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Bob Gormley, *District Manager*



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COMMUNITY BOARD No. 2, MANHATTAN

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FULL BOARD MINUTES

DATE: June 19, 2008
TIME: 6:00 P.M.
PLACE: NYU Silver Building, 32 Waverly Place, Room 703

BOARD MEMBERS PRESENT: Steve Ashkinazy, Keen Berger, Tobi Bergman, Makrand Bhoot, Carter Booth, Sigrid Burton, Lisa Cannistracci, Dalton Conley, Maria Passannante Derr, Doris Diether, Ian Dutton, Harriet Fields, Sheelah Feinberg, Edward Gold, David Gruber, Jo Hamilton, Brad Hoylman, Chair, Community Board #2, Manhattan (CB#2, Man.), Zella Jones, Susan Kent, Arthur Kriemelman, Evan Lederman, Raymond Lee, Edward Ma, Jason Mansfield, Jane McCarthy, Rosemary McGrath, Judy Paul, Lois Rakoff, David Reck, Erin Roeder, Rocio Sanz, Wendy Schlazer, Arthur Z. Schwartz, James Solomon, Richard Stewart, Sean Sweeney, Annie Washburn, Carol Yankay, Elaine Young, Jin Ren Zhang

BOARD MEMBERS EXCUSED: Anne Hearn, Amanda Kahn, Ke-Wei Ma, Robert Riccobono, Shirley Secunda, Shirley H. Smith, Naomi Wender

BOARD MEMBERS ABSENT: Elizabeth Gilmore, Renee Kaufman

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

GUESTS: Erin Drinkwater, Congressman Jerrold Nadler's office; Crystal Gold-Pond and Jared Chauson, Senator Tom Duane's office; Rudy Greco, Senator Martin Connor's Office; Grey Elam, Council Speaker Christine Quinn's office; Matt Borden, Assembly Member Deborah Glick's office; Paul Nagle, Council Member Alan Gerson's office; Kate Mikuliak, Council Member Rosie Mendez's office; John Ricker, NYC Comptroller's office; Jim Lawson, Marilyn Stults, Gary Parker, Vincent DeCarluccio, Marc Ameruso, Lee Schwartz, Paul Fernandez, David R. Marcus, Robert Maultrop, Adley Gartenstein, Elizabeth Adam, Bob Cohen, Daniel Klein, Michael Kramer, Valerie Campbell, Winston Kulok, Suzanne Kucerc, Bob Kurshan, Shelly Friedman, Brenda Murad, M. Dorato, Vicki Lamb, Sharada Polavarapu, Russell Kellogg, Gary Tomei, Gil Horowitz, Henry Ameruso, Michael Posner, Naom Usher, Bernie Posner, Robert Chin, James Lawrence, Barbara Quart, Ruth Kuzub, Erika Munk, Christabel Gough, Drew Durniak, Stuart Waldman, Andrew Berman, Nadezhda Williams, Richard Winkler, Morris Adjmi, Jordan Rogulf, David Goldfarb

MEETING SUMMARY

Meeting Date June 19, 2008
Board Members Present – 40
Board Members Excused–7
Board Members Absent - 2

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II. PUBLIC SESSION

Non-Agenda Items

Doris Diether

Doris Diether, a member of the Board, thanked everyone for their support during her convalescence.

Landmarks & Public Aesthetics Items

Provincetown Playhouse

Jim Lawson and Barbara Quart spoke in favor of the preservation of Provincetown Playhouse by NYU.

Gary Parker, representing NYU, spoke in favor of landmarking and the Provincetown Playhouse.

Lee Schwartz, Elizabeth Adam, Ruth Kuzub, Erika Munk, Christabel Gough, Drew Durniak, Stuart Waldman, Andrew Berman, James Laurence, and Nadezhda Williams, spoke against the demolition of the playhouse.

501 Hudson St. App. to demolish existing building and construct a new 6-story building & a penthouse.

Valerie Campbell, Morris Adjmi, and Jordan Rogulf, representing the applicant spoke in favor of the application.

Suzanne Kucerc and Bob Kurshan spoke against the proposed landmark application.

Omnibus St. Vincent's Hospital

App. by St. Vincent's & the Rudin's for 20 Seventh Ave. (O'Toole bldg). to demolish under hardship application & seek Certificate of Appropriateness to build a New Hospital

Marilyn Stults, David R. Marcus, Robert Maultrop, Brenda Murad, Vicki Lamb, Gary Tomei, Naom Usher, and Richard Winkler, spoke against the proposal to demolish the buildings.

Shelly Friedman, representing the applicant, Paul Fernandez Russell Kellogg, Dr. Gil Horowitz, and Sharada Polavarapu, spoke in favor of the new hospital proposal.

Henry Amoroso, President of St. Vincent's Hospital, and Winstown Kulok, spoke in favor of planning for access to light and air.

M. Dorato spoke. Michael Posner, Bernie Posner, Robert Chin, and Russell Kellogg spoke regarding the resolution.

Sidewalks, Public Facilities & Access Items

Smorgas Chef, 283 W.12th St.,

Adley Gartenstein spoke regarding the renewal of the sidewalk café. Bob Cohen spoke in favor of the quality of life on W. 12th St.

Street Activity & Film Permit

Old Timers' Stickball Game Event

Vincent DeCarluccio, the applicant, did not speak but was in favor of the event.

Zoning and Housing Items

Department of Sanitation Proposal to construct a new garage for Manhattan Districts 1,2, & 5

Marc Ameruso, representing CB1, and Michael Kramer, spoke in opposition to the proposed sanitation garage.

Daniel Klein, representing the Dept. of Sanitation, spoke in favor of the proposal.

III. ADOPTION OF AGENDA

IV. ELECTED OFFICIALS PRESENT AND REPORTING

Erin Drinkwater, Congressman Jerrold Nadler's office

Crystal Gold-Pond and Jared Chauson, Senator Tom Duane's office

Rudy Greco, Senator Martin Connor's office, introduced himself as the new liaison to CB2.

Matt Borden, Assembly Member Deborah Glick's office, reported on several issues.

Grey Elam, of Council Speaker Christine Quinn's office, reported on the proposed rent hikes.

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 April minutes and distribution of May minutes.

VI. EXECUTIVE SESSION

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

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

STANDING COMMITTEE REPORTS

BUSINESS

1. Aristocrat Supper Club, LLC, 19-21-23 W. 9th Street (5th and 6th Avenues), NYC.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license for a restaurant located in a 6,000 s.f. premise in a mixed use building located on West 9th Street between 5th and 6th Avenue, with 99 table seats, 1 bar with 11 seats and a maximum legal capacity of 110 persons; and,

Whereas, the applicant stated the hours of operation are 12:00 p.m. – 1:00 a.m. seven days a week; there will not be a sidewalk café nor a backyard garden; music will be background only; and,

Whereas, the applicant has agreed to operate the bar in conjunction with the restaurant at all times; and,

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

Whereas, the applicant has agreed to submit a letter of support from the Cooperative Board to the CB#2, Man. office prior to the use of their On Premise License; and,

Whereas, the applicant has agreed to install soundproofing on the ceiling of its establishment; and,

Whereas, the applicant has agreed to obtain all required certificates, permits and related documents, including but not limited to an amended Certificate of Occupancy and Public Assembly Permit; and,

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

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise license for **Aristocrat Supper Club, LLC, 19-21-23 W. 9th Street**, unless those conditions agreed to by applicant relating to the fourth, fifth, sixth, seventh and eighth “whereas” clauses above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 28 Board members in favor.

2. Jazzbar, Inc., 90 W. Houston St. (at LaGuardia Place), NYC.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for transfer of an On Premise license for a Jazz bar previously operated as Zinc Bar, located in a 1,200 s.f. premise in a mixed use building located on West Houston Street at LaGuardia Place, with 74 table seats, 1 bar with 10 seats and a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated there are no plans to change current operations; hours of operation are 11:00 a.m. – 3:00 a.m. seven days a week; there will not be a sidewalk café nor a backyard garden; music will be live jazz; and,

Whereas, the applicant is currently the Landlord of the building located at 90 West Houston; and,

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

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval to the proposed transfer of an On Premise license for **Jazzbar, Inc., 90 W. Houston St.**

Vote: Unanimous, with 28 Board members in favor.

3. 228 West 10th St., LLC, 228 West 10th St. (Bleecker and Hudson Streets), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for transfer of an On Premise license for an Italian Restaurant located in a 4,030 s.f. premise in a mixed use building located on West 10th between Bleecker and Hudson Streets, with 120 table seats, 1 bar with 15 seats and a maximum legal capacity of 135 persons; and,

Whereas, the applicant stated the hours of operation are 11:00 a.m. – 2:00 a.m. Sunday – Wednesday and 11:00 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 applicant has agreed to prohibit amplified music in the establishment; and,

Whereas, the applicant has agreed to have a menu and food items available at all times up until one hour before closing; (menu and food items available until 1:00 a.m. Sunday-Wednesday and 3:00 a.m. Thursday – Saturday);

Whereas, a member of the community appeared to express his support for 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 **West 10th St., LLC, 228 West 10th St.**, unless those conditions agreed to by applicant relating to the fourth and fifth “whereas” clauses above are incorporated into the “Method of Operation” on the SLA On Premise license; and,

Vote: Unanimous, with 28 Board members in favor.

4. Birmingham, NY, Inc., 141 W. 10th St. (Waverly Place and Greenwich Avenue), NYC.

Whereas, the applicant appeared before the committee; and

Whereas, this application is for an On Premise license for a restaurant located in a 2,400 s.f. premise in a mixed use building located on West 10th Street between Waverly and Greenwich Streets, with 74 table seats, 1 bar with 7 seats and a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation are 11:00 a.m. – 2:00 a.m. Sunday – Wednesday and 11:00 a.m. – 4:00 a.m. Thursday - Sunday; there will not be a sidewalk café nor a backyard garden; music will be background only; and,

Whereas, the applicant has agreed to have a menu and food items available at all times up until one hour before closing; (menu and food items available until 1:00 a.m. Sunday-Wednesday and 3:00 a.m. Thursday – Saturday); and,

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

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise license for **Birmingham, NY, Inc., 141 W. 10th St.**, unless the condition agreed to by applicant relating to the fourth “whereas” clause above is incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 28 Board members in favor.

