office; John Ricker, NYC Comptroller's office; Thomas Capobianco, Priscilla Lehe, David Goldberg, Joe Maino, Carmen Ben, Waikit V. Maic, Sun Yee Chan, David Handler, Justin Kantor, Lisa Lin, Dorothy Leung, Brad Aaron, Ella LaParielli, Suznne E. Juen, Emily Hellstrom, Ashwani Nagdal, Chuck Totten, Shea Hovey, Jonathan Nagler, Susan Fortgang, Richard Meryarch, Liz Meryarch, Judith Cullet, Jean-Luc Calbet, Baree Fehrenbach, May Benjamin, Tim Schadt, Salvatore Feli, Dana DeCostole, Jordan Rothstein, Betty Truong, Hil Wen Mai, Peggy Ng, Thuy Phung, Thuan Vu, Dorothy Sloan, Herman Lau, Michelle Cheng, Yung Ming Lang, Shelly Warwick, Marjorie Colt, Kate Birmingham, Beth Conard, Mark Markhoi, Michael Bloomberg, Emma Gordon, Ivan Kane, David Zahabian, Suzanne DeVito, Faye Armon, Alec Machiels, Ronnie Wolf, Margie Rubin, Christine Shakespeare, Peter Muennig, Meggin Chinkez, John Casalnuovo, Natalie Sasso, Mike Colella, Erik Wensberg, Ken Ganastson, Harry Palms, Michael C. Haga, Florent Morellet, Stan Patz, Ellis Nassair, Bob Cohen, Josh Simons, Madeline Marshall, Lora Tenenbaum, Robin Goldberg, Stuart Kay, Mike Cha, Sam Hewitt, S.L. Lai, Julia Zhang, Julie Weprin, Gregory Heisler, Susan Needles, Charle John Cafiero, Aaron Grogan, Sam Memberg, Carmen Memberg, Philipp Russmann, Courtney Rouitt, Kim Kulik, Sameer Birring, Susan Goren, J. McNab, Tatiana Thompson, Robert Guerrazzi, Noah Freedman, Keith Goggin, Jonathan Ellis, Henry Arnold, Marilyn Horan, Chisato Shimada, Larissa Engelman, Justin Lloeber, Ivy Jeanne Brown, Elaine Hudson, Steven Bassion, Louise Symonds, Virginia Syron, Mayumi Iijima, Ann Arlen, Noah Budnick, Caroline Forsling, Jay Hyiams, Brian Stevens, Denise Schanck, Jonathan Greenberg, Thessa Mahzain, Jeff Horec, Caron M. Smith, Georges Jacquomant, Marja Samsom, Daniel Kaizer, Katherine Thompson, Charles Komanoff, Marie & John Evans, Gunnar Theel, Irene DaCosta, Christopher John, Ellen Belcher, Robert Schwartzman, Shan Redy, Dianne Mendez, Edy Selman, Anna Krauthamer

MEETING SUMMARY

Meeting Date – April 19, 2007
Board Members Present – 47
Board Members Excused–2
Board Members Absent - 1

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II. PUBLIC SESSION

Non-Agenda Items

Cherry Lane Theater

Faye Armon spoke regarding upcoming events.

NYU Co-Generation Facility

Thomas Capobianco spoke regarding this proposal. Robert Schwartzman, Shan Redy, Steven Bassion, and Elaine Hudson spoke against this proposal.

Traffic

Edy Selman spoke regarding Broadway traffic.

Rats

Susan Goren spoke regarding rat infestation.

Business Items

Yung M. Leung spoke regarding committee items.

Red Fish, LLC, 158 Bleecker Street

David Handler the applicant, spoke regarding his application. Judith Cullet spoke regarding the proposed liquor license application.

Shelly Warwick spoke in favor of the proposed liquor license with reservations.

New York IKFD, LLC, 19 Kenmare St.

Ivan Kane, applicant, spoke in favor of the proposed liquor license.

Little West 12, LLC d/b/a STK, 26 Little West 12th St.

Salvatore Feli representing the applicant, and Richard Meryarch spoke in favor of the proposed liquor license for the rooftop garden.

Marjorie Colt, Beth Conard, and Ivy Brown, spoke against the proposed liquor license. Michael Bloomberg spoke against rooftop bars.

Ignacio Carballido or Corp. to be formed, 179 Mott St.

Hil Wen Mai, S.L. Lai, and Anna Krauthamer spoke against the proposed liquor license.

Parks, Recreation, Open Space & Waterfront

Rescind Approval of Renovation of Washington Square Park

Erin Drinkwater, of Congress Member Jerrold Nadler's office; Jonathan Greenberg, J. McNab, Emma Gordon, and Chuck Totten, spoke in favor of the resolution. Suzanne DeVito spoke regarding this item.

Street Activity Permits

Little Italy Merchants Mulberry St. Mall and Feast of San Gennaro

John Casalnuovo spoke against these two street events.

Traffic and Transportation Items

Houston Street Bicycle Lane and the NYCDOT Proposed Alternative

Henry Arnold, Jonathan Nagler, Lora Tenenbaum, and Ivy Brown, spoke in favor of bike lanes. Ann Arlen, Charle Cafiero, and Ellen Belcher, spoke in favor of the resolution.

Marilyn Horan, Josh Simons, Susan Needles, Stan Patz, Katherine Thompson, Gregory Heisler, Thuan Dac Vu, Emily Hellstrom, Marie & John Evans, Thuy Phung, Gunnar Theel, Irene DaCosta, and Dianne Mendez, spoke against the bike lane proposal on Prince St.

Judith Callet spoke against the proposed bike lane on Bleecker St.

Aaron Grogan and Florent Morellet, spoke in favor of the alternative bike lane facilities on Houston St., and Prince/Bleecker Sts.

Charles Komanoff, David Goldberg, Noah Budnick, Mayumi Iijima, Marja Samsom, and Christopher John, spoke in favor of the alternative bike lane facilities on Prince/Bleecker Sts.

Peter Muennig spoke in favor of the bike lane proposal on Prince and Spring Sts.

Kate Birmingham spoke in favor of the alternative bike lane facilities on Houston St.

Susan Fortgang spoke in favor of the proposed bike lane on Houston St., but against the proposed bike lane on Prince St.

Shelly Warwick spoke in favor of the proposed bike lane proposals with reservations.

Daniel Kaizer, Brian Stevens, spoke in favor of the bike lane proposals.

DOT Plan to Close Lanes of Lower Broadway for a Dedicated Bus-Rapid Transit Lane

Ronnie Wolfe spoke against this proposal.

III. ADOPTION OF AGENDA

IV. ELECTED OFFICIALS PRESENT AND REPORTING

Erin Drinkwater, Congressman Jerrold Nadler's office

Adam Riff, Senator Tom Duane's office

Gregory Brender, of Assembly Member Deborah Glick's office

Manhattan Borough President Scott Stringer

Hunter Johansson, Manhattan Borough President Scott Stringer's office

Lee Grodin, of Council Speaker Christine Quinn's office

Council Member Alan Gerson

Paul Nagle, Council Member Alan Gerson's office.

John Fout, Council Member Rosie Mendez's office.

John Ricker, NYC Comptroller's office;

V. ADOPTION OF MINUTES

Adoption of January and February minutes and distribution of March minutes.

VI. EXECUTIVE SESSION

1. **Chair's Report** Maria Passannante Derr reported
2. **District Manager's Report** Bob Gormley reported.

STANDING COMMITTEE REPORTS

BUSINESS

1. Little West 12, LLC, 26 Little West 12th St. (Washington St and 9th Ave), NYC

WHEREAS, the applicant appeared before the Committee; and,

WHEREAS, this application is for the alteration of an existing On Premise License held by the owners of a business operated under the name STK, which is located in a commercial building between Washington Street and Ninth Avenue that STK's owners plan to renovate; and

WHEREAS, the aforementioned renovation will entail major alteration of the two upper floors of the premises to more than double the space now in use, and will include the addition of 209 table seats in a third floor space for private gatherings and a roof garden for dining patrons; and

WHEREAS, applicant has been operating for over a year with an On Premise License, with hours of operation of 5:00 p.m. to 4:00 a.m. seven days per week, which hours the applicant has stated will not change, and said On Premise License is currently being shared by two separate establishments located at the premises; and

WHEREAS, the applicant operates another establishment 300 feet from this premise that while represented to the community as a restaurant, in fact has been operated as a club, complete with red carpet, stanchions and doorman, and this club has been and continues to be a major contributor to the noise and crowd control problems in the neighborhood; and

WHEREAS, in light of strong community concerns expressed after the committee meeting about the number of liquor establishments in the immediate vicinity of the premises in question, which has more than doubled in the last six years from 18 to 38 (see map), resulting in high noise levels into the early hours of the morning on a nightly basis that have had a significant negative impact on residential life; and

WHEREAS, although no members of the community appeared in opposition at the committee meeting, numerous concerned neighbors showed up for the public session of Community Board 2's full board meeting and at least eleven individuals submitted letters to the Board opposing the application; and

WHEREAS, community members have informed the Board that a rooftop location is "open to the air," and that the rooftop of the premises in question is only four stories up with no taller buildings between the premises and the surrounding neighborhood to muffle any sounds transmitted; and

WHEREAS, the community is concerned that the approval of this application may set a dangerous new precedent, which will encourage other establishments with liquor licenses, i.e. clubs, bars, and restaurants, to consider accessing their roof tops to increase business, thereby causing an even greater increase in the open-air noise in this already noise-burdened area;

THEREFORE, BE IT RESOLVED, that CB#2, Man. urges the SLA to reject the application of Little West 12, LLC in its entirety.

