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Jo Hamilton, *First Vice Chair*
Bo Riccobono, *Second Vice Chair*
Bob Gormley, *District Manager*



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COMMUNITY BOARD No. 2, MANHATTAN

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FULL BOARD MINUTES

DATE: September 18, 2008
TIME: 6:00 P.M.
PLACE: SEIU 32BJ, 101 Avenue of Americas, 22nd Floor Pre-Conference Room

BOARD MEMBERS PRESENT: Steve Ashkinazy, Keen Berger, Tobi Bergman, Makrand Bhoot, Carter Booth, Sigrid Burton, Lisa Cannistracci, Doris Diether, Ian Dutton, Sheelah Feinberg, Amanda Kahn Fried, Elizabeth Gilmore, Edward Gold, Jo Hamilton, Anne Hearn, Brad Hoylman, Chair, Community Board #2, Manhattan (CB#2, Man.), Zella Jones, Susan Kent, Arthur Kriemelman, Raymond Lee, Ke-Wei Ma, Don MacPherson, Jane McCarthy, Judy Paul, Lois Rakoff, David Reck, Robert Riccobono, Erin Roeder, Rocio Sanz, Arthur Z. Schwartz, Shirley Secunda, Shirley H. Smith, James Solomon, Sean Sweeney, Annie Washburn, Carol Yankay, Elaine Young, Jin Ren Zhang

BOARD MEMBERS EXCUSED: Maria Passannante Derr, Evan Lederman, Edward Ma, Rosemary McGrath, Wendy Schlazer

BOARD MEMBERS ABSENT: Dalton Conley, Harriet Fields, David Gruber, Renee Kaufman, Jason Mansfield, Richard Stewart

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

GUESTS: Erin Drinkwater, Congressman Jerrold Nadler's office; Crystal Gold-Pond, Senator Tom Duane's office; John Ricker, NYC Comptroller'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; Angelica Crane, Jennifer Hong, Man. Borough President Scott Stringer's office; Joan Engel, Marlon Deason, Francine M. Ekelman, Merton S. Ekelman, Donald Grirrin, Robert Lewis, Stephen Piersanti, Kim Do, Steve Gonzalez, Jill Demos, Danae Cappelletto, Lisa Lin, Robert Mooney, Jodi Siegel, Elizabeth Kurtzman, Robin Goldberg, Frank Guglielmo, John Monteleone, Bari Stewart, Greg Lee, Ardist Brown, Mark Herring, Jeffrey Knipe, John Bradham, Rick Brochette, Betty Truong, Sook Ling Lai, Pix Turman, Mary Johnson, Judy Ann Evans, Alex Green IV, Karen He, Stephane Bruno, Peggy Ng, Carmen Ben, Winnie Ho, Jean Standish, Edith Ho, Kan Jong Wong, Tony Park, O. Coerper, Bob Rodivojevic, Paul Underhill, David Mohr, Michelle Campo, Adley Goltstein, Robin Desser, Keaton Myer, Elizabeth Adam, Jack Eppler, Cormac Flynn, Joan Bender, Sante Scardillo, Priscilla Loke, Judith Callet, Ellie Rubin, Jim Fourat, Marc Ameruso, Richard Tschudy, Janet Freeman, Daysi M. Mejia, Arnaldo Segarova, Carol Wilson, Gil Horowitz, Soonbin Kim, Honi Klein, Mary Wolff, Marcon Deason, Dan Goldstein.

MEETING SUMMARY

Meeting Date – September 18, 2008

Board Members Present – 37

Board Members Excused– 5

Board Members Absent - 6

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II. PUBLIC SESSION

Non-Agenda Items

Gansevoort Food & Wine Festival

Annie Washburn made an announcement regarding the upcoming Food & Wine Festival on Gansevoort.

Greenwich Village High School

A representative from the high school spoke.

Chinatown

Manhattan District Attorney's Immigrant Affairs Program

Daysi Mejia spoke regarding the Manhattan DA's Immigrant Rights and Immigration Fraud Seminar for the Chinese Community on October 14th

Sidewalks, Public Facilities & Access Items

App. For a newsstand at the North West corner Broadway & West Houston Street

Jodi Siegal spoke against the proposed newsstand application.

SLA Licensing Items

Spread NYC, LLC, 209 Mulberry St., NYC-

Joan Engel spoke against the proposed beer and wine license.

The Beatrice, 285 W. 12th Street, NYC

Stephen Piersanti and Adley Goltenstein spoke against the renewal of their liquor license.

Tony Bank or Corp to be formed, 180 Lafayette St., NYC 10013

Elizabeth Kurtzman, John Bradham, Keaton Myer and Frank Guglielmo spoke against the proposed liquor license.

Travertine, LLC, 19 Kenmare St., Store B a/k/a 164 Elizabeth St. NYC 10012

Richard Tschudy, Sook Ling Lai, Peggy Ng, Robin Goldberg, and Janet Freeman spoke against the proposed liquor license. Jean Standish spoke regarding the proposed liquor license.

Crosby Street Hotel, LLC, 79 Crosby St., NYC 10012-(Hotel license)

Robin Goldberg spoke regarding the proposed hotel liquor license.

RBM 8th Rest., LLC, 47 W. 8th St., NYC 10011

Arnaldo Segarova, Gil Horowitz, Soonbin Kim, Honi Klein (Village Alliance B.I.D.), and Marcon Deason, spoke in favor of the proposed liquor license.

Carol Wilson, Francine M. Ekelman, Robin Desser, Mary Wolff, and Cormac Flynn, spoke against the liquor license.

Bob Rodivojevic, principal, spoke regarding the proposed liquor license.

Spring Rest. Group, LLC, d/b/a Gatsby's, 53 Spring St., NYC 10012

Kim Do, Dan Goldstein, spoke against the alteration of the liquor license.

Traffic and Transportation Items

Mary Johnson spoke against a Traffic & Transportation resolution.

Waterfront

The People's Pier Proposal

Jim Fourat, Marc Ameruso spoke regarding the pier plan.

Zoning and Housing Items

The Archives Building, 666 Greenwich Street

Donald Gririn and Robert Mooney, spoke regarding Rockrose Development's rent increases for non-profits in the building.

III. ADOPTION OF AGENDA

IV. ELECTED OFFICIALS PRESENT AND REPORTING

Erin Drinkwater, Congressman Jerrold Nadler's office

Crystal Gold-Pond, Senator Tom Duane's office

John Ricker, NYC Comptroller's office;

Matt Borden, Assembly Member Deborah Glick's office

Angelica Crane, of Man. Borough President Scott Stringer's office;

Grey Elam, of Council Speaker Christine Quinn's office

Paul Nagle, Council Member Alan Gerson's office.

Kate Mikuliak, Council Member Rosie Mendez's office.

V. **ADOPTION OF MINUTES**

Adoption of June minutes and distribution of July minutes.

VI. **EXECUTIVE SESSION**

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

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

3. **Committee Reports Adopted in August by Executive Committee in Lieu of Full Board meeting, then voted on by the Full Board in September.**

LANDMARKS & PUBLIC AESTHETICS

1 - 37 Greene Street - SoHo-Cast Iron Historic District - HELD OVER

2 - 711 Greenwich Street - Greenwich Village Historic District A warehouse constructed in 1945. Application is to replace infill and to install a stair bulkhead. Zoned R6

Whereas, the proposed kitchen flue and stair bulkhead at the back of the roof are not visible from the street; and

Whereas, the proposed fenestration, replacing glass blocks with transparent glass to match the arched header, is an improvement; and

Whereas, this application is sensitive to the sense of place, the style, scale and materials of the building and the district; and

Whereas, the Greenwich Village Society for Historic Preservation and a neighbor testified in support; now

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

Vote: Unanimous, with 33 Board members in favor.

3 - 129 Charles Street (Greenwich/Hudson) - Greenwich Village Historic District A vernacular style stable and dwelling designed by Henry Andersen, and built in 1897. Application is to construct a rooftop and a rear yard addition. Zoned C6-1

Whereas, the restoring of the garage and entry doors, as well as replacing a column, is commendable; and

Whereas, there is precedent in the district for the proposed sloped atelier-style window; and

Whereas, the restoration of the cornice is also commendable; but

Whereas, although we recognize that this building was not only a rather fancy stable and carriage house, but also a residence on the upper floors above the carriage portion, we felt overall that the proposed cornice was a bit too large and a bit too elaborate for such a building; and

Whereas, the applicant should thus re-consider the size and style of the cornice, measure comparable cornices on other buildings, and follow the proportions of the comparables; and

Whereas, there was some concern within the committee about destroying historic material at the back area of the two lower floors and replacing it with a glass wall; and

Whereas, there is no rear-yard ‘doughnut’ in this instance; now

Therefore, be it resolved that CB#2, Man. recommends approval of the ground-floor work on the front facade and retention of the horse’s head; and

Further, be it resolved that CB#2, Man. recommends that the applicant attempt to reduce further the visibility of the rooftop addition, particularly because it is abutting an Individual Landmark; and

Further, be it resolved that CB#2, Man. recommends approval of the application for removal of the lower two floors at the back of the building, and extension of the third and fourth floors towards the rear of the lot.

Vote: Unanimous, with 33 Board members in favor.

SIDEWALKS, PUBLIC FACILITIES & PUBLIC ACCESS

1A. NEW Application to NYCDCA for revocable consent to operate an UNENCLOSED sidewalk café for 117 Avenue of the Americas Food Corp., d/b/a KOOL BLU, 117 Avenue of the Americas, New York, N.Y. 10013 with 13 tables and 26 seats, DCA#1285231 - REDUCED TO 9 TABLES AND 18 SEATS;

WHEREAS, the area was posted and the applicant and his expeditor appeared before the committee; and,

WHEREAS, this location is operating as a 24 hour, take-out food stand with a c/o for a newsstand on Sixth Avenue between Watts and Broome Streets by the Holland Tunnel; and,

WHEREAS, there is no alcohol beverage license and alcohol is not served; and,

WHEREAS, there are no residential apartments contiguous to this building; and,

WHEREAS, there is opposition from one member of the community who is a CB#2, Man. board member, who is not opposed to the approval of the application, but raises several legal issues: the certificate of occupancy, the “permanent awning”, and open construction (2005) DOB violations; and,

WHEREAS the committee agreed that DCA should review the c/o with DOB but agreed that the so-called “permanent awning” may be an architectural detail of the building; and,

WHEREAS, the applicant agreed to: **1)** reduce its application from 13 tables and 26 seats to 9 tables and 18 seats; **2)** remove the shelves attached to the exterior of the building where the customers are served; **3)** place the tables in one row against the building to insure greater pedestrian access; and, **4)** within 7 business days hereof, provide accurate architectural plans which shall include “1 through 3” above and further reflect with greater accuracy the building size in proportion to the sidewalk café;

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an UNENCLOSED sidewalk café to 117 Avenue of the Americas Food Corp., d/b/a KOOL BLU, 117 Avenue of the Americas, New York, N.Y. 10013 with 9 tables and 18 seats, DCA#1285231; and

BE IT FURTHER RESOLVED, that CB#2, Man. requests an inquiry by DCA into the 2005 DOB violations and the legality of the certificate of occupancy.

