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Bo Riccobono, *Second Vice Chair*  
Bob Gormley, *District Manager*



Sheelah Feinberg, *Treasurer*  
Susan Kent, *Secretary*  
Elaine Young, *Assistant Secretary*

## COMMUNITY BOARD No. 2, MANHATTAN

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### FULL BOARD MINUTES

**DATE:** March 20, 2008  
**TIME:** 6:00 P.M.  
**PLACE:** St. Vincent's Hospital, 170 W. 12<sup>th</sup> Street, Cronin Auditorium, 10<sup>th</sup> Floor

**BOARD MEMBERS PRESENT:** Keen Berger, Tobi Bergman, Carter Booth, Sigrid Burton, Maria Passannante Derr, Doris Diether, Ian Dutton, Harriet Fields, Sheelah Feinberg, Elizabeth Gilmore, Edward Gold, David Gruber, Jo Hamilton, Anne Hearn, Brad Hoylman, Chair, Community Board #2, Manhattan (CB#2, Man.), Zella Jones, Amanda Kahn, Susan Kent, Raymond Lee, Jason Mansfield, Jane McCarthy, Rosemary McGrath, Philip Mouquinho, Judy Paul, Lois Rakoff, David Reck, Erin Roeder, Arthur Z. Schwartz, Shirley Secunda, James Solomon, Shirley H. Smith, Richard Stewart, Sean Sweeney, Naomi Wender, Elaine Young

**BOARD MEMBERS EXCUSED:** Arthur Kriemelman, Edward Ma, Ke-Wei Ma, Don MacPherson, Robert Riccobono, Rocio Sanz, Wendy Schlazer

**BOARD MEMBERS ABSENT:** Steve Ashkinazy, Lisa Cannistracci, Leonard Cecere, Lawrence Goldberg, Christine Lindemann, Annie Vanrenterghem-Raven, 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; John Ricker, NYC Comptroller's office; Commander Gabe Mui, Ralph Tramontana, Joe Maino, Henry Amoroso, Shelly Friedman, Victor Papa, Edward Welsh, Martin Bell, Mary Ellen Mark, Johnny Holguin, Frances Won, Sr. Mary T. Boyle, Anne M. O'Brien, Perry Criscitelli, Vincent Sabatino, Les Schecter, Toni Spinelli, Audrey Boylan, Angelina Try, Gary Spindler, Vinnie Waters, Maria Silvestri, Matt Baney, Laura Burdock, Cynthia Liang, Mort Berkowitz, David Goldberg, Gary Tomei, Isa Benveniste, Sylvia Solisberna, Oliver Ryan, Irene Kaufman, Anne Banks, David R. Marcus, Frances Li, Horka Lam, San Wu, Margaret Smith, Elise Mogensen, Barbara Toll, Robert Cohen, Ho Kew Lee, Albert K. Lee, James Bari, Jerry Magliato, Gina Cenitora, Ernest Magliat, Erin Sikorsky, Susan Paston, Arline Rubin, May Rice Zucker, Lawrence Birns, John DeLutro, Robert Alleva, Mary Johnson, Friso van Reesema, Sam Hewitt, Buddy Zeccardi, Angela Fernandez, Yvonne Morrow, Delia Guazzo, Tom Molner, Trevor Stewart, Joe Tuzzino, John Casalnuovo, Michael Chiara, Mike Barka, Errol Carter, Robert W. Persne, Matthew Washington, Spencer Etl, Andrew Weber, Howard Sander, Victoria Lamb, Drew Durniak, Alec Pruchnicki, John Maggio, Michael Acevedo, Bernie Posner, Lao King Lui, Hai X. Tiang, Cheng Ngai Wah, S. Ying Yem, Chi Ching Chui, Yui C. Ng, Betty Fung, Carol Wan, Jaz Huong, Casey Dedusho, Donald Sposa, Francisco R.C., Vincent Generoso, Ricky Roberts, Gabrielle Palmer, A. Brosnan,

Rosa Cerrato, Georgette Fleischer, Stephanie Heyward, Frank Lario, Louis Fontana, Nick Mesce, Jenna Osiason, Jessie McNab, Elizabeth Adani, Priscilla Ridgway, Dore Nash, Christina Lam, Alison Grenberg, Lillian Tozzi, Jessie Campoamor, Lloyd Bishop, Arthur Webb, Renard Manley, N. Dowell, Maggie Smith, Michael Kramer, John Fratta, Susan Meisel, Derek Sanders,

**MEETING SUMMARY**

Meeting Date - March 20, 2008  
Board Members Present – 35  
Board Members Excused– 7  
Board Members Absent - 7

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**II. PUBLIC SESSION**

**Non-Agenda Items**

Poe Room

Lois Rakoff announced that there would be an event at Poe House with Poe scholars, as well as a tribute to Adrienne Goldberg.

New York University

Gary Parker, representing the university, updated everyone regarding upcoming events and activities.

**Business Items**

114 Kenmare Associate LLC d/b/a La Esquina, 106 Kenmare St.

Derek Sanders, the applicant, spoke in favor of the liquor license alteration to include their sidewalk café.

Robin Goldberg, Georgette Fleischer spoke against the liquor license alteration.

## **Landmarks & Public Aesthetics Items**

### **Extension of the NoHo Landmarks District**

Gary Spindler spoke against the proposed extension, stating that he did not want his property to be part of the district.

## **St. Vincent's Hospital Omnibus Items**

### **Proposal by St. Vincent's for a new Hospital**

Henry Amoroso and Shelly Friedman, representing St. Vincent's, spoke in favor of the proposal.

Jesse Campoamor, Matt Baney, Vinnie Waters, Lloyd Bishop, Arthur Webb, Renard Manley, N. Dowell, John Maggio, Maggie Smith, and Vinnie Waters, spoke in favor of the proposal. Michael Acevedo spoke in favor of the future St. Vincent's Hospital.

David R. Marcus, Drew Durniak, Commander Gabe Mui, and Cynthia Liang, spoke against the plans for the new construction by St. Vincent's Hospital. Victoria Lamb spoke against the proposal, stating that it is in a historic district.

Arline Rubin, Gary Tomei, Bernie Posner, and Irene Kaufman, spoke in favor of the resolution.

Susan Paston, Delia Guazzo, Isa Benveniste, and Alec Pruchnicki, spoke regarding the proposal.

Tom Molner did not speak but was against the proposal, which he wrote was inappropriate for the historic district.

## **Parks, Recreation & Open Space**

### **Washington Square Park Renovation**

Jessie McNab spoke regarding the structural foil, which does not support mature trees.

## **Sanitation Garage**

### **DSNY Initiative**

Michael Kramer spoke in favor of an alternative plan for the Sanitation Garage.

## **Street Activity & Film Permit**

### **Little Italy Merchants Assn.'s Mulberry Street Mall**

Victor Papa spoke in favor of the mall. Rosa Cerrato spoke in favor of keeping the mall and feast as is, including the hours of operation. John Fratta did not speak but was in favor of the mall.

Lillian Tozzi spoke against the mall, and stated that they should close at 9 p.m. on Sundays, instead of 9:30 p.m. John Casalnuovo spoke regarding the mall.

## **Traffic and Transportation Items**

### **Prince Street Pedestrian Mall**

Elise Mogensen spoke in favor of DOT's proposal for a pedestrian mall at Prince Street. David Goldberg spoke in favor of the proposal and a car-free Prince Street.

Jenna Osiason and Barbara Toll, spoke against the proposal for a pedestrian mall at Prince Street.

Susan Meisel did not speak but was against the proposal.

### **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,

John Ricker, NYC Comptroller's office;

### **V. ADOPTION OF MINUTES**

Adoption of January minutes and distribution of February minutes.

### **VI. EXECUTIVE SESSION**

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

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

### **STANDING COMMITTEE REPORTS**

#### **BUSINESS**

#### **1. Douglas Akin or Corporation to be formed, 234 W. 4<sup>th</sup> St. (10<sup>th</sup> and Charles), 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 Mediterranean/American restaurant located in a 2,000 s.f. premise in a mixed use building located on West 4<sup>th</sup> between 10<sup>th</sup> and Charles Streets, with 55 table seats, 1 bar with 12 seats and a maximum legal capacity, pending the issuance of a new Certificate of Occupancy, not to exceed 74 persons; and,

**Whereas**, the applicant stated the hours of operation are 6:00 a.m. – 12:00 a.m. Monday – Wednesday; 7:00 a.m. – 2:00 a.m. Friday – Saturday and 8:00 a.m. – 12:00 a.m. Sunday; there will not be a sidewalk café nor a backyard garden; music will be background only; and,

**Whereas**, the required amended Certificate of Occupancy will be issued by the New York City Department of Buildings prior to the use of the On Premise license; and,

**Whereas**, the applicant has agreed to close ALL windows by 10:00 p.m. seven days a week; and,

**Whereas**, the applicant has agreed to prohibit the use of a DJ at all times; and,

**Whereas**, the applicant has agreed to prohibit any patrons from drinking outside the establishment; and,

**Whereas**, several members of the community appeared to express their concerns, citing quality of life concerns with the previous restaurant establishment, and noise and overcrowding issues in the surrounding area; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial to the proposed transfer of an On Premise license for **Douglas Akin or Corporation to be formed, 234 W. 4<sup>th</sup> St.**, unless those conditions agreed to by applicant relating to the second, fourth, fifth, sixth and seventh “whereas” clauses above are incorporated into the “Method of Operation” on the SLA On Premise license;

Vote: Unanimous, with 35 Board members in favor.

## **2. Red River Delta, LLC, 570 Hudson St. (11<sup>th</sup> and Hudson), 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 Seafood/Steak restaurant located in a 2,800 s.f. premise in a mixed use building located on the corner of 11<sup>th</sup> and Hudson Streets, with 95 table seats, 1 bar with 13 seats and a maximum legal capacity, pending the issuance of a new Certificate of Occupancy, which will not exceed 120 persons; and,

**Whereas**, the applicant stated the hours of operation are 11:00 a.m. – 2:00 a.m. Monday – Friday; 10:00 a.m. – 2:00 a.m. Saturday – Sunday; there will be a sidewalk café application but no backyard garden; music will be background only; and,

**Whereas**, the required amended Certificate of Occupancy and Public Assembly Permit will be issued by the New York City Department of Buildings 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 transfer of an On Premise license for **Red River Delta, LLC, 570 Hudson St.**, unless those conditions agreed to by applicant relating to the second and fourth “whereas” clauses above are incorporated into the “Method of Operation” on the SLA On Premise license;

Vote: Unanimous, with 35 Board members in favor.

## **3. Wilfie & Nell, LLC, 228 W. 4<sup>th</sup> St. (7<sup>th</sup> Avenue and West 10<sup>th</sup>), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for transfer of an On Premise license, pursuant to purchase, for an American Bar and Restaurant located in a 1,250 s.f. premise in a mixed use building located on West 4<sup>th</sup> between 7<sup>th</sup> Avenue and West 10<sup>th</sup> Street, with 50 table seats, 1 bar with 12 seats and a maximum legal capacity, pending the issuance of a new Certificate of Occupancy, which will not exceed 74 persons; and,

**Whereas**, the applicant stated the hours of operation are 8:00 a.m. – 3:00 a.m. Sunday – Wednesday and 8:00 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 required amended Certificate of Occupancy will be issued by the New York City Department of Buildings prior to the use of the On Premise license; and,

**Whereas**, the applicant has agreed to close ALL windows by 10:00 p.m. seven days a week; 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**, 66 members of the community signed a petition fully supporting the applicant; and,

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial to the proposed transfer of an On Premise license for **Wilfie & Nell, LLC, 228 W. 4<sup>th</sup> St.**, unless those conditions agreed to by applicant relating to the second, fourth, fifth, and sixth “whereas” clauses above are incorporated into the “Method of Operation” on the SLA On Premise license;

Vote: Unanimous, with 35 Board members in favor.