Vote: Unanimous, with 47 Board members in favor.

2. Red Fish, LLC, 158 Bleecker Street (Thompson and Sullivan Streets), NYC

WHEREAS, the applicant appeared before the committee; and

WHEREAS, this application is for an On Premise license for a live art and music venue serving food in a 11,000 s.f. premise in a mixed use building, with the entrance on Bleecker Street between

Thompson and Sullivan Streets, with 240 table seats, 1 bar with 13 seats and 1 service bar; and a maximum legal capacity of 800 persons; and,

WHEREAS, the applicant stated that the hours of operation are 12:00 p.m. – 4:00 a.m. Thursday-Saturday; the applicant stipulated to reduce the hours of operation to 12:00 p.m. - 2:00 a.m. Sunday-Wednesday, the music is Live, Juke Box and D.J.; there will not be a sidewalk café application and no backyard garden; and,

WHEREAS, there were concerns from two members of the community regarding crowd and noise control; applicant has agreed to implement the procedures outlined in the enclosed document, "Security Related Issues" (**see Attachment A**); and,

WHEREAS, an executive member of BAMRA appeared to express her support of this application; and,

WHEREAS, the applicant is applying for a Public Assembly permit in five configurations including one with no tables or chairs; and

WHEREAS, CB#2, Man. is concerned this establishment may function as a bar with up to 1100 standing patrons;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise license of **Red Fish, LLC, 158 Bleecker Street**, unless:

1. Those conditions agreed to by applicant relating to the reduced hours and crowd/noise control practices, in the third and fourth "whereas" clauses above, are incorporated into the "Method of Operation" on the applicant's SLA On Premise license,
2. The applicant agrees to not to seek transfer of a cabaret license or application for a new one; and
3. The applicant agrees to withdraw the Public Assembly permit that does not include tables and chairs.

Vote: Passed, with 46 Board members in favor, and 1 in opposition. (**SEE ATTACHMENT A**).

3. Out of the Kitchen, Inc., 420 Hudson St. (Corner of Leroy Street), NYC

WHEREAS, the applicant appeared before the committee; and,

WHEREAS, this application is for an On Premise license in a mixed use building on Hudson Street at the corner of Leroy Street, for a 1,000 s.f. restaurant, with 33 table seats and 1 bar with 8 seats; and,

WHEREAS, the applicant stated that the hours of operation are 8:00 a.m. – 12:00 a.m. Sunday-Thursday and 8:00 a.m. – 2:00 a.m. Friday and Saturday; the music is background only; there will be a sidewalk café application but no backyard garden; and,

WHEREAS, there are no complaints regarding the current operation and no one appeared in opposition from the community; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. has no objection to the approval of an On Premise license to **Out of the Kitchen, Inc., 420 Hudson St., NYC**.

Vote: Unanimous, with 47 Board members in favor.

4. New York IKFD, LLC, 19 Kenmare St. (Bowery and Elizabeth Streets), NYC

WHEREAS, the applicant appeared before the committee; and,

WHEREAS, this application is for an On Premise license for a lounge/restaurant in a 3000 s.f. premise in a mixed use building, with the entrance on Kenmare Street between Bowery and Elizabeth Streets, with 114 table seats, 3 bars with 28 seats, and a maximum legal capacity of 180 persons; and,

WHEREAS, the applicant stated the hours of operation are 11:00 a.m. – 4:00 a.m. Wednesday-Sunday; in light of community concerns, applicant stipulated to reduce the hours on Monday and Tuesday to 11:00 a.m. - 12:00 a.m.; there will not be a sidewalk café application and no backyard garden; music will be live jazz and background only; and,

WHEREAS, members of the community appeared in opposition, citing potential noise and overcrowding issues, as well as the close proximity of other similar licensed establishments; and,

WHEREAS, the Fifth Precinct Community Affairs Officer appeared in support of the applicant; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise license of **New York IKFD, LLC, 19 Kenmare St.**, unless those conditions agreed to by applicant relating to the reduced hours in the third “whereas” clause above, are incorporated into the “Method of Operation” on the applicant’s SLA On Premise license.

Vote: Unanimous, with 47 Board members in favor.

5. Ignacio Carballido of Corp. to be formed, 179 Mott St. (Broome and Kenmare), NYC

WHEREAS, the applicant appeared before the committee; and,

WHEREAS, this application is for an On Premise license in a mixed use building, with the entrance on Mott Street between Kenmare and Broome Streets, for a 2,300 s.f. space, with 65 table seats and 1 bar with 11 seats; and

WHEREAS, the applicant stated that the hours of operation are 5:00 p.m. – 2:00 a.m. Monday-Saturday and closed Sundays; the music is background only; there will not be a sidewalk café application and no backyard garden; and,

WHEREAS, members of the community appeared in opposition, citing potential noise and overcrowding issues, as well as the close proximity of other similar licensed establishments; and,

WHEREAS, upon a preliminary investigation, the establishment is located within 200 feet of the Church of Most Holy Crucifix at 378 Broome Street; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise license of **Ignacio Carballido of Corp. to be formed, 179 Mott St.**, unless the SLA determines that the establishment does not violate the prohibition against an On Premise license being issued 200 feet within a place of worship.

Vote: Unanimous, with 47 Board members in favor.

6. Myrtle Food and Beverage, 146 W. Houston St., a/k/a 70 MacDougal St (MacDougal and W. Houston Streets), NYC

WHEREAS, the applicant appeared before the committee; and,

WHEREAS, this application is for transfer of an On Premise license, pursuant to purchase, is located in a 900 s.f. premise in a mixed use building at the corner of MacDougal and West Houston Streets, with 45 table seats with 1 bar with 8 seats; and,

WHEREAS, the applicant stated the hours of operation are 11:00 a.m. – 2:00 a.m. Seven Days per Week; there may be a sidewalk café application but no backyard garden; and,

WHEREAS, there are no complaints regarding the current operation and no one appeared in opposition from the community; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. has no objection to the approval of transfer of an On Premise license to **Myrtle Food and Beverage, 146 W. Houston St., a/k/a 70 Macdougall St.**

Vote: passed, with 45 Board members in favor, 1 in opposition, and 1 recusal (D. Gruber).

7. 141 W. 10th St. Restaurant Associates, LLC, 141 W. 10th St., (Waverly Place and Greenwich Avenue), NYC

WHEREAS, the applicant appeared before the committee; and,

WHEREAS, this application is for an On Premise license in a mixed use building on West 10th Street between Waverly Place and Greenwich Avenue, for a 2,100 s.f. restaurant, with 70 table seats and 1 sushi bar with 10 seats; and,

WHEREAS, the applicant stated that the hours of operation are 5:30 p.m. – 12:30 a.m. Seven Days per Week; the music is background only; there will not be a sidewalk café application and no backyard garden; and,

WHEREAS, there are no complaints regarding the current operation and no one appeared in opposition from the community; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. has no objection to the approval of an On Premise license to **141 W. 10th St. Restaurant Associates, LLC, 141 W. 10th St.**

Vote: Unanimous, with 47 Board members in favor.

8. Blood Orange Restaurant, LLC d/b/a Dani, 333 Hudson St. (Hudson and Charlton Street), NYC

WHEREAS, the applicant appeared before the committee; and,

WHEREAS, this application is for alteration of an existing On Premise license in the premise known as Blood Orange, a 4700 s.f. restaurant with 74 table seats and 1 bar with 15 seats, located in a commercial building at the corner of Hudson and Charlton Streets, to include a sidewalk café with 13 tables and 26 seats; and,

WHEREAS, the applicant stated that the hours of operation will be 12:00 p.m. – 11:00 p.m. Monday-Friday, 5:30 p.m. – 11:00 p.m. Saturday and closed Sunday; the music is background only; there will be a sidewalk café application but no backyard garden; and,

WHEREAS, there are no complaints regarding the current operation and no one appeared in opposition from the community; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. has no objection for the proposed alteration to the On Premise license of **Blood Orange Restaurant, LLC d/b/a Dani, 333 Hudson St.**

Vote: Unanimous, with 47 Board members in favor.

9. LADL, LLC, d/b/a Jack, 80 University Pl. (Corner of 11th Street), NYC

WHEREAS, the applicant appeared before the committee; and,

WHEREAS, this application is for alteration of an existing On Premise license in the premise known as Jack's, a 2,200 s.f. restaurant with 50 table seats and 1 bar with 10 seats, located in a commercial building at the corner of University Place and 11th Street, to include a sidewalk café with 14 tables and 28 seats; and,

WHEREAS, the applicant stated that the hours of operation will be 8:00 a.m. – 12:00 a.m. Monday-Thursday, 8:00 a.m. – 1:00 a.m. Friday, 9:00 a.m. – 1:00 a.m. Friday and 9:00 a.m. – 12:00 a.m. Sunday; the music is background only; there will be a sidewalk café application but no backyard garden; and,

WHEREAS, the applicant previously appeared before the committee in Spring 2006, resulting in a majority vote of the Full Board to recommend denial for the proposed alteration of an On Premise license in order to preserve the residential character of University Place; and

WHEREAS, the applicant filed a petition to the Supreme Court of the State of New York for a judgment pursuant to CPLR article 78, annulling the resolution of respondent the Council of the City of New York that denied their application for a revocable consent to operate an unenclosed sidewalk café; and,

WHEREAS, the Supreme Court of the State of New York has determined that Jack's is located in a district zoned a local retail district and that the applicable zoning resolution permits unenclosed cafes in the type of district to which Jack belongs; and,

WHEREAS, the Supreme Court of the State of New York has determined where a zoning resolution permits unenclosed cafes in a particular neighborhood, denial of a petition to operate such a café must be based on more than community resistance to be rational; and,

WHEREAS, the Supreme Court of the State of New York has ordered that the petition is granted and the resolution of respondent the Council of the City of New York is annulled; and ordered that respondent the Council of the City of New York is directed to grant the petition of petitioner LADL LLC, d/b/a Jack, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 80 University Place; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. has no objection for the proposed alteration to the On Premise license of **LADL, LLC, d/b/a Jack, 80 University Pl.**

Vote: Passed, with 44 Board members in favor, 2 in opposition, and 1 recusal (D. Ethan). **(SEE ATTACHMENT B.)**

10. ALN Restaurant, Inc., 128 Mulberry St., NYC

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

WHEREAS, this application is for an On Premise liquor license; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. strongly recommends denial of an On Premise liquor license to **ALN Restaurant, Inc., 128 Mulberry St., 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 47 Board members in favor.

