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



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

## COMMUNITY BOARD No. 2, MANHATTAN

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### FULL BOARD MINUTES

**DATE:** May 21, 2009  
**TIME:** 6:00 P.M.  
**PLACE:** Our Lady of Pompeii Church, 24 Carmine Street, Lower Hall

**BOARD MEMBERS PRESENT:** Steve Ashkinazy, Keen Berger, Tobi Bergman, Makrand Bhoot, Carter Booth, Sigrid Burton, Lisa Cannistracci, Maria Passannante Derr, Doris Diether, Ian Dutton, Amanda Kahn Fried, Alison Greenberg, David Gruber, Jo Hamilton, Brad Hoylman, Chair, Community Board #2, Manhattan (CB#2, Man.), Mary Johnson, Zella Jones, Renee Kaufman, Susan Kent, Arthur Kriemelman, Evan Lederman, Edward Ma, Ke-Wei Ma, Jane McCarthy, David Reck, Robert Riccobono, Erin Roeder, Maury Schott, Shirley Secunda, Shirley H. Smith, James Solomon, Richard Stewart, Sean Sweeney, Elaine Young, Jin Ren Zhang

**BOARD MEMBERS EXCUSED:** Sheelah Feinberg, Elizabeth Gilmore, Edward Gold, Anne Hearn, Raymond Lee, Jason Mansfield, Judy Paul, Lois Rakoff, Rocio Sanz, Wendy Schlazer

**BOARD MEMBERS ABSENT:** Harriet Fields, Sasha Greene, Arthur Z. Schwartz, Annie Washburn, Carol Yankay

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

**GUESTS:** Erin Drinkwater, Congressman Jerrold Nadler's office; Crystal Gold-Pond, Senator Tom Duane's office; Mary Cooley, Sen. Daniel Squadron's office; Angelica Crane, Man. Borough President Scott Stringer's office; Matt Borden, Assembly Member Deborah Glick's office; John Ricker, NYC Comptroller's office; Noah Isaacs, Council Speaker Christine Quinn's office; Paul Nagle, Council Member Alan Gerson's office; Kate Mikuliak, Council Member Rosie Mendez's office; Patrick Cullina, Eric Peterson, Debbie Ciraolo, Jan Hartley, Barry Mallin, Joey Gigliotti, Sal Rasa, Clayton Gillette, Stephen Lennard, Steven Wong, Wendy York, Steven Maslow, Reny Kothe, Ann Levy, Stacey Goergen, Kim Lippman, Valerie Campbell, Melissa Hickson, Mary Ann Arisman, Bruce Ebnother, Andrew Corrie, Peta Collivet, Arthur Gregory, Fred J. Kleisner, Greg Lippman, Tyler Lippman, Nathan Kornfeld, Pat Kornfeld, Rob Goergen, Jane Nelson, Ginny Pugliese, David Kupferberg, Terry Casey, Donald Bernstein, David Kronman, Roslyn Kramer, Zach Winestine, Terri Cude, Rachel Chanoff, Wolf Chanoff, Christina Buccola, Elizabeth Adam, Sean MacPherson, Steve Yanovsky, Richard Lewis, Chas Rice, Vic Velez, R. Perone, Marilyn Karem, Dan Montana, Brooke Schafran, Craig Wood, Tommy Lin, Frank Palillo, M.Y. Chan, Ann Arlen, Nina Shreiber, Carole Greitzer, Jennifer Yip, David Comfort, Bill Vialosky, Charlie Cai, James Power, Andrea Nocolay, James Capalino

## MEETING SUMMARY

Meeting Date – May 21, 2009

Board Members Present – 35

Board Members Excused–10

Board Members Absent - 5

### I. SUMMARY AND INDEX

ATTENDANCE	1
MEETING SUMMARY	2
SUMMARY AND INDEX	2
PUBLIC SESSION	2
ADOPTION OF AGENDA	3
ELECTED OFFICIALS' REPORTS	3
ADOPTION OF MINUTES	4
EXECUTIVE SESSION	4
NOMINATING COMMITTEE	4
STANDING COMMITTEE REPORTS	4
ENVIRONMENT, PUBLIC SAFETY & PUBLIC HEALTH	4
LANDMARKS AND PUBLIC AESTHETICS	5
PARKS & OPEN SPACE	9
SIDEWALKS, PUBLIC FACILITIES AND ACCESS	10
SLA LICENSING	23
SOCIAL SERVICES, & EDUCATION	31
STREET ACTIVITY & FILM PERMITS	32
TRAFFIC AND TRANSPORTATION	33
ZONING AND HOUSING	35
NEW BUSINESS	36
ROLL CALL	37

### II. PUBLIC SESSION

#### Non-Agenda Items

Chas Rice spoke. Clayton Gillette spoke.

#### Issues

Peta Collivet spoke regarding several issues.

#### Mulberry St. Public Library

Andrea Nicolay, from the Mulberry St. Branch of the Public Library, spoke in favor of support and advocacy to keep the libraries free from budget cuts.

#### The Highline

Patrick Cullina, from Friends of the Highline, spoke regarding the upcoming opening of the Highline.

## **SLA Licensing Items**

Jane Street Hotel, LLC, 113-115 Jane St. a/k/a 505-507 West St.

Joseph Gigliotti and Steve Yanovsky, spoke against the liquor license alteration and the proposed cabaret license. Christina Buccola, and Nina Shreiber did not speak but was against the proposed alteration and cabaret license.

Wendy York, Sal Rasa, Zack Winestine, and Reny Kothe, spoke in favor of the resolution to deny the proposed alteration and the cabaret license.

Steve Maslow spoke regarding the Jane St. Hotel.

La Palette, 94 Greenwich Avenue

Debbie Ciriaolo spoke regarding the problems with the backyard usage by this establishment.

Sochin Downtown Realty, LLC d/b/a Mondrian SoHo, 150 Lafayette St a/ka 9 Crosby St.

Jim Power, Donald Bernstein, Sean MacPherson, and Fred Kleisner, representing the applicant, spoke in favor of the hotel liquor license, etc. Jennifer Yip, David Comfort, Bill Bialosky, and Craig Wood spoke in favor of the proposed liquor license.

Charlie Cai did not speak but was in favor of the proposed liquor license.

Barry Mallin, Rob Goergen, Kim Lippman, Andrew Corrie, Jan Hartley, Ann Levy, Tyler Lippman, and Stacey Goergen, spoke against the proposed liquor license application.

Frederic Touiki or entity to be formed, 28 7<sup>th</sup> Avenue South

Mary Ann Arisman spoke in favor of the resolution to deny the proposed liquor license application.

## **Traffic and Transportation Items**

Discontinuation of M-6 bus

Carol Greitzer and David Kupferberg, spoke against the discontinuation of the bus line.

### **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

Mary Cooley, Sen. Elect Daniel Squadron's office;

John Ricker, NYC Comptroller's office;

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

Matt Borden, Assembly Member Deborah Glick's office

Noah Isaacs, 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 March minutes and distribution of April minutes.

**VI. EXECUTIVE SESSION**

**1. Nominating Committee Report**

Shortly before the meeting, David Gruber withdrew as candidate for first vice-chair and asked to address the Committee. He noted that he wished to remain as chair of the Arts and Institutions Committee.

The Committee found all resumes of extremely high quality and recommends the following slate:

- Jo Hamilton: Chair
- Bo Riccobono: First Vice-Chair
- Sheelah Feinberg: Second Vice-Chair
- Amanda Kahn Fried: Treasurer
- Susan Kent: Secretary
- Elaine Young: Assistant secretary

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

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

**STANDING COMMITTEE REPORTS**

**ENVIRONMENT, PUBLIC SAFETY & PUBLIC HEALTH**

**Redevelopment of the former Bellevue Psychiatric Hospital Building ("The Psych Building")**

**WHEREAS:** in 2001 the City Council rezoned the northern portion of the Bellevue campus from E. 28th to E. 30th Streets with restrictions pursuant to a special permit restricting building uses to scientific research and development, and

**WHEREAS:** the 197(a) plan approved by the City Council specifies that development in the First Avenue medical corridor defined in the plan must be related to medical, scientific or institutional uses, and

**WHEREAS:** the Request for Proposals (RFP) for the redevelopment of the Psych Building specifically stated that "NYCEDC and HHC seek proposals to redevelop the building as a hotel and conference center catering to the surrounding medical and lifescience-related communities" but did not include requests for any other possible medical-related uses (e.g. housing for professional medical staff, medical professional offices, skilled nursing facilities); and

**WHEREAS:** residents of the surrounding community have expressed opposition to a hotel and conference center as opposed to a more directly related medical use(s) such as those described above; and

**WHEREAS:** according to the Visiting Nurses Association of New York City there are only 53 permanent inpatient Hospice beds in Manhattan; and

**WHEREAS:** the NYC Department of City Planning projects that Manhattan's elderly population aged 65 and over will grow by 57.9% between 2002 and 2030 adding 108,000 elderly persons; and

**WHEREAS:** the U.S. Census Bureau, American Community Survey estimates (2005- 2007 data set) that in the CB6 district there were 21,083 persons age 65 and over (a growth of 5% over the 2000 census) and of these 10,400 or almost 50 percent were 75 and older; and

**WHEREAS:** these elected officials have endorsed this same resolution from Manhattan Community Board 6: U.S. Rep. Carolyn Maloney, NYC Comptroller Bill Thompson, Mark Green, NYC Councilmember Dan Garodnick, NYC Councilmember Jessica Lappin, NYC Councilmember Rosie Mendez, State Senator Tom Duane, State Senator Liz Krueger, Assembly member Richard Gottfried, Assembly member Jonathan Bing, Assembly member Brian Kavanagh, Assembly member Micah Kellner; and

**Therefore be it Resolved,** that CB#2, Man. strongly urges the HHC and the NYCEDC develop the Psych Building consistent with the 197 (a) plan approved for this area and request proposals for medically related uses such as a sub-acute facility (e.g. a skilled nursing facility with sub-acute rehabilitation services to complement the acute services available at Rusk Institute); and

**Be it Further Resolved,** that CB#2, Man. urges the HHC and the NYCEDC to consider multiple uses of the building that would allow for a continuum of care for seniors and others in need of such care (e.g. assisted living housing, a skilled nursing facility with sub-acute rehabilitation services to complement the acute services available at Rusk Institute, and hospice care); and

Vote: Passed, with 29 Board members in favor and 1 recusal (Amanda Kahn Fried)

## **LANDMARKS AND PUBLIC AESTHETICS**

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

**Item 1 - 600-602 Broadway, a/k/a 134-136 Crosby Street** – (Houston) SoHo H.D. A store building designed by Samuel A. Warner and built in 1883-84. Application is to legalize the installation of stairs and railings without Landmarks Preservation Commission permits and to install railings.