5. 330 Hudson Owner, LLC, 330 Hudson St. (Charlton and Vandam Streets), NYC.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license for a ground floor and 22nd floor bars and the Hotel located in a 120,000 s.f. premise on Hudson Street between Charlton and Vandam Streets, with 50 table seats, 1 bar on the ground floor with 7 seats and 1 bar on the 22nd Floor with 11 seats; and a maximum legal capacity pending the issuance of a Certificate of Occupancy; and,

Whereas, the applicant stated the hours of operation for the ground floor and 22nd floor bars are 8:00 a.m. – 4:00 a.m. Monday – Saturday and 12:00 p.m. – 4:00 a.m. Sundays; there will be no sidewalk café application but there will be a backyard garden and outdoor sundeck and pool on the 22nd floor; music will be background only (no live music or dj) in the entire premise and specifically on the 22nd floor music will be background “low volume, soothing music appropriate to the facilities’ spa design”; and,

Whereas, the applicant has agreed to abide by the regulations associated with all New York City departments and safety organizations including but not limited to the Department of Buildings and the Fire Department,

and will obtain all required certificates, permits and related documents, including but not limited to an amended Certificate of Occupancy and Public Assembly Permit; and,

Whereas, the applicant has agreed to prohibit music of any kind in the unenclosed areas of the ground floor backyard garden and the 22nd floor poolside patio beyond 12:00 a.m. Sunday – Thursday and 1:00 a.m. Friday – Saturday; and,

Whereas, a member of the Friends of Hudson Square appeared in support of the Hotel establishment; and,

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

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise license for **330 Hudson Owner, LLC, 330 Hudson St.**, unless those conditions agreed to by applicant relating to the fourth and fifth “whereas” clauses above are incorporated into the “Method of Operation” on the SLA On Premise license, and that the actual liquor license state to the effect that “No music in unclosed or outdoor areas after 121 am Sunday - Thursday and 1 am Friday – Saturday.

Vote: Passed, with 26 Board members in favor and 1 recusal (E. Roeder).

6. 675 Hudson Vault, LLC, d/b/a Vento, 675 Hudson St., a/k/a 22-28 Ninth Ave. (13th & 14th St.), NYC.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for alteration to an existing On Premise license **to relocate 1 main floor bar and reduce the number of bar seats to 7**, located in a 4,000 s.f. restaurant d/b/a Vento Trattoria in a commercial building on Hudson Street between 13th and 14th Streets, with 300 table seats and 3 bars with 16 seats, and a maximum legal capacity of 395; and,

Whereas, the applicant stated there are no plans to change the previously approved operation; the applicant stated the hours are 11:00 a.m. – 4:00 a.m. seven days a week; there is a sidewalk café but no backyard garden; music is background and DJ only; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of the proposed alteration by relocating and downsizing one of the licensed On Premise bars of **675 Hudson Vault, LLC, d/b/a Vento, 675 Hudson St., a/k/a 22-28 Ninth Ave.**

Vote: Passed, with 27 Board members in favor and 1 recusal (W. Schlazer).

7. Sushi Yawa, Inc., 25 W. 8th Street (5th Avenue and Macdougall Streets), NYC.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an upgrade from a Restaurant Beer and Wine license to an On Premise license for a Japanese restaurant located in a 600 s.f. premise in a mixed use building located on West 8th Street between 5th Avenue and Macdougall Street, with 36 table seats, no bar and a maximum legal capacity of 50 persons; and,

Whereas, the applicant stated there are no plans to change the existing operation; the applicant stated the hours are 11:00 a.m. – 11:00 p.m. Sunday – Thursday and 11:00 a.m. – 11:30 p.m. Friday and Saturday; there is no sidewalk café and no backyard garden; music is background only; and,

Whereas, the applicant has been operating with a Restaurant Beer and Wine license for 2 ½ years with no violations on record; and,

Whereas, no one appeared in opposition from the community;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of the proposed upgrade to an On Premise license for **Sushi Yawa, Inc., 25 W. 8th Street.**

Vote: Unanimous, with 28 Board members in favor.

8. Corp to be formed, 395 West Street (Christopher and West 10th), NYC.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license for a restaurant located in a 1.600 s.f. premise in a commercial building located on West Street between Christopher and West 10th Streets with 48 table seats, 1 bar with 10 seats and a maximum legal capacity of 58 persons; and,

Whereas, the applicant stated the hours of operation are 12:00 p.m. – 12:00 a.m. Sunday – Tuesday and 12:00 p.m. – 3:30 a.m. Wednesday - Saturday; there will not be a sidewalk café nor a backyard garden; music will be background only; and,

Whereas, the applicant resides in the building located at 395 West Street; and,

Whereas, the applicant has agreed to obtain all required certificates, permits and related documents, including but not limited to a Certificate of Occupancy or Letter of No Objection from the New York City Department of Buildings; and,

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

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise license for **Corp to be formed, 395 West Street**, unless the condition agreed to by applicant relating to the fifth “whereas” clause above is incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 28 Board members in favor.

9. Christian Achirili or Entity to be formed, 38 Grand St. (at Thompson), NYC.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license for a Pan Asian restaurant located in a 1,147 s.f. premise in a residential building located on the corner of Grand and Thompson Street with 22 table seats, 1 bar with 4 seats and a maximum legal capacity of 45 persons pending the issuance of a new Certificate of Occupancy or Letter of No Objection; and,

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

Whereas, the applicant has agreed to obtain all required certificates, permits and related documents, including but not limited to a Certificate of Occupancy or Letter of No Objection from the New York City Department of Buildings; and,

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

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise license for **Christian Achirili or Entity to be formed, 38 Grand St.**, unless those conditions agreed to by applicant relating to the second and fourth “whereas” clause above is incorporated into the “Method of Operation” on the SLA On Premise license; and,

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

Vote: Unanimous, with 28 Board members in favor.

10. Rambla LLC, 45 Bond St. (Bowery and Lafayette), NYC.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an upgrade from a Restaurant Beer and Wine license to an On Premise license for a Spanish restaurant located in a 2,000 s.f. premise in a commercial building located on Bond Street between Bowery and Lafayette Streets, with 104 table seats, 2 bars with 15 seats and a maximum legal capacity of 120 persons; and,

Whereas, the applicant stated there are no plans to change the existing operation; the applicant stated the hours are 11:00 a.m. – 1:00 a.m. seven days a week; there is no sidewalk café and no backyard garden; music is background only; and,

Whereas, the applicant has reached out to members of the NoHo community; and,

Whereas, the applicant has memorialized an agreement with members and property owners of the NoHo community dated May 13th 2008; and,

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

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial of the proposed upgrade to an On Premise license for **Rambla LLC, 45 Bond Street**, unless the conditions agreed to by applicant relating to the fifth “whereas” clause above (and memorialized by the applicant and members of the NoHo community) are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous In Favor

11. Ruby’s United, LLC, 121 W. 10th St. a/k/a 18-20 Greenwich Avenue (Greenwich and 6th Avenue), NYC.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an alteration to an On Premise license for an Australian restaurant/bar located in a 2,800 s.f. premise in a commercial building located on West 10th between Greenwich and 6th Avenues, with 100 table seats, 1 bar with 7 seats and a maximum legal capacity of 150 persons; **to include 1 basement bar with 5 bar seats and 25 table seats; and**,

Whereas, the applicant stated there are no plans to change the previously approved operation; the applicant stated the hours are 9:00 a.m. – 1:00 a.m. Sundays and 9:00 a.m. – 3:30 a.m. Monday - Saturday; there will not be a sidewalk café nor a backyard garden; music is background and DJ only; and,

Whereas, the applicant has agreed to shut all windows facing West 10th Street by 12:00 a.m. Monday – Thursday and by 1:00 a.m. Friday and Saturday; and,

Whereas, a member of the community appeared in support of the applicant; and,

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

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial of the proposed alteration to an On Premise license for **Ruby’s United, LLC, 121 W. 10th St. a/k/a 18-20 Greenwich Avenue**, unless the condition agreed to by applicant relating to the fourth “whereas” clause above is incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 28 Board members in favor.

12. AM Operating Group, LLC, 53 Gansevoort St. (Ninth Avenue and Washington), NYC.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an alteration to an On Premise license for an African inspired restaurant located in a commercial building located on Gansevoort between Ninth Avenue and Washington Street, with 240 table seats, 2 bars and a maximum legal capacity of 280 persons; **to add 29 tables with 72 seats in an unenclosed sidewalk cafe; and**,

Whereas, the applicant stated there are no plans to change the previously approved operation; the applicant stated the restaurant hours are 11:00 a.m. – 4:00 a.m. Monday – Thursday and 10:00 a.m. – 4:00 a.m. Friday - Sunday; music is background and DJ only; and,

Whereas, the applicant has agreed to shut all windows facing Gansevoort Street by 12:00 a.m. seven days a week; and,

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

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial of the proposed alteration to an On Premise license for **AM Operating Group, LLC, 53 Gansevoort St.**, unless the condition agreed to by applicant relating to the fourth “whereas” clause above is incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 28 Board members in favor.

13. San Maroo Enterprise, Inc., 22 West 8th St., NYC 10011

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 CB32, Man. strongly recommends denial of an On Premise liquor license to **San Maroo Enterprise, Inc., 22 West 8th St., NYC 10011** **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 28 Board members in favor.

14. Rani Marom, 91-92 Macdougall St., NYC.

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

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

THEREFORE, BE IT RESOLVED that CB#2, Man. strongly recommends denial of an On Premise liquor license to **Rani Marom, 91-92 Macdougall St., NYC** **and requests that the SLA send this applicant back to CB2 should this application proceed in order that this important step not be avoided and that the concerns of the Community be fully heard.**

Vote: Unanimous, with Board members in favor.