11. Café Wha, Inc. d/b/a Café Wha, 115 MacDougal St. (3rd and Bleecker Streets), NYC

WHEREAS, the applicant appeared before the committee; and,

WHEREAS, this application is for a DCA Cabaret license in a commercial building on MacDougal Street between 3rd and Bleecker streets, for a live music venue/club with 224 table seats and 1 service bar and a maximum legal capacity of 280 persons; and,

WHEREAS, the applicant stated that the hours of operation are 8:30 a.m. – 3:30 a.m. Monday-Friday and 8:30 a.m. – 4:30 a.m. Saturday and Sunday; the type of music is live; there will not be a sidewalk café application and no backyard garden; and,

WHEREAS, the applicant has filed the DCA Consumer Affairs application; and,

WHEREAS, there are no complaints regarding the current operation and no one appeared in opposition from the community; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. has no objection to the approval of a DCA Cabaret license to **Café Wha, Inc., d/b/a Café Wha, 115 MacDougal St.**

Vote: Unanimous, with 47 Board members in favor.

LANDMARKS AND PUBLIC AESTHETICS

1ST APRIL MEETING

62-66 Crosby St. a/k/a 514 Broadway

WHEREAS, this application is to legalize installation of windows without LPC permits, and

WHEREAS, the applicant explained that the windows were installed in error by the contractor, and involve the requirements for 1 hour fire rated windows next to the elevator since there is no room for a sprinkler system there, and

WHEREAS, the window on the second floor is 12'9" high, and a 6 over 6 window is planned for that site, and

WHEREAS, it appears the other windows in the building are up for replacement too, to different windows, but only the elevator windows have a violation, and

WHEREAS, it would make more sense to replace all the windows at the same time, rather than do the work piecemeal,

THEREFORE, BE IT RESOLVED CB#2, Man. suggests to the Landmarks Commission that they act on the replacement of all the windows at one time rather than just the elevator windows at 62-66 Crosby St, a/k/a 514 Broadway.

Vote: Unanimous, with 47 Board members in favor.

126 West 11th Street

WHEREAS, the application is to construct a roof deck and trellis on the roof of this building which the applicant claims is not visible, and

WHEREAS, the trellis is 7' tall behind a 42" high parapet and set back 11' from the roof edge, and

WHEREAS, no mock-up was constructed, and the rear of the building is visible since its yard backs up to the schoolyard on the next street,

THEREFORE, BE IT RESOLVED CB#2, Man. would have no objection to the proposed deck and trellis for 126 West 11 St. if the applicant constructs a mock-up to prove that it will not be visible.

Vote: Unanimous, with 47 Board members in favor.

56 Charles Street

WHEREAS, the Landmarks 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 failed to appear before the Community Board Committee, nor did he contact us for a layover, and

WHEREAS, neighbors attended the meeting complaining about the current work on the interior of the building and security problems caused by the site,

THEREFORE, BE IT RESOLVED CB#2, Man. recommends denial of this application for 56 Charles St. in the absence of this important step in the review process.

Vote: Unanimous, with 47 Board members in favor.

224 West 4th Street

WHEREAS, this application is for a new storefront infill and signage for Bank of America at the site of the former Tiffany Restaurant, and

WHEREAS, the proposal is to replace the brick and terra cotta on the balance of their storefront which had been damaged or removed by the former CVS store which took up part of what will be their storefront now, and

WHEREAS, the proposal also includes installing a black granite bulkhead 2'2" high at the sidewalk level and installing two Bank of America signs on the façade of the building, non-illuminated, and

WHEREAS, the proposal also includes 24 hour lighted signs in the interior of the building but highly visible from the sidewalk,

THEREFORE, BE IT RESOLVED CB#2, Man. finds the replacement of brick and terra cotta acceptable, but

BE IT FURTHER RESOLVED CB#2, Man. finds the shiny black granite for the bulkhead inappropriate and suggests some less shiny material be used, and it also opposes the proposed signage – the color and shape of the exterior signs and the brightly lit interior signs at 224 West 4 St.

Vote: Unanimous, with 47 Board members in favor.

2ND APRIL MEETING

Item 8 – 444 Broome St., a/k/a 489 Broadway – SoHo Cast Iron Historic District.

An Italianate style factory & store building built in 1860, application is to install new storefront infill & install stairs.

(This application was previously heard by CB#2, Man. in Jan. 2007 and rejected because it was an incomplete application. LPC sent it back to CB#2 on 2/6/07, and will hear it again on 4/17/07. Was heard on 4/17/07 and the following was read into the record by me. Application approved by LPC.)

WHEREAS, the applicant has now changed the design for the arched window, showing a glass panel above but retaining the brick work above the window as it currently exists, and

WHEREAS, the cast iron will be replaced, and

WHEREAS, awnings extending 4' out from the windows will be installed with no signage on the awnings, and

WHEREAS, the roll-down gates will be removed, and

THEREFORE, BE IT RESOLVED CB#2, Man. can now recommend approval of the application as revised for 444 Broome St. a/k/a 489 Broadway.

Vote: Unanimous, with 47 Board members in favor.

Item 9 – 433 Broome St. – SoHo Cast Iron Historic District. A building originally built in 1827, & converted to a French Renaissance style store & loft building in the 1870s. Application is to legalize the installation of a concrete sidewalk in non-compliance with Certificate of No Effect 03-1916 & to install new storefront infill.

WHEREAS, the applicant intends to remove the coverings on some of the areas, and recreate the double doors and store windows, and

WHEREAS, the door to the upper floors will be paneled wood and the other doors will be glass, and

WHEREAS, the signage is to be painted on the glass, and

WHEREAS, the doors will have flattened arches similar to the upper floor trim, and the trim at the top of the columns will be duplicated,

THEREFORE, BE IT RESOLVED CB#2, Man. can recommend approval for the changes to the building façade, but

WHEREAS, the proposal is to legalize the cement sidewalk without any attempt to retain any of the former bluestone,

THEREFORE, BE IT RESOLVED CB#2, Man. questions this aspect of the application for 433 Broome St.

Vote: Unanimous, with 47 Board members in favor.

Item #9 – 529-533 Broadway a/k/a 89-97 Spring St. – SoHo Cast Iron Historic District. A 2 story commercial building built in 1936. Application is to establish a master plan governing the future installation of storefront infill & signage.

WHEREAS, the applicant presented a master plan for the buildings which included the following changes:

- Signs & banners to be removed.
- Security gates to be removed.
- Flagpoles to be removed, and

WHEREAS, the plan called for bracket signs 24' x 36' instead of banners, and

WHEREAS, the plan calls for windows to be framed top and bottom with a clear glass panel above them, and

WHEREAS, some of the storefronts called for glass windows on either side and above the door with almost invisible dividers,

THEREFORE, BE IT RESOLVED CB#2, Man. recommends approval of the proposed master plan, to be put into effect as each store becomes vacant, but questions the continuous glass with no visible dividers on some of the storefronts for the buildings 529-533 Broadway a/k/a 89-97 Spring St.

Vote: Unanimous, with 47 Board members in favor.

Item 11 – 622 Broadway a/k/a I56-I58 Crosby St. – NoHo Historic District. A neo-Grec style store & loft building built in 1880-1882. Application is to install new storefront infill & signage.

WHEREAS, this applicant, “Helio,” has giant billboards in SoHo, the Gansevoort area, and many other locations throughout the city, and

WHEREAS, these billboards are mostly in violation and should be removed,

THEREFORE, BE IT RESOLVED CB#2, Man. recommends denial of any applications for this company until all other violations are removed, and until that time the Community Board tables this matter for 622 Broadway.

Vote: Unanimous, with 47 Board members in favor.

Item 12 – 599 Broadway – SoHo Cast Iron Historic District. A store & loft building designed by J. Odell Whitenach & built in 1917. Application is to alter the north façade, re-install sculpture, & install a plaque & illuminated advertising signage & light fixtures.

WHEREAS, the sculpture to be re-installed is the well known work, “The Wall,” and

WHEREAS, there has been an agreement between the owner of the building, the artist, and a court decision, and

WHEREAS, the proposal is to re-install the sculpture one floor higher than it was before, but still maintaining its original size, and

WHEREAS, the increased space below the sculpture is to contain four advertising signs, each 18' x 8', and

WHEREAS, both the signs and the sculpture are to be discretely lighted, the light fixtures to be approximately 29” out from the wall, and

WHEREAS, although the actual lighting is still to be finalized,

THEREFORE, BE IT RESOLVED CB#2, Man. applauds the resolution of this long-standing dispute & the final re-installation of this important artwork with an assurance that it will be here permanently on the wall of 599 Broadway.

Vote: Unanimous, with 47 Board members in favor.