VOTE: THIS RESOLUTION FAILED. SEE REPLACEMENT RESOLUTION BELOW.

1B. NEW Application to NYCDCA for revocable consent to operate an UNENCLOSED sidewalk café for 117 Avenue of the Americas Food Corp., d/b/a/ KOOL BLOO, 117 Avenue of the Americas, New York, N.Y. 10013 with 13 tables and 26 seats, DCA #1285231 – REDUCED TO 9 TABLES AND 18 SEATS

WHEREAS, the area was posted and the applicant and his expeditor appeared before the committee; and

WHEREAS, the location is currently operating as a 24-hour, take-out food stand with no indoor or outdoor seating; and

WHEREAS, allowing sidewalk seating for food stands with no indoor seating would set an undesirable precedent beyond the intent of the sidewalk café law; and

WHEREAS, the Certificate of Occupancy is for a one story building but a second floor has been added, although there is no listing at the Department of Buildings for such expansion; and

WHEREAS, the Certificate of Occupancy is for a Newsstand in Use Group 12, a use group that does not include restaurants; and

WHEREAS, there is no listing at the Department of Buildings for a job to build a kitchen or convert the use to a food service establishment; and

WHEREAS, the entire building is less than five feet wide and the kitchen occupies most of the first floor of the building, and there appears to be insufficient space for safe operation of the ovens, fryers, and open flame grill; and

WHEREAS, the applicant initially submitted inaccurate plans giving the impression of a larger restaurant and was asked to come back with accurate plans but submitted a second set of inaccurate plans and was asked again to come back with accurate plans and submitted a third set of inaccurate plans, each set repeating the impression of a larger establishment potentially with space for indoor seating; and

WHEREAS, the building structure includes a permanent awning that extends approximately four feet over the sidewalk including the entire area proposed for outdoor seating, and the applicant offered no documentation **to demonstrate this awning pre-existed the law; and**

WHEREAS, there is no space available on the premises for storage of tables and chairs when the café is not operating; and

WHEREAS, the CB#2, Man. office has been informed that this establishment received a violation on August 17, 2007, for operation of an unlicensed sidewalk café and paid a \$100 fine, (but the applicant stated that while an inspection had taken place, no violation had been issued);

WHEREAS, the applicant agreed to:

- 1) reduce its application from 13 tables and 26 seats to 9 tables and 18 seats;
- 2) remove the shelves attached to the exterior of the building where the customers are served;
- 3) place the tables in one row against the building to insure greater pedestrian access; and
- 4) within 7 business days hereof, provide accurately reflect the building size and layout, but while CB#2, Man. appreciates the cooperative spirit, it does not believe these concessions address the core objections to this application;

THEREFORE, BE IT RESOLVED, that CB#2, Man., requests a thorough review by NYCDCA of all legal issues and Department of Buildings documentation including the Certificate of Occupancy; job filings for construction of a second story, and awning extending over the sidewalk, and construction of a kitchen and conversion to restaurant use; the lack of indoor seating; the existence of a permanent awning above proposed seating; and all outstanding Department of Buildings violations and open jobs; and

BE IT FURTHER RESOLVED, that CB #2, Man., opposes the issuing of sidewalk café licenses to sidewalk stands without indoor seating in our district which already has so many restaurants, and strongly recommends denial of consent to operate an UNENCLOSED sidewalk café to 117 Avenue of the Americas Food Corp, d/b/a KOOL BLOO, 117 Avenue of the Americas, New York, 10013 with 9 tables and 18 seats, DCA #1285231.

Vote: Unanimous, with 33 Board members in favor.

2. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for West End Kids Corp. d/b/a Henrietta Hudson, 438-444 Hudson Street, New York, N.Y. 10014 with 8 tables & 16 seats, DCA#0908690.

WHEREAS, the area was posted and the applicant and its expeditor appeared before the committee; and

WHEREAS, this bar/restaurant is located at the corner of Morton and Hudson Streets; and

WHEREAS, there has been a sidewalk café at this location since 1994; and

WHEREAS, there is no change in the configuration of the sidewalk café; and,

WHEREAS, no one from the community appeared in opposition;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to West End Kids Corp. d/b/a Henrietta Hudson, 438-444 Hudson Street, New York, N.Y. 10014 with 8 tables & 16 seats, DCA#0908690.

Vote: Unanimous, with 33 Board members in favor.

SLA LICENSING

1. QuintoQuarto, Inc., 14 Bedford St. (at Downing St), NYC.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license for an Italian restaurant located in a 1,251 s.f. premise in a mixed use building located on the corner of Bedford and Downing Streets, with 40 table seats, no bar and a maximum legal capacity of 40 persons; and,

Whereas, the applicant stated the hours of operation are 12:00 p.m. – 12:00 a.m. seven days a week; there will not be a sidewalk café but will include a backyard garden with 5 tables and 17 seats; music will be background only; and,

Whereas, the applicant has agreed to prohibit smoking and playing music in the backyard garden; and,

Whereas, the applicant has agreed to include a temporary enclosure for the backyard garden; 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,

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 **QuintoQuarto, Inc., 14 Bedford St.**, unless those conditions agreed to by applicant relating to the fourth, fifth and sixth “whereas” clauses above is incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 33 Board members in favor.

2. 675½ Hudson Street, LLC, 675½ Hudson St. (between 13th and 14th), NYC.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license for an upscale lounge located in a 2,460 s.f. premise in a commercial building located on Hudson Street between West 13th and 14th Streets, with 100 table seats, 1 bar with 10 seats and a maximum legal capacity of 205 persons; and,

Whereas, the applicant stated the hours of operation are 9:00 p.m. – 4:00 a.m. seven days a week; there will not be a sidewalk café nor a backyard garden; music will be background and DJ only; and,

Whereas, the applicant has agreed to utilize 9th Avenue as the main ingress unless the New York City Department of Buildings determines otherwise; and,

Whereas, the applicant has agreed to provide security personnel during operating hours; and,

Whereas, the applicant has agreed to re-appear before the Business Committee of CB#2, Man. with any change of ownership or control; 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, two members of the community appeared to cite general noise concerns in the area but was not opposed to this application; 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 **675½ Hudson Street, LLC, 675½ Hudson St.**, unless those conditions agreed to by applicant relating to the fourth, fifth, sixth and seventh “whereas” clauses above is incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 33 Board members in favor.

3. 333 Lafayette, LLC, 333 Lafayette St. (between Houston and Bleecker), NYC.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license for Mexican Taqueria located in an 800 s.f. premise in a commercial building located on Lafayette Street between East Houston and Bleecker Streets, with 24 table seats, no bar and a maximum legal capacity of 24 persons; and,

Whereas, the applicant stated the hours of operation are 7:00 a.m. – 4:00 a.m. seven days a week but alcohol will be served only until 2:00 a.m. seven days a week; there will be a sidewalk café but no backyard garden; music will be background only; and,

Whereas, the applicant has agreed to stop serving alcoholic beverages at 2:00 a.m. seven days a week; and,

Whereas, the applicant has agreed to close the Mulberry Street side door at 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 an On Premise license for **333 Lafayette, LLC, 333 Lafayette St.**, unless those conditions agreed to by applicant relating to the fourth and fifth “whereas” clauses above is incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 33 Board members in favor.

4. Hot Corner Ventures Corp., 558 Hudson St. (between Perry and 11th Streets), NYC.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for transfer of an On Premise license for a bar d/b/a WXOU located in a 650 s.f. premise in a mixed use building located Hudson Street between Perry and 11th Streets, with 30 table seats, 1 bar with 12 seats and a maximum legal capacity of 55 persons; and,

Whereas, the applicant stated there are no plans to change the existing method of operation; hours of operation are 1:00 p.m. – 4:00 a.m. seven days a week; there will not be a sidewalk café and no backyard garden; music will be Juke Box only; and,

Whereas, a member of the community appeared in strong support of the applicant; 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 **Hot Corner Ventures Corp., 558 Hudson St.**

Vote: Unanimous, with 33 Board members in favor.

5. Iridium Restaurant, Corp., 20 Spring St. (Elizabeth and Mott Streets), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an alteration to a Beer and Wine license for an Italian inspired restaurant located in a 2200 s.f. premise in a mixed use building located on Spring Street between Elizabeth and Mott Streets, with 74 table seats, 2 bars with 15 seats and a maximum legal capacity of 89 persons; **to license a previously approved unenclosed sidewalk café with 2 tables and 4 seats; 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. – 12:00 a.m. Sunday – Wednesday and 10:30 a.m. – 1:00 a.m. Thursday - Sunday; music is background only; and,

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

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of the proposed alteration to a Beer and Wine license for **Iridium Restaurant, Corp., 20 Spring St.**

Vote: Unanimous, with 33 Board members in favor.

6. Sodexho Operations, LLC, 499 Broadway/70 Mercer 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 **Sodexho Operations, LLC, 499 Broadway/70 Mercer 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 33 Board members in favor.

7. Vintage New York, 32 Cooper Square, 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 **Vintage New York, 32 Cooper Square, NYC** **and requests that the SLA send this applicant back to CB#2, Man. 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 33 Board members in favor.

