

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



Amanda Kahn Fried, *Treasurer*  
Susan Kent, *Secretary*  
Elaine Young, *Assistant Secretary*

## COMMUNITY BOARD No. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

[www.cb2manhattan.org](http://www.cb2manhattan.org)

P: 212-979-2272 F: 212-254-5102 E: [info@cb2manhattan.org](mailto:info@cb2manhattan.org)

Greenwich Village • Little Italy • SoHo • NoHo • Hudson Square • Chinatown • Gansevoort Market

### FULL BOARD MINUTES

**DATE:** December 17, 2009

**TIME:** 6:00 P.M.

**PLACE:** St. Vincent's Hospital, 170 W. 12<sup>th</sup> St. Cronin Auditorium, 10<sup>th</sup> Floor

**BOARD MEMBERS PRESENT:** Steve Ashkinazy, Keen Berger, Tobi Bergman, Carter Booth, Sigrid Burton, Maria Passannante Derr, Doris Diether, Ian Dutton, Sheelah Feinberg, Elizabeth Gilmore, Alison Greenberg, Sasha Greene, Jo Hamilton, Chair, Community Board #2, Manhattan (CB#2, Man.), Anne Hearn, Brad Hoylman, Mary Johnson, Zella Jones, Renee Kaufman, Susan Kent, Arthur Kriemelman, Evan Lederman, Raymond Lee, Edward Ma, Ke-Wei Ma, Jason Mansfield, Lois Rakoff, David Reck, Robert Riccobono, Rocio Sanz, Maury Schott, Arthur Z. Schwartz, Shirley Secunda, Shirley H. Smith, Richard Stewart, Elaine Young

**BOARD MEMBERS EXCUSED:** Makrand Bhoot, Harriet Fields, Edward Gold, Jane McCarthy, Judy Paul, Erin Roeder, Wendy Schlazer, James Solomon, Carol Yankay, Jin Ren Zhang

**BOARD MEMBERS ABSENT:** Lisa Cannistracci, David Gruber, Sean Sweeney, Annie Washburn

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

**GUESTS:** Congressman Jerrold Nadler's office; Crystal Gold-Pond, Senator Tom Duane's office; Mary Cooley, Sen. Daniel Squadron's office; Lolita Jackson, Mayor Michael Bloomberg's office; Sandy Myers, Man. Borough President Scott Stringer's office; Lisa Parson, 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, Council Member Alan Gerson's office; Kate Mikuliak, Council Member Rosie Mendez's office; Caspar Luard, Tom Kowal, Ken Lill, Ekow N. Yahkay, Jayesh Hasihosan, Sebastian Bilitzu, Theodore Goodman, Vikram Awasthi, Terri Cude, Lucille DeVito, Joan Engel, Mike DeBellis, John Rappaport, Linda Myers, Jay Tall, Peter Voletsky, Barbara Resnicow, Honi Klein, Bethany Bernard, Claudia Seymour

### MEETING SUMMARY

Meeting Date –December 17, 2009

Board Members Present – 35

Board Members Excused–

Board Members Absent

## **I. SUMMARY AND INDEX**

ATTENDANCE	1
MEETING SUMMARY	1
SUMMARY AND INDEX	2
PUBLIC SESSION	2
ADOPTION OF AGENDA	3
ELECTED OFFICIALS' REPORTS	3
ADOPTION OF MINUTES	3
EXECUTIVE SESSION	3
STANDING COMMITTEE REPORTS	4
CHINATOWN WORKING GROUP	4
ENVIRONMENT, PUBLIC SAFETY & PUBLIC HEALTH	4
LANDMARKS AND PUBLIC AESTHETICS	5
PARKS & OPEN SPACE	8
SIDEWALKS, PUBLIC FACILITIES AND ACCESS	10
SLA LICENSING	15
STREET ACTIVITY & FILM PERMITS	24
ST. VINCENT'S HOSPITAL OMNIBUS	28
TRAFFIC AND TRANSPORTATION	33
NEW BUSINESS	34
ROLL CALL	35

## **II. PUBLIC SESSION**

### **Non-Agenda Items**

#### Vending Issues

Lolita Jackson, from the Mayor's Community Affairs Unit, spoke regarding vending issues in the city and the initiatives that have been taken to alleviate the problems.

#### McBurney YMCA

John Rappaport updated everyone on the YMCA's programs and events.

#### Salmagundi Club

Claudia Seymour updated everyone regarding the Salmagundi Club's social and art activities.

### **SLA Licensing Items**

#### Oliver Todd, LLC, 25 Great Jones St., NYC 10012-(hotel)

Barbara Resnicow, representing the applicant, and Peter Voletsky were in favor of the proposed liquor license. Jay Tall did not speak but was in favor of the application.

Zella Jones spoke in favor of the resolution.

#### Marie Arun Teas, Inc., 10 Morton St., NYC

Lucille DeVito spoke against the proposed beer and wine license application.

#### Mika Food, LLC, d/b/a Bala Boosda, 214 Mulberry St., NYC

Joan Engel spoke against the proposed beer and wine license.

## **Street Activity & Film Permit**

4/18/10-Delta Phi Fraternity, West 4<sup>th</sup> St. bet. Lafayette St. & Washington Square East  
Jay Tall, Vikram Awasthi, and Theodore Goodman, the applicants, spoke in favor of the annual street event.

4/2-12/24/10-St. Joseph Church, (multi-day), 6<sup>th</sup> Ave. bet Washington Pl. & Waverly Pl.  
Linda Myers spoke against the proposed flea market. Honi Klein spoke in favor of the amended resolution.

### **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;

Sandy Myers, Man. Borough President Scott Stringer's office

Lisa Parson, Assembly Member Deborah Glick's office

Noah Isaacs, of Council Speaker Christine Quinn's office

Council Member Alan Gerson

Paul Nagle, Council Member Alan Gerson's office.