Item 14 – 32 West 10 St. – Greenwich Village Historic District. An Anglo-Italianate style town house attributed to architect James Renwick, Jr. & built in 1856. Application is to alter the front areaway.

WHEREAS, this building is part of the row of “Renwick” houses on this block, and

WHEREAS, many of the other buildings in the row have modified their front yards with matching fences, and

WHEREAS, this proposal is to enclose the front yard and install two gates at the end of the sidewalk/property line with fencing to match that on the adjacent buildings, and

WHEREAS, the fence design is entirely appropriate since it matches the other buildings in this row,

THEREFORE, BE IT RESOLVED CB#2, Man. recommends approval of this new front yard and gate enclosure at 32 West 10 St.

Vote: Unanimous, with 47 Board members in favor.

Item 16 – 130-138 7th Ave, South – Greenwich Village Historic District. A commercial building built in 1937 designed by Scacchetti & Siegel. Application is to legalize new storefront infill without LPC permits & to install new storefront infill & signage.

WHEREAS, the applicant presented a Master Plan for this building with contains two to three commercial businesses, and

WHEREAS, the plan is to create a uniform frontage as stores vacate spaces, and

WHEREAS, the plan calls for a bulkhead 1' 9-1/2" high, and retractable awnings on each storefront, and

WHEREAS, the plan calls for aluminum mountings for the glass storefronts,

THEREFORE, BE IT RESOLVED CB#2, Man. suggests that all exterior rolldown gates be removed and a more appropriate metal be found for the structural elements between the glass panels for 130-138 7th Ave. South.

Vote: Unanimous, with 47 Board members in favor.

Item 17 – 220 Waverly Pl. – Greenwich Village Historic District. A Greek Revival/Italianate style rowhouse built in 1864. Application is to legalize the installation of windows without LPC permits.

WHEREAS, this proposal is to paint the present wood frames for the windows black on this brick building, and

WHEREAS, rather than replace the windows, the applicant suggested dividing the present 1 over 1 windows into 2 over 2 by the addition of exterior mullions, and

WHEREAS, this may be a temporary solution for this problem, and

WHEREAS, although not listed as a part of this application, the applicant also indicated that he intended to install a new wood door at the entry,

THEREFORE, BE IT RESOLVED CB#2, Man. approves the new door and would accept the proposal for the windows as a temporary measure, but as the windows have to be replaced, they should be replaced with actual 2 over 2 windows, not merely ones divided by exterior mullions, at 220 Waverly Pl.

Vote: Unanimous, with 47 Board members in favor.

PARKS, RECREATION, OPEN SPACE & WATERFRONT

1. Trapeze School

WHEREAS, the Hudson River Park Trust has asked for permission to have the Trapeze School move to the top of Pier 40 and operate without a bubble over its activities; and

WHEREAS, CB2 has previously approved the placement of the Trapeze School on the roof of Pier 40 with a protective bubble and sees no negative consequences from the elimination of the bubble; it is hereby

RESOLVED that CB2 approves the placement of the Trapeze School on the roof of Pier 40 without a protective bubble.

Vote: Unanimous, with 47 Board members in favor.

2. Pier 54

WHEREAS, the Hudson River Park Trust has asked for permission to hold a concert in June on Pier 54 and to construct a bandshell which will be dismantled prior to the Heritage of Pride event; and

WHEREAS, concerts on Pier 54 generally (but not always) are welcome cultural events in our community; and

WHEREAS, the proposed event does not appear to be disruptive in any way to a residential area; it is hereby

RESOLVED that CB2 approves the June concert being produced by the Hudson River Park Trust on Pier 54 and the construction of a temporary bandshell for that concert.

Vote: Unanimous, with 47 Board members in favor.

3. Washington Square Park

WHEREAS, in April 2005 Community Board 2, with conditions, passed a resolution approving the then-stated Parks Department plan to renovate Washington Square Park; and

WHEREAS, in November 2005 Community Board 2 again reiterated its approval of the renovation plan, while also endorsing an agreement between the Parks Department, Council Speaker Quinn, and Council Member Gerson which modified that plan and reconstituted a Washington Square Park Task Force; and

WHEREAS, in June 2005 the Parks Department put its plan for the first phase of renovation out to bid and did not receive a response from any contractor within its budget, requiring that the project be rebid; and

WHEREAS, subsequently, a temporary restraining order and then preliminary injunction prevented the Parks Department from rebidding the project; and

WHEREAS, on November 16, 2006 Community Board 2, following judicial findings and public allegations that the Parks Department had altered the substantive renovation plans, and the failure of the Parks Department to receive a bid on the construction project within the existing budget, unanimously passed a resolution asking the New York City Department of Parks to provide Community Board 2 with **accurate, written, up-to-date** plans for renovation of Washington Square Park at the January 8, 2007 Community Board 2 Parks and Waterfront Committee meeting; and

WHEREAS, no representative of the Parks Department attended the January 8, 2007 Community Board 2 Parks and Waterfront Committee meeting to provide the requested plans;

WHEREAS, in consideration of the Parks Department explanation that ongoing litigation and instructions from the Office of the Corporation Counsel prevented it from making a substantive presentation to the aforementioned meeting and making any substantive statements or presentations to the Board or the Washington Square Park Task Force, Community Board 2 on January 18, 2007 unanimously approved a letter addressed to Commissioner Adrian Benepe asking the Parks Department to **make the requested presentation to the Parks Committee meeting immediately following a decision of the Appellate Division**; and

WHEREAS, the aforementioned letter included the proviso that [if the Parks Department does not appear at that meeting or at some other time mutually agreed on by the Board and the Department within the thirty day period following the Appellate decision, Community Board 2 Manhattan will consider a resolution withdrawing its approval; and

WHEREAS, the Appellate Division issued its opinion on March 9, 2007, and the thirty-day period identified by Community Board 2 in its January 18 letter has expired without any effort by the Parks Department to provide the requested plans, and without a presentation by the Parks Department of its plans at meetings of either the Parks Committee of Community Board 2 or the Washington Square Park Task Force, despite requests from the Chair of Community Board 2 and the Chair of the Community Board 2 Parks Committee that it appear and make such a presentation; and

WHEREAS, the Appellate Divisions opinion affirmed Community Board 2's legal right to be fully informed and provided with accurate plans for review, irrespective of the Parks Department adherence to the Board's recommendation,

THEREFORE, BE IT RESOLVED, that Community Board 2 will rescind its prior approval of the plans for renovation of Washington Square Park effective May 9, 2007 unless before such date the Parks Department presents for review and examination its current plans for renovation to the full Community Board 2, the Community Board 2 Park and Waterfront Committee or to the Washington Square Park Task Force; and

BE IT FURTHER RESOLVED that Community Board 2 calls on our elected officials, most especially City Council Speaker Christine Quinn, Councilman Alan Gerson, State Senator Tom Duane, Assembly Member Deborah Glick and Borough President Scott Stringer, to use their respective offices to urge the Parks Department to appear before the Community Board and/or the Washington Square Park Task Force and present its detailed plans for Washington Square Park before any contracts are put out to bid and work of any nature is performed in connection with the renovation of Washington Square Park.

Vote: Passed, with 42 Board members in favor and 5 in opposition.

4. NYU Graduation Permits

WHEREAS, NYU has applied for a permit from the NYC Parks Department to hold a graduation ceremony in Washington Square Park from May 9, 2007 at 8:00 a.m. until May 10, 2007 at 11:00 p.m.; and

WHEREAS, NYU appeared before the CB2 Parks and Waterfront Committee to explain its application; and

WHEREAS, the CB2 Parks and Waterfront Committee had duly reviewed this application at the request of the Parks Department;

It is hereby **RESOLVED** that CB2 recommends that the permit requested by NYU for May 9-10, 2007 be granted, but that in line with CB2's long held objections, this permission not be considered as a precedent for approval of other all-day or multi-day events which take up substantial portions of Washington Square Park.

Vote: Passed, with 46 Board members in favor and 1 in opposition.

5. NYU Program Board

WHEREAS, the NYU Program Board has applied for a permit from the NYC Parks Department to hold a Barn Raising in Washington Square Park on April 30, 2007, from 11:00 a.m. to 10:00 p.m.; and

WHEREAS, the NYU Program Board appeared before the CB2 Parks and Waterfront Committee to explain its application; and

WHEREAS, the CB2 Parks and Waterfront Committee has duly reviewed this application at the request of the Parks Department and did not find it objectionable;

It is hereby **RESOLVED** that CB2 recommends that the permit requested by the NYU Program Board for April 30, 2007 be granted.

Vote: Unanimous, with 47 Board members in favor

6. Dance Parade

WHEREAS, Dance Parade has applied for a permit from the NYC Parks Department to hold a dance festival in Washington Square Park on May 19, 2007, from 4:00 p.m. to 8:00 p.m.; and

WHEREAS, Dance Parade appeared before the CB2 Parks and Waterfront Committee to explain its application; and

WHEREAS, the CB2 Parks and Waterfront Committee has duly reviewed this application at the request of the Parks Department and did not find it objectionable;

It is hereby **RESOLVED** that CB2 recommends that the permit requested by Dance Parade for May 19, 2007 be granted.

Vote: Unanimous, with 47 Board members in favor.

7. NYC Coalition for Adult Literacy

WHEREAS, the NYC Coalition for Adult Literacy has applied for a permit from the NYC Parks Department to hold a rally in Washington Square Park on April 19, 2007, from 11:00 a.m. to 12:30 p.m.; and

WHEREAS, the CB2 Parks and Waterfront Committee has duly reviewed this application at the request of the Parks Department and did not find it objectionable;

It is hereby **RESOLVED** that CB2 recommends that the permit requested by the NYC Coalition for Adult Literacy for April 19, 2007 be granted.