#### **4. Minetta Lane, LLC, 111-113 MacDougal St. (at Minetta Lanes), 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 French restaurant located in a 3,757 s.f. premise in a mixed use building located on the corner of MacDougal Street and Minetta Lane, with 62 table seats, 1 bar with 12 seats and a maximum legal capacity of 74 persons; and,

**Whereas**, the applicant stated the hours of operation are 5:00 p.m. – 2:00 a.m. Monday – Wednesday; 5:00 p.m. – 3:00 a.m. Thursday – Friday; 12:00 p.m. – 3:00 a.m. Saturday and 12:00 p.m. – 2:00 a.m. Sunday; there will not be a sidewalk café application nor a backyard garden; music will be background only; and,

**Whereas**, a member of the community raised a question regarding traffic control specific to limousines; and,

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of the proposed transfer of an On Premise license to Minetta Lane, LLC, 111-113 MacDougal St.;

Vote: Unanimous, with 35 Board members in favor.

**5. 114 Kenmare Associate LLC d/b/a La Esquina, 106 Kenmare St. (Lafayette and Cleveland Place), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an alteration to an On Premise license for a Mexican restaurant located in a 2900 s.f. premise in a mixed use building located on Kenmare between Lafayette Street and Cleveland Place, with 121 table seats, 1 bar with 9 seats and a maximum legal capacity of 135 persons; **to add 14 tables with 36 seats in an unenclosed sidewalk café; and,**

**Whereas**, the applicant stated there are no plans to change the previously approved operation; the applicant stated the interior restaurant hours are 12:00 p.m. – 1:00 a.m. Sunday – Tuesday and 12:00 a.m. – 3:00 a.m. Wednesday - Saturday; music is background only; and,

**Whereas**, the applicant stated the sidewalk hours will be 12:00 p.m. – 12:00 a.m. seven days a week; and,

**Whereas**, 4 members of the community (including a Board Member and a member of the SoHo Alliance) appeared to oppose this application; citing quality of life concerns with a large restaurant establishment; noise and overcrowding issues with the sidewalk café during late night hours; hosting special events without a permit; and the use of non-approved benches and stools on the sidewalk café; and,

**Whereas**, a representative of Assemblymen Sheldon Silver’s office appeared to express their opposition; and,

**Whereas**, the applicant has agreed to remove the televisions facing the sidewalk café; and,

**Whereas**, the applicant has agreed to remove the benches and stools from the sidewalk café; and,

**Whereas**, the applicant has agreed to store all refuse/garbage throughout the day in a designated enclosed area until pick-up; and,

**Whereas**, the applicant has agreed to prohibit the use of the establishment for hosting special events unless a valid permit has been issued; and,

**Whereas**, over 20 members of the community appeared in support of the applicant; citing the value of an upscale Mexican restaurant in the neighborhood; and,

**THEREFORE BE IT RESOLVED that CB2, Manhattan recommends denial to the proposed alteration of an On Premise license for 114 Kenmare Associate LLC d/b/a La Esquina, 106 Kenmare St., unless those conditions agreed to by applicant relating to the third, sixth, seventh, eighth and ninth “whereas” clauses above are incorporated into the “Method of Operation” on the SLA On Premise license;**

**PLEASE NOTE THAT THE ABOVE PORTION OF THE RESOLUTION WAS CHANGED. SEE THE FINAL VERSION THAT WAS ADOPTED BY THE FULL BOARD BELOW.**

**THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial to the proposed alteration of an On Premise license for 114 Kenmare Associate LLC d/b/a La Esquina, 106 Kenmare St.**

Vote: Unanimous, with 35 Board members in favor.

**6. Splashlight Photographic & Digital Studios, LLC, 75 Varick St., 3<sup>rd</sup> Fl., NYC.**

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

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. strongly recommends denial of an On Premise liquor license to **Splashlight Photographic & Digital Studios, LLC, 75 Varick St., 3<sup>rd</sup> Fl., 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 35 Board members in favor.

**7. Arsenal Food Corp. d/b/a Dirty Disco, 248 W. 14<sup>th</sup> St., NYC.**

**Whereas**, the applicant's attorney appeared before the committee; and,

**Whereas**, this application is to reinstate the existing DCA Cabaret license to previous ownership in a commercial building on 14<sup>th</sup> Street between 8<sup>th</sup> and 9<sup>th</sup> Avenues, for a night club in a 4,100 s.f. premise with 2 bars with 12 seats and a maximum legal capacity of 196 persons; and,

**Whereas**, the applicant stated that the hours of operation are 6:00 p.m. – 4:00 a.m. seven days a week; the type of music is DJ; there will not be a sidewalk café application nor backyard garden; and,

**Whereas**, the applicant has filed the DCA Consumer Affairs application to reinstate the existing Cabaret License to previous ownership; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval to the proposed reinstatement of a DCA Cabaret License to **Arsenal Food Corp. d/b/a Dirty Disco, 248 W. 14<sup>th</sup> St.**

Vote: Unanimous, with 35 Board members in favor.

**ENVIRONMENT, PUBLIC SAFETY & PUBLIC HEALTH**

**Proposed NYPD Permit Requirement for Air Toxic Monitoring**

**Whereas**, New York City Council's Public Safety Committee is revising a bill (Intro 650) that will require the New York Police Department (NYPD) to allocate permits for all biological, chemical, and radiological atmospheric testing devices; and

**Whereas**, the stated purpose of this legislation is to avoid "excessive false alarms and unwarranted anxiety that a large-scale public emergency may be occurring;" and

**Whereas**, in the aftermath of the World Trade Center attacks, residents and workers were repeatedly lied to about the quality of the air they breathed by government agencies, and therefore, any concern about maintaining the right to independently test the air is certainly far from "unwarranted;" and

**Whereas**, residents should be empowered to hold the government accountable and confirm for themselves, in a timely fashion, that their air is free of hazardous chemicals; and

**Whereas**, the current form of this bill is too broad and will unfairly obstruct the independent collection of

scientific data important for environmental health response; and

**Whereas**, Community Board 1 Unanimously voted to oppose Intro 650 on the basis of the above considerations; and

**Whereas**, CB#2, Man. has particular air pollutant and environmental health problems arising from concentration of air pollutant emissions from the Holland Tunnel, Canal Street, West Street, heavily congested intersections, on-street bus idling; and

**Whereas**, PlaNYC recognizes that the few NYC rooftop air monitoring stations does not and cannot provide adequate information of the variation of air pollutant exposure on the ground or in buildings that people are actually exposed to; and

**Whereas**, PlaNYC recognizes the need for measuring variations of air pollutant exposure and identification of areas of concerns; and

**Whereas**, CB#2, Man. will benefit from the expansion of community based and independent environmental sampling and detection throughout the district; and

**Whereas**, requiring NYPD permits for environmental sampling instruments would be onerous, expensive and inhibit -- not expand -- the use of environmental pollutant detection devices; and

**Whereas**, the current form of this bill is too broad and does not effectively distinguish environmental pollutant detection instruments from weapons detection systems; now

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. opposes the implementation of any permitting system that would restrict the use of environmental sampling and toxic detection instruments by non-governmental entities.

Vote: Unanimous, with 35 Board members in favor.

## **LANDMARKS AND PUBLIC AESTHETICS**

### **1<sup>ST</sup> LANDMARKS MEETING**

**I - 77 Mercer St. - SoHo Cast Iron Historic District.** Application is to install a cornice.

**WHEREAS**, 77 Mercer St. originally had a cornice, but over the years it was removed, and

**WHEREAS**, other adjacent buildings have cornices, and

**WHEREAS**, originally 77 Mercer St. also had an ornamental arch on the roof above the cornice, and

**WHEREAS**, the cornice proposed is in keeping with adjacent cornices and also with the original cornice shown in old photos of the building, and

**WHEREAS**, the owners of the building intend to add the ornamental arch above the cornice when finances permit, thus bringing the building back to its original appearance,

**THEREFORE, BE IT RESOLVED** CB#2, Man. recommends approval of the application for 77 Mercer St. for the new cornice.

Vote: Unanimous, with 35 Board members in favor.

**2 - 385 Sixth Ave. - Greenwich Village Historic District** (Waverly Restaurant) Application is to install new storefronts & signage.

**WHEREAS**, the upstairs windows have been replaced, and the facade repainted, not part of this application, and

**WHEREAS**, it is proposed to replace the sidewalk vault door with a new metal door entering directly into the building at the easterly end of the building, and

**WHEREAS**, the present roll-down gates on the Liquor Store would be replaced with scissor gates, and

**WHEREAS**, the current light box running along part of the facade of the building under the first floor band would be extended to the end of the building, and

**WHEREAS**, the signs for both the Liquor Store and Restaurant, currently plain colored neon, would be replaced with signs with 32” high letters about 3” thick and lit from within,

**WHEREAS**, there was not enough information on the new metal door to the cellar, and

**WHEREAS**, the proposed signage seems less appropriate for this well-known diner than the current neon signage, and

**WHEREAS**, the proposal also calls for lights shining up the facade of the building, and

**WHEREAS**, the Community Board prefers interior roll-down gates instead of exterior gates

**THEREFORE, BE IT RESOLVED** CB#2, Man. recommends denial of the application for the new signage, and would recommend interior gates for the Liquor store, and

**BE IT FURTHER RESOLVED**, CB#2, Man. cannot approve the new metal door to the cellar without further information, and

**BE IT FURTHER RESOLVED**, CB#2, Man. has no objection to extending the light box to the end of the building, but opposes the lights shining up the sides of the building at 385 Sixth Ave.

Vote: Unanimous, with 35 Board members in favor.

**3.-383 Bleecker St. - Greenwich Village Historic District** Application is to install a new storefront & shutters. (Ralph Lauren.)

**WHEREAS**, this is a rather extensive application for restoring this building to its former condition, and involves continuing the cornice on this building to match or approximate the cornices on the adjoining buildings; replacing the windows to match its neighboring building; recreating the existing panel above the first floor and pilasters and pin-mounted letters for signage; installing retractable awnings, and recessed doors, and the trim on top of the pilasters, and

**WHEREAS**, a new rooftop vent is to be installed running alongside an existing drain to hold air conditioning lines, but rooftop mechanicals were not part of this application, and

**WHEREAS**, the wall covering the elevator and stairs to the upper floors will have a painted wood bulkhead, and

**WHEREAS**, the proposal to install shutters has been abandoned,

**THEREFORE, BE IT RESOLVED** CB#2, Man. recommends approval of this application for 383 Bleecker St.

Vote: Unanimous, with 35 Board members in favor.

**4 - 121 West 10 St. - Greenwich Village Historic District** Application is to install storefront infill.

**WHEREAS**, this application is for a small restaurant with currently single pane fixed windows, and

**WHEREAS**, the proposal is to replace the fixed windows with double hung windows, which can be opened when the weather is nice to get fresh air into the restaurant,

**THEREFORE BE TI RESOLVED** CB#2, Man. does not object to the new double-hung windows for 121 West 10 St., but feels that the raw wood panels below the windows are not appropriate.

Vote: Unanimous, with 35 Board members in favor.

**5 - 316 Bowery a/k/a 2 Bleecker St. & 4, 6 Bleecker St. - NoHo Historic District.** Application is to install new storefront infill, awnings, lighting and signage.

**WHEREAS**, the applicant wishes to install new windows which open out to the street,

**WHEREAS**, the proposal is to change the window cornices to match the adjacent building and match the line of the new windows to the windows of the floor above, and

**WHEREAS**, the proposed side panel on the building is planned as a painted wood panel, and

**WHEREAS**, the building, which is a corner building, already has an approved sidewalk cafe on the Bowery side of the building, and

**WHEREAS**, the bulkhead along the ground is about 20-28" high, and

**WHEREAS**, the proposal also calls for inside roll down gates,

**THEREFORE, BE IT RESOLVED** CB#2, Man. recommends approval of the change in the windows, and the new proposed cornice above the windows, and the roll-down gates, and agrees that these changes are an improvement, but

**BE IT FURTHER RESOLVED**, CB#2, Man. questions the painted wood side panel and suggests this be looked at again, possibly to be replaced by back painted glass, which would be less dull than the wood panel.

Vote: Unanimous, with 35 Board members in favor.

