



COMMUNITY BOARD NO. 2, MANHATTAN

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FULL BOARD MINUTES

DATE: February 21, 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, Leonard Cecere, Maria Passannante Derr, Doris Diether, Ian Dutton, 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, Ke-Wei Ma, Don MacPherson, Jane McCarthy, Rosemary McGrath, Philip Mouquinho, Lois Rakoff, David Reck, Robert Riccobono, Erin Roeder, Rocio Sanz, Shirley Secunda, James Solomon, Shirley H. Smith, Elaine Young

BOARD MEMBERS EXCUSED: Carter Booth, Sigrid Burton, Harriet Fields, Jason Mansfield, Judy Paul

BOARD MEMBERS ABSENT: Lisa Cannistracci (left early), Lawrence Goldberg, Amanda Kahn, Christine Lindemann, Annie Vanrenterghem-Raven, Wendy Schlazer, Arthur Z. Schwartz, Richard Stewart (left early), Sean Sweeney, Naomi Wender (left early), Carol Yankay

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

GUESTS: Erin Drinkwater, Congressman Jerrold Nadler's office; Crystal Gold-Pond, Senator Tom Duane's office; Grey Elam, Council Speaker Christine Quinn's office; Matt Borden, Assembly Member Deborah Glick's office; Hunter Johansson, Manhattan Borough President Scott Stringer's office; Paul Nagle, Council Member Alan Gerson's office; Kate Mikuliak, Council Member Rosie Mendez's office; Lolita Jackson, Mayor Michael Bloomberg's Community Affairs Unit; Simeon Banister, Public Advocate Betsy Gotbaum's office; John Ricker, NYC Comptroller's office; Linh Do, Alicia Moore, Jack Anderson, William Goldberg, Mary Johnson, Edith Ho, Louis Vuolo, Douglas Davis, Judith Callet, Jean-Luc Callet, Ruth Kuzub, Liuatun Dong, Joyce Chan, William Bradley, Lap Hang Lui, Calien Fules-Jussel, Thomas von Foerster, Katy Bordonaro, Kathleen Facinni, Ellen Peterson-Lewis, Victoria Behm, Nancy Shamban, Jennifer Dickson, Ross Albin, P. Spinella, Janet Freeman, Irene Connors, Peggy Ng, Michael Mirisola, Lai Hing Ng, Susan Muska, J. McNab, Yung M. Leung, David Zahabian, Ilan Zarger, Andy Vinaguerra, Gerald Banu, James Cheng, Aleksey Aronov, Howard Negrin, Barbara Taub, Leonard Quart, Gil Horowitz, Carol Prud'homme Davis, Betty Truong, Hil Wan Mai, Josephine Lee, Tiffany Lee, Connie Way, Zhi Hua Guo, Ai Qiong Li, Carmen Ben, Lisa Lin, Suzy Liang, Jean Strait, Elvin Arenas, Jordan Schaps, Constance Fenton, Amber Ott, Judith Chazen Walsh, Barbara Backer, Robin Goldberg, Constance Dondore, Robert Clauser, Richard Tschudy, Elizabeth Adam, Sybil Cheung, Calvin Jiang, Mimi Jiang, Melanie Ho, Cecelia Ho, Jennifer Choi, Wu Rong Kuang, Le Pang, Claire Counihan, Sook Ling Lai, Rhea Sohne Vadher, Brian A. Moore, Chenault Spence, Jen Hong, Joseph Auld, Mark Fiedler, Andrew Weber, Chris Eddy, Linh Doh, Eric Palatnik, Melonie McMurry, Jay Segal, Bruce Robbins, Melissa Baldock, Zack Winestine, James Lerman, John Siegal, Ross Albin, Geoffrey Knox,

MEETING SUMMARY

Meeting Date – February 21, 2008
Board Members Present – 35, then 31
Board Members Excused–5
Board Members Absent - 8, then 11

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II. PUBLIC SESSION

Non-Agenda Items

Thomas von Foerster spoke.

Business Items

Chris Eddy, or corp. to be formed, 19 Kenmare St., NYC

Chris Eddy, the applicant, spoke in favor of his proposed liquor license application.

Carol Prud'homme Davis spoke in favor of the proposed liquor license.

Douglas Davis did not speak but was in favor of the application.

Janet Freeman and Robin Goldberg spoke against the proposed liquor license application.

Sook Ling Lai, Yng M. Leung, and Richard Tschudy, did not speak but were against the liquor license application.

Institutions Items

New York University Plans 2031

Mary Johnson and Constance Dondore spoke against the proposed plan by NYU.

Landmarks & Public Aesthetics Items

7 West 8th Street & 9 West 8th Street App. to replace a storefront installed without LPC permits.

Gil Horowitz spoke in favor of the Landmarks proposal.

145 Perry Street a/k/a 711 Washington Street Revised design for a six - story building plus penthouse

James Lerman, Claire Counihan, and John Siegal did not speak but were against the proposal for a hotel at this location.

Ross Albin, Jordan Schaps, and Geoffrey Knox spoke against the proposed hotel.

Michael Mirisola spoke regarding the proposed hotel.

Omnibus St. Vincent's Hospital

Melissa Baldock spoke against the proposal from St. Vincent's Hospital,

Traffic and Transportation Items

Changes in Tour Bus Routes and Stops and Enforcement

Judith Callet and Judith Chazen Walsh, spoke against the tour buses and stated that there should be limitations.

Barbara Backer spoke in favor of the resolution regarding tour buses.

Irene Connors spoke regarding the tour bus issue.

Zoning and Housing Items

South Village Rezoning

Erick Palatnik, Jay Segal, and Melonee McMurry, representing the applicant, spoke in favor of the proposed rezoning.

Bruce Robbins spoke in favor of the proposed South Village rezoning.

Jessie McNab, Melissa Baldock, Zack Winestine, and Katy Bordonaro spoke against the proposed and rezoning.

Linh Doh spoke regarding the proposal for the South Village rezoning. Ellen Peterson-Lewis signed but did not speak on this topic.

Kathleen Faccini did not speak but was against the proposed rezoning.

III. ADOPTION OF AGENDA

IV. ELECTED OFFICIALS PRESENT AND REPORTING

Erin Drinkwater, Congressman Jerrold Nadler's office

Crystal Gold-Pond, Senator Tom Duane's office

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 Mikuliak, Council Member Rosie Mendez's office,

Lolita Jackson, Mayor Michael Bloomberg's Community Affairs Unit;

Simeon Banister, Public Advocate Betsy Gotbaum's office;

John Ricker, NYC Comptroller's office;

V. ADOPTION OF MINUTES

Adoption of December 2007 minutes and distribution of January 2008 minutes.

VI. EXECUTIVE SESSION

1. Chair's Report Brad Hoylman reported

2. Evictions of Tenants at One Bank Street

Whereas, the Tenants Rights Committee of CB#2, Man. has been informed that the owner of One Bank Street is proceeding with evictions against several occupants of this property, treating them as holdovers in what should be considered a rent-regulated building; and

Whereas, the owner, has illegally converted apartments that have already been vacated through court actions to illegal "hotel rooms" --claiming that the tenants were in fact "market rate" occupants who were leased the apartments as decontrolled units at One Bank Street; and

Whereas, One Bank Street is a building that is subject to guidelines under the J-51 tax abatement law which preclude the tenants from being evicted, especially when their occupancy is subject to the purview of city and state agencies which oversee the J-51 program and other regulated apartments in New York City; and

Whereas, the ramifications of the current evictions at One Bank Street have widespread implications for the future of nearly one million regulated apartments in our city where the real estate industry has been chipping away at the rights of tenants -- as well as endangering the future of the 60 year old J-51 program which has benefited both landlords and tenants;

Therefore, be it resolved that CB#2, Man. strongly urges the relevant agencies such as DHCR and HPD to immediately intervene in this matter and notify the courts that permitting these evictions to go forward will negatively impact the welfare of the community and the public interest; and

Be it further resolved, CB#2, Man. urges the elected officials that have been dealing with this issue to vigorously pursue legislative remedies to preserve the affordable housing stock in our city, impose stronger penalties on tenant abuse and harassment, and create legislation to impose stronger restrictions on the illegal conversion of apartment dwellings in our city.

Vote: Passed, with 33 Board members in favor, 1 in opposition, and 1 abstention (M.Derr).

2. District Manager's Report Bob Gormley reported.

STANDING COMMITTEE REPORTS

BUSINESS

1. The Standard (Hotel and Ground Floor) 844-848 Washington Street (Little West 12th and West 13th Street), NYC.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license for a Hotel and ground floor restaurant located in a 4,455 s.f. premise on Washington Street between Little West 12th and West 13th Streets, with 375 table seats, 1 bar with 17 seats and a maximum legal capacity of 392 persons; and,

Whereas, the applicant stated the hours of operation are 6:00 a.m. – 4:00 a.m. seven days a week; there will be a sidewalk café application but no backyard garden; music will be background and DJ; and,

Whereas, the applicant has reached out to local residents and associations, including but not limited to members of the Jane Street Block Association and Friends of The Highline; and,

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

Therefore, be it resolved that CB#2, Man. recommends approval of an On Premise license to The Standard (Hotel and Ground Floor) 844-848 Washington Street.

Vote: Unanimous, with 31 Board members in favor.

2. The Standard (18th Floor Bar/Restaurant) 844-848 Washington Street (Little West 12th and West 13th Street), NYC.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license for the 18th floor bar and restaurant located in a 5,000 s.f. premise on Washington Street between Little West 12th and West 13th Streets, with 187 table seats, 2 bars with 42 seats and a maximum legal capacity of 229 persons; and,

Whereas, the applicant stated the hours of operation are 3:00 p.m. – 4:00 a.m. seven days a week; there will not be a sidewalk café application nor a backyard garden; music will be background and DJ; and,

Whereas, the applicant has reached out to local residents and associations, including but not limited to members of the Jane Street Block Association and Friends of The Highline; and,

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

Therefore, be it resolved that CB#2, Man. recommends approval of an On Premise license to The Standard (18th Floor Bar/Restaurant) 844-848 Washington Street.