**Whereas,** stairs and railings installed without an LPC permit are required by code and are of appropriate material and style; and

**Whereas,** the proposed railings are also appropriate; now

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

Vote: Unanimous, with 31 Board members in favor.

**Item 2 - 21-23 Mercer Street (Howard) - SoHo -Cast Iron Historic District**

A neo-Grec style store and factory building with neo-Classical style elements, built in 1861. Application is to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to an application for a Modification of Use pursuant to Section 74-711 of the Zoning Resolution. Zoned M1-5B

**Whereas**, the work done on the rear, e.g. restoring shutters as well as repairing some masonry serves a significant preservation purpose; and

**Whereas**, on the front, replacing the faux cast-iron column as well as adding end capitals and floriated capitals provide a significant restoration effort; now

**Therefore, be it resolved** that CB#2, Man. recommends approval of this application for LPC to issue a report to CPC pursuant to ZR 74-711.

Vote: Unanimous, with 31 Board members in favor.

**Item 3 - 431 Broome Street (Crosby/Broadway) – SoHo - Cast Iron Historic District**

A dwelling built circa 1825 and altered in early 20th century. Application is to install storefront infill, construct a rooftop addition and a four-story building in the rear yard. Zoned M1-5B

**Whereas**, the rooftop addition and bulkhead are barely visible, and with a great likelihood of construction on the parking lot across the street (that provides the sole street-level view of the additions), it is highly likely that within a short period of time it will not be visible at all; and

**Whereas**, the rear yard construction will not be seen and there is no “doughnut” to intrude upon; and

**Whereas**, its materials and style do not detract from the district; and

**Whereas**, the front façade however is a bit problematic; and

**Whereas**, we are pleased that the late-Federal door surround is being retained; but

**Whereas**, we strongly object to the elimination of the current configuration of the storefront, which, although not original, is historic and of a style commonplace in the city’s architecture. The proposed storefront is basically a French door, which has no precedent in this historic district and which, when used as intended - opened up fully - will leave a gaping hole in the façade. Also, the proposed transom in the rendering is too large and out of scale; and

**Whereas**, we would like to see either a sensitive restoration of the existing storefront’s configuration or else a restoration of the storefront more typical of the cast-iron district. That is, one with a fixed window with a substantial fixed bulkhead and a single paneled door; now

**Therefore, be it resolved** that CB#2, Man. recommends approval of roof top addition and bulkhead; but

**Further, be it resolved** that CB#2, Man. recommends denial of the proposed storefront with its French doors, requesting a storefront of a more historic American style, either with a parlor-floor configuration or else with a single fixed window and bulkhead with a single door.

Vote: Unanimous, with 31 Board members in favor.

**Item 4 - 234 West 4th Street (W 10<sup>th</sup>)- Greenwich Village Historic District**

An apartment house originally built in 1891 and altered in 1927. Application is to replace windows and to establish a master plan governing the future installation of through-window air conditioning units.

**Whereas**, we like the idea of the louvers for the AC; and

**Whereas**, the windows proposed do not detract from the building or the district; but

**Whereas**, there is some concern that by approving windows that open outward, as opposed to inward, we may be creating a fire-escape hazard; now

**Therefore, be it resolved** that CB#2, Man. recommends approval of this application subject to definitive written approval by the FDNY.

Vote: Unanimous, with 31 Board members in favor.

**Item 5 - 351-353 Bleecker Street, aka 213 West 10th Street – Greenwich Village H.D.**

An apartment house built in 1903. Application is to replace windows and establish a master plan governing the future installation of storefront infill.

**Whereas**, this master plan is a vast improvement from existing conditions; and

**Whereas**, the proposed colors are appealing, similar to the original palette; and

**Whereas**, the fenestration will be unified; and

**Whereas**, the design and style of the storefront will provide an appealing uniform style; now

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

Vote: Unanimous, with 31 Board members in favor.

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

**Item 1 – 763 Greenwich St.** – Application is to install mechanical equipment & a railing at the roof, construct a rear yard addition & excavate the rear yard.

**WHEREAS**, the applicant wishes to excavate the rear yard 5’3” below grade to create a patio with concrete block walls on all three lot lines with plants on the top, and a floor of bluestone, and

**WHEREAS**, the plan is to create a two story rear addition with painted wood columns & window frames on the parlor floor and French doors on the new basement level, and

**WHEREAS**, the plan is to create a balcony on the roof of this addition, changing one of the three windows on that third floor to a door for entrance to this newly created balcony, with a white wood railing around this balcony, and

**WHEREAS**, the plan is to change the windows to 6 over 6 and install steel supports for the three upper stories, and

**WHEREAS**, a railing would also be installed along the edge of the roof and the AC unit on the roof and this railing would be painted either beige or dark brown/red, and

**WHEREAS**, the owners of the two adjoining buildings came to the hearing and stated that they did not object to most of the proposed changes, but did have objections to the deck on top of the porch extension,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends approval of the rear yard excavation and the patio created, and the retaining walls with plantings on the three lot lines, but

**FURTHER REQUESTS** that the Landmarks commission consider that the window on the third floor remain a window, would suggest that the AC unit be baffled or painted to make it less conspicuous, would prefer a sloping roof with a slight grade above the extension, more like the original, with no railing, and would request a new entablature more appropriate to the period of the building.

Vote: Unanimous, with Board members in favor.

**Item 2 – 37-39 West 8<sup>th</sup> St.** – Application is to enlarge window openings, install a door & infill, and install rooftop railings.

**WHEREAS**, the proposals to enlarge the top floor windows on 39 West 8 St., which are not full size, increasing them from 36” to 48” tall, and

**WHEREAS**, the existing water tank, not now used and restricting the egress from the building, will be removed, and

**WHEREAS**, both the taller building and the shorter one will have slightly taller fences installed, set back 10’ from the front wall and 7’ from the wide walls, and 42” high, which will slightly increase their visibility, and

**WHEREAS**, the front door to the upper floors will be changed from a narrow door with two side panels to a wider door with one side panel, and the existing cast iron column uncovered during the investigation will be retained with the black metal frame and glass panels, and

**WHEREAS**, the existing skylights will be replaced with new skylights only slightly larger than the present ones, and only minimally visible,

**THEREFORE BE IT RESOLVED** CB#2, Man. recommends approval of the changes proposed for 37-39 West 8<sup>th</sup> St.

Vote: Unanimous, with 31 Board members in favor.

**Item 3 – 1 Washington Square North** – Application is to install a flagpole.

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

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



**THEREFORE BE IT RESOLVED** CB#2, Man. strongly recommends denial of this application from 1 Washington Square North, in the absence of this important step in the review process.

Vote: Unanimous, with Board members in favor.

**PARKS, RECREATION & OPEN SPACE**

**Planned Event at West 4<sup>th</sup> Street Courts**

**Whereas** four representatives of an event production firm MKG Productions came to present the details of an event planned for West 4th Street Courts on May 18; and

**Whereas** MKG stated they initially applied for the permit "about a month and a half ago"; and

**Whereas** the event is a commercial event for an anticipated 75 invited guests to view models wearing men's suits; and

**Whereas** Parks and the event sponsors have agreed at the Parks committee's request there will be no screens to prevent spectators from viewing the event; and

**Whereas** Parks has informed the committee that a fee of approximately \$17,000 will be paid to the general fund of the City of New York; and

**Whereas** Parks and the event sponsors have agreed at the Parks committee's request there will be an additional small contribution from the event sponsor for use to maintain and improve plantings in nearby parks; and

**Whereas** in the past Parks has always consulted with CB-2 prior to issuing permits for commercial use of parks in our district; and

**Whereas** CB#2, Man. was not informed of this event soon enough to allow meaningful input on the question of the appropriateness of this event for this park; and

**Therefore it is resolved** that CB#2, Man. requests that Parks present all future proposals for commercial events to CB-2 in a timely manner; and

**Be it further resolved** that CB#2, Man. does not favor closing a park in our park-starved neighborhood for an entire day in the peak park-use season with insufficient prior consultation with CB#2, Man.; and

**Be it further resolved** that CB#2, Man. appreciates Parks responsiveness to our specific requests with regard to this event.

Vote: Unanimous, with 30 Board members in favor

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

**1. App. to NYCDOT for revocable consents for: Wheelchair lift & stairs at 411-417 W. 13th St., bet. 9<sup>th</sup> Ave. & Washington Sts., Block: 646, Lot: 7501, Police Precinct: 6**

**Whereas**, the area was posted, community groups notified and there was no community correspondence, and the applicant, 411-417 West 13<sup>th</sup> St Condominium's representative and architectural firm, O'Neil Langan were present, and,

**Whereas**, this lot has frontage of **103** feet and depth of 207.5 feet, with one building of five stories, built in 1900 (estimated), with 0 residential units of a total 5 units in a Commercial and Office Buildings area; Zoning: M1-5 Manufacturing, Zoning Map #08B, and

**Whereas**, the applicant proposes the installation of one mechanical handicapped lift and the addition of three staircases (stoops) from a previously existing loading dock whose width is 77', height is 2'8" and depth is 3'8", leaving two 13' inset stairwells at the east and at the west, and a 11'4 1/2" sidewalk, and,

**Whereas**, the three additional stairways (stoops) will extend 4'8" into the sidewalk and the resulting proposed public right-of-way is 6'8" and,

**Whereas**, the required pedestrian right of way is 8' minimum, and

**Whereas**, the applicant indicated that this plan had been reviewed by the Landmarks Commission two years ago, when the Commission expressed a concern for the preservation of the loading dock as a common feature on this block and in this landmarked district and approved of the current configuration and design based on that concept, and

**Whereas, the application** to install new storefront infill, alter the loading platform and install barrier-free lifts was heard by CB#2 Landmarks Committee in September 2008. It was denied by the Committee and by Full Board vote, but the plan submitted as that time was different from the one reviewed by this Committee, (See Addenda) and

**Whereas**, the installation of the staircases (stoops) are for the purpose of access to planned retail tenants and their customers, and,

**Whereas**, the one mechanical lift for handicapped access also needs a 36" minimum right of way at the top of the platform for equal handicapped access to the planned retail, as well as to entrances to the offices in the building, and,

**Whereas**, this applicant has chosen stairs positioned north/south instead of ramps and/or stairs positioned east/west as other buildings on this block, and

**Whereas**, members of this Committee were concerned for the precedent of allowing a 6'8" pedestrian right-of-way when an 8' right of way is required in this rapidly developing area with similar conditions throughout, but a majority were not concerned for this requirement, and

**Whereas**, the majority favored the Landmark Preservation Commission's advisement regarding design and positioning of the stoops, over the sidewalk impacts and possible DOT regulation, and

**Whereas** this is the third time in three months that a similar competing determination between LPC and other City Agencies, has been considered by CB#2, Man., and,

**Whereas**, some members of this committee saw an opportunity for the Traffic and Transportation Committee to consult on the possibility of blending the pedestrian features of the pedestrian mall directly to the east of this location with a slightly wider sidewalk to provide more holistic relief for the sidewalk restrictions upon this application,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends DENIAL of the of **App. to NYCDOT for revocable consents for: Wheelchair lift & stairs at 411-417 W. 13thSt., betw 9<sup>th</sup> Ave. & Washington Sts., Block: 646, Lot: 7501, Police Precinct: 6**, requesting that the applicant revisit the design to preserve the 8’ minimum pedestrian sidewalk either by:

- Redesign the staircases – since the existing stairs are inset, one would assume that additional staircases should look like those existing at the time of landmarking.
- Re-consider handicapped access possibly incorporating a ramp within the 77’ un-encumbered width of the current loading dock that serves both the handicapped and un-handicapped, with an approximate width of 3’8”.
- Propose a widening of the sidewalk which would be reviewed by both the Traffic & Transportation Committee and the Sidewalk Committee of CB#2 for its appropriateness in the overall traffic planning of West 13<sup>th</sup> St. LPC has been proposed sidewalk widening in three applications just this year, on similarly landmarked streets in this District.

