



COMMUNITY BOARD NO. 2, MANHATTAN

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Greenwich Village • Little Italy • SoHo • NoHo • Hudson Square • Chinatown • Gansevoort Market

FULL BOARD MINUTES

DATE: January 24, 2008
TIME: 6:00 P.M.
PLACE: St. Vincent's Hospital, 170 W. 12th Street, Cronin Auditorium, 10th Floor

BOARD MEMBERS PRESENT: Steve Ashkinazy, Keen Berger, Tobi Bergman, Carter Booth, Sigrid Burton, Lisa Cannistracci, Doris Diether, Sheelah Feinberg, Elizabeth Gilmore, Edward Gold, David Gruber, Jo Hamilton, Anne Hearn, Brad Hoylman, Chair, Community Board #2, Manhattan (CB#2, Man.), Zella Jones, Susan Kent, Arthur Kriemelman, Raymond Lee, Edward Ma, Don MacPherson, Jason Mansfield, Rosemary McGrath, Philip Mouquinho, Lois Rakoff, David Reck, Robert Riccobono, Erin Roeder, Rocio Sanz, Arthur Z. Schwartz, Shirley Secunda, Shirley H. Smith, Richard Stewart, Sean Sweeney, Naomi Wender, Carol Yankay

BOARD MEMBERS EXCUSED: Leonard Cecere, Maria Passannante Derr, Ian Dutton, Jane McCarthy, Judy Paul, Elaine Young

BOARD MEMBERS ABSENT: Harriet Fields, Lawrence Goldberg, Amanda Kahn, Christine Lindemann, Ke-Wei Ma, Annie Vanrenterghem-Raven, Wendy Schlazer, James Solomon

BOARD STAFF PRESENT: Bob Gormley, District Manager

GUESTS: Erin Drinkwater, Congressman Jerrold Nadler's office; Laura Morrison, Crystal Gold-Pond, Senator Tom Duane's office; Marty Algaze, Sen. Martin Connor's Office; Matt Borden, Assembly Member Deborah Glick's office; Grey Elam, Council Speaker Christine Quinn's office; Hunter Johansson, Manhattan Borough President Scott Stringer's office; Paul Nagle, Council Member Alan Gerson's office; Kate Makuliak, Council Member Rosie Mendez's office; John Ricker, NYC Comptroller's office; Vicki Polon, Blaine Bartnick, Elaine Goldman, Dave Poser, Alex & Cas Stachelberg, Michael Fagan, Tim Shea, George Greco, Edith Ho, Michelle Cheung, Herman Lan, Thomas Whalen, Aura Levitas, Carolyn Meehan, Tom Meehan, Eilee Kornead, Sook Ling Lai, Gary Parker, Maxine Glorsky, Rebecca Ferguson, Richard Mauttner, Peggy Ng, Joseph Auld, Carmen Ben, Joyce Chen, Mein Ho, Mei Chang Zhao, Yung M. Leung, Coleen Quinn, Timothy DiMarco, Andrew J. Weber, Seema Singh, Barbara Hitz, Jen Hory, Ann Arlen, Marc Murphy, Ken Shepps, Suzy Lzang, Sun Yei Chan, Mary Johnson, Diane Connor, Kirsten Paulos, Priscilla Loro, Luke Henry, Alice Carey, Gerard Shepos, Frances Wong, Jonathan Slaff, John Siegal, Lisa Lin, Peggy Lewis, Jai Nanda, Jonathan Sheffer, Sally Sommer, S. Stoneburn, Ann Gusson, Dana English, Janet Freeman, Valerie Campbell, James Lerman, Geoffrey Knox, Betty Pruong

MEETING SUMMARY

Meeting Date – January 24, 2008

Board Members Present – 36 ‘til Waterfront, then 35

Board Members Excused–6

Board Members Absent - 7

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II. PUBLIC SESSION

Non-Agenda Items

NYU Open House

Gary Parker, Manager of Community Relations at NYU, made an announcement for an upcoming open house event.

St. Vincent's Hospital

Michael Fagan, from St. Vincent's Hospital, spoke regarding the hospital's upcoming development projects.

Business Items

Lasso, 192 Mott Street

Janet Freeman did not speak but was against the alteration of the liquor license. Yung M. Leung spoke in favor of the alteration.

Landmarks & Public Aesthetics Items

145 Perry St. a/k/a 711 Washington St. Revised Design for a 6-story building plus penthouse
Valerie Campbell, representing the applicant, spoke in favor of the proposed building.

James Lerman, John Siegal, and Geoffrey Knox, spoke against the building proposal for a hotel.

Parks, Recreation & Open Space

Washington Square Park

Rebecca Ferguson, Washington Square Park manager, updated everyone on the renovations taking place.

Proposed Design for Seravalli Playground Reconstruction

Dr. Alex and Cas Stachelberg spoke regarding the proposed park renovations.

Traffic and Transportation Items

Proposal to Change Parking Regulations on W. 10th St. bet. 5th and 6th Aves.

Jonathan Sheffer spoke in favor of the proposal. Vicki Polon and Sally Sommer spoke against the parking changes.

S. Stoneburn, Ann Gusson, Dana English, and Thomas Whalen, did not speak, but were against the parking change proposal.

Ken Shepps did not speak but was against the proposal and in favor of keeping the parking regulations the way they are presently.

Change of Parking Regulations on MacDougal St. bet. Bleecker and W. Houston Sts.

George Greco spoke regarding the proposed parking changes.

Waterfront

Pier 40 Proposals

Peggy Lewis and Jai Nanda spoke regarding this issue.

Blaine Bortnick spoke in favor of Pier 40.

III. ADOPTION OF AGENDA

IV. ELECTED OFFICIALS PRESENT AND REPORTING

Erin Drinkwater, Congressman Jerrold Nadler's office

Laura Morrison, Senator Tom Duane's office

Marty Algaze, Sen. Martin Connor's Office, spoke in favor of the Pier 40 proposals.

Matt Borden, Assembly Member Deborah Glick's office

Hunter Johansson, Manhattan Borough President Scott Stringer's office;

Grey Elam, of Council Speaker Christine Quinn's office

Paul Nagle, Council Member Alan Gerson's office.

Kate Makuliak, Council Member Rosie Mendez's office,

John Ricker, NYC Comptroller's office;

V. ADOPTION OF MINUTES

Adoption of November minutes and distribution of December minutes.

VI. EXECUTIVE SESSION

1. **Chair's Report** Brad Hoylman reported

2. **District Manager's Report** Bob Gormley reported.

STANDING COMMITTEE REPORTS

BUSINESS

1. Lasso NYC, Inc., 192 Mott St., (at Kenmare), NYC.

WHEREAS the applicant appeared before the committee; and,

WHEREAS this application is for an alteration to an existing On Premise license for a Pizzeria d/b/a L'asso in a mixed use building located at the corner of Mott and Kenmare streets, with 50 table seats and 1 bar with 10 seats and a maximum legal capacity of 75 persons; **to include a 440 s.f. basement dining area with 7 tables with 15 seats and 1 bar with 5 seats; and**

WHEREAS the applicant stated the hours of operation are 12:00 p.m. – 12:00 a.m. seven days a week; there will not be a sidewalk café application nor a backyard garden; music will be background only; and,

WHEREAS the applicant admitted that they have been operating beyond the current licensed hours of 12:00 p.m. - 12:00 a.m. seven days a week; and,

WHEREAS the applicant admitted that they held a few private events, including comedic performances, in the basement without a proper Certificate of Occupancy; and,

WHEREAS the applicant had not removed the 4 chairs on the sidewalk as requested by Business Committee in June 2007; and,

WHEREAS a few members of the community appeared in strong opposition; citing quality of life concerns with this establishment; citing potential building and safety issues; noise and overcrowding issues on a residential block; and close proximity of other similar licensed establishments on Elizabeth Street and neighboring streets; and lack of cooperation and respect for the community; and,

WHEREAS over 40 members of the community appeared in full support of the applicant; citing the value of the restaurant in the Nolita neighborhood; and,

THEREFORE, BE IT RESOLVED that CB2, Manhattan recommends denial to the proposed alteration of an On Premise license for **Lasso NYC, Inc., 192 Mott St.**

Vote: Unanimous, with 36 Board members in favor.

2. Cookery Lafayette, Inc., from 21 University Pl., NYC 10003, 21-23 W. 8th St., NYC 10003 (5th and 6th Avenues), NYC

WHEREAS the applicant appeared before the committee; and,

WHEREAS this application is for transfer of an On Premise license for a barbeque bar/restaurant d/b/a BBQ, located in a 3,800 s.f. premise in a mixed use building on West 8th Street between 5th and 6th Avenues, with 150 table seats, no bars and a maximum legal capacity of 240 persons; and,

WHEREAS the applicant stated the hours of operation are Monday – Thursday 11:00 a.m. – 12:00 a.m. and Friday and Saturday 11 a.m. – 1:00 a.m. and Sunday 11:00 a.m. – 11:00 p.m.; there will not be a sidewalk café nor a backyard garden; music will be background only; and,

WHEREAS the applicant has been previously licensed at 21 University Place; and,

WHEREAS a few residents in the building appeared in opposition citing noise and overcrowding issues; and,

WHEREAS the applicant has agreed to install soundproofing on the ceiling; and,

WHEREAS the applicant has agreed to community outreach, including but not limited to monthly meetings with neighboring residents for the first 6 months of operations; and,

WHEREAS those conditions agreed to by applicant and 8th Street Block Association and Washington Square-Lower Fifth Avenue Block Association in a fully executable agreement attached will be incorporated into the “Method of Operation” on the SLA On Premise license; and,

THEREFORE, BE IT RESOLVED that CB2, Manhattan recommends denial of the proposed upgrade to an On Premise license for **Cookery Lafayette, Inc., from 21 University Pl., NYC 10003, 21-23 W. 8th Street**, unless those conditions agreed to by applicant relating to the sixth, seventh and eighth “whereas” clauses above are incorporated into the “Method of Operation” on the SLA On Premise license;

Vote: Unanimous, with 36 Board members in favor.

3. Elizabeth Rest., LLC, 265 Elizabeth St., (Prince and Houston) NYC.

WHEREAS the applicant appeared before the committee; and,

WHEREAS this application is for a transfer of an existing On Premise license in a restaurant known as Rialto’s located in a 1,600 s.f. premise in a mixed use building on Elizabeth between Prince and Houston streets, with 90 table seats and 1 bar with 8 seats; and a maximum legal capacity of 135 persons, pursuant to a change in corporate structure by adding a new partner/owner.

WHEREAS the applicant stated there are no plans to change the existing operation; the applicant stated the hours are 11:00 a.m. – 2:00 a.m. seven days a week; there is an enclosed backyard garden, which closes at 12:00 a.m.; music will be background only; and,

WHEREAS a member of the Elizabeth Street Block Association appeared, citing noise and overcrowding issues in a residential area but expressed his support for this applicant; and,

WHEREAS there are no complaints regarding the current operation d/b/a Rialto's and no one appeared in opposition from the community; and,

WHEREAS the applicant has agreed to obtain all New York City Department of Building permits, certificates, and related documents, including but not limited to a revised Certificate of Occupancy, prior to the use of the On Premise license; and,

THEREFORE, BE IT RESOLVED that CB2, Manhattan recommends denial of the proposed upgrade to an On Premise license for **Elizabeth Rest., LLC, 265 Elizabeth Street**, unless those conditions agreed to by applicant relating to the sixth "whereas" clauses above are incorporated into the "Method of Operation" on the SLA On Premise license; and,

Vote: Unanimous, with 36 Board members in favor.