Vote: Unanimous, with 31 Board members in favor.

3. Allora SPA, Inc., 82 West 3rd Street (Thompson and Sullivan), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license for a jazz bar/lounge DBA Zinc Bar located in a 2,400 s.f. premise in a mixed use building located on West 3rd Street between Thompson and Sullivan Streets, with 100 table seats, 1 bar with 25 seats and a maximum legal capacity of 150 persons; and,

Whereas, the applicant stated the hours of operation are 8:00 a.m. – 4:00 a.m. seven days a week; there will not be a sidewalk café nor a backyard garden; music will be live and DJ; and,

Whereas, the applicant has agreed to prohibit use of the cellar unless the to be amended Certificate of Occupancy allows it; and,

Whereas, members of the community appeared in support of the applicant; and,

Whereas, performers at the previously located venue appeared in support of the applicant; and,

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

Therefore, be it resolved that CB#2, Man. recommends denial of an On Premise license for **Allora SPA, Inc., 82 West 3rd Street** unless those conditions agreed to by applicant relating to the fourth “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 31 Board members in favor.

4. SoHo Village, LLC d/b/a Four Points, 66 Charlton St. (Hudson and Varick), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license for a Hotel and ground floor bar and restaurant located in a 1900 s.f. premise on Charlton Street between Hudson and Varick Streets, with 73 indoor table seats and 28 outdoor table seats, 1 bar with 6 seats and a maximum the legal capacity 150 persons; and,

Whereas, the applicant stated the hours of operation for the ground floor bar and restaurant are 6:00 a.m. – 2:00 a.m. seven days a week for the indoor space and 5:00 p.m. – 11:00 p.m. seven days a week for the outdoor space; there will not be a sidewalk café nor a backyard garden; music will be background only; and,

Whereas, the applicant has agreed to prohibit use of the outdoor space for private functions at all times; and,

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

Therefore, be it resolved that CB#2, Man. recommends approval of an On Premise license to SoHo Village, LLC d/b/a Four Points, 66 Charlton St.

Vote: Unanimous, with 31 Board members in favor.

5A. Chris Eddy or Corp. to be formed, 19 Kenmare Street (Elizabeth and Bowery), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license in a mixed use building on Kenmare Street between Elizabeth and Bowery streets, for a 2,800 s.f. Japanese Noodle Café and Sushi Restaurant, with 120 table seats divisible by 40 seats in the Café and 80 seats in the Restaurant including 1 bar with 6 seats, and a maximum legal capacity, pending the issuance of a new Certificate of Occupancy, which will not exceed 150 persons; and,

Whereas, the applicant stated the hours of operation for the Restaurant are 11:00 a.m. – 12:00 a.m. Sunday – Thursday and 11:00 a.m. – 1:00 Friday – Saturday and for the Café are 11:00 a.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 has reached out to local residents, including but not limited to the newly formed Nolita Residents Association to establish support from the community; and,

Whereas, the applicant has agreed to continue his involvement with various non-profit organizations geared towards youth in the neighborhood; and,

Whereas, the applicant has agreed to abide by the regulations associated with all New York City departments and safety organizations including but not limited to the Department of Buildings and the Fire Department, and will obtain all required certificates, permits and related documents, including but not limited to an amended Certificate of Occupancy and Public Assembly Permit. All certificates, permits and related documents will be provided to Community Board 2, Manhattan prior to the use of the On Premise license; and,

Whereas, the applicant has agreed to submit new plans and applications to the New York City Department of Buildings in order to null and void the alteration plans and permits submitted associated with the previous applicant, Forty Deuce; and,

Whereas, the applicant has agreed to have all windows sealed, double paned and closed at all times during operating hours; and,

Whereas, the applicant has agreed to install proper sound proofing in the premises; and,

Whereas, the applicant has agreed to use the basement space for storage, coat check and restrooms only; and,

Whereas, the applicant has agreed to community outreach, including but not limited to monthly meetings (6 months following its opening) with neighboring residents and providing the community with a contact number of the General Manager; and,

Whereas, the applicant has agreed to re-appear before the Business Committee of Community Board 2, Manhattan with any changes whatsoever to the Floor Plans and/or Corporate Changes, including “Doing Business As”, change of ownership or control, or anything related to the proposed Method of Operation above; and,

Whereas, over 10 letters were submitted and over 20 members of the community appeared in support of the applicant; citing the value of an upscale Japanese restaurant in the Nolita neighborhood; and,

Whereas, over 30 members of the community appeared to express their concerns; citing quality of life concerns with a large restaurant establishment; citing potential building and safety issues; noise and overcrowding issues on a residential block; and close proximity of over 20 licensed establishments near Kenmare Street; and,

Whereas, the applicant’s architect could not properly address concerns involving the development and construction of a passage way connecting the Restaurant and the Café located in the shaft way area (adjacent to the neighboring residential buildings); and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the proposed On Premise license for **Chris Eddy or Corp. to be formed, 19 Kenmare Street, NYC.**

The above resolution was replaced with the following one.

5. Chris Eddy or Corp. to be formed, 19 Kenmare Street (Elizabeth and Bowery), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license in a mixed use building on Kenmare Street between Elizabeth and Bowery streets, for a 2,800 s.f. Japanese Noodle Café and Sushi Restaurant, with 120 table seats divisible by 40 seats in the Café and 80 seats in the Restaurant including 1 bar with 6 seats, and a maximum legal capacity, pending the issuance of a new Certificate of Occupancy, which will not exceed 150 persons; and

Whereas, the applicant stated the hours of operation for the Restaurant are 11:00 a.m. – 12:00 a.m. Sunday – Thursday and 11:00 a.m. – 1:00 Friday – Saturday and for the Café are 11:00 a.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 has reached out to local residents, including but not limited to the newly formed Nolita Residents Association to establish support from the community; and

Whereas, the applicant has agreed to continue his involvement with various non-profit organizations geared towards youth in the neighborhood; and,

Whereas, the applicant has agreed to abide by the regulations associated with all New York City departments and safety organizations including but not limited to the Department of Buildings and the Fire Department, and will obtain all required certificates, permits and related documents, including but not limited to an amended Certificate of Occupancy and Public Assembly Permit. All certificates, permits and related documents will be provided to Community Board 2, Manhattan prior to the use of the On Premise license; and,

Whereas, the applicant has agreed to submit new plans and applications to the New York City Department of Buildings in order to null and void the alteration plans and permits submitted associated with the previous applicant, Forty Deuce; and,

Whereas, the applicant has agreed to have all windows sealed, double paned and closed at all times during operating hours; and,

Whereas, the applicant has agreed to install proper sound proofing in the premises; and,

Whereas, the applicant has agreed to use the basement space for storage, coat check and restrooms only; and,

Whereas, the applicant has agreed to community outreach, including but not limited to monthly meetings (6 months following its opening) with neighboring residents and providing the community with a contact number of the General Manager; and,

Whereas, the applicant has agreed to re-appear before the Business Committee of Community Board 2, Manhattan with any changes whatsoever to the Floor Plans and/or Corporate Changes, including “Doing Business As”, change of ownership or control, or anything related to the proposed Method of Operation above; and,

Whereas, over 10 letters were submitted and over 20 members of the community appeared in support of the applicant; citing the value of an upscale Japanese restaurant in the Nolita neighborhood; and,

Whereas, over 30 members of the community appeared to express their concerns; citing quality of life concerns with a large restaurant establishment; citing potential building and safety issues; noise and overcrowding issues on a residential block; and close proximity of over 20 licensed establishments near Kenmare Street; and,

Whereas, the applicant’s architect could not properly address concerns involving the development and construction of a passage way connecting the Restaurant and the Café located in the shaft way area (adjacent to the neighboring residential buildings); and,

Therefore, be it resolved that CB#2, Man. recommends denial to the proposed On Premise license for Chris Eddy or Corp. to be formed, 19 Kenmare Street, NYC, unless those conditions agreed to by applicant relating to the FOURTH (Hours of Operation), SEVENTH through THIRTEENTH “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Be it further resolved, that CB#2, Man. strongly recommends that the SLA conduct a 500-foot rule hearing with the applicant and members of the community to determine if licensing this restaurant is in the public interest.

Vote: Passed, with 16 Board members in favor, and 15 in opposition.

6. 55 Jazz Space Inc., 55 Christopher Street (7th Avenue and Waverly Place), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an upgrade from a Restaurant Beer and Wine license to an On Premise license for a jazz bar, located in a 960 s.f. premise in a mixed use building located on Christopher Street between 7th Avenue and Waverly Place, with 65 table seats, 1 bar with 28 seats and a maximum legal capacity of 70 persons; and,

Whereas, the applicant stated there are no plans to change the existing operation; the applicant stated the hours are 1:00 p.m. – 4:00 a.m. seven days a week; there is no sidewalk café and no backyard garden; music is live only; and,

Whereas, the applicant has been operating with a Restaurant Beer and Wine license for 7 years with no violations on record; and,

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

Therefore, be it resolved that CB#2, Man. recommends approval of the proposed upgrade to an On Premise license for **55 Jazz Space Inc., 55 Christopher Street.**

Vote: Unanimous, with 31 Board members in favor.