Vote: Passed, with 24 Board members in favor and 8 in opposition.

**New App. for revocable consent to operate an Unenclosed sidewalk café for:**

**2. Village Cantina Corp., d/b/a/ Village Cantina**, 170 Bleecker St., 10012 @ Sullivan, Block: 526, Lot: 64, Police Precinct: 6, with 3 tables & 6 seats, DCA# 1250691

**Whereas**, the area was posted, community groups notified and there was community attendance, and the applicant, Ignacio Mansa and representative, Michael Kelly were present, and,

**Whereas**, this lot has frontage of 46.75 feet and depth of 98 feet, with two buildings of six stories, built in 1900 (estimated), with 19 residential units of a total 21 units in a Mixed Residential and Commercial area; Zoning:R7-2 with a Commercial Overlay, Zoning Map #12A, and

**Whereas**, the application proposes a sidewalk café on the Bleecker St side, only, and,

**Whereas**, the Liquor License stipulates hours of operation between 12 p.m. and 12 a.m. daily, and,

**Whereas**, Judith Callet of BAMRA and two other area residents expressed concern that tree plantings paid for by the Community had been removed and the tree and pit is now flush with the sidewalk, and,

**Whereas**, this Committee has no jurisdiction on tree pit plantings and said planting had a barrier that would otherwise render the sidewalk plan un -approvable as a fixed obstruction, and,

**Whereas**, the applicant has no plans for the installation of sidewalk café heaters and no permits,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL for an unenclosed sidewalk café for **Village Cantina Corp., d/b/a/ Village Cantina**, 170 Bleecker St., 10012 @ Sullivan, Block: 526, Lot: 64, Police Precinct: 6, with 3 tables & 6 seats, DCA# 1250691

Vote: Passed, with 31 Board members in favor and 1 in opposition.

3. **212 Lafayette Associate, LLC, d/b/a/ Café Select**, 212 Lafayette St. 10012 @ Kenmare, Block: 482, Lot: 31, Police Precinct: 5 with 4 tables & 8 seats, DCA# 1314520

**Whereas**, the area was posted, community groups notified and there was community correspondence and attendance regarding this area, and the applicant, Oliver Stumm and representative, Frank Palillo, Esq. were present, and,

**Whereas**, this lot has frontage of 24.92 feet and depth of 100 feet, with one building of five stories, built in 1900 (estimated), with 16 residential units of a total 17 units in a Mixed Residential and Commercial area; Zoning:M1-5B Manufacturing, Zoning Map #12C, and

**Whereas**, the applicant proposed an outside counter with stools but may not have provided sufficient clearance from the lamp-post located 13' from the building line, and,

**Whereas**, this establishment in their Liquor License application of February 2008 stipulated that the hours of operation are 8:00 a.m. – 1:00 a.m. Sunday – Wednesday and 8:00 a.m. – 2:00 a.m. Thursday – Saturday; there will not be a sidewalk café nor a backyard garden; music will be background only; and,

**Whereas**, The applicant must first seek approval of an amendment to the current Method of Operation attached to the Liquor License before this Committee can consider a sidewalk application, and,

**Whereas**, there was objection by three members of the community to the addition of another sidewalk café in this area densely populated with restaurants and bars, but more than a dozen members of the Community who spoke in favor of this applicant,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends DENIAL of this application for a new unenclosed sidewalk café for **212 Lafayette Associate, LLC, d/b/a/ Café Select**, 212 Lafayette St. 10012 @ Kenmare, Block: 482, Lot: 31, Police Precinct: 5 with 4 tables & 8 seats, DCA# 1314520, UNTIL SUCH TIME THAT an alteration application for the Liquor License stipulating that a sidewalk café is part of the method of operation, is approved by CB#2 SLA Committee.

**Vote:** Unanimous, with 32 Board members in favor.

4. **New York Pizza 33, Inc. d/b/a Pizza 33**, 527 6<sup>th</sup> Ave. 10011 @ 14<sup>th</sup> St., Block: 609, Lot: 38, Police Precinct: 6, with 5 tables & 12 seats, DCA# 1315172.

**Whereas**, the area was posted, community groups notified and there was community correspondence objecting to this application, and the applicant Emilio LaCerra was present, and,

**Whereas**, this lot has frontage of 20 feet and depth of 62 feet, with one building of four stories, built in 1910, with 0 residential units of a total 5 units in a Commercial and Office Buildings area; Zoning:C6-3A Commercial, Zoning Map #08D, and,

**Whereas**, this application proposes a sidewalk café at a highly compromised and busy corner where there are currently: MTA Entrance, Path Train Entrance, a Bus Stop, Traffic Lights, Fire Box, A Hydrant, a sidewalk grating, a Public Phone and a Bicycle Stand, and,

**Whereas**, CB#2, Man. has grave concern for the additional congestion a sidewalk café will contribute to an already highly pedestrian-compromised corner, and

**Whereas**, the applicant has agreed to remove the bicycle stand installed to accommodate pizza messengers, and,

**Whereas**, the applicant agrees to remove one table at the north corner of the sidewalk café to yield 4 tables and 9 seats, and

**Whereas**, the applicant does not plan to use any sidewalk café heaters and has applied for not permits for their use,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of this application for a new unenclosed sidewalk café for **New York Pizza 33, Inc. d/b/a Pizza 33**, 527 6<sup>th</sup> Ave. 10011 @ 14<sup>th</sup> St., Block: 609, Lot: 38, Police Precinct: 6, with **4 tables & 9 seats**, DCA# 1315172, CONDITIONAL UPON a duly signed and executed Change Agreement stipulating to a change in the Sidewalk Plan and hours of operation, to be attached to this application, that will show:

- A reduction to the above stipulated 4 tables and 9 seats
- The removal of the bicycle stand
- The DISALLOWANCE of use during the peak pedestrian traffic hours of 4:00 p.m. to 7:00 p.m., Monday through Friday.

Vote: Unanimous, with 32 Board members in favor.

**5. Noodle Bar, LLC, 26 Carmine Street, betw. Bleecker & Bedford Sts., Block: 527, Lot: 69, Police Precinct: 6, with 6 tables & 12 tables, DCA# 1312750**

**Whereas**, the area was posted, community groups notified and there was no community correspondence, and the applicant, Man Kit Wong, was present, and,

**Whereas**, this lot, which is shared by another ground-floor restaurant, has frontage of **50 feet** and depth of 75 feet, with one building of six stories, built in 1900 (estimated), with 26 residential units of a total 28 units in an area of Mixed Residential and Commercial buildings; Zoning:R7-2 Residential, Zoning Map #12A, and,

**Whereas**, a sidewalk café is NOT allowed in an R7-2 Residential Zone that is NOT mapped with a commercial overlay, and,

**Whereas**, this Committee did approve a sidewalk café in the same building and directly to the south of this location, conditional on upon the cure of a DOB violation for a stove installation, in the mistaken belief that there WAS a commercial overlay,

**THEREFORE BE IT RESOLVED** that Community Board #2 Manhattan recommends APPROVAL of a NEW application for revocable consent to operate an Unenclosed sidewalk café for **Noodle Bar, LLC, 26 Carmine Street, Block: 527, Lot: 69, Police Precinct: 6**, with 6 tables & 12 tables, DCA# 1312750 CONDITIONAL UPON the applicant attaching an official document – either from the Department of Buildings or the City Planning Commission that this café is either within a Commercial overlay of its R7-2 zone, or within acceptable allowance for an extension of a commercial overlay in an R7-2 zone, by any circumstance, including grandfathered status (Zoning Map #12A).

Vote: Unanimous, with 32 Board members in favor.

**6. E.D.O. Food IV, LLC, d/b/a Hummus Place, 71 7th Ave. So, 10014, Block: 590, Lot: 54, Police Precinct: 6, betw. Barrow & Bleecker Sts., with 4 tables & 8 seats, DCA# 131521**

**Whereas**, the area was posted, community groups notified and there was no community correspondence regarding this area, and the applicant, Ori Apple, was present, and,

**Whereas**, this lot has frontage of **39.5** feet and depth of 75.17 feet, with one building of one story, built in 1900, with 0 residential units of a total two units in a Commercial and Office Buildings area; Zoning:C2-6 Commercial, Zoning Map #12A, and

**Whereas**, the applicant states that there will be no addition of bicycle racks for delivery personnel,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a NEW application for E.D.O. Food IV, LLC, d/b/a Hummus Place, 71 7th Ave. So, 10014, Block: 590, Lot: 54, Police Precinct: 6, betw. Barrow & Bleecker Sts., with 4 tables & 8 seats, DCA# 131521

Vote: Unanimous, with 32 Board members in favor.

**7. Hensam Enterprises, Inc. d/b/a S.O.B.'s, 200 Varick St., 10014 @ West Houston St., Block: 520, Lot: 1, Police Precinct: 1, with 15 tables & 30 seats, DCA# 1315699.**

**Whereas**, the area was posted, community groups notified and there was no community correspondence regarding this area, and the applicants, Larry and Robin Gold were present, and,

**Whereas**, this lot has frontage of 200.42 feet and depth of 265 feet, with one building of one story, built in 1926, with 0 residential units of a total 41 units in a Commercial and Office Buildings area; Zoning:M1-6 Manufacturing, Zoning Map #12A, and,

**Whereas**, all aspects of the sidewalk plan are in compliance with regulation, except for a “service station” which the applicant has agreed to remove, and,

**Whereas**, the applicant may, sometime in the future apply for a license for Sidewalk Café heaters but has not currently, and agreed to return with an amended application at such time as they plan to do so, and,

**Whereas**, service for the sidewalk café area will be from a door on the far east side of the West Houston Street side of this property, and

**Whereas**, this Committee agreed that this area would particularly benefit by the addition of sidewalk café presence for the activity it would give to a largely commercial area;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a NEW application for an unenclosed sidewalk café for Hensam Enterprises, Inc. d/b/a S.O.B.'s, 200 Varick St., 10014 @ West Houston St., Block: 520, Lot: 1, Police Precinct: 1, with 15 tables & 30 seats, DCA# 1315699.