4. City Winery New York, LLC, 155 Varick St. (Spring and Van Dam), NYC

WHEREAS the applicant appeared before the committee; and,

WHEREAS this application is for an On Premise license for a bar/restaurant d/b/a City Winery, with private wine barrels (for sale to the public) in the basement, located in a commercial building in a 10,000 s.f. premise on Varick between Spring and Van Dam Streets, with 200 table seats, 2 bars with 35 seats and a maximum legal capacity, pending the issuance of a new Certificate of Occupancy, which will not exceed 300 persons; and,

WHEREAS the applicant stated the hours of operation are 11:00 a.m. – 1:00 a.m. Monday – Thursday and 11:00 a.m. – 2:00 a.m. Friday - Sunday; there will be a sidewalk café application but no backyard garden; music will be live and background; and,

WHEREAS the amended Certificate of Occupancy, not to exceed 300 persons, will be issued by the New York City Department of Buildings prior to the use of the On Premise license; and,

WHEREAS the applicant has agreed to reapply for any significant alterations, amendments or changes to the existing floor plan as presented to the Business Committee that are required to be reported to the State Liquor Authority; and,

WHEREAS the applicant has agreed to have a menu and food items available at all times of operation in the restaurant area until one hour prior to closing; and,

WHEREAS the applicant has agreed to prohibit the use of third party night club promoters but will occasionally host corporate events, private parties and live musical events; and,

WHEREAS several members of the community stated their support for the applicant and complimented the business concept; and,

WHEREAS no one appeared in opposition from the community; and,

THEREFORE, BE IT RESOLVED that CB2, Manhattan recommends denial of the proposed upgrade to an On Premise license for **City Winery New York, LLC, 155 Varick St.**, unless those conditions agreed to by applicant relating to the fourth, fifth, sixth and seventh “whereas” clauses above are incorporated into the “Method of Operation” on the SLA On Premise license; and,

Vote: Unanimous, with 36 Board members in favor.

5. Caledonian NYC, Inc., 107 MacDougal St. (West 3rd and Bleecker) NYC.

WHEREAS the applicant appeared before the committee; and,

WHEREAS this application is for transfer of an On Premise license, pursuant to purchase, for a bar/restaurant, located in a 2500 s.f. premise in a mixed use building located on MacDougal between West 3rd and Bleecker Streets, with 58 table seats, 1 bar with 12 seats and a maximum legal capacity of 146 persons; and,

WHEREAS the applicant stated the hours of operation are 12:00 p.m. – 2:00 a.m. Sunday – Wednesday, 12:00 p.m. – 4:00 a.m. Thursday – Saturday; there will not be a sidewalk café nor a backyard garden; music will be background only; and,

WHEREAS no one appeared in opposition from the community; and,

THEREFORE, BE IT RESOLVED that CB2, Manhattan recommends approval of transfer of an On Premise license to **Caledonian NYC, Inc., 107 MacDougal St.**

Vote: Unanimous, with 36 Board members in favor.

6. LLC to be Formed, 54 Thompson 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 CB2, Manhattan strongly recommends denial of an On Premise liquor license to **LLC to be Formed, 54 Thompson 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 36 Board members in favor.

7. 141 W. 10th St. Rest., Associates, LLC, 141 W. 10th St., NYC 10014

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 CB2, Manhattan strongly recommends denial of an On Premise liquor license to **141 W. 10th St. Rest., Associates, LLC, 141 W. 10th St., NYC 10014** **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 36 Board members in favor.

ENVIRONMENT, PUBLIC SAFETY & PUBLIC HEALTH

1. Support of CCTV Channel

WHEREAS, in September, 2006, the New York City Council unanimously passed a resolution authorizing the Mayor's Department of Information Technology and Telecommunications to start re-negotiations with telecommunications companies for the granting of telecommunications franchises to provide cable television services in the City of New York; and

WHEREAS, in 2008, Time Warner, Verizon, Cablevision, and RCN are seeking new or renewal franchise agreements with the City of New York; and

WHEREAS, public access cablecast channels have long established themselves in local communities nationwide as critical forums for free speech, the development of a marketplace of ideas, and the exercise of residents' First Amendment rights; and

WHEREAS, the City Council Resolution requests that the City of New York require cable companies to provide the capacity and support for Public, Educational and Government (PEG) government access; and

WHEREAS, the Manhattan Neighborhood Network (MNN) is the non-profit organization that administers currently four public access cable channels in Manhattan as part of the City of New York's Public, Educational and Government (PEG) channels; and

WHEREAS, for the last fifteen years, MNN has been providing the residents of Manhattan with video training, television production, equipment, studio facilities, resources for not for profit organizations, youth outreach, and free access to cablecast channels reaching more than half a million subscribers; and

WHEREAS, in a telephone survey conducted by MNN, almost 70 percent of all respondents said it was "important" or "very important" to have local cable television channels that feature programs about Manhattan organizations, residents, ethnic groups, youth seniors, and others, and 100 percent of all respondents from a series of thirteen focus groups felt it was either "very important" (85 percent) or "important" (15 percent) to have noncommercial cable channels that feature programs about Manhattan residents, organizations, community events and issues; and

WHEREAS, democracy is strongest when its citizens can engage in the full and free exchange of information and ideas; and

WHEREAS, critical communication channels between Manhattan residents, local government, and civic leaders must be made open and accessible in order to provide greater opportunity for Manhattanites and all New Yorkers to discuss and debate key issues that affect their communities; and

WHEREAS, there is a need to partner the new digital technologies with the processes of local democracy and civic engagement in the Borough of Manhattan and throughout the City of New York; and

WHEREAS, such a partnership will use the transformative power of technology and innovation to provide residents with greater engagement in, and knowledge of, local government deliberations and decision-making, and will connect borough residents with each other and with their political and civic leaders in a collective effort to help identify and solve the problems that face Manhattan; now

THEREFORE, BE IT RESOLVED, that the Manhattan Community Board 2 recognizes and applauds the fine work of Manhattan Neighborhood Network in providing public access to new media skills and services for the last fifteen years, and recognizes the urgent community needs across the Borough for the continued growth and expansion of MNN's multimedia services, the needs to strengthen and deepen media training, support and access for young people, and the need to provide greater access for residents to local government and civic leaders; and

BE IT FURTHER RESOLVED that the Manhattan Borough Board supports the establishment of a professional-quality cablecast channel, "Civic Channel TV," to increase public access to the day-to-day workings of local civic processes and institutions, including the broadcasting of community board meetings, public hearings, public policy fora, issue debates and community events with both live and archived television and internet broadcasts. The channel will also broadcast neighborhood profiles, civil leadership training sessions, educational and historic documentaries about Manhattan and the City of New York, significant community events and round-table discussions featuring journalists, academics, community leaders, and prominent public figures and others; and

BE IT FINALLY RESOLVED, that the CB#2, Man. urges the New York City Franchise and Concession Review Committee and the Mayor of the City of New York to ensure increased capital, operating, technology and bandwidth support for Public Access channels and services in the upcoming franchise agreements, and to support the establishment of additional channels, including a new civic channel to be operated by the Manhattan Neighborhood Network.

Vote: Unanimous, with 35 Board members in favor.

2. Supporting WTC Environmental Healthcare Center and Requesting Further Outreach

Whereas, A presentation was made to this committee by Dr. Joan Reibman of NYU Medical on the background of the World Trade Center ("WTC") Environmental Healthcare Center ("The Center") based at Bellevue Hospital, Gouverneur Hospital, and Elmhurst Hospital Center, and

Whereas, Ever since the attacks on the WTC, there have been concerns about the health consequences of exposures to those who were involved in the rescue and recovery response as well as those who lived, worked, volunteered or attended school close to the site, and,

Whereas, Approximately 1 million tons of dust was released into the air from the attacks and subsequent collapse of the WTC. The dust contained asbestos and other carcinogens as well as concrete, glass fibers and lead. Over the years, studies have found a number of health issues that may be related to exposures to WTC dusts, and,

Whereas, The WTC Environmental Health Center at Bellevue Hospital, Gouverneur Health Services in Lower Manhattan and Elmhurst Hospital in Queens, offer treatment to people who have health problems as a result of 9/11. Treatment is available to all regardless of ability to pay, insurance or immigration status, and,

Whereas, The Center treats and studies primarily residents who lived *anywhere* below 14th Street, volunteers, clean-up workers, students, and others who were present during or shortly after the disaster; now,

Therefore, be it resolved, that CB#2, Man. fully supports the good work being done by The Center; and **Be it further resolved**, that further outreach is needed to notify residents in our district these services are available.

Vote: Unanimous, with 35 Board members in favor.

INSTITUTIONS

Submission by the Manhattan Borough President of the Community NYU Task Force's Planning Principles for the 25 Year Campus Plan.

Whereas the Borough President's Community NYU Task Force, representing a wide cross section of the community including CB2, CB3, and many neighborhood based organizations as well as NYU administrators and their planning and design team have been meeting for over a year and

Whereas a comprehensive list of Planning Principles for its 25 Years Campus Plan has been debated, edited and finalized by the Task Force and

Whereas, the NYU administration and its President John Sexton have formally endorsed and committed the University to the these Principles in writing and

Whereas these Planning Principles will serve as the guidelines for future NYU development and the way NYU will interact, negotiate with and recognize the concerns of CB2 and the greater Greenwich Village Community and beyond and

Whereas that while there is continuing concern and discussion and skepticism that NYU because of its long and often combative relationship with the community will adhere to these principles, especially in future years, it was also felt that these principles were sound and provided the proper guidelines for growth, therefore

Be it resolved that we recommend that CB#2, Man. approve the Task Force Planning Principles and guidelines for future NYU Development as presented and

Be it further resolved that an ongoing Task Force be created either as part of CB#2, Man. or in another wider entity to monitor the application of said planning principles as development proposals are submitted by NYU for approval and review by CB2 and other New York City Agencies

Vote: Passed, with 35 Board members in favor and 1 recusal (Zella Jones)

LANDMARKS AND PUBLIC AESTHETICS

1ST LANDMARKS MEETING

1. 21-25 W. 8th Street (5th/6th) Greenwich Village Historic District Application is to install storefront infill.

Whereas, the materials, scale and symmetry of the proposed storefront do not detract from the building or the district; but

Whereas, there has been some illegal work done on the storefronts that the applicant said will be legalized by this application; and

Whereas, in its prior location in a non-designated portion of West 8th Street, this Bar-B-Q restaurant had garish signage and neon lighting abounding; now

Therefore, be it resolved that CB#2, Man. recommends approval of this application according to the plans submitted; and

Further, be it resolved that the Commission remind the applicant that lighting is strictly regulated in the historic district and to come to the Commission before adding any lighting to the storefront.

Vote: Unanimous, with 36 Board members in favor.

2ND LANDMARKS MEETING

1. 47 Howard Street a/k/a 305 Canal Street - SoHo Cast-Iron H.D. Application is to install storefront infill.

Whereas, cleaning up the cast iron and installing waterproof, marine-grade painted, hardwood doors contribute to the building and the district, as does the style, placement and symmetry of the doors; but

Whereas, the artist's rendition showed the top of the glass transom lower than the water table, which is not what the architect presented to us; now

Therefore, be it resolved that CB#2, Man. recommends approval of this application, making sure to incorporate the higher transom that rises to the level of the water table, as stated by the architect.

Vote: Unanimous, with 36 Board members in favor.

2. 466 Broome Street a/k/a 56 Greene Street - SoHo Cast-Iron H.D. Application is to legalize the removal of historic vault lights at the Greene St. elevation sidewalk without LPC permits and to replace the sidewalk at the Broome St. elevation.

Whereas, the applicant is faced with no fair solution that would legalize the prior work done on the sidewalk without a permit from LPC. Leaking is not uncommon with these crystal lights and iron grids, and this results in water damage that leads to an extremely expensive job in restoring the materials and sidewalk to the original condition - with no guarantee how lasting will be the repair; and

Whereas, the applicant also proposed work on the Greene Street façade that enhanced the appearance of the building and the district, although the work presented to the community board was not part of the application that we received; now

Therefore, be it resolved that CB#2, Man. recommends that, as a fair compromise, the applicant save and restore a portion of the sidewalk in order to preserve the crystal lights and iron grid for historic reference, and be allowed to use concrete for the rest of the sidewalk; and

Further, be it resolved that CB#2, Man. recommends approval for the work proposed for the Greene Street façade that would restore some of its lost elegance.