Kate Mikuliak, Council Member Rosie Mendez's office,

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

Adoption of October minutes.

### **VI. EXECUTIVE SESSION**

1.**Chair's Report** Jo Hamilton reported

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

#### **3.Nominations for Treasurer:**

The Chair requested nominations for the office of Treasurer from the floor. Erin Roeder was nominated and she indicated acceptance. No other accepted nominations were made. Nominations were then closed.

## **STANDING COMMITTEE REPORTS**

### **CHINATOWN WORKING GROUP**

#### **197-A Plan**

**Whereas**, the Chinatown Working Group (CWG) adopted a 197-a Plan, at their December 7, 2009 meeting, and

**Whereas**, 28 voting members were in favor, and three abstained out of a total voting roster of 43 members, and

**Whereas**, the CWG adopted a 197-a Plan, as compared to, say, a 197-c Plan, preferring a broader community-based planning strategy that goes beyond zoning, and

**Whereas**, adoption of a recognized plan format is necessary to move forward on this initiative, and

**Whereas**, a 197a Plan will come to Community Board for standard ULURP approvals, and

**Whereas**, Community Board #1 has already endorsed the proposed planning process, and CB#3 will bring the endorsement before their Board for approval at their December meeting, and

**Whereas**, in preparing its 197-a Plan, CWG will host a Town Hall on February 1, 2010, 7pm at PS 130 Hernando de Soto, 143 Baxter Street focusing on community concerns ranging from Affordability, Job Development and Education to Transportation and Zoning. It will be conducted in smaller “charrette” groups, honing in on specific topic of interest. Bilingual translation will be made available. As with all CWG meetings, everyone is welcome to attend.

**Therefore Be It Resolved** that CB#2, Man. endorses a 197-A planning process for the continuance of the work of the Chinatown Working Group.

Vote: Unanimous, with 35 Board members in favor.

### **ENVIRONMENT, PUBLIC SAFETY & PUBLIC HEALTH**

#### **NYC Department of Education outreach to parents of WTC-exposed public school students, to provide them with information about new WTC Pediatric Health Resources**

**Whereas**, The World Trade Center Environmental Health Center came to our meeting and presented information on their Pediatric Program. The Program is dedicated to the assessment and treatment of WTC-related conditions in children and adolescents. Children who lived or attended school in lower Manhattan or areas of Brooklyn, who had family members with direct 9/11 exposure, or whose mothers were pregnant during 9/11 and had direct 9/11 exposure are all eligible.

**Whereas**, New York City Department of Health and Mental Hygiene (NYC DOHMH) has released its Clinical Guidelines for Children and Adolescents Exposed to the World Trade Center Disaster (City Health Information – CHI, July 2009), the first official public health guidance on the pediatric environmental and mental health effects from 9/11, and

**Whereas,** The CHI provides both parents and pediatricians with critical information about children’s special susceptibility to harm from exposure to WTC environmental contaminants and WTC-related physical and mental health impacts to children and in addition, explains how to access specialized care at the WTC Environmental Health Center’s (EHC) Pediatric Program at Bellevue, a resource established by Mayor Michael Bloomberg in recognition of the unmet health needs of WTC-affected children and adolescents, and

**Whereas,** The NYC Department of Education (DOE) has sole access to past public school student directories with contact information for all parents whose children attended schools in Lower Manhattan from Fall 2001 through Summer 2003 (when the residential cleanup by the U.S. Environmental Protection Agency concluded), and

**Whereas,** this contact information is necessary to reaching families whose children may be experiencing health affects from 9/11 and are eligible for treatment in this uniquely qualified WTC EHC Pediatric Program

**THEREFORE BE IT RESOLVED** that we strongly urge the NYC DOE to urgently coordinate outreach with the DOHMH and the WTC EHC to ensure that a letter is sent to parents of children affected by 9/11 notifying them of the services available at the WTC EHC.

Vote: Unanimous, with 35 Board members in favor

## **LANDMARKS AND PUBLIC AESTHETICS**

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

**Item 1 - 648 Broadway (Bleecker/Bond, east side) –** NoHo Historic District. A Renaissance Revival style store and loft building, designed by Cleverdon & Putzel, and built in 1891-92, with two upper stories designed by Robert T. Lyons, added in 1898. **Application is to install new storefront infill.**

**Whereas,** the restoration and renovation are commendable; and

**Whereas,** the repositioning of the door does not detract from the building or the district; and

**Whereas,** the materials are appropriate; but

**Whereas,** there was a question regarding the six-foot door handles, which is not a traditional dimension; however, the committee agreed it was *de minimus*; now

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

Vote: Unanimous, with 35 Board members in favor.

**Item 2 - 323-325 Bleecker Street (Christopher/Grove, east side)–** Greenwich Village H.D. A neo-Renaissance style apartment building designed by George F. Pelham and built in 1902. **Application is to legalize the installation of storefront infill without Landmarks Preservation Commission permits and to replace the cornice removed without LPC permits.**

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

**Whereas**, we appreciate especially the proposed 24” storefront bulkhead, which is a traditional height;  
now

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

Vote: Unanimous, with 35 Board members in favor.

**Item 3 - 49-531/2 Grove Street, aka 317-321 Bleecker Street-** Greenwich Village H.D. Two six-story buildings designed by Herter Brothers and built in 1889. **Application is to replace a storefront.**

**Whereas**, we appreciate the retractable awning and tasteful signage, although we note that the LED recessed lighting is not historic; and

**Whereas**, we realize that this is a ‘modern’ storefront and not in the style of a building of this vintage, but it does not detract from the building or the district; and, further,

**Whereas**, we appreciate that the applicant is not proposing the terribly inappropriate French doors that we see so often proposed for restaurants here, but instead utilizes a more traditional style: namely, windows that can open inward, which will serve the function of the restaurant, while still respecting the facade;  
now

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

Vote: Unanimous, with 35 Board members in favor.