SOCIAL SERVICES, SENIOR SERVICES & EDUCATION

Urgent Update regarding 75 Morton Street

Whereas, CB#2, Man. resolved unanimously on June 19th, 2008 that “the property at 75 Morton Street is ideally suited to become a school” to relieve the overcrowding in all of District 2, thus advancing the education of children of all ethnicities and abilities, and

Whereas, hundreds of community members, disability activists, parents, educators, children, and political leaders rallied on August 6th, 2008 to express their determination that 75 Morton Street become a public middle school, and more than a thousand people have signed petitions to that effect, and

Whereas, within the past month the Speaker of the City Council, our Borough President, our Assembly and Senate legislators, several leaders in the Department of Education and the Mayor’s office have publicly stated that 75 Morton Street should become a city school, and

Whereas, New York State, specifically the Empire State Development Corporation, has initiated the sale of this property via a Request for Proposals due on August 13, 2008, with a decision projected on August 27th,

Therefore, Be It Resolved that CB#2, Man. expresses deep appreciation to Speaker Christine Quinn, Deputy Mayor Dennis Walcott, Congress members Carolyn Maloney and Jerrold Nadler, Borough President Scott Stringer, Senator Tom Duane, and Assemblyperson Deborah Glick for their work to obtain 75 Morton for the children in our community and urges them to continue their efforts, and

Be it Further Resolved that CB#2, Man. calls upon the Empire State Development Corp, the New York City Department of Education, Mayor Bloomberg and Governor Paterson to do whatever is necessary to ensure that 75 Morton Street becomes a new, fully-accessible, public middle school.

Vote: Passed, with 32 Board members in favor, and 1 recusal (A. Kahn Fried).

STREET ACTIVITY & FILM PERMITS

1. Support for Street Fair Activity Permit Application for Conflux Festival 2008 Block Party by Center for Architecture

9/14- LaGuardia Pl. B/W Bleecker and West 3rd Street

Setup/Breakdown window: 9am-9pm

Street Closure Request: 9am-9pm

Event Time: 11am-7pm

Whereas, the applicant was represented at the committee meeting by representatives from the Conflux organization and Center for Architecture; and

Whereas, Conflux is a yearly festival held in different parts of New York City where international artists, technologists, urban adventurers and the public put investigations of everyday city life into practice on the streets; and

Whereas, the street fair is part of a four-day program at the Center for Architecture that features art installations, street art interventions, interactive performances, bicycle and public transit expeditions and various workshops and lectures; and

Whereas, the applicant is working with various consultants and a security team to ensure that the event is well-executed; and

Whereas, the Center for Architecture is an important cultural and artistic institution in our community and a great partner of the community; now

Therefore Be it Resolved, that CB#2, Man. supports the Street Permit request for the Conflux Festival and commends the entire team for their hard work and care to work in the spirit of the neighborhood.

Vote: Unanimous, with 33 Board members in favor.

2. Support for Street Fair Activity Permit application by Rebecca + Drew Manufacturing

9/6- W. 13th Street Between Gansevoort & Hudson Streets

Setup/Breakdown window: 8am-9pm

Street Closure Request: 8am-9pm

Event Time: 11am-7pm

Whereas, the applicant was represented at the committee meeting by members of Rebecca+Drew Manufacturing and Rachel Fershleicher of Housing Works; and

Whereas, Rebecca+Drew Manufacturing is a local merchant and wishes to give back to the local community by sponsoring a street fair focused on literacy related issues and making reading fun for children; and

Whereas, the street fair will be focused on children and will include face painting booths and storytelling for children; and

Whereas, Rebecca+Drew Manufacturing also wishes to show off the talents of local artists and the products of community businesses by selling their items at this street fair; and

Whereas, Housing Works is co-sponsoring the street fair and a portion of all of the proceeds generated from the street fair will be donated to Housing Works; and

Whereas, the applicant will also use the street fair to solicit books from local businesses and the public, which will all be donated to the Housing Works Book Drive; and

Whereas, Housing Works is a wonderful and dedicated community organization that strives to ensure that homeless and low-income people living with HIV/AIDS and their families have adequate housing, food, social support, drug treatment, health care, and employment; and

Whereas, the applicant has agreed to work with the 6th Precinct concerning the necessary block closures for the street fair and has agreed to inform all neighboring residential buildings about the street fair and seek their involvement; now

Therefore Be It Resolved that CB#2, Man. supports the Street Permit request for Rebecca + Drew Manufacturing.

Vote: Unanimous, with 33 Board members in favor.

3. Support for the Street Activity Permit application for the WNYU and Other Music Block Party

9/28 East 4th Street b/w Broadway and Lafayette Street

Setup/Breakdown window: 7am-9pm

Street Closure Request: 7am-9pm

Event Time: 12pm-6pm

Whereas, the applicant was represented at the committee meeting by Dylan DiLella from Other Music and members of WNYU Television and Radio Station; and

Whereas, the applicant wishes to showcase a wide range of melodic music and local businesses and restaurants at the block party; and

Whereas, the applicant has assured the committee that there will only be a single steel deck music stage and that all musical performances will be “melodic” in nature and not overly amplified; and

Whereas, the applicant has worked diligently to gain the support of local community organizations and block associations for this event and no one showed up at the committee meeting in opposition of the event; and

Whereas, the applicant has agreed to provide regular updates to this committee and CB#2, Man. concerning his fundraising efforts and new sponsors of the block party, and has agreed to withdraw his application if in the opinion of this committee he has been unable to secure the necessary funding and sponsorships to ensure a safe event with appropriate public amenities; and

Whereas, the event will also be sponsored and aired by WNYU and will be an attractive event to introduce incoming students to the community; now

Therefore Be It Resolved that CB#2, Man. supports the Street Permit request for WNYU and Other Music; and be it

Further Resolved that CB#2, Man.'s support for this application is for this year only and any support of a similar event in the future will be based on the outcome and reception in the community of this years event.

Vote: Unanimous, with 33 Board members in favor.

4. Support for the Street Activity Permit Request for the Housing Works Bookstore Annual Book Fair

9/27- Crosby Street b/w Prince and W. Houston Streets

Setup/Breakdown window: 8am-10pm

Street Closure Request: 8am-9pm

Event Time: 10am-6pm

Whereas, Rachel Fershleiser of Housing Works appeared before this committee; and

Whereas, Housing Works is a wonderful and dedicated community organization that strives to ensure that homeless and low-income people living with HIV/AIDS and their families have adequate housing, food, social support, drug treatment, health care, and employment; and

Whereas, the Housing Works Book Fair is an extremely successful annual event that sells used books donated by the community to benefit people living with HIV/AIDS; now

Therefore Be It Resolved that CB#2, Man. supports the Street Permit request for the Housing Works Book Fair and commends the entire team for their hard work and care to work in the spirit of the neighborhood for those suffering with HIV/Aids.

Vote: Unanimous, with 33 Board members in favor.

5, Denial of the Street Activity Permit Request for the IL Buco Annual Pig Roast

9/22-Bond Street b/w Lafayette and Bowery

Setup/Breakdown window: 12am-7pm

Street Closure Request: 1pm-7pm

Event Time: 1pm-7pm

Whereas, the applicant was represented by an employee of Il Buco restaurant; and

Whereas, the applicant plans to use the permit solely to promote a commercial business, with no corresponding sponsorship from a community organization or non-profit; and

Whereas, the applicant wishes to sell plates of food on the closed sidewalk for \$20 per plate for the express purpose of commercial profit, thereby turning a public sidewalk and street into nothing more than a side-walk for Il Buco; and

Whereas, the applicant wishes to begin roasting its pig at 12am the evening before the event and cannot promise that such roasting will not result in noxious fumes and loud noise throughout the evening; and

Whereas, the applicant has agreed to donate 15% of all proceeds from the event to a registered non-profit organization in CB#2, Man. even if CB#2, Man. recommends denial of its application; and

Whereas, CB#2, Man. denied this application last year; now

Therefore Be It Resolved, that CB#2, Man. does not support this street activity permit and strongly recommends denial of this application by the Street Activity Permit Office because it serves no community purpose; and be it

Be it further resolved, that CB#2, Man. was extremely disappointed that the Street Activity Permit Office approved this application last year, and be it

Be it further resolved, that if the Street Activity Permit Office wishes to again approve this application then it require the applicant to donate 15% of all proceeds to a non-profit agency located within CB#2's boundaries, which the applicant has agreed to as a condition of approval of its application.

Vote: Unanimous, with 33 Board members in favor.

10/31-Laguardia Place b/w Washington Square South and West 3rd Street

Setup/Breakdown window: 7am to 11pm

Street Closure Request: 7am to 11pm

Event Time: 3pm-5pm

CB#2, Man. declines to comment on the NYU/CB#2 Annual Children's Halloween

STANDING COMMITTEE REPORTS

LANDMARKS AND PUBLIC AESTHETICS

1ST LANDMARKS MEETING

1 - 415 West 13th Street – (Washington/9th Ave.) Gansevoort Market H.D. An altered building designed by Thompson Starrett Co. and built in 1900-01 by Steven Kratchman in 2002-03. Application is to install new storefront infill, alter the loading platform and install barrier-free lifts.

Whereas, the signage, hanging parallel from the canopy, is too mall-like, and should be perpendicular in keeping in character with the other signage in the district; and

Whereas, the railings are too busy and should be simplified in detail; and

Whereas, the steps in the center of the loading dock/platform interrupt its continuity and is not in the spirit of other loading docks, which have their steps on the sides; now

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

Vote: Unanimous, with 34 Board members in favor.

2 - 60 Jane Street – (Hudson/Greenwich) Greenwich Village Historic District

A Greek Revival style rowhouse constructed in 1848-49. Application is to alter the facade, construct a rooftop addition, demolish a rear ell and modify the rear facade. Zoned C1-6

Whereas, the sensitive treatment is commendable, particularly the re-introduction of the stoop, the canopy above the front door, the 6-over-6 windows and the lengthening of the parlor windows to their original configuration; and

Whereas, the removal of the existing rear-yard addition will improve the interior view of the backyard ‘doughnut’; now

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

Vote: Unanimous, with 34 Board members in favor.

3 - 84 Jane Street (Greenwich/Washington) Greenwich Village Historic District A rowhouse built in 1858. Application is to construct a rear-yard addition and a rooftop addition. Zoned R-6

Whereas, this is an admirable project, restoring the cornice, the iron work, the original length of the parlor windows, and the lintels; and

Whereas, the rooftop addition is set back and not visible; and

Whereas, although there was some objection to so much glass for the rear-yard facade, we felt that it is barely noticeable by the few neighbors who can actually see it, it does not destroy any historic materials, which is all long gone, and it indicates that the house was meant “to be lived in”; now

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

Vote: Unanimous, with 34 Board members in favor.