Vote: Unanimous, with 36 Board members in favor.

3. 150 Wooster Street (Houston) - SoHo Cast-Iron Historic District

Application is to legalize painting the facade and the installation of a storefront without LPC permits

Whereas, the proposed blade sign does not distract, and the paint removal and buffing of the brickwork will improve the appearance of the building; and

Whereas, although a couple of members preferred to see some sort of a base at the bottom of the glass door, most thought that that was not appropriate for a building that originally had a garage door without such a base; now

Therefore, be it resolved that CB#2, Man. recommends approval of this application.

Vote: Unanimous, with 36 Board members in favor.

4. 473 Broadway (Grand/Broome) - SoHo Cast-Iron Historic District

Application is to create a new window opening.

Whereas, the proposed window is not aligned with the other lot-line windows on the side, but, rather, is aligned with windows on the primary façade, which presents an out-of-kilter fenestration on the side wall; and

Whereas, the proposed window is highly visible, and too busy with too many panes, giving it the appearance of a stain-glass window. It makes no sense, even a picture window would have been more appropriate; now

Therefore, be it resolved that CB#2, Man. recommends denial of this application.

Vote: Unanimous, with 36 Board members in favor.

5. 8, 10, 12 Bond Street a/k/a 358-364 Lafayette Street - NoHo

Application is to amend the design of a previously-approved seven-story building.

Whereas, an almost identical application for this new building was already disapproved of by this community board last year; and

Whereas, the added canopy is not appropriate for NoHo. No member could think of another building in the neighborhood that ever had a canopy. Indeed the nearby Mercer Hotel in the adjacent SoHo Historic District does not have a canopy, and vintage photos of the old hotels on Broadway in these two adjacent historic

districts never show metal canopies. Metal canopies were used only in one or two industrial buildings to protect merchandise and workers from the rain; and

Whereas, the 2-foot setback is minimal and makes little difference; and

Whereas, we worry that the excavation may damage adjacent buildings; now

Therefore, be it resolved that CB#2, Man. realizes that this structure already has been approved by the Commission, but, nevertheless, we re-iterate our previous objections and recommend denial of this instant application, for this structure is yet another mid-century modern building thrown into a 19th century historic neighborhood.

Vote: Unanimous, with 36 Board members in favor.

6. 393-399 Lafayette Street, a/k/a 21-23 E. 4th Street, a/k/a De Vinne Press Building– Individual Landmark/NoHo Historic District Application is to install sidewalk lamp posts and legalize signage installed without LPC permits.

Whereas, we recognize the desire of business establishments to highlight their presence; and

Whereas, the illumination of the entire building that was approved at staff level certainly brings attention to this unique and treasured structure; and

Whereas, the upright lampposts suggested to the applicant by the LPC staff are attractive, however, the NoHo NY B.I.D. has already procured thirteen existing bishop’s crook lampposts with eight additional on the way. To maintain consistency the proposed lamppost should be a bishop’s crook design; and

Whereas, the proposed removal of some of the banners and plaques will enhance the appearance of the building; but

Whereas, modern, bright neon signage in the front window barely squeaks past the legal minimum requirement for interior lighting – that is, a minimum of 18” from the window pane; and

Whereas, there still remains an oversized, grandfathered banner at the entrance stairs to the second story business, which would unlikely be approved were it to come before us now; now

Therefore, be it resolved that CB#2, Man. recommends approval of the legalization of the signage if the applicant agrees to reduce the size of the oversized, grandfathered banner in front of the stairs.

Vote: Unanimous, with 36 Board members in favor.

7. 145 Perry Street a/k/a 711 Washington Street – Greenwich Village H.D. Revised design for a six - story building plus penthouse (Previously heard in October).

Whereas, first, we roundly applaud the applicant for the willingness demonstrated to listen to, and cooperate with, the neighbors and the community board by returning with an improved design that is a noticeable improvement over the original. This effort is noteworthy and should not be overlooked; and

Whereas, this design is an huge improvement over the first large massive building, its large mass now broken by the introduction of undulating bays which reflect buildings in the immediate area; and

Whereas, the lowering of the street wall by two feet is noted and appreciated, and the removal of windows looking onto the adjacent residential courtyard is a respectful response to the privacy concerns of neighbors; and

Whereas, the fenestration has been improved with more vertical motion; and

Whereas, the square footage has been reduced; and

Whereas, we appreciate the reduction in area of the “L” section of the original design in response to neighbors’ concern regarding loss of light to humans and plantings in the iconic Village courtyard that abuts; and

Whereas, the reduction in glass on the upper floors adds to the district, as well as providing privacy to hotel occupants and neighbors; and

Whereas, new materials, like terra cotta and added bricks, improve the design; and

Whereas, the pit quotes other buildings in the area, although some questioned the presence of trees in it; but

Whereas, many local residents and representatives of local elected officials appeared to complain about the height and bulk which they stated was out of scale with the area; and

Whereas, we believe that it would be better to add brick piers at the ground floor portion of the building in order to reduce the large amount of fenestration and the resulting powerful glass front; and

Whereas, although it is a ‘green’ building with a decent LEED rating, it effects negatively the green grandfathered courtyard on the north; and

Whereas, although the building may not contribute architecturally to the Village, it contributes to the diversity of massing which is fast disappearing with the removal of low-rise structures being replaced with tall buildings. This will result in a district composed not of low, medium and tall buildings as it was at time of designation, but, at some not-too-distant date, a district of primarily medium and tall buildings; now

Therefore, be it resolved that CB#2, Man. recommends maintaining the diversity of massing within the district by not eliminating the existing building; but

Further, be it resolved that if that proposition is not to be entertained by the Commission, then the height and massing of the building, which is currently being determined by its utilization of commercial zoning parameters, should be reduced to blend with other buildings that would be using a residential zoning FAR; and.

Further, be it resolved that we appreciate and approve of the fine work that the applicant did to redesign the initial presentation in order to satisfy community concerns.

Vote: Passed, with 32 Board members in favor, and 4 in opposition.

8. 685 Washington Street Greenwich Village H.D. Application is to demolish the building and construct a seven-story building with a two-story penthouse.

Whereas, this application is using every trick in the zoning resolution and building code to max out with the tallest and bulkiest building possible, with complete disregard to the low-rise character of this part of the historic district; and

Whereas, this building would make a fine addition to any proposed Forest Hill Historic District, which it seems to emulate; and

Whereas, the mass is too great for this corner; and

Whereas, the window proportions are all wrong, that is, they are squarish, and not the higher-than-wider proportion that characterizes Greenwich Village fenestration; and

Whereas, the limestone bonding is not historic to this district; and

Whereas, the band at the base lies curiously between two windows; and

Whereas, the fire balconies evoke hotel or condo balconies in West Palm Beach; now

Therefore, be it resolved that CB#2, Man. recommends that the applicant throw out this design, reflect on what characterizes Greenwich Village architecture, and come back afresh with a completely different design that respects the historic district, and, further, not exploit zoning and code subtexts to maximize profits at the expense of the historic district.

Vote: Unanimous, with 36 Board members in favor.

9. 13 W. 9th Street - 5th/6th – Greenwich Village H.D. Application is to excavate and redesign the rear yard.

Whereas, the proposed excavation is not likely to compromise any adjacent supporting structures; but

Whereas, the proposed wall is monotonous; now

Therefore, be it resolved that Community Board 2 recommends approval of the application to excavate the yard in order to give access to the basement and ground floor residents; and

Further, be it resolved that the wall separating the properties should retain some of the concrete but have a different treatment at the top and bottom in order to break the monotony of a monolithic concrete wall.

Vote: Unanimous, with 36 Board members in favor.

PARKS, RECREATION & OPEN SPACE

Response to a Proposed Design for Seravalli Playground Reconstruction

Whereas funds are available for renovation of Seravalli Playground; and

Whereas the CB-2 Parks Committee has held four open meetings, including to project scoping meetings attended by the Parks Department, and heard the views of many park users and neighbors; and

Whereas a proposal to include a dog run in the project has been subject of intense debate, with dozens of letters written and hundreds of signatures collected pro and con; and

Whereas the Parks Department presented a proposed design at a public meeting of the Parks Committee held on January 22, 2008; and

Whereas CB-2 recognizes the great importance of dog runs for our community and the appropriateness of dog runs as a park use but also recognizes the difficulty of placing this use within a playground in a residential area given concerns about noise and smell; and

Whereas people currently allow their dogs to run in the open area in the park and that this use can be positive in that it populates the park during otherwise underutilized periods; and

Whereas the design does not include a dog run; and

Whereas the proposed design is highly responsive to input from the public regarding the need to improve the appearance of the park including the lowering of towering fences and adding trees and other plantings; reconfiguring uses to separate the children's playground from the basketball courts and comfort station uses; and keeping a large open space for mixed use; and

Whereas the playground designer Chris Crowley attended the meeting and was receptive to the many comments about the design from Parks committee members and the public; and

Whereas the following were among the comments discussed by the committee:

1. A higher fence is needed to separate the sports area from the children's playground.
2. Shifting the oval to the west will allow this higher fence, increase space in the children's playground and add shaded areas for picnic tables under the existing trees, and create more waiting area space for the basketball courts.
3. If possible, the sidewalk on the Gansevoort Street side should be narrowed to make the park bigger, specifically to widen the full court basketball.
4. The garden sitting area and the planting area on the west side are desirable but should be smaller.
5. More information is requested about the planting plan, and there was a suggestion that ornamental grasses be included.
6. The basketball courts need more space for players to congregate comfortably.
7. Light colored asphalt block should be avoided because it quickly looks dirty.
8. The entrances that allow people to walk through the park from southwest to northeast should be retained,
9. More picnic tables should be added, including some within the children's playground.
10. The dome sounds like fun but it would be better if not stainless steel because it will get hot, but if no other material is available, it needs to be in a shaded area.
11. Use of permeable asphalt should be considered, if it is considered equally maintainable.
12. The third half-court basketball area should be kept in the area of the other courts, should include a standard height hoop but retain the smaller key area. An adjustable height basketball hoop should not be used.
13. There are more benches than needed in the sports area, and there is a need for one or more areas where there is unobstructed fence to be used as an informal backstop. (This would be suitably accomplished if the third half-court is moved per above.)
14. The basketball area needs a separate drinking fountain.

15. The children's playground needs more "running around" space, especially around the sprinkler, which should not have a fence next to it.
16. The entry area around the comfort station is desirable, but bigger than it needs to be.
17. 17. The fence on the south side of the children's playground should extend from the center of the comfort station building, at right angle to the building to the fence separating the park from the sidewalk. The acute angle where the playground fence meets the outer fence may be a good place for a bike rack.

THEREFORE IT IS RESOLVED that CB#2, Man. approves the direction of the design proposal and is appreciative that it very responsive to the expressed desires of the community; and

IT IS FURTHER RESOLVED that CB#2, Man. requests changes to the proposed design in accordance with the above comments; and

IT IS FURTHER RESOLVED that CB#2, Man. requests the Parks Department to consider a proposal to allow use of the sports area in the park as a place where people can let the dogs off leash during certain hours and under certain conditions, and discuss this further with CB-2.

Vote: Unanimous, with 35 Board members in favor.