7. 212 Lafayette Associates, LLC, 212 Lafayette St. (Kenmare and Spring), 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 Swiss restaurant located in a 3,500 s.f. premise in a mixed use building located on Lafayette between Kenmare and Spring Streets, with 53 table seats, 1 bar with 8 seats and a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation are 8:00 a.m. – 1:00 a.m. Sunday – Wednesday and 8:00 a.m. – 2:00 a.m. Thursday – Saturday; there will not be a sidewalk café nor a backyard garden; music will be background only; and,

Whereas, the applicant has stated that no structural or operational changes will be made to the establishment with the exception of the menu; and,

Whereas, the applicant has agreed to have a menu and food items available at all times up to one hour before closing; and,

Whereas, one nearby resident appeared to voice concerns, citing noise and overcrowding issues; and,

Therefore, be it resolved that CB#2, Man. recommends denial to the proposed transfer of an On Premise license for **212 Lafayette Associates, LLC, 212 Lafayette St.**, unless those conditions agreed to by applicant relating to the fifth “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license; and,

Be it further resolved, that CB#2, Man. strongly recommends that the SLA conduct a 500-foot rule hearing with the applicant and members of the community to determine if licensing this restaurant is in the public interest.

Vote: Unanimous, with 31 Board members in favor.

8. 82 West 3rd Restaurant, LLC, 82 W. 3rd Street (Sullivan and Thompson), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license for a French inspired bar/café located in a 1700 s.f. premise in a mixed use building located on West 3rd between Sullivan and Thompson Streets, with 70 table seats, 1 bar with 16 seats and a maximum legal capacity of 120 persons; and,

Whereas, the applicant stated the hours of operation are 11:30 a.m. – 2:00 a.m. Sunday – Wednesday and 11:30 a.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, the applicant has agreed to prohibit use of outside Promoters, DJs and velvet ropes; and,

Whereas, the applicant has agreed to prohibit use of the backyard; and,

Whereas, the applicant has agreed to have a menu and food items available at all times up to one hour before closing; and,

Whereas, principals of the applicant have purchased the residential unit directly above the establishment; and

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

Therefore, be it resolved that CB#2, Man. recommends denial to the proposed On Premise license for **82 West 3rd Restaurant, LLC, 82 W. 3rd Street**, unless those conditions agreed to by applicant relating to the fourth, fifth and sixth “whereas” clauses above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 31 Board members in favor.

9. Brass Monkey LLC, Brass Monkey, 55 Little W. 12th Street (Washington and 10th Avenue), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an alteration to an On Premise license for Irish Pub/Restaurant d/b/a Brass Monkey located in a 3000 s.f. premise in a commercial building located on Little West 12th Street between 10th Avenue and Washington Street, with 70 table seats, 2 bars with 31 seats and a maximum legal capacity of 101 persons, said capacity reached via expansion into 2nd Floor space; **to add 6 tables with 43 seats and 1 bar with 13 seats; and,**

Whereas, the applicant stated there are no plans to change the existing operation; the applicant stated the hours are 12:00 p.m. – 4:00 a.m. seven days a week; there will be a sidewalk café application but no backyard garden; music is background only; and,

Whereas, the applicant has agreed to abide by the regulations associated with all New York City departments and safety organizations including but not limited to the Department of Buildings and the Fire Department, and will obtain all required certificates, permits and related documents, including but not limited to an amended Certificate of Occupancy and Public Assembly Permit. All certificates, permits and related documents will be provided to Community Board 2, Manhattan prior to the use of the On Premise license; and

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

Therefore, be it resolved that CB#2, Man. recommends denial to the proposed alteration of an On Premise license for **Brass Monkey LLC, Brass Monkey, 55 Little W. 12th Street**, unless those conditions agreed to by applicant relating to the fourth “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 31 Board members in favor.

10. 10 Downing LLC, 10 Downing Street (6th Avenue and Downing), NYC.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an alteration to a Beer and Wine license for a restaurant located in a 3920 s.f. premise in a mixed use building located on the corner of Downing Street and 6th Avenue, with 54 table seats, 1 bar with 19 seats and a maximum legal capacity of 95 persons, said capacity reached via expansion into the adjacent space; **to add 11 tables with 22 seats; and,**

Whereas, the applicant stated there are no plans to change the previously approved operation; the applicant stated the hours are 8:00 a.m. – 2:00 a.m. seven days a week; there will be a sidewalk café application but no backyard garden; music is background only; and,

Whereas, the applicant has agreed to abide by the regulations associated with all New York City departments and safety organizations including but not limited to the Department of Buildings and the Fire Department, and will obtain all required certificates, permits and related documents, including but not limited to an amended Certificate of Occupancy and Public Assembly Permit. All certificates, permits and related documents will be provided to Community Board 2, Manhattan prior to the use of the altered Beer and Wine license; and,

Whereas, the applicant has agreed to keep windows closed at all time when the sidewalk café is NOT in use; and

Whereas, a few residents appeared to voice concerns, citing noise and overcrowding issues but had no objections to this application; and,

Whereas, the applicant has agreed to the 7 stipulations reflected below with members of the public, and the Sidewalks Committee of Community Board 2, Manhattan on August 13th 2007.

Therefore, be it resolved that CB#2, Man. recommends denial to the proposed alteration of a Beer and Wine license for **10 Downing LLC, 10 Downing Street**, unless those conditions agreed to by applicant relating to the fourth and fifth “whereas” clauses above are incorporated into the “Method of Operation” on the SLA Beer and Wine license; and,

Stipulations Agreed to by Applicant at the Sidewalks Committee meeting dated August 13th 2007:

1. A reduction in tables to 18 tables and seats to 36,
2. The installation of a sound mitigating awning over the entire sidewalk cafe located on Sixth Avenue and another over the entrance to the restaurant on Downing St.
3. A reduction in hours to 11:00 P.M. Sunday through Thursday and Midnight on Friday and Saturday (meaning all tables cleared at those times).

4. Provision for the engagement of a sound engineer, at the applicant's expense, to monitor noise (from the interior and exterior portions of this establishment) in second story apartments (location to be determined by the 10 Downing St. Tenants Association) for the first week of opening, to ensure that all NYC Noise code statutes (including the new statute) are adhered to and an ongoing and acceptable base-line is established.
5. Request for daytime garbage pick-up with all garbage to be stored in a vermin-proof, refrigerated room until pick-up, on the Sixth Avenue side.
6. No benches placed anywhere on the perimeter of this establishment, for smokers or any other purpose.
7. That the two year revocable consent license will require review and another public hearing in 12 months (August 16, 2007), where the applicant can request approval for additional seats and the community can voice any additional concerns, before CB#2 Manhattan/s Sidewalks Committee, toward possible modification of this permit.

Vote: Unanimous, with 31 Board members in favor.

11. Think Bleecker, LLC, 1 Bleecker Street (at Bowery), NYC.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a Beer and Wine license for a café/restaurant located in a 950 s.f. premise in a mixed use building located on the corner of Bleecker and Bowery Streets, with 35 table seats, no bars and a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation are 7:00 a.m. – 1:00 a.m. seven days a week; there will be a sidewalk café application but no backyard garden; music will be background only; and,

Whereas, those conditions agreed to by applicant and residents of NoHo in a fully executable agreement attached hereto will be incorporated into the “Method of Operation” on the SLA On Premise license; and,

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

Therefore, be it resolved that CB#2, Man. recommends denial to the proposed Beer and Wine license for **Think Bleecker, LLC, 1 Bleecker Street**, unless those conditions agreed to by applicant relating to the fourth “whereas” clauses above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 31 Board members in favor.

(See attachment for Memorandum of Understanding.)

12. Jon Cantor or entity to be formed, 202 Centre 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;

THEREFORE, BE IT RESOLVED that CB#2, Man. strongly recommends denial of an On Premise liquor license to Jon Cantor or entity to be formed, 202 Centre 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 31 Board members in favor.

INSTUTIONS

Request for Modification of a Revocable Consent as requested by the NYC Department of Transportation

Whereas NYU in proceeding with its approved Co Generation Expansion Program and

Whereas The Dot is requesting Community Board approval to allow NYU to lay underground cables along side the existing utilities cables that feed power to the various NYU building and

Whereas NYU has agreed to lay such cable only during daylight working hours and to take extra precautions to abate and control noise and to allow vehicular and passenger traffic to move freely even where work is being performed traffic

Therefore Be It Resolved, that NYU be permitted to lay such cables at the proposed locations as per the attached schedule

Vote: Unanimous, with 35 Board members in favor.

LANDMARKS AND PUBLIC AESTHETICS

1ST LANDMARKS MEETING

1. 478-482 Broadway (Broome/Spring) - SoHo Cast-Iron Historic District Application is to install storefront infill and signage.

Whereas, overall, this work is an improvement to the building, conferring a symmetry to the previously altered storefront; and

Whereas, although the glass coming may not be original, board members appreciated its presence; but they are not sufficiently conversant in glazing to recommend whether restoration or replacement would be better; and

Whereas, we urge the Commission to ensure that the flagpole and its oversized banner be removed from above the entrance; and, further,

Whereas, this application's request for a canopy above the man entrance is part of a trend in recent years by retailers seeking to draw attention to their business under the guise of protecting customers from the infrequent rain shower. However, these detract canopies detract from the building and historic district.

Only one canopy is historic in the Cast-Iron District, not on Broadway, but at 122 Mercer just south of Prince, and this was intended to protect goods and laborers from the elements as they loaded and unloaded at the rear freight entrance, which traditionally are located off-Broadway on the side streets, Mercer and Crosby.

Canopies were unheard of on Broadway, or any other street for that matter.

There is no building historically having a canopy over the main entrance on Broadway. Perhaps there is an occasional canopy on a side street in TriBeCa or the Meat Market to protect the workers and produce, but not in SoHo or NoHo.