Vote: Unanimous, with 47 Board members in favor.

8. Valley View Mennonite Church

WHEREAS, Valley View Mennonite Church has applied for a permit from the NYC Parks Department to hold a gospel concert in Washington Square Park on June 2, 2007, from 10:45 a.m. to 2:30 p.m.; and

WHEREAS, the CB2 Parks and Waterfront Committee has duly reviewed this application at the request of the Parks Department and did not find it objectionable;

It is hereby **RESOLVED** that CB2 recommends that the permit requested by Valley View Mennonite Church for June 2, 2007 be granted.

Vote: Unanimous, with 48 Board members in favor.

9. Washington Square Park Music Festival

WHEREAS, the Washington Square Park Music Festival has applied for a permit from the NYC Parks Department to hold a concert in Washington Square Park on July 10, July 17, July 24, and July 31, 2007, from 3:00 p.m. to 11:00 p.m.; and

WHEREAS, the CB2 Parks and Waterfront Committee has duly reviewed this application at the request of the Parks Department and did not find it objectionable;

It is hereby **RESOLVED** that CB2 recommends that the permit requested by the Washington Square Park Music Festival for July 10, July 17, July 24, and July 31, 2007 be granted.

Vote: Unanimous, with 47 Board members in favor.

10. Erin Keating Comedy Show

WHEREAS, Erin Keating has applied for a permit from the NYC Parks Department to hold a comedy show in Washington Square Park on July 14 and August 11, 2007, from 1:00 p.m. to 7:00 p.m.; and

WHEREAS, the CB2 Parks and Waterfront Committee has duly reviewed this application at the request of the Parks Department and did not find it objectionable;

It is hereby **RESOLVED** that CB2 recommends that the permit requested by Erin Keating for July 14 and August 11, 2007 be granted.

Vote: Unanimous, with 47 Board members in favor.

11. Bronfman Center for Jewish Life

WHEREAS, the Bronfman Center for Jewish Live has applied for a permit from the NYC Parks Department to hold an Israel Independence Celebration in Washington Square Park on April 24, 2007, from 9:00 a.m. to 9:00 p.m.; and

WHEREAS, the CB2 Parks and Waterfront Committee has duly reviewed this application at the request of the Parks Department and did not find it objectionable;

It is hereby **RESOLVED** that CB2 recommends that the permit requested by the Bronfman Center for Jewish Live for April 24, 2007 be granted.

Vote: Unanimous, with 47 Board members in favor.

12. Washington Square Association

WHEREAS, the Washington Square Association has applied for a permit from the NYC Parks Department to hold a folk music concert in Washington Square Park on June 17, 2007, from noon to 6:00 p.m.; and

WHEREAS, the Washington Square Association appeared before the CB2 Parks and Waterfront Committee to explain its application; and

WHEREAS, the CB2 Parks and Waterfront Committee has duly reviewed this application at the request of the Parks Department and did not find it objectionable;

It is hereby **RESOLVED** that CB2 recommends that the permit requested by the Washington Square Association for June 17, 2007 be granted.

Vote: Unanimous, with 47 Board members in favor.

13. Buzz Universe

WHEREAS, Buzz Universe has applied for a permit from the NYC Parks Department to hold a band performance in Washington Square Park on April 21, 2007, from 1:00 p.m. to 7:00 p.m.; and

WHEREAS, the CB2 Parks and Waterfront Committee has duly reviewed this application at the request of the Parks Department and did not find it objectionable;

It is hereby **RESOLVED** that CB2 recommends that the permit requested by Buzz Universe for April 21, 2007 be granted.

Vote: Unanimous, with 47 Board members in favor.

14. Hare Krishna

WHEREAS, Hare Krishna has applied for a permit from the NYC Parks Department to hold a religious cultural event in Washington Square Park on June 9, 2007, from midnight to 9:00 p.m.; and

WHEREAS, the CB2 Parks and Waterfront Committee has duly reviewed this application at the request of the Parks Department; and

WHEREAS, CB2 has, for more than 20 years, opposed turning over Washington Square Park to Hare Krishna for an entire day; and

WHEREAS, Washington Square Park is basically a neighborhood park for use by the community and the Hare Krishna event makes it difficult for people to relax in the park due to the noise generated during the full-day event; and

WHEREAS, CB2 continues to adhere to its position that it is bad precedent to turn over Washington Square Park to a single group for an entire day;

It is hereby **RESOLVED** that CB2 recommends that the permit as requested by Hare Krishna be denied.

Vote: Unanimous, with 47 Board members in favor.

15. Dachshund Friendship Club

WHEREAS, the Dachshund Friendship Club has applied for a permit from the NYC Parks Department to hold a gathering in Washington Square Park on April 21, 2007, from 11:30 a.m. to 2:00 p.m.; and

WHEREAS, the CB2 Parks and Waterfront Committee has duly reviewed this application at the request of the Parks Department and did not find it objectionable;

It is hereby **RESOLVED** that CB2 recommends that the permit requested by the Dachshund Friendship Club for April 21, 2007 be granted.

Vote: Unanimous, with 47 Board members in favor.

16. Crank It Up Entertainment

WHEREAS, Crank It Up Entertainment has applied for a permit from the NYC Parks Department to hold a concert in Washington Square Park on July 15, 2007, from 2:00 p.m. to 9:00 p.m.; and

WHEREAS, the CB2 Parks and Waterfront Committee has duly reviewed this application at the request of the Parks Department and did not find it objectionable;

It is hereby **RESOLVED** that CB2 recommends that the permit requested by Crank It Up Entertainment for July 15, 2007 be granted.

Vote: Unanimous, with 47 Board members in favor.

17 Teatromania

WHEREAS, Teatromania has applied for a permit from the NYC Parks Department to hold a jazz concert in Washington Square Park on July 21, 2007; and

WHEREAS, the CB2 Parks and Waterfront Committee has duly reviewed this application at the request of the Parks Department and did not find it objectionable;

It is hereby **RESOLVED** that CB2 recommends that the permit requested by Teatromania for July 21, 2007 be granted.

Vote: Unanimous, with 47 Board members in favor.

18. N.Y. Immigration Coalition

WHEREAS, the N.Y. Immigration Coalition has applied for a permit from the NYC Parks Department to hold a rally in Washington Square Park on May 1, 2007, from noon to 4:00 p.m.; and

WHEREAS, the CB2 Parks and Waterfront Committee has duly reviewed this application at the request of the Parks Department and did not find it objectionable;

It is hereby **RESOLVED** that CB2 recommends that the permit requested by the N.Y. Immigration Coalition for May 1, 2007 be granted.

Vote: Unanimous, with 47 Board members in favor.

19. Andy Warhol Sculpture

WHEREAS, the Parks Department has made a proposal to install a life-size bronze sculpture of Andy Warhol in Father Fagan Park, on the East Side of Sixth Avenue, between Prince and Spring Streets, marking the 20th Anniversary of Warhol's death, with the display lasting from mid-May until October; and

WHEREAS, the Parks Department choice of Father Fagan Park is without reference to any guidelines on where to conduct public displays of art; and

WHEREAS, the installation will provide an opportunity for a needed spruce-up of Father Fagan Park; it is hereby

RESOLVED that CB2 approves of the placement of the Andy Warhol sculpture in Father Fagan Park from mid-May until October 2007; and it is further

RESOLVED that CB2 urges the Parks Department, in consultation with the Community Boards, to develop guidelines about the public display of art, addressed both to the artists whose work will be displayed and the procedure for choosing a location for the display.

Vote: Passed, with 46 Board members in favor and 1 in opposition.

20. Backless Benches

WHEREAS, some of the benches in some parks in Community District 2 Manhattan are backless benches; and

WHEREAS, these benches are attractive and well-liked;

THEREFORE, BE IT RESOLVED that CB-2 asks that when the Parks Department replaces old backless benches that these be replaced only with new backless benches.

Vote: Passed, with 46 Board members in favor and 1 in opposition.

21. Access to JJ Walker Park

WHEREAS, community members have complained to CB2 about JJ Walker Park being kept locked when permitted activities are not underway; and

WHEREAS, CB-2 commends Parks for its excellent maintenance and security of this park and understands the need to keep an artificial turf park secure when not in use; and

WHEREAS, the former Parks Department policy was to allow access to this park whenever the Tony Dapolito Recreation Center was open; and

WHEREAS, such is only truly policy if it is known to people who want to use the park; Therefore it is **RESOLVED** that CB2 wishes the Parks Department to allow access to JJ Walker Park whenever the Dapolito Recreation Center is open, and to make this known to those who wish to use the park; and

it is further **RESOLVED** that CB2 asks the Parks Department to install a sign on the gate to JJ Walker Park stating Hours: _____ to _____. If the gate is locked inquire at Recreation Center. No Dogs Please. @and it is further

RESOLVED that if Parks Department provides access by means of providing a key, CB2 finds reasonable a request that a driver's license or its equivalent be left as a deposit; and it is further

RESOLVED that CB2 encourages the Parks Department to enforce such other rules and regulations, as it considers necessary to assure the protection of JJ Walker Park and its users and to appropriately inform park users of such rules.

Vote: Unanimous, with 47 Board members in favor.