INSTITUTIONS

Proposal to preserve the Provincetown Theater

Whereas : NYU had originally wanted to demolish the entire building located at 135-139 MacDougal Street and rebuild with a new theater and

Whereas: After very strong community advocacy to save the original theater, NYU, responding to these concerns created new plans to preserve the original theater and

Whereas: The design of the new building, although somewhat higher, is in keeping with the approximate scale and proportions of the existing building and is generally harmonious with the surrounding environment and

Whereas: After a well attended public forum meeting as well as extensive discussions under the auspices of Borough President Scott Stringer's Community Task Force on NYU Development several critical issues were brought to the attention of NYU. These included concerns about construction protocol and safety measures during both demolition and construction, the need to do extensive engineering surveying of the subsurface as it is known that the building sits on loose rubble and possibly under a substrata creek, the need to shore up and take extraordinary measures to insure that the preserved Provincetown Theater and the adjoining and nearby historic buildings to the south and west are not damaged in any way whatsoever

during the demolition and construction and that both the Theater exterior brick façade and interior space of the Theater be restored and any historic elements that still exist be included into that restoration, among other pertinent comments that were made and

Whereas : NYU as has agreed to adopt the recommendation and incorporate the concerns expressed in those meetings

Therefore Be It Resolved that Community Board 2 supports the NYU plans to preserve the Provincetown Theater, and in that context accepts the plan to demolish the buildings of 135-139 Macdougall Street and construct a new building on the vacated lot following the bulk, height and design as presented to the community

Be It Further Resolved That this expression of support is with the understanding that NYU has agreed to the following:

1. That all possible measures to insure the integrity of the Theater and the neighboring buildings are protected during demolition and construction and that all necessary monitoring and regular inspections of the theater and surrounding building be rigidly adhered to, including TPPN #10-88
2. That NYU take into account the constructions protocols being issued by Community Board 2
3. That the exterior and interior of the Theater be restored and that NYU make every attempt to use whatever historic and or original furniture or other elements that are available and that the existing brick be retained on the exterior façade
4. That all efforts be made to work with the neighboring building owners to the south and west of the site to mitigate the light and air issues that will result form the extension of the building towards the rear lot
5. That NYU make every effort to create an exhibit within either the actual Theater or the newly created building that details the rich history of the Theater and building
6. That NYU come back to Community Board on a regular basis with more design details such as the brick, window and façade materials and also create material boards so the community can see the progress
7. That NYU look into the feasibility of opening the Theater to neighborhood theater companies especially during downtimes like the summer and intersession periods and in general making the theater either through better public notice or other methods more accessible and open to the non NYU public
8. That NYU agrees to maintain the Theater as a permanent performance facility in perpetuity.

Be It Also Further Resolved and Noted That while there was also much advocacy to preserve the entire building and not just the theater, the Community Board felt that a realistic compromise was struck and

Be It Also Further Resolved and Noted that NYU should be commended for its outreach to the community and for treating the proposal not as an “as of right” project which they could have , but to work within the guidelines and principles established by the Stringer Community Task Force (which NYU has formally signed onto) and to bring the proposal to the Community Board for support and guidance. The Community Board also commends the hard work of the Task Force in working out the solution

Vote: 37 Board members in favor, 1 in opposition and 2 abstentions.

LANDMARKS AND PUBLIC AESTHETICS

1ST LANDMARKS MEETING

1. – **393 West Broadway** – Application to raise the parapet wall and to install new window openings.

Whereas, the application deals only with the top floor of this 1890 building and the roof; and

Whereas, the present parapet is irregular, exposing a skylight bulkhead and stair bulkhead; and

Whereas, the applicant intends to leave the present water tower and stair bulkhead and the elevator bulkhead near the front of the building; and

Whereas, the applicant intends to remove the present skylight and install an additional small elevator bulkhead for an elevator from the top floor to the roof; and

Whereas, these additions will be hidden behind the new higher parapet wall near the front of the building, raised to match the existing parapet currently at the rear of the building; and

Whereas, the windows at the rear of the side wall will remain, but at the front of the side wall, an assortment of window shapes and sizes occur, and the application is to enlarge the windows at the top floor, and increase the number to four, the new windows in the approximate spacing as those on the second floor, but slightly shorter, due to the mezzanine on the top floor; and

Whereas, the metal railing pipe along the rear of the roof will be extended along the new raised parapet wall; and

Whereas, from the photos shown by the applicant, and the mock-ups, the new rooftop additions will be less visible than those now existing; and

Therefore, be it resolved that CB#2, Man. has no objection to the proposed changes for 393 West Broadway, but would suggest that the LPC consider requiring a Master Plan for future changes in this building.

Vote: Unanimous, with 40 Board members in favor.

2ND LANDMARKS MEETING

Item 1 – Proposal to designate as an Individual Landmark I.M. Pei’s Silver Towers 1 & 2 and 505 LaGuardia Place, 106-122 Bleecker Street, a/k/a 444 -58 West Houston Street.

Whereas, the University Village/Silver Towers is an early gem of one of the late- 20th century’s most important and celebrated architects, I.M. Pei; and

Whereas, in the design and placement of the buildings, the architect considered the view corridors of the surrounding streets; and

Whereas, there exists an exquisite balance between the built form, the materials and palette employed, the surrounding open space and the corresponding view corridors, providing a delightful and unique sense of kinetic energy and a striking flow of space juxtaposed with the surrounding neighborhood of low-rise buildings; and

Whereas, many residents appeared in support of designation, as well as representatives from all the local elected officials, and letters of support from several preservation, civic, and architectural organizations; now

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

Be it further resolved, that CB#2, Man. recommends that the entire Super Block be considered as a whole. That is, the view corridors and the surrounding open space of the entire Super Block should be considered and preserved, although the two existing buildings, Coles gym and the Morton Williams grocery store are not to be considered contributing or enhancing the Super Block.

Vote: Unanimous, with 40 Board members in favor.

Item 2 – Proposal to designate as an Individual Landmark 110-112 Horatio Street, the former Devoe Paint Factory (West/Washington)

Whereas, 110-112 Horatio Street, the former Devoe Paint Factory, was proposed to be included as part of both the Gansevoort Market Historic District and, later, the Far West Village Historic District; and

Whereas, this designation was supported by a number of community, civic, and preservationist groups as well as CB2, but the building was excluded from both districts when they were designated; and

Whereas, 110-112 Horatio Street is one of eight individual sites in the Far West Village which the LPC promised in 2005 to designate in response to the proposed Far West Village Historic District; and

Whereas, of the eight promised Far West Village individual landmark designations, the Keller Hotel at 150 Barrow Street, the Henry Wykoff House at 159 Charles Street, and the Edwin Brooks House at 354 West 11th Street were designated in March 2007, while Westbeth, Charles Lane, and 370 and 372 West 11th Street remain, along with 110-112 Horatio Street, undesignated; and

Whereas, this building was built in 1883 by the distinguished architectural firm of Kimball and Wisedell and is the last building to be erected on the block by F. W. Devoe & Co. as a part of its paint and color works which encompassed most of the block from the 1870's to 1918; and

Whereas, such industrial complexes historically defined the Greenwich Village waterfront, but fewer and fewer remain each day; and

Whereas, the building is a handsome example of the utilitarian industrial style that emerged in the 1880's and which was so prominent in the development of the Greenwich Village waterfront. The building is fully built and is part of our manufacturing history; now

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

Vote: Unanimous, with 40 Board members in favor.

Item 3 – 575 Broadway (n.w. corner Broadway/Prince – Prada)- SoHo A neo-Romanesque style store and loft building designed by Thomas Stent and built in 1881. Application is to install signage.

Whereas, the number of signs is excessive, particularly since they all advertise just one business within the building. Traditionally, these triangular billboards each advertised separate commercial enterprises; now

Therefore, be it resolved that CB#2, Man. recommends approval of half the number of signs requested. That is, both of the signs from the third floor should be removed, while retaining two on the second floor.

Vote: Unanimous, with 40 Board members in favor.

Item 4 - 52 Greene Street (Broome/Grand)- SoHo-Cast Iron Historic District. An altered warehouse building built in 1867. Application is to replace the storefront infill and remove vaults lights.

Whereas, the proposal to alter the fire escape will contribute to the appearance of the building; and

Whereas, the proposed signage and lighting are modest and will not bring unwarranted attention; the roll-down gate is inside the store, obscured by the store window, further benefiting the building and the district; and

Whereas, we are dismayed to see the vault lights go, but this historic element can be troublesome to preserve and maintain; now

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

Further, be it resolved that CB#2, Man. recommends that the Commission monitor the renovating process and inspect occasionally the condition of the vault lights and their supporting metal matrix in order to determine whether they can be preserved.

Vote: Unanimous, with 40 Board members in favor.

Item 5 - 5-7 Mercer Street (Howard)- SoHo-Cast Iron Historic District A warehouse designed by J. B. Snook and built in 1861. Application is to construct a rooftop addition, extend the fire escape and install storefront infill. Zoned M1-5B

Whereas, we support the attempt of the applicant to remove the fire escape; and

Whereas, the proposed rooftop addition is not at all visible from the street; and

Whereas, the choice of historic colors for the new paint job is commendable; and

Whereas, the overall restoration will contribute to the appearance of the building and the district; now

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

Vote: Unanimous, with 40 Board members in favor.

Item 6 - 41-43 Bond Street (Bowery/Lafayette)- NoHo Historic District Extension A vacant lot. Application is to construct an eight-story building. Zoned M1-5B

Whereas, there was no objection from the surrounding neighbors about this new construction; in fact, there was noticeable support, which is refreshing; and

Whereas, there was some discussion about the appropriateness of windows boxes with seasonally changing plantings in this district redolent with manufacturing history; and

Whereas, we had some questions of the appropriateness of French doors in this quintessential American neighborhood, but, since it is a *de novo* building, they may be acceptable; and

Whereas, the proposed window shutters are iconic to this district; but

Whereas, we object to the introduction of the awning above the entrance. We understand and respect the applicant's argument that they evoke the play of the sunlight on the fire escapes of adjacent buildings. Perhaps, then, a proposal for a fire escape may be more appropriate

Notwithstanding, these adjacent fire escapes are not original to the buildings, so should not be considered sufficiently historic to merit and justify an entirely different and foreign element, an awning, to be introduced into the NoHo Historic District.

Furthermore, it seems all the more incongruous to request an industrial element like an awning, used originally to protect the workmen, truckers and merchandise, for this luxury residential building, with its French doors and flower boxes full of gardenias.

In fact, there is not a single awning in the MI-5B area (NoHo). There is only one in its sister neighborhood of SoHo, and that awning is not above the main entrance, but, significantly, above a loading dock at the secondary façade on a 'back' street, Mercer Street.

There may be some precedent for loading docks in districts farther afield, like TriBeCa and Gansevoort. But, again, those awnings served to protect merchandise and laborers from the elements and were never intended to be architectural additions to the main entrance of a luxury residential building.