However, in the past decade, several multinational chains like Old Navy, Banana Republic, and Federated (Bloomingdale's) with their in-house architect in some distant city, lacking the intimate knowledge of the Cast-Iron District, think that this revisionist design element is just what the neighborhood needs. The architect of the building, Richard Morris Hunt, might have respectfully disagreed; now

Therefore, be it resolved that CB#2, Man. recommends approval of this application and leaves it up to the commission how to handle the coming and glasswork of the transom; and

Be it further resolved, that CB#2, Man. recommends denial of the flagpole and banner, and

Be it further resolved, that CB#2, Man. deplores this revisionist concept of canopies in the Cast-Iron District and recommends adamantly that the Commission deny this request. If Richard Morris Hunt thought his building needed a canopy, surely he would have included one.

Vote: Unanimous, with 31 Board members in favor.

2. 484-486 Broadway a/k/a 437-441 Broome Street - SoHo Cast-Iron H.D. Application is to install storefronts and alter the fire escape.

Whereas, the reduction in size of the fire escape and the repairs will add to the building and the district; now

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

Be it further resolved, CB#2, Man. recommends that if the applicant wishes these changes, the owner should remove all the red paint that was painted over the masonry, which masked the unsightly white paint the owner recklessly and illegally applied to this attractive building about a dozen years ago.

Vote: Unanimous, with 31 Board members in favor.

3. 57-63 Greene Street - SoHo H.D. Application is to request that the LPC issue a report to City Planning Commission re: Special Permit pursuant to Sec. 74-711 of the Zoning Resolution for a Modification of Use.

Whereas, the elevator bulkhead is not visible in this zoning-mandated application; now

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

Be it further resolved, that CB#2, Man. reminds the applicant and the Department of City Planning that recommendation of this Landmarks application should in no way be applied to any future zoning application.

Vote: Unanimous, with 31 Board members in favor.

4. - 640 Broadway a/k/a 172 Crosby Street a/k/a 60-74 Bleecker Street (NoHo) Application is to modify a sidewalk installed without LPC permits.

Whereas, these sidewalk vaults and their gridwork and glass elements leak notoriously and are exceedingly expensive to repair, and even that relief is temporary; and

Whereas, the applicant's suggestion of preserving a small portion at least retains some reference to the original elements; now

Therefore, be it resolved that CB#2, Man. recommends approval of this application provided that some of the metal gridwork and glass lenses remain as a reminder.

Vote: Unanimous, with 31 Board members in favor.

5. 34-42 Charlton Street (Little Red Schoolhouse) (King-Charlton-VanDam H.D.) Application is to construct additions.

Whereas, this is a complex application and the applicant has given serious consideration to find a reasonable solution for the need of the school to expand by attempting to unify the existing hodge-podge that characterizes the existing rear yard; but

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

Vote: Passed, with 26 Board members in favor, 3 in opposition, and 2 abstentions (I. Dutton, E. Gold).

6. 7 West 8th Street Application is to replace a storefront installed without LPC permits. **HELD OVER**

7. 9 West 8th Street Application is to replace a storefront installed without LPC permits. **HELD OVER**

8. 141-143 West 10th Street Application is to construct a rear yard addition.

Whereas the Landmarks Preservation Commission's publication *The Certificate of Appropriateness Public Hearing: Information for Applicants* states that "applicants are strongly encouraged to contact the Community Board to arrange for review of the proposal before the public hearing"; and

Whereas the applicant did not contact the Community Board or appear before the Landmarks Committee to present this application; now

Therefore, be it resolved that CB#2, Man. recommends denial of this application in the absence of this important step in the review process, and

Be it further resolved, that CB#2, Man. recommends that the Commission order the applicant to return and present before the community board, which the vast majority of applicants do willingly.

Vote: Unanimous, with 31 Board members in favor.

9. 82-84 Bedford Street (Grove) (Chumley's) Application is to alter the street facade, construct a stoop and enlarge the rooftop bulkhead.

Whereas, regarding 84 Bedford, the horse path should be entirely bricked up, without retaining the existing basement window at the bottom of the horse path; and

Whereas, the proposed stoop is appropriate; and

Whereas, the proposed iron railing for the stoop should be of a style from the 1826-1828 period of the building, which is not what the applicant is proposing; and

Whereas, the windows should be 6 over 9, which would be the historic configuration, and not the 9 over 9 that the applicant is requesting; and

Whereas, regarding 82 Bedford, the proposed windows on the side add an attractive alignment, unlike the existing mish-mosh fenestration; but

Whereas, the proposed cornice restoration should have a cornice style of the same era of the construction building (1870s) or even a cornice of a later period, which sometimes happens in Village cornice restoration work. To have a proposed cornice of a style from the 1830s, earlier than the building's construction, is preposterous; now

Therefore, be it resolved that CB#2, Man. recommends approval of this application, provided the recommendations listed above regarding the horse path, the fenestration and iron railing at 84 Bedford, and the cornice at 82 are adhered to.

Vote: Unanimous, with 31 Board members in favor.

10 - 131 7th Avenue South (n.e. corner W.10th) Application is to demolish the existing 2-story building and construct a new 3-story building.

Whereas, we have concern with the destruction of any building in the historic building, especially with a building that has a style indicative of the period of its construction, thereby reflecting the history of the area - in this case, as a testimony in style and shape (triangular) to the construction of 7th Avenue South; and

Whereas, we do like the proposed penthouse which resembles an artist's atelier; and

Whereas, given the eclectic nature of 7th Avenue South; now

Therefore, be it resolved that CB#2, Man. reluctantly recommends approval of this application, given that it will result in the destruction of a building with some style to it.

Vote: Unanimous, with 31 Board members in favor.

11 - 398 West Street (Christopher/West 10th) (Weehawken Street H.D.) Application is to install new storefront infill and signage.

Whereas, although the proposal is an improvement over the existing storefront, we would prefer a design that reflects better the 1830s character of the building; now

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

Vote: Unanimous, with 31 Board members in favor.

12. – 69 Gansevoort Street (Florent Restaurant) - Gansevoort H.D. To recommend designation of the interior.

Whereas, this diner-style restaurant represents a vanishing style of eatery, once common in New York, but which is becoming rarer and rarer; and

Whereas, this restaurant pays homage to the history of the area: formerly a diner exclusively for the meat-packing workers in the 40s; transformed into a hip and diverse venue from the 80s to date, yet still preserving the old look of the workman’s diner; and

Whereas, another restaurant has the interior landmarked, the Four Seasons, for its style; and

Whereas, this interior reflects the history and the culture of the area for the past sixty years; now

Therefore, be it resolved that CB#2, Man. recommends that the Commission consider designating the interior.

Vote: Unanimous, with 31 Board members in favor.

2ND LANDMARKS MEETING

14. – 30 Howard Street (n.w. Crosby) – SoHo Cast-Iron Historic District A commercial building designed by J.B. Snook and built in 1868. Application is to install storefront infill.

Whereas, the proposed modern alteration of this storefront originally designed by J.B. Snook, who was the architect for many classic SoHo buildings, is unsympathetic to the building and the historic district, because the application proposes to replace elements that may or may not be original, but certainly are historic, namely: the existing metal-clad wooden doors with characteristic paneling, the window lights with their contributing size and shape, and the classically high base at the foot of the windows and doors; and

Whereas, the retailer should have more thoughtfully considered whether it is prudent to sign a lease and then expect to alter a 140-year old facade in order that the merchandise can be better displayed; now

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

Vote: Unanimous, with 31 Board members in favor.

15. – 10-12 Crosby Street (Howard/Grand) - SoHo Cast-Iron Historic District A neo-Grec style warehouse building designed by Schweitzer and Greve and built in 1876-77. Application is to install new storefront infill.

Whereas, we approve of the change to a dropdown fire escape ladder; and

Whereas, the ground floor is altered so much that not much original material remains and the proposal wishes to retain some of the original elements that do remain like the cornice and the columns; and

Whereas, this is an improvement and matches the adjacent twin building to the north designed by the same architectural firm, thus bestowing an appreciated unity to the lower façade; now

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

Vote: Unanimous, with 31 Board members in favor.

16. – 31 Perry Street (W.4th/Waverly) - Greenwich Village Historic District A stable building built in 1901. Application is to install windows and doors, and alter masonry openings.

Whereas, this is a thoughtful restoration and maintains the integrity of the old stable building; and

Whereas, regarding the front façade: the restoration of the stoop, the addition of a newly replicated column to provide symmetry at the entrance, the palette, the addition of the painted signage to indicate the address, and the refurbishing of the windows and doorway, all contribute to the building; and

Whereas, regarding the rear: the proposed fenestration ties in the east and north elevations, and does not detract from the building or rear-yard experience; now

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

Vote: Unanimous, with 31 Board members in favor.

17. – 25 Fifth Avenue

Whereas the Landmarks Preservation Commission's own publication *The Certificate of Appropriateness Public Hearing: Information for Applicants* states that "applicants are strongly encouraged to contact the Community Board to arrange for review of the proposal before the public hearing"; and

Whereas the applicant did not contact the Community Board or appear before the Landmarks Committee to present this application; now

Therefore, be it resolved that CB2 recommends denial of this application in the absence of this important step in the review process, and

Further, be it resolved that CB2 strongly urges that, before the Commission entertains this application, the Chair order the applicant to return and present before the community board, which the vast majority of applicants do willingly and diligently and from which obligation this applicant should not be excused, but, rather, be required to follow, lest LPC send a bad signal to the more conscientious and professional applicants who present before the Commissioners, to the detriment of both the community board and the commission.

Vote: Unanimous, with 31 Board members in favor.

18. - 7 West 8th Street and 19. - 9 West 8th Street Two rowhouses built in 1851 and altered in the early 20th century to accommodate a ground floor storefront. Application is to replace a storefront installed without Landmarks Preservation Commission permits.