## 2<sup>ND</sup> LANDMARKS MEETING

### **I. Proposed NoHo Historic District Extension. (See map attached.)**

**WHEREAS**, CB#2, Man. applauds the Landmarks Preservation Commission for calendaring the NoHo Historic District Extension for designation as one of the City's and CB#2's recognized Historic Districts, and

**WHEREAS**, this area, located between Lafayette St. and the Bowery from Bond St. to East 4th St. contains many store and loft buildings dating from the 1860s to the early 1900s and also residences and tenements from the earliest period of the neighborhood's development, and

**WHEREAS**, this area, once one of the city's major publishing, retail and wholesale dry goods industries areas, also contains numerous Federal and Greek Revival residential buildings such as 26 Bond St., a 3-1/2 story Federal row house built around 1829-32 and 52 Bond St., a Greek Revival building built shortly afterwards, and

**WHEREAS**, the proposed district contains such other significant historic buildings as 28 Bond St., 27 Great Jones St., 31 and 33 Great Jones St., 21 Bond St., 35 and 39 Bond St., 20 Bond St., 47 Great Jones St. and 34-36 East 4 St., and

**WHEREAS**, during the 1960s to 1980s the area became home to many artists who needed the loft areas for their live/work spaces, and some of these artists are still residents of the area,

**THEREFORE, BE IT RESOLVED** CB#2, Man. enthusiastically endorses the proposal to designate the NoHo Historic District Extension as our newest Historic District,

**HOWEVER**, CB#2, Man. is very concerned about the excluded parcels along the Bowery and the impact this will have on the proposed district, and

**WHEREAS**, we fail to see the rationale for excluding such buildings as 53-55 Bond St., 2 small buildings on one lot and the corner building at 57 Bond St. which was built about 4 years ago; 346 Bowery, a possible new construction site; 348, 350 and 352 Bowery, another underdeveloped parcel which could become another construction site; and 358-364 Bowery, a third underdeveloped site which could become a new building, and

**WHEREAS**, CB#2, Man. does not object to new buildings being constructed, when the site is adjacent to an Historic District we feel that any new construction should relate to the Historic District, but if these parcels are left out, the new construction could have a deleterious effect on the Historic District and defeat the reason for having such districts, and

**WHEREAS**, many residents from the immediate area came out at our meeting with the same request,

**THEREFORE, BE IT RESOLVED** CB#2, Man. recommends that the Landmarks Commission extend the boundaries of the proposed Historic District to include the deleted parcels and thus protect the new District from inappropriate construction.

Vote: Unanimous, with 35 Board members in favor.

**2 - 317 Canal St. - SoHo Cast Iron Historic District.** A Federal style house built in 1821 and altered in 1869. Application is to enlarge a fire escape and construct a rooftop deck.

**WHEREAS**, this is a four-story building with Joint Living/Work Quarters on the upper floors, and

**WHEREAS**, the building currently has a fire escape on the front of the building with drop ladders between the floors, and

**WHEREAS**, the proposal is to replace the fire escape with a new fire escape with platforms at each floor and

60 degree ladders from each to the floor below, which is required according to the applicant, and

**WHEREAS**, the proposal is also to change an existing metal door on the first floor to a wood panel door with a glass upper panel, and

**WHEREAS**, the proposal also calls for installing a roof deck on the top of the building with a 42" railing set back 5' from the front of the building, and

**WHEREAS**, the Committee questioned the "requirement" for the new fire escape since the style did not match the style of the building,

**THEREFORE, BE IT RESOLVED** CB#2, Man. recommends approval of the proposed door and finds the deck and railing not visible from the public way, but

**BE IT FURTHER RESOLVED**, CB#2, Man. would ask the Landmarks Commission to see if the new fire escape is necessary or if some other solution could be found for the second means of egress from 317 Canal St.

Vote: Unanimous, with 35 Board members in favor.

**3 - 434 Broadway - SoHo Cast Iron Historic District.** A Second Empire style store and loft building built in 1866-67. Application is to install storefront infill.

**WHEREAS**, the building currently has a commercial business on the first floor and an entrance to the upper floors on one side, and

**WHEREAS**, the application only deals with the entrance to the upper floors, and involves removing the existing door and side panel and replacing them with more glass to improve visibility to the lobby area, and

**WHEREAS**, it was felt too much of the original fabric of the entrance was being removed and the replacement was not appropriate, and

**WHEREAS**, it was felt the original window casings and marble bulkhead should be retained and

**WHEREAS**, the backlighted panels around the door were not appropriate, and more appropriate materials should be used for the band, and

**WHEREAS**, it was felt the granite step should remain rather than be covered with metal covering,

**THEREFORE, BE IT RESOLVED** CB#2, Man. recommends that this application for 434 Broadway be denied at this time.

Vote: Unanimous, with 35 Board members in favor.

**4 - 470 Broadway - SoHo Cast Iron Historic District** A Commercial building originally built in 1858, and altered in 1918 and 1940. Application is to alter the façade and install new storefront infill and signage.

**WHEREAS**, the current building is white brick, with a center door, both windows and door with bulkheads along the bottom, and

**WHEREAS**, the proposal is to remove the existing white brick, which the applicant stated was damaged in different areas, and replace it with white glazed brick, and

**WHEREAS**, the existing door would be replaced with a new glass door, and an additional door would be

installed at the end of the building to lead to a new stair in the interior, and

**WHEREAS**, both the windows and doors extended all the way down to the sidewalk, and

**WHEREAS**, the signage would be pin-mounted on the spandrel across the building between the floors, and

**WHEREAS**, it was felt the white glazed brick and black glass spandrel were out of character on this building, and the bulkheads along the base were much too short,

**THEREFORE, BE IT RESOLVED** CB#2, Man. recommends that the Landmarks Commission reject this application for 470 Broadway and suggest that the owners restore and maintain the existing building.

Vote: Unanimous, with 35 Board members in favor.

**5 - 7 Bond St. - NoHo Historic District** Two Second Empire style store, warehouse & factory buildings, one designed by Stephen D. Hatch and built in 1871, and the other designed by Griffith Thomas and built in 1872-73. Application is to construct a rooftop addition and create new window openings in an existing bulkhead.

**WHEREAS**, the proposal is to combine two top floor apartments and construct an open patio on the roof with moveable glass panels and a roof, and

**WHEREAS**, the existing bulkhead on the roof used for storage would also be changed to a two sided storage area with the other two walls of glass and a glass door, and

**WHEREAS**, as could be ascertained from the rooftop mock-up, there would be minimal visibility,

**THEREFORE, BE IT RESOLVED** CB#2, Man. has no objection to the proposed changes for 7 Bond St.

Vote: Unanimous, with 35 Board members in favor.

**6 - 55 West 8 St. - Greenwich Village Historic District.** A transitional Romanesque Revival style apartment house built in 1895. Application is to reconstruct the façade.

**WHEREAS**, this is a 6-story brick and masonry building with much detailed trim, and three section arched and rectangular windows on alternating floors, and

**WHEREAS**, the building is in very poor condition with missing or damaged façade material and loose decorative masonry, and

**WHEREAS**, the proposal is to do extensive restoration work on the façade and lintels, and

**WHEREAS**, the Dept. of Buildings has issued a violation to the owner for "Failure to Maintain" on Oct. 30, 2006 for loose, missing and defective decorative masonry, and there is some concern on the part of some of the tenants that this proposal is merely an attempt on the part of the landlord to use the repairs to secure rent increases on the basis of Major Capital Improvements, and that any work on this building should be treated as "necessary repairs," and

**WHEREAS**, based on the amount of work the owner is prepared to do on repairs to the façade,

**THEREFORE, BE IT RESOLVED** CB#2, Man. recommends approval of this application for 55 West 8 St.

Vote: Unanimous, with 35 Board members in favor.

**7 - 109 Waverly Pl. - Greenwich Village Historic District** A Greek Revival style house built in 1840. Application is to construct a rooftop and rear yard additions and to excavate the rear yard.

**WHEREAS**, this building is one of three similar houses all built around the same time in the Greek Revival style, and this one is the most original of the three, and

**WHEREAS**, the proposal is to enlarge the top floor windows on the front of the building and construct new dormer windows on the roof behind them, and add a bulkhead over the new stairs to the roof, and

**WHEREAS**, the proposal is also to excavate the rear yard for an underground swimming pool with skylight above and a paved patio and planted area, and

**WHEREAS**, there was no mention of replacing the windows to match the 6 over 6 windows on both the other Greek Revival houses on either side, and

**WHEREAS**, the small windows on the top floor are the original windows and should not be replaced, and

**WHEREAS**, the dormer and bulkhead mock-up on the roof are minimally visible from the street, and

**WHEREAS**, the architect had no answers to questions about the condition of the basement façade or how the contractor got the Bobcat into the rear yard to dig it up, and seemed unclear about how many trees were cut down and removed in the rear yard to make space for the excavation, although the entry to the basement level is accessible since there is a wooden shed in the front yard secured with a chain and padlock when the crew is not working,

**THEREFORE, BE IT RESOLVED** CB#2, Man. opposes the changes to the top floor windows, has no objection to the rooftop addition, but has serious questions about the work in the rear yard (and basement) in view of the inadequate and evasive presentation on this part of the application for 109 Waverly Pl.  
Vote: Unanimous, with 35 Board members in favor.

**8 - 719 Greenwich St. - Greenwich Village Historic District.** A brick warehouse building designed by Bernstein & Bernstein and built in 1909. Application is for façade work.

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

**THEREFORE, BE IT RESOLVED** CB#2, Man. recommends denial of this application for 719 Greenwich St. in the absence of this important step in the review process.

Vote: Unanimous, with 35 Board members in favor.

**9 - 421-423 West 13 St. - Gansevoort Market Historic District** A neo-Renaissance style warehouse building designed by Hans T. Meyer & built in 1901-02. Application is to install a new canopy, signage & light fixtures.

**WHEREAS**, this is an application for the first floor only, for a building occupied by a restaurant and store, and

**WHEREAS**, the proposal is to install a canopy over 5 of the 7 bays in the area occupied by the restaurant and an entry to the upstairs floors of the building, and

**WHEREAS**, the change in lighting has been dropped, and

**WHEREAS**, the proposed canopy is different from the existing canopy over the other part of the first floor of the building,

**THEREFORE, BE IT RESOLVED** CB#2, Man. recommends denial of the proposed canopy and suggests that the new canopy should match the other canopy on 421-423 West 13 St. and extend over all 7 bays including the upstairs entry.

Vote: Unanimous, with 35 Board members in favor.

## **SANITATION GARAGE**

### **DSNY Initiative**

**Whereas**, CB#2, Man. has unanimously approved several resolutions in the past months, opposing the expenditure of an estimated \$300 million by the City of New York, Department of Sanitation, to acquire land at Spring Street, (between West and Washington Streets), in order to build a 157 foot “vertical” DSNY Consolidated Sanitation Three District Garage; and,

**Whereas**, there has been little substantive opportunity to engage DSNY in a dialogue as required by the Fair Share Criteria under the City Charter to craft an alternative “horizontal” plan which will save New York City \$125 million dollars in acquisition cost and will lessen the burden upon the neighborhood which is already encumbered by active parcel delivery operations and the Holland Tunnel servicing the entire Metropolitan New York/New Jersey region; and,

**Whereas**, CB#2, Man. has been advised by Mr. Daniel Klein, Director of the Real Estate Department for DSNY, that an Environmental Impact Statement is about to be certified the Department of City Planning which will begin the ULURP procedure; and,

**Whereas**, CB#2, Man. together with local community organizations, area property owners and residents and businesses, has crafted the following alternative plan, to be known as the “DSNY INITIATIVE”, as follows:

1. CB#2, Man., proposes a partially below ground “horizontal” garage structure, rather than a 157 foot "vertical" tower garage, to meet DSNY requirements to re-locate CD 1 and 2.
2. UPS would occupy 60,000 sf in an enclosed ground floor truck marshalling yard, entering/exiting on Washington Street.
3. DSNY CD's 1 & 2 would store their vehicles in an underground storage facility with 30' ceilings using two truck elevators, entering and exiting on West Street (see accompanying drawings).
4. The existing CD 1 garage would be renovated for activities other than vehicle storage (i.e. vehicle maintenance, truck washing, refueling, offices and locker rooms) as currently exists now. We urge DSNY to study refueling in NJ after trucks dump their cargo.
5. The existing CD 3 salt pile at Pike Slip (under the Manhattan Bridge) would be expanded.

(We are asking DSNY to adopt more "environmentally friendly" methods to replace salt, which is unusable and less effective at colder temperatures, and cumbersome for storage purposes.)