PUBLIC SAFETY AND HEALTH

Request for Legislation to Provide Auxiliary Police Officer with Protective Equipment

WHEREAS, on March 14, 2007 two auxiliary police officers assigned to the Sixth Precinct were slain in the line of duty after confronting their attacker; and

WHEREAS, it is of great importance to our community that these officers, Yevgeniy Marshalik and Nicholas Pekearo, volunteers who made the ultimate sacrifice while serving our community, be acknowledged for their bravery and heroism; and

WHEREAS, it is the best interests of our community, the entire City of New York, and the auxiliary police officers that serve throughout it, that steps be taken immediately to improve the personal security of auxiliary police officers by upgrading the equipment and training they receive to a level comparable to that currently provided to New York City police officers:

THEREFORE, BE IT RESOLVED that Community Board 2 expresses its sadness at the loss of auxiliary police officers Yevgeniy Marshalik and Nicholas Pekearo, extends its condolences to their families, and formally recognizes that the selfless actions of these officers may have saved the lives of innocent bystanders; and

BE IT FURTHER RESOLVED that CB#2, Man. applauds the decision of Mayor Bloomberg, Speaker Quinn, and the police department to begin providing all auxiliary police officers with the same state-of-the-art bullet-proof vests currently provided to New York City police officers; and

BE IT FURTHER RESOLVED, that CB#2, Man. urges the City Council to pass legislation to require that all auxiliary police officers receive the full compliment of protective equipment currently provided to New York City police officers, such as mace, extended night sticks, and protective gas masks, that auxiliary police officers receive advanced self-defense training comparable to that now provided to New York City police officers, and that the penalties for attacking or injuring auxiliary police officers be significantly increased.

Vote: Unanimous, with 47 Board members in favor.

SIDEWALKS, PUBLIC FACILITIES AND ACCESS

1. NEW APPLICATION for revocable consent to operate an UNENCLOSED SIDEWALK CAFE for Blood Orange Restaurant LLC, d/b/a Dani, 333 Hudson Street, New York, N.Y. 10014, with 13 tables and 26 seats. DCA 1249711.

WHEREAS, the owner' representative appeared before the committee; and

WHEREAS, the applicant agreed to cut all tables down to 22' in width so as to comply with the pedestrian passageway requirements; and

WHEREAS, in answer to the committee's question about why all owners were not on the application the representative stated that all other owners held less than 10% and thus were not required to be on the application; and

WHEREAS, the restaurant is located on the south-west corner of Hudson and Charlton Streets; **THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends **APPROVAL** of a TWO YEAR revocable consent to operate an **UNENCLOSED SIDEWALK CAFE to Blood Orange Restaurant LLC, d/b/a Dani, 333 Hudson Street, New York, N.Y. 10014, with 13 tables and 26 seats. DCA 1249711.**

Vote: Unanimous, with 47 Board members in favor.

2. NEW APPLICATION for revocable consent to operate an UNENCLOSED SIDEWALK CAFE for Groove Enterprises Inc., d/b/a The Groove, 125 Mac Dougal Street, New York, N.Y. 10012, with 5 tables and 20 seats. DCA 1250194.

WHEREAS, the applicant appeared before the committee; and

WHEREAS, the area was posted; and

WHEREAS, the manager, Gil Coosner, agreed to display a sign that reads: 'Please be considerate of our neighbors'; and

WHEREAS, this restaurant is located on the north-west corner of MacDougal and West 3rd Streets; and

WHEREAS, the applicant agreed to remove all sidewalk furniture in the form of newspaper kiosks to reduce congestion;

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends **APPROVAL** of a TWO YEAR revocable consent to operate an **UNENCLOSED SIDEWALK CAFE** for **Groove Enterprises Inc., d/b/a The Groove, 125 Mac Dougal Street, New York, N.Y. 10012, with 5 tables and 20 seats. DCA 1250194.**

Vote: Unanimous, with 47 Board members in favor.

3. NEW APPLICATION for revocable consent to operate an **UNENCLOSED SIDEWALK CAFE** for **Fig and Olive Thirteen Street LLC, d/b/a Fig and Olive, 420 West 13th Street, New York, N.Y. 10014, with 17 tables and 34 seats. DCA 1250301.**

WHEREAS, the café will be located on West 13th Street between Washington Street and 9th Avenue; and

WHEREAS, the two owners appeared with their attorney before the committee; and

WHEREAS, the applicant operates two other restaurants and has had a good record as an operator; and

WHEREAS, there are no residential apartments in the building; and

WHEREAS, there was no community opposition;

WHEREAS, THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends **APPROVAL** of a TWO YEAR revocable consent to operate an **UNENCLOSED SIDEWALK CAFE** to **Fig and Olive Thirteen Street LLC, d/b/a Fig and Olive, 420 West 13th Street, New York, N.Y. 10014, with 17 tables and 34 seats. DCA 1250301.**

Vote: Unanimous, with 47 Board members in favor.

4. NEW APPLICATION for revocable consent to operate an **UNENCLOSED SIDEWALK CAFE** for **P12, Inc., d/b/a Piola, 48 East 12th Street, New York, N.Y. 10003, with 5 tables and 14 seats. DCA 1228726.**

WHEREAS, the sight of the café will be on East 12th Street between Broadway and 4th Ave.; and

WHEREAS, this application was approved last year; and

WHEREAS, they agreed to withdraw the application due to residents complaints about smokers and the noise from same; and

WHEREAS, they eliminated some tables accommodate smokers; and

WHEREAS, there was no community opposition;

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends **APPROVAL** of a TWO YEAR revocable consent to operate an **UNENCLOSED SIDEWALK CAFE** to **P12, Inc., d/b/a Piola, 48 East 12th Street, New York, N.Y. 10003, with 5 tables and 14 seats. DCA 1228726.**

Vote: Unanimous, with 47 Board members in favor.

5. NEW APPLICATION for revocable consent to operate an **UNENCLOSED SIDEWALK CAFE** for **Akram Rest. Management Inc., d/b/a Da Gennaro Restaurant, 129 Mulberry Street, New York, N.Y. 10012, with 14 tables and 28 seats. DCA 1249523.**

WHEREAS, the location of this café will be on Mulberry Street between Hester and Grand Streets; and

WHEREAS, this sight is the former location of Umberto' Clam House restaurant; and

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

WHEREAS, there was no community opposition; and

WHEREAS, the owner appeared before the committee; and

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends **APPROVAL** of a TWO YEAR revocable consent to operate an **UNENCLOSED SIDEWALK CAFE** to Akram Rest. Management Inc., d/b/a Da Gennaro Restaurant, 129 Mulberry Street, New York, N.Y. 10012, 0 with 14 tables and 28 seats. DCA 1249523.

Vote: Unanimous, with 48 Board members in favor.

6. NEW APPLICATION for revocable consent to operate an **UNENCLOSED SIDEWALK CAFE** for J.C. Seventh Avenue Corp., d/b/a Tejo, 113 Seventh Ave. South, New York, N.Y. 10014, with 12 tables and 24 seats. DCA 1250708.

WHEREAS, this is the sight of the former Club Gianni; and

WHEREAS, this café will be on 7th Ave. south between Christopher and W. 10th Streets; and

WHEREAS, this tapas restaurant recently opened in January of 2007; and

WHEREAS, the owner appeared before the committee; and

WHEREAS, there was no community opposition;

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends **APPROVAL** of a TWO YEAR revocable consent to operate an **UNENCLOSED SIDEWALK CAFE** to J.C. Seventh Avenue Corp., d/b/a Tejo, 113 Seventh Ave. South, New York, N.Y. 10014, with 12 tables and 24 seats. DCA 1250708.

Vote: Unanimous, with 48 Board members in favor.

7. NEW APPLICATION for revocable consent to operate an **UNENCLOSED SIDEWALK CAFE** for Out of the Kitchen Inc., d/b/a Out of the Kitchen, 420 Hudson Street, New York, N.Y. 10014 with 8 tables and 18 seats. DCA 1250691.

WHEREAS, the owner appeared before the committee; and

WHEREAS, the applicant operated a smaller establishment specializing in take out food on the same block; and

WHEREAS, the owner agreed to display a sign that reads: 'Please be considerate of our neighbors'; and

WHEREAS, there was no community opposition; and

WHEREAS, there has been a sidewalk café for the two prior restaurants that have occupied the site; and

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends **APPROVAL** of a TWO YEAR revocable consent to operate an **UNENCLOSED SIDEWALK CAFE** to Out of the Kitchen Inc., d/b/a Out of the Kitchen, 420 Hudson Street, New York, N.Y. 10014 with 8 tables and 18 seats. DCA 1250691.

Vote: Unanimous, with 47 Board members in favor.

8. NEW APPLICATION for revocable consent to operate an **UNENCLOSED SIDEWALK CAFE** for 247 Deli, LLC, 265 Lafayette St. a/k/a 54 Prince Street, d/b/a Delicatessen, New York, N.Y. 10012, with 21 tables and 42 seats. DCA 1248648.

WHEREAS, the café will be located on the corner of Prince Street and Lafayette Street; and

WHEREAS, this location is the previous Buffas Coffee Shop, which has been operated by the Buffa family since 1928; and

WHEREAS, the owners and their attorney, Mr. Bookman, appeared before the committee; and

WHEREAS, the new establishment has agreed to keep the prior waitresses and Mr. John Buffa will also remain as a principle in the operation; and

WHEREAS, they will feature an updated format of Buffa's menu, specializing in International Comfort food; and

WHEREAS, they will post a sign that reads: "Please be considerate of our neighbors";

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends **APPROVAL** of a TWO YEAR revocable consent to operate an **UNENCLOSED SIDEWALK CAFE for 247 Deli, LLC, 265 Lafayette St. a/k/a 54 Prince Street, d/b/a Delicatessen, New York, N.Y. 10012, with 21 tables and 42 seats. DCA 1248648.**

Vote: Unanimous, with 48 Board members in favor.