Whereas, we agree with the applicant that the staff's suggestion to legalize some of the work done without an LPC permit, namely replacing a fire escape, which means of egress is not required by the NYFD and the replacement of which, we strongly believe, would only clutter the façade and add nothing to the building or the district. Remember the fire escape was added years after the original construction; and

Whereas, the black glass banding as well as the other materials like anodized aluminum and the bronze finish do not detract from this building; now

Therefore, be it resolved that CB#2, Man. recommends approval of this application, although we would prefer to see some separation, like a column or pilaster, being incorporated within the new storefront, to help delineate the two buildings, which are not at all similar.

Vote: Unanimous, with 31 Board members in favor.

19. – 390-394 6th Avenue

Whereas the Landmarks Preservation Commission's own publication *The Certificate of Appropriateness Public Hearing: Information for Applicants* states that "applicants are strongly encouraged to contact the Community Board to arrange for review of the proposal before the public hearing"; and

Whereas the applicant did not contact the Community Board or appear before the Landmarks Committee to present this application; now

Therefore, be it resolved that CB#2, Man. recommends denial of this application in the absence of this important step in the review process, and

Further, be it resolved that CB#2, Man. strongly urges that, before the Commission further entertains this application, the Chair order the applicant to return and present before the community board, which the vast majority of applicants do willingly and diligently and from which obligation this applicant should not be excused, but, rather, be required to follow, lest LPC send a bad signal to the more conscientious and professional applicants who present before the Commissioners, to the detriment of both the community board and the commission.

Vote: Unanimous, with 31 Board members in favor.

20. – 271 West 10th Street (Greenwich/Washington) - Greenwich Village H.D. A vernacular style stable building designed by Charles H. Richter, Jr., and built in 1911. Application is to replace windows and modify a fire escape.

Whereas, the proposal to have no fire escape is welcomed; and

Whereas, the proposed center door evokes the old stable door and the new fenestration would not detract from the building; now

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

Vote: Unanimous, with 31 Board members in favor.

SIDEWALKS, PUBLIC FACILITIES AND ACCESS

1. Renewal App. for revocable consent to operate an Unenclosed sidewalk cafe for Vincent's, 119 Mott St., with 9 tables & 18 seats, DCA#1139678

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 was present, and

Whereas, no current violations were observed by this committee either in personal visit or in reviewing the application

THEREFORE BE IT RESOLVED THAT CB#2 MAN, recommends approval of the Renewal App. for revocable consent to operate an Unenclosed sidewalk cafe for Vincent's, 119 Mott St., at Hester St., with 9 tables & 18 seats, DCA#1139678

Vote: Unanimous, with 31 Board member is favor.

2. Renewal App. for revocable consent to operate an Unenclosed sidewalk cafe for Angelo of Mulberry St., Inc., 146 Mulberry St. between Grand & Hester, with 3 tables & 10 seats, DCA#0964932

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 was present, and,

Whereas, this committee observed that there was a current enclosure around the front entrance that included a table, but the applicant's representative agreed that the table would be removed, and

Whereas, the owner wishes to keep the entrance enclosed during the winter months, but does not intend to use the sidewalk café during those months, and

Whereas, there was not a currently accurate rendering of the sidewalk café area but the applicant subsequently provided one (see attachment), and

Whereas, there were no other violations or complaints attached to this applicant

THEREFORE BE IT RESOLVED THAT CB#2 MAN. recommends approval of Renewal App. for revocable consent to operate an Unenclosed sidewalk cafe for Angelo of Mulberry St., Inc., 146 Mulberry St. between Grand & Hester, with 3 tables & 10 seats, DCA#0964932 conditional upon the following:

1. The unenclosed sidewalk café shall operate on or about April 15 to November 1st
2. On or about November 1st to April 15th there will be an entrance enclosure only

Vote: Unanimous, with 31 Board members in favor.

SOCIAL SERVICES AND EDUCATION

School Overcrowding

Whereas CB#2, Man. held a Public Hearing on January 17 to look at the problem of School Overcrowding in our district as well as city wide, bringing out more than 300 people, including local teachers, every elementary and middle school principal in the CB2 area, parents and students, as well as many elected officials, their representatives, and representatives from city agencies; and

Whereas the opinion was unanimous that school overcrowding is indeed a serious problem city wide, and most especially in the Community Board 2 area, where many enrichment programs, like music and art have lost their dedicated spaces to create more classrooms, and where some students are being taught in the hallways; and

Whereas real estate development is progressing rapidly in our neighborhood, and has resulted in vast sections of our community which were once primarily commercial and manufacturing zones becoming residential; and

Whereas no new schools have been built in the Community Board 2 area in 40 years; and

Whereas the infrastructure of our local schools cannot sustain the increased population, resulting in schools scheduling lunch periods as early as 10:40 AM, to accommodate overcrowding, and gymnasiums, auditoriums and bathrooms are inadequate and not always available for their intended uses, and

Whereas Average class size in District 2 exceeds the average class size citywide, and the average class size citywide exceeds average class size statewide; and

Whereas the School Construction Authority (SCA) plans 7 projects to be built by 2010, adding only 3150 seats in District 2, none in Community Board 2, and no new High Schools are slated for Manhattan; and

Whereas the NYS Court of Appeals determined (in Campaign for Fiscal Equity [CFE] vs. New York State 2003) that “NYC classes in all grades were too large to provide students with constitutional right an adequate education.” The court said, furthermore, that “NYC schools have excessive class sizes, and ... class size affects learning.” There is “*a meaningful correlation between the large classes in City schools and the outputs...of poor academic achievement and high dropout rates.*” and

Whereas the Court also said, “tens of thousands of students are placed in overcrowded classrooms..., and provided with inadequate facilities and equipment. The number of children in these straits is large enough to represent a systemic failure.” and

Whereas the formula used by DOE to calculate school capacity is faulty, because it includes those spaces which were never intended as classrooms as if they were actual classrooms, thereby overstating the number of students our schools can properly accommodate, and also sets class size goals great than best practices as shown by current research; and

Whereas even according to the faulty formula to calculate school capacity (which sets the following size limits: Pre-K at 18; K to 3 at 20; and 4 to 8 at 28), our local schools exceed capacity. P.S.3 at 103%, P.S.41 at 112%, P.S.130 at 118% ; and

Whereas “Professional Judgment Panels” organized by the Campaign for Fiscal Equity concluded that much smaller classes in all grades are needed in NYC schools. They recommended:

- No more than 14 students per class in grades K-5th.
- No more than 22 students per class in middle schools.
- No more than 18 students per class in high school; and

Whereas NYC High School teachers have about 150 students each, compared to the national average of 89 students per teacher, which means that for NYC teachers, correcting weekly assignments and conferring with each student 5 minutes per week would take an average of 37 extra hours per week; and

Whereas the settlement of the CFE suit brought NYC more than \$1 billion in additional funds this year and more than \$5 billion projected over the next four years, and the legislature required that DOE develop a five year class size reduction plan, with smaller classes starting this year, and the law requires that the city’s capital plan be aligned with the class size reduction plan, to provide the necessary space; and

Whereas the NYS Budget passed in 2007 specifies that: The increase in school spending coming from NYC’s budget, in 2007/08, will be \$532Million, while the increase coming to NYC from the State shall be \$639Million, and that these will increase incrementally over the next three years reaching (in 2010/11) \$2.22Billion from NYC and \$3.17 coming to NYC from the State; and

Whereas DOE submitted a proposal to bring down class size averages citywide to 19.9 in K-3, 22.9 in 4th-12th grades -- but has not instructed any school to reduce class size, nor revised its capital plan to make this possible. The city’s capital plan focuses only on K-3 . – and looks only as a citywide average. To adequately reduce class size in all grades (not yet planned) would about double the number of seats; and

Whereas NYC compares very unfavorably with other cities in terms of its Capital Plan for schools. NYC’s plan to create only 63,000 seats, while LA will add an additional 180,000 seats, spending \$11.7 billion (LA schools are 2/3 NYC size in terms of enrollment). By including schools in commercial and housing developments, Miami-Dade has created 40,000 new seats in the last two years. (Miami school population is about 1/3 as large as NYC.) In 3 years, Miami schools have reduced class size on average by 8.8 students per class in K-3, and by 6.7 students in 4-8 grade, and by 1.5 students in HS classes in 3 years; and

Whereas NYC’s current plan does not compare favorably with its own historic achievement. Of the 63,000 seats called for in its current plan, only about half will be created when the plan is over. However NYC added 100,000 school seats between 1902 and 1905, and added nearly half a million during the 1920’s; and

Whereas Population projections predict an increase of 1 million people citywide by 2030, and that the school age (5-17 years old) population is expected to increase in Manhattan, with an 18.5% increase in CB2 by 2014. This means 4,700 more children need education in our local schools within 6 years; and

Whereas the student population at P.S.3 has already increased, in the past six years, from 510 in 2001/02 to 580 in 2007/8, which represents an additional 3.5 classes, at this one school; and

Whereas In 1998, the NYC Comptroller found that public schools were the most underinvested and neediest part of our infrastructure, and since then, capital spending on schools has shrunk in share of the city’s capital spending and is now at a 20 year low. And in absolute terms, city funds spent on school construction and repair is lower today than in 2001– not taking into account inflation, despite much higher reimbursement rates for city spending on new school construction (about 50% compared to 30 % in the past); and

Whereas The State gave \$1.5Billion in 2006 to NYC for school construction, and also authorized \$9.5 Billion in financing, of which the state agreed to pay half, as well as agreed to pay a higher (50-60%) rate for all new school construction. Yet in 2006 DOE cut the number of seats in the Capital plan by 3,000, and

Whereas the budget required to double the number of seats has already been allocated. Based on cost estimates in the current plan, 120,000 new seats would require an additional \$275 million for annual financing. This would only be \$138 million after 50% reimbursement from the state. This amount represents only 3% of last year's city surplus, or 1/7 the amount that the Mayor gave back in tax cuts last year. It is about 10% of the property tax cuts and rebates that the Mayor proposes to reinstate this year;