SIDEWALKS, PUBLIC FACILITIES AND ACCESS

1. IL Commandatore Rest., d/b/a Casa Bella Rest., 127 Mulberry St., with 11 tables & 21 seats, DCA# 1189682. (Renewal App. for revocable consent to operate an Unenclosed sidewalk café)

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present or delivering of a written opinion, but the applicant's attorney, Michael Kelly was present, and,

Whereas, this sidewalk café is situated upon a platform approximately two feet high, the circumference of which is surrounded by a wall approximately four feet high and more than five inches wide, and a permanent cast iron fence has been placed to the outside of this wall, and

Whereas, the applicant's attorney is unaware of any existing New York City documentation that would allow either the platform or wall or fence, but believes that the Department of City Planning at one time allowed this platform because it was originally a loading dock, and

Whereas, this committee upon investigation of Department of Building documents has ascertained that the building was originally erected in 1903, but that the only Certificate of Occupancy of record was issued in 1989, which neither cites a loading dock, extension of property to the sidewalk, or any use other than ground floor C6, use, second floor dining room and office use and old law tenements above the second story, and

Whereas, the area of sidewalk remaining for pedestrian use is less than eight feet (8'), is occupied by large tent signs at the north and south, wider than two feet (2') and further obstructed by large terra cotta planters, and

Whereas, the plans submitted with this application do not reflect any of these conditions and do not represent the currently configured café, and,

Whereas, the chair of this committee personally visited this location, made inquiries and took photographs - attached in addenda to this resolution - of the irregularities here cited, and was shown no document indicating that the irregularities were approved or otherwise applicable to the regulations of unenclosed sidewalk cafés, and,

Whereas, this committee is requesting documentation from the Department of City Planning, under a FOIL request to produce any documentation of any approvable use of a former loading dock as part of the permanent property at Block 206, Lot 16 to be permanently attached to this or any other sidewalk café application,

THEREFORE BE IT RESOLVED THAT CB#2 MANHATTAN recommends denial for the Renewal Application for revocable consent to operate an Unenclosed Sidewalk Café to **IL Commandatore Rest., d/b/a Casa Bella Rest., 127 Mulberry St., with 11 tables & 21 seats, DCA# 1189682, unless:**

1. Either documentation of the platform is produced or the platform is removed
2. The wall, which extends into the permissible sidewalk area is removed and the cast iron permanent fence is removed.
3. The planters are removed
4. All signs placed on the permissible pedestrian right of way are removed.
5. New plans are submitted adequately representing the approvable configuration of this sidewalk café.

Vote: Passed, with 35 Board members in favor and 1 in opposition.

2. 567 Hudson St., Inc., 567 Hudson St. d/b/a/ White Horse Tavern, 567 Hudson St., with 24 tables & 48 seats, DCA# 0769952 (Renewal App. for revocable consent to operate an Unenclosed sidewalk café).

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present or delivering of a written opinion, but the applicant, Edward Brennan was present, and,

Whereas, this committee has visited this location and found that the DCA sign is appropriately displayed in the window and no other violations were visible, and

Whereas, the current sidewalk café license specifies 29 Tables and 86 Seats and plans submitted in 2003, and attached to this application, have not changed;

Therefore, be it resolved that CB#2, Man. **approves** the Renewal Application for revocable consent to operate an Unenclosed Sidewalk Café for **567 Hudson St., Inc., 567 Hudson St. d/b/a/ White Horse Tavern, 567 Hudson St., with 29 tables & 86 seats, DCA# 0769952** and instructs DCA to correct the application as amended herewith.

Vote: Passed, with 35 Board members in favor and 1 in opposition.

3. Cavallacci, Fabrizio, 119 Macdougall St. d/b/a/ Café Reggio, with 4 tables & 8 seats, DCA# 0782318 (Renewal App. for revocable consent to operate an Unenclosed sidewalk café)

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present or delivering of a written opinion, but the applicant's representative, Toby Buggiani, was present, and,

Whereas, the chair of this committee personally visited this location and took photographs - attached in addenda to this resolution - of the irregularities here cited, and,

Whereas, there are actually seven (7) Tables and 13 Seats presently occupying this sidewalk café, and

Whereas, the sidewalk area remaining for pedestrian right of way is seven feet, two inches (7'2"), and,

Whereas, there is no DCA sign visible, and,

Whereas, there is a gated and locked obstruction to the south service door to this sidewalk café, and

Whereas, Toby Buggiani, the owners representative, agreed to the following conditions,

Therefore, be it resolved that CB#2, Man. **recommends approval** for the Renewal Application for revocable consent to operate an Unenclosed Sidewalk Café for **Cavallacci, Fabrizio, 119 Macdougall St. d/b/a/ Café Reggio, with 4 tables & 8 seats, DCA# 0782318, conditional upon:**

1. Permanent removal of the extra three tables (3) and five seats (5)
2. Accommodation of an eight foot (8') pedestrian right of way
3. Placement of the DCA sign in the window, visible from the street
4. Unlocking of the gate and open access for the sidewalk café serving door at the south end of the café.

Vote: Passed, with 35 Board members in favor and 1 in opposition.

4. Caliente Tequila Grill, LLC, d/b/a Caliente Tequila Grill, LLC, 282 Bleecker St. a/k/a 59 7th Ave. So., with 10 tables & 30 seats, DCA# 1103068 (Renewal App. for revocable consent to operate an Unenclosed sidewalk café)

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present but several letters of support were produced for the committee and. the applicant, Howard Burke and the applicant's representative, Robert Bookman appeared before the committee, and,

Whereas, new plans showing no change in tables or chairs were presented and added to our files for this application, and,

Whereas, it was confirmed that this application applies to the southernmost Seventh Avenue address of this establishment and is not to be confused with another application for an additional 42 Tables and 86 Seats, for an address north of this location at the intersection of Bleecker St and Seventh Avenue,

Therefore, be it resolved that CB#2, Man. **recommends approval** for the Renewal Application for revocable consent to operate an Unenclosed Sidewalk Café for **Caliente Tequila Grill, LLC d/b/a Caliente Tequila Grill, LLC, 282 Bleecker St. a/k/a 59 7th Ave. So., With 10 tables & 30 seats, DCA# 1103068**

Vote: Unanimous - Maria Derr, Anne Hearn, Zella Jones, Chair, Phil Mouquinho, Rocio Sanz.

5. Twelfth Street Corp., 225 W. 12th St. , at the intersection of Greenwich Ave. and 12th St. d/b/a Village Den, with 7 tables & 14 seats, DCA# 1035310 (Renewal App. for revocable consent to operate an Unenclosed sidewalk café)

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present or delivering of a written opinion, but the applicant, John Lapsatis, was present, and,

Whereas, the chair of this committee personally visited this location and took photographs - attached in addenda to this resolution - of the irregularities here cited, and,

Whereas, the current configuration of tables and chairs does not comply with the plans attached to this application, and

Whereas, there large planters permanently affixed to the sidewalk that reduce the pedestrian right of way to less than seven feet (7') and 10 inches (10'') on the 12th St side, and

Whereas, there is less than four feet (4') eight inches (8'') clearance from the lamppost on the Greenwich Avenue side to the sidewalk installation on that side, and

Whereas, there is six feet (6') four inches (4'') clearance between the lamppost and the sidewalk café installation on the 12th Street side, and

Whereas, the owner has agreed to the following conditions,

Therefore, be it resolved that CB#2, Man. recommends approval for the Renewal Application for revocable consent to operate an Unenclosed Sidewalk Café for Twelfth Street Corp., 225 W. 12th St., at the intersection of Greenwich and 12th Avenues, d/b/a/ Village Den, with 7 tables & 14 seats, DCA# 1035310, conditional upon:

1. Repositioning the planter/barriers, without permanent attachment to the sidewalk, so that there is eight feet clearance for pedestrian right of way at all points on both 12th St and Greenwich Ave.
2. Submission of new plans that accurately represent the configuration and clearances of this unenclosed sidewalk café.

Vote: Passed, with 35 Board members in favor and 1 in opposition.

6. PMW, Inc., 62 Spring St. d/b/a/ Spring St. Natural, with 7 tables & 27 seats, DCA# 1193198 (Renewal App. for revocable consent to operate an Unenclosed sidewalk café)

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present or delivering of a written opinion, but the applicant, Rus Schoenholt, was present, and,

Whereas, the original plans show several planters, which are now large and remain when the sidewalk café is cleared, but lend themselves compatibly to the streetscape and do not encumber the legal pedestrian right of way, and

Whereas, the owner has agreed to apply to the Department of Transportation for revocable consent to legalize these tree planters,

Therefore, be it resolved that CB#2, Man. recommends approval for the Renewal Application for revocable consent to operate an Unenclosed Sidewalk Café for PMW, Inc., 62 Spring St. d/b/a/ Spring St. Natural, with 7 tables & 27 seats, DCA# 1193198, conditional upon:

1. The attachment of DOT consent for the tree planters as soon as practicable and before the next renewal application (2010) is submitted for CB#2 Manhattan approval.

Vote: Passed, with 35 Board members in favor and 1 in opposition.

7. Pee Wee & Tyson, Ltd, 242 Mott St. ,d/b/a/ Gitane, with 4 tables & 8 seats, DCA# 1011960 (Renewal App. for revocable consent to operate an Unenclosed sidewalk café)

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present or delivering of a written opinion, but the applicant's representatives, Vera Koopman and Emily Vacchiano, were present, and,

Whereas, there are no changes to existing plans or configurations, and

Whereas, the owners representative agreed to be vigilant regarding the crowds that gather waiting to be served, especially during the warmer months,

Therefore, be it resolved that CB#2, Man. recommends approval for the Renewal Application for revocable consent to operate an Unenclosed Sidewalk Café for Pee Wee & Tyson, Ltd, 242 Mott St. d/b/a/ Gitane, with 4 tables & 8 seats, DCA# 1011960

Vote: Passed, with 35 Board members in favor and 1 in opposition.

8. Red Lion Bleecker, Inc. d/b/a Red Lion, 151 Bleecker St., with 12 tables & 24 seats, DCA# 0981728 (Renewal App. for revocable consent to operate an Unenclosed sidewalk café)

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present or delivering of a written opinion, but the applicant's representative, Michael Kelly, was present, and,

Whereas, there are no current violations and no changes to the application, and

Whereas, the owners representative agreed to remind the applicant that no tables or chairs should be placed outside the legally approved area, particularly at the corner of Bleecker and Thompson St. in warmer months as has sometimes been observed by members of this committee,

Therefore, be it resolved that CB#2, Man. recommends approval for the Renewal Application for revocable consent to operate an Unenclosed Sidewalk Café for Red Lion Bleecker, Inc. d/b/a Red Lion, 151 Bleecker St., with 12 tables & 24 seats, DCA# 0981728.

Vote: Passed, with 35 Board members in favor and 1 in opposition.

9. IL Buco Corp., 47 Bond St. , with 2 tables & 12 seats, DCA# 1109238 (Renewal App. for revocable consent to operate an Unenclosed sidewalk café).

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present or delivering of a written opinion, but the applicant's representative, Otto Krupka, was present, and,

Whereas, the plans filed relate to a 2002 configuration and not those presented to the committee, and,

Whereas, the applicant agrees to submit to DCA the 2005 plans,

Therefore, be it resolved that CB#2, Man. recommends approval for the Renewal Application for revocable consent to operate an Unenclosed Sidewalk Café for IL Buco Corp., 47 Bond St., with 2 tables & 12 seats, DCA# 1109238.

Vote: Passed, with 35 Board members in favor and 1 in opposition.

10. Paulie Walnuts Corp., 237 Sullivan St., d/b/a The Pinch, with 6 tables & 12 seats, DCA# 1199346 (Renewal App. for revocable consent to operate an Unenclosed sidewalk café).

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present or delivering of a written opinion, but the applicant's representative, Michael Kelly, was present, and,

Whereas, the chair of this committee personally visited this location and took photographs - attached in addenda to this resolution - of the irregularities here cited, and,

Whereas, there is currently seven feet three inches (7'3") clearance for pedestrian right of way, and

Whereas, there is five feet clearance from a street sign and the south corner of the sidewalk café, and

Whereas, the owners representative agreed that the sidewalk café configuration would be brought into compliance regarding acceptable clearances for pedestrian right of way,

Therefore, be it resolved that CB#2, Man. **recommends approval** for the Renewal Application for revocable consent to operate an Unenclosed Sidewalk Café for **Paulie Walnuts Corp., 237 Sullivan St., d/b/a The Pinch, with 6 tables & 12 seats, DCA# 1199346, conditional upon:**

- 1 The repositioning of the sidewalk café barriers to accommodate eight foot (8') clearance for pedestrian right of way
2. The reconfiguration of the submitted plans to reflect accommodation of eight-foot (8') clearance from the street sign at the south corner of the café.