We see more and more applications for awnings over the past couple of years in SoHo, and, particularly recently, in NoHo. We feel that this is just a trendy fad and should be discouraged; now

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

Further, be it resolved that CB#2, Man. recommends strongly against introducing a new architectural element, an awning, into a neighborhood lacking a history of such an element, particularly where this element is being proposed, namely, above the main entrance to a residential building.

Vote: Passed, with 39 Board members in favor, and 1 recusal (Z. Jones).

Item 7 - 432 Lafayette Street - La Grange Terrace-Individual Landmark, NoHo A Greek Revival-style residence attributed to Seth Geer and built in 1832-33. Application is to alter the entrance bays.

Whereas, the proposed changes are minimal and do no further damage, since the windows are already lowered from their original height; now

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

Vote: Unanimous, with 40 Board members in favor.

Item 8 - 264 West 12th Street - Greenwich Village Historic District A Greek Revival style rowhouse built in 1841 and altered in the late 19th century. Application is to construct a rear yard addition. Zoned C-6

Whereas, somehow, an error occurred and the address that the community board sent out for notification went out as **246 West 11th Street**; and

Whereas, as a result, a neighbor of the 11th Street building attended, but no one was present for the actual application of 264 West 12th Street - including the applicant; and

Whereas, this is an unique situation; now

Therefore, be it resolved that CB#2, Man. takes no position on this application.

Vote: Unanimous, with 40 Board members in favor.

Item 9 - 501-501A Hudson Street a/k/a 131 Christopher Street - Greenwich Village H.D. A two-story building, altered in 1953. Application to demolish the existing building and construct a new six-story building, plus a penthouse. Zoned C1-6

Whereas, the property is located at the corner of Hudson Street and Christopher Street, two of the oldest streets in the Village; and

Whereas, the immediately surrounding blocks have one of the largest concentrations of 1820s late-Federal buildings in the historic district; and

Whereas, the Flemish bond brickwork of this building indicates that it dates prior to 1840; and

Whereas, we are troubled at the recent wave of applications in the West Village utilizing a *de minimus* community-facility bonus such as a single doctor's office, which, some would say, although permitted under zoning, is a cynical exercise resulting in buildings that are taller and bulkier than the vast majority of conforming buildings in that district; and

Whereas, this proposal is an attractive building but is ill-fitted for a neighborhood with so many old Federal buildings nearby; and

Whereas, due to a low floor-to-ceiling height, there are more floors-per-foot-of- height crammed in a building of this size than is appropriate. Six floors are planned when the original building had only four; and

Whereas, the proposed design is actually a glass house with *terra cotta* veil decorating the glass front; and

Whereas, on the western façade, the north bay windows are short, but the south bay windows are floor-to-ceiling, creating an irregularity. They should be uniform; and

Whereas, the balconies are not contextual and are uncharacteristic of Greenwich Village; and

Whereas, on the Hudson Street side, there are four bays proposed where there had only been three; and

Whereas, on the Christopher Street side, the entirety of the proposed penthouse should be set back more from the street; now

Therefore, be it resolved that CB#2, Man. recommends the building not be demolished; but, rather, be restored, possibly with additional stories added in a contextual manner; and

Further, be it resolved that CB#2, Man. recommends that if the building is permitted to be demolished, the second floor façade of the new building should reflect the original 1820s masonry, window locations and proportion of the remaining floor of the original building, preferably re-using as much of the original brick as is possible; and

Further, be it resolved that CB#2, Man. recommends that in addition to the above and in reaction to the designs presented to us, any proposed new building should have less glass and there should be a reconsideration of the *terra cotta* baguettes, more uniform fenestration, fewer floors squeezed into that height, and fewer window bays.

Vote: Unanimous, with 40 Board members in favor.

SIDEWALKS, PUBLIC FACILITIES AND ACCESS

STOOP AND FENCE APPLICATION

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 4th Sts., Block: 590, Lot: 88, Police Precinct: 6.**

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail and there were community members present and delivering opinion, and the owners Mr. and Mrs. Polesny as well as their architect, Victoria Walsh of Walsh and Purdy were present, and,

Whereas, location is zoned as R7-2 Residential and the building is a multi-family walk-up, built in the 1890s, previously with 4 residential units, but currently under renovation by new owners, and,

Whereas, this item was heard previously in March 2008 and denied because 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 4th St and between Sixth and Seventh Avenues, and the applicant had not explored any other options that would impose less on the public access, and,

Whereas, the applicant and their architect did present alternative options to this committee, which would either obstruct legal light and air from front-facing windows or would not provide sufficient physical entry or exit clearances, and,

Whereas, the current below-grade entryway has presented a hazard to the safety of the residents of the building as are sult of vagrant access, occupancy and a repository for street refuse, and,

Whereas, there are other stoops on the north side of Jones St. that similarly extend into the sidewalk, and,

Whereas, the presence of a mature tree, five feet from the proposed stoop does present an additional pedestrian obstruction, but cannot likely be removed or replaced, and,

Whereas, members of the Committee referenced other streets in the district that were similarly obstructed by trees and stoops, but felt them in keeping with the historic character of the neighborhood, and,

Whereas, the consideration of a locked gate as an alternative to the stoop in providing more safety for the residents of the building was considered, but would provide a hazard for emergency personnel in gaining access to or exit from the building,

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends **APPROVAL** 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 40 Board members in favor

SIDEWALK CAFÉ APPLICATIONS

1. New App. for revocable consent to operate an Unenclosed sidewalk café for: SoHo Bistro Inc., d/b/a Country Café, 69 Thompson St. btw Spring & Broome, Block: 489 Lot: 32 Police Precinct: 1 with 4 tables & 8 seats, DCA# 1282784. REVISED 6/23, 2008

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present and the SoHo Alliance made inquiry as to the zoning regulations and the placement of this café, and the owner, Juraci M DaSilva was present, and,

Whereas, lot frontage is 21.5 feet; there are 9 residential units, this is a Multi-Family Walk-up Building zoned as R7-2 Residential beginning 100' south of Spring, and,

Whereas, the plans show 105' from Spring St. but the actual distance is 176.08', and,

Whereas, a sidewalk café is not allowed in the area 100' south of Spring Street and it has been confirmed by the Department of City Planning that this address is in the R7-2 zone and not in the M1-5B zone just to its south on the same block,

THEREFORE BE IT RESOLVED, that CB#2, Man. recommends **DENIAL** of the new App. for revocable consent to operate an Unenclosed sidewalk café for **SoHo Bistro Inc., d/b/a Country Café, 69 Thompson St. btw Spring & Broome, with 4 tables & 8 seats, DCA# 1282784.**

Vote: *The vote on this revised resolution will be taken in July and presented to the Full Board*

2. Lafayette Pastry, LLC, d/b/a Café Falai, 265 Lafayette St., between Prince and Spring, Block: 495; Lot: 11; Police Precinct: 5; CITY Address: 255 LAFAYETTE STREET, 10012 with 9 tables & 18 seats, DCA# 1285032.

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail, there was a community member present and the applicant's representative, Robert Callahan was present, and,

Whereas, there is lot frontage of 163.33' of which this sidewalk café will occupy 19'; below a six-story building built in 1926 (est.); with 93 residential units out of a total 102 units in a C6-2 zone, and,

Whereas, this area of Lafayette allows only *small unenclosed sidewalk café's* with a single row of tables, and,

Whereas, the applicant is willing to sign a Change Order showing a single row of tables, and

Whereas, it was noted that this location has considerable density of both residences and a growing number of restaurants with sidewalk cafes and high night street activity, and,

Whereas, the applicant agrees to reduce the number of tables to FOUR, and seats to 16, and

Whereas, the applicant agrees to reduce the hours of operation to 11:00 PM Sunday through Thursday and Midnight Friday and Saturday, and,

Whereas, this restaurant currently has a wine and beer license which it intends to extend to the sidewalk café, which this Committee requests be written into the method of operation for the License, and be considered an amendment to the method of operation *should the applicant apply for an OP License*, subject to the review of the Sidewalks Committee, and

Whereas, there are currently two benches outside this restaurant which must be immediately removed

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL the new App. for revocable consent to operate an Unenclosed sidewalk café for **Lafayette Pastry, LLC, d/b/a Café Falai**, 265 Lafayette St., between Prince and Spring, Block: CITY Address: 255 LAFAYETTE STREET, 10012, with 4 tables & 16 seats, **DCA# 1285032, CONDITIONAL UPON** the signing of a Change Order requiring:

- Reduction of tables to FOUR, and seats to 16, and
- Reduction of hours of operation to 11:00 PM Sunday through Thursday and Midnight Friday and Saturday, and
- The inclusion of the sidewalk café in the method of operation for a wine and beer license and the EXCLUSION of the sidewalk café in any application for an OP license unless specifically reviewed and approved by the Sidewalks Committee of CB#2, Man.

Vote: Unanimous, with 40 Board members in favor

3. 117 Avenue of the Americas Food Corp. d/b/a Kool Blue, 117 Ave. of the Americas, btw Broome & Watts, with 13 tables & 26 seats, **DCA#1285231. Withdrawn until further notice.**

4. JZ Food & Wine, LLC d/b/a Pasita, 47 8th Ave., betw. Horatio & Jane, Block: 626; Lot: 41; Police Precinct: 6; City Address: 334 WEST 4 STREET, 10014, with 2 tables & 4 seats, **DCA# 1282674;**

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail, there were no community members present and the applicant's Joel Zighelboim was present, and,

Whereas, there is lot frontage of 44' of which this café will occupy 6' and the building of five floors has 16 residential units of a total 18 units and is within a C1-6 zone (Commercial Overlay: Zoning Map #: 08B) and,

Whereas, this is a very small café on a block with no other cafés and there is already a retractable awning,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL the new App. for revocable consent to operate an Unenclosed sidewalk café for **JZ Food & Wine, LLC d/b/a Pasita**, 47 8th Ave., betw. Horatio & Jane, City Address: 334 WEST 4 STREET, 10014, with 2 tables & 4 seats, **DCA# 1282674.**

Vote: Unanimous, with 40 Board members in favor.