Therefore Be It Resolved that CB#2, Man. recognizes school overcrowding is a severe problem city wide, most especially in our own district; and

Be It Further Resolved that CB#2, Man. urges the Department of Education to revise its formula for determining School Capacity to reflect modern standards of good education, reflected by the NYS Court of Appeals (in Campaign for Fiscal Equity [CFE] vs. New York State 2003); and

Be It Further Resolved that CB#2, Man. calls upon the Mayor, the Department of Education, the School Construction Authority and all of our elected officials to do everything in their power to make the construction and/or development of new schools, in our neighborhood, a priority; and

Be It Further Resolved that CB#2, Man. recognizes that there are many excellent sites in our community that are appropriate for construction and/or development of new schools. These sites include St. Vincent's Hospital, Pier 40, Parochial and Private School buildings that have become available due to closings, upcoming Hudson Square development sites, and 75 Morton Street among others; and

Be It Further Resolved that CB#2, Man. recognizes the need to include the issue of school capacity and overcrowding as part of our evaluation process for each and every new residential development project that comes before this body, and that until plans for new schools in our community are firmly set, we will view projects that will add to school overcrowding as not in the public interest; and

Be It Further Resolved that CB#2, Man. urges the City Planning Commission to include school overcrowding as part of its impact study for all new projects in CB2; and

Be It Further Resolved That CB#2, Man. demands that three new schools (Elementary, Middle, and High) be built or developed in our area; and

Be It Further Resolved that CB#2, Man. is committed to take the necessary steps to seek professional advice in order to determine the exact number of new Elementary, Middle and High School seats that our community needs for its near and long term planning.

Vote: Unanimous, with 35 Board members in favor.

STREET ACTIVITY & FILM PERMITS

1. 3/1 - 12/24- St. Patrick's Old Cathedral (Multi-day), Prince St. bet. Mott & Mulberry Sts;

Whereas, this street fair has been held for more than three years; and,

Whereas, the applicant agreed to move from its prior venue at Broadway between Houston and Grand Street to its current location at Prince Street; and,

Whereas, this application does not request a closing of the street bed as the vendors are located on the sidewalk abutting Prince Street;

THEREFORE BE IT RESOLVED that CB#2, Man. **approves** the Street Permit for **St. Patrick’s Old Cathedral** (Multi-day), 3/1 - 12/24, Prince St. bet. Mott & Mulberry Sts.

Vote: Unanimous, with 35 Board members in favor.

2. 3/31- Arab Students United @ NYU (new), La Guardia Pl. bet W. 3rd St. & W. 4th St.;

Whereas, the applicant was represented by Yomna Nasef, a student at NYU representing “Arab Students United”; and

Whereas, the purpose of the street closing is to promote Arab Culture with a 15-foot wall of Art and also amplified music; and

Whereas, this “cultural” display will also serve to show Palestinian dance performance, art and music as well as showcase speakers; and

Whereas, the committee felt that this cultural experience would be better served on NYU property because of its small size; and

Whereas, NYU already has more than their fair share of events in and around Washington Square Park; and

Whereas, this particular street is already the host for three other Festivals within the same three week period; and

Whereas, the community feels that the closing of this street would add to the traffic flow on Bleecker Street going east, which is very residential and cause and inconvenience to the people living there;

THEREFORE BE IT RESOLVED THAT CB#2, MAN. **denies** the Street Permit for **Arab Students United @ NYU (new)** 3/31, La Guardia Pl. bet W. 3rd St. & W. 4th St.; for the aforementioned reasons; and,

BE IT FURTHER RESOLVED that CB#2, Man., that the applicant has five business days to appeal the board’s denial in writing to Christie Huus, Assistant Commissioner, CECM/Street Activity Permit Office, 100 Gold Street, 2nd floor, New York, N.Y. 10038. If written appeal is not received within the time specified, they shall be deemed as having accepted such decision.

Vote: Unanimous, with 35 Board members in favor.

3. 4/1 – 12/24- Church of St. Luke’s in the Field, (new multi day, multi-block) Broadway bet. Houston & Grand Streets

Whereas, the applicant failed to appear;

THEREFORE BE IT RESOLVED THAT CB #2 MAN., denies the Street Permit for **Church of St. Luke's in the Field 4/1- 12/24**, on Hudson St. bet. Grove & Christopher St. & Christopher St. Bet Greenwich & Hudson Sts. for procedural reasons and urges the applicant to appear before the committee in March 2008.

Vote: Unanimous, with 35 Board members in favor.

4. 4/20 - The Sierra Club (multi block) Waverly Pl. bet Broadway & 5th Ave.

Whereas, the applicant was represented by James Lane before the committee; and

Whereas, they agreed to change their application from Broadway bet. Houston and Canal Sts. to its current location after community board opposition; and

Whereas, the organization is conducting this festival on Earth Day;

THEREFORE BE IT RESOLVED THAT CB#2, MAN. approves the Street Permit for **The Sierra Club** (multi block) Waverly Pl. bet Broadway & 5th Ave.

Vote: Unanimous, with 35 Board members in favor.

5. 5/2-9/5- Little Italy Merchants Assn., Inc., Mulberry St. bet Canal & Broome Sts. & Hester St. bet. Mott & Mulberry Sts.;

This application was granted a **lay over** due to the attorney being out of town.

6. 5/3 - Grace Church School Parents Assn., E 10th Street bet. Broadway & 4th Ave.

Whereas, the applicant was represented by Ellen McElduff; and

Whereas, the annual school fair has been held in this vicinity for the last 54 years; and

Whereas, the proceeds benefit the school;

THEREFORE BE IT RESOLVED THAT CB#2 MAN. approves the Street Permit for **Grace Church School Parents Assn.,** on 5/3 at E 10th Street bet. Broadway & 4th Ave.;

Vote: Unanimous, with 35 Board members in favor.

7. 5/10 - P.S. 130, Hester St. Bet Mulberry & Baxter Sts.

Whereas, applicant was represented by Principal Lilly Woo; and

Whereas, this is a Family Health and Safety day and has been held for 7 years; and

Whereas, this Fair attracts more than 1200 families mostly from the Chinatown community which are then advised in regard to health, child care, fire and police safety;

THEREFORE BE IT RESOLVED THAT CB#2 MAN. approves the Street Permit for **P.S. 130,** Hester St. Bet Mulberry & Baxter Sts.,

Vote: Unanimous, with 35 Board members in favor.

8. 5/10 - Perry St. Block Association, Perry St. bet. Bleecker & W. 4th Sts.

Whereas, the applicant was represented by Jerald Banu; and

Whereas, the applicant has been running a “garage Sale on Perry St for 17 years; and

Whereas, the proceeds of the event go to spring plantings, maintaining the tree beds, and investing in new “Bishop Crook’s Streetlight” fixtures along Perry Street; and

Whereas, in the past they have also donated to Village Care, Visiting Neighbors, and other community based organizations; and

Whereas, they only advertise to Perry Street residents;

THEREFORE BE IT RESOLVED THAT CB#2 MAN. approves the Street Permit for Perry St. Block Association, Perry St. bet Bleecker & W. 4th Sts.

Vote: Unanimous, with 35 Board members in favor.

9. 5/21 – 6/21 Society of St. Anthony of Giovinazzo, Inc. (Multi-day), Mulberry St. bet. Broome & Spring Sts.,

Whereas, the applicant was represented by Mr. Jerry Sceveti; and

Whereas, this event has been going on for over ten years; and

Whereas, proceeds go to Most Precious Blood Church and other non profit organizations; and

Whereas, the applicant has agreed to send the a list of the charities to the Community Board 2 office;

THEREFORE BE IT RESOLVED THAT CB#2, MAN. approves the Street Permit for Society of St. Anthony of Giovinazzo, Inc. 5/21 – 6/21 (Multi-day), Mulberry St. bet. Broome & Spring Sts.

Vote: Unanimous, with 35 Board members in favor.

10. 6/21- The Jazz Gallery (new), Hudson St. Bet Bethune & 13th Street

Whereas, applicant was represented by Dale Fitzgerald; and

Whereas, this applicant has agreed to move the site to Dominick Street from Hudson to Varick Sts.; and

Whereas, a resident of the neighborhood spoke in favor of keeping the fair off of Hudson Street and “liked” the switch to Dominick St.; and

Whereas, this is a genuine non profit organization which will participate in a City wide “Make Music New York” celebration as part of a world wide 300 city celebration on the first day of summer; and

Whereas, the applicant has agreed not to sell alcohol; and

Whereas, this organization has shown a willingness to work with the community in not taking out a bus line and not stopping the flow of traffic on Hudson Street which is a main north bound artery especially exiting the Holland Tunnel;

THEREFORE BE IT RESOLVED THAT CB#2, MAN. approves the Street Permit for **The Jazz Gallery 6/21** at Dominick St. bet. Hudson and Varick Sts..

Vote: Unanimous, with 35 Board members in favor.

11. 6/29 Heritage of Pride (multi block), Hudson St. bet. Bethune & 13th Sts.,

Whereas, the applicant failed to appear; and

THEREFORE BE IT RESOLVED THAT CB#2, MAN., denies the Street Permit for Heritage of Pride, 6/29 on Hudson St. bet. Bethune and 13th St. for procedural reasons and urges the applicant to appear before the committee in March 2008.

Vote: Unanimous, with 35 Board members in favor.

12. Stonewall Veterans Association, 6/29, (multi – block), Washington St. bet. Christopher & Houston Sts.

The Committee agreed to a second **layover** in order to give its representative an opportunity to provide the Committee with its 501(c3) documentation, financial statement and specific information as to how its street fair proceeds are utilized.

13. 4/19 - 9th Precinct Community Council, Astor Pl. bet. Broadway & Lafayette Sts.