2ND LANDMARKS MEETING

1. 715-719 Broadway (Washington Pl.) - NYU Gallatin Hall Application is to install a flagpole.

Whereas, shortening the length of the flagpole contributes to the building, and moving it and the flag from one side of the building to another is inconsequential; now

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

Vote: Unanimous, with 34 Board members in favor.

2. 307 Canal Street a/k/a 49 Howard Street Application is to replace ground floor infill.

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

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

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

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

Vote: Unanimous, with 34 Board members in favor.

3. 478-482 Broadway (s.e. corner of Broome) Application is to install mechanical equipment on the roof.

Whereas, this equipment is only barely visible and from just one location; and

Whereas, a neighbor appeared *in support* of the application, because the placement of the HVAC in the proposed location would help mitigate excessive machinery noise coming into her apartment; now

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

Vote: Unanimous, with 34 Board members in favor.

4. 89 Greene Street a/k/a 127 Spring Street Application is to install storefront infill.

Whereas, the restoration is commendable, including the removal of the old security railings from in front of the windows on Greene Street: but

Whereas, we would prefer to see the windows configured 2-over-2, as well as requesting painting over the Greene Street residential door; now

Therefore, be it resolved that CB#2, Man. recommends approval of this application providing that the side windows are 2-over-2 and the residential door is painted, not kept with the 'natural' look.

Vote: Unanimous, with 34 Board members in favor.

5. 535 Hudson Street (Charles St.) Application is to modify openings and to create a master plan governing the future installation of storefront infill and signage.

Whereas, the proposal will provide a lighter, airier and improved storefront; and

Whereas, the limited signage provides consistency; and

Whereas, this is a tasteful treatment of a 20th century structure; and

Whereas, the proposed quality granite will contribute to the building; now

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

Vote: Unanimous, with 34 Board members in favor.

6. **400 Blecker Street (W. 11th)** Application is to install new storefront infill.

Whereas, the extensive work involved in this proposal will contribute to the building and the district;
now

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

Vote: Unanimous, with 34 Board members in favor.

7. **6 E. 10th Street (University/Fifth)** Application is to alter the front façade and construct a rear yard addition.

Whereas, the extensive restoration is laudable; but

Whereas, there appears to be a discrepancy between the proposed pattern of the iron railing and the historically correct pattern; namely, we believe that the style of ironwork proposed is too early for this 1848 building, and would appear to be a style more appropriate to an 1842 building; and

Whereas, additionally, the fascia board should be flat without molding running across its lower face, as the applicant is proposing to do; now

Therefore, be it resolved that CB#2, Man. recommends approval of this application provided that the two suggestions be incorporated into the modified application.

Vote: Unanimous, with 34 Board members in favor.

8. **299 W. 12th Street (Hudson)** Application is to install a rooftop pergola.

Whereas, there is a lot of stuff going on, like plantings and terraces, and this pergola would be part of the look of this building; now

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

Vote: Unanimous, with 34 Board members in favor.

9. **80 Washington Place (Washington Square South/Sixth Avenue)** Application is to alter the front façade; construct rear addition and a rooftop addition, and to excavate the rear yard.

Whereas, we are OK with the front, but with three modifications:

- 1) the new portal should be modified so it is the exact dimension and proportion as the portal for 78 Washington Place, resulting in a large transom window which would be acceptable;
- 2) the Commission should determine whether the parlor sills were raised, because the photo shown to us seems to indicate that the existing conditions are the original conditions;
- 3) the restoration of the pylons at the base of the stoop, while a commendable work of restoration, borrows from the “cannonball” pylons at 78 Washington Place, which are not original to that building and, therefore, should not be copied to this building; and

Whereas, regarding the rear yard, we feel the “bones” of the façade are still there, waiting to be discovered; that is, the tea room may very likely be still there with the pilasters likely present, covered up with all this goop; and

Whereas, the LPC should require the applicant to remove the late veneers built over the tea room, and examine thoroughly before we draw any conclusion regarding its removal; and

Whereas, there is too much glass and it is too modern for this building; and

Whereas, we have concern about further intrusion into the doughnut, as well as cutting off the view of the doughnut for an neighboring building; now

Therefore, be it resolved that CB#2, Man. recommends **approval** of this application regarding the front, but only if our three requests for modifications are adopted; and

Further, be it resolved that CB#2, Man. recommends **denial** of the proposal for the rear, particularly until the LPC determines whether there is original material hidden beneath the existing outer covering.

Vote: Unanimous, with 34 Board members in favor.

10. 19 Washington Square North Application is to install a barrier-free access ramp, demolish a chimney, install rooftop equipment and bulkheads.

Whereas, this is a thoughtful restoration and the ramp is not too intrusive; but

Whereas, we prefer the window grates be retained because they are part of the original Greek-Revival building; and

Whereas, it is unfortunate that some of the original ironwork must be destroyed in constructing the ramp. For example, the bosses match bosses found on a West 12th Street building and should not be destroyed, but salvaged at the Landmarks Preservation Commission's salvage depot in Williamsburg; now

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

Further, be it resolved that CB#2, Man. recommends salvaging of original material.

Vote: Unanimous, with 34 Board members in favor.

11. BAUMANN BROTHERS FURNITURE and CARPETS STORE, 22-26 East14th Street (a/k/a 19-25 East 13th Street), Manhattan. Application is to designate it as an Individual Landmark.

Whereas, this important structure is a remarkably preserved example of the Aesthetic Movement design featuring an amalgam of influences and is unusually inventive in its ornamentation; now

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

Vote: Unanimous, with 34 Board members in favor.

SIDEWALKS, PUBLIC FACILITIES AND ACCESS

Renewal App. for revocable consent to operate an Enclosed sidewalk cafe for:

1. W.T. Restaurant on Greenwich, Inc. d/b/a Empire Szechuan Greenwich, 15 Greenwich Ave., bet. Christopher and W 10th Sts., Block: 610, Lot: 56, Police Precinct: 6, with 5 tables & 10 seats, DCA# 1244493

Whereas, the area was posted and there were no community members present and the owner was represented, and,

Whereas, location is a single story building, owned by MCG Restaurant Corp, zoned for C1-6 use in a Landmarked District, as shown on Zoning Map 12C, with two commercial units, a Certificate of Occupancy issued in October 1937 allowing restaurant use on the ground floor, and

Whereas, there have been no changes in configuration or operation since the last DCA application, approved in May 2007,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of a two-year revocable consent to operate an ENCLOSED sidewalk café for W.T. Restaurant on Greenwich, Inc. d/b/a Empire Szechuan Greenwich, 15 Greenwich Ave., with 5 tables & 10 seats, DCA# 1244493

Vote: Unanimous, with 34 Board members in favor.

2. Feenjon Corp., d/b/a Panchito's Mexican Restaurant, 103-105 MacDougal St. betw Bleecker, Minetta Lane and W 3rd Sts., Block: 542, Lots: 48 & 49, Police Precinct: 6, with 12 tables & 27 seats, DCA # 0855696.

Whereas, the area was posted and there were no community members present and the owner was represented, and

Whereas, location is a six-story building, owned by Feenjon Corp., zoned for R7-2 residential use with a commercial overlay, as shown on Zoning Map 12A, and no recorded Certificate of Occupancy, and

Whereas, plans on file drawn in December 1996 do not reflect the present configuration of this Sidewalk Café, but the owner has supplied updated plans that do reflect the current configuration, which CB#2 Manhattan submits to DCA with this resolution,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of a two-year revocable consent to operate an ENCLOSED sidewalk café for Feenjon Corp., d/b/a Panchito's Mexican Restaurant, 103-105 MacDougal St. bet. Bleecker, Minetta Lane and W 3rd Sts., with 12 tables & 27 seats, DCA # 0855696.

Vote: Unanimous, with 34 Board members in favor

3. Pepe Restaurant Group, LLC, d/b/a Las Ramblas, 170 W. 4th St., bet. Cornelia & Jones Sts., Block: 590, Lot: 29, Police Precinct: 6 with 2 tables & 4 seats, DCA # 1221449.

Whereas, the area was posted and there were no community members present and the owner was present, and,

Whereas, location is a six-story building with mixed residential and commercial land use, owned by Gemrosen Realty Corp., zoned for R6 residential use with a commercial overlay, as shown on Zoning Map 12A, and a Certificate of Occupancy of 1996 showing current uses, and,

Whereas, there have been no changes in use or operation since the previous application of May 2006,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL of a two-year revocable consent to operate an ENCLOSED sidewalk café for Pepe Restaurant Group, LLC, d/b/a Las Ramblas, 170 W. 4th St., bet. Cornelia & Jones Sts., with 2 tables & 4 seats, DCA # 1221449.

Vote: Passed, with 33 Board members in favor and 1 recusal (Rocio Sanz).

4. App. to Department of Consumer Affairs for Newsstand at:

North West corner Broadway & West Houston Street, DCA# 1295562

Whereas, the area was posted and there were community members present and the applicant Mohammed Ullah was present, and

Whereas, the Northwest corner of Houston and Broadway is exceptionally heavy with pedestrian and vehicular traffic, and

Whereas, there currently exist a USPS Mailbox, several bike racks, two phone booths and several traffic signs in or near this location, and

Whereas, there is a retail newsstand located directly to the North of this location at the Southwest corner of Bleecker and Broadway, and

Whereas, there is a much more suitable location to the East at the Southeast corner of Broadway and West Houston, in close proximity to the Broadway/Houston/Lafayette train station but with more room for pedestrian passage and less sidewalk furniture present,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends DENIAL of this application for a newsstand at the Northwest corner Broadway & West Houston Street, DCA# 1295562 and further recommends that DCA and this applicant consider the location at the Southeast corner of Broadway and West Houston Sts.

Vote: Unanimous, with 34 Board members in favor.