Vote: Unanimous, with 32 Board members in favor.

**8. RRBV Associates, LLC., d/b/a/ Harbor NY, 290 Hudson St., 10013, betw. Dominick & Spring Sts., Block: 579, Lot: 5, Police Precinct: 1, with 5 tables and 10 chairs, DCA# 1316164**

**Whereas**, the area was posted, community groups notified and there was no community correspondence or attendance on this application and the applicant's representative, Mike Kelly was present, and,

**Whereas**, this lot has frontage of 19.9 feet and depth of 99.92 feet, with one building of six stories, built in 1900, with 0 residential units of a total one units in a Commercial and Office Buildings area; Zoning:M1 -6 Manufacturing, Zoning Map #12A, and

**Whereas**, this Committee has coordinated the approval of this sidewalk café with CB#2's SLA Committee, who also heard an amended application this month, to amend that method of operation to include a sidewalk café where it had previously been prohibited. This was done without objection and with Full board review, and,

**Whereas**, the applicant must first seek approval of an amendment to the current Method of Operation attached to the Liquor License before this Committee can consider a sidewalk application, and,

**Whereas**, this Committee given the approval of the SLA Committee sees no other impediment to granting the sidewalk café as presented

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends DENIAL of this application for a new unenclosed sidewalk café for, **RRBV Associates, LLC., d/b/a/ Harbor NY, 290 Hudson St., 10013, betw. Dominick & Spring Sts., Block: 579, Lot: 5, Police Precinct: 1, with 5 tables and 10 chairs, DCA# 1316164** UNTIL SUCH TIME THAT an alteration application for the Liquor License stipulating that a sidewalk café is part of the method of operation, is approved by CB#2 SLA Committee.

Vote: Unanimous, with 32 Board members in favor.

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

**9. Brass Monkey, 55 Little West 12<sup>th</sup> St.betw. Washington St. & 10<sup>th</sup> Ave., Block: 645, Lot: 23, Police Precinct: 6, with 3 tables & 6 seats, DCA# 1199470**

**Whereas**, the area was posted, community groups notified and there was no community correspondence, and the applicant, Joseph Carbonetti, was present, and,

**Whereas**, this lot has frontage of 25 feet and depth of 103.25 feet, with one building of three stories, built in 1900 (estimated), with 0 residential units of a total 3 units in a Commercial and Office Buildings area; Zoning: M1-5, Zoning Map # 08B, and

**Whereas**, the sidewalk plan is in order and there are no complaints from the Community, and,

**Whereas**, there are no plans for sidewalk café heaters.

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a RE-APPLICATION for revocable consent to operate an Unenclosed sidewalk café for Brass Monkey, 55 Little West 12<sup>th</sup> St. Block: 645, Lot: 23, Police Precinct: 6, with 3 tables & 6 seats, DCA# 1199470.

Vote: Unanimous, with 32 Board members in favor.

**10. Da Silvano Corp.,** 260 6th Avenue, 10014, betw. Bleecker & Houston Sts., Block: 526, Lot: 11, Police Precinct: 6, with 27 tables & 57 seats, **DCA# 1187717**

**Whereas,** the area was posted, community groups notified and there was community correspondence, and attendance and the applicant's representative, Mike Kelly, was present, and,

**Whereas,** this lot has frontage of 40 feet and depth of 100 feet, with one building of six stories, built in 1900 (estimated), with 31 residential units of a total 32 units in a Mixed Residential and Commercial Building, Zoning R7-2 Residential with a Commercial Overlay, Zoning Map # 12A, and,

**Whereas,** there was correspondence from the community attesting to noise past closing times, serving from outside the sidewalk café area and a record of 311 complaints, attached to these minutes, and,

**Whereas,** this Committee photographed sidewalk café service from outside the area of the sidewalk café, and

**Whereas,** testimony presented at this meeting itemized blocking of resident sidewalk entrances to the building, as well as instances of patrons occupying resident sidewalk areas with alcoholic beverages and excessive noise from the area of the sidewalk café to residential units, and,

**Whereas,** this Committee observed that the barriers, tables and chairs randomly exceeded the area shown in the sidewalk plan, and

**Whereas,** there are sidewalk café heaters different than those prescribed by NYC statute and which have not been approved by the Department of Buildings, and,

**Whereas,** the application indicates there is no plan to use portable natural gas heaters, and

**THEREFORE BE IT RESOLVED** that Community Board #2 Manhattan recommends APPROVAL of a Renewal application for revocable consent to operate an Unenclosed sidewalk café for **Da Silvano Corp., 260 6th Avenue with 27 tables & 57 seats, DCA# 1187717** **CONDITIONAL UPON the following stipulations included in a duly authorized and signed Change Agreement attachable to this application:**

- Provision for the engagement of a sound engineer, at the applicant's expense, to monitor noise (from the interior and exterior portions of this establishment) in second story apartments (locations to be determined by a Tenants Association or Tenants Representative) for a period of one month, to ensure that all NYC Noise code statutes are adhered to and an ongoing and acceptable audio base-line is established.
- Provision for security personnel who will ensure that all patrons remain inside the sidewalk café area at all times and are never serviced outside the sidewalk café area and who will oversee patrons waiting to be seated who congregate on the public benches surrounding the area of the sidewalk café.
- That henceforth there will be no service of patrons, or waiting by service personnel in any areas beyond the sidewalk café area
- There will be no use of heaters until duly authorized and registered permits are presented to both CB#2, Man. and DCA.



**AND THEREFORE BE IT FURTHER RESOLVED** that aside from any penalties otherwise imposed by DCA for the unlawful use of this sidewalk café permit, CB#2 shall recommend a reduction in tables and chairs for any further application renewals should the conditions of the above mentioned Change Agreement not be observed

**Vote:** Unanimous, with 32 Board members in favor.

**11. Gadberry Pizza, Inc., d/b/a/ Bleecker Street Pizza, 69-71 7th Avenue South, 10014, Block: 590, Lot: 54, Police Precinct: 6, @ Bleecker St. with 3 tables & 6 seats, DCA# 1183527.**

**Whereas,** the area was posted, community groups notified and there was no correspondence, and attendance and the applicant's representative, Mike Kelly, was present, and,

**Whereas,** this lot has frontage of 39.5 feet and depth of 75.17 feet, with one building of one story, built in 1900 (estimated), with 0 residential units of a total 2 units in an area of Commercial and Office Buildings, Zoning C2-6 Commercial, Zoning Map # 12A, and,

**Whereas, there are no complaints or citations and,**

**Whereas,** there is a bike rack placed outside the sidewalk café area that obstructs the pedestrian right of way, installed by the applicant for delivery bicycles, which the applicant agrees to remove.

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a Renewal application for revocable consent to operate an Unenclosed sidewalk café for **Gadberry Pizza Inc., d/b/a/ Bleecker Street Pizza, 69-71 7th Avenue South, 10014, Block: 590, Lot: 54, Police Precinct: 6, @ Bleecker St. with 3 tables & 6 seats, DCA# 1183527.**

**Vote:** Unanimous, with 32 Board members in favor

**12. Out of the Kitchen, Inc., 420 Hudson St., 10014, betw. Leroy & Morton, Block: 583, Lot: 1, Police Precinct: 6, with 8 tables & 18 seats, DCA# 1250691.**

**Whereas,** the area was posted, community groups notified and there was no community correspondence regarding this area, and the applicant, Eve Crenovich, was present, and,

**Whereas,** this lot has frontage of **23.08** feet and depth of 59.5 feet, with one building of four stories, built in 1910 (est), with 2 residential units of a total 4 units in a Mixed Residential and Commercial area; Zoning:C1-6Commercial, Zoning Map #12A, and

**Whereas,** there are no community objections and no citations, and

**Whereas,** there are no plans for portable natural gas heaters;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a Renewal application for revocable consent to operate an Unenclosed sidewalk café for **Out of the Kitchen, Inc. 420 Hudson St., 10014, betw. Leroy & Morton, Block: 583, Lot: 1,**

**Vote:** Unanimous, with 32 Board members in favor.

**13. Caliente Cab Rest. Co. Inc. d/b/a Caliente Cab Co.,** 61 7 Ave. So. 10014, Block: 587, Lot: 21, Police Precinct: 6, betw. Bleecker & Morton Sts. with 42 tables & 84 seats, DCA#0670525

**Whereas,** the area was posted, community groups notified and there was no community correspondence regarding this area, and the applicant's representative, Robert Bookman was present, and,

**Whereas,** this lot has frontage of 47 feet and depth of 72.92 feet, with one building of 2.5 stories, built in 1925 (est) , with 8 residential units of a total 9 units in a Multi-Family Walk-Up Building; Zoning:C2-6 Commercial, Zoning Map #12A, and,

**Whereas,** there are no community complaints and no citations,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a Renewal application for revocable consent to operate an Unenclosed sidewalk café for **Caliente Cab Rest. Co. Inc. d/b/a Caliente Cab Co.,** 61 7 Ave. So. 10014, Block: 587, Lot: 21, Police Precinct: 6, betw. Bleecker & Morton Sts. with 42 tables & 84 seats, DCA#0670525

**Vote:** Unanimous, with 32 Board members in favor.

**14. ASC, Inc. d/b/a/ La Nonna,** 134 Mulberry St. 10013, betw. Grand and Hester Block: 237, Lot: 7501, Police Precinct: 5, with 6 tables & 12 seats, DCA# 12008521.

**Whereas,** the area was posted, community groups notified and there was no community correspondence regarding this area, and the applicant's representative, Mike Kelly was present, and,

**Whereas,** this lot has frontage of 124.75 feet and depth of 101.33 feet, with one building of six stories, built in 1915, with 0 residential units of a total 11 units in a Commercial and Office Buildings; Zoning: C2-2G Commercial, Zoning Map #12C, and

**Whereas,** there are no portable natural gas heaters, and

**Whereas** all conditions of the sidewalk plan have been observed,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a Renewal application for revocable consent to operate an Unenclosed sidewalk café for **ASC, Inc. d/b/a/ La Nonna,** 134 Mulberry St. 10013, betw. Grand and Hester Block: 237, Lot: 7501, Police Precinct: 5, with 6 tables & 12 seats, DCA# 12008521.