Whereas, the applicant was represented by Clearview as well as by Jeremiah Shea; and

Whereas, the proceeds go to fund a Christmas party for kids (last year they had a head count of 2000 children); and

Whereas, the applicant will have no rides, no alcohol, no platforms, no tents and no amplified music;

THEREFORE BE IT RESOLVED THAT CB#2, MAN. approves the Street Permit for 9th Precinct Community Council 4/19 at Astor Pl. bet. Broadway & Lafayette Sts.

Vote: Unanimous, with 35 Board members in favor.

14. 7/19 King Street Sounds (new), King St. bet. Varick & Hudson Sts.

Applicant agreed to a **lay over** in order to reach out to the neighbors to see how they feel about this new musical event which would arrive on what has been a very quiet street for many years.

15. 8/9 Log Cabin Republican Club, Greenwich Ave. Bet. 6th & 7th Aves. (please note revised streets)

Whereas, applicant was represented by Ryan Greenwalt; and

Whereas, the applicant claims that he has 246 members in the CB 2 district and will provide a list to the board office; and

Whereas, the committee was not furnished with a breakdown of all the Charitable donations made but also agree to provide this to the board office; and

Whereas, the applicant provided the committee with a mission statement that was prepared by a Mr. Jeff Cook who appears to be a consultant; and

Whereas, people from the community have complained at the excessive use of Greenwich Ave. for street fairs; and

Whereas, applicant admitted that they have meetings at the home of a friend who is a member and lives on the “east side”; and

Whereas, this street fair began on Waverley Place and then was moved to Greenwich Ave.;

THEREFORE BE IT RESOLVED THAT CB#2, MAN. approves the Street Permit Application for **Log Cabin Republican Club, Greenwich Ave. Bet. 6th & 7th Aves.**

Vote: Unanimous, with 35 Board members in favor.

16. 9/13, Village Crosstown Trolley, Astor Pl. bet Broadway & Lafayette Sts.

Whereas, applicant was represented by George Haikalis; and

Whereas, this street fair has been on going for the last 11 years; and

Whereas, the committee was furnished with the Annual Filing for Charitable Organizations document; and

Whereas, the applicant proposes to one day establish the motivation to the City to return Trolley Car service along the Christopher Street – Eight Street corridor to Ave. A then north to Ave. D where it would go east again to the river and then return to the West Street end thereby eliminating the use of cars along this stretch;

Whereas, the proceeds of this fair are used to increase awareness of light rail transportation to the people from the community and throughout the City by way of a newsletter and web sight;

Whereas, the applicant has agreed to provide the CB 2 office with financials for last year;

THEREFORE BE IT RESOLVED THAT CB #2 MANHATTAN approves the Street Permit Application for **Village Crosstown Trolley**, Astor Pl. bet Broadway & Lafayette Sts.

Vote: Unanimous, with 35 Board members in favor.

17. 10/4, Friends of Community Board #2, Astor Pl. bet. Broadway & Lafayette Sts.;

Due to a potential conflict of interest, the committee did not hear this application.

18. 10/18, TR Group Republican Club, Waverly Pl. bet Broadway & 5th Ave.

Whereas, applicant was represented by Stephan M. Evans, III; and

Whereas, this Republican Club consists of three prior clubs merging due to shrinking membership; and

Whereas, the applicant stated that the club had lost its lease and did not have an actual club house in the community; and

Whereas, the applicant claims the proceeds from this street fair are used to pay operating expenses such as phones, mail and voter registration drives;

Whereas, members of the committee questioned why an outside of the community person with an outside of the community address is raising money in the community with no visible income flow back into the community; and,

Whereas, the promoter Joe Giovanni testified that this applicant has had a fair previously on Waverly Place but was moved to Greenwich Ave. to relieve over street fair use on Waverly Pl. and further agreed to be moved to another location if Greenwich Ave. is not acceptable to the community; and

THEREFORE BE IT RESOLVED THAT CB #2 MANHATTAN approves the application for Street Permit for TR Group Republican Club, Waverly Pl. bet Broadway & 5th Ave.

Vote: Unanimous, with 35 Board members in favor.

19. 11/8, Women's Democratic Club of New York City, Astor Place bet. Broadway & Lafayette Sts.

Whereas, applicant was represented by Pat Rudden; and

Whereas, this applicant cannot afford a club house and thus is based out of an apartment whose tenant is Pat Rudden who is also the president of this organization; and

Whereas, members of the community have been skeptical of the legitimacy of this organization none appeared before the committee; and

Whereas, the applicant claims the proceeds from this street fair are used to pay operating expenses such as phones, mail and voter registration drives; and

Whereas, members of the committee questioned why an outside of the community person with an outside of the community address is raising money in the community with no visible income flow back into the community; and

Whereas, the promoter Joe Giovanni testified that this applicant has had a fair previously on Waverly Place but was moved to Greenwich Ave. to relieve over street fair use on Waverly Pl. and further agreed to be moved to another location if Greenwich Ave. is not acceptable to the community;

THEREFORE BE IT RESOLVED THAT CB#2, MAN. approves the application for Street Permit for Women's Democratic Club of New York City, Astor Place bet. Broadway & Lafayette Sts.

Vote: Unanimous, with 35 Board members in favor.

TRAFFIC AND TRANSPORTATION

1. Support of Re-synchronization of Traffic Light Signals on the Bowery from E. 5th Street to E. Houston Street.

Whereas, the traffic light signal at the Bowery/E. Houston Street intersection turns red for southbound Bowery traffic at the same time that the light signals to the north of E. Houston turn green for the same southbound Bowery traffic, hindering the traffic advancing south, leading to vehicular backups from E. 5th to E. Houston Streets, and resulting in severe congestion, horn honking, air pollution (from stop-go traffic emissions), obstruction of the new bicycle lane, and hazardous conditions for pedestrians, bicyclists and motor vehicles; and

Whereas, these backups also impede the movement of eastbound traffic from the side streets (especially Bleecker Street) which must turn south at the Bowery before dead-ending there, while traffic heading north on Elizabeth and Mulberry Streets dead-ends and must turn east on Bleecker, getting stuck at the same Bowery impasse, which causes further tie-ups, chaos and confusion;

Therefore, be it resolved that CB#2, Man. strongly supports the re-synchronization of traffic light signals on the Bowery from E. 5th Street to E. Houston Street, to enable traffic to flow more smoothly and consistently than current conditions allow, and

Be It Further Resolved that CB#2, Man. requests that the NYC Department of Transportation study the optimum light timing calibration to facilitate this flow and report its findings and actions to CB2.

Vote: Unanimous, with 31 Board members in favor

2. Support of Perry Street Phase II Distinctive Street Lighting Project.

Whereas, the Perry Street Block Association has requested approval to replace Cobra Head street light fixtures with Bishop’s Crook fixtures on Perry Street at W. 4th, Bleecker, Hudson, Greenwich and Washington Streets and 7th Avenue and to modify Perry Street traffic signal poles with castings or paint in Bishop’s Crook or M2 pole styling at Hudson and Bleecker Streets and 7th Avenue, 17 fixtures in all, comprising the Perry Street Phase II Distinctive Street Lighting Project; and

Whereas, this continues the original Perry Street Distinctive Lighting Project, previously approved by Community Board #2 Manhattan (CB2), that the Perry Street Block Association has worked with the NYC Department of Transportation to plan and implement for the replacement of 12 Cobra Head street light fixtures with Bishop’s Crook type fixtures on Perry Street mid-block between West Street and Greenwich Avenue, and Phase II will complement this work and work done on the cross streets as well as further enhancing Perry Street and its Historic District character; and

Whereas, this project is being funded by donations from the Perry Street Block Association as well as from individual residents and neighbors;

Therefore, be it resolved that CB#2, Man. fully supports and approves the Perry Street Bishop’s Crook Replacement (Distinctive Lighting) Project, Phase II.

Vote: Unanimous, with 31 Board members in favor.

3. Support of Proposed Carmine/Bleecker Streets Distinctive Lighting Project.

Whereas, the Carmine Street Block Association, with funds from Assembly Member Deborah Glick and oversight by the NYC Department of Transportation, is seeking to replace two existing Cobra Head lampposts with Bishop's Crook lampposts at 9 Carmine Street between Bleecker Street and Sixth Avenue and at 232 Bleecker Street between Carmine Street and Avenue of the Americas; and

Whereas, historic lampposts have been used on Bedford Street and in other Distinctive Street Lighting Projects within a few blocks of this proposed Carmine/Bleecker Streets Distinctive Street Lighting Project, which all together will further enhance the area;

Therefore, be it resolved that CB#2, Man. supports and approves the Proposed Carmine/Bleecker Streets Distinctive Lighting Project.

Vote: Unanimous, with 31 Board members in favor.

4. Resolution Recommending Changes in Tour Bus Routes and Stops and Enforcement of These Changes in the Area between 14th and Houston Streets/7th Avenue and Broadway away from Bleecker and other Small Streets and on to Major Avenues, in Support of Tour Bus Noise Abatement, and in Support of Legislation Mandating Standards to Regulate Such Actions throughout NYC.