SLA LICENSING

The following applicants were heard at the August SLA Licensing Committee and the resolutions were adopted at the September Full Board meeting:

1. Travertine, LLC, 19 Kenmare, Store B a/k/a 164 Elizabeth Street, NYC (Elizabeth and Bowery)

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license in a mixed use building on Kenmare Street between Elizabeth and Bowery streets for a 2,800 s.f. (1,400 s.f. main level and 1,400 s.f. lower level) upscale restaurant with 113 table seats divisible by 67 seats in the main level and 46 seats in the lower level including 1 bar with 8 seats, and a maximum legal capacity of 124 persons, pending the issuance of a new Certificate of Occupancy and a Public Assembly Permit, which will not exceed said capacity; and

Whereas, the applicant stated the hours of operation for the restaurant are 11:00 a.m. – 1:00 a.m. Sunday – Thursday and 11:00 a.m. – 2:00 a.m. Friday – Saturday; there will not be a sidewalk café application nor a backyard garden; music will be background only; and

Whereas, the applicant has reached out to local residents prior to submitting its application to the SLA Licensing Committee; 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 12:00 a.m. Sunday-Thursday and 1:00 a.m. Friday – Saturday); and

Whereas, the applicant has agreed to community outreach, including but not limited to six monthly meetings with neighboring residents following its opening; and,

Whereas, the applicant has agreed to keep the floor to ceiling windows closed at all times; and,

Whereas, the applicant has agreed to provide security on the premises; and,

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

Whereas, the applicant has agreed to abide by the regulations associated with all New York City Departments and safety organizations and will obtain all required certificates, permits and related documents, including but not limited to a new Certificate of Occupancy and Public Assembly Permit; all certificates, permits and related documents will be provided to CB#2, Man. prior to the use of the On Premise license; and

Whereas, over 30 members of the community appeared in opposition of the applicant; and,

Whereas, several members of the community raised quality of life concerns with another licensed restaurant establishment in a residential area; and close proximity of over 26 licensed establishments near Kenmare Street; and

Whereas, several members of the community raised potential building and safety issues (no valid Certificate of Occupancy); noise and overcrowding issues on a residential block with the prospect of a large, trendy restaurant establishment; and

Whereas, no one appeared in support of the applicant; and

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the proposed On Premise license for **Travertine, LLC, 19 Kenmare St., Store B a/k/a 165 Elizabeth St.**, unless those conditions agreed to by applicant relating to the second, third, fifth, sixth, seventh, eighth, ninth and tenth “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license; and

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

Vote: Unanimous, with 33 Board members in favor.

2. The Beatrice, 285 W. 12th Street, NYC (Hudson and West 4th St)

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for renewal of an On Premise license for a lounge in a mixed use building on West 12th Street between Hudson and West 4th Street; and,

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

Whereas, the applicant has received numerous 311 complaints from the community; citing taxicab noise and congestion in front of the establishment, patrons smoking and crowding the sidewalk, amplified music from the premises; and,

Whereas, the applicant has received several ECB violations; and,

Whereas, several nearby residents appeared in strong opposition of the applicant; and,

Whereas, the applicant and nearby residents have agreed to meet with the Chairman of this committee to properly address the issues at hand; and,

Whereas, a meeting took place with neighboring residents, the applicant and the Chairman of this committee on September 16th 2008; the applicant has agreed to implement the following measures to improve the situation – 1) Assign a single guard directed towards guiding clients from the establishment to Eighth Avenue and not the intersection of West 4th and West 12th Streets. The guard will work outside until every client has left the premises; 2) A standing sign will be placed in front of the establishment nightly (and removed at the end of the night) directing taxicabs and cars to move on and not to loiter; 3) Within the next week, chains will be placed on the staircases at 285 West 12th and the adjoining western staircase to our property to prevent evening seating on the aforementioned steps; the applicant will consider additional measures, including closing on Sundays and limit alcohol service to 3:15 a.m.; and the neighboring residents, the principal operator and the Chairman of this committee have agreed to arrange a follow up meeting to determine if progress was made; and,

Whereas, the neighboring residents and the Chairman of this committee acknowledges good faith efforts made by the applicant to address the issues and that all parties will continue to work together; and,

THEREFORE BE IT RESOLVED that CB#2, Man. objects to the renewal of the On Premise license of **The Beatrice, 285 W. 12th Street, NYC** and calls on the State Liquor Authority to verify that the establishment is not operating in violation of their duly licensed Method of Operation.

Vote: Unanimous, with 33 Board members in favor.

3. RBM 8th Rest., LLC, 47 W. 8th Street, NYC (5th and 6th Avenues)

Whereas, the applicant re-appeared before the committee; and,

Whereas, this application is for an On Premise license for a restaurant located in a 2nd Floor, 2,800 s.f. premise in a mixed use building located on West 8th Street between 5th and 6th Avenues with 100 table seats, 1 bar with 15 seats and a maximum legal capacity of 115 persons; and,

Whereas, the applicant stated the hours of operation are 11:00 a.m. – 2:00 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 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 install state of the art sound proofing in the entire space, including the installation of a sound barrier in the rear side of the premises; and,

Whereas, the applicant has agreed to post signs regarding courtesy to neighbors; and,

Whereas, the applicant has agreed to have a menu and food items available at all times up until 1 ½ hours before closing; (menu and food items available until 12:30 a.m. seven days a week); and,

Whereas, the applicant has agreed to build an air conditioned and rodent proof garbage space; and,

Whereas, the applicant has agreed to community outreach, including but not limited to meetings with neighboring residents following its opening; and,

Whereas, over 15 members of the community appeared to express their concerns; citing quality of life concerns with the proliferation of bars and restaurants on West 8th Street; and close proximity of over 10 licensed establishments on a residential block; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise license for **RBM 8th Rest., LLC, 47 W. 8th Street, NYC**, unless those conditions agreed to by applicant relating to the fourth, fifth, sixth, seventh, eighth and ninth “whereas” clauses above is incorporated into the “Method of Operation” on the SLA On Premise license; and,

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

Vote: Passed, with Board 30 members in favor, and 4 in opposition.

4. Tony Bank or Corp to be formed, 180 Lafayette St., NYC (Broome and Lafayette).

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license for an upscale sports lounge/restaurant located in a 2,500 s.f. premise in a mixed use building located on the corner of Broome and Lafayette street with 44 table seats, 1 bar with 10 seats and a maximum legal capacity of 70 persons; and,

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

Whereas, the applicant has agreed to submit an amended Certificate of Occupancy prior to the use of an SLA On Premise License; and,

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

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

Whereas, several member of the community appeared to express their concerns; citing the establishment is in close proximity of the Children’s Museum of Arts; stating that over 25 licensed establishment are within 500 feet; and

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise license for **Tony Bank or Corp to be formed, 180 Lafayette St.**

Vote: Unanimous, with 34 Board members in favor.

5. Bobo Rest., LLC, 181 W. 10th St., NYC (West 10th and 7th Avenue)

Whereas, the applicant re-appeared before the committee; and,

Whereas, this application is for an alteration to an On Premise license for an upscale restaurant located in a 1,900 s.f. premise in a mixed use building located on the corner of West 10th and 7th Avenue with 70 table seats, 1 bar with 10 seats and a maximum legal capacity of 90 persons; **to service bar and add 4 bar seats; and,**

Whereas, the applicant stated there are no plans to change the previously approved operation; the applicant stated the restaurant hours are 12:00 p.m. – 2:00 a.m. seven days a week; there is no sidewalk café but includes a backyard garden; music is background only; and,

Whereas, the applicant has agreed to close the backyard garden at 10:00 p.m. seven days a week until fully enclosed and soundproofed, in light of concerns from neighboring residents; and,

Whereas, members of community appeared to express their gratitude for allowing them to address their issues directly with 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 alteration of an On Premise license for **Bobo Rest., LLC, 181 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; and,

Vote: Unanimous, with 34 Board members in favor.

7. Lafayette Pastry, LLC, d/b/a Falai, 265 Lafayette St., NYC (Prince Street and Cleveland Place)

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an alteration to a Beer and Wine license for an Italian inspired restaurant located in a 800 s.f. premise in a mixed use building located on Lafayette Street between Prince and Cleveland Place with 28 table seats, no bar and a maximum legal capacity of 56 persons; **to license a previously approved unenclosed sidewalk café with 4 tables and 16 seats; and,**

Whereas, the applicant stated there are no plans to change the previously approved operation; the applicant stated the restaurant hours are 7:00 a.m. – 11:00 p.m. Sunday – Thursday and 7:00 a.m. – 12:00 a.m. Friday and Saturday; music is background only; and,

Whereas, a few members of the community appeared in opposition; citing the high congestion and noise issues on the corner of Prince and Lafayette Streets, and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of the proposed alteration to a Beer and Wine license for **Lafayette Pastry, LLC, d/b/a Falai, 265 Lafayette St.**

Vote: Passed, with 33 Board members in favor, and 1 in opposition.

The following applicants were heard at the September SLA Licensing Committee and the resolutions were adopted at the September Full Board meeting:

1. Spring Rest. Group, LLC d/b/a Gatsby's, 53 Spring St., NYC (Mulberry and Lafayette)

Whereas, the applicant re-appeared before the committee; and,

Whereas, this application is for an alteration to an On Premise license for a bar/restaurant located in a 2,000 s.f. premise in a mixed use building located on Spring Street between Mulberry and Lafayette Streets with 88 table seats, 1 bar with 18 seats and a maximum legal capacity of 125 persons; **to convert 1 service bar and add 8 bar seats; and,**

Whereas, the applicant stated there are no plans to change the previously approved operation; the applicant stated the hours are 12:00 p.m. – 4:00 a.m. seven days a week; music is background only; and,

Whereas, the applicant has met with a member of the community and the Chairman of this committee to address the issues with this establishment; and,

Whereas, the applicant has agreed to close the windows at all times; and,

Whereas, the applicant has agreed to close the front door by 11:00 p.m. daily; and,

Whereas, the applicant has agreed to lower the volume to a decibel level and remove the 2 front speakers so the music cannot be heard in the street and adjacent buildings; and,

Whereas, the applicant has agreed to control its patrons from blocking the sidewalk in front of the establishment; all door security will be bonded and capable of handling this assignment; and,

Whereas, several members of the community appeared to express their concerns; citing quality of life concerns with a large, bar/restaurant establishment; noise and overcrowding issues on a residential block; and close proximity of other similar licensed establishments on Spring Street; and,

Whereas, the applicant admitted warehousing alcohol and using the service bar prior to receiving an approval from Community Board 2, Manhattan and the New York State Liquor Authority; and,

Whereas, the applicant admitted using a DJ which violates their current licensed method of operation; and,

Whereas, the applicant has issued a petition with over 100 signatures in support of the alteration application; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the proposed alteration to an On Premise license for **Spring Rest. Group, LLC d/b/a Gatsby's, 53 Spring St.**

Vote: Unanimous, with 34 Board members in favor.