**Vote:** Unanimous, with 32 Board members in favor.

**15. Greenwich Village Bistro, 13 Carmine St.,** 10014, betw Bleecker and Ave of the Americas, Block: 589, Lot: 47, Police Precinct: 6, with 9 tables & 18 seats, DCA# 1030835 **Gadberry Pizza Inc., d/b/a/ Bleecker Street Pizza,** 69-71 7th Avenue South, 10014, Block: 590, Lot: 54, Police Precinct: 6, @ Bleecker St. with 3 tables & 6 seats, **DCA# 1183527.**

**Whereas,** the area was posted, community groups notified and there was no correspondence, and attendance and the applicant's representative, Mike Kelly, was present, and,

**Whereas,** this lot has frontage of 39.5 feet and depth of 75.17 feet, with one building of one story, built in 1900 (estimated), with 0 residential units of a total 2 units in an area of Commercial and Office Buildings, Zoning C2-6 Commercial, Zoning Map # 12A, and,

**Whereas**, there are no complaints or citations and,

**Whereas**, there is a bike rack placed outside the sidewalk café area that obstructs the pedestrian right of way, installed by the applicant for delivery bicycles, which the applicant agrees to remove.

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a Renewal application for revocable consent to operate an Unenclosed sidewalk café for **Gadberry Pizza Inc., d/b/a/ Bleecker Street Pizza**, 69-71 7th Avenue South, 10014, Block: 590, Lot: 54, Police Precinct: 6, @ Bleecker St. with 3 tables & 6 seats, **DCA# 1183527**.

**Vote:** Unanimous, with 32 Board members in favor

**16. Cowgirl, Inc. d/b/a/ Cowgirl Hall of Fame**, 519 Hudson St., 10014, betw W 10<sup>th</sup> & Charles, Block: 631, Lot: 46, Police Precinct: 6, with 11 tables & 22 seats, DCA# 0919917

**Whereas**, the area was posted, community groups notified and there was no community correspondence regarding this area, and the applicant, Joel Gordin was present, and,

**Whereas**, this lot has frontage of **106.5** feet and depth of 105.33 feet, with five buildings of five stories, built in 1930 (est), with 90 residential units of a total 96 units in a Multi-Family Walk-up Mixed Residential and Commercial Buildings area; Zoning: C1-6 Commercial, Zoning Map #12A, and

**Whereas**, there are no portable natural gas heaters, and

**Whereas** all conditions of the sidewalk plan have been observed,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a Renewal application for revocable consent to operate an Unenclosed sidewalk café for **Cowgirl, Inc. d/b/a/ Cowgirl Hall of Fame**, 519 Hudson St., 10014, betw W 10<sup>th</sup> & Charles, Block: 631, Lot: 46, Police Precinct: 6, with 11 tables & 22 seats, DCA# 0919917.

**Vote:** Unanimous, with 32 Board members in favor.

**17. Riomar Corp. d/b/a Kana**, 324 Spring St., 10013, betw Greenwich & Washington Sts. Block: 595, Lot: 72, Police Precinct: 1, with 4 tables & 13 seats, DCA# 1003195.

**Whereas**, the area was posted, community groups notified and there was no community correspondence regarding this area, and the applicant Armando Orofina. was present, and,

**Whereas**, this lot has frontage of **20.08** feet and depth of 56 feet, with one buildings of four stories, built in 1900 (est), with 3 residential units of a total 4 units in a Mixed Residential and Commercial Buildings, area; Zoning: C6-2A Commercial, Zoning Map #12A, and,

**Whereas**, there are no portable natural gas heaters, and

**Whereas** all conditions of the application have been observed,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a Renewal application for revocable consent to operate an Unenclosed sidewalk café for **Riomar Corp. d/b/a Kana**, 324 Spring St., 10013, betw Greenwich & Washington Sts. Block: 595, Lot: 72, Police Precinct: 1, with 4 tables & 13 seats, DCA# 1003195.

**Vote:** Unanimous, with 32 Board members in favor.

**18. JVC Pizzeria, Inc. d/b/a/ Il Fornaio**, 132A Mulberry St. 10013, betw Grand & Hester Sts. Block: **237**, Lot: 7501, Police Precinct: 5, with 7 tables & 14 seats, DCA# 1143227

**Whereas**, the area was posted, community groups notified and there was no community correspondence regarding this area, and the applicant's representative, Mike Kelly was present, and,

**Whereas**, this lot has frontage of 124.75 feet and depth of 101.33 feet, with one building of six stories, built in 1900 (est), with 0 residential units of a total 11 units in a Commercial and Office Buildings area; Zoning: C6-2G Commercial, Zoning Map #12C, and

**Whereas**, there are no portable natural gas heaters, and

**Whereas** all conditions of the application have been observed,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a Renewal application for revocable consent to operate an Unenclosed sidewalk café for **JVC Pizzeria, Inc. d/b/a/ Il Fornaio**, 132A Mulberry St. 10013, betw Grand & Hester Sts. Block: **237**, Lot: 7501, Police Precinct: 5, with 7 tables & 14 seats, DCA# 1143227.

**Vote:** Unanimous, with 32 Board members in favor.

**19. Red Mulberry Ltd., d/b/a Sambuca**, 105 Mulberry St. betw Canal & Hester Sts. City Address 203 CANAL STREET, 10013, Block: 206, Lot: 26, Police Precinct: 5, with 10 tables & 20 seats, DCA# 1158751

**Whereas**, the area was posted, community groups notified and there was no community correspondence regarding this area, and the applicant's representative, Mike Kelly was present, and,

**Whereas**, this lot has frontage of 52.25 feet and depth of 75.67 feet, with one buildings of five stories, built in 1915 (est), with 6 residential units of a total 14 units in a Commercial and Office Buildings area; Zoning: C6-2G Commercial, Zoning Map #12C, and

**Whereas**, there are no portable natural gas heaters, and

**Whereas** all conditions of the application have been observed,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a Renewal application for revocable consent to operate an Unenclosed sidewalk café for **Red Mulberry Ltd., d/b/a Sambuca**, 105 Mulberry St. betw Canal & Hester Sts. City Address 203 CANAL STREET, 10013, Block: 206, Lot: 26, Police Precinct: 5, with 10 tables & 20 seats, DCA# 1158751.

**Vote:** Unanimous, with 32 Board members in favor.

**20. D.E.L. Inc., d/b/a/ Alexanders**, 455 Hudson St., 10014, betw. Barrow & Morton, Block: 603, Lot: 65, Police Precinct: 6, with 10 tables & 20 seats, DCA# 1192285

**Whereas**, the area was posted, community groups notified and there was subsequent community correspondence regarding this applicant, and the applicant, Eran Shorehef was present, and,

**Whereas**, this lot has frontage of **50** feet and depth of 100.08 feet, with one buildings of six stories, built in 1920 (est), with 39 residential units of a total 41 units in a Mixed Residential and Commercial Buildings area; Zoning: C1-6 Commercial, Zoning Map #12a, and

**Whereas**, an upstairs resident has submitted testimony (attached) that the sidewalk café has operated on Sundays prior to 12 Noon, and this Committee has notified the applicant that this practice must stop, and,

**Whereas**, there are no portable natural gas heaters, and

**Whereas** all other conditions of the application are in order,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a Renewal application for revocable consent to operate an Unenclosed sidewalk café for **D.E.L. Inc., d/b/a/ Alexanders**, 455 Hudson St., 10014, betw. Barrow & Morton, Block: 603, Lot: 65, Police Precinct: 6, with 10 tables & 20 seats, DCA# 1192285.

**Vote:** Unanimous, with 32 Board members in favor.

**21. Andikiana Corp. d/b/a/ Silver Spurs**, 490 LaGuardia Pl. betw Bleecker & Houston Sts. Block: 525, Lot: 56, Police Precinct: 6, City Address 88 West Houston St., with 16 tables & 32 seats, DCA# 0941701

**Whereas**, the area was posted, community groups notified and there is no community correspondence regarding this area, and the applicant, Andrew Persousis, was present, and,

**Whereas**, this lot has frontage of **18.75** feet and depth of 98 feet, with one buildings of four stories, built in 1900 (est), with 0 residential units of a total 7 units in a Commercial and Office Buildings area; Zoning: R7-2 Commercial Overlay, Zoning Map #12C, and

**Whereas**, there are no portable natural gas heaters, and

**Whereas** all other conditions of the application are in order,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a Renewal application for revocable consent to operate an Unenclosed sidewalk café for **Andikiana Corp. d/b/a/ Silver Spurs**, 490 LaGuardia Pl. betw Bleecker & Houston Sts. Block: 525, Lot: 56, Police Precinct: 6, City Address 88 West Houston St., with 16 tables & 32 seats, DCA# 0941701

**Vote:** Unanimous, with 32 Board members in favor.

**22. Buona Notte Inc., d/b/a/ Da Nico**, 120 Mulberry St. 10013 betw. Hester & Canal Sts., Block: 205, Lot: 11, Police Precinct: 5, with 6 tables & 12 seats, DCA# 1135217

**Whereas**, the area was posted, community groups notified and there was no community correspondence regarding this area, and the applicant's representative, Mike Kelly was present, and,

**Whereas**, this lot has frontage of **25** feet and depth of 100.33 feet, with one buildings of five stories, built in 1910, with 8 residential units of a total 9 units in a Multi-Family Walk-Up Buildings area; Zoning: C6-2G Commercial Overlay, Zoning Map #12C, and,

**Whereas**, there are no portable natural gas heaters, and

**Whereas** all other conditions of the application are in order, including sidewalk plans showing the grandfathered platform,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a Renewal application for revocable consent to operate an Unenclosed sidewalk café for **Buona Notte Inc., d/b/a/ Da Nico**, 120 Mulberry St. 10013 betw. Hester & Canal Sts., Block: 205, Lot: 11, Police Precinct: 5, with 6 tables & 12 seats, DCA# 1135217.

**Vote:** Passed, with 31 Board members in favor and 1 in opposition.

**23. Nilo Inc. & Viola Consulting, LLC. d/b/a Mezzogiorno**, 195 Spring St., 10012, between Sullivan & Thompson, Block: 503, Lot: 45, Police Precinct: , with 11 tables & 22 seats, DCA# 0832737.

**Whereas**, the area was posted, community groups notified and there was no community correspondence regarding this area, and the applicant's representative, Mike Kelly was present, and,

**Whereas**, this lot has frontage of 46.25 feet and depth of 75 feet, with one building of six stories, built in 1900 (est), with 24 residential units of a total 26 units in a Mixed Residential and Commercial Buildings area; Zoning: R7-2 Residential Commercial Overlay, Zoning Map #12A, and

**Whereas**, this Committee observed that the applicant was not complying with their sidewalk café plan, had added tables and had extended the café area into the pedestrian right-of way on the Thompson St side, and,

**Whereas**, this Committee has, again, reminded the applicant that additional tables and chairs and service carts are not allowed,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a Renewal application for revocable consent to operate an Unenclosed sidewalk café for **Nilo Inc. & Viola Consulting, LLC. d/b/a Mezzogiorno**, 195 Spring St., 10012, between Sullivan & Thompson, Block: 503, Lot: 45, Police Precinct: with 11 tables & 22 seats, DCA# 0832737, **CONDITIONAL UPON** a duly executed Agreement attachable to this renewal that stipulates:

The applicant will strictly adhere to the Sidewalk Plan submitted with this application.