Vote: Passed, with 35 Board members in favor and 1 in opposition.

11. 611 Hudson St. Corp. d/b/a Kobma Thai, 611 Hudson St., with 10 tables & 30 seats, DCA# 0696545 (New App. for revocable consent to operate an Enclosed sidewalk café)

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present or delivering of a written opinion, but one of the new owners, Yu Zhi Yong, was present, and

Whereas, this enclosed sidewalk café has been operating under different ownership since 1972 and has operated continuously and in the same configuration since that time, and

Whereas, this application for a New revocable consent to operate an Enclosed sidewalk café reflects only a change of ownership,

Therefore, be it resolved that CB#2, Man. **recommends approval** for a New Application for revocable consent to operate an Enclosed sidewalk café for **611 Hudson St. Corp. d/b/a Kobma Thai, 611 Hudson St., with 10 tables & 30 seats, DCA# 0696545**

Vote: Passed, with 35 Board members in favor and 1 in opposition.

12 PQ 550 Hudson, Inc., 550 Hudson St. d/b/a/ Pain Quotidien, with 13 tables & 26 seats, DCA# 1274769 (New App. for revocable consent to operate an Unenclosed sidewalk café).

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present or delivering of a written opinion, but the applicant's representative, Michael Kelly, was present, and,

Whereas, this location has had a sidewalk café for more than 20 years without objection from the community, and,

Whereas, the owners of this establishment have corporate offices on Canal St. and operate several other successful locations in Lower Manhattan;

Therefore, be it resolved that CB#2, Man. **recommends approval** for a New Application for revocable consent to operate an Unenclosed sidewalk café for **PQ 550 Hudson, Inc., 550 Hudson St. d/b/a/ Pain Quotidien with 13 tables & 26 seats, DCA# 1274769.** (Photos of current location attached as an addendum to this new application.

Vote: Passed, with 35 Board members in favor and 1 in opposition.

SOCIAL SERVICES AND EDUCATION

Military Recruitment

Whereas Community Board Two supports conscientious decision-making by our youth regarding military service and;

Whereas the United laws and New York Department of Education policy does not allow recruiters from the Armed Forces from any other organization to utilize class time for recruitment, and;

Whereas parents **have the option to not permit military** recruiters to have their children's **contact information** but the "opt out" choice is not always publicized, **accessible, or straightforward**, and;

Whereas Borough President Stringer has studied military recruitment and reported on lapses in practice and policies that **are detailed** in his report *We want You(th)*.

Therefore be it resolved that CB#2, Man. commends Borough President Stringer for his work on this issue, and;

Be it further resolved that all parents of high school students in CB#2, Man. be informed of a simple way to keep their Children's confidential information private.

Vote: Unanimous, with 35 Board members in favor.

STREET ACTIVITY & FILM PERMITS

1. St. Anthony's Church (Multi-day), 3/7 - 12/28, West Houston St. between Thompson & MacDougal Sts.

Whereas, the applicant was represented by Maria Esposito; and

Whereas, this street fair consists of a small number of vendors lined on Houston Street outside the Church and the school; and

Whereas, the proceeds are donated to St. Anthony's Church for expenses serving seniors and youth of CB 2;

THEREFORE BE IT RESOLVED THAT CB #2 MANHATTAN supports the Street Permit for **St. Anthony's Church** (Multi-day), 3/7 - 12/28, West Houston St. between Thompson & MacDougal Sts.

Vote: Unanimous, with 36 Board members in favor.

2. Our Lady of Pompeii Church (multi day) 3/29 – 12/21, Bleecker Street bet. Carmine & Leroy Streets

Whereas, the applicant was represented by the pastor Father John Massari; and

Whereas, the street activity is limited to vendors selling crafts, no platforms to be used, no tents to be erected, no rides to be installed, no amplified music; and

Whereas, this "Flea Market" has been conducted for the last 7 years; and

Whereas, all proceeds go to the Church;

THEREFORE BE IT RESOLVED THAT CB#2, MAN. approves the Street Permit for **Our Lady of Pompeii Church** (multi day) 3/29 – 12/21, Bleecker Street bet. Carmine & Leroy Streets.

Vote: Unanimous, with 36 Board members in favor.

3. Cooke Center Academy (new), 4/26 MacDougal St. bet. Houston and King Sts.

Whereas, the applicant was represented by Mary Munsch before the committee, and

Whereas, they intend to occupy a short stretch of sidewalk on Mac Dougal street between Houston and King Streets Between 10a.m and 5 p.m. on a Saturday; and

Whereas, the school is for students with special needs and the event is to celebrate with their families the completion of the school year with no alcohol no rides no fund raising no amplified music; and

Whereas, the committee was assured that there would be guards posted at either end of the street to insure safety; and

THEREFORE BE IT RESOLVED THAT CB #2 MANHATTAN approves the Street Permit for **Cooke Center Academy** (new) 4/26 MacDougal St. bet. Houston and King Sts.

Vote: Unanimous, with 36 Board members in favor.

4. NYU, 5/14, (multi – block), Washington Sq. South bet. Mac Dougal & Washington Sq East; Greene St. Bet. W. 4th St. & Waverly Pl.; LaGuardia Pl. bet W. 3rd & Washington Sq. South.

Whereas, this street activity has been going on for over 10 years and has been named “Grad Alley”; and

Whereas, the applicant in response to noise complaints in the past has reduced the footprint of the event to accommodate the neighbors; and,

Whereas, the applicant will post fliers to inform the community of the event and the date; and

Whereas, the amplified music portion of the event will be located in the middle of the fair to lessen the impact on the community and the noise will be monitored by the 6th precinct;

THEREFORE BE IT RESOLVED THAT CB #2 MANHATTAN approves the Street Permit for NYU, 5/14, (multi – block), Washington Sq. South bet. Mac Dougal & Washington Sq. East; Greene St. Bet. W. 4th St. & Waverly Pl.; LaGuardia Pl. bet W. 3rd & Washington Sq. South.

Vote: Unanimous, with 36 Board members in favor.

5. Christopher St. Block and Merchants Assn., 5/17, (multi block), Christopher St. Bet. 7th Ave. South & Hudson Street

Whereas, the applicant was represented by Elaine Goldman; and

Whereas, the committee felt that the applicant was being self serving and causing an inconvenience to those who use the M8 Bus Line in that the line has to be re routed; and

Whereas, the committee offered to move the street fair farther west on Christopher where it would be able to take advantage of a wider street and accommodate more vendors and possibly result in a higher revenue as well as causing less disruption to a street (Christopher between 7th Ave. South along past Bedford Street and ending on Hudson Street) that is a narrow high traffic street leading to the subway and with a bus route on it; and

Whereas, the president of the Christopher St. Block and Merchants Assn. Elaine Goldman refused the offer and claimed she felt that it should stay where it is; and

Whereas, the committee felt that the \$6,000 in revenue that was raised did not justify the wanton disregard for the greater good of the community; and

THEREFORE BE IT RESOLVED THAT CB #2 MANHATTAN approves the Street Permit for Christopher St. Block and Merchants Assn., 5/17, (multi block), if it moves to Christopher St. Bet. Greenwich and West Sts.

Vote: Passed, with 28 Board members in favor, and 8 in opposition.

6. Bedford-Barrow-Commerce Block Association, 5/17 (multi-block), Bedford, Barrow & Commerce Sts. bet 7th Ave. South & Hudson St.

Whereas, applicant was represented by Kathryn Donaldson and

Whereas, this is a long held (33years) well run street fair; and

Whereas, the applicant provided the committee with a detailed list of charitable contributions for the last four years; and

Whereas, the applicant will provide a Port o San for the use of the public;

THEREFORE BE IT RESOLVED THAT CB #2, MAN. approves the Street Permit for **Bedford-Barrow-Commerce Block Association**, 5/17 (multi-block), Bedford, Barrow & Commerce Sts.

Vote: Passed, with 34 Board members in favor, and 1 recusal (K. Berger).

7. Figli Di San Gennaro, 9/11 – 9/21, (multi – block), Mulberry bet, Canal and Houston Sts. & Grand – Hester Sts. bet. Mott & Centre Sts.

Whereas, applicant was represented by Vivian Catanaccio; and

Whereas, this street fair has been on going for the last 80 years; and

Whereas, the committee was furnished with a breakdown of all the Charitable donations made and the costs associated with running the feast; and

Whereas, the applicant has removed all vendors who sell music and sell dart games north of Canal Street to Houston Street in response to noise complaints last year; and

Whereas, people from the community spoke against the closing of the streets, and complained of congestion, noise and a lack of police enforcement of the closing rules; and

Whereas, Mort Berkowitz, the promoter for the applicant, exchanged telephone numbers with a number of the neighbors who had complaints about the feast and agreed to work with them to solve their concerns; and

Whereas, the committee agreed to request that the 5th precinct do a better job of orientation with the Police Officers who are brought in from other parts of the city who are not aware of the rules and regulations that they have to enforce in the running and closing of the Feast;

THEREFORE BE IT RESOLVED THAT CB #2 MANHATTAN approves the Street Permit for Figli Di San Gennaro, 9/11 – 9/21, (multi – block), Mulberry bet, Canal and Houston Sts. & Grand – Hester Sts. bet. Mott & Centre Sts.

Vote: Unanimous, with 36 Board members in favor.

TRAFFIC AND TRANSPORTATION

1. Addressing NYC Dept. of Transportation (DOT) Proposed Design for Traffic Safety Improvements, including Bicycle Lanes, on Greenwich and Washington Sts.

WHEREAS, CB#2, Man. thanks the New York City Department of Transportation (DOT) for presenting its proposed design for traffic safety improvements, including bicycle lanes, on Greenwich and Washington Sts. between Canal and Gansevoort Sts., to provide information about the plan and an opportunity for community input; and

WHEREAS, the proposed plan includes the following recommendations:

Greenwich Street

- 5 ft wide bicycle lane, one 12 ft wide travel lane, 2 parking lanes, with striped buffers (size and use depending on street width) separating bikes from vehicular traffic
- Replacement of “Truck Loading/Unloading” and “No Standing” regulations with “Street Cleaning” regulations (adds 62 daytime parking spaces)
- Daylighting intersections (No Standing regulations) to improve visibility of pedestrians for left-turning vehicles (removes 14 parking spaces)

Washington Street

- 5 ft wide bicycle lane, one 12 ft wide travel lane, 2 parking lanes, with striped buffers (size and use depending on street width) separating bikes from vehicular traffic
- Replacement of “Truck Loading/Unloading” and “No Standing” regulations with “Street Cleaning” regulations (adds 32 daytime parking spaces)
- Daylighting intersections (No Standing regulations) to improve visibility of pedestrians for left-turning vehicles (removes 13 parking spaces)
- Removal of painted neckdowns; and

WHEREAS, the community has expressed concerns that parking on the superblocks (Spring St. to W. Houston St. on both Greenwich and Washington Sts.), particularly on Greenwich St. between Spring and Charlton Sts., would interfere with trailer trucks exiting loading bays (such as at UPS and Fedex), and that more heavy truck traffic will be generated by a proposed Washington/Spring St. sanitation garage, with concerns being voiced as well for the need to accommodate deliveries; and

WHEREAS, Washington St. heading south at Bank St. lacks any traffic control or east-west crosswalks at this intersection filled with heavy pedestrian activity from West Village Houses, Westbeth, the New School Drama School, the Bank St. Theater and other nearby generators, endangering people crossing the street; and

WHEREAS, there are a significant amount of right-hand turns from Washington St. to W. Houston St., particularly to access Route 9W and Pier 40, causing heavy traffic backups at this location; and