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

**Item 1-827 Washington Street** (Gansevoort Market Historic District) A neo-Grec style market building designed by Joseph M. Dunn, built in 1880, and altered in 1940. Application is to install signage and lighting.

**Whereas**, applicant is seeking permission to hang a sign on the canopy outside its boutique store; and

**Whereas**, the proposed dimensions are 12 inches in height, 54 inches in width, and 3 inches in thickness and seem to be within the parameters of signs of other stores along that block of Washington Street

**Whereas**, the applicant seeks to use black acrylic for the sign material; and

**Whereas**, the applicant seeks to illuminate the sign with small spotlights mounted on the sides of the canopy girders; and

**Whereas**, the applicant currently has only a small sign painted on the glass door to the store; and

**Whereas**, the applicant will not drill into the building’s pilasters; and

**Whereas**, the sign seems unobtrusive; now

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

Vote: Unanimous, with 35 Board members in favor.

**Item 2 - 22 Jane Street** (Greenwich Village Historic District). A Romanesque-Revival style stable designed by Charles H. Demarest and constructed in 1868. Application is to reconstruct the front facade.

**Whereas**, the applicant renovated the property in 1996; and

**Whereas**, more recently, the applicant obtained permission from LPC to renovate the building to its original design in line with a 1941 tax photo; and

**Whereas**, according to the applicant, during the renovation work the upper portion of the building became structurally unsound due to water damage and the applicant obtained permission to remove the upper portion of the building; and

**Whereas**, the applicant believes it must build the entire façade of the building with new proposed brick material and

**Whereas**, the cornice of the building remains intact; and

**Whereas**, the applicant represented that it obtained permission from LPC staff to rebuild most of the building with the new proposed brick; and

**Whereas**, the proposed brick material and texture are irregular, seem wrong for the aesthetics, and would create the wrong lines for the building; and

**Whereas**, the presentation was confusing and did not clarify what permission the applicant had obtained from LPC regarding the proposed brick; now

**Therefore, be it resolved** that CB#2, Man. recommends approval of the application to use the proposed brick on the upper portion of the building only if the applicant obtained permission from LPC to use the proposed brick on the lower portion of the building, given the design issues noted above, including the protruding lip of the brick design.

Vote: Unanimous, with 35 Board members in favor.

**Item 3- 86 Bedford Street (Greenwich Village Historic District)**. A house and stable built in 1831 and altered in the 20<sup>th</sup> century. Application is to reconstruct and raise the height of the rear portion of the building.

**Whereas**, the front portion of the building has been occupied by the legendary Chumley's bar; and

**Whereas**, the building suffered structural problems and the applicant has made efforts to preserve the character of the building while ameliorating the structural issues; and

**Whereas**, the applicant had previously obtained a permit from the Department of Buildings to demolish the rear portion of the building; and

**Whereas**, the second floor of the building does not have enough head space for residential use and

**Whereas**, the proposal would entail raising the roof and ceiling by two feet and finishing the courtyard wall with two feet of stucco, which is only visible from the street if the courtyard gate is open, and even then is practically not visible; and

**Whereas**, the second floor was an addition, the building has deteriorated over time and the applicant seems to have taken serious steps to preserve what is capable of being preserved; now

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

Vote: Unanimous, with 35 Board members in favor.

### **PARKS, RECREATION & OPEN SPACE**

**NYU Application for Tree Removals. A resolution requesting that the Parks Department deny the request to remove six trees on Thompson Street in connection with underground pipe installation and construction of the Interfaith Center.**

**Whereas**, New York University (NYU) has applied to the Parks Department to remove six trees from the east side of Thompson Street between Washington Square South and West 3<sup>rd</sup> Street; and

**Whereas**, representatives of NYU appeared before the committee to explain why they are requesting removal of the trees; and

**Whereas**, at the request of the Parks Department NYU proposes to transplant four of the six trees in other locations and they would prefer locations within CB#2, Man.; and

**Whereas**, NYU proposes removal of the three trees on the north end of the block to accommodate construction of a vault and shoring structure required to install hot water pipes on publicly owned land under the sidewalks; and

**Whereas**, these pipes, which provide heat to several NYU buildings, previously passed through the basement of the Catholic center and could have been installed within the basement of the new Interfaith Center; and

**Whereas**, NYU proposes to remove the three trees from the south end of the block to protect them from possible damage during construction of the Interfaith Center; and

**Whereas**, underground construction always poses some risk to nearby trees but also understands that transplanting mature trees may also pose an equal or greater risk to the trees; and

**Whereas**, these trees have a good chance of survival if work on building foundations is performed with care and in accordance with a professionally developed and supervised plan; and

**Whereas**, NYU stated the removal of the trees for the installation of the hot water pipes is urgent so that the temporary heat source located in a trailer on Washington Square South can be removed and the pipes restored to service prior to the onset of winter; and

**Whereas**, NYU stated that the removal of the trees to be transplanted is urgent because the planting season would end in mid-December and after that the trees could not be saved; and

**Whereas**, the recommendations from the Parks Department to transplant trees were based on a decision by NYU to install the pipes under the trees; and

**Whereas**, the Parks Department recommendation was reasonable given construction plans presented to them; and



**Whereas**, NYU stated they plan to plant five new trees on this street when construction is complete in 2012; and

**Whereas**, these six trees are mature and healthy and mirror trees of similar size and maturity on the other side of Thompson Street; and

**Whereas**, the special streetscape provided by the healthy and mature trees of the same size on both sides of the street cannot be reproduced by planting young trees in 2012; and

**Whereas**, the special beauty of this block has particular importance because of its association with Washington Square Park and Judson Memorial Church; and

**Whereas**, these trees can be saved with different pipe routing and careful construction of the new building; and

**Whereas**, there is ample space between the foundation and the trees to operate pile drilling equipment and tree limbs can be temporarily tied back for protection if needed; and