**Vote:** Unanimous, with 32 Board members in favor.

**24. 164 Mulberry Corp. d/b/a Da Nico**, 164 Mulberry St. 10013, betw. Broome & Grand Sts., Block: 471, Lot: 29, Police Precinct: 5, with 4 tables & 8 seats, DCA# 0949447.

**Whereas**, the area was posted, community groups notified and there was no community correspondence regarding this area, and the applicant's representative, Mike Kelly was present, and,

**Whereas**, this lot has frontage of 25 feet and depth of 100.17 feet, with one buildings of five stories, built in 1900 (est), with 3 residential units of a total 4 units in a Commercial and Office Buildings area; Zoning: C6-2G Commercial, Zoning Map #12C, and

**Whereas**, there are no portable natural gas heaters, and

**Whereas** all other conditions of the application are in order,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a Renewal application for revocable consent to operate an Unenclosed sidewalk café for **164 Mulberry Corp. d/b/a Da Nico**, 164 Mulberry St. 10013, betw. Broome & Grand Sts., Block: 471, Lot: 29, Police Precinct: 5, with 4 tables & 8 seats, DCA# 0949447.

**Vote:** Passed, with 31 Board members in favor and 1 in opposition.

**25. Macelleria Restaurant**, 48 Gansevoort St. Betw Greenwich & Washington Sts., Block: 643, Lot: 54, Police Precinct: 6, City Address 842 GREENWICH STREET, 10014, with 9 tables & 18 seats, DCA# 1188887

**Whereas**, the area was posted, community groups notified and there was no community correspondence regarding this area, and the applicant, Sergio Betici was present, and,

**Whereas**, this lot has frontage of 69.42 feet and depth of 92.58 feet, with one buildings of two stories, built in 1941, with 0 residential units of a total 1 units in a Commercial and Office Buildings area; Zoning: M1-5 Manufacturing, Zoning Map #08B, and

**Whereas**, there are no portable natural gas heaters, and

**Whereas** all other conditions of the application are in order,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a Renewal application for revocable consent to operate an Unenclosed sidewalk café for **Macelleria Restaurant**, 48 Gansevoort St. Betw Greenwich & Washington Sts., Block: 643, Lot: 54, Police Precinct: 6, City Address 842 GREENWICH STREET, 10014, with 9 tables & 18 seats, DCA# 1188887

**Vote:** Passed, with 31 Board members in favor and 1 in opposition.

## **SLA LICENSING**

**1. Bayrock Sapir Organization LLC/Spring & Varick Assoc. LLC, d/b/a Trump SoHo, 246 Spring St (at Varick Street), NYC**

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

**Whereas**, this application is for an On Premise license for a hotel with ground floor restaurant and bar located in 390,000 s.f. premise at the corner of Spring and Varick Street with 173 table seats in the restaurant, 60 table seats in the ground floor bar/lounge and a maximum legal capacity of 1,000 persons for the entire hotel; and,

**Whereas**, the applicant stated the operation are

- Hotel Lobby Bar: Sunday 12:00 p.m. – 1:00 a.m. and Monday – Saturday 10:00 a.m. – 3:30 a.m.
- Restaurant, Library and Hotel Lobby: Sunday 12:00 p.m. – 1:00 a.m. and Monday – Saturday 9:00 a.m. – 2:00 a.m.
- Hotel Rooms: 24 hours per day except as prohibited by law
- Pool Bar (Interior): Sunday 12:00 p.m. – 1:00 a.m. and Monday – Saturday 10:00 a.m. – 2:30 a.m.
- Pool Bar (Exterior): Sunday 12:00 p.m. – 1:00 a.m. and Monday – Saturday 10:00 a.m. – 2:30 a.m.
- Conference and Banquet Facilities: as rented until 3:00 a.m.
- Spa: Sunday 12:00 p.m. – 8:00 p.m. and Monday – Saturday 7:00 a.m. – 8:00 p.m.

**Whereas**, the applicant stated there will not be a sidewalk café application and no backyard garden; music will be background and D.J. only; and,

**Whereas**, the applicant has reached out to local residents and organizations; and,

**Whereas**, the applicant has agreed to abide by the regulations associated with all New York City departments and safety organizations including but not limited to the Department of Buildings and the Fire Department, and will obtain all required certificates, permits and related documents prior to the use of the On Premise license; and,

**Whereas**, the applicant has agreed to prohibit live music and DJs at the 5<sup>th</sup> Floor pool bar; and

**Whereas**, the applicant has agreed to assign hotel personnel to monitor and control vehicular traffic at the establishment; and,

**Whereas**, a member of the SoHo Alliance appeared expressing concerns with the lack of community outreach by the applicant; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial to the proposed On Premise license for **Bayrock Sapir Organization LLC/Spring & Varick Assoc. LLC, d/b/a Trump SoHo, 246 Spring St** unless those conditions agreed to by applicant relating to the sixth, seventh and eighth “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 31 Board members in favor and 1 in opposition.

**2. Sochin Downtown Realty, LLC d/b/a Mondrian SoHo, 150 Lafayette St a/ka 9 Crosby St. (Howard and Grand Streets), NYC**

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

**Whereas**, this application is for an On Premise license for a hotel with a ground floor restaurant located in 131,237 s.f. premise on Lafayette between Howard and Grand Streets with 207 interior table seats and 295 exterior table seats, 3 bars with 17 seats and a maximum legal capacity of 1,000 persons for the entire hotel establishment; and,

**Whereas**, the applicant stated the operation are

- Hotel Bar: 8:00 a.m. – 4:00 a.m.; Monday – Saturday and 12:00 p.m. – 4:00 a.m. Sunday
- Hotel Rooms: 24 hours per day except as prohibited by law
- Restaurant (Interior): 6:30 a.m. – 2:00 a.m. daily
- Restaurant (Exterior Garden and 2<sup>nd</sup> Floor Terrace): 9:00 a.m. – 11:00 p.m. daily

**Whereas**, the applicant stated there will not be a sidewalk café application but will include a backyard garden; music will be background, D.J. and live music for the interior only; and,

**Whereas**, the applicant has agreed to abide by the regulations associated with all New York City departments and safety organizations including but not limited to the Department of Buildings and the Fire Department, and will obtain all required certificates, permits and related documents prior to the use of the On Premise license; and,

**Whereas**, the premise is located in a M1-5B District, and



**Whereas**, Section 42-14(D)(2)(b) of the Zoning Resolution restricts uses below the floor level of the second floor in M1-5B Districts to Use Groups 7, 9, 11, 16, 17A, 17B, 17C or 17E, and

**Whereas**, use groups other than those permitted, such as Use Group 5 use (hotel use) and/or Use Group 6 use (retail use), below the floor level of the second floor may be allowed by special permit by the Chairperson of the City Planning Commission pursuant to Section 74-781, and

**Whereas**, Section 73-241 of the Zoning Resolution may allow eating and drinking establishments located in a M1-5B District with a capacity of 200 persons or less, for a term not to exceed five years, by special permit from the Board of Standards and Appeals, and

**Whereas**, the applicant did not submit to the Committee special permits pursuant to Section 42-14(D)(2)(b), 74-781 or 73-241 of the Zoning Resolution; and

**Whereas**, over 20 members of the community appeared in support of the applicant; citing the value of an upscale hotel and restaurant in the neighborhood; citing the value of adding new employment opportunities for the community; and,

**Whereas**, over 30 members of the community appeared in opposition, particularly in opposition to the outdoor drinking venues; citing quality of life concerns with a large hotel establishment; citing public interest issues in regard to the 500-foot rule law; citing noise, traffic and overcrowding issues on a very quiet residential block particularly with an extremely large backyard eating and drinking establishment facing onto Crosby Street and with noise from the 2<sup>nd</sup> floor open terrace; and its close proximity of many other licensed establishments; and,

**Whereas**, after hearing from the applicant and from those opposed to the application and after due discussion and deliberation by the full community board, it was determined that no amount of restrictions would protect local residents against the unacceptable and overwhelming increase in noise and traffic levels that would be generated by one of the largest outdoor eating and drinking establishments in Manhattan;

**Therefore, be it resolved** that CB#2, Man. recommends, as not being in the public interest, denial to the proposed On Premise license for **Sochin Downtown Realty, LLC d/b/a Mondrian SoHo, 150 Lafayette St a/ka 9 Crosby St.** of any license that includes any outdoor drinking venues at this location, specifically, but not exclusive to, the large outdoor eating and drinking establishment on Crosby Street and the 2<sup>nd</sup> floor terrace.

Vote: Passed, with 31 Board members in favor and 1 in opposition.

**3. 69 Gansevoort Restaurant, Inc. d/b/a Gansevoort Café, 69 Gansevoort St. (9<sup>th</sup> Avenue and Little West 12<sup>th</sup> Street), NYC**

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

**Whereas**, this application is for a transfer of an existing On Premise license in a commercial building on Gansevoort Street between 9<sup>th</sup> Avenue and Little West 12<sup>th</sup> for a 1,780 s.f. diner/restaurant with 61 table seats, 1 bar with 13 seats, and a maximum legal capacity of 74 persons; and,

**Whereas**, the applicant stated there are no plans to change the previously approved operation; the applicant stated the hours of operation are 24 hours per day with alcoholic beverages served only until 4:00 a.m. daily; there will be a sidewalk café application but no backyard garden; music is background only; and,

**Whereas**, the applicant has agreed to operate as a full service diner/restaurant only; and,

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial to the proposed transfer of an On Premise license for **69 Gansevoort Restaurant, Inc. d/b/a Gansevoort Café, 69 Gansevoort St.** unless all conditions agreed to by applicant relating to third and fourth “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 32 Board members in favor.

**4. Frederic Touiki or entity to be formed, 28 7<sup>th</sup> Avenue South (Leroy and Morton Streets), NYC**

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

**Whereas**, this application is for an On Premise license for a bar/restaurant located in a 3,000 s.f. premise in a commercial building located on 7<sup>th</sup> Avenue South between Leroy and Morton Streets, with 97 table seats, 2 bars with 24 seats and a maximum legal capacity of 181 persons pending the issuance of a revised Certificate of Occupancy and Public Assembly Permit, which will not exceed said capacity; and,

**Whereas**, the applicant stated the hours of operation are 5:00 p.m. – 1:00 a.m. Sunday - Tuesday, 5:00 p.m. – 2:00 a.m. Wednesday, 5:00 p.m. – 3:00 a.m. Thursday and 5:00 p.m. – 4:00 a.m. Friday and Saturday; there is no sidewalk café nor a backyard garden; music is D.J. only; and,

**Whereas**, the applicant met with members of the community prior to the hearing to address all concerns and issues; and,

**Whereas**, the applicant has agreed to the following stipulations for the On Premise license:

1. Install a security camera on the exterior of the premise to monitor activity in front of the premise provided that it is permitted
2. Post signs at the front entrance of the premise requesting all patrons to be considerate of the community
3. Install “Baffle Boards” around the HVAC units on the roof
4. Provide 24 hour contact number for any concerns or issues
5. Operate a full kitchen and will serve food up to 1 hour prior to closing
6. Keep the level of the sound system within the premise at legal levels and will install a “limiter” switch
7. Arrange daily garbage pick up
8. Use best efforts to ensure deliveries are done at non-peak hours
9. Prohibit catering services
10. Prohibit use of the rooftop
11. Seek a restaurant only license

**Whereas**, several members of the community appeared to express their concerns; citing quality of life concerns; expressing issues with their method of operation as proposed and remain skeptical of a lounge/nightclub type establishment; and citing noise and overcrowding issues on a residential block; and,

**Whereas**, this committee recognizes the good faith efforts made by the applicant but have strong concerns with the proposed method of operation; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of an On Premise license for **Frederic Touiki or entity to be formed, 28 7<sup>th</sup> Avenue South.**

Vote: Unanimous, with 32 Board members in favor.