5. Carapina, LLC, d/b/a Grom, 233 Bleecker St., @ Carmine, Block: 589; Lot: 48; Police Precinct: 6; City Address: 15 CARMINE STREET, 10014. with 8 tables & 16 seats, **DCA# 1286008.**

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail, there were community members present and one submitting a written opinion and the applicant's representative, Robert Callahan was present, and,

Whereas, lot frontage is 25' and lot depth is 100' and there are two residential units above and the location is in an R7-2 zone with commercial overlay (Zoning Map #: 12A), and,

Whereas, this is an extremely busy corner where previous ground floor commercial tenants have obstructed pedestrian passage and there is community concern that this applicant be highly aware of not doing so, and,

Whereas, this committee observed an easel sign on the Bleecker St corner obstructing pedestrian right of way and asked that it be removed immediately and was assured that it would be,

THEREFORE BE IT RESOLVED that CB2 Manhattan APPROVES the new App. for revocable consent to operate an Unenclosed sidewalk café for **Carapina, LLC, d/b/a Grom**, 233 Bleecker St., @ Carmine, Block: 589; Lot: 48; Police Precinct: 6; City Address: 15 CARMINE STREET, 10014. with 8 tables & 16 seats, **DCA# 1286008**

Vote: Unanimous, with 40 Board members in favors.

6. Renewal App. for revocable consent to operate an Unenclosed sidewalk café for: Smorgas Chef West Village, LLC, d/b/a Smorgas Chef, 283 W.12th St., @ 4th St., Block: 625; Lot: 62; Police Precinct: 6 with 14 tables & 28 seats, **DCA#1233131**.

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail, there were community members present and the applicant's representative, Robert Callahan was present, and,

Whereas, there is lot frontage of 24' on West 12th St. all of which is utilized by this café and lot depth of 65' on West 4th St. where the café utilizes 33.6' and the applicant is on the ground floor of a building built in 1910 (est.) with four-stories three of which have residential units in a Mixed Residential and Commercial C1-6 zone (Zoning Map #: 08B), and,

Whereas, there has been concern for the noise created by the sidewalk café by the residences directly to the west, abutting the front tables, and,

Whereas, the original (and submitted) plans for the café along the West 4th St. side show small tables and a 3' service aisle, and

Whereas, there are currently larger tables, no service aisle and service is made from the sidewalk which offers exactly 8' for pedestrian right of way, and,

Whereas, there was also concern expressed for the noise Sunday mornings from the café on the West 4th St. side, where set up and serving have occurred before noon,

THEREFORE BE IT RESOLVED that CB#2 Man. DENIES the **renewal App. for revocable consent to operate an Unenclosed sidewalk café for Smorgas Chef West Village, LLC, d/b/a Smorgas Chef**, 283 W.12th St., @ 4th St., with 14 tables & 28 seats, DCA#1233131, unless the applicant provides the following in written and signed agreement attachable to this application:

- The sidewalk café on the West 4th St side will be restored to its original single row of small tables with a 3' service aisle within the boundary of the café leaving 8' pedestrian right of way

- All tables and fixtures are struck down and stored at the end of sidewalk café hours
- Tables on the 12th St side have more separation from the abutting windows on the building to the west of the café
- The café will operate from 8 a.m. to 11 p.m. Monday through Thursday; 8:00 am to Midnight Friday and Saturday and Noon to 11 pm on Sunday.
- There will be no additional furniture, including podium placed at the corner of 12th St and West 4th St. outside the planned café area, as a station for a maître d' or menu display

Vote: Unanimous, with 40 Board members in favor.

7. 99 South Rest. Corp., d/b/a The Garage, 97-99 7th Ave. South, betw. Grove & Barrow, Block: 591; Lot: 17; Police Precinct: 6; City Address: 97 7 AVENUE SOUTH, 10014, with 42 tables & 84 seats, DCA# 1217775.

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail, there were no community members present and the applicant's representative, Robert Callahan was present, and,

Whereas, there is lot frontage of 59.67' of which this café occupies 51.6' and there are no other floors or units to the building which is classified as Commercial and Office Buildings in a C4-5 zone (Zoning Map #: 12A) and,

Whereas, there have been no complaints and inspection of the café showed adherence to previously supplied plans and DCA statutes

THEREFORE BE IT RESOLVED that CB#2, Man. APPROVES the **renewal App. for revocable consent to operate an Unenclosed sidewalk café for 99 South Rest. Corp., d/b/a The Garage**, 97-99 7th Ave. South, betw. Grove & Barrow, City Address: 97 7 AVENUE SOUTH, 10014, with 42 tables & 84 seats, DCA# 1217775

Vote: Unanimous, with 40 Board members in favor

8. Eli-Lilla, Inc., d/b/a Café Roma, 385 Broome St., betw Broome & Grand, Block: 471; Lot: 36; Police Precinct: 5; with 8 tables & 16 seats, DCA# 0959350.

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail, there were no community members present and the applicant's representative, Robert Callahan was present, and,

Whereas, there is building lot depth of 99.17' (Mulberry side) of which this café occupies 41.6'; with five-stories and four residential units of 6 total units in a Industrial and Manufacturing; C6-2G zone (Zoning Map #: 12C) and there is *No Certificate of Occupancy on file*, and.

Whereas, upon inspection by this Committee it was observed that there is 8' sidewalk clearance from curb to table leg, no 3' service aisle and the tables present were larger than those represented on the submitted plan, **THEREFORE BE IT RESOLVED** that CB2 Manhattan DENIES the **renewal App. for revocable consent to operate an Unenclosed sidewalk café for Eli-Lilla, Inc., d/b/a Café Roma**, 385 Broome St., betw Broome & Grand, Block: 471; Lot: 36; Police Precinct: 5; with 8 tables & 16 seats, DCA# 0959350, unless the applicant submits written agreement as to the following, attachable to the return application to DCA:

- Tables and chairs will be reduced in size to extend no farther than one foot (1') from the wall of the building

- There will be accommodation of a three-foot (3') service aisle
- There will be eight feet (8') of unencumbered pedestrian right of way for the full length of the sidewalk café.

Vote: Unanimous, with 40 Board members in favor.

9. Biassanot Corp. d/b/a Da Andrea, 557 Hudson St., betw. Perry & 11th Sts., Block: 633; Lot: 55; Police Precinct: 6 with 5 tables & 12 seats, DCA# 1096547.

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail, there were no community members present and the applicant, Jean Pietro Branchi, was present, and,

Whereas, the lot frontage is 16', of which this café occupies 12'6, " of a three-story building in which there are three residential units of four total units in Mixed Residential and Commercial Building, zoned C1-6: with a commercial overlay, built in 1940 (Zoning Map #: 12A), in a Landmarked District. There is No C of O on File, and,

Whereas, the table layout is different than the submitted plan, but still legally configured, and

Whereas, there are no complaints

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of the **renewal App. for revocable consent to operate an Unenclosed sidewalk café for Biassanot Corp. d/b/a Da Andrea, 557 Hudson St., betw. Perry & 11th Sts., Block: 633; Lot: 55; Police Precinct: 6 with 5 tables & 12 seats, DCA# 1096547**, but recommends that accurate plans be submitted to DCA with this resolution.

Vote: Unanimous, with 40 Board members in favor.

10. Focacceria, Ltd. d/b/a Focacceria, 87 MacDougal St. @ Bleecker, Block: 526; Lot: 25; Police Precinct: 6; City Address: 188 BLEECKER STREET, 10012; with 7 tables & 14 seats, DCA# 1244977.

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail, there were community members present and the applicant's representative, Robert Callahan was present, and,

Whereas, the lot frontage is 25' with the café occupying 23' feet; of a six-story building with 15 residential units of 17 total units, built in 1900 (*est.*); *in an R7-2 residential district with a previous commercial overlay (Zoning Map #: 12A)*, and,

Whereas, there is 6'6" available pedestrian right of way where there should be 8', and,

Whereas, this Committee observed 8 Tables and 16 seats and the tables are larger than the prior approved plan would allow,

THEREFORE BE IT RESOLVED that CB#2, Man. DENIES **renewal App. for revocable consent to operate an Unenclosed sidewalk café for Focacceria, Ltd. d/b/a Focacceria, 87 MacDougal St. @ Bleecker, City Address, ZIP Code: 188 BLEECKER STREET, 10012; with 7 tables & 14 seats, DCA# 1244977**, unless the applicant submits written agreement as to the following, attachable to the return application to DCA:

- The applicant restores pedestrian right-of-way to 8'

- Reduces the tables to 7 and the seats to 14

Vote: Unanimous, with 40 Board members in favor.

11. El Sayed II Corp., d/b/a/ Horas Café, 510 LaGuardia Pl., betw Bleecker & Houston, Block: 525; Lot: 7504; Police Precinct: 6;with 10 tables & 20 seats, DCA# 1219355

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail, there were community members present and the applicant, Mohammed Bashir was present, and,

Whereas, there is lot depth 125' (West Broadway side) of which the sidewalk café occupies approx 35', in a five-story building with eight nonresidential units, built in 1900 (*est.*) classified for Commercial and Office use in an R7-2 zone (Zoning Map #: 12C), with no recorded C of O since 1953 change of use.

Whereas, the sidewalk café offers the use of hookahs for smoking but has not isolated the area in which they may be used, and

Whereas, members of the community have observed large and noisy gatherings in the floor above the sidewalk café (2nd story) and inquired as to any possible connection with Horas at this hearing, and were told there was no connection

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of the **renewal App. for revocable consent to operate an Unenclosed sidewalk café for El Sayed II Corp., d/b/a/ Horus Café, 510 LaGuardia Pl., betw Bleecker & Houston, with 10 tables & 20 seats, DCA# 1219355 CONDITIONAL UPON:**

- The clear definition of a smoking area within the sidewalk café that is three feet separated from other tables and representing of no more than 25% of the total café area.

Vote: Unanimous, with 40 Board members in favor.

12. Culinary Concepts by Jean Georges, LLC d/b/a Spice Market, 29-35 9th Ave., betw 13th & 14th Sts.; Block: 646; Lot: 47; Police Precinct: 6, with 13 tables & 26 seats, DCA# 1187891.

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail, there were no community members present and the owner was present, and,

Whereas, there is lot frontage of 103.25' and lot depth of 100' of which the sidewalk café occupies 50' and 102', respectively, and the building, built in 1910 (*est.*) *has six stories, no residential units and two commercial units in an M1-5 zone (Zoning Map #: 08B) in a Landmarked District, with a Temporary C of O of 5/28/08, and,*

Whereas, there have been no complaints and this Committee's inspection observed that the café is exactly as represented,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of the **renewal App. for revocable consent to operate an Unenclosed sidewalk café for Culinary Concepts by Jean Georges, LLC d/b/a Spice Market, 29-35 9th Ave., betw 13th & 14th Sts.; with 13 tables & 26 seats, DCA# 1187891.**

Vote: Unanimous, with 40 Board members in favor.