*Whereas*, NYU did not advise CB#2, Man. of its intent to remove these trees until required to do so as part of the Parks Departments application process; and

**Whereas**, any urgency with respect to removal of the trees was created by failure to advise CB#2, Man. promptly and delays in getting information to CB#2, Man. after a request was made; and

**Whereas**, after CB#2, Man. expressed preference for saving these trees and before Parks Department approval of the removals, the contractor proceeded to excavate immediately adjacent to the trees, damaging their roots and endangering their health and stability; and

**Whereas**, NYU representatives did not present any alternatives to the proposed pipe locations and did not give a reasonable explanation of why alternatives would not work; and

**Whereas**, CB#2, Man. believes every effort to save these trees in their current location is worthwhile and that NYU has not yet demonstrated a commitment to such effort; and

**Whereas** there was no apparent effort made during building design and pipe routing to save these trees; and

**Whereas** the urgency of the pipe work cannot be considered a reason to proceed without making every effort to avoid destruction of this special streetscape; any urgency now was caused by a failure to bring this important proposed change to the streetscape to CB#2, Man. in a timely manner; and in any case an alternate plan that protects the trees can be developed and implemented in a timely manner;

**Therefore it is resolved** that CB#2, Man. urges the Parks Department to deny this request; and

**Be it further resolved** that CB#2, Man. urges NYU route the pipes through the basement of the new building; and

**Be it further resolved** that CB#2, Man. urges NYU to implement construction procedures as required to perform the foundation work with minimum risk to the trees; and

**Be it further resolved** that CB#2, Man. urges NYU to survey all its properties within CB-2 to develop a plan for protection of existing trees and planting as many new trees as possible in coming years; and

**Be it further resolved** that CB#2, Man. urges NYU to make every effort to save trees in the course of construction projects, including all projects associated with distribution of hot water from the co-generation plant; and

**Be it further resolved** that CB#2, Man. asks the Community Task Force on NYU Development to pay attention to the importance of street trees to quality of life and the urban environment, and to consider the need for a plan for distribution piping associated with the co-generation plant; and

**Be it further resolved** that CB#2, Man. requests that NYU agree to give ample notice to CB#2, Man. for committee and full board review if and whenever an application is made to the Parks Department for removal of trees; and

**Be it further resolved** that CB#2, Man. expresses appreciation for the efforts of the Parks Department to save the trees and specifically for requesting review of this application by CB#2, Man.

Vote: Unanimous, with 35 Board members in favor.

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

#### **\*Renewal App. for revocable consent to operate an unenclosed sidewalk cafe for:**

1. **Florios Enterprises, Inc. 192 Grand St., betw Mulberry and Mott Sts., Block: 471, Lot: 57, Police Precinct: 5, with 7 tables & 20 seats, DCA# 0890546.**

**Whereas**, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant's representative, Frank Ginsalata, was present at this hearing; and,

**Whereas**, this lot has frontage of **24.75** feet on Grand St. and is one building of 3.75 stories, built in 1901 (est), with 3 residential units of a total 4 units in an area of Mixed Residential and Commercial Buildings; Zoning C6-2G, Zoning Map# 12C and,

**Whereas**, this Committee has noted that the eastern most table overlaps the building to the east and there is a menu board that is outside the sidewalk café area, and

**Whereas**, the applicant's representative has agreed to remove the table which is used for smokers and replace it with a bench suitably placed at the property line, **and**,

**Whereas**, the menu board incorrectly placed last month is correctly placed this month,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for **Florios Enterprises, Inc. 192 Grand St., betw Mulberry and Mott Sts., Block: 471, Lot: 57, Police Precinct: 5, with 7 tables & 20 seats, DCA# 0890546.**

Vote: Unanimous, with 35 Board members in favor.

**2. Angelo of Mulberry Street Inc. 146 Mulberry St., Block: 237, Lot:11, Police Precinct:5 betw Grand & Hester Sts., with 3 tables & 10 seats, DCA# 0964932**

**Whereas**, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant, Joseph Scandurra, was present at this hearing; and,

**Whereas**, this lot has frontage of 36 feet and depth of 100 feet and with one building of six stories, built in 1900 (est), with 35 residential units of a total 40 units in an area of Mixed Residential and Commercial Buildings; Zoning C6-2G, Little Italy Special District, Zoning Map# 12C and,

**Whereas**, at the last renewal period in 2007 there were conflicts between the sidewalk plan and a winter door enclosure, that have been well resolved, and,

**Whereas**, there are no community complaints regarding the operation of this sidewalk café,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for **Angelo of Mulberry Street Inc. 146 Mulberry St., Block: 237, Lot: 11, Police Precinct:5 betw Grand & Hester Sts., with 3 tables & 10 seats, DCA# 0964932.**

Vote: Unanimous, with 35 Board members in favor.

**3. Claudisal Rest. Corp. d/b/a Da'Massimo & Caffè Rellini, 206 Thompson St., Block: 537, Lot: 37; Police Precinct: 6, betw Bleecker & West 3<sup>rd</sup> Sts., with 9 tables & 18 seats, DCA# 1187924**  
*Hold Over to January*

**4. Two Bacalhaus, Inc. d/b/a Pao, 322 Spring St., Manhattan, Block:595, Lot:73, Police Precinct:1, betw Washington St. & Greenwich St.with 16 tables & 32 seats, DCA# 0957079**

**Whereas**, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant was not present at this hearing; and,

**Whereas**, this lot has frontage of 18.75 feet and depth of 40.33 feet and with one building of four stories, built in 1900 (est), with three residential units of a total four units in an area of Mixed Residential and Commercial Buildings; Zoning C6-2A, Zoning Map# 12A and,

**Whereas**, it is the practice of this committee to deny any application that does not provide a representative to our hearing, but we are aware that this café may be an asset to this community,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends DENIAL, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for **Two Bacalhaus, Inc. d/b/a Pao, 322 Spring St., Manhattan, Block:595, Lot:73, Police Precinct:1, betw Washington St. & Greenwich St.with 16 tables & 32 seats, DCA# 0957079, UNLESS the applicant agrees to appear before this committee in January.**

Vote: Unanimous, with 35 Board members in favor.