6. CD5 would be relocated to the East 73<sup>rd</sup> Street facility. (Previously CD 5 Garage was relocated from East 73<sup>rd</sup> Street to the Gansevoort Peninsula in 2007. CD 6 is currently at Block 675 adjoining the proposed "Joe Rose" Hotel. Supplementing the aforementioned, DSNY would purchase additional property (FAR of 2) to provide for the truck parking needs of either CD 5 or CD 6 with the other district returning to East 73<sup>rd</sup> Street.)
7. UPS would seek a Special Permit for a one-story garage (for UPS use) with a basement garage (for CD1 & 2 DSNY use) & on its property. This would allow UPS to retain all of the available air rights (estimated to be 427,450 sf), which could be sold to a private development group. Eminent Domain proceedings against UPS would be discontinued.
8. In return for UPS being allowed to sell their air rights privately, UPS would then sell that portion of their property, designated for this project, to NYC for \$1.00, saving the City more than \$100 million.
9. The private developer group, who purchases the air rights, would build the UPS and DSNY garages at this site "at-cost" realizing significant construction savings for the City estimated to be an additional \$25 million.
10. The City would study and support a re-zoning between Washington and West Streets to give property owners the ability to build residential, hotel or office projects which will also include community facilities like public green space, a pedestrian bridge to Pier 40 and a new public Middle School.
11. All employee vehicular parking would be located nearby at a savings of \$300,000.00 construction costs per parking space under the existing DSNY proposal.

**Whereas**, the "DSNY INITIATIVE" as designed by Zakrezewski & Hyde Architects and Star Whitehouse Landscape Architects and Planners has received the American Institute of Architects' annual Design Award for their vision, and

**Whereas**, this "DSNY INITIATIVE" would result in an immediate savings to the City of more than \$125 million; and,

**Whereas**, Community Board#2, Manhattan, welcomes the assistance of the Mayor's Office, the Hudson River Park Trust, Friends of the Hudson River Park and the litigants to the Settlement Consent Decree, "Friends of Hudson River Park et als., Plaintiffs vs. New York City et als., Defendants, Supreme Court, New York County, Index No. 105763/05 (which stipulates the removal of DSNY facilities off of Gansevoort Peninsula by 2012); and, further reminds the litigants that "the intent of The Hudson River Park Act (12327-05-08) states that creating the park is in the public interest because it will "promote the health, safety and welfare of the people of the state [and] increase the quality of life in the adjoining community."

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends approval of the "DSNY INITIATIVE", as set for the above, together with the architectural drawings attached hereto; and,

**BE IT FURTHER RESOLVED**, that CB#2, Man. requests that an immediate dialogue commence with DSNY.

Vote: Unanimous, with 35 Board members in favor.

## **SIDEWALKS, PUBLIC FACILITIES AND ACCESS**

1. New App. To NYCDOT for revocable consent to construct a new stoop and fence: **Babum, LLC, at 31 Jones St.**, betw. Bleecker and W 4<sup>th</sup> Sts., Block: 590, Lot: 88, Police Precinct: 6.

**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 Public Member of this Committee lives on this block, and the applicant's architect, Victoria Walsh of Walsh and Purdy was present, and,

**Whereas**, no current violations were observed by this committee either in personal visit or in researching this property, and

**Whereas**, the existing sidewalk is 12' wide, the existing building entrance is below grade and this is a one family residence, and

**Whereas**, the applicant is seeking to build a staircase and entrance to an above grade location that is now a window and maintain the below grade entrance beneath the staircase, and

**Whereas**, the staircase or stoop with fence will reduce the available pedestrian right of way to six feet in a heavily traveled block between Bleecker and West 4<sup>th</sup> St and between Sixth and Seventh Avenues, and

**Whereas**, the applicant had not explored any other options that would impose less on the public access,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. **recommends DENIAL** of the New App. To NYCDOT for revocable consent to construct a new stoop and fence by **Babum, LLC, at 31 Jones St.**

Vote: Unanimous, with 35 Board members in favor.

### **New Applications for revocable consent to operate an Unenclosed sidewalk café for:**

2. **La Mela Ristorante Italiano, Inc., 167-171 Mulberry St.**, betw. Broome & Grand Sts., Block: 471, Lots: 17,18,19, Police Precinct: 5, with 16 tables & 32 seats, DCA#1274929-(cont'd from Feb 08)

**Whereas**, the area was posted, contiguous neighborhood associations alerted by e-mail and there were community members present as well as the manager and owners representative, Michael Kelly present, and

**Whereas**, this establishment is the ground floor business in three contiguous buildings with an unenclosed sidewalk café permit, only, and

**Whereas**, this is classified as a **new application** because there is a new president and 100% stockholder of the corporation, Frank Catenaccio, but in all other aspects the sidewalk café and its method of operation remain the same, and

**Whereas**, there are currently three enclosed structures encompassing the sidewalk café area of the three buildings with one restaurant, which are now not being used to serve customers, but do have tables displaying food and menus, and

**Whereas**, there does exist a six inch raised platform which has possibly existed since 1960 but at least for ten or more years beneath the area of this sidewalk café, which is not a legal structure by DCA regulation, and

**Whereas**, there is 7'8" clearance on the public access sidewalk where there should be 8', and

**Whereas**, there are also signs placed on this insufficient sidewalk space, and

**Whereas**, there tenant entrances to the upper floors of all three buildings that are contiguous to the three separate sidewalk café areas described in this one license, \

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends **APPROVAL** of this new application for revocable consent to operate an Unenclosed sidewalk café for **La Mela Ristorante Italiano, Inc., 167-171 Mulberry St.**, betw. Broome & Grand Sts., Block: 471, Lots: 17,18,19, with 16 tables & 32 seats, DCA#1274929, **CONDITIONAL UPON THE FOLLOWING** accommodations agreed to by the manager and the owners representative, who were present and agreeing at this hearing:

1. The enclosures will be removed between April 1 and January 1 for legal sidewalk café use; and from January 2 to March 31 there will be no table service inside the enclosures which will be erected to retain heat inside the restaurant and that these enclosures will be subject to DOT approval, as required.
2. Four inches (or any fraction thereof) of the vertical front of the raised platform will be removed to accommodate a full 8-foot sidewalk clearance.
3. That no tables or chairs will be placed at the residential entrances of these buildings.
4. That all tables and chairs will be present in the sidewalk café from 11:30 a.m. to 11:30 p.m. Monday thru Thursday; 11:30 a.m. to 12:30 a.m. Friday and Saturday, and Noon to 11:30 p.m. on Sunday and removed at all other times.
5. That this Committee, and the Applicant and the Department of Consumer Affairs will make deliberate effort to secure written documentation that the raised platform is allowable under New York City statutes. (See attached letter to the Department of City Planning).

Vote: Unanimous, with 35 Board members in favor.

**3. Gusto Grilled Organics, Inc., 519-523 6 th Ave.**, betw 13<sup>th</sup> & 14<sup>th</sup> Sts., Block: 609, Lot: 40,41, Police Precinct: 6, with 18 tables & 36 seats, DCA# 1277413. Mike Kelly, representative – will also apply for wine & beer. Sidewalk clearance measured: 18’4”

**Whereas**, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present or submitting of written testimony; but the owners representative, Michael Kelly was present, and

**Whereas**, there is 18’4” sidewalk clearance at this location, and

**Whereas**, the sidewalk plan maintains sufficient clearances for ample pedestrian right-of-way, and

**Whereas**, this applicant will also be seeking a wine and beer license that will include this plan in its method of operation as a condition of the license submission approval process,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends **APPROVAL** of this new application for revocable consent to operate an Unenclosed sidewalk café for **Gusto Grilled Organics, Inc., 519-523 6<sup>th</sup> Ave.**, betw 13<sup>th</sup> & 14<sup>th</sup> Sts., with 18 tables & 36 seats, DCA# 1277413.

Vote: Unanimous, with 35 Board members in favor.

**4. Sengupta Food Services, LLC d/b/a SoHo Park, 62 Prince St.**, at Lafayette, Block: 496, Lot: 18, Police Precinct: 5, with 11 tables & 22 seats, DCA# 1277362.

**Whereas**, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present or submitting of written testimony; and the owners were not present, and

**Whereas**, this area of Lafayette St. allows only “small unenclosed sidewalk café’s” and the plans do not indicate understanding of this statute, and

**Whereas**, it is anticipated that this applicant will also seek a liquor license for this sidewalk café, and

**Whereas**, this applicant will also be seeking a liquor license that will include this plan in its method of operation as a condition of the license submission approval process,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends this application for **Sengupta Food Services, LLC d/b/a SoHo Park**, 62 Prince St., at Lafayette, with 11 tables & 22 seats, DCA# 1277362. **be held over to the April agenda** in order that the application be examined and the Method of Operation can be suitably approved prior to other associated applications.

Vote: Unanimous, with 35 Board members in favor.

**5. Italian Wine Company, LLC, d/b/a Dell Anima, 38 8 th Ave.**, betw Jane & 12<sup>th</sup> Sts, Block: 625, Lot: 58, Police Precinct: 6, with 7 tables & 14 seats, DCA# 1277408.

**Whereas**, the area was posted, contiguous neighborhood associations alerted by e-mail and there were community members present and no others submitting of written testimony; and the owner, Bob Werhane was present, and

**Whereas**, this Committee has noted that the last Certificate of Occupancy was temporary and issued in 1951, with ground floor store occupancy by 30 people, and has brought that to the attention of the applicant, and

**Whereas**, the location of this sidewalk café will be at 328 West 4<sup>th</sup> St., and NOT at 38 8<sup>th</sup> Ave., and that this location is in a Landmarked District which allows Mixed Residential and Commercial Buildings with C1-6 zoning for commercial use, and

**Whereas**, this location is predominantly residential and sidewalk noise could be a detriment, and

**Whereas**, the sidewalk at this location is 13’ wide but there is an existing tree fence that the applicant agrees to convert to a flush tree pit in order to provide proper clearances with the submitted plan, and

**Whereas**, this applicant will also be seeking a liquor license that will include this plan in its method of operation as a condition of the license submission approval process,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends **APPROVAL** of this new application **for revocable consent to operate an Unenclosed sidewalk café for Italian Wine Company, LLC, d/b/a Dell Anima**, 38 8 th Ave./ 328 West 4<sup>th</sup> St., betw Jane & 12<sup>th</sup> Sts, with 7 tables & 14 seats, DCA# 1277408.

Vote: Unanimous, with 35 Board members in favor.

**6. Mosso Corp. d/b/a Lomito, 300 Spring St.** betw. Greenwich & Renwick, Block: 594, Lot: 74 Police Precinct: 1, City Address: 304 SPRING STREET, 10013, with 11 tables & 22 seats, DCA# 1277942 - Mike Kelly

**Whereas**, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present or submitting of written testimony, but Committee member, Phil Mouquinho, an

active community member did address community conditions and the owners representative Mike Kelly was present, and

**Whereas**, this application is within a rapidly changing residential development climate and evolving streetscape, and

**Whereas**, there is ample unencumbered sidewalk right-of-way provided by this new building which is residential in its upper floors, and

**Whereas**, this applicant will also be seeking a liquor license that will include this plan in its method of operation as a condition of the license submission approval process,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends **APPROVAL** of this new application **for revocable consent to operate an Unenclosed sidewalk café for Mosso Corp. d/b/a Lomito, 300 Spring St.** betw. Greenwich & Renwick, City Address: 304 SPRING STREET, 10013, with **10 tables & 20 seats**, DCA# 1277942, **CONDITIONAL** upon the following amendments which will appear in a change order to be signed by the applicant:

1. The above reductions of tables to 10 and seats to 20 as indicated above for its first application period.
2. The reduction of hours for sidewalk café use to 10:30 p.m. Sunday through Thursday.

Vote: Unanimous, with 35, Board members in favor

**7. Think Bleecker, LLC, 1 Bleecker St.**, Block: 529, Lot: 7505, Police Precinct: 9, with 19 tables & 40 seats, DCA#1277645.