WHEREAS, the community opposes removal of the painted neckdowns on Washington St., reporting that these neckdowns, which walkers on the street are accustomed to rely upon and drivers on the street are accustomed to comply with, provide pedestrians there with secure havens and shortened street crossings as well as slowing down vehicular traffic, thereby enhancing pedestrian safety, and that drivers do not park in the neckdowns, what's more, DOT has not studied how these neckdowns are functioning; and

WHEREAS, DOT will do signal studies, and update CB#2, Man. on its findings, to determine if traffic lights are warranted at certain intersections, with some people favoring additional traffic signals, while others are concerned that more signals will speed up traffic as motor vehicles rush to catch the next successive light, and some request 4-way stop signs (e.g. at Barrow and Greenwich Sts.);

THEREFORE, BE IT RESOLVED that CB#2, Man. welcomes DOT's efforts in creating a new design for Washington and Greenwich Sts. that enhances pedestrian safety and includes traffic calming strategies and a bicycle lane, an approach CB2 requested over 10 years ago; and

BE IT FURTHER RESOLVED, that CB#2, Man. requests that DOT thoroughly study the Spring to W. Houston St. segments on both Greenwich and Washington Sts. and consider modifying the design and parking regulations that are proposed there, keeping in mind that parking needs to be restricted so that trucks have sufficient space to enter and exit the loading bays, that the current No Parking/No Standing regulations on Greenwich St. between Spring and Charlton Sts., with the most active bays, specifically should remain, and that prospects for bicycling safety in that busy area, packed with trucks and other heavy vehicular traffic, need to be further evaluated; and

BE IT FURTHER RESOLVED, that CB#2, Man. asks that DOT examine the possibility of using mini-meters at intervals on both Washington and Greenwich Sts. to accommodate commercial loading and unloading activities; and

BE IT FURTHER RESOLVED, that CB#2, Man. encourages DOT to look into the possibility of installing a stop sign on Washington St. at Bank St., to create an all way stop sign at that intersection, and also to consider putting an east-west crosswalk there; and

BE IT FURTHER RESOLVED that CB#2, Man. supports the striping in of a right-turn lane on Washington St. at W. Houston St.; and

BE IT FURTHER RESOLVED that CB#2, Man. urges DOT to retain and refurbish the current painted neckdowns along Washington St. to maintain continuing protection until permanent neckdowns can be constructed, and encourages DOT to consider options to define these neckdowns, increase their visibility and enhance them, such as planters (successfully used, e.g. in the 14 St./9th Ave. street bed public space), bollards, or concrete delineators (effective, e.g. in the city of Santa Monica, CA); and

BE IT FURTHER RESOLVED that CB#2, Man. looks forward to receiving an update of the proposed Greenwich/Washington Sts. plan from DOT, once additional studies are completed and refinements have been made, as well as to being updated on the traffic signal study and also learning of anticipated traffic enforcement measures.

Vote: Unanimous, with 35 Board members in favor.

2. Support of Changing Parking Regulations on W. 10th St., bet. 5th and 6th Aves., From Street Cleaning Regulations on Both Sides of the Street to "No Standing" on One Side of the Street and Street Cleaning Regulations on the Other Side

WHEREAS the New York City Department of Transportation (DOT) is gradually phasing out alternate day parking and substituting it with street cleaning regulations; and

WHEREAS street cleaning regulations have replaced the original alternate day parking regulations on W. 10th St. between 5th and 6th Aves., allowing parking on both sides of the street all except for an hour and a half each day; and

WHEREAS as a consequence of the new regulations, with no curb space open, delivery trucks must double-park, blocking the street and backing up traffic, resulting in heavy congestion and horn honking, and preventing the passage of fire trucks, ambulances and other emergency vehicles; and

WHEREAS DOT is no longer implementing alternate day regulations, preventing a return to the original parking rules, but has indicated that, in the event of a negative impact on the “Quality of Life,” it would consider “No Standing” on one side with “Street Cleaning” rules on the other side of the street;

THEREFORE BE IT RESOLVED that CB#2, Man. does not oppose changing parking regulations on W. 10th St. bet. 5th and 6th Aves., from street cleaning regulations on both sides of the street to No Standing except for trucks loading and unloading on one side of the street and Street Cleaning regulations on the other side.

Vote: This resolution was tabled.

3. Support of Changing Parking Regulations on MacDougal St. bet. Bleecker and W. Houston Sts. From Street Cleaning Regulations on Both Sides of the Street to “No Standing” on One Side of the Street and Street Cleaning Regulations on the Other Side

WHEREAS the New York City Department of Transportation (DOT) is gradually phasing out alternate day parking and substituting it with street cleaning regulations; and

WHEREAS street cleaning regulations have replaced the original alternate day parking regulations on MacDougal St. between Bleecker and W. Houston Sts., allowing parking on both sides of this already narrow street all except for an hour and a half each day; and

WHEREAS complaints have been received indicating that as a consequence of the new regulations, with no curb space open, delivery trucks must double-park, blocking the street and backing up traffic for blocks, resulting in exceptionally heavy congestion and horn honking, and preventing the passage of fire trucks, ambulances and other emergency vehicles; and

WHEREAS the New York City Police Department 6th Precinct has issued a Traffic Intelligence Report (see attached) indicating that McDougal St. between Bleecker and W. Houston Sts. is “hazardous due to overcrowding of vehicles and small street width,” and “Emergency vehicles cannot turn and have no place to park or maneuver...due to lack of adequate parking for necessary commercial vehicles loading and unloading” with a recommendation for No Parking or No Standing regulations on the west side of the street (see attached report); and

WHEREAS DOT has indicated that, in the event of a negative impact on the “Quality of Life,” it would consider “No Standing” on one side with “Street Cleaning” rules on the other side of the street;

THEREFORE BE IT RESOLVED that CB#2, Man. requests that parking regulations on McDougal St. between Bleecker and W. Houston Sts. be changed from street cleaning regulations on both sides of the street to No Standing 8am-6pm except for trucks loading and unloading on the west side of the street and Street Cleaning regulations on the other side.

Vote: Passed, 24 Board members in favor, 10 in opposition and 2 abstentions.

4. Request for an Additional Crosswalk and a Study to Determine Solutions to Address Traffic Light Timing and Hazardous Pedestrian Crossing Conditions at Wooster and Canal Sts.

WHEREAS southbound Wooster St. ends at a T-intersection at Canal St. with only a single pedestrian crosswalk spanning Canal St. there, on the west side of the intersection, and with no southbound through-street across Canal for several blocks to the east and west; and

WHEREAS current traffic signal timing is such that there's a red light at W. Broadway while the light is green at Wooster St., thus, traffic westbound on Canal St. backs up, blocking the Wooster St. intersection and causing vehicular disorder that endangers and hinders pedestrians as they try to cross Canal St. and leads to needless horn honking; and

WHEREAS eastbound drivers on Canal St. fail to notice or simply ignore the traffic light at dead-ending Wooster, speeding through the crosswalk there to make the green cycle at the Church St. traffic light, while pedestrians attempting to cross Canal St. are blocked from view by the stopped westbound traffic, further jeopardizing pedestrian safety and access;

THEREFORE BE IT RESOLVED that CB#2, Man. requests that the New York City Department of Transportation (DOT) add a high visibility crosswalk on the east side of Wooster St.; and

BE IT FURTHER RESOLVED that CB#2, Man. asks DOT to conduct a study of traffic signal synchronization and the hazardous conditions on Canal St. from West Broadway to Church St. (and further west and east, if necessary), examining a range of solutions to mitigate traffic speed and congestion and improve pedestrian safety and access, including changes in signal light timing, installing traffic light filters (e.g. eastbound on Church St.), and employing Leading Pedestrian Indicators.

BE IT FURTHER RESOLVED that CB#2, Man. requests that, at the completion of this study, DOT report its findings and recommendations to CB2.

Vote: Unanimous, with 35 Board members in favor

5. Support Of Replacing Single-Space Parking Meters With Muni-Meters On 14th St. Bet. 4th And 9th Aves.

WHEREAS 14th St. bet. 4th and 9th Aves. is inundated with vehicular traffic, including heavy truck use and double-parked commercial deliveries, crosstown buses, ambulances and other emergency vehicles, creating severe congestion that hinders vehicular passage as well as pedestrian access and safety; and

WHEREAS muni-meters provide more parking than the single-space meters that currently exist on 14th St., thereby freeing up curb space to avoid double-parking, and use much less sidewalk space than single-space meters, thus providing more room for pedestrians, and

WHEREAS muni-meters for commercial parking with specific time limits and related charges have been used successfully on several Manhattan crosstown streets similar to 14th St, including 23rd St., and

WHEREAS the Union Square Partnership has requested that muni-meters be installed on 14th St., within their Business Improvement District;

THEREFORE BE IT RESOLVED that Community Board No. 2 Manhattan (CB2) requests that muni-meters for both commercial and non-commercial parking, as applicable, be installed on 14th St. bet. 4th and 9th Aves., replacing the current single-space parking meters; and

BE IT FURTHER RESOLVED that CB2 requests that the New York City Department of Transportation conduct a study to ascertain where to locate these muni-meters on 14th St. for commercial parking and for non-commercial parking, as well as to determine appropriate time limit regulations and charges, and present the results to CB2.

Vote: Unanimous, with 35 Board members in favor

6. Support of Greater Gansevoort Urban Improvement Project Proposed Changes in the Gansevoort Market neighborhood

WHEREAS in July 2007 Community Board 2 Manhattan (CB2) unanimously approved a design concept to improve pedestrian and traffic conditions in the Gansevoort Market neighborhood, proposed by the Greater Gansevoort Urban Improvement Project (GGUIP) , developed with the aid of two consulting firms, the Sam Schwartz Company and the Regional Plan Association and based on feedback from residents, business leaders and property owners at two public meetings, each attended by over 100 people, surveys collected from over 50 people, and a design workshop attended by 75 people, along with data from traffic counts and engineering analyses; and

WHEREAS this concept was presented in July 2007 to the NYC Departments of Transportation (DOT) and of City Planning (DCP), who responded indicating their interest in considering a Spring 2008 temporary implementation of many of the elements put forward in the proposal; and

WHEREAS GGUIP and their consultants met with DOT and DCP in October 2007 to outline parameters for specific recommendations which were presented to community members at an open house on November 28, 2007 and led to a series of requests, based on the feedback there, to improve pedestrian safety, reduce congestion and create public space in Gansevoort Market that have now been proposed to CB2;

THEREFORE BE IT RESOLVED that CB 2 asks DOT to study the feasibility of implementing the proposed changes, as follows, and to report its findings to CB2 as soon as possible:

- Create a public space in Gansevoort Plaza, attached to the northern curb
- Create auxiliary public spaces along the curb lines of 9th Ave. between Gansevoort and 14th Sts.
- Use industrial-styled elements to define these new public spaces, such as concrete bollards and metal planters
- Remove east-bound traffic on Gansevoort St. between 9th Ave, and Hudson St.
- Create a pedestrian priority zone by reducing speed limits from 35 mph to 15 mph on Gansevoort, Little West 12th and 13th Sts. between Hudson St. and 10th Ave, and on 9th and 10th Aves. and Washington St. between Gansevoort and 14th Sts.

- Install traffic signals on Washington St., at the 14th and Gansevoort St. intersections
- Install all-way stop signs on Washington St., at 13th and Little West 12th Sts.
- Designate both Washington St. and 10th Ave. as two-way between 14th and Gansevoort Sts.
- Reverse 13th St. between Hudson St. and 9th Ave.
- Eliminate left turns from Washington St. onto Horatio St. between 9 pm and 7 am
- Install a rumble strip across the western end of 14th St. at the entrance from the West Side Highway; and

BE IT FURTHER RESOLVED that CB#2, Man. requests the following proposed bus stop changes: Move the M11 stop from 9th Ave. between 13th and Little West 12th Sts., to 14th St. west of 9th Ave. Move the M14A stop from Hudson St. between 13th and Little West 12th Sts., to Hudson St. between 14th and 13th Sts.; and

BE IT FURTHER RESOLVED that CB#2, Man. requests that DOT monitor activity in response to these changes and work with the NYC Police Department to provide enforcement on a regular basis, especially on weekend nights between 11 pm and 4 am, to ensure compliance where necessary.