9. NEW APPLICATION for revocable consent to operate an UNENCLOSED SIDEWALK CAFE for The Inn, LLC, 7 Ninth Ave., LLC, d/b/a The Inn, 7 Ninth Ave., New York, N.Y. 10014 with 8 tables and 24 seats. DCA 1250942.

WHEREAS, the owner appeared before the committee; and

WHEREAS, this restaurant is located on the southwest corner of Ninth Ave. and Little West 12th Street; and

WHEREAS, this site was the former location of Rio Mar Restaurant; and

WHEREAS, the owner agreed to remove the sidewalk platform from his plans and resubmit new plans before the full board meeting in 3 days; and

WHEREAS, this is a restaurant with 65 seats on two floors; and

WHEREAS, there was no community opposition;

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends **APPROVAL** of a TWO YEAR revocable consent to operate an **UNENCLOSED SIDEWALK CAFE for The Inn, LLC, 7 Ninth Ave., LLC, d/b/a The Inn, 7 Ninth Ave., New York, N.Y. 10014 with 8 tables and 24 seats. DCA 1250942.**

Vote: Unanimous, with 48 Board members in favor.

10. NEW APPLICATION for revocable consent to operate an UNENCLOSED SIDEWALK CAFE for Gans Mex LLC, 73 Gansevoort Street, New York, N.Y. 10014, with 19 tables and 48 seats. DCA 1251154.

WHEREAS, the owners appeared before the committee; and

WHEREAS, this restaurant is located on the north east corner of Washington and Gansevoort Streets; and

WHEREAS, this location is the former site of MEET Restaurant; and

WHEREAS, the landlord is a an active partner in the restaurant; and

WHEREAS, this is a commercial street with no residential apartments; and

WHEREAS, there was no community opposition; and

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends **APPROVAL** of a TWO YEAR revocable consent to operate an **UNENCLOSED SIDEWALK CAFE for Gans Mex LLC, 73 Gansevoort Street, New York, N.Y. 10014, with 19 tables and 48 seats. DCA 1251154.**

Vote: Unanimous, with 48 Board members in favor.

RENEWAL APPLICATIONS:

1. RENEWAL APPLICATION for BLL Restaurant Corp., d/b/a Porto Bello Restaurant, 208 Thompson Street, New York, N.Y. 10012 for a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café with 2 tables and 5 seats. DCA # 0924708.

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

WHEREAS, the café will be located on Thompson between Bleecker and W. 3rd Streets; and

WHEREAS, there was no changes to the existing plans; and

WHEREAS, the café has been at this location since 1975; and

WHEREAS, there was no community opposition; and

WHEREAS, there is sufficient passage for pedestrians; and

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends **APPROVAL** to BLL Restaurant Corp., d/b/a **Porto Bello Restaurant, 208 Thompson Street, New York, N.Y. 10012 for a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café with 2 tables and 5 seats. DCA # 0924708.**

Vote: Unanimous, with 48 Board members in favor.

2. RENEWAL APPLICATION for Caliente Cab Rest. Co. Inc., d/b/a Caliente Cab Co. 61 seventh Avenue South, New York, N.Y. 10014, for a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café with 42 tables and 84 seats. DCA # 0670525.

WHEREAS, the owner and his lawyer appeared before the committee; and

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

WHEREAS, the plans on file were dated 1992 and did not conform to the current number of tables and chairs; and

WHEREAS, the owner agreed to provide us with new and current plans; and

WHEREAS, this café is located on Bleecker Street and Seventh Ave. South; and

WHEREAS, there is sufficient passage for pedestrians; and

WHEREAS, there was no community opposition;

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends **APPROVAL** to Caliente Cab Rest. Co. Inc., d/b/a **Caliente Cab Co. 61 Seventh Avenue South, New York, N.Y. 10014, for a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café with 42 tables and 84 seats. DCA # 0670525.**

Vote: Unanimous, with 48 Board members in favor.

3. RENEWAL APPLICATION for Tiger Ale, LLC, d/b/a Blind Tiger Ale House, 281 Bleecker Street, New York, N.Y. 10014, for a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café with 6 tables and 12 seats. DCA # 1226851.

WHEREAS, the café is located on the corner of Bleecker and Jones Streets; and

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

WHEREAS, there were numerous e mails, letters and phone calls with complaints regarding this renewal; and

WHEREAS, a long time merchant Matt Umanhoff appeared before the committee and complained about the noise, congestion and noise that this establishment has brought to this corner; and

WHEREAS, a co-op owner residing on Jones Street, Jessica Harvey, appeared before the committee and explained that she has seen older people and children cross the street to avoid the crowded sidewalk caused by this establishment; and

THEREFORE, BE IT RESOLVED, that CB#2, Man. **SRONGLY** recommends **DENIAL** to Tiger Ale, LLC, d/b/a **Blind Tiger Ale House, 281 Bleecker Street, New York, N.Y. 10014, for a TWO**

YEAR revocable consent to operate an Unenclosed Sidewalk Café with 6 tables and 12 seats. DCA # 1226851.

Vote: Unanimous, with 48 Board members in favor.

4. RENEWAL APPLICATION for Greenwich Village Bistro, Ltd. d/b/a Greenwich Village Bistro, 13 Carmine Street, New York, N.Y. 10014, for a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café with 9 tables and 18 seats. DCA # 1226851.

WHEREAS, the café is located on Carmine Street between Bleecker Street and Sixth Ave.; and

WHEREAS, the owners appeared before the committee; and

WHEREAS, the applicants have operated the restaurant for eight years and a sidewalk café for seven years at this location; and

WHEREAS, there was testimony from community board members that they were good neighbors; and

WHEREAS, there is sufficient passage for pedestrians; and

WHEREAS, there is no change to the configuration of the tables and chairs; and

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends **APPROVAL to Greenwich Village Bistro, Ltd., d/b/a Greenwich Village Bistro, 13 Carmine Street, New York, N.Y. 10014, for a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café with 9 tables and 18 seats. DCA # 1226851.**

Vote: Unanimous, with 48 Board members in favor.

5. RENEWAL APPLICATION for Lunella Ristorante Inc., d/b/a Lunella Ristorante, 173 Mulberry Street, New York, N.Y. 10013 for a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café with 4 tables and 8 seats. DCA # 1072629.

WHEREAS, the café is located on Mulberry Street between Broome and Grand Streets; and

WHEREAS, the owner's representative appeared before the committee; and

WHEREAS, the applicant has agreed to post signs that say please be considerate of our neighbors; and

WHEREAS, this restaurant has had a sidewalk café for over 10 years under the present ownership; and

WHEREAS, there is sufficient passage for pedestrians; and

WHEREAS, there is no change to the configuration of the tables and chairs;

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends **APPROVAL to Lunella Ristorante Inc., d/b/a Lunella Ristorante, 173 Mulberry Street, New York, N.Y. 10013 for a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café with 4 tables and 8 seats. DCA # 1072629.**

Vote: Unanimous, with 48 Board members in favor.

STREET ACTIVITY PERMIT SUBCOMMITTEE

1. Support of the Renewal of Various Street Fair Permit Applications

WHEREAS, the street fair permit applications listed below are applications for renewals; and

WHEREAS, the sponsors of the proposed street fairs listed below appear to meet the requirements of Chapter 1-03(b) the Rules of the Office of the Mayor, Community Assistance Unit, Street Activity Permit Office Relating to Applications, Fees and Charges for street fairs (the "Street Activity Permit Office Rules"), in that the each such sponsor is a "community-based, not-for-profit organization, association, or the like, which has an indigenous relationship to the specific street or the community

or both, for which the event is proposed and which demonstrates that it has the support of the community and is willing to take full responsibility for the conduct of the event.”

THEREFORE BE IT RESOLVED, that CB#2, Man., supports the street fair permit applications on the dates and at the locations listed below:

- **5/20** – Greenwich Village Youth Council (multi-block), Bleecker St. bet. Bank & Christopher Sts.;
- **6/2** - Morton Street Block Assn., bet. Hudson & Bedford Sts.;
- **6/2** – Jane St. Assn., Jane St. bet. 8th Ave. & Hudson St.;
- **7/21** – St. Bernard Church, 14th St. bet. 7th & 8th Aves.; and
- **8/11** – Log Cabin Republican Club, Greenwich Ave. bet. 6th & 7th Aves.;
- **9/23** – Lady Liberty Ride, Washington St. bet. 13th & 14th Sts.
- **11/10** – Women’s Democratic Club, Astor Pl. bet. Broadway & Lafayette St.

Vote: Unanimous, with 47 Board members in favor.

2. Various Applicants

WHEREAS, the applicants below failed to appear before the Community Board’s Street Fair Activity Permit Subcommittee;

THEREFORE BE IT RESOLVED, that CB#2, Man., opposes the street fair permit applications on the dates and at the locations listed below:

- 6/15** – P.S. 3, Grove St. bet. Hudson & Bedford Sts.;
- 6/21** – Waverly Bank II Neighbors Assn., Bank St. bet. W. 4th St. & Greenwich Ave.;
- 6/23** – Heritage of Pride (multi-block), Barrow, Christopher, Greenwich & Washington Sts. bet. Christopher/W. 10th Sts. & Hudson/W. Houston Sts.

Vote: LAI D OVER TO NEXT MONTH.