**Whereas**, the area was posted, contiguous neighborhood associations alerted by e-mail, there were no community members present and no others submitting of written testimony; but Committee member, Zella Jones, an active community member did address community conditions and the owner, Jason Scherr was present, and

**Whereas**, this sidewalk café application and wine & beer license were previously addressed by resolution and Memorandum of Understanding executed in February, 2008 by the Community Board, the Community and the Applicant attached herewith, and

**Whereas**, this applicant has also sought a wine and beer license that includes the above referenced sidewalk café restrictions within its Method of Operation, as a requirement of the approved license application, and

**Whereas**, the applicant has submitted revised plans in accordance with the previously referenced Memorandum of Understanding for 10 tables and 20 seats, and

**Whereas**, this location is in a Landmarked District and the proposed retractable awning will require Landmarks Preservation Commission approval.

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends **APPROVAL** of this new application **for revocable consent to operate an Unenclosed sidewalk café for Think Bleecker, LLC, 1 Bleecker St.**, with **10 tables & 20 seats**, DCA#1277645, **CONDITIONAL** upon the following agreed to on a change order signed by the applicant:

1. Sidewalk Café to the Bowery Side only

2. Reduction of Table to 10; Seats to 20 for the first application period and subject to review for subsequent renewals.
3. The reduction of hours for sidewalk café use to 10:30 p.m. Sunday through Saturday. for the first application period and subject to review for subsequent renewals.

Vote: Unanimous, with 35 Board members in favor.

**8. C&O Coffee Shop, Inc. 28 Eighth Ave. d/b/a La Bonnierre**, betw. Jane & 12<sup>th</sup> Sts, Block: 625, Lot: 52, Police Precinct: 6, with 5 tables & 10 seats, DCA#1277859

**Whereas**, the area was posted, contiguous neighborhood associations alerted by e-mail and there were two community members representing the Jane St. Block Assoc in favor of this application present and no others submitting of written testimony; and the owner, Costos Maroulletis was present, and

**Whereas**, this is a Landmarked District and there is an open Landmarks Violation attributable to the building which may or may not be associated with this application, and

**Whereas**, there is no available Certificate of Occupancy for this building on the Dept of Buildings on-line system, but the applicant produced a valid Certificate of Occupancy for attachment to this application, and

**Whereas**, the sidewalk is 12' wide with a tree and raised tree guard impeding 3'3" on the right-of-way, and

**Whereas**, the plans submitted do not accommodate a 3' service aisle,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends **APPROVAL** of this new application for revocable consent to operate an Unenclosed sidewalk café for **C&O Coffee Shop, Inc. 28 Eighth Ave., d/b/a La Bonnierre**, betw. Jane & 12<sup>th</sup> Sts, with **4 tables & 8 seats**, DCA#1277859 **CONDITIONAL** upon the following agreed to on a change order signed by the applicant:

1. Reduction to 4 tables and 8 seats placed on either side of the only middle service door, eliminating the need for the service aisle
2. The removal of the tree guard and leveling of the tree pit thus providing adequate pedestrian right-of-way.

Vote: Unanimous, with 35 Board members in favor.

**Renewal Applications for revocable consent to operate an Unenclosed sidewalk cafe for:**

**9. Legendary Nightspots, Inc., d/b/a/ The Duplex, 61 Christopher St., @ Seventh Ave.** Block: 610, Lot: 1, Police Precinct: 6, with 18 tables & 36 seats, DCA# 1190534

Held over for April agenda at applicants request.

**10. 31 Great Jones Restaurant Corp., d/b/a Five Points, 31 Great Jones St.,** betw Lafayette & Bowery, Block: 530, Lot: 22, Police Precinct: 9, with 11 tables & 22 seats, DCA# 1034252

**Whereas**, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present and no others submitting of written testimony; and the owner or owner's representative was not present,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends **DENIAL** of this renewal application for revocable consent to operate an Unenclosed sidewalk café for **31 Great Jones Restaurant Corp., d/b/a Five Points, 31 Great Jones St.**, betw Lafayette & Bowery, 11 tables & 22 seats, DCA# 1034252, UNLESS the applicant agrees to holding this application for April review.

Vote: Unanimous, with 35 Board members in favor.

**11. Pomodoro Ristorante & Pizzeria, Inc., 51 Spring St.**, between Lafayette & Mulberry, Block: 495, Lot: 42, Police Precinct: 5, with 6 tables & 18 seats, DCA # 0884882.

**Whereas**, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present and no others submitting of written testimony; and the manager, Fausto Pesantez was present, and

**Whereas**, this committee has noted that there is no Certificate of Occupancy for this building and notified the applicant that some clarification may be necessary for this and other license applications, and

**Whereas**, the plans of record show 11 tables and 44 seats, but the applicant has produced plans for 6 tables and 18 seats which will be attached to this application, and that the new plan eliminates the need for a service aisle of 3' thus complying with the pedestrian right-of-way,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends **APPROVAL** of this renewal application for revocable consent to operate an Unenclosed sidewalk café for **Pomodoro Ristorante & Pizzeria, Inc., 51 Spring St.**, between Lafayette & Mulberry, with 6 tables & 18 seats, DCA# 0884882.

Vote: Unanimous, with 35 Board members in favor.

**12. Eat Well, Inc., d/b/a/ Bone Lick Park 75 Greenwich Ave.**, betw. Bank & 11<sup>th</sup> Sts., Block: 614, Lot: 61, Police Precinct: 6, Address, ZIP Code: City Address: 201 WEST 11 STREET, 10014, with 10 tables & 20 seats, DCA# 1191650.

**Whereas**, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present and no others submitting of written testimony; and the owner, Nick Accardi, was present, and

**Whereas**, there are no changes on the plan or with sidewalk clearances,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends **APPROVAL** of this renewal application for revocable consent to operate an Unenclosed sidewalk café for **Eat Well, Inc., d/b/a/ Bone Lick Park 75 Greenwich Ave.**, betw. Bank & 11<sup>th</sup> Sts., with 10 tables & 20 seats, DCA# 1191650.

Vote: Unanimous, with 35 Board members in favor.

**13. P J's of Little Italy, Inc. d/b/a Pellegrino's, 138 Mulberry St.**, betw. Grand & Hester Sts, Block: 237 Lot: 7501 Police Precinct: 5, City Address,: 132 MULBERRY STREET, 10013, with 7 tables & 14 seats, DCA#0883720-(cont'd from February) Define months for enclosure vs. Sidewalk café Signs ?

**Whereas**, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present and no others submitting of written testimony; and the owners representative, Mike Kelly, was present, and

**Whereas**, in winter months most of the sidewalk café is replaced by an enclosure, which is not used for table service, at the front entrance, and

**Whereas**, the applicant agrees that the sidewalk café will be utilized according to the plan from April through December, and

**Whereas**, the applicant agrees not to place menu pedestals in the pedestrian right-of-way,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends **APPROVAL** of this renewal application for revocable consent to operate an Unenclosed sidewalk café for **P J's of Little Italy, Inc. d/b/a Pellegrino's, 138 Mulberry St., betw. Grand & Hester Sts., with 7 tables & 14 seats, DCA#0883720.**

Vote: Unanimous, with 35 Board members in favor.

**14. Claudisal Rest. Corp., d/b/a Da'Massimo & Caffè Rellini, 206 Thompson St., betw. Bleecker and W 3<sup>rd</sup> St., Block: 537, Lot: 37, Police Precinct: 6, Address, ZIP Code: 151 BLEECKER STREET, 10012, with 9 tables & 18 seats, DCA#1187924-(cont'd from February)**

**Whereas**, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present and no others submitting of written testimony; and the owners representative, Mike Kelly, was present, and

Whereas, there are no changes on the plan or with sidewalk clearances,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends **APPROVAL** of this renewal application for revocable consent to operate an Unenclosed sidewalk café for **Claudisal Rest. Corp., d/b/a Da'Massimo & Caffè Rellini, 206 Thompson St., betw. Bleecker and W 3<sup>rd</sup> St., DCA#1187924.**

Vote: Unanimous, with 35 Board members in favor.

**15. GC 505 West Restaurant, LLC d/b/a Socialista, 503-507 West St. between Jane & Horatio, Block: 642, Lot: 1, Police Precinct: 6, with 14 tables & 32 seats, DCA#1254128**

**Whereas**, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present and no others submitting of written testimony; and the owners representatives, Juan Ortiz and Armin Amiri of the Cipriani organization were present, and

**Whereas**, this application is within the Gansevoort Historic District, and

**Whereas**, there are no changes in the previously submitted plans, the planters are portable and the temporary sidewalk shedding will be removed, and

**Whereas**, the sidewalk café is positioned away from residential units of both Jane and Horatio Sts. and likely minimizing any sound,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends **APPROVAL** of this renewal application for revocable consent to operate an Unenclosed sidewalk café for **GC 505 West Restaurant, LLC d/b/a Socialista, 503-507 West St. betw Jane & Horatio, Block: 642, Lot: 1, Police Precinct: 6, with 14 tables & 32 seats, DCA#1254128.**

Vote: Unanimous, with 35 Board members in favor.

**16. Smithfield Associates, LLC, d/b/a Pastis, 9-19 9 th Ave.,** betw. Little West 12<sup>th</sup> & 13<sup>th</sup> Sts., Block: 645, Lot: 49, Police Precinct: 6, with 42 tables & 104 seats, DCA#1186742 (cont'd from February)

**Whereas**, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present and no others submitting of written testimony; and the owners representative, Mike Kelly was present, and

**Whereas**, new plans showing 11 tables and 30 seats were submitted and returned with this application, and

**Whereas**, there is no Certificate of Occupancy on file but a new Certificate of Occupancy is pending,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends **APPROVAL** of this renewal application for revocable consent to operate an Unenclosed sidewalk café for **Smithfield Associates, LLC, d/b/a Pastis, 9-19 9 th Ave.**, betw. Little West 12<sup>th</sup> & 13<sup>th</sup> Sts., with 42 tables & 104 seats, DCA#1186742.

Vote: Unanimous, with 35 Board members in favor.

**17. MRG Rest. Corp., d/b/a/ Positano, 122 Mulberry St.,** betw. Hester & Canal Sts., Block: 205, Lot: 12, Police Precinct: 5, with 3 tables & 6 seats, DCA#1135770-(cont'd from February)

**Whereas**, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present and no others submitting of written testimony; and the owners representative, Mike Kelly was present, and

**Whereas**, this sidewalk café is located in the Little Italy Special District, and

**Whereas**, the last Certificate of Occupancy was issued in 1917 for a tenement with no commercial ground-floor use, and this was made known to the applicants representative, and

**Whereas**, there are no changes on the plan or with sidewalk clearances and this Committee observed no violations upon visiting the site,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends **APPROVAL** of this renewal application for revocable consent to operate an Unenclosed sidewalk café for **MRG Rest. Corp., d/b/a/ Positano, 122 Mulberry St.**, betw. Hester & Canal Sts., Block: 205, Lot: 12, Police Precinct: 5, with 3 tables & 6 seats, DCA#1135770.

Vote: Unanimous, with 35 Board members in favor.

**18. Jo-Rach Inc. d/b/a/ Palermo, 148 Mulberry St.,** betw Hester & Grand Sts., Block: 237, Lot: 12, Police Precinct: 5, City Address: 191 GRAND STREET, 10013 with 3 tables & 10 seats, DCA# 0920440

**Whereas**, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present and no others submitting of written testimony; and the owners representative, Mike Kelly was present, and

**Whereas**, this sidewalk café is located in the Little Italy Special District, and

**Whereas**, the last Certificate of Occupancy was issued in 1939 for similar first floor use, but that space is now shared by several businesses, and this was made known to the applicants representative, and

**Whereas**, there are no changes on the plan or with sidewalk clearances and this Committee observed no violations upon visiting the site,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends **APPROVAL** of this renewal application for revocable consent to operate an Unenclosed sidewalk café for **Jo-Rach Inc. d/b/a/ Palermo, 148 Mulberry St.**, betw Hester & Grand Sts., with 3 tables & 10 seats, DCA# 0920440

Vote: Unanimous, with 35 Board members in favor.

**19. Panzi Enterprises, LLC., d/b/a Pardo's, 92 7 th Ave. South**, Block: 591, Lot: 10, Police Precinct: 6, City Address: 52 GROVE STREET, 10014, with 13 tables & 36 seats, DCA# 1250013.