Note: Passed, with 35 Board members in favor and 1 recusal (Jo Hamilton).

7. Support of Proposed Parking Regulations Changes in Conjunction with Greater Gansevoort Urban Improvement Project Proposed Changes in the Gansevoort Market neighborhood

WHEREAS CB#2, Man. has requested that the NYC Department of Transportation (DOT) study the feasibility of implementing a series of changes proposed by the Greater Gansevoort Urban Improvement Project to improve pedestrian safety, reduce congestion and create public space in the Gansevoort Market neighborhood; and

WHEREAS the success of the requested changes will be greatly enhanced with modifications to the current, but outdated, Meat Market parking regulations; and

WHEREAS DOT has begun a Performance Parking Pilot Project, that uses Muni meters charging market rates for parking that reduce traffic, double parking and cruising, and thereby create a more conducive business environment;

THEREFORE BE IT RESOLVED that CB#2, Man. asks DOT to study the following proposed changes in parking regulations in the Gansevoort Market neighborhood:

1. Permissible Loading Zone for Standard Hotel on Washington St., west side, south of 13th St.
2. Taxi Stand, 13th St., south side, 100' west from Washington St.
3. Commercial loading/unloading Mon-Fri.7 am–4 pm, and No Standing at the other times, with allowance for street cleaning, at the following locations:
 - Gansevoort St., east of Hudson St. to Gansevoort plaza, north side
 - Gansevoort St., b/w 9th Ave. and Washington St., north side
 - Little West 12th St., b/w 9th Ave. and Washington St., north side
 - 13th Street, b/w Hudson and Ninth Avenue, south side
 - 13th Street, b/w Ninth Avenue and Washington, north side
 - 13th St., from 100' west of Washington to 10th Ave., south side

- Washington St., from Gansevoort to 14th St., east side
 - Washington St., west side, from Standard Hotel Loading Zone south of 13th St. to Little West 12th St.
 - Washington St., from 14th to 13th St. , west side
 - 9th Ave., b/w Little West 12th and 14th Sts. , both sides
4. Commercial loading/unloading Mon.-Fri. 7 am–4 pm, with allowance for street cleaning, at the following locations:
- Gansevoort St., b/w Hudson and Washington Sts., south side
 - Little West 12th St., b/w 9th Ave. and Washington St., south side
 - 13th St., b/w 9th Ave. and Washington St., south side
 - 13th St., b/w Washington St. and 10th Ave., north side
 - 13th St., b/w Hudson St. and 9th Ave., north side
 - 14th St., b/w 9th and 10th Aves., both sides

BE IT FURTHER RESOLVED that CB#2, Man. requests that the Gansevoort Market neighborhood be included in DOT’s Performance Parking Pilot Project, with the above parking regulations changes being supported by Muni meters set at a rate to maintain a 15% curbside vacancy; and

BE IT FURTHER RESOLVED that CB#2, Man. requests that the revenues generated by the proposed Muni meters be returned to the neighborhood for streetscape improvements and maintenance.

Vote: Passed, with 35 Board members in favor and 1 recusal (Jo Hamilton).

WATERFRONT

Pier 40

WHEREAS, CB#2, Man., along with Community Board 1 and the Hudson River Park Advisory Council, have previously adopted resolutions calling for the rejection of the Related Corporation and the Camp Group’s proposals to develop Pier 40; and

WHEREAS, since those resolutions were passed three developments occurred: Related and Camp Group revised their proposals and the Pier 40 Partnership, a local group of activists produced a feasibility study which concludes that Pier 40 can be developed, as a public space, through creation of a non-profit entity which could develop plans, fundraise private donations, and borrow money through a tax-free bond mechanism; and

WHEREAS, the Pier 40 Working Group, and advisory body consisting of the Advisory Council, CB1, CB2, CB4, Congressman Nadler, Senators Connor and Duane, Assembly members Glick and Gottfried, West Village Houses, the Federation to Preserve the Greenwich Village Waterfront, the Downtown Soccer League, the Downtown Little Leagues, the Greenwich Village Little League, the Downtown United Soccer Club, and Friends of Hudson River Park, has thoroughly studied the revised developer’s proposals and the Pier 40 Partnership Feasibility Study, and has issued a Supplemental Recommendation to the Hudson River Park Trust, a copy of which is annexed; and

WHEREAS, the CB#2, Man. Waterfront Committee held a public hearing addressed to the Working Group Recommendation on January 16, 2008; and

WHEREAS, it is the view of CB#2, Man. that the designation of Related would be not only destructive to the fabric of the West Village and Lower West Side, it would bear no relationship to rational urban planning; it is not near public transit; it would cause additional traffic in one of the City's most highly polluted areas in an era where we are supposed to be looking to reduce congestion; it would bear no relationship to the park to the north and south of Pier 40 and would require youth athletics to occur in an intensely developed entertainment complex;

All it would promote in the Pier 40 vicinity would be more high-intensity uses, like hotels; only two years ago, the City landmarked large swaths of the West Village and changed the zoning to preserve its low-scale residential context; the Related project cannot be seen as consistent with this; and

WHEREAS, although the Camp Group proposal presents uses which are fare more compatible with the community's desires, there are serious objections to its proposal for a \$1,000-per-week day camp and its proposal does put pier development in the hands of a private developer; and

WHEREAS, CB#2, Man. would prefer that development of the Pier either be done directly by the Trust, and, if not, by a non-profit entity accountable to the community; and

WHEREAS, the work of the PIER 40 Partnership and the Pier 40 Working group has helped crystalize and galvanize our community's dreams and hopes for Pier 40;

Therefore, be it resolved that CB#2, Man. endorses the Pier 40 Working Group's supplemental recommendations to the Hudson River Park Trust Board, to wit:

- a. The Trust should terminate the current RFP process on January 31st without designating a developer; and
- b. The Trust should authorize its staff to begin a new process whereby a nonprofit entity, independent of but responsible to the Trust and accountable to the surrounding community, would be created or selected to supervise, plan, and obtain financing for needed repairs and redevelopment;

Be it further resolved, that CB#2, Man. urges the Trust to pursue, as one of the options on the Pier, the construction of a middle school or high school, to address the educational needs of the CB2 community

Vote: Passed, with 35 Board members in favor and 1 recusal (Tobi Bergman).

Background

The Pier 40 Working Group was created by the Hudson River Park Trust Advisory Council to assist the Hudson River Park Trust in evaluating responses to a Request for Proposals for Pier 40 issued by the Trust in August, 2006. The Working Group is composed of representatives of Community Boards 1, 2, and 4; Congressman Jerrold Nadler, State Senators Thomas Duane and Martin Connor, Assembly Members Deborah J. Glick and Richard Gottfried, City Council Members Christine C. Quinn and Alan Gerson (all elected officials whose districts include portions of Hudson River Park); youth sports leagues serving Chelsea, the Village, Soho, and Tribeca; and representatives of Friends of Hudson River Park, West Village Houses, and the Federation to Preserve the Greenwich Village Waterfront.

Our Prior Recommendations

In July, 2007, the Working Group issued a near unanimous recommendation expressing a view that neither of the two proposals that the Trust received, one from Camp Group and one from Related, was acceptable, and that neither developer should be designated to develop Pier 40. We also expressed disapproval of developing Pier 40 as part of a single, privately financed development project, and asserted a belief that the imperatives of such a private project would not “result in the creation of a park on Pier 40 which was consonant with the needs of the Lower West Side, the best interests of Hudson River Park, and the future of New York City.” Finally, we expressed a view that Pier 40 would ultimately provide more income for the park if it were renovated and run by an entity other than a private developer.

In reaching that conclusion, we expressed a view that the Trust should:

Study an incremental approach to development of the Pier, which we described as “repair of the Pier, improvement of existing uses, and expansion of public uses into the approximately 40 percent of the Pier that presently goes unused.”

Study both the short and longer term repairs needed at the Pier and their potential impact on Pier revenue, so that the Trust, the community, and the government would have a clear picture of the relative cost and urgency of those needs.

Explore the potential to develop a plan that, among other things, “would bring private donations into play to grow Pier 40 along the lines it has grown over the past several years.”

In addition, in consultation with the local community boards, we presented a program of what we believed were optimal community oriented uses of the Pier, including maintenance of the central field space, low-cost space for performing and visual artists, space that could be utilized to meet the needs of gay, lesbian, and transgender youth, space for indoor athletic activity, a playground, unprogrammed outdoor space, a dog run, and community boating facilities.

Post Recommendation Developments

On October 12, 2007, three representatives of the Working Group and CB2 Chair Brad Hoylman met with the new Trust Chair, Diana Taylor. After discussion the Chair agreed that the Trust would delay its decision on Pier 40 development until January 31 and would work with the recently formed Pier 40 Partnership, which had proposed to do a Feasibility Study on an alternative approach to Pier 40 which would accomplish much of what the Working Group had recommended. The Trust gave the Partnership until December 17 to complete the study. The Working Group was also asked by the Trust Chair to continue to work with Related Companies and Camp Group to help them re-craft their proposals to be more responsive to community concerns.

The Working Group has met with Related, the Camp Group and with the Pier 40 Partnership and reviewed presentations from all three, including revised presentations from Camp Group and Related. The following are our findings:

1. Neither Related or CampGroup Has Committed to a 30-Year Lease. The Hudson River Park Act does not allow the Trust to enter into any lease which exceeds thirty years. Neither Related nor Camp Group has firmly expressed a firm commitment that it can make its proposal work within that 30 year limitation. Our state legislators have stated that they will not support a legislative change to the Hudson River Park Act to allow for a 49-year lease period at Pier 40. When we asked Related whether it could make the numbers work if it had a 30-year lease rather than the 49-year lease it has built its proposal around, its representative stated that they were still studying the numbers. Since Related has known of the 30-year requirement since August 2006 and Trust staff have informed us they have advised the both developers that a 49-year lease is highly improbable, we found this answer to be disingenuous. Camp Group has similarly failed to present us with a viable plan with a 30-year lease scenario. Without a firm, viable commitment to a 30-year lease from either developer, and given the state legislators' unwillingness to make the change necessary to allow a 49-year lease, we believe neither proposal is feasible.

2. Related's Proposal Has Too Many Drawbacks. Despite some programmatic changes and a reframing into a more park-friendly proposal, Related's plan remains one for a mega-entertainment center with athletic fields on the roof.

Uses Are Too Intense. Related suggested to us recently that it *may* be able to replace the 1,800 seat music hall with a museum, reducing night-time use and peak-time traffic impacts. In addition to not committing to this change, they did not offer a firm expression of interest from a particular museum and suggested they might just install a platform for a museum to be determined later. Aside from this uncertainty, they did not discuss how they would compensate for lost revenue from the music hall. While a museum is a far more appropriate park use than a music hall, the remaining night time uses including Cirque du Soleil, a huge banquet hall, 12 movie theaters, and several large restaurants, are still too intense, and the impacts on West Street traffic and bike lane crossings remain untenable. Furthermore, we continue to doubt the viability of the movie theaters and expensive restaurants in an isolated area far from a subway, particularly during cold winter months. Finally, these changes do not lower the disconcertingly high number of visitors expected, which would be, by Related's own estimates, 2.7 million or more per year.