13. Maracas Greenwich Avenue Partners, LLC, d/b/a Maracas, 33 Greenwich Ave. @ 10th St., Block: 611; Lot: 65; Police Precinct: 6; City Address: 23 GREENWICH AVENUE, 10014; with 23 tables & 50 seats, DCA#1221127.

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail, there were no community members present and the owner's representative, Steve Wygoda, was present, and,

Whereas, there is lot frontage of 150.25' of which the café occupies 45' with a building of 15 stories, 151 residential units of 156 total units, built in 1961 as a Multi-Family Elevator Building, in a C1-6 zone with commercial overlay (**Zoning Map #: 12C**) in a Landmarked District, and,

Whereas, there are no complaints and this Committee's inspection observed that the café is exactly as represented,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of the **renewal App. for revocable consent to operate an Unenclosed sidewalk café for Maracas Greenwich Avenue Partners, LLC, d/b/a Maracas, 33 Greenwich Ave. @ 10th St., City Address: 23 GREENWICH AVENUE, 10014; with 23 tables & 50 seats, DCA#1221127.**

Vote: Unanimous, with 40 Board members in favor.

14. G.D.P. Enterprises, Inc. d/b/a Agozar, 324 Bowery betw Blecker & Bond, Block: 529, Lot: 140, Police Precinct: 9, with 4 tables & 9 seats, DCA# 1225841.

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail, there was a community member present and the owner Gerardo Pivez was present, and,

Whereas, there is lot frontage of 16.9' of which this sidewalk café occupies 16.9' with a four-story building of three residential units of a total 4 units, built in 1920, *as a* Mixed Residential and Commercial Building in a C6-1 zone with commercial overlay (**Zoning Map #: 12C**) in a . Landmarked District, with no current C of O – (**JOB 101052735**).

Whereas, there have been no major complaints about this sidewalk café, but sandwich boards have been observed placed on Blecker St and on Bowery in areas of pedestrian right of way, and,

Whereas, the owner has agreed not to place these sandwich boards on the sidewalk, and,

Whereas, in all other respects this sidewalk café is as it has been represented,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of the **renewal App. for revocable consent to operate an Unenclosed sidewalk café for G.D.P. Enterprises, Inc. d/b/a Agozar, 324 Bowery betw. Blecker & Bond, with 4 tables & 9 seats, DCA# 1225841.**

Vote: Unanimous, with 40 Board members in favor.

15. ITM Garden, Inc., d/b/a Revel, 10-12 Little W. 12th St., betw. 9th Ave & Washington St., Block: 644; Lot: 52; Police Precinct: 6; with 13 tables & 28 seats, DCA# 1214291.

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail, there were no community members present and the owner Paolo Secundo, was present, and

Whereas, there is lot frontage: 40' of which this sidewalk café occupies 37' of a building of three-stories with one residential unit of two total units in a building built in 1899 (*est.*); which is now a mixed Residential and Commercial Building in an M1-5 zone, Manufacturing, Commercial Overlay, (Zoning Map #: 08B) in a Landmarked District with no C of O issued on JOB 104656819, and,

Whereas, there are no complaints and the sidewalk café is utilized less than the application allows, but the owner prefers not to downwardly amend it,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of the **renewal App. for revocable consent to operate an Unenclosed sidewalk café for ITM Garden, Inc., d/b/a Revel**, 10-12 Little W. 12th St., betw. 9th Ave & Washington St., with 13 tables & 28 seats, **DCA# 1214291**.

Vote: Unanimous, with 40 Board members in favor.

16. Cosi, Inc., 841 Broadway, betw 13th & 14th, Block: 565, Lot: 15, Police Precinct: 6; City Address: 849 BROADWAY, 10003, with 14 tables & 36 seats, **DCA# 1027305**.

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail, there were no community members present and nobody else was present regarding this application, and,

Whereas, there is lot frontage or 219' on Broadway and lot depth of 124' on 13th St of which the sidewalk café occupies 30.9' and 55' respectively on a two-building parcel built in 1900 with 21-stories, of 0 residential units of 180 total classified as Commercial and Office Building in a C6-1 zone with a commercial overlay (**Zoning Map #: 12C**), where there is no C of O issued from JOB 104041859, and,

Whereas, this Committee has not, historically provided approvals for applications that are not personally represented, though it is open to consideration at the next available month's meeting should the applicant notify DCA of the holdover,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends DENIAL of the **renewal App. for revocable consent to operate an Unenclosed sidewalk café for Cosi, Inc.**, 841 Broadway, betw 13th & 14th, Block: 565, Lot: 15, Police Precinct: 6; City Address: 849 BROADWAY, 10003, with 14 tables & 36 seats, **DCA# 1027305**.

Vote: Unanimous, with 40 Board members in favor

17. Monster Sushi Hudson, Inc., d/b/a Monster Sushi, 535 Hudson St. betw Charles & Perry Sts, Block: 632; Lot: 55; Police Precinct: 6; with 11 tables & 23 seats, **DCA# 1109205**.

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail, there were no community members present and the owner's representative, Steve Wygoda, was present, and,

Whereas, there is lot frontage: 100.17' of which the sidewalk café occupies 25'7" with a five-story building built in 1910 (*est.*) with 30 residential units of a total 33 now classified as Mixed Residential and Commercial Building in a C1-6 zone with a commercial overlay (**Zoning Map #: 12A**), in a Landmarked District with no C of O issued on Job 1039432444, and,

Whereas, there are no complaints and this Committee’s inspection observed that the café is exactly as represented,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of the **renewal App. for revocable consent to operate an Unenclosed sidewalk café for Monster Sushi Hudson, Inc., d/b/a Monster Sushi**, 535 Hudson St. betw Charles & Perry Sts, with 11 tables & 23 seats, **DCA# 1109205**.

Vote: Unanimous, with 40 Board members in favor.

18. 151 Mulberry Street Corp. d/b/a IL Palazzo, 151 Mulberry St., with 12 tables & 24 seats, DCA# 113376. Held Over from May. Asked for Holdover till July.

19. Dynamic Music Corp., d/b/a Olive Tree, 117 MacDougal St., betw. West 3rd & Minetta Lane, Block: 543; Lot: 22; Police Precinct: 6; with 3 tables & 6 seats, **DCA# 0807555**.

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail, there was a community members present but nobody else was present regarding this application, and,

Whereas, there is lot frontage of 25’ of which it is undetermined how much this sidewalk café occupies and for which the submitted plans of 1984 are inadequate, and,

Whereas, the establishment resides in a building built in 1900 (*est.*) with four-stories having five residential units of a total six now classified as Mixed Residential and Commercial in an R7-2 zone (**Zoning Map #: 12A**) and,

Whereas, the sidewalk width is 12’, the space taken by table and chair, alone, is 46” without service aisle, thereby exceeding the allowable size and the available pedestrian right of way, and,

Whereas, the plans submitted are from 1982 and do not in any represent the current observable configuration, and, need new plans – check configuration

Whereas, this Committee has not, historically provided approvals for applications that are not personally represented, though it is open to consideration at the next available month’s meeting should the applicant notify DCA of the holdover,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends DENIAL of the **renewal App. for revocable consent to operate an Unenclosed sidewalk café for Dynamic Music Corp., d/b/a Olive Tree**, 117 MacDougal St., betw. West 3rd & Minetta Lane, with 3 tables & 6 seats, **DCA# 0807555**.

Vote: Unanimous, with 40 Board members in favor.

20. Gallo Nero, Inc., d/b/a/ Ciao, 185 Bleecker St., **Block:** 540; Lot: 43; Police Precinct: 6; with 11 tables & 22 seats, **DCA# 1099505**.

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail, there were community members present and the applicant Marcello Assante Pecu Pulo was present, and,

Whereas, there is lot frontage of 50.42' and lot depth of 75' (MacDougal St.) of which the sidewalk café occupies 14' and 33.5' respectively where the establishment resides in a building built in 1904, with six-stories and 25 residential units and classified as Mixed Residential and Commercial Building in an R7-2 zone with a commercial overlay (Zoning Map #: 12A), and there is no C of O on file, and

Whereas, there were numerous community complaints regarding the amount of actual space this sidewalk café was occupying as opposed to the space their permit allowed, and,

Whereas, this Committee observed that the tables were not configured as the filed plans indicated, and,

Whereas, this Committee observed that the MacDougal St side left 6'6" of pedestrian right of way, and,

Whereas, the Bleecker St. side did not have sufficient clearance from the firebox, and,

Whereas, all of these conditions were explained to the applicant and a DCA inspection was made,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of the **renewal App. for revocable consent to operate an Unenclosed sidewalk café for Gallo Nero, Inc., d/b/a/ Ciao**, 185 Bleecker St., **Block: 540; Lot: 43; Police Precinct: 6; with 11 tables & 22 seats, DCA# 1099505**

CONDITIONAL UPON:

- The permanent provision of 8' pedestrian right of way on Bleecker and MacDougal Sts.
- The submission of accurate plans, with this resolution, forwarded to DCA.

Vote: Unanimous, with 40 Board members in favor.

App. to Department of Consumer Affairs for Newsstands at:

See Astor Place Renovation Plan Pages

21. Southeast Corner Cooper Square & Astor Place, DCA# 1281783

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail, there were community members present and the applicant Oh Sun L was present, and,

Whereas, the New York City Department of Design and Construction held a hearing in May 2008 at which it presented plans for the reconstruction of Astor Place (attached as an addendum to these Minutes), and'

Whereas, the location of this newsstand is designated by said plans to be a "green planted area," and will most likely require that the newsstand be moved, and,

Whereas, this eventuality was explained to the applicant, and,

Whereas, this Committee received an inquiry from the 8th St. BID regarding competitive placement since there are two existing newsstands in close proximity,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL for a **newsstand on Southeast Corner Cooper Square & Astor Place, DCA# 1281783**, with RESERVATION due to the pending restoration of Astor Place overall and the likely inconvenience to the applicant.