**Whereas**, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present and no others submitting of written testimony; and the owners representative was present, and

**Whereas**, this sidewalk café is located in the Little Italy Special District, and

**Whereas**, the last Certificate of Occupancy was issued in 1958 allowing 50 persons in the first floor store now occupied by two restaurants, and this was made known to the applicants representative, and

**Whereas**, there are no changes on the plan or with sidewalk clearances and this Committee observed no violations upon visiting the site,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends **APPROVAL** of this renewal application for revocable consent to operate an Unenclosed sidewalk café for **Panzi Enterprises, LLC., d/b/a Pardo's, 92 7 th Ave. South**, with 13 tables & 36 seats, DCA# 1250013.

Vote: Unanimous, with 35 Board members in favor.

**20. H&A Café Corp., d/b/a SoHo Grille, 224 Lafayette St.** betw. Spring & Broome Sts., **Block: 482, Lot: 24, Police Precinct: 5**, with 4 tables & 16 seats, DCA# 1203228

**Whereas**, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present and no others submitting of written testimony; and the owner was present, and

**Whereas**, this sidewalk café is located on the area of Lafayette St., designated for small unenclosed sidewalk cafes, and

**Whereas**, the owner has submitted plans, now attached to this DCA application which comply with the small unenclosed sidewalk café regulations, and

**Whereas**, the parent corporation shares similar parties to Café Midnight at 218 Lafayette St., whose liquor license stipulates no sidewalk café and the applicant specifically states that SoHo Grille and its licenses are not associated with Café Midnight's Method of Operation, and

**Whereas**, the owner has been informed that there is no Certificate of Occupancy on file for its location at 224 Lafayette St.,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends **APPROVAL** of this renewal application for revocable consent to operate an Unenclosed sidewalk café for **H&A Café Corp., d/b/a SoHo Grille, 224 Lafayette St.** betw. Spring & Broome Sts., with 4 tables & 16 seats, DCA# 1203228.

Vote: Unanimous, with 35 Board members in favor.

**21. Happy Boys, d/b/a/ Chow Bar & Grille, 184 West 10<sup>th</sup>/230 West 4<sup>th</sup> St.**, betw. Christopher and 10<sup>th</sup> Sts., Block: 619, Lot: 68, Police Precinct: 6, with 6 tables and 13 seats, **DCA# 1072271.**

**Whereas**, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present and no others submitting of written testimony; and the owners representative was present, and

**Whereas**, this location is within the Greenwich Village Historic District and the sidewalk café is located on the West 4<sup>th</sup> St., side which allows C-6 commercial use, and

**Whereas**, the owner's representative has been informed that there is no Certificate of Occupancy on file for its location, and

**Whereas**, this application has been continuous without complaint since 2001,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man recommends **APPROVAL** of this renewal application for revocable consent to operate an Unenclosed sidewalk café for **Happy Boys, d/b/a/ Chow Bar & Grille, 184 West 10<sup>th</sup>/230 West 4<sup>th</sup> St.**, betw. Christopher and 10<sup>th</sup> Sts., Block: 619, Lot: 68, Police Precinct: 6, with 6 tables and 13 seats, **DCA# 1072271.**

Vote: Unanimous, with 35 Board members in favor.

### **STREET ACTIVITY & FILM PERMITS**

**1. 4/1 – 12/24 – Church of St. Luke's in the Field** (new Multi-day, Multi block), Hudson St. bet. Grove & Christopher Sts. & Christopher St. bet. Hudson and Greenwich Streets;

**Whereas**, the business manager for the church (Maureen Doyle) appeared before the committee; and

**Whereas**, the applicant stated that they would only take up the sidewalk on the west side of Hudson St. at Grove St. and extending north to Christopher then along the south side of Christopher up to Greenwich Street; and

**Whereas**, they agreed to sell only crafts and or t shirts by individual Artists as well as provide a Green Market to provide the community with fresh produce and vegetables; and

**Whereas**, the applicant agreed to consult with a reputable Green Market Resource i.e. the Union Square Coop that is reputable and responsible in this field and has been used in other parts of the community; and

**Whereas**, the applicant agreed to locate small tables on the Christopher Street side and allow for sufficient pedestrian passage between the tables and the raised tree guards;

**Therefore be it resolved** that CB #2 Man. recommends **approval** for the Street Permit for **Church of St. Luke's in the Field** (new Multi-day, Multi block), Hudson St. bet. Grove & Christopher Sts. & Christopher St. bet. Hudson and Greenwich Streets.

**2. 4/22 – Earth Matters @ NYU**, Washington Pl. bet. Washington Sq. East & Greene St.;

**Whereas**, the applicant was represented by Samantha Caravello a student at NYU representing “Earth Matters” at NYU; and

**Whereas**, this fair has been in existence for 10 years; and

**Whereas**, this fair will focus on promoting earth day and earth week and transportation alternatives;

**Therefore be it resolved** that CB#2, Man. recommends **approval** for the Street Permit for **4/22 – Earth Matters @ NYU**, Washington Pl. bet. Washington Sq. East & Greene St

Vote: Passed, with 33 Board members in favor and 2 recusals (K. Berger, A. Kahn).

**3. 5/26 (Memorial Day)-9/1 (Labor Day) – Little Italy Merchants Assn., Inc.**, Mulberry St. bet Canal & Broome Sts. & Hester St. bet. Mott & Mulberry Sts.

**Whereas**, the applicant appeared before the committee with his attorney and various members of the organization; and

**Whereas**, according to Mr. Joseph Maino (a member of LIMA) this organization began as a tourist attraction in 1996 and attracts shopping and dining to the community; how it has enhanced interaction between the Italian and Chinese communities culminating in an East meets West holiday parade promoting brotherhood; how this organization voluntarily provided food for several months to FDNY, NYPD, NY State and other police organizations from other parts of the country who rushed to help in the 9/11 aftermath, with no monetary compensation; and

**Whereas**, Mr. Rubenstien, a consultant to the organization, explained the important reliance on the mall by the business community; and

**Whereas**, LIMA acknowledges problems: self-monitoring with their hired security didn't work; and

**Whereas**, several residents from the community spoke in opposition to the application citing some restaurants which failed to abide by the closing times; and

**Whereas**, several residents from the community spoke in support of the application citing the historical, cultural and economic value to Little Italy community; and

**Whereas**, several representatives of the Little Italy Neighbors Association requested in writing that the application be limited by decreasing the number of weekends and operating hours; and that the applicant and CB#2, Man. take steps to decrease the impact of the closure on the neighbors; and

**Whereas**, through a show of hands the committee saw that 90% of the audience was in favor of the mall and about 10% was opposed to it; and

**Whereas**, the committee strongly urges the 5<sup>th</sup> Police Precinct to clearly post signs and strictly enforce the modified traffic regulations with a maximum police presence so as to minimize the impact on the residential community;

**Therefore be it resolved** that CB#2 Man., recommends **approval** for the Street Permit for **Little Italy Merchants Assn., Inc.**, Mulberry St. bet Canal & Broome Sts. & Hester St. bet. Mott & Mulberry Sts. from **5/26 (Memorial Day) to 9/1 (Labor Day)** subject to ongoing dialogue (without delay to the timetable for issuing a permit), among the residents, merchants, the 5<sup>th</sup> Police Precinct, SAPO and the Council Member's office, and with the following conditions:

- a) The applicant must provide an Income and Expense statement to the committee
- b) Hours: start at Noon instead of 11:00 A.M. as requested on Sat. & Sun.
- c) Close at midnight instead of the requested 1:00 a.m. on Fri. and Sat.;
- d) Tables: more effective enforcement by LIMA, SAPO, and 5<sup>TH</sup> precinct; assign police who are familiar with the area and concerns of the community; recommend that this enforcement issue be placed on the agenda of the 5<sup>th</sup> Precinct Community Council Meeting.
- e) Street to re-open by 9:30 p.m. instead of 10:00 p.m. (last year) on Sunday before non-holiday;
- f) Dates: leave the dates the same as last year;
- g) Recommend marking (with tape or chalk or paint) the sidewalk for unobstructed passageways to entrance of buildings
- h) We urge that LIMA hire a new security firm that will do strict job of enforcing the rules and meet on a regular basis with members of the community to insure that loud music and illegal tables are not allowed.

Vote: Passed with 31 Board members in favor, and 3 in opposition.

**4. 5/2 – NYU Strawberry Festival**, West 4<sup>th</sup> St. bet. Washington Sq. East (Up Greene St.) & Mercer St.;

**Whereas**, the applicant was represented by the Office of Student Activities before the committee; and

**Whereas**, they will continue the annual event which has taken place since 1985; and

**Whereas**, they will have strawberries, balloons and do plantings;

**Therefore be it resolved that** CB#2, Man. recommends **approval** for the Street Permit for **5/2 – NYU Strawberry Festival**, West 4<sup>th</sup> St. bet. Washington Sq. East (Up Greene St.) & Mercer St.

Vote: Passed, with 33 Board members in favor, and 2 recusals (K. Berger, A. Kahn).

**5. 5/3 – Children's Aid Society**, Sullivan St. bet. Bleecker & W. 3<sup>rd</sup> Sts.;

**Whereas**, this is the second year for this application; and

**Whereas**, the street will close from 10:30 a.m. to 2:30 p.m. to accommodate rides, crafts and gaming booths (aimed at younger children); and

**Whereas**, the event will be open to the public;

**Therefore be it resolved that** CB#2, Man. recommends **approval** for the Street Permit for **5/3 – Children's Aid Society** Sullivan St. bet. Bleecker & W. 3<sup>rd</sup> Sts.

Vote: Passed, with 33 Board members in favor, and 2 recusals (K. Berger, A. Kahn).

**6. 5/17 – NYU Wagner School (new), Jersey St. bet. Lafayette & Mulberry Sts.**

**Whereas**, the applicant was represented by Nye Whitaker Interim Director of Special Events; and

**Whereas**, the Alumni Day Committee of NYU partnered with the NY Public Library Mulberry Branch to promote public service; and

**Whereas**, the Organization will feature Bar-B-Que with the Dean in a family friendly lunch with public services activities; and

**Whereas**, the committee felt that Jersey Street was a low impact street to close for such and affair;

**Therefore, be it resolved** that CB#2, Man. recommends **approval** for the Street Permit for **5/17 NYU Wagner School**.

Vote: Passed, with 33 Board members in favor, and 2 recusals (K. Berger, A. Kahn).

**7. 5/31 – Morton Street Block Association, Morton St. bet. Bedford & Hudson Sts.**

**Whereas**, applicant was represented by the organizers one of which was Albert Bennett; and

**Whereas**, this is a White Elephant Sale held by members and residents of Morton Street and the vicinity with no commercial vendors; and

**Whereas**, the proceeds go to beautify the street with plantings and to community and neighborhood groups; and

**Therefore be it resolved** that CB#2, Man. recommends approval for the Street Permit for 5/31 – Morton Street Block Association, Morton St. bet. Bedford & Hudson Sts.

Vote: Passed, with 33 Board members in favor, and 2 recusals (K. Berger, A. Kahn).

**8. 5/31 – Sheridan Square Triangle Garden, Barrow St, bet, West 4<sup>th</sup> St. & Washington Pl.**

**Whereas**, the applicant was represented by Steve Gould; and

**Whereas**, the applicant has been operating for 35 years; and

**Whereas**, the proceeds of the event go to furthering the home care and assistance for the elderly; and

**Therefore be it resolved that CB #2 Manhattan recommends approval** for the Street Permit for **5/31 – Sheridan Square Triangle Garden, Barrow St, bet, West 4<sup>th</sup> St. & Washington Pl.**

Vote: Passed, with 33 Board members in favor and 2 recusals (K.Berger, A.Kahn).

**9. 6/16 – HERE Arts Center (new), Dominick St, bet, 6<sup>th</sup> Ave. & Varick St.**

**Whereas**, the applicant was represented by Karina Mangu Ward who began with a request for a date change from 6/3 (Tuesday) to 6/16 (Monday); and

**Whereas**, this event is a one time occurrence to celebrate the complete renovation of its theatre and an unveiling of same to their patrons and guests; and

**Whereas**, event will feature food and music inside a large tent on Dominick with activities both in the Arts Center and in the street; and

**Whereas**, the applicant works with the Chelsea Vocational School and the Door; and

**Whereas**, the applicant has agreed to terminate the music at 9:00 p.m.; and

**Therefore be it resolved that CB #2 Manhattan recommends approval** for the Street Permit for **6/16 - HERE Arts Center (new)**, Dominick St, bet, 6<sup>th</sup> Ave. & Varick St.