Whereas, the Bleecker Street communities from 7th Avenue to Broadway, including Buses Off Bleecker (BOB), the Bleecker Area Merchants and Residents Association (BAMRA), and the Carmine Street Block Association, have appealed for relief from the longstanding and overwhelming number of tour buses passing down their streets and producing negative impacts, among them:

- Noise from heavily amplified sound systems and hydraulic brakes.
- Structural impact of the oversized buses on small-scale buildings and the narrow street (with one travel lane of 10 ½ feet, parking on both sides and a new bike lane).
- Danger to pedestrians with the massive buses jumping the sidewalks, double-parking, backing up traffic and making unwieldy turns that prevent safe street crossings and bicycle access and safety.
- Air pollution from idling and stop-go emissions.
- Encroachment on privacy with tourists on the top decks peering into residential windows from the towering heights of the buses.
- Destruction of trees; and

Whereas, both the Gray Line and the City Sights NY tour bus companies now have instructed their tour guides to refrain from using their loudspeakers on Bleecker Street, the former from Avenue of the Americas and Carmine Street to Broadway and down to Houston Street and the latter from 7th Avenue South to Broadway; and

Whereas, these same tour bus companies report that they're considering, for at least half their buses, new routes and drop-off /pickup stops away from Bleecker Street and on to wider, commercial streets, for example, down 7th Avenue, up Avenue of the Americas and east on Houston Street, and are willing to work with the NYC Department of Transportation (DOT) to explore alternative routes and stops; and

Whereas, DOT asserts that it can propose alternative tour bus routes and stops, based on criteria such as turning radii, traffic safety and impact, and can work with the tour bus companies to establish such routes and stops which, although not mandated, can be enforced by the NYC Police Department (NYPD); and

Whereas, the community has proposed that tour buses be re-routed down 7th Avenue South to Spring Street, turning east on Spring to Avenue of the Americas, going north on Avenue of the Americas, then turning east onto Houston Street, thereby directing tour buses onto wider, more accommodating thoroughfares; and

Whereas, CB#2, Man. welcomes tourism and the economic benefits it brings to our community, but recognizes that tour bus activity (which CB2 does not oppose) needs to be channeled and organized so as not to disturb people's peaceful enjoyment of their homes and public spaces and their health, safety and welfare; and

Whereas, CB#2, Man. also recognizes that large, heavy tourist buses should not be traveling on small, narrow streets because of their damaging impacts not only on residents' quality of life, but also on the condition of infrastructure as well as on the safety and access of pedestrians, bicyclists and motor vehicles; and

Whereas, legislation is needed that mandates rules and standards for locating tour bus routes and stops away from small, narrow streets, for spacing tour buses at intervals that avoid bunching up, as well as for tour bus noise containment, and Council Member Alan Gerson is preparing legislation to address this need;

Therefore, be it resolved that CB#2, Man. welcomes the Gray Line and the City Sights NY tour bus companies' efforts to eliminate the noise from loudspeakers in the Bleecker Street corridor and encourages them to continue this policy as well as to explore the use of such noise-abating approaches as wireless technology and individual headsets; and

Be It Further Resolved that CB#2, Man. appreciates the Gray Line and the City Sights NY tour bus companies' intentions to investigate alternative routes and stops away from Bleecker Street and other small streets and on to wider, less residential thoroughfares for at least half their buses, but asks them to work toward *complete* elimination of tour buses from Bleecker and other small streets and shifting them to the larger major arteries; and

Be It Further Resolved that CB#2, Man. urges DOT to study alternative tour bus routes and stops away from Bleecker Street and other small streets and on to wider commercial avenues, including the community proposal for re-routing tour buses, using 7th Avenue South, Spring Street, Avenue of the Americas and Houston Street, and to work with the tour bus companies to implement such a route, establishing a timetable to achieve complete use of such route by all the tour buses; and

Be It Further Resolved that CB#2, Man. urges DOT to work with the NYPD to ensure that use of the new tour bus routes on wider, accommodating thoroughfares be strictly enforced; and

Be It Finally Resolved that CB#2, Man. thanks Council Member Gerson for his efforts to draft legislation that is needed in New York City to mandate rules and standards to locate tour bus routes and stops on wider, more accommodating thoroughfares, for spacing tour buses at intervals that avoid bunching up, and to contain tour bus noise, and encourages our legislators to work hand-in-hand to attain these regulations.

Vote: Unanimous, with 31 Board members in favor.

WATERFRONT

PIER 40

Whereas, CB#2, Man. has emphatically, and on two occasions, called upon the Hudson River Park Trust to reject the Pier 40 development proposals made by Related and Camp Group; and

Whereas, in an impressive showing of unity, which CB#2, Man. applauds, all of our community's elected officials, Congressman Nadler, Senator Connor, Senator Duane, Assembly member Glick, and Council member Gerson, who communicated to the Trust that they were opposed to the Related proposal and wanted the Trust to explore the conservancy model proposed by the Pier 40 Partnership; and

Whereas, Related has refused, despite an 18 month opportunity, to submit a proposal for Pier 40 which conforms to the 30 year lease requirement of the Hudson River Park Act, much less a proposal acceptable to the community; and

Whereas, the Chair of HRPT was heard to state on WNYC that the dispute was one between "people who don't want anything to change on one side and the park that needs people to come in there on the other side to throw off the revenue that's needed to maintain the park," a description which bears no relationship to the model studied by the Pier 40 Partnership and endorsed by the community, and a characterization which has disheartened and disappointed the community; and

Whereas, the Trust has moved off a period of great transparency and public involvement into a period where the public is unclear about how the Trust will move forward, about what the options before the Trust are, and about how and if the public, through to the Community Boards, the Advisory Council, the Pier 40 Working Group, and the Pier 40 Partnership can be heard; and

Whereas, the continued failure of the Trust to reject non-conforming proposals and the failure to move forward with a plan to address the further deterioration of Pier 40 suggests a breach of the public trust on the part of the Trust Board;

Therefore, be it resolved that a letter expressing these views be sent to the Trust by the CB2 Chair and Waterfront Committee Chair, seeking expanded dialog not only between Trust staff and the Working Group, but Trust Board members, seeking clarity on the road forward and clarity on what questions need to be answered by the Pier 40 Partnership, the Working Group, and the Chairs of Community Boards 1, 2, and 4, and that a second letter be sent to the Governor and the Borough President seeking their direct participation in the process.

Vote: Passed, with 32 in favor 10 against, 2 abstentions and 1 recusal (Tobi Bergman).

ZONING AND HOUSING

1. South West Village Rezoning (Formerly North End Hudson Square Rezoning) City Planning application for a change in the zoning map affecting a five and a half block area bounded by Morton and Barrow Streets, to the north, Hudson Street, and a line roughly 100 feet west of Hudson Street to the east, Clarkson and Leroy Streets to the south, and West and Washington Streets to the west to rezone the area from M1-5 to M1-5/R7X.

WHEREAS, There was significant community opposition to this application, And,
WHEREAS, Community Board #2 recognizes that the Uses in this area have changed and it has become a mixed use area with significant residential and commercial uses, And,

WHEREAS, CB#2, Man. understands that many of the allowed Uses in this area may not be desirable, And,

WHEREAS, The board recognizes that the area needs a zoning change, however, this proposed change is not what the community desires, And,

WHEREAS, there has been a significant increase in residential uses throughout the downtown area that has caused a shortage of classroom space in local Schools that needs to be addressed, And,

WHEREAS, The Board is greatly concerned with land use issues that have arisen in the M1-6 and M2-4 zoning districts immediately to the south.

THEREFORE BE IT RESOLVED, That CB#2, Man. opposes this application for the South West Village Rezoning (Formerly North End Hudson Square Rezoning) City Planning application for a change in the zoning map affecting a five and a half block area bounded by Morton and Barrow Streets, to the north, Hudson Street, and a line roughly 100 feet west of Hudson Street to the east, Clarkson and Leroy Streets to the south, and West and Washington Streets to the west to rezone the area from M1-5 to M1-5/R7X, And,

BE IT FURTHER RESOLVED, That CB#2, Man. requests that the City Planning Commission engage with the community and the Board to develop a better community based zoning plan that includes the M1-6 and M2-4 zoning districts immediately to the south, And,

BE IT FURTHER RESOLVED, That CB#2, Man. requests that any zoning change in this area include Contextual Zoning with appropriate height caps and Quality Housing and require a Special Permit for conversion of existing buildings to residential, And,

BE IT FURTHER RESOLVED, That CB#2, Man. requests that the New York City Board of Education engage with the Board to devise a plan to address the need for additional classroom space in local Schools.

Vote: Passed, with 28 Board members in favor, 1 in opposition, and 2 recusals (M. Derr, E. Roeder).

2. 52-54 Wooster Street corner of Broome (B: 475 L: 40) ULURP # 070159 ZSM City Planning Commission Special Permit Application Pursuant to Sect. 74-712 to allow the construction of a new mixed use building on a vacant lot with five residential units on floors two through six and Use Group 6 Retail on the ground floor with no Eating And Drinking Establishments. The proposed building will comply with the bulk regulations of the M1-5B zoning District.

WHEREAS; There was no community opposition to this application, And,

WHEREAS; The applicant has stated that there will be no eating and drinking establishment in the retail space at this location, And,

WHEREAS; CB#2, Man. is satisfied that this proposal complies with the requirements of the special permit, And

WHEREAS; The proposed building will have no negative impacts on the surrounding neighborhood, And,

WHEREAS; The applicant has been advised that compliance with The NYC Department of Buildings Technical Policy and Procedure Notice #10/88 *Procedures for the avoidance of damage to historic structures resulting from adjacent construction* is required for this project.

THEREFORE BE IT RESOLVED, that CB#2, Man. supports this application for a Special Permit Pursuant to Section 74-711 to allow the construction of a new mixed use building on a vacant lot with five

residential units on floors two through six and Use Group 6 Retail on the ground floor with no Eating And Drinking Establishments, And;

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

BE IT FURTHER RESOLVED, That CB#2, Man. requests that every effort be made to minimize the impacts of construction and that the contractor must carefully inspect the subsurface excavation and use seismic monitors to protect the surrounding buildings, And,

BE IT FURTHER RESOLVED, That CB#2, Man. requests that all pile foundations be drilled not hammered and that any underpinning of the surrounding buildings be carefully monitored.

Vote: Unanimous, with 35 Board members in favor.

NEW BUSINESS

Respectfully submitted,

Susan Kent
Secretary
Community Board #2, Manhattan