Vote: Unanimous, with 40 Board members in favor.

22. Southeast Corner Astor Place & Lafayette St, DCA# 1281786

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail, there were community members present and the applicant Oh Sun L was present, and

Whereas, the New York City Department of Design and Construction held a hearing in May 2008 at which it presented plans for the reconstruction of Astor Place (attached as an addendum to these Minutes), and'

Whereas, the location of this newsstand is designated by said plans to be a "green planted area," and will most likely require that the newsstand be moved, and,

Whereas, this eventuality was explained to the applicant, and,

Whereas, this Committee received an inquiry from the 8th St. BID regarding competitive placement since this proposed newsstand is 50' from a newsstand at the entrance to the Astor Place subway station,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends DENIAL for a newsstand on the **Southeast Corner Astor Place & Lafayette St, DCA# 1281786.**

Vote: Unanimous, with 40 Board members in favor.

23. Southwest Corner Delancey St. & Bowery, DCA# 1284415 (Newsstand)

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail, there were community members present and the applicant Sukanta Das was present, and,

Whereas, there are no newsstands in proximity to this location, and

Whereas, there is sufficient sidewalk right of way for the placement of a newsstand,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends DENIAL for a newsstand on the Southwest Corner Delancey St. & Bowery, DCA# 1284415 (Newsstand)

Vote: Unanimous, with 40 Board members in favor.

SOCIAL SERVICES AND EDUCATION

Resolution to New York State Empire State Corporation and Mayor Bloomberg regarding 75 Morton Street

Whereas the property at 75 Morton Street is owned by the State of New York,

And Whereas for more than 30 years this site has been used by the NYS Office of Mental Retardation and Developmental Disabilities (OMRDD) to operate The Morton Street Developmental Center,

And Whereas the program at this site has moved to other locations,

And Whereas the NYS Empire State Development Corp (EDC) is preparing to sell this property, and will soon issue an RFP to attract potential buyers,

And Whereas the property is currently zoned as a manufacturing district, which does not allow residential development,

And Whereas this neighborhood, and this block, have already attracted interest from developers, who seek to change the designated zoning, to enable them to create residential condos,

And Whereas CB2, in an attempt to solve the serious problem of school overcrowding in our community, has already resolved to “include the issue of school capacity and overcrowding as part of our evaluation process for each and every new residential development project that comes before this body, and that until plans for new schools in our community are firmly set, we will view projects that will add to school overcrowding as not in the public interest”

And Whereas the property at 75 Morton Street is ideally suited to become a school, since it already has a cafeteria, an auditorium, and a gymnasium; is completely accessible for the disabled; and is built in conformance to School Construction Authority requirements in regard to ceiling heights, stairwells, and many other capacities,

And Whereas a school at this property could become fully operational within a year, in contrast to other proposals to create new schools, which were recently announced, and for which CB2 is extremely grateful, including the Rudin Brothers/Saint Vincent’s elementary school at 17th Street, and NYU’s proposal to include a school as part of its development plans, and the School Construction Authority’s expression of interest in building schools on Pier 40, all several years from completion,

And Whereas even with all of these new schools, our community and other nearby areas will still need a new Middle School,

And Whereas a Middle School at 75 Morton Street, would immediately alleviate overcrowding at PS3, whose 5th floor currently houses the Greenwich Village Middle School,

Therefore Be It Resolved that CB#2, Man. calls upon the NYS Empire State Corp to structure its RFP to favor the sale of 75 Morton Street for continued use as a community facility such as a school and not to market it to developers who would seek to change the zoning.

And Therefore Be It Further Resolved that CB#2, Man. urges the Department of Education and the School Construction Authority to do whatever is necessary to acquire 75 Morton Street as a site for a new Public School.

And Therefore Be It Further Resolved that CB#2, Man. calls upon our State Legislators to urge the EDC to sell 75 Morton Street to The NYC Department of Education, and to help our community create a Public School at his location.

And Therefore Be It Further Resolved that CB2 calls upon Mayor Michael Bloomberg to stand with our community, opposing any attempts to allow residential development at 75 Morton Street, and to help the Department of Education secure 75 Morton Street for use as a Public School.

Vote: Unanimous, with 40 Board members in favor.

STREET ACTIVITY & FILM PERMITS

1. Denial of the Street Activity Permit Request for the Old Timer's Stickball Game by Lt. Joseph Petrosino Lodge #2744

7/26 Mulberry Street between Houston and Prince Street

Setup/Breakdown window: 9am-4pm

Street Closure Request: 9am-4pm

Event Time: 9am-4pm

Whereas, the applicant did not come before the committee; and

Whereas, the event has a long history in the community but occurs on Mulberry Street along with many other street fairs including the Mulberry Mall and the Feast of San Gennaro; and

Whereas, no representatives from the community came to oppose the application but the committee had several questions for the applicant about the duration of the proposed street closure and whether the game is open to the public and/or benefits the neighborhood; now

Therefore Be It Resolved, that CB#2, Man. cannot support the application for the Old Timer's Stickball Game without hearing from the applicant.

Vote: Unanimous, with 40 Board members in favor.

2. Support for Street Fair Activity Permit application for the Central Village Block Association *9/20 Cornelia Street between Bleecker and West 4th Streets*

Setup/Breakdown window: 4pm-10pm

Street Closure Request: 4pm-10pm

Event Time: 7pm-8:30pm

Whereas, the applicant was represented at the committee meeting by Leif and Kathy Arntzen of Cornelia Street; and

Whereas, the applicant seeks to close the street for a short jazz/folk performance by neighborhood musicians including a three-generation ensemble; and

Whereas, the applicant has put on similar block parties on Cornelia Street in 2005 and 2006 to the delight of his neighbors; and

Whereas, the block party is truly "home grown" with a homemade stage, 2 tables with information about the Central Village Block Association, and a donated sound system; and

Whereas, the neighbors circulate a donations hat to the gathered crowd to raise money for the Central Village Block Association to support their work; and

Whereas, the Committee was provided with a copy of the CVBA budget upon request; now,

Therefore Be it Resolved, that CB#2, Man. supports the Street Permit request for the Central Village Block Association Block Party.

Vote: Unanimous, with 40 Board members in favor.

3. Support for Street Fair Activity Permit application for the Far West 10th Street Block Association

9/20 West 10th Street between Bleecker and W. 4th Streets

Street Closure Request: 8am-8pm

Event Time: 11am-6pm

Whereas, the applicant was represented at the committee meeting by Betsy Mickel; and

Whereas, the street fair raises between five and six thousand dollars from commercial vendors which is used to fund various community groups with a special focus on animal rescue, senior services and street plantings; and

Whereas, the applicants invites local community organizations to participate free of charge; and

Whereas, the street fair and the block association received praise from community members; now

Therefore Be it Resolved, that CB#2, Man. supports the Street Permit request for the Far West 10th Street Block Association.

Vote: Unanimous, with 40 Board members in favor.

4. Support for Street Fair Activity Permit application for the Annual NYU Wellness Expo

9/25 West 4th Street between Washinton Square East and Mercer Street

Setup/Breakdown window: 6am-4pm

Street Closure Request: 6am-4pm

Event Time: 11am-3pm

Whereas, the applicant was represented at the committee meeting by Kathy Gunkel and Kerissa Ward; and

Whereas, this is the 22nd annual Wellness Expo which seeks to educate NYU students, faculty and staff on health topics and health care through interactive demonstrations; and

Whereas, the Wellness Expo also hopes to help NYU students make more responsible decisions to become better members of the the overall community; and

Whereas, in addition to the tables and tents on west 4th street, the Expo also seeks to use Gould Plaza in order to create a private area for HIV screenings and flu vaccines; now

Therefore Be it Resolved, that CB#2, Man. supports the Street Permit request for the NYU Wellness Expo.

Vote: Unanimous, with 40 Board members in favor.

5. Objection to the Street Activity Permit Request for the Integral Yoga Day of Health Celebration (new)

9/27 West 13th Street between 7th and 8th Avenues

Setup/Breakdown window:

Street Closure Request: 8am-7pm

Event Time: 11am-7pm

Whereas, the applicant was represented at the committee meeting by Wendy Roberts; and

Whereas, the proposal is for a health celebration featuring community vendors with tastings, samples, lectures, free massage and face painting, and a keynote speaker; and

Whereas, the sponsor has organized smaller versions of this fair for 7 years using the sidewalk in front of their store, but not closing the street; and

Whereas, the proposed date is one day after the LGBT Center's annual "Braking the Cycle" celebration approved by Community Board #2 last month on the same block; and

Whereas, the sponsor expressed that they would be willing to postpone this request until next year and only hold a smaller in-store celebration; now

Therefore Be It Resolved, that CB#2, Man. can't support this request on this date due to the scheduling conflict.

Vote: Unanimous, with 40 Board members in favor.

6. Support for Street Fair Activity Permit application for the Manhattan Short Film Festival
9/28 Spring Street between Greenwich and Washington Streets

Setup/Breakdown window: 10am – 12am

Street Closure Request: 10am-12am

Event Time: 6pm-9:30pm

Whereas, the applicant was represented at the committee meeting by Nick Mason; and

Whereas, the Manhattan Short Film Festival is an international film event where cities around the world select the twelve top shorts to be shown at the festival in Manhattan and then vote online to select the winner; and

Whereas, the applicant seeks to move the free festival started 10 years ago from Union Square to Spring Street in order to make it more of a community event and has been collaborating with local businesses on the street to include them in his plans; and

Whereas, the Committee recommended that the applicant also reach out to the neighbors in this area to invite them to the festival, and to make sure that they address any concerns about noise; and

Whereas, the applicant was very open to incorporating feedback from CB#2, Man. and other neighbors; now,

Therefore Be it Resolved, that CB#2, Man. supports the Street Permit request for the Manhattan Short Film Festival.

Vote: Unanimous, with 40 Board members in favor.

7. Support for Street Fair Activity Permit application for a Welcome Party by the NYU College of Arts and Sciences Student Council

8/28 Washington Place between Washington Square East and Greene Street

Setup/Breakdown window: 10am-3pm

Street Closure Request: 10am – 3pm

Event Time: 11am-2pm

Whereas, the applicant appeared before the Committee; and

Whereas, the Welcome Party gives entering NYU students a chance to learn about the various student groups and clubs and health and wellness opportunities available; and

Whereas, the event will have a DJ and some live performances from NYU a capella singing groups; and

Whereas, the applicant is reaching out to local businesses for participation and is open to participation by Community Board #2;

Whereas the applicant agreed to add a vaccination station to administer new admit vaccinations required by NYU for admission to relieve the crowding at nearby health stations, especially 9th Avenue and 29th Street, which services all nearby public elementary, junior high schools and high schools; now

Therefore Be It Resolved that CB#2, Man. supports the Street Permit request for the NYU College of Arts and Sciences Student Council for its Welcome Party.