**5. Michael Brennan or Corp. to be formed, 237 Sullivan St. (West 3<sup>rd</sup> and Sullivan), NYC**

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

**Whereas**, this application is for a transfer of an existing On Premise license in a mixed use building on the corner of Sullivan and West 3<sup>rd</sup> Streets for a 1,200 s.f. bar/restaurant with 30 table seats, 1 bar with 12 seats, and a maximum legal capacity of 70 persons; and,

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

**Whereas**, 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 **Michael Brennan or Corp. to be formed, 237 Sullivan St.**

Vote: Unanimous, with 32 Board members in favor.

**6. Bulog Enterprises, 45 W. 8<sup>th</sup> St. (5<sup>th</sup> and 6<sup>th</sup> Avenues), NYC**

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

**Whereas**, this application is for a transfer of an existing On Premise license in a mixed use building on West 8<sup>th</sup> Street between 5<sup>th</sup> and 6<sup>th</sup> Avenues for a 1,550 s.f. restaurant with 30 table seats, 1 bar with 10 seats, and a maximum legal capacity of 40 persons; and,

**Whereas**, the applicant state the hours of operation are 12:00 p.m. – 12:00 a.m. Monday – Thursday, 12:00 p.m. – 2:00 a.m. Friday and Saturday; there will not be a sidewalk café application and no backyard garden; music is background only; and,

**Whereas**, a member of the community appeared in support; 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 **Bulog Enterprises, 45 W. 8<sup>th</sup> St.**

Vote: Unanimous, with 32 Board members in favor.

**7. Jane Street Hotel, LLC, 113-115 Jane St. a/k/a 505-507 West St. (at West Street), NYC**

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

**Whereas**, this application is for an alteration to a previously approved On Premise license for Hotel; to include a mezzanine bar located in a 1,300 s.f. premise inside the hotel on the corner of Jane and West Streets, with 40 table seats and 1 bar with 12 seats and a maximum legal capacity of 70 persons; and,

**Whereas**, the applicant stated the hours of operation for the mezzanine are 6:00 a.m. – 4:00 a.m. seven days a week; there will not be a sidewalk café application; music is background only; and,

**Whereas**, the applicant has been operating successfully with other hotel establishments within the community; and,

**Whereas**, several members of the community appeared in opposition of the application; citing quality life concerns; overcrowding and noise issues in a quiet residential block; and,

**Whereas**, the applicant has agreed to meet members of the community to address all concerns and issues; and,

**Whereas**, this committee recognizes the good faith efforts made by the applicant but have concerns with lack of community outreach for this application; and encourages the applicant to continue dialogue with nearby residents; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of the proposed alteration to On Premise license for **Jane Street Hotel, LLC, 113-115 Jane St. a/k/a 505-507 West St.**

Vote: Unanimous, with 32 Board members in favor.

**8. SoHo House New York, Inc., 29-36 Ninth Avenue, (West 13<sup>th</sup> and West 14<sup>th</sup> Streets), NYC**

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

**Whereas**, this application is for an alteration to an existing On Premise license for a rooftop bar/restaurant located in a Private Club/Hotel on Ninth Avenue between West 13<sup>th</sup> and West 14<sup>th</sup> Streets with a maximum legal capacity of 200 persons for the rooftop; to extend the closing hours to 2:00 a.m. daily; and,

**Whereas**, the applicant stated there are no plans to change the previously approved operation aside from the closing hours; and the music is currently background and D.J. only; and,

**Whereas**, the applicant has been operating successfully for over 6 years with no known issues; and,

**Whereas**, a member of the community appeared in support; 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 an On Premise license for SoHo House New York, Inc., 29-36 Ninth Avenue.

Vote: Passed, with 31 Board members in favor and 1 in opposition.

**9. RRBV Associates, LLC 290 Hudson St a/k/a 286 Spring St. (at Dominick) NYC**

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

**Whereas**, this application is for an alteration to an existing On Premise license for a 2,500 s.f. restaurant located in a commercial building on Hudson between Spring and Dominick Streets, with 65 table seat and 1 bar with 8 seats; and a maximum legal capacity of 135 persons for the rooftop; **to extend the restaurant hours to 11:00 a.m. – 12:00 a.m. Sunday, 11:00 a.m. – 12:00 a.m. Monday – Thursday and 11:00 a.m. – 1:00 a.m. Friday and Saturday;** and,

**Whereas**, the applicant stated there are no plans to change the previously approved operation aside from the closing hours; and the music is currently background only; and,

**Whereas**, the Sidewalks, Public Facilities & Public Access Committee has heard an application for a sidewalk café and has no objection. We also approve of a license that includes a sidewalk café in its method of operation; and

**Whereas**, the applicant has been operating successfully for a few months with no known issues; 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 an On Premise license for **RRBV Associates, LLC 290 Hudson St a/k/a 286 Spring St.**

Vote: Passed, with 31 Board members in favor and 1 in opposition.

**10. La Palette, 94 Greenwich Avenue, (West 12th Street) NYC**

**Whereas**, the applicant appeared before the committee to address the ongoing backyard garden noise complaints received by members of the community; and,

**Whereas**, this application is for a renewal of an On Premise license for a 500 s.f. restaurant with a 500 s.f. backyard garden in a mixed use building on Greenwich Avenue at West 12th Street; and,

**Whereas**, the applicant has been operating for over 4 years with an On Premise license and stated that the hours of operation are 11:00 a.m. - 11:00 p.m. Monday-Saturday, 11:00 a.m. – 10:00 p.m. Sunday; the music is background only; and,

**Whereas**, there were concerns from members of the community regarding crowd and noise control in the backyard garden; and,

**Whereas**, the applicant has agreed to continue the prohibition of "happy hours", private events, and live and background music in the backyard garden; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of the proposed renewal to On Premise license for **La Palette, 94 Greenwich Avenue** unless the conditions agreed to by applicant relating to the fifth “whereas” clause above is incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: passed, 31 Board members in favor, and 1 in opposition.

**11. K Sushi, 357 W. Broadway, NYC 10013**

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

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

**Whereas**, the applicant has been recently cited by the Department of Consumer Affairs for operating an illegal sidewalk café; and,

**Whereas**, the applicant has been operating in violation of their duly licensed Method of Operation; and,

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan strongly objects to the renewal of the On Premise license of **K Sushi, 357 W. Broadway, NYC 10013** 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 32 Board members in favor.

**12. Jane Street Hotel, LLC, 113-115 Jane St. a/k/a 505-507 West St. (at West Street), NYC**

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

**Whereas**, this application is for a DCA Cabaret license in a commercial building at Jane and West Streets for a 3,000 s.f. lobby/ballroom with 80 table seats with 1 bar and 12 seats; and,

**Whereas**, the applicant stated the hours of operation for the lobby/ballroom are 6:00 a.m. – 4:00 a.m. seven days a week; there will not be a sidewalk café application; music is background only; and,

**Whereas**, several members of the community appeared in opposition of the application; citing quality life concerns; overcrowding and noise issues in a quiet residential block; and,

**Whereas**, the applicant has agreed to meet members of the community to address all concerns and issues; and,

**Whereas**, this committee recognizes the good faith efforts made by the applicant but have concerns with lack of community outreach for this application; and encourages the applicant to continue dialogue with nearby residents; and,

**Therefore, be it resolved** that CB#2, Man. recommends denial of the proposed DCA Cabaret license for Jane Street Hotel, LLC, 113-115 Jane St. a/k/a 505-507 West St.

Vote: Unanimous, with 32 Board members in favor.

**13. Downtown Restaurant Group, 50 Gansevoort St, NYC**

**Whereas**, this application is for a DCA Cabaret license; and,

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

**Whereas**, the applicant has been operating without a valid Cabaret license and no Public Assembly permit for a few months; and,

**Whereas**, the applicant has a history of issues and 311 complaints within the community arising from noise and overcrowding; and,

**Therefore, be it resolved** that CB#2, Man. strongly objects to the DCA Cabaret license for Downtown Restaurant Group, 50 Gansevoort St, NYC and calls on the State Liquor Authority, Department of Consumer Affairs and Department of Buildings to verify that the establishment is not operating in violation of their duly licensed Method of Operation.

Vote: Unanimous, with 32 Board members in favor.

## **SOCIAL SERVICES AND EDUCATION**

### **1. Resolution regarding reform and strengthening of Community Education Councils**

Whereas New York laws passed in 2003 directed that the Community Education Councils (CEC) of the New York City School Districts provide “meaningful participation for both parents and the community”, and

Whereas the CECs have not been able to fulfill their legal obligation in part because their training, resources, and education are controlled by the Department of Education (DOE) and,

Whereas Senate bill S3912, introduced by Senator Squadron, proposes much needed reform of the CEC process, but still doesn’t go far enough, in that it says the CEC’s are only advisory and

Whereas the powers given by law to the CEC for zoning, opening, and closing of regular and charter schools have been ignored or eviscerated,

Therefore be it resolved that CB2 Manhattan urges that the power to appoint and inform members of the CEC be removed from the DOE and placed with the Borough Presidents and

Be it further resolved that a Uniform Parental Engagement Procedure be instituted whereby the DOE must inform CEC’s and must respond to their recommendations within a fixed time period.

Vote: Passed with 29 Board members in favor, 1 in opposition and 1 recusal (Amanda Kahn Fried).