**5. Salsa Salon, Inc., 47 East 12<sup>th</sup> St., Manhattan, Block: 564, Lot:19, Police Precinct: 6 Betw University and Broadway, with 3 tables & 6 seats, DCA# 1252203**

**Whereas**, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant, Patty Thomson, was present at this hearing; and,

**Whereas**, this lot has frontage of **37.5** feet and depth of 116.75 feet and with two buildings of four stories, built in 1910 (est), with 0 residential units of a total 10 units in an area of Industrial and Manufacturing Uses; Zoning C6-1, Zoning Map# 12C and,

**Whereas, the only existing complaint is in regard to a banner not associated with the sidewalk café and which as far as this Committee has discovered is not in violation of a statute,**

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for **Salsa Salon, Inc., 47 East 12<sup>th</sup> St., Manhattan, Block: 564, Lot: 19, Police Precinct: 6 Betw University and Broadway, with 3 tables & 6 seats, DCA# 1252203.**

Vote: Unanimous, with 35 Board members in favor.

**6. Caliente Tequila Grill, LLC, Caliente Grill, 282-284 Bleecker St., Manhattan Block:587, Lots: 21 and 24, Police Precinct: 6 @ 7<sup>th</sup> Ave. So., with 10 tables & 30 seats, DCA# 1103058**

**Whereas**, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant, Howard Berke, was present at this hearing; and,

**Whereas**, the lot for this sidewalk café which is one of three belonging to this applicant, has frontage on Bleecker of **47** feet and depth on Seventh Ave. So of 72.92 feet and with one building of 2.5 stories, built in 1925 (est), with 8 residential units of a total 9 units in an area of Multi-Family Walk-Up Buildings; Zoning C2-6, Zoning Map# 12A and,

**Whereas**, there are no community complaints and the sidewalk plan has been observed, and

**Whereas**, there is a serving and waste station inside the sidewalk plan that should not be present, but the owner has promised to remove it, and

**Whereas**, the City of New York has recently installed a large Muni Meter on the sidewalk at the edge of this sidewalk café which we believe should be moved because it leaves 6' pedestrian right-of-way, and

**Whereas**, CB#2, Man. has made inquiries of DCA regarding dispensation of this situation without prejudice for this applicant,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for **Caliente Tequila Grill, LLC, Caliente Grill, 282-284 Bleecker St., Manhattan Block:587, Lots: 21 and 24, Police Precinct: 6 @ 7<sup>th</sup> Ave. So.,with 10 tables & 30 seats, DCA# 1103058.**

Vote: Unanimous, with 35 Board members in favor.

7. **Cavallacci, Fabrizio, d/b/a Café Reggio, 119 Macdougall St.,** Manhattan Block: 543, Lot: 21, Police Precinct: 6, **betw. Bleecker and West 3<sup>rd</sup> Sts., with 4 tables & 8 seats, DCA# 0782318**

**Whereas,** the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant's representative, Tobia Buggiani, was present at this hearing; and,

**Whereas,** this lot has frontage of **25** feet and depth of 100 feet and with one buildings of seven stories, built in 1900 (est), with 24 residential units of a total 29 units in an area of Mixed Residential and Commercial Buildings; ZoningR7-2, with Commercial Overlay: C1-5; Zoning Map# 12A and,

**Whereas,** at the last renewal in 2007 there were numerous violations, among them three extra tables and five seats, a gated and locked exit, no DCA signage and violation of the 8'pedestrian right of way, and

**Whereas,** this Committee observed that there is one extra table, one extra seat and no DCA sign but all other conditions have been corrected, and

**Whereas,** Mr. Buggiani represents the Café is under new management and will remove the extra table and install the DCA sign in the window,

**THEREFORE, BE IT RESOLVED,** that CB#2, Man. recommends APPROVAL, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for **Cavallacci, Fabrizio, d/b/a Café Reggio, 119 Macdougall St.,** Manhattan Block: 543, Lot: 21, Police Precinct: 6, **betw. Bleecker and West 3<sup>rd</sup> Sts., with 4 tables & 8 seats, DCA# 0782318**

**Therefore be it further resolved** that Mr. Buggiani be mailed a copy of this resolution to remind him of his promise to remove the 5<sup>th</sup> table and 9<sup>th</sup> seat and install the DCA sign.

Vote: Unanimous, with 35 Board members in favor.

8. **Twelfth Street Corp., d/b/a Village Den, 225 West 12<sup>th</sup> St. Manhattan** Block: 617, Lot: 21, Police Precinct: 6, **@ Greenwich St., with 7 tables & 14 seats, DCA# 1035310**

**Whereas,** the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant's representative, K. Danalis, was present at this hearing; and,

**Whereas,** this lot has frontage of **102.17** feet and depth of 103.25 feet and with one buildings of seven stories, built in 1930 (est), with 50 residential units of a total 53 units in an area of Mixed Residential and Commercial Buildings; Zoning C1-6; Zoning Map# 8B and,

**Whereas,** at the last renewal in 2007 there were numerous violations of the sidewalk plan including planters, fixed barriers, insufficient clearance from street furniture, and a Change Order was issued, and

**Whereas,** this Committee has noted that the sidewalk plan is now perfectly maintained,

**THEREFORE, BE IT RESOLVED,** that CB#2, Man. recommends APPROVAL, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for **Twelfth Street Corp., d/b/a Village Den, 225 West 12<sup>th</sup> St. Manhattan** Block: 617, Lot: 21, Police Precinct: 6, **@ Greenwich St., with 7 tables & 14 seats, DCA# 1035310**

Vote: Unanimous, with 35 Board members in favor.