Vote: Unanimous, with 40 Board members in favor.

ST. VINCENT'S OMNIBUS

Application by St. Vincent's Catholic Medical Centers and the Rudin's for 20 Seventh Avenue (the O'Toole building) to demolish under a hardship application, and seek a Certificate of Appropriateness to build a New Replacement Hospital; 1 Seventh Avenue to seek a C of A to demolish four buildings (Coleman, Link, Reiss and Cronin), and seek a C of A for new replacement buildings in addition to modifications to the existing buildings (Nurses, Spellman, Smith and Raskob); and 76 Greenwich Avenue to seek a C of A to rebuild the existing one story structure and incorporate public open space.

WHEREAS, Community Board No. 2, Manhattan (CB2), thanks the NYC Landmarks Preservation Commission (LPC) for providing an additional opportunity for community input into the revised St. Vincent's Hospital/Rudin proposals; and

WHEREAS, CB 2 also thanks the LPC for its comments during the first set of hearings that sent a powerful message to the applicants that preservation of historic resources is a priority and that height and bulk are also important considerations; and

WHEREAS, as a result of input from the LPC, our elected officials and the local community, St. Vincent's and the Rudin organization have both made significant improvements to their proposals which represent a significant step in the right direction; and

WHEREAS, CB2 is on record stating that the O'Toole building has historic significance, and has not waived in that determination an assessment supported by the LPC's comments, and therefore, St. Vincent's has filed for demolition under the Hardship provision of Landmarks law; and

WHEREAS, CB2 is on record as supporting the modernization of St. Vincent's Hospital into a state-of-the-art acute care facility and trauma center; and

WHEREAS, CB2 has hosted three public hearings and two public meetings on this project, and has received testimony from hundreds of people, including local residents, elected officials, block associations, health care specialists, preservationists, organized labor, and other stakeholders; and

THEREFORE BE IT RESOLVED, THAT CB#2, Man. is providing its commentary on the design of the proposed Rudin residential development, the replacement hospital for St. Vincent's, and the alterations to the triangle site attached hereto as Appendix A; and

BE IT FURTHER RESOLVED, THAT CB#2, Man., is submitting our questions and concerns about the St. Vincent's Hardship application attached hereto as Appendix B.

Vote: Passed, with 34 Board members in favor and 6 in opposition.

TRAFFIC AND TRANSPORTATION

1. Resolution in Support of proposed Eighth Ave. cycletrack

WHEREAS the New York City Department of Transportation presented plans to reconfigure the existing Eighth Avenue bike lane, from Bank St. to W. 23rd St., as a "cycletrack" such as that which currently exists on Ninth Avenue from W. 23rd St. to W. 14th St., which preliminary figures show has resulted in a 41% decline in vehicle crashes; and,

WHEREAS the existing bicycle lane would be relocated so as to be against the curb and separated from traffic by parked cars and pedestrian refuge islands, creating a safer and more pleasant environment for cyclists and effectively eliminating the current problems of vehicles parking and driving in the bike lane; and,

WHEREAS these pedestrian islands shorten crossing distances significantly, from a typical 80 ft. to 50 ft., making the street safer and less challenging, particularly to elderly or mobility-impaired pedestrians, and the plantings incorporated in the islands result in a more pleasant pedestrian experience; and,

WHEREAS no vehicle lanes are being removed and, in fact, motorists should find the roadway safer by eliminating the confusion of making turns through the existing bicycle lane; and,

WHEREAS DOT conducted a door-to-door outreach to businesses and a posting of the affected neighborhood and the Councilmember's office sent out an email announcement; ten members of the community attended the hearing and all spoke favorably of the proposed project; and,

WHEREAS DOT invited the committee to comment on the possibility of disallowing left turns from Eighth Ave. onto Jane St. in order to give more priority to pedestrians and cyclists, and though Board members living nearby spoke favorably of this concept, the committee felt that more specific outreach and input from the immediate community would be necessary before making a recommendation; and,

WHEREAS concerns were expressed by the committee regarding the safety of pedestrians standing in the pedestrian refuge islands as well as businesses' ability to get deliveries without disrupting traffic flow,

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan (CB2) appreciates the continued efforts of NYC DOT to enhance the safety and experience of pedestrians and cyclists in our neighborhood and enthusiastically supports this proposal; and,

BE IT FURTHER RESOLVED that CB2 requests the following be incorporated into the planning and design:

- Bell bollards or other such pedestrian defense be utilized in the pedestrian islands, in particular at Bleecker St. where Eighth Ave. traffic makes a turn;
- At least one zone of two or more parking spaces be designated for commercial deliveries during a specified time period, such as 9am to 1pm, the specific location of which should be determined in consultation with this Board, as a test to attempt to mitigate currently-observed double parking problems;
- Plantings be completed before the winter season.

Vote: Unanimous, with 40 Board members in favor.

2. Resolution in Support of proposed New York State legislation to enhance enforcement of “block-the-box” and bus-lane regulations.

WHEREAS traffic congestion continues to be a major factor in the quality of life, the environmental quality, and the safety of the public in our neighborhood; and,

WHEREAS lacking home-rule on many aspects of transportation planning, the City of New York must get the approval of the State of New York before implementing necessary and overdue changes to address the unique needs of our transportation network; and,

WHEREAS bills have been introduced into the State Assembly and State Senate, A10233 and S7229 respectively, to allow for the issuance of violations to vehicles caught on bus-mounted cameras to be operating in or blocking bus-only lanes; and,

WHEREAS bills have been introduced into the State Assembly and State Senate, A10071 and S6811 respectively, to reclassify “blocking the box” infractions as parking violations, thereby allowing any traffic enforcement agent to issue tickets, rather than the current classification as a moving violation which requires a police officer to issue a citation; and,

WHEREAS these bills allow for the enhanced enforcement that fits the needs of our current transportation system without further burdening the NYPD;

THEREFORE BE IT RESOLVED that CB#2, Man., urges our state legislators to sign on to these important legislative measures as cosponsors and work to ensure their passage as tools to address the ever-increasing burden of traffic congestion on our neighborhoods; and,

BE IT FURTHER RESOLVED that CB#2, Man. would like to see bus-camera enforcement legislation extend beyond Bus Rapid Transit-specific applications to ALL violations of bus lane- and bus stop-blocking, which negatively impacts the dependability of bus service in the city and can have the effect of rendering bus service inaccessible to seniors and other mobility-impaired populations.

Vote: Unanimous, with 40 Board members in favor.

ZONING AND HOUSING

Joint Resolution from Community Boards 1 & 2: Department of Sanitation Proposal to construct a new garage for Manhattan Districts 1,2, & 5 and UPS staging operations on a site currently used by UPS at Spring St. and Washington St. and the replacement of the existing operations on a site currently used by UPS at Spring St. and Washington St. and the replacement of the existing District 1 garage with a salt shed for 5,000 tons of rock salt

WHEREAS Community Boards 1 & 2 Manhattan have issued several other resolutions in regards to this issue that are attached to this resolution, And,

WHEREAS the “Fair Share Criteria” rules as applied to the siting of this project require an equitable distribution of city facilities and require a fair and open process with significant and early community involvement, And,

WHEREAS Community Boards 1 & 2 Manhattan find that the process has not been fair and open process with significant and early community involvement and has resulted in a sanitation complex that is far too much for the Hudson Square and North Tribeca Neighborhoods, And,

WHEREAS the separation of the environmental analysis and the ULURP for this proposal from the city wide solid waste plan is the segmentation of the city wide plan and has resulted in an improper review of the over all plan, and,

WHEREAS the Hudson Square Community is willing to agree to a single sanitation garage, And,

WHEREAS, Community Board 1 and Community Board 2 would agree to District 1 and District 2 garages; and

WHEREAS there are no clear reasons to include District 5 in this proposal and the elimination of the District 5 garage at this location would result in reducing truck traffic by 5,000 miles per year, and,

WHEREAS there are adequate existing facilities nearby that can provide employee parking, and,

WHEREAS this area has severe traffic issues due to its proximity to the Holland Tunnel and this proposal does not adequately address the additional truck traffic that will be introduced, and,

WHEREAS there are no compelling reasons to locate the salt pile at the end of Canal St. within the 100 year flood plain, and,

WHEREAS at the public hearing there was unanimous opposition to the plan; and

WHEREAS the Department of Sanitation has stated that the proposed facility will comply with the LEEDS Silver Standard which may not necessarily reduce carbon emissions by at least 30%; and

WHEREAS our area has been rated 2nd worst in Manhattan, and worse than all 5 boroughs; and

WHEREAS we are gravely concerned about the safety of storing 34,000 gallons of fuel at the garage site, and a combined 80,000 gallons of fuel and oil being stored between the garage and St. John’s building;

THEREFORE BE IT RESOLVED, That Community Boards 1 & 2 strongly oppose the current proposal for this Sanitation complex and recommends the following changes:

- The elimination of the District 5 garage
- The elimination of the salt pile and shed

- Elimination of employee parking
- Reduce the refueling station and refuel as many trucks as possible in New Jersey
- Restrict access for the sanitation trucks to West St.
- Set back the building along Spring St. and incorporate a green space with community access
- Create a community friendly design with recreational space for community on the roof of the new facility
- Construct a new pedestrian crossing of West St. to the Hudson River Park at Spring St.; and

BE IT FURTHER RESOLVED, That the LEEDS Silver Standard proposed for this project be supplemented to include the reduction of carbon emissions by at least 30%; and

BE IT FURTHER RESOLVED, that the LEED NC V2.2 Gold Certification be targeted and that credits for Environmental Quality, Indoor and Outdoor air delivery monitoring and increased ventilation commissioning credits must be met and supplemented to reduce emissions by at least 30%.

Vote: Unanimous, with 40 Board members in favor.

NEW BUSINESS

Respectfully submitted,

Susan Kent
Secretary
Community Board #2, Manhattan