Ballfields on the Roof Remain Problematic. Related improved its recreational offerings, proposing to install a bubble to provide free indoor basketball courts, but serious issues remain. While there has been the addition of unprogrammed open space, the plan does not seem to offer a change in total playing field availability. Related's proposal still removes the unique and beloved courtyard field, which is described as "magical" not only by the community, but also by one of Related's own representatives to the workgroup. Finally, despite changes made by Related, there remain substantial problems with Related's proposed placement of the fields. Related's answer to the wind problems created by a rooftop field -- the building of ivy-covered screens -- is based on area wind studies, and seems to defy years of experience of wind exposure on the Pier 40 roof. There also has not been an adequate response to the concerns about the intense heat experienced on the existing rooftop field.

Traffic and Bike Lane Crossings Remain Problematic. Apparently in response to criticisms of the mall-like atmosphere of its plan and recognition of the need to mitigate traffic created by a West Street drop-off, Related suggested an alternative plan extending West Houston Street to a cul de sac at the west end of the Pier. However, this alternative plan would not actually reduce the number of vehicle crossings of the bike lane and esplanade, nor ease traffic on West Street; it would simply bring more vehicles onto the Pier. In addition, the plan continues to have a high percentage of parking spaces reserved for short-term parking, meaning more turnover and more vehicles coming on and off of the Pier, and fewer long-term spaces which meet community needs and minimize disruptive crossings into the park.

Park Space Is Sorely Needed, Not Additional Entertainment Venues. Related's original plan openly boasted of the high intensity of the proposed Pier environment and the tourist attractions. Though no longer presented this way, this plan still represents an intensely developed tourist-dominated entertainment mall. It is not a plan for a park, or even a commercial amenity to a park. Children and adults should not be left to

recreate in the midst of an entertainment center. Community Boards 1, 2 and 4 are among the community boards with the least park space of any CB in the entire city, but contain substantial concentrations of entertainment and tourist attractions.

The Related Plan Would Cause Delays. As previously noted, local legislators are opposed to a legislative change to lengthen the allowable lease term at Pier 40, leading to significant delays if such a change is sought. Assuming such a change will not ultimately be made, there could be further delays as Related tries to rework its proposal to fit within a 30-year lease. We fear that these combined factors could delay the development of the Pier for years, preventing the needed infrastructure repairs from being addressed in a timely manner, and imperiling both current uses and income from the Pier. The route forward explored by the Pier 40 Partnership could result in far more rapid fundraising for the Pier's immediate needs and result in a far swifter development scenario.

3. Camp Group - Viability Remains in Question. As we discussed above, Camp Group has not presented a viable 30-year lease proposal, or even a viable 49-year proposal. We believe Camp Group's refined program is more appropriate, as it includes less "pay-for-play" and offers more free youth use of fields. Additionally, they have also offered to reduce the size of their day camps, however the proposal continues to depend on the success of this component. For-profit day camps for at least 600 children charging \$1,000 per week are questionable in terms of viability and desirability. Finally, although Camp Group has told us that their financing will no longer rely on \$8 million in government grants, we have not yet seen how this \$8 million gap would be filled. Overall, we believe that the Trust can achieve many of the laudable goals of the Camp Group proposal by adopting the approach suggested by the Partnership.

4. Potential Improvements After Designation Are Not Certain. In our past experience, there are few opportunities for qualitative improvement through negotiations once a developer has received preliminary designation. Although such negotiations may offer some limited chances for improvement, developers also gain leverage after designation. Furthermore, the developer is likely to have opportunities to change uses and users even after a contract is signed, potentially resulting in replacement uses which are less attractive, as happened famously at South Street Seaport.

5. The Pier 40 Partnership/HR&A Study Presents a Feasible Alternative Path. Fortunately, rejection of the two proposals leaves the Trust with a way forward. The Pier 40 Partnership Report, produced by HR&A provides an alternative for the Trust. Using numbers provided by Trust staff, HR&A presents a form of public development that can expedite work on the Pier's infrastructure, increase the revenues to the Trust from the Pier, and provide funding for long term maintenance of the Pier, all while supporting uses which are in concert with expressed community needs. While there are questions raised in the HR&A report that remain to be answered, we believe the concept proposed puts the future of the Pier on a more secure footing than either of the current RFP responses. And, the approach has broad community support, unlike the current RFP responses.

a. Capital Repairs Are Addressed. While our initial Recommendation suggested the possibility of incremental repairs to the Pier, the full assessment of the Pier's capital needs presented in the Partnership study found that capital needs were best and most cost-effectively dealt with up front. The Partnership's study shows that making all repairs up front is financially feasible. We were also impressed that, the study adopted a conservative approach to the repairs, providing reassurance that sufficient funding to cover even the most extensive repairs is possible under a public development scenario.

b. Uses Reflect Needs of Community. We were impressed that the uses assessed in the HR&A report were those most often expressed by the adjacent community. It shows that low-impact, community-friendly, and park-compatible development of Pier 40 is viable.

c. Revenues To The Trust Could Increase. We were impressed with the study's conclusion that with the occurrence of likely development scenarios, the Trust's revenue from Pier 40 could be far greater than \$5 million per year. Costs were kept low by re-using, upgrading, and modernizing the existing structure, an approach that is environmentally sound, rather than demolishing and rebuilding. Much of the

investment does not require a high rate of return on private equity, and the tax-free borrowing offers opportunities for lower costs of capital. Furthermore, the Partnership laid out a financing plan that does not require public funding, something we proposed in our initial report.

d. Works within Framework of a 30-Year Lease. We were impressed with the fact that HR&A's report found a feasible plan that worked within the statutory requirement of a 30-year lease.

e. Approach Opens Up Possibility of Substantial Donations. The study's positive assessment of the creation of a Trust-responsive and public-responsive (yet independent), non-profit entity to spearhead the redevelopment, opens up both the possibilities of low-interest borrowing and expanding the potential for private fund raising. The Partnership continues to promise to raise \$30 million.

We understand that the Trust Board needs to make fiscally responsible decisions and to feel confident that this money will be available if this alternative development scenario is explored. While we believe that the promises it makes are reasonably viable, we are hopeful that the Partnership and Hudson River Park Trust will find creative ways to assure the Trust that these funds will be readily available.

f. The Partnership Will Cover Startup Costs and Be Trust and Community Responsive. The approach recommended in the Feasibility Study is an approach which unites community desires with the funding needs of the Trust and the realities of pier rebuilding costs, and the serious challenge this effort represents. In less than two months, the Partnership and HR&A met with an extraordinary number of people and crafted a document that provides the outline for a feasible alternative development scenario. Further, the Partnership was able to easily raise \$120,000 in donations to accomplish the HR&A study and has committed to paying for all the professional services required to create the proposed non-profit entity, launching the capital campaign, obtaining the IDA bonds, marketing the subleases, and beginning work on the project design and master planning. They have also pledged to work with the Trust, the community, and its elected officials on this effort and to create a governing structure for the non-profit entity which would assure its responsiveness to the surrounding community.

g. A Chance to Unite the Trust and the Community. The course proposed by the Pier 40 Partnership represents an opportunity for a sea change, moving the Pier 40 project from controversy to unity of purpose between the Trust, the community, and all the local elected officials. It is a visionary approach similar to the creation of the Central Park Conservancy, embraced by the City at a time when saving Central Park seemed an impossibly huge task. In only five weeks, the Partnership and its consultant found several new potential users with the ability to assist with development costs and pay rent. And they did this within the limitations created by the RFP process, which prevented them from negotiating with potential users. We believe that it creates far more potential support for the project from the community boards and elected officials, and, if that result unfolds, interest in this project on the part of potential tenants will be much greater than interest in the current and previous RFPs.

h. Tax-Free Bonds Are Appropriate. While the Working Group is not equipped to evaluate the feasibility of the Partnership's financing proposal, and in particular, the availability of IDA or other tax-free bonds, we believe that this project is the kind of important public need for which tax-free financing should be considered most appropriate.

i. The New Process Can Be Launched Immediately. We see no impediment to the Trust rejecting the Camp Group and Related proposals, terminating the RFP on January 31, and authorizing the Trust staff to work with all concerned to launch a new process immediately. The current optimistic and supportive environment in the community and among elected representatives provides a rare opportunity to craft the right kind of non-profit entity to redevelop and manage the Pier, combining the independence needed to raise funds, issue bonds, and market the space, with the public oversight needed to guarantee the best results for the Trust, the park users, the community, and the City and State of New York.

Recommendation

Based on these findings, the Working Group makes the following recommendation to the Trust Board:

a. The Trust should terminate the current RFP process on January 31st without designating a developer.

b. The Trust should authorize its staff to begin a new process whereby a nonprofit entity, independent of but responsible to the Trust and accountable to the surrounding community, would be created or selected to supervise, plan, and obtain financing for needed repairs and redevelopment.

Closing Points

We thank the Trust's staff for their openness and their cooperation with the Working Group, the elected officials, the Pier 40 Partnership, HR&A staff and advisors, Related, and the Camp Group. They showed a commitment to working with the community and assuring that the effort undertaken by all was meaningful.

As elected officials, community board representatives and other community leaders, we hope to continue this work together to realize a community-friendly and park-friendly development of Pier 40 that was outlined in the Partnership's report.

We believe that by acting as recommended, the Trust Board will be making the most prudent choice it can make, as fiduciaries, for the future of the Trust, the park, and the Pier. We look forward to working with the Trust Chair, the Board, the Staff and local elected officials in seeing this through.

The Pier 40 Working Group consists of representatives of the Hudson River Park Trust Advisory Council (Arthur Z. Schwartz and Marc Ameruso), Community Board 1 (Peter Braus and Bob Townley), Community Board 2 (James Solomon), Community Board 4 (Carmen Matias), Congressman Jerrold Nadler, Senators Tom Duane and Martin Connor, Assembly Members Deborah Glick and Richard Gottfried, City Council Members Christine C. Quinn and Alan Gerson, the youth baseball and soccer leagues of Chelsea, the Village, Soho, and Tribeca (represented by Marc Costello and Al Ferrer), and representatives of Friends of Hudson River Park (Ben Korman), West Village Houses (Katy Bordonaro), and the Federation to Preserve the Greenwich Village Waterfront (Carol Feinman).

This report and recommendation represents the near unanimous view of the Pier 40 Working Group but not necessarily the view of each Pier 40 Working Group member.

ZONING AND HOUSING

40-42 Charlton Street (Block 506, Lots 11, 12) Board of Standards and Appeals variance application on behalf of Little Red School House and Elisabeth Irwin High School pursuant to Section 72-21. LREI proposes to convert and enlarge a three-story vacant brownstone ("42 Charlton") as well as enlarging the High School building. The proposed expansion does not comply with underlying R6 district bulk regulations, and requires modifications of applicable rear yard and lot coverage requirements.

WHEREAS; Little Red School House / Elisabeth Irwin High School has a long history of providing an outstanding education and has maintained a reputation as a good neighbor, And,

WHEREAS; The applicant has made every effort to minimize this enlargement and still meet the educational needs of the school, And

WHEREAS; The proposed enlargement will have minimal impacts on the surrounding neighborhood, And,

WHEREAS; The area was posted and there was no opposition and community members spoke in favor of the application, And,

WHEREAS; The applicant has offered to keep the community fully informed and to conduct regular construction coordination meetings with the community as this project progresses

THEREFORE BE IT RESOLVED, that CB#2, Man. supports this application for a Board of Standards and Appeals variance application on behalf of Little Red School House and Elisabeth Irwin High School pursuant to Section 72-21. LREI proposes to convert and enlarge a three-story vacant brownstone (“42 Charlton”) as well as enlarging the High School building. The proposed expansion does not comply with underlying R6 district bulk regulations, and requires modifications of applicable rear yard and lot coverage requirements, And;

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

THEREFORE BE IT FURTHER RESOLVED, That CB#2, Man. requests that that every effort be made to minimize the impacts of construction and that the contractor must carefully inspect the subsurface excavation and the installation of the foundations.

Vote: Passed, with 35 Board members in favor, and 1 recusal (E. Roeder).

NEW BUSINESS

Respectfully submitted,

Susan Kent, Secretary
Community Board #2, Manhattan