9. BLL Restaurant Corp., d/b/a Porto Bello Rest., 208 Thompson St. betw Bleecker and West 3<sup>rd</sup> Sts., with 2 tables & 5 seats, DCA# 0924708 - Hold over to Jan
10. Eli-Lilla, Inc. d/b/a Café Roma, 385 Broome St. @ Mulberry, with 8 tables & 16 seats, DCA# 0959350 **Hold Over to January**
11. IL Commandatore Rest., d/b/a Casa Bella Rest. 127 Mulberry St. @ Hester St. with 11 tables & 21 seats DCA# 1189682 **Hold Over to January**
12. The Original Vincent's, Established 1904, Inc., 119 Mott St. @ Hester with 9 tables & 18 seats, DCA# 1139678 **Hold Over to January**
13. MRG Restaurant Corp. d/b/a Positano, 122 Mulberry St. betw Hester & Canal Sts., with 3 tables & 6 seats, DCA# 1135770 **Hold Over to January**
14. **NoHo Star Inc. d/b/a 330 Lafayette St. Manhattan Block: 522, Lot:7501, Police Precinct:9 @ Bleecker St. with 16 tables & 32 seats, DCA# 0931822**

**Whereas**, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant's representative, Julia Lisowski, was present at this hearing; and,

**Whereas**, this lot has frontage of **43.08** feet and depth of 116.08 feet **on the Lafayette side** with one building of eight stories, built in 1910, with 11 residential units of a total 13 units in an area of Mixed Residential and Commercial Buildings; Zoning M1-5B, Landmarked; Zoning Map# 12C and,

**Whereas**, this could be the oldest continuously running sidewalk café on Lafayette St., and has been an asset to the neighborhood, and

**Whereas**, this sidewalk café strictly adheres to all regulations,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for **NoHo Star Inc. d/b/a 330 Lafayette St. Manhattan Block:522, Lot:7501, Police Precinct:9 @ Bleecker St. with 16 tables & 32 seats, DCA# 0931822**

Vote: Unanimous, with 35 Board members in favor.

15. **DoJo Restaurant Inc. d/b/a DoJo West, 14 West 4<sup>th</sup> St. Manhattan Block:535, Lot:7501, Police Precinct:6 @ Mercer St., with 6 tables & 22 seats, DCA# 090588**

**Whereas**, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant's representative, Bannarat Muttanaro, was present at this hearing; and,

**Whereas**, this lot has frontage of **209** feet and depth of 200 feet with one building of 12 stories, built in 1908, with 274 residential units of a total 275 units in an area of Mixed Residential and Commercial Buildings; ZoningC6-2, Zoning Map# 12C and,

**Whereas**, there are no complaints and the sidewalk café adheres to the plan,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for DoJo **Restaurant Inc. d/b/a DoJo West, 14 West 4<sup>th</sup> St. Manhattan Block:535, Lot:7501, Police Precinct:6 @ Mercer St., with 6 tables & 22 seats, DCA# 090588**

Vote: Unanimous, with 35 Board members in favor.

**Pee Wee & Tyson, Ltd, 242 Mott St., betw Houston and Prince Sts, d/b/a Gitane, Manhattan Block:508, Lot:53, Police Precinct:5, with 4 tables & 8 seats, DCA# 1011960**

**Whereas**, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant, Luc Levy, was present at this hearing; and,

**Whereas**, this lot has frontage of **27.83** feet and depth of 79.17 feet with one building of six stories, built in 1910 (est), with 16 residential units of a total 19 units in an area of Mixed Residential and Commercial Buildings; Zoning C6-2, Zoning Map# 12C and,

**Whereas**, there are no community complaints and this Café has fit itself well into the neighborhood,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for Pee Wee & Tyson, Ltd, 242 Mott St., betw Houston and Prince Sts, d/b/a Gitane, Manhattan Block:508, Lot:53, Police Precinct:5, with 4 tables & 8 seats, DCA# 1011960

Vote: Unanimous, with 35 Board members in favor.

## **SLA LICENSING**

### **1. Inter 64 Corp. d/b/a Cinq A Sept, 48 MacDougal St., NYC 10012**

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

**Whereas**, this application is for a new On Premise license in a mixed use building on MacDougal Street between 6<sup>th</sup> Avenue and King St for a 1,900 s.f. bar/restaurant with 17 tables and 50 seats, 1 bar with 10 seats, and a maximum legal capacity of 60 persons; and,

**Whereas**, the applicant stated the hours of operation are 12:00 p.m. – 1:00 a.m. Sunday - Wednesday, 12:00 p.m. – 2:00 a.m. Thursday - Saturday; there will not be a sidewalk café application and no backyard garden; music is background only; and,

**Whereas**, the applicant has no Letter of No Objection but will provide a Letter of No Objection; and,

**Whereas**, the applicant has reached out to members of community prior to submitting this application; and,

**Whereas**, the applicant has submitted a petition with signatures supporting the proposed establishment; and,

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of an On Premise license for **Inter 64 Corp. d/b/a Cinq A Sept**, 48 Macdougall St., NYC.

Vote: Unanimous, with 35 Board members in favor.

**2. Sbafo N.Y.C., LLC d/b/a Sabafo, 581 Hudson St., NYC 10014**

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

**Whereas**, this application is for an On Premise license in a mixed use building on Hudson Street between West 11<sup>th</sup> and Bank Street for a 650 s.f. restaurant with 14 tables and 24 seats and 1 bar with 7 seats, and a maximum legal capacity of 50 persons; and,

**Whereas**, the applicant stated the hours of operation for the establishment are 12 noon – 1:00 a.m. Sunday –Thursday and 12 noon – 2:00 a.m. Friday and Saturday; there will be a sidewalk café application but no backyard garden; music will be background only; and,

**Whereas**, the applicant has agreed to provide menu and food items up until 1 hour prior to closing; and,

**Whereas**, the applicant will not sell or serve pizza by the slice; and,

**Whereas**, there has been no community outreach in a very saturated neighborhood; and,

**Whereas**, the applicant is planning to put in French Doors (based on approval from landmarks if required) which they have agreed to close at 9p.m.; and,

**Whereas**, there is great concern that the kitchen is insufficient to support the menu the applicant presented; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial to the proposed On Premise license for **Sbafo N.Y.C., LLC d/b/a Sabafo, 581 Hudson St., NYC 10014**

Vote: Unanimous, with 35 Board members in favor.