Vote: Passed, with 33 Board members in favor and 2 recusals (K.Berger, A.Kahn).

**10. 6/13 – P.S. 3**, Grove St. bet. Bedford & Hudson St.

**Whereas**, applicant was represented by Cathy Marino-Thomas; and

**Whereas**, this applicant is having their annual school picnic; and

**Whereas**, there are no vendors, no sale of food, no revenue, no electric wires strung, no platforms, no banners or arches, an no amplified sound;

**Therefore be it resolved that CB #2 Manhattan recommends approval** for the Street Permit for **6/13- P.S. 3**, Grove St. bet. Bedford & Hudson St.

Vote: Passed, with 33 Board members in favor and 2 recusals (K.Berger, A.Kahn).

**11. 6/7 – Jane Street Block Association**, Jane St. bet/ Hudson St. & 8<sup>th</sup> Ave.

**Whereas**, the applicant appeared before the committee and explained that this was a block party; and

**Whereas**, there will be vendors who will generate income for the group who will donate it to community groups; and

**Whereas**, the applicant has agreed to furnish the committee with a list of the community organizations that receive money and the amounts; and

**Whereas**, the applicant provides for tree maintenance on Jane Street and donates part of their income to The Village Nursing Home and The Caring Community;

**Therefore be it resolved that CB#2, Man., recommends approval** for the Street Permit for **6/7 – Jane Street Block Association**, Jane St. bet/ Hudson St. & 8<sup>th</sup> Ave

Vote: Passed, with 33 Board members in favor and 2 recusals (K.Berger, A.Kahn).

**12. 6/21 – Make Music NY (Composer’s Collaborative)**, Cornelia St, bet, Bleecker & W. 4<sup>th</sup> Sts.

**Whereas**, the applicant appeared before the committee and explained that this will be a free music performance open to the public by various Chamber Ensembles on Cornelia Street from 6:00 p.m. to 9:30 p.m.; and

**Whereas**, Robin Pirsch of Cornelia Street Café spoke in favor of the applicant; and

**Whereas**, Make Music NY is a city wide event on the first day of summer; and

**Whereas**, there was positive feedback from the community for last year’s performance;

**Therefore be it resolved** that CB#2, Man., recommends approval for the Street Permit for 6/21 – Make Music NY (Composer’s Collaborative), Cornelia St, bet, Bleecker & W. 4<sup>th</sup> Sts.

Vote: Passed, with 33 Board members in favor and 2 recusals (K.Berger, A.Kahn).

**13. 6/29 – Heritage of Pride** (multi block), Hudson St. bet. Bethune & 13<sup>th</sup> Sts.

**Whereas**, the applicant was represented by Mr. David Schneider; and

**Whereas**, this festival which was moved from its previous location on Washington Street to Hudson St. will employ approximately 200 tents, 2 stages and 10 Banners and will coincide with the Gay Pride Parade; and

**Whereas**, the applicant will have amplified music, mobile and trailer units and portable generators; and

**Whereas**, the applicant will occupy 5 blocks to be closed to traffic from 10:00 a.m. to 9:00 p.m. for 1 day;

**Therefore be it resolved that CB #2 Manhattan recommends approval** for the Street Permit for **6/29 Heritage of Pride** (multi block), Hudson St. bet. Bethune & 13<sup>th</sup> Sts.

Vote: Passed, with 33 Board members in favor and 2 recusals (K.Berger, A.Kahn).

**14. 9/27 – Stonewall Veterans Assn.** (multi block) Washington St. bet. Christopher & W. Houston Sts.

Applicant agreed to a **lay over** due to a prior commitment for St. Patricks’s Day.

**15. 7/19 – King Street Sounds (new)**, King St. bet. Varick & Hudson Sts.

**Whereas**, applicant was represented by Joseph Berinato who agreed to a 1 time only event; and

**Whereas**, the applicant claims to have reached out to the community and received 4 positive and 1 negative responses; and

**Whereas**, the applicant contributes to “Music Industry Fights Aids” whose representative was in attendance; and

**Whereas**, the applicant agreed to donate 10% of its net proceeds to P.S. 3 Art & Music Program; and

**Whereas**, the festival is open to the public with no admission since all proceeds come from sponsorships; and

**Therefore be it resolved** that CB#2, Man. recommends **approval** for the Street Permit Application for **7/19 King Street Sounds (new)**, King St. bet. Varick & Hudson Sts.

Vote: Passed, with 33 Board members in favor and 2 recusals (K.Berger, A.Kahn).

**16. 7/19 – St. Bernard’s Church, 14<sup>th</sup> Street bet. 7<sup>th</sup> & 8<sup>th</sup> Aves.;**

Whereas the applicant failed to appear for the second month in a row;

**Therefore be it resolved that CB #2 Man. recommends denial for the Street Permit Application for 7/19 – St. Bernard’s Church, 14<sup>th</sup> Street bet. 7<sup>th</sup> & 8<sup>th</sup> Aves.**

Vote: Passed, with 33 Board members in favor and 2 recusals (K.Berger, A.Kahn).

**17. 10/12 – NY Leather Invasion / Weekend, W. 13<sup>th</sup> Street bet. Washington St. and 10<sup>th</sup> Ave.**

**Whereas**, applicant was represented by Robert Valin and explained that the proceeds are donated to LGBT center and the National Coalition for Sexual Freedom; and

**Whereas**, applicant agreed to move the location from Weehawken Street to its new location as a result of community opposition; and

**Whereas**, the committee agreed to grant the applicant an amplified music permit due to the commercial and desolate location of the new venue; and

**Whereas**, a number of people spoke in support of the applicant;

**Therefore be it resolved that CB#2, Man. recommends approval for the Street Permit Application for 10/12 – NY Leather Invasion /Weekend, W.13<sup>th</sup> Street bet. Washington St. and 10<sup>th</sup> Ave.**

Vote: Unanimous, with 35 Board members in favor.

**18. 11/8 – Independent Downtown Republican Club, University Place bet. Waverly Place & 14<sup>th</sup> Street.**

**Whereas**, this applicant was laid over last month and failed to appear for this month’s meeting;

**Therefore be it resolved that CB#2, Manhattan recommends denial for the Street Permit Application for 11/8 – Independent Downtown Republican Club, University Place bet. Waverly Place and 14<sup>th</sup> Street.**

Vote: Passed, with 33 Board members in favor and 2 recusals (K.Berger, A.Kahn).

## **ST. VINCENT’S OMNIBUS**

**Proposal for a New St. Vincent Hospital at #20-40 Seventh Avenue (O’Toole), #2-18 Seventh Avenue (Triangle Site), and a Rudin Residential Development at #7-15 Seventh Avenue (Coleman), #160-178 W. 12<sup>th</sup> Street (Smith Raskob), #148-158 W. 12<sup>th</sup> Street (Nurses), #134-146 W. 12<sup>th</sup> Street (Reiss), #149-157 W. 11<sup>th</sup> Street (Link), #143-147 W. 11<sup>th</sup> Street (Spellman), and #133-141 W. 11<sup>th</sup> Street (Cronin).**

**WHEREAS**, on December 31, 2007, St. Vincent’s Hospital Manhattan (“SVH”) filed five (5) applications with the New York City Landmarks Preservation Commission (“LPC”) for construction and demolition within the Greenwich Village Historic District (the “Historic District”), consisting of (i) two applications, one for demolition and one for construction of a new hospital (the “Replacement Hospital”) on the site of the O’Toole Building; (ii) two applications, one for demolition and one for construction of a new residential building (the “Residential Development”), on the site of the Coleman, Cronin, Link, Nurses, Raskob, Reiss, Smith and Spellman buildings and (iii) one application for alterations to the Materials Handling Facility on the Triangle Site (collectively, the “SVH/Rudin Plan”); and

**WHEREAS**, SVH’s Emergency Department has been designated a Level One Trauma Center, one of two servicing all of Manhattan, and Community Board No. 2, Manhattan (“CB#2, Man.”) is supportive of SVH becoming a state-of-the-art medical facility to adopt modern health care delivery practices; and

**WHEREAS**, CB#2, Man. expresses appreciation that SVH met early and frequently with a wide range of the community (including local block associations, neighborhood members and CB#2, Man.) in the year before the official beginning of the public process, formed a “community working group” comprised of local stakeholders, and communicated well with the local community by creating an informative website and disseminating plans and other important information about the SVH/Rudin Plan; and

**WHEREAS**, CB#2, Man. has worked closely with the local elected officials (Speaker Quinn, Manhattan Borough President Stringer, Congressman Nadler, State Senator Duane and Assemblymember Glick) and engaged in extensive public outreach on the SVH/Rudin Plan, including hosting a public information forum and two public hearings and numerous smaller meetings with the applicants and community, taken public testimony from over 200 speakers, solicited and received more than 1,000 pieces of written testimony (including letters, postcards and emails) and conducted a web-based public opinion survey; and

**WHEREAS**, this is the largest project ever proposed in the Historic District, and therefore requires careful examination; and

**WHEREAS**, CB#2, Man. has a consistent policy of protecting structures in historic districts and is extremely concerned about setting a harmful precedent by approving certificates of appropriateness for the demolition of multiple buildings and its overall impact on the integrity of the Historic District, particularly when CB#2, Man. favors adaptive re-use of structures; and

**WHEREAS**, the Greenwich Village Historic District Designation Report (the “Designation Report”) notes that many of the buildings proposed for demolition “harmonize, as a group, remarkably well with their neighbors,” and that another is “striking;” and

**WHEREAS**, pursuant to a letter sent by CB#2, Man. to the LPC on March 7, 2008, CB2 deems it essential that the disposition of the buildings proposed for demolition in the SVH/Rudin Plan be evaluated individually, and what follows is an assessment of the buildings:

- **Smith Raskob, Nurses, Reiss and Spellman** are all individually described in the Designation Report. While they are overbuilt for the scale of Greenwich Village, “these buildings, in their use of materials, window patterns and details, generally conform with the houses in the adjoining streets” and that they “have very much the same quality as some of the best of the [lower] Fifth Avenue apartment houses,” in the heart of the district. The limestone coursing at the base of all these buildings and the brick facades of the upper floors, and the general lack of excessive detail are generally neo-Georgian in style, and to some extent are also reflective of the simplicity of the Greek revival buildings so common in the district. On Spellman, the “handsome, framed entrance doorway ... surmounted by an ornate broken pediment” is called out for special attention, as is the

“ornamental metal marquee” over the front door of Nurses. As a group, these buildings go beyond architectural appropriateness to include cultural and historic significance, because they represent, in their built form, the evolution of St. Vincent’s Hospital as an important institution in Greenwich Village.

- **Cronin** is also described in the Designation Report, as “a modern building [built] as an extension of the existing Spellman building.” While the modernist style is not typical of Greenwich Village architecture, it is important to note that the creation of the district was historic in the preservation movement because it included a variety of styles that were deemed contributing. We do not have many examples of modernist architecture, and the argument could be made that this one of our better examples. It includes a well-articulated ground level with stone veneers, reflecting the use of masonry on the base of the adjoining older buildings. The fenestration of the upper floors gives the building a vertical flow consistent with its neighbors, as opposed to a horizontal flow so typical of other buildings of the 60s. While the design of the upper portion of the building is less successful, nonetheless, it is mostly set back from the street façade and the resulting impression is of a 6-story building that is in keeping with the scale of the Village.
- **O’Toole** is described in the Designation Report as a “striking contemporary structure” and represents one of handful of 1960s building that challenged the dominance of the glass box international style. Given that it is not far from the border of the district, it could easily have been left out. It was designed by Albert Ledner, who studied as a fellow with Frank Lloyd Wright at Taliesin, and is one of the very few examples of Wrightian architecture, other than the Guggenheim, in New York City, and therefore many argue that this makes it worthy of protection. Wright’s influence is seen in the cantilevered approach to a succession of suspended façade walls, and the floor plans and roof design reflect an unusual and persistent use of circular forms as the basis for the division of the interior spaces. Further, the building has significant maritime and labor union history relevance. It was commissioned by the National Maritime Union (“NMU”) as its national headquarters, and fulfilled in its built form the view of the union, “everybody is equal here, and circles pretty much express that.” In keeping with the maritime theme, the scalloped facades recall the portholes of a ship. Originally the interiors were painted in sea green and blue colors to give an underwater feeling, and plexiglass bubbles outside featured models of ships, and the exterior included a prominent water feature. Ada Louis Huxtable praised it in her review in the NY Times and states that she was delighted that, rather than building another modernist glass box, the NMU “decided, instead, to go for architecture. Whatever reservations may be held, New York needs more of those decisions.” Mary Perot Nichols of the Village Voice described the building as “palatial” and “highly tasteful” with a Moorish quality.
- **Link, Coleman and the Triangle Site** were all built as replacement buildings in Large Scale Community Facility Development (“LSCFD”) of August, 1979, and are therefore not in the designation report. They are not particularly distinguished architecturally and could be demolished without a significant negative impact on the Historic District. It should be noted, however, that the LSCFD plan designated that the Triangle site will be a “new garden area available for community development.” Unfortunately, SVH did not follow through with the plan, and the area has been a frustrating eyesore for the community for almost 30 years and has detracted aesthetically from the Greenwich Village streetscape, which is particularly unfortunate given the lack of open space in the CB 2 area.