### **2. Resolution Regarding Mayoral Control of the New York City School system:**

**Whereas**, CB#2, Man. has held two public forums regarding Mayoral Control of the New York City Public School system, listening to many voices and

**Whereas**, many proposals were considered, including that of the Parent Commission which was the outcome of debate and discussion from parent leaders from every boro, and

**Whereas**, neither the former nor the current system provides the best education for our children, and

**Whereas**, the final legislation may take many forms, but whatever the specifics the following seems essential to correct current problems:

1. An independent budget office established and funded outside the DOE
2. An independent data office so that information regarding test scores, class size, capacity, graduation rates and so on be forthcoming and trustworthy.
3. A parental grievance procedure that is responsive, quick, and free of favoritism
4. Fixed terms and more equitable representation for the citywide Public Education Policy (PEP) group, so no public official can remove them at will. The PEP must embody cooperation and accountability, and must include current parents and teachers. One possibility: a chair and four members appointed by the mayor, and an appointee from the five Boro Presidents, the Comptroller, the Public Advocate, the City Council.
5. Empowerment of CECs on zoning, new schools, closed schools, school report cards, and space for charter schools.
6. Empowerment of the 32 District Superintendents who should be accountable and responsible for effective education within their districts.

**Therefore be it resolved** that CB#2, Man. urges our elected officials to pass legislation that establishes a partnership between the Mayor, other elected officials, and those directly involved in the schools (teachers and parents), and that the new system include parental input, transparency, administrative effectiveness, checks and balances on the DOE and on the Mayor, accountability at every level, and redress of parental concerns.

Vote: Passed with 30 Board members in favor, and 1 recusal (Amanda Kahn Fried).

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

1. **6/7 - St. Patrick's Old Cathedral**, Mulberry St. bet. Prince St. & Houston St. **(New)**

Setup: 8am

Breakdown: 7pm

**Whereas**, St. Patrick's Old Cathedral wishes to hold a street fair to celebrate its 200 year Bicentennial anniversary; and

**Whereas**, this event will be a one time only event to celebrate this special anniversary; and

**Whereas**, the street fair will feature food vendors and religious music; now

**Therefore Be It Resolved** that CB#2, Man., supports the Street Permit request for St. Patrick's Old Cathedral; and

**Be It Further Resolved** that this application is being approved for this year only, and shall not be considered a precedent for a recurring annual event.

Vote: Passed, with 35 Board members in favor, and 1 recusal (A.K. Fried).

2. **6/20 – Order of the Sons of Italy, Grand St.** bet. Mulberry St. & Mott St.

Setup: 11am

Breakdown: 12pm

**Whereas**, the Sons of Italy seek to close the street for one hour to lay a wreath in honor of the 104<sup>th</sup> anniversary of their organization; and



**Whereas** CB#2, Man. is extremely concerned about the saturation of street closures in Little Italy and their effects on the local residents; and

**Whereas**, there will be no amplified sound, music or vendors associated with this street closure and the limited duration and scope of this street activity will not cause an inconvenience on local residents; now **Therefore Be It Resolved** that CB#2, Man. supports the application for a street activity permit request by the Sons of Italy provided that the applicant ensures that the event will not extend past one hour.

Vote: Passed, with 35 Board members in favor, and 1 recusal (A.K. Fried).

## **TRAFFIC AND TRANSPORTATION**

### **1. Resolution in response to MTA-New York City Transit plan to re-route and/or eliminate buses in relation to DOT's Broadway Boulevard**

**Whereas**, in connection with the NYC Department of Transportation's Broadway Boulevard project involving pedestrianized areas along Broadway from 23<sup>rd</sup> St. to Columbus Circle, MTA-New York City Transit (MTA-NYCT) is planning to re-route several buses, including the M7, M10 and M20 southbound and to totally eliminate the M6 route both northbound and southbound, all to take place by this coming Memorial Day weekend (less than two weeks away) without having given sufficient notice to the community and without providing any opportunity for public input and discussion of feasible alternatives; and

**Whereas**, many of these changes (such as the absence of any northbound bus service between Worth and Houston Sts. or the long walking distance from Herald Sq to access a bus downtown, now only available at Park Ave. S.) will not only inconvenience all users, just when New York City is encouraging the use of public transportation (as opposed to motor vehicles), but also will create a hardship for the numerous users like senior and disabled citizens as well as those with limited incomes who are not able to take alternative transportation, such as the subway, bicycles or taxicabs; and

**Whereas**, MTA-NYCT has indicated its willingness to evaluate the effects of these changes within six months in response to customer complaints and ridership figures and, if necessary, look at other options;

**Therefore Be It Resolved** that CB#2, Man. strongly objects to MTA-NYCT's disregard of community needs and its failure to alert the community of these plans in a timely way to allow for public input and sufficient evaluation; and

**Be It Further Resolved** that CB#2, Man. urges MTA-NYCT at this time to extend M5 northbound service to include Worth to Houston St., to preserve the heavily used M6 route, and to investigate and apply adjustments on the changed routes, such as small zigzags, that can improve user comfort and convenience; and

**Be It Finally Resolved** that CB#2, Man. encourages and looks forward to MTA-NYCT's return in six months to evaluate these changes and work with the community on options to improve them.

Vote: Unanimous with 30 Board members in favor.

**2. Resolution requesting that the New York City Department of Transportation conduct a pilot design and installation program to address excessive street signage.**

**Whereas**, the NYC Department of Transportation (DOT) is installing more and more signs in our streets, frequently bunched together in many sizes, shapes and colors and reaching tall heights, which not only makes them difficult to read, but also creates widespread confusion, leading to a hazardous situation for pedestrians, bicyclists and motor vehicles; and

**Whereas**, the urban clutter resulting from this excessive signage also produces negative and unattractive visual impacts, particularly detrimental to historic districts; and

**Whereas** installation of new bicycle lanes has necessitated additional signage, and while CB#2, Man. welcomes the new, more equitable and sustainable balance of transportation modes that DOT is introducing, we realize that a new, attractive system of signage needs to be developed to accommodate this; and

**Whereas** DOT has many talented artists on its staff and is the City agency with the largest sign shop;

**Therefore Be It Resolved** that CB#2, Man. requests that DOT engage in a pilot program to investigate alternative elements, review ideas (including pictorial solutions and more understated colors and lettering) and create simpler, less numerous and more coordinated signage, installing it on an experimental basis in one of CB2's historic neighborhoods to be evaluated over a mutually designated period of time to see how it works and make adjustments for a citywide program; and

**Be It Further Resolved** that CB#2, Man. asks that DOT consult with the community in developing design concepts and return at the completion of the pilot program to present its findings, gather community input and finalize recommendations for a new signage program.

**Vote:** Unanimous, with 30 Board members in favor.

**3. Preservation of the 9/11 commemorative tiles at Mulry Square**

**Whereas** the installation of hand-painted tiles on a chain link fence surrounding a small MTA-New York City Transit (NYCT) maintenance yard at Mulry Square represents the single most important memorial to 9/11 in our district, an area deeply affected by the horrors of that day; and

**Whereas** the importance of this memorial rests in the cumulative expression of the individual tiles, but even more in the context and meaning of the installation; and

**Whereas** our community board, our elected officials, and the MTA have a joint responsibility to our community, our city, and our nation, to protect and preserve this extraordinary memorial, including the integrated and informal nature of its installation which reflects the sentiments of our community; and

**Whereas** many of the tiles have been damaged and the others are dirty and at imminent risk of damage; and

**Whereas** the State Museum of New York is able to clean, store and conserve the tiles temporarily and would be available to do so once a definitive plan is put forth to preserve the tiles in their appropriate setting; and

**Whereas** MTA-NYCT is planning to erect a subway fan plant on the Mulry Sq. (61 Greenwich Ave.) site, and has indicated its willingness to discuss the possibility of incorporating the memorial tiles in its design; and

**Whereas** in communicating with the artist who originated the concept, CB2 has learned that she would support a conservation effort; and

**Whereas** CB#2, Man. and our elected officials will be holding a public hearing on June 22<sup>nd</sup> which MTA-NYCT has agreed to attend and present its designs for the fan plant and invite comment; and

**Whereas** CB#2, Man. has previously requested that MTA-NYCT create a public park incorporating the 9/11 memorial tiles on the full footprint of the Mulry Square property, regardless of whether this site is used for construction of the fan plant facility, a request that has been rejected;

**Therefore Be It Resolved** that this memorial must be protected and preserved in a manner that incorporates not just the individual tiles but the significance of their installation and the importance of the memorial as it exists today; and

**Be It Further Resolved** that design of the Fan Plant must take place in the context of the need to avoid the destruction of this historically significant memorial; and

**Be It Further Resolved** that CB#2, Man. fully supports cleaning and preserving the 9/11 memorial tiles and is committed to pursuing efforts to do so, with the possibility of removing them temporarily for this purpose at a later date, based on discussions with the community; and

**Be It Further Resolved** that CB#2, Man. supports discussions with representatives from the State Museum of New York to explore options, and will look into exploratory meetings with other conservator organizations, if possible; and

**Be It Further Resolved** that CB#2, Man. urges MTA-NYCT to engage in a dynamic and deliberative design process in ongoing consultation with the community to achieve the optimum approach to integration of the tiles to preserve their original spirit, aesthetic and motif, while also drawing on the talents of MTA's Arts in Transit program; and

**Be It Finally Resolved** that CB#2, Man. implores MTA-NYCT to reconsider a fan plant construction approach that allows for enough open space to accommodate an appropriate Greenwich Village 9/11 Memorial Park with sufficient space to preserve this memorial.

**Vote:** Unanimous with 30 Board members in favor.

## **ZONING AND HOUSING**

**1. 568 Broadway, (Block 511, Lot 1) BSA No: 55-01-BZ, Board of Standards and Appeals Special Permit application pursuant to Section 73-36 of the Zoning Resolution, on behalf of Blissworld LLC for the renewal of a Special Permit which had been granted by the Board on August 7, 2001 to allow a Physical Culture Establishment to be located on the 2nd and 3rd floors of an existing building, Located in a M1-5B District, for a term not to exceed 10 years.**

**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 uses in this building and in the surrounding buildings and has had no adverse impacts on the neighborhood,

**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 ZR §73-36, for the renewal of a Special Permit which had been granted by the Board on August 7, 2001 to allow a Physical Culture Establishment to be located on the 2nd and 3rd floors of an existing building, Located in a M1-5B District, for a term not to exceed 10 years.

Vote: Unanimous, with 35 Board members in favor.

**2. 579 Broadway/150 Mercer Street, Block 512, Lot 20, Board of Standards and Appeals Special Permit application pursuant to Section 73-36 of the Zoning Resolution, on behalf of of Haven Day Spa, Lord Shivas Properties, Inc to allow a Physical Culture Establishment to be located on the cellar level of an existing building located in a M1-5B District, for a term not to exceed 10 years.**

**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 uses in this building and in the surrounding buildings and has had no adverse impacts on the neighborhood,

**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 ZR §73-36, for the renewal of a Special Permit to allow a Physical Culture Establishment to be located on the cellar level of an existing building located in a M1-5B District, for a term not to exceed 10 years.

Vote: Unanimous, with 35 Board members in favor.

**NEW BUSINESS**

Respectfully submitted,

Susan Kent  
Secretary  
Community Board #2, Manhattan