3. Support of Street Fair Activity Permit by the Little Italy Merchants Association

WHEREAS, the street fair activity permit by the applicant (the “Applicant”) is opposed by some Mulberry Street residents and their neighbors because they say Applicant’s street fair, which runs for over five months, is too long, interferes with their quiet enjoyment and has a negative impact on their quality of life; and

WHEREAS, Council Member Alan Gerson has made sustained efforts on behalf of these residents to negotiate with Applicant a reasonable reduction in hours and the elimination of some weekend dates of Applicant’s street fair; and

WHEREAS, according to the Applicant, the proceeds from its street fair are used almost exclusively to support the activities of the Little Italy Merchants Association, a not for profit membership organization which represents more than 50 restaurants/cafes, gift shops, food stores and other retail businesses on Mulberry, Grand, Hester and Broome Streets, north of Canal Street. Any charitable causes in the community only benefit from the Applicant’s street fair if there is revenue remaining; and

WHEREAS, this Community Board recognizes the importance of Applicant’s street fair in promoting local businesses and fostering a sense of community and tradition in the Little Italy neighborhood.

THEREFORE BE IT RESOLVED, that CB#2, Man., supports the multi-day, multi-block street fair permit application by the Applicant, the Little Italy Merchant’s Association, from May 26 – October 8, 2007 on Mulberry Street between Canal and Broome Streets and Hester Street between Mott and Mulberry Streets PROVIDED THAT the Applicant abides by the community-friendly guidelines proposed by Council member Alan Gerson as follows:

- **Reduction in operating hours.**

	Day	Applicant Request	Community Board 2 Request
Open	Holiday Monday's (Memorial & Labor)	11:00 am	12:00 pm
Close	Holiday Monday's (Memorial & Labor)	10:00 pm	9:30 pm
Open	Friday	5:00 pm	5:30 pm
Close	Friday	12:00 midnight	11:00 pm
Open	Saturday	11:00 am	12 noon
Close	Saturday	12:00 midnight	11:00 pm
Open	Sunday Non-holiday	11:00 am	12:00 noon
Close	Sunday Non-holiday	10:00 pm	9:30 pm
Open	Sunday holiday weekend	11:00 am	12 noon
Close	Sunday holiday weekend	12:00 midnight	11:00 pm

- **Elimination of some weekends.** The following three weekends be removed from Applicant's application: June 16 and 17; September 8 and 9; and September 29 and 30.
- **Mid-point community review.** Applicant agrees to meet with members of the community to assess the street fair in July 2007. Council Member Gerson will help facilitate this meeting.

BE IT FURTHER RESOLVED, that the Community Board urges the Applicant to donate a portion of the proceeds from its street fair on a consistent basis to a local charitable cause in the community and be prepared to share the details of such donation when it reapplies for its street fair permit application next year.

Vote: Unanimous, with 47 Board members in favor. **(SEE ATTACHMENT C).**

4. Support of Street Fair Activity Permit by Figli di San Gennaro

WHEREAS, the applicant (the "Applicant") has operated a street fair for over 80 years that this Community Board recognizes is an integral traditional festival in the Little Italy neighborhood, the proceeds of which benefit important local charitable causes; and

WHEREAS, some representatives of the local community have spoken in opposition to the Applicant's street fair because of its negative impact on the quality of life, particularly because of the late closing times.

THEREFORE BE IT RESOLVED, that CB#2, Man., supports the application by the Applicant, Figli di San Gennaro, for a multi-day, multi-block street fair from September 10 – September 23, 2007 on Mulberry Street, between Canal and West Houston Streets, and Grand and Hester Streets between Mott and Centre Streets, PROVIDED THAT the Applicant agrees to use its best efforts to ensure that the "last call" for food vendors be made one-half hour early, at 10:30 p.m., instead of 11:00 p.m.

Vote: Unanimous, with 47 Board members in favor.

5. Opposition to Street Fair Activity Permit by Man Up!

WHEREAS, the applicant (the "Applicant") for this new street fair activity permit is a social justice organization with a mission to assist underserved neighborhoods in Brooklyn; and

WHEREAS, there is no evidence that Applicant has an indigenous relationship to the specific street or the community as required by Chapter 1-03(b) the Rules of the Office of the Mayor, Community Assistance Unit, Street Activity Permit Office Relating to Applications, Fees and Charges for street fairs (the "Street Activity Permit Office Rules").

THEREFORE BE IT RESOLVED, that CB#2, Man., opposes the new street fair application by the Applicant, Man Up!, on Mercer St. bet. Broome & Brand Sts. on June 2, 2007, since Applicant has

no apparent indigenous relationship to the specific street or community where the event is held as required by the Street Activity Permit Office Rules.

Vote: Unanimous, with 47 Board members in favor.

6. Opposition to Street Fair Activity Permit by the Association for the Historic Restoration and the Preservation of Lives

WHEREAS, the applicant (the “Applicant”) for this street fair activity permit by the Applicant’s own admission has only one (1) member and has not been active in the community in recent years.

THEREFORE BE IT RESOLVED, that Community Board 2, Manhattan, opposes the street fair application by the Applicant, the Association for the Historic Restoration and the Preservation of Lives, on July 1 on Christopher Street between Greenwich and 7th Avenues because the Applicant appears to represent an organization that is no longer active in the community.

Vote: Unanimous, with 48 Board members in favor.

TRAFFIC AND TRANSPORTATION

1. Resolution in connection with plan by DOT to close lanes of lower Broadway to create a dedicated bus-rapid transit lane.

WHEREAS, representatives from the NYC Department of Transportation (DOT) appeared before the March meeting of the Traffic and Transportation Committee to discuss a plan to limit private cars, trucks and taxis to one traffic lane on Broadway from Houston to Vesey Street from 7 a.m. to 6 p.m. in order to ease increased congestion from lane closures and an influx of construction vehicles as the building of the Fulton Street Transit Center gets underway; and

WHEREAS, under the DOT plan, only buses would be allowed on the western traffic lane of Broadway during these hours and five bus “bulbs” will be created on the west side of Broadway to eliminate the need for buses to pull over to the curb to pick up passengers, which will remain in place at least until the Fulton Street Transit Center is completed at the end of 2009; and

WHEREAS, DOT has proceeded with construction of the plan prior to receiving comment from the Community Board;

THEREFORE BE IT RESOLVED, that CB#2, Man., supports the DOT plan to create bus rapid transit lanes and limit private car and truck traffic on lower Broadway, but in the interest of community consultation, urges DOT in the future to discuss its plans with the Community Board well in advance of beginning construction on a project.

Vote: Unanimous, with 47 Board members in favor.

2. Houston Street Bicycle Lane and the NYC DOT Proposed Alternative.

WHEREAS, this Community Board has called upon the New York City Department of Transportation (“DOT”) several times to create a bicycle lane on West Houston Street as part of its reconstruction plan (a “Houston Street Bicycle Lane”); and,

WHEREAS, DOT, citing insurmountable safety concerns on Houston Street, at the Community Board’s request has presented an alternative plan (the “Alternative Plan”) consisting of eastbound on Clarkson, Carmine and Bleecker Sts.; and westbound on Bowery, Prince and Charlton Sts., due to their close proximity to Houston St. and one-way, low-speed nature; and,

WHEREAS, given the unique, once-in-a-generation opportunity to build a bicycle lane because of the current reconstruction of Houston Street, the Community Board is extremely disappointed that DOT could not conceive of a creative solution to address the safety issues related to Houston Street and create a safe lane; however, the board is grateful to DOT for (i) its extensive efforts in presenting an Alternative Plan, and (ii) explaining fully why they believe Houston Street is unsuitable for a bicycle lane; and,

WHEREAS, the community has numerous comments and concerns about the Alternative Plan pursuant to the attached exhibit, specifically with respect to:

- Signage and the ability of cyclists to identify and follow the alternate route;
- Minimizing pedestrian/cyclist conflicts on high pedestrian density segments;

- Mitigating the loss of parking and ensuring curbside access for commercial deliveries; and
- Ensuring that bike lanes remain free of illegally parked vehicles and street vendors.

THEREFORE, BE IT RESOLVED that CB#2, Man., reiterates its strong support for a Houston Street Bicycle Lane; and

BE IT FURTHER RESOLVED that the Community Board reiterates its opposition to the creation of left-hand turn bays as part of the reconstruction of Houston Street, which has contributed to the infeasibility of a Houston Street Bicycle Lane; and

BE IT FURTHER RESOLVED that the Community Board supports the creation of an additional, interim east-west bicycle lane as presented by DOT as the Alternative Plan, consisting of eastbound lane on Clarkson, Carmine and Bleecker Sts.; and westbound lane on Bowery, Prince and Charlton Sts., provided that the DOT first seriously consider an alternative to Prince Street including specific consideration of Broome St., west bound, and urges DOT to work with the community to address the concerns noted in the attached exhibit to help promote the safety of pedestrians and bicyclists, avoid excessive traffic congestion and deal with parking issues.

Vote: Passed, with 38 Board members in favor and 8 in opposition.

4. Pedestrian Safety Concerns at the Intersection of West 11th St., Greenwich Ave. and 7th Ave.

WHEREAS, vehicular traffic turns southeast from Seventh Avenue into Greenwich Avenue at the same time pedestrians are crossing the street, threatening pedestrian safety; and

WHEREAS, this and other pedestrian and vehicular conflicts appear to be occurring because of traffic light timing in that area where several streets converge in a complex intersection.

THEREFORE, BE IT RESOLVED that CB#2, Man., requests that the New York City Department of Transportation conduct a traffic light synchronization study at the intersection of West 11th Street, Greenwich and Seventh Avenues in order to recalibrate the light signal sequence to ensure pedestrian safety.

Vote: Unanimous, with 47 Board members in favor.

NEW BUSINESS

Respectfully submitted,

Jo Hamilton, Secretary
Community Board #2, Manhattan