**WHEREAS**, the final decision as to which buildings might be determined to be appropriate for demolition and which buildings are necessary to protect, may necessitate a redesign by applicants; and

**WHEREAS**, CB#2, Man. did receive a presentation on the concept, massing and general materials of the SVH Plan, the board did not receive enough information as to the specific details, such as fenestration, door and window materials, storefront infill, façade treatments, ironwork ornamentation for the front gardens, colors and signage; and

**WHEREAS**, CB#2, Man. would ask that the LPC consider the following in regard to the proposed buildings:

- The Rudin residential development proposes an overall height and bulk that is not appropriate in the Historic District. The building on Seventh Avenue is far too massive and overwhelms the historic structures in the surrounding neighborhood, as does the large mid-block building. We also object to the design of the townhouses in the mid-blocks, which are neither innovatively modern nor historically or classically base, but which rather lie in a mediocre realm in between. While we understand that the proposal tries to respect the general feeling of Greenwich Village with small, intimate structures in the mid-blocks and larger buildings on the avenues, the disparity of the scale between the two renders the prospect of replicating townhouses, as more harmful than desirable.
- The new St. Vincent Hospital is also far too tall and bulky to be appropriate in the Historic District. It will dominate the skyline and impact the view corridors all the way down Seventh Avenue, Greenwich Avenue and across the side streets. What defines the district is the relation of the buildings to each other – no one building calls undue attention to itself, as this one surely would. The ovoid tower on a four-story base has no precedent in district. Greenwich Village is not defined by curves and rotaries. It is instead a series of buildings set into a grid and broken by angles, as reflected by the sharp intersection of Greenwich and Seventh Avenues, where these properties sit. In the same vein, the undulating awnings at the main entrance seem out of place. The scale of the main entrance is too large and dwarfs the human-scale of the typical village façade. Finally, there is concern that the terra cotta linking system for the façade will create strong horizontal lines that will make the base seem even larger than it is.
- The Triangle Site requires more attention in the final detailing. The proposed open space should be accessible and inviting to the community and should be planned with community consultation. It is important that the space be usable and that the materials and design of the fencing, paving and furniture, the landscaping and the camouflage of the hospital infrastructure be harmonious with both the surrounding historic neighborhood and any new replacement buildings.

**WHEREAS**, CB#2, Man. understands that it is not the purview of the LPC to consider issues such as use, traffic and ambulance patterns, impact on community infrastructure and services (including the need for classroom space and affordable housing), it is undeniable that these will affect the overall fabric of the Historic District, and that good urban planning requires that these issues be considered in all discussions of the project.

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. requests that the Smith Raskob, Nurses, Reiss and Spellman buildings be preserved as part of the SVH/Rudin Plan, that the O’Toole building be given careful and serious consideration for preservation and that the Cronin building also be considered; and

**BE IT FURTHER RESOLVED**, that CB2, Man., recommends that the proposed buildings in the SVH/Rudin Plan be redesigned, including adaptive re-use of the structures to be preserved, and that the applicant be required to submit the new designs to the Community Board for a thorough review as to the appropriateness of the height, bulk, style, materials, details, and public space considerations.

Vote: Passed, with 27 Board members in favor, and 8 in opposition.

**TRAFFIC AND TRANSPORTATION**

**1. Requesting priority for buses approaching and entering the Holland Tunnel from Watts St. bet. Ave. of the Americas and Varick St., consideration of a dedicated bus lane from Varick St. to the Tunnel, and a study of other solutions to congestion and air pollution there.**

**Whereas**, traffic congestion and air pollution caused by the Holland Tunnel is among the worst in CB#2, Man., with vehicular traffic feeding in from the north, south and east, negatively impacting the health and life quality of people who live and work in the area; and

**Whereas**, the northern lane of Watts St. between Ave. of the Americas and Varick St. is part of a dedicated lane route for tunnel-bound buses that ends at Varick St., where buses must merge with nine lanes of car traffic, leading to bus backups and three-hour standstills every day on that lane, accompanied by vibrations and diesel emissions, on a vulnerable, largely residential block; and

**Whereas**, buses have difficulty turning onto Watts St. across to its northern lane from the western lane of Ave. of the Americas (also part of the dedicated bus route), endangering the many pedestrians, including students from two public high schools, who use the crosswalk there, as well as blocking other vehicles; and

**Whereas**, public policy supported by CB#2, Man. favors encouraging the use of public transportation over commutation by cars, in keeping with PlanNYC 2030, and priority should be given to facilitating the movement of buses, which carry approximately 50 passengers (high occupancy vehicles) as opposed to the customary one or two in a car;

**Therefore, Be It Resolved** that CB#2, Man. requests that the NYC Police Department instruct its officers at the intersection of Watts and Varick Sts. to give priority to buses entering the Holland Tunnel and to step up enforcement to keep cars out of the dedicated bus lane, in the interest of supporting mass transportation, improving air quality and promoting traffic safety; and

**Be It Further Resolved** that CB#2, Man. requests that the NYC Department of Transportation move the bus lane on Watts St. from the north to the south side and study the possibility of widening the bus lane on Ave. of the Americas to create a radius allowing for a safer left turn into Watts St.; and

**Be It Finally Resolved** that CB#2, Man. requests that the Port Authority of NY/NJ consider reconfiguring the Watts St. Tunnel access lanes, possibly by incorporating the unused emergency lane, to create a dedicated bus lane from Varick St. to the mouth of the Tunnel.

Vote: Unanimous, with 35 Board members in favor.

**2. Support of the re-synchronization of traffic light signals on Broome and Watts Sts. from W. Broadway to Varick St. and of a study of traffic calming applications.**

**Whereas**, the Broome and Watts Sts. access route to the Holland Tunnel has heavy vehicular use; and

**Whereas**, these streets include many residences and businesses, with a high volume of pedestrians, including those from several neighborhood schools and youth programs; and

**Whereas**, when these streets are not congested, vehicles tend to travel at high speeds, and traffic light timing facilitates this speed, creating dangerous conditions for pedestrians; and

**Therefore, Be It Resolved** that CB#2, Man. requests that the NYC Department of Transportation (DOT) study the optimum light timing calibration to regulate traffic flow on Broome and Watts Sts. from W. Broadway to Varick St and re-synchronize the traffic light signals on them; and

**Be It Further Resolved** that CB#2, Man. requests that DOT study a variety of traffic calming measures to further slow down speeding vehicles there and report its findings and actions to CB2.

Vote: Unanimous with 35 Board members in favor.

**3. Support of No Parking 8am to 6pm Except Sun. on the north side of W. 13<sup>th</sup> St. bet. Ave. of the Americas and 7<sup>th</sup> Ave. and No Parking 9am to 10:30am on Tues. and one other weekday scheduled for street cleaning (street cleaning regulations) on the south side of the street.**

**Whereas**, following completion of the MTA New York City Transit fan plant construction project on W. 13<sup>th</sup> St. between the Ave. of the Americas and 7<sup>th</sup> Ave., “Street Cleaning” rules were instituted on both sides of that block, allowing parking there all but an hour and a half each day, narrowing the street and forcing deliveries to double-park on a block with many businesses, which has led to heavy traffic congestion with accompanying noise, pollution and danger to pedestrians as well as obstructed passage of emergency vehicles; and

**Whereas**, the W. 13<sup>th</sup> St. 100 Block Association, representing that street, requested that the “Street Cleaning” parking regulations on W. 13<sup>th</sup> St. between the Ave. of the Americas and 7<sup>th</sup> Ave. be changed back to the original alternate day regulations there, and CB#2, Man. supported that request in its Oct. 2007 resolution; and

**Whereas**, the New York City Department of Transportation has responded that alternate day regulations are no longer being implemented in the city, but that if the community perceives the street cleaning regulations as a negative impact on the “Quality of Life,” it would consider “No Parking 8 am – 6 pm except Sunday” on one side of the street with “Street Cleaning” rules on the opposite side;

**Therefore, Be It Resolved** that CB#2, Man. supports changing the parking regulations on W. 13<sup>th</sup> St. between the Ave. of the Americas and 7<sup>th</sup> Ave. from “Street Cleaning” regulations on both sides of the street to “No Parking 8 am – 6 pm except Sunday” on the north side of the street and “No Parking 9 am – 10:30 am on Tuesday and one other weekday scheduled for street cleaning (“Street Cleaning” rules) on the south side of the street.

Vote: Unanimous with 35 Board members in favor.

**4. Resolution Declining Proposal by DOT to open Prince St. to pedestrians from Lafayette St. to W. Broadway on Sundays from 11 am to 6 pm, as part of a pilot program.**

**Whereas**, the NYC Department of Transportation (DOT) has presented a proposal to open Prince St. to pedestrians from Lafayette St. to W. Broadway on Sundays from 11 am to 6 pm from Memorial Day to Labor Day, in order to alleviate sidewalk overcrowding and provide pedestrian comfort and access in an area filled with walkers; and

**Whereas**, CB#2, Man. appreciates DOT’s efforts to make Prince St. a better pedestrian place and to ensure in this project that emergency vehicular access would be maintained and that regulation of vending activity,

currently excessive, would be strictly enforced through DOT's coordination with the Department of Consumer Affairs and the NYC Police Department; and

**Whereas**, CB#2, Man. also appreciates DOT's willingness to monitor and modify this test project based on community criteria and input and to sunset it if not affirmatively reviewed, but regrets the absence in this case of a true community-based process in which the neighborhood has been consulted from the start about its problems, concerns and improvement ideas; and

**Whereas**, over 150 people, both residents and businesses, turned out in opposition to this proposal, in addition to more than 50 letters received against the plan, because of their concerns about its furthering the proliferation of a continuing vendor problem that might not be adequately controlled, the potential for street fairs and other mall-like activities, the possibility of vehicular traffic spilling into surrounding streets, the threat of more overcrowding, litter and noise, and worries about access to their homes, businesses and for emergency vehicles; and

**Whereas**, community representatives have expressed interest in looking comprehensively and methodically at solutions to traffic congestion and pedestrian safety in their area (including possible pedestrian zones), in conjunction with DOT and CB2;

**Therefore, Be It Resolved** that CB#2, Man. opposes DOT's proposal to open Prince St. to pedestrians from Lafayette St. to W. Broadway on Sundays from 11 am to 6 pm; and

**Be It Further Resolved** that CB#2, Man. requests that DOT set up a public process in which the affected community can work together with DOT from the start to develop and evaluate approaches to reduce traffic congestion and increase pedestrian comfort and safety in a comprehensive manner; and

**Be It Further Resolved** that CB#2, Man. urges DOT to form a committee made up of representatives from CB2, DOT and neighborhood stakeholders to carry out this process; and

**Be It Finally Resolved** that CB#2, Man. recommends that DOT establish such a public process and related system of advisory committees in all such projects it undertakes in this community.

Vote: Passed, with 28 in favor, 6 in opposition and 1 recusal (Naomi Wender).

## **NEW BUSINESS**

Respectfully submitted,

Susan Kent, Secretary  
Community Board #2, Manhattan