**3. 315 Third Floor Corp. d/b/a 8 St. Kitchen, 16-22 W. 8<sup>th</sup> St., NYC 10011**

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

**Whereas**, this application is for an On Premise license for a restaurant in a 1,800 s.f. premise on West 8<sup>th</sup> Street between 5<sup>th</sup> Avenue and MacDougal Street with 8 tables and 60 seats, 1 bar and 8 bar seats and a maximum legal capacity of 70 persons; and,

**Whereas**, the applicant stated the hours of operation will be 11:00 a.m. to 2:00 a.m. Sunday - Saturday; there will be no sidewalk café application and no backyard garden; music will be live and background only; and,

**Whereas**, the applicant has existed with a beer and wine license and shown to be an asset to the neighborhood; and,

**Whereas**, the applicant has agreed to provide menu and food items up until 1 hour prior to closing; and,



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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval to the proposed On Premise license for **315 Third Floor Corp. d/b/a 8 St. Kitchen, 16-22 W. 8<sup>th</sup> St., NYC 10011**

Vote: Unanimous, with 35 Board members in favor.

**4. Sark Holdings, LLC d/b/a The Duke, 118 Greenwich Ave., NYC 10011**

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

**Whereas**, this application is for an On Premise license in a mixed use building on Greenwich Avenue between 7<sup>th</sup> and 8<sup>th</sup> Avenue for a 1,300 s.f. restaurant with 27 tables and 86 seats, 1 bar with 10 seats, and a maximum legal capacity of 110 persons; and,

**Whereas**, the applicant stated the hours of operation are 11:00 a.m. – 2:00 a.m. seven days a week; there is no sidewalk café and no backyard garden application at this time; music is background only; and,

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

**Whereas**, the applicant has agreed to provide menu and food items up until 1 hour prior to closing; and,

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of an On Premise license for **Sark Holdings, LLC d/b/a The Duke, 118 Greenwich Ave., NYC 10011** unless all conditions agreed to by applicant and are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 35 Board members in favor.

**5. Red Lion, LLC, 151-153 Bleecker St., NYC 10012**

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

**Whereas**, this application is for a transfer of an existing On Premise license for a restaurant located in a 2,500 s.f. premise in a mixed use building on the corner of Thompson and Bleecker Street with 25 tables and 87 seats with 1 bar with 17 seats; and a maximum legal capacity of 176 persons; and,

**Whereas**, the applicant stated the hours are 11a.m. – 4 a.m. seven days a week; there will be a sidewalk café but no backyard garden; music is background only; and,

**Whereas**, this is simply the adding of a new principle member to the ownership of this company; and,

**Whereas**, the applicant has agreed to supply an updated Certificate of Occupancy and Public Assembly Permit; and,

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval to the proposed transfer of an On Premise license for **Red Lion, LLC, 151-153 Bleecker St., NYC.**

Vote: Unanimous, with 35 Board members in favor.

**6. Glenda McGovern or entity to be formed, 102 MacDougal St., NYC 10012**

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

**Whereas**, this application is for an transfer of an existing On Premise license for a restaurant/bar located in a mixed use building located on MacDougal Street between Bleecker and West 3<sup>rd</sup> Street with 8 tables and 24 seats and 1 bar with 12 seats; a maximum legal capacity of 75 persons; and,

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

**Whereas**, the neighborhood association known as BAMRA is in full support of this applicant; and,

**Whereas**, this applicant must remove any furniture on the sidewalk because there is no sidewalk café license; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of the proposed transfer of the On Premise license for **Glenda McGovern or entity to be formed, 102 MacDougal St., NYC 10012** unless this applicant agrees to strictly adhere to the 5<sup>th</sup> Whereas stipulation in this resolution.

Vote: Unanimous, with 35 Board members in favor.

**7. 228 Bleecker, LLC, d/b/a Aria, 117 Perry St., NYC**

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

**Whereas**, this application is for an On Premise license in a mixed use building on Perry Street between Hudson and Greenwich Street for a 1,400 s.f. restaurant with 5 tables and 44 seats and 1 bar with 6 seats, and a maximum legal capacity of 68 persons; and,

**Whereas**, the applicant stated the hours of operation for the establishment are 11:00 a.m. – 12:00 a.m. Sunday –Thursday and 11:00 a.m. – 2:00 a.m. Friday and Saturday; there will be no sidewalk café application and no backyard garden; music will be background only; and,

**Whereas**, the applicant has agreed to provide menu and food items up until 1 hour prior to closing; and,

**Whereas**, the applicant will in incorporate sound proofing inside and appropriate kitchen venting; and,

**Whereas**, there has been no outreach to the neighborhood community; and,

**Whereas**, the committee was greatly concerned with communal tables creating noisy groups and large groups could be exiting the establishment creating disruption and noise in this quiet block; and,

**Whereas**, there are no other mid-block On Premise Licenses in this very residential neighborhood; and,

**Whereas**, we ask the SLA to review the 500 ft rule in considering this applicant; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial to the proposed On Premise license for **228 Bleecker, LLC, d/b/a Aria, 117 Perry St., NYC.**