2. Spread NYC, LLC, 209 Mulberry St., NYC (Lafayette and Mulberry)

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a Beer and Wine license for a French café located in a 2,000 s.f. premise in a mixed use building located on the corner of Mulberry and Lafayette Streets with 45 table seats, 1 bar with 13 seats and a maximum legal capacity of 74 persons pending the issuance of a new Certificate of Occupancy or Letter of No Objection, which will not exceed said capacity; and,

Whereas, the applicant stated the hours of operation are 11:00 a.m. – 12:00 a.m. seven days a week; there will not be a sidewalk café application and no backyard garden; music will be background only; and,

Whereas, several members of the community appeared to express their concerns; citing quality of life concerns with another licensed establishment in the area; noise concerns with the proposed floor to ceiling windows; concerns with the establishment in close proximity (across the street) of a public park with kids; and,

Whereas, the applicant has agreed to shut the floor to ceiling windows by 9 p.m. daily; and,

Whereas, the applicant has agreed to not play music while the windows are open; and,

Whereas, the applicant has agreed to not seek an On Premise license for a period of 3 years; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial to the proposed Beer and Wine license for **Spread NYC, LLC, 209 Mulberry St.**

Vote: Unanimous, with 34 Board members in favor.

3. Min Ok, Inc., 145 Bleecker St., NYC (Thompson and LaGuardia Place)

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a transfer of an existing On Premise license, pursuant to purchase for a Korean restaurant known as Choga located in a 1,925 s.f. premise in a commercial building on Bleecker Street between Thompson and LaGuardia Place with 59 table seats and 1 bar with 5 seats; and a maximum legal capacity of 70 persons; and,

Whereas, the applicant stated there are no plans to change the existing method of operation; the applicant stated the hours are 11:30 a.m. – 12:00 a.m. seven days a week; there is no sidewalk café nor a backyard garden; music will be background only; and,

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

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval to the proposed transfer of an On Premise license for **Min Ok, Inc., 145 Bleecker St.**

Vote: Unanimous, with 34 Board members in favor.

4. Andrew Carmellini or entity to be formed, 264 Elizabeth St., NYC (W. Houston and Prince)

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a transfer of an existing On Premise license, pursuant to purchase for an Italian restaurant located in a 2,300 s.f. premise in a mixed use building located on Elizabeth Street between West Houston and Prince Streets with 100 table seats, 1 bar with 10 seats and a maximum legal capacity of 125 persons pending the issuance of a new Certificate of Occupancy and a Public Assembly Permit, which will not exceed said capacity; and,

Whereas, the applicant stated the hours of operation are 12:00 p.m. – 2:00 a.m. seven days a week; there is no sidewalk café but includes an enclosed backyard garden; music will be background only; and,

Whereas, the applicant has agreed to keep the backyard garden fully enclosed; and,

Whereas, the applicant has agreed to stop serving in the enclosed backyard garden area by 10:00 p.m. Sunday – Thursday and 12:00 a.m. Friday and Saturday; and,

Whereas, the applicant submitted a letter of support from the President of the Madison Square Park Conservancy; citing that his previous establishment in Madison Square Park was an asset to the community; and

Whereas, a few members of the community appeared in support of the application; and,

Whereas, a member of the community appeared to express concerns with the previous licensed establishment d/b/a Tasting Room; raising concerns with the premises not have a valid Certificate of Occupancy; citing concerns with the current license status as inactive; and,

Whereas, the applicant has agreed to not operate the restaurant until all required certificates, permits and related documents, including but not limited to a Certificate of Occupancy (or Letter of No Objection) and Public Assembly Permit from the New York City Department of Buildings have been issued; 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 **Andrew Carmellini or entity to be formed, 264 Elizabeth St.**, unless those conditions agreed to by applicant relating to the second, fourth, fifth and ninth “whereas” clauses above is incorporated into the “Method of Operation” on the SLA On Premise license; and,

Vote: Unanimous, with 34 Board members in favor.

5. Keith McNally or entity to be formed, 282-284 Bowery, NYC (at W. Houston)

Whereas, the applicant re-appeared before the committee; and,

Whereas, this application is for an On Premise license for an Italian restaurant located in a 2,285 s.f. premise in a mixed use building located on the corner of Bowery and West Houston Streets with 116 table seats, 1 bar with 15 seats and a maximum legal capacity of 131 persons; and,

Whereas, the applicant stated the hours of operation are 9:00 a.m. – 2:00 a.m. seven days a week; there will be a sidewalk café application but no backyard garden; music will be background only; and,

Whereas, the applicant has reached out to the community to address their questions and concerns regarding the proposed establishment; and,

Whereas, the applicant has agreed to seek a sidewalk café for the Bowery Street side only; and,

Whereas, the applicant has agreed to shut all windows facing Bowery by 11:00 p.m. Sunday – Thursday and 12:00 a.m. Friday and Saturday; and,

Whereas, two members 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 an On Premise license for **Keith McNally or entity to be formed, 282-284 Bowery**, unless those conditions agreed to by applicant relating to the fifth and sixth “whereas” clauses above is incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 34 Board members in favor.

6. AER Lounge, LLC, 409 W. 13th St., NYC (9th Avenue and Washington Street)

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an alteration to an On Premise license for a restaurant/lounge 10,800 s.f. premise in a commercial building located on West 13th Street between 9th Avenue and Washington Street with 300 table seats, 3 bars with 40 seats and a maximum legal capacity of 800 persons; **to include 1 bar with 5 seats and shorten another bar; and,**

Whereas, the applicant stated there are no plans to change the previously approved operation; the applicant stated the hours are 5:30 p.m. – 4:00 a.m. seven days a week; there will not be a sidewalk café nor a backyard garden; music is background and DJ only; 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 **AER Lounge, LLC, 409 W. 13th St.**, unless the condition agreed to by applicant relating to the third “whereas” clause above is incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 34 Board members in favor.

7. San Maroo Rest., 22 W. 8th St. (Macdougall and 5th Avenue)

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a transfer of an existing On Premise license, pursuant to purchase for a Korean restaurant known as San Maroo located in a 2,000 s.f. premise in a commercial building on West 8th Street between Macdougall and 5th Avenue with 34 table seats and 1 bar with 9 seats; and a maximum legal capacity of 60 persons; and,

Whereas, the applicant stated there are no plans to change the existing method of operation except to reduce its hours of operation; the applicant stated the new hours are 11:00 a.m. – 12:00 a.m. Monday – Thursday and 11:00 a.m. – 2:00 a.m. Friday - Sunday; there is no sidewalk café nor a backyard garden; music will be background only; and,

Whereas, a member of the 8th Street Block Association appeared in support of the application; 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 **San Maroo Rest., 22 W. 8th St.**

Vote: Unanimous, with 34 Board members in favor.

STREET ACTIVITY & FILM PERMITS

1. Support for Street Fair Activity Permit Application for The Jane / Horatio Neighbors Association (c/o Tavern on Jane) Annual Street Fair

10/4- Jane b/w 8th Ave and Hudson Street

Setup/Breakdown window: 12pm-9pm

Street Closure Request: 12pm-6pm

Event Time: 12pm-6pm

Whereas, this is the 14th year of the Jane/Horatio Neighbors Street Fair; and

Whereas, the purpose of this annual street fair is to provide a celebration for the children and parents of the community; and

Whereas, the street fair will include face painting, pony rides, story telling and entertainment featuring clowns; and

Whereas, no money is raised or solicited, and nothing is charged for the food or events at the street fair; and

Whereas, the applicant has agreed to clean up promptly after the fair, including any deposits that may be left by the pony; and

Whereas, the applicant has agreed to ending their street fair on time, to promptly cleaning up all other garbage and debris and to controlling noise levels; now

Therefore Be it Resolved that CB#2, Manhattan supports the Street Permit request for The Jane / Horatio Neighbors Association Annual Street Fair.

Vote: Passed, with 33 Board members in favor, and 1 recusal (A. Kahn Fried).

2. Support for Street Fair Activity Permit Application for Here Arts Center

10/25-Dominick Street b/w 6th Ave. and Varick Street

Setup/Breakdown window: 8am-1am

Street Closure Request: 8am-1am

Event Time: 10am-12am

Whereas, HERE Arts Center is a non-profit organization that supports independent art and artists in the community; and

Whereas, HERE seeks a second street activity permit this year for the special occasion of celebrating HERE's 15th anniversary; and

Whereas, the street fair will be free to the community and will include performances and food from the HERE cafe; and

Whereas, HERE has agreed to stop all music and sound at 9pm; and

Whereas, HERE works closely with other community organizations such as the Chelsea Vocational School and the Door; and

Whereas, the applicant has agreed to ending their street fair on time, to promptly cleaning up all garbage and debris and to controlling noise levels; now

Therefore Be It Resolved that CB#2, Man. supports the Street Permit request for HERE Arts Center.

Vote: Passed, with 33 Board members in favor, and 1 recusal (A. Kahn Fried).

3. Support for the Street Activity Permit application for the Carmine Street Block Association

11/2- Carmine Street b/w 7th Ave. S and Bedford Street

Setup/Breakdown window: 8am-8pm

Street Closure Request: 8am-8pm

Event Time: 11am-7pm

Whereas, the Carmine Street Block Association holds an annual street fair to raise funds for the upkeep and continuance of their non-profit block association; and

Whereas, the street fair will feature ten food vendors selling food, beer and/or wine and a stage for musical performances; and

Whereas, the street fair has been held annually without any incidents or community complaints; and

Whereas, the applicant has agreed to ending their street fair on time, to promptly cleaning up all garbage and debris and to controlling noise levels; now

Therefore Be It Resolved that CB#2, Man. supports the Street Permit request for the Carmine Street Block Association

Vote: Passed, with 33 Board members in favor, and 1 recusal (A. Kahn Fried).

4. Support for the Street Activity Permit Request for the PS3 Fall Festival

11/8-Grove/Bedford Avenues b/w Christopher and Hudson Streets

Setup/Breakdown window: 5pm (11/7)-10pm (11/8)

Street Closure Request: 8am-9pm

Event Time: 8am-6pm

Whereas, PS3 holds an annual carnival themed fundraiser to help support their school's activities; and

Whereas, PS3 usually holds this fundraiser in their auditorium and only seeks approval to hold this event as a street fair because their auditorium is currently closed for renovations; and

Whereas, PS3 expects this to be a one-time event and plans to use their renovated auditorium for this event in future years; and

Whereas, the applicant has agreed to ending their street fair on time, to promptly cleaning up all garbage and debris and to controlling noise levels; now

Therefore Be It Resolved that CB#2, Man. supports the Street Permit request for the PS3 Fall Festival.

Vote: Passed, with 33 Board members in favor, and 1 recusal (A. Kahn Fried).

TRAFFIC AND TRANSPORTATION

1. Resolution identifying locations to install bicycle parking in the street for DOT pilot project

Whereas, on May 22, 2008, CB#2, Man. unanimously passed a resolution requesting that CB#2, Man. be considered as an area for conducting a NYC Department of Transportation (DOT) pilot project to install bicycle parking in the street; and

Whereas, DOT has asked CB#2, Man. to identify potential locations for this project; and

Whereas, CB#2, Man. has researched and reviewed potential locations for this project, guided by criteria including proximity to transit and to existing bike lanes, opportunities to advance pedestrian safety by shortening dangerous street crossings (particularly at intersections), possibility of cooperative partnerships (e.g. with businesses to accommodate patrons), and daylighted/hashmarked spaces (without car parking), and has encouraged and received community suggestions;

Therefore Be It Resolved that CB#2, Man. has identified the following locations to install bicycle parking in the street and asks that they be included in the DOT pilot project:

- Hudson St. at Charlton/King Sts., in front of 45 Hudson St.
- Varick St. at Grand St., W corner
- W. Bway at Grand St., SW corner
- Prince St. at Mott St., SW corner
- Lafayette St. at Spring St., NE corner

- Bleecker St. at Mulberry St.
- Lafayette St. at E. 4th St./Astor Pl., 402-404 Lafayette
- 6th Ave. (Ave. of the Americas) at W. 9th St., NE corner
- W. 11th St. at 6th Ave. (Ave. of the Americas), SW corner
- 7th Ave. at Charles St., SE corner
- 7th Ave. at Christopher/Grove Sts., E corner
- Christopher St. at Greenwich St., SW corner
- Greenwich St. at W. 11th St., SW corner
- Greenwich St. at Bank St., SW corner
- Greenwich St. at Bethune St., NE corner
- Greenwich St. at Jane St., SW corner
- Greenwich St. at Gansevoort St., SW corner
- Washington St. at Horatio St., NE corner
- Washington St. at W. 12th St., NE corner
- Washington St. at Bank St., NE corner
- Washington St. at Perry St., NE corner
- Washington St. at Christopher St., NE corner
- 6th Ave. (Ave. of the Americas) at W. 3rd St., NE corner
- 6th Ave. (Ave. of the Americas) at Bleecker St., SE corner.

Vote: Unanimous with 34 Board members in favor.

2. Resolution requesting that the construction site at Broome St. bet. Thompson and Sullivan Sts. provide a safety zone for pedestrians on the north side of Broome St.

Whereas, DOT has issued a permit to allow the sidewalk on the north side of Broome St. between Thompson and Sullivan Sts. to be closed to accommodate the needs of the new building construction site there, and that sidewalk is now closed; and

Whereas, cars on this block often speed to make the light at the intersection of Sixth Ave.; and

Whereas, DOT has also changed the parking regulations on the south side of this street to maintain two lanes of traffic on this street; and

Whereas, pedestrians are in jeopardy walking in the traffic lane on the north side of the street; and

Whereas many buildings in New York City are built without closing sidewalks;

Therefore Be It Resolved that CB#2, Man. strongly urges the NYC Dept. of Transportation (DOT) to take one of the following actions:

1. Create temporary markings for narrower lanes and require the contractor to place solid barriers to create a temporary pedestrian lane at least three feet wide on the north side of Broome St, or

2. Close one lane of traffic and require the contractor to place solid barriers to create a full width temporary pedestrian lane there, or

3. Revoke the sidewalk-closing permit and require the contractor to maintain the sidewalk there for the entire length.

Vote: Unanimous with 34 Board members in favor.

JOINT ENVIRONMENT, PUBLIC SAFETY & PUBLIC HEALTH AND WATERFRONT

The People's Pier Proposal

Whereas, the People's Pier proposal for Pier 40 meets critical needs of Greenwich Village, SoHo, NoHo, Hudson Square and Tribeca, and the City as a whole, in its provision for indoor and outdoor recreational facilities, public school seats and the provision of over 2000 long term parking spaces; and

Whereas, the proposals' adaptive reuse of the Pier, preservation of river vistas, retention of athletic fields in the core of the building, its low-impact uses, and its integration into the Hudson River Park as a whole addresses long held and oft-expressed hopes of the downtown communities; and

Whereas, the Greenwich Village, SoHo, and Tribeca communities have been reviewing various proposals for the redevelopment of Pier 40 since 2002; and

Whereas, among those proposals have been several which would have resulted in massive commercial development of the Pier, proposals which would have resulted in the degradation of the West Village/Hudson Square Community and been inimical to the vitality and ecology of Hudson River Park; and

Whereas, our communities have issued strong statements favoring the development of Pier 40 in a manner which would maximize recreational and open space, and which sought other uses which were needed by and complementary to our communities; and

Whereas, among those needs has been the need for additional public school seats to serve our burgeoning school-age community; and

Whereas, in March 2008 the Hudson River Park Trust asked those responsible for the People's Pier proposals (Camp Group Inc. and Urban Dove) to revise their proposal in consultation with the Trust staff and the Pier 40 Partnership, a community-based group which had developed an approach to Pier 40 redevelopment which maximized the availability of lower-interest capital; and

Whereas, the People's Pier Team presented their proposal to the CB#2, Man. Waterfront Committee in July 2008 and then to a public hearing of more than 200 people jointly sponsored by CB1, CB2, and the Pier 40 Working Group of the Hudson River Park Advisory Council; and

Whereas, that proposal includes 550,000 square feet of open recreational and non-recreational open space, three public schools, a private high school, 2500 below-market-cost parking spaces, two indoor and one outdoor pools, seven gymnasiums, 77,000 square feet of lower-impact commercial retail uses, a 55,000 square foot event space, and 80,000 square feet for HRPT administration; and

Whereas, Pier 40 is not only vital to the downtown communities' recreational and park needs, but also to the financial viability of Hudson River Park; and

Whereas, the People's Pier proposal has, for the most part, been received favorably by community members; and

Whereas, it is important to move the process forward while preserving the opportunity for the public to shape the final plan; and

Whereas, the conditional designation of HRPT by the Trust would allow planning and discussion to continue while moving the development process forward; and

Whereas, even a “full” designation by HRPT will be followed by an EIS and the ULURP process, allowing additional community input and review;

THEREFORE BE IT RESOLVED:

1. That CB#2, Man. calls upon the Hudson River Park Trust to conditionally designate the People’s Pier as the developer to Pier 40, subject to the Trust’s analysis of whether it is financially feasible and meets the core requirements of the RFP;
2. That CB#2, Man. intends, during the conditional designation period, to address the following concerns and calls upon the People’s Pier and HRPT to work with CB2, CB1, and the Hudson River Park Trust Advisory Council Pier 40 Working Group to continue to address these concerns in an ongoing open public process:
 - a. The need to dedicate space that would service LGBTQ young people especially during weekends and weekend evenings;
 - b. The desire and need for additional public middle school seats in our school district;
 - c. Objections to a full-scale marina on the Pier’s south or north side;
 - d. The need to dedicate space for the storage and launching of human-powered boats from a safe location on the Pier, preservation of public access to the River, and the maintenance of programs like that run by the Village Community Boathouse;
 - e. Priority use of the athletic fields and gymnasiums by local youth groups;
 - f. The need for a 10,000 sq. ft. dog run with separate space for large and small dogs;
 - g. The lack of space dedicated to cultural programming, particularly programming by non-profit groups;
 - h. The maximal use of alternative energy sources, including the sun, the tides, the currents, and the wind, and the maximal utilization of LEED building practices;
 - i. That the placement of an interior street within the southern portion/ground floor sector of the pier would encourage vehicular traffic on the pier, and pollute the pier;
 - j. The height of the additions to the roof;
 - k. The adequacy of non-athletic public open spaces and the amenities needed in such spaces;
 - l. The availability of the pools to the public at a reasonable cost.
 - m. The availability of the Event Space for public events, and the establishment of reasonable hours for its operation;
 - n. The placement of one or more historic ships on the Pier;

- o. The incorporation of Village Waterfront maritime history onto the Pier;
- p. The makeup and governance of the Conservancy which is proposed to operate the Pier;
- q. Utilization of the north loading dock for the school entrances instead of placement of entrances on the north walkway;
- r. The entry of traffic into and out of the Pier (and resultant disruption of the bike path as well as negative impacts of extra car trips on the environment, pedestrian safety, energy use and economic health) at two locations;
- s. The extent to which the Pier has adequate amenities which encourage the use of bikes;
- t. The accessibility of the Pier to a public bus route and school busses, and the extension of existing routes to Pier 40;
- u. The accessibility of the Pier to people with disabilities;
- v. Preservation of the gantries on north side of the park provided that they do not interfere with the proposed gymnasiums;
- w. The list of groups and concerns to be considered in developing uses for Pier 40 “The needs of Seniors.”

And it is further RESOLVED

3. That CB#2, Man. applauds the adaptive reuse of the Pier’s structure by the People’s Pier and their effort to address many of the needs and hopes for Pier 40 expressed by the surrounding community;

And it is further RESOLVED

4. That CB#2, Man. applauds the residents of our community both for their staunch opposition to inappropriate proposals and for developing, through community for a and the Pier 40 Partnership, a community vision for Pier 40 ,which is largely addressed by the current proposal.

Vote: Unanimous, with 37 Board members in favor.