**THE ABOVE RESOLUTION WAS REMOVED DUE TO THE APPLICANT'S WITHDRAWAL.**

**8. Frog Restaurant, Inc., d/b/a Frog, 71 Spring St., NYC**

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

**Whereas**, this application is for the alteration of an existing On Premise liquor license in a commercial building on Spring Street between Crosby and Lafayette Street for a 3,900 s.f. restaurant with 45 tables and 158 seats and 1 bar with 12 seats, and a maximum legal capacity according to their application of 175 persons; and,

**Whereas**, the applicant stated the hours of operation for the establishment are 10:00 a.m. – 2:00 a.m. Sunday –Thursday and 10:00 a.m. – 4:00 a.m. Friday and Saturday; there will be no sidewalk café application and no backyard garden; music will be background only; and,

**Whereas**, the applicant has requested to extend the hours of operation; and,

**Whereas**, the applicant has requested the following interior alterations:

- \* to remove the bar at the front
- \* reduce the current 15' bar to 11'
- \* remove cold room and liquor storage room for more dining seating
- \* adding accessible bathroom
- \* adding sprinklers
- \* adding sprinklers for kitchen
- \* move service bar to the back; and,

**Whereas**, the Certificate of Occupancy only states a maximum capacity of 123 persons; and,

**Whereas**, this applicant is not a principal owner in the business; and,

**Whereas**, this establishment has failed to follow the original methods of operation; and,

**Whereas**, this establishment had been operating beyond the original agreed hours of operation; and,

**Whereas**, this establishment has been operating and ADVERTISING as a Night Club (see attachments) not a restaurant; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial to the proposed alteration to the existing On Premise license for **Frog Restaurant, Inc., d/b/a Frog, 71 Spring St., NYC**; and,

**BE IT FURTHER RESOLVED** that should this applicant continue to proceed with the requested alterations that the Principle/Owner of this establishment need appear before this committee before doing so.

Vote: Unanimous, with 35 Board members in favor.

**9. Tacombi NYC LLC, d/b/a Tacombi NYC, 267 Elizabeth St**

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

**Whereas**, this application is for a beer and wine license in a commercial building on Elizabeth Street between Prince and East Houston Street for a 2,100 s.f. restaurant with 13 tables and 60 seats , and a maximum legal capacity of 64 persons; and

**Whereas**, the applicant stated the hours of operation for the establishment are 8:00 a.m. – 1:00 a.m. Sunday –Thursday and 8:00 a.m. – 2:00 a.m. Friday and Saturday; there will be no sidewalk café application and no backyard garden; music will be background only; and

**Whereas**, the applicant has agreed to provide menu and food items up until 1 hour prior to closing; and

**Whereas**, the applicant will close all doors and windows after 8 p.m.; and,

**Whereas**, there has been very little to no outreach to the neighborhood community; and,

**Whereas**, this applicant offers no asset to the neighboring community; and,

**Whereas**, there has never been a beer and wine License at this address before; and

**Whereas**, this is already an overly saturated area with more than 10 On Premise Licenses; and,

**Whereas**, we ask the SLA to review the 500 ft rule in considering this applicant; and,

**Whereas**, there is great concern by this committee that this applicant plans to involve celebrities and making this a destination location which will only add to the noise and traffic issues of a already overwhelmed neighborhood; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial to the proposed beer and wine license for **Tacombi NYC LLC, d/b/a Tacombi NYC, 267 Elizabeth St.**

Vote: Unanimous, with 35 Board members in favor.

#### **10. Marie Arun Teas, Inc., 10 Morton St., NYC**

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

**Whereas**, this application is for a Beer and Wine license in a mixed use building on Morton Street between 7<sup>th</sup> Avenue and Bleecker Street for a 1,000 s.f. restaurant with 8 tables and 20 seats , and a maximum legal capacity of 55 persons; and,

**Whereas**, the applicant stated the hours of operation for the establishment are 8:00 a.m. – 11:00 p.m. Sunday –Wednesday and 8:00 a.m. – 1:00 a.m. Thursday - Saturday; there will be no sidewalk café application but will be serving 12 additional seats in a backyard garden; music will be background and occasional live; and,

**Whereas**, this location has never had a Beer and Wine license; and,

**Whereas**, this applicant has had stop work orders from the DOB for contrary work; and,

**Whereas**, there is great concern regarding the permissibility of construction of this space and the existence of a Certificate of Occupancy; and,

**Whereas**, this applicant originally told the community that it was just a Tea House; and,

**Whereas**, this applicants backyard structure is encroaching on the safety of the neighboring buildings and apartments in the “Air Shaft”; and,

**Whereas**, the community appeared in great force with over 30 neighbors in protest to this applicant; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. strongly recommends denial of a Beer and Wine license to **Marie Arun Teas, Inc., 10 Morton St., NYC**

Vote: Unanimous, with 35 Board members in favor.

**11. Mika Food, LLC, d/b/a Bala Boosda, 214 Mulberry St., NYC 10012**

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

**Whereas**, this application is for a Beer and Wine license in a mixed use building on Mulberry Street between Prince and Spring Street for a 1,200 s.f. restaurant with 22 tables and 52 seats and 1 bar with 4 seats, and a maximum legal capacity of 56 persons; and,

**Whereas**, the applicant stated the hours of operation for the establishment are 11:00 a.m. – 12:00 a.m. seven days a week; there will be no sidewalk café application and no backyard garden; music will be background only; and,

**Whereas**, the applicant has agreed to provide menu and food items up until 1 hour prior to closing; and,

**Whereas**, the applicant will confirm that air conditioning units will have sound baffle and any noise levels from the units are within legal limits; and,

**Whereas**, there will be no use of any parts of the backyard by staff, no garbage will be stored there, and no use or access by customers; and,

**Whereas**, all the back windows will remain closed at all times including before and after hours of operation; and

**Whereas**, the applicant will not have any French Doors or French Windows facing the front or backyard; and,

**Whereas**, the applicant will provide all exhaust / ventilation systems to be extend