ZONING AND HOUSING

1. **The Archives, 666 Greenwich Street CB#2, Man. recommendation for new Adjusted Semi Public Rent Reset for leases to not-for-profit tenants**

WHEREAS; Part of the Rockrose agreement for the conversion of the Archives Building was to provide this rental space for not-for-profit tenants, which currently includes four theater companies, a literary publication, two social service agencies and an LGBT organization (a list which is attached hereto as Exhibit A), and these not-for-profit tenants have provided important services and artistic and cultural enrichment to our local community for many years, And,

WHEREAS; The original agreement was to set the rent at 80% of Fair Market Value, And,

WHEREAS; This proposal was laid over from July at the applicants request so that the applicant could reach out to the not-for-profit tenants and The Community Board expected that the applicant would have reached out to all the tenants and would present a more complete plan, And,

WHEREAS; The not-for-profit tenants expressed concern that they had not been well informed about the planed 500% rent increase, And,

WHEREAS; The not-for-profit tenants stated that it would be impossible to absorb such a large rent increase all at once, And,

WHEREAS; The not-for-profit tenants noted that the public areas have had very poor maintenance, And,

WHEREAS; The applicant has requested the new rent would be set at \$20 per square foot and the applicant has stated that the basement space has a fair market value of \$10.00 per square foot, And

WHEREAS; The applicant has proposed a phase-in of the new rent over one year which the Community Board finds to be unacceptable,

THEREFORE BE IT RESOLVED, that CB#2, Man. finds that the proposed 500% rental increase by the applicant to be unfair and unacceptable because, according to testimony before the Community Board, the new rents will result in the forced closure or relocation of some of the nonprofit organizations in the Archives Building, including several of the arts and social services organizations that are extremely important to the local community; And

BE IT FURTHER RESOLVED, that CB#2, Man., does not opine on what the appropriate rent should be, but strongly urges to the Empire State Development Corporation to work closely with the nonprofit organizations and Rockrose to ensure that new rents be fair and in the spirit of the original agreement between the community and the developer that allowed nonprofit organizations to locate in the Archives Building and contribute to the local community, and be phased-in in such a manner that preserves the tenancies of the existing non profits and permits new ones to locate in the Archives Building in the future.

Vote: Unanimous, with 37 Board members in favor.

2. 79 Crosby Street / 246 Lafayette St. (Block 496, Lots 1 and 29) City Planning Special Permit Application pursuant to Section 74-781 of the Zoning Resolution to locate Use Group 5 Hotel and Use Group 6 retail and service uses below the floor level of the second story of a new building on a site located in an M1-5B zoning district.

WHEREAS; The applicant has had meetings with the surrounding community, And,

WHEREAS; Many community members attended the meeting and expressed concern about the night time operation of the restaurant, And,

WHEREAS; The applicant has stated that this restaurant is intended to service the hotel and is not intended to be a destination restaurant and that the exterior gate on Lafayette Street will be locked at 11:00 PM to better control night traffic, And,

WHEREAS; Residents of the adjoining building expressed concern about the use of a balcony at the second floor on the roof extension over the restaurant, And,

WHEREAS; The applicant has stated that only the first four feet will be used by the adjoining rooms and the remaining area will be separated by a large planter and will not be accessible, And

THEREFORE BE IT RESOLVED, That CB#2, Man. thanks the applicant for having reached out to the community and responding to their concerns, And,

BE IT FURTHER RESOLVED, that CB#2, Man. is satisfied that the applicant has met the requirements for this special permit, And,

BE IT FURTHER RESOLVED, that CB#2, Man. supports this application for City Planning Special Permit Application pursuant to Section 74-781 of the Zoning Resolution to locate Use Group 5 Hotel and Use Group 6 retail and service uses below the floor level of the second story of a new building on a site located in an M1-5B zoning district providing that the applicant abide by the representations made to the Community Board.

Vote: Passed, with 36 Board members in favor, and 1 in opposition.

3. 600 Broadway (Block: 511, Lot: 16) Board of Standards and Appeals application by 24 Hour Fitness USA for a Special Permit, pursuant to Section 73-36 of the Zoning Resolution, to permit a Physical Culture Establishment in M1-5B District

WHEREAS; The area was posted and there was no opposition to this application, And

WHEREAS, The proposed usage is consistent and compatible with the other proposed uses in this building and in the surrounding buildings and would have no adverse impacts on the neighborhood, And

THEREFORE BE IT RESOLVED, that CB#2, Man. is satisfied that the applicant has met the requirements for this special permit, and

BE IT FURTHER RESOLVED, that CB#2, Man. supports this application for a Board of Standards and Appeals Special Permit, pursuant to Section 73-36 of the Zoning Resolution, to permit a Physical Culture Establishment in M1-5B District by 24 Hour Fitness USA for a period not to exceed ten years.

Vote: Unanimous, with 37 Board members in favor.

4. 41-43 Bond St. (Block 529, Lots 29 and 30) Board of Standards and Appeals variance application pursuant to Section 72-21 to permit the development of a new residential building with eight Use Group 2 residential units in an M1-5B zoning district

WHEREAS; The applicant has met with the surrounding community, the area was posted and there was no opposition to this application, And,

WHEREAS, The proposed usage is consistent and compatible with the other proposed uses in this building and in the surrounding buildings and would have no adverse impacts on the neighborhood, And,

WHEREAS, the proposed building will have an FAR of 5.0 and the apartments will have a minimum size of 12,000 sq. ft., And,

WHEREAS, CB#2, Man, recognizes that the small size and shallow depth of the site is a valid hardship, And

WHEREAS, Most of the new buildings in CB#2, Man. are being built on what were formerly parking lots which has greatly reduced the available parking in our district and the applicant had originally proposed parking for a few cars in the cellar which was rejected by the Board of Standards and Appeals, And,

WHEREAS, CB#2, Man. notes that this proposed residential building and other similar new residential buildings have been slowly increasing the pressures on our already over burdened schools.

THEREFORE BE IT RESOLVED, That CB#2, Man. thanks the applicant for having reached out to the community and responding to their concerns, And,

BE IT FURTHER RESOLVED, That CB#2, Man. finds the lack of parking for this application to be acceptable but not desirable and the Community Board encourages the Board of Standards and Appeals to consider including parking where feasible for applications in our district, And,

BE IT FURTHER RESOLVED, that CB#2, Man. supports this application for a Board of Standards and Appeals variance application pursuant to Section 72-21 to permit the development of a new residential building with eight Use Group 2 residential units in an M1-5B zoning district, And,

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

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

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

Vote: Unanimous, with 37 Board members in favor.

5. 432 Lafayette St. (block 545, lot 38) Board of Standards and Appeals Special Permit application pursuant to Section 73-19 to allow a Use Group 3 School of approximately sixteen (16) students on the first floor in a M1-5B zoning district

WHEREAS; The area was posted and there was no opposition to this application, And,

WHEREAS, The proposed usage is consistent and compatible with the other proposed uses in this building and in the surrounding buildings and would have no adverse impacts on the neighborhood, And,

WHEREAS, There are no manufacturing uses in the imitate surrounding buildings that would conflict with this use, And

WHEREAS, The Certificate of Occupancy for this space will not be issued until the school charter is approved.

THEREFORE BE IT RESOLVED, that CB#2, Man. is satisfied that the applicant has met the requirements for this special permit, And,

BE IT FURTHER RESOLVED, that CB#2, Man. supports this application for a Board of Standards and Appeals Special Permit, pursuant to Section 73-19 to allow a Use Group 3 School of approximately sixteen (16) students on the first floor in a M1-5B zoning district for a period not to exceed ten years.

Vote: Unanimous, with 37 Board members in favor.

6. 228-232 Mercer Street Block (532, Lot 15) Board of Standards and Appeals Special Permit application pursuant to Section 73-36 to allow the operation of a Physical Culture Establishment by New York Sports Club in the cellar, the first and second floor within C6-2 zoning district.

WHEREAS; The area was posted and there was no opposition to this application, And,

WHEREAS; The applicant did not renew the previous permit in a timely basis and has been operating without the required permit, however, their operation has not caused any significant problems and there have been no complaints, And,

WHEREAS; there will be no change in the method of operation, And,

WHEREAS, The proposed usage is consistent and compatible with the other uses in this building and in the surrounding buildings and has had no adverse impacts on the neighborhood, And,

THEREFORE BE IT RESOLVED, that CB#2, Man. is satisfied that the applicant has met the requirements for this special permit, And,

BE IT FURTHER RESOLVED, that CB#2, Man. supports this application for a Board of Standards and Appeals Special Permit application pursuant to Section 73-36 to allow the operation of a Physical Culture Establishment by New York Sports Club in the cellar, the first and second floor within C6-2 zoning district for a period not to exceed ten years.

Vote: Unanimous, with 37 Board members in favor.

7. 68-70 Spring Street, (Manhattan Block 482, Lot 19) Board of Standards and Appeals variance application to permit the construction of a new 7-story plus penthouse residential building (Use Group 2) with ground floor retail use (Use Group 6C), of FAR 5.0 in an M1-5B zoning district.

WHEREAS, The area was posted and there was no opposition to this application, And,

WHEREAS, The proposed usage is consistent and compatible with the other proposed uses in this building and in the surrounding buildings and would have no adverse impacts on the neighborhood, And,

WHEREAS, the proposed building will have an FAR of 5.0 and the apartments will have a minimum size of 12,000 sq. ft., And,

WHEREAS, CB#2, Man. recognizes that the small size and shallow depth of the site is a valid hardship, And

WHEREAS, Most of the new buildings in Community Board #2 are being built on what were formerly parking lots which has greatly reduced the available parking in our district, And,

WHEREAS, CB#2, Man. notes that this proposed residential building and other similar new residential buildings have been slowly increasing the pressures on our already over burdened schools.

THEREFORE BE IT RESOLVED, That CB#2, Man. finds the lack of parking for this application to be acceptable but not desirable and the Community Board encourages the Board of Standards and Appeals to consider including parking where feasible for applications in our district, And,

BE IT FURTHER RESOLVED, that CB#2, Man. supports this application for a Board of Standards and Appeals variance application to permit the construction of a new 7-story plus penthouse residential building (Use Group 2) with ground floor retail use (Use Group 6C), of FAR 5.0 in an M1-5B zoning district, And,

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

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

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

Vote: Passed, with 36 Board members in favor, and 1 in opposition.

NEW BUSINESS

Respectfully submitted,

Susan Kent
Secretary
Community Board #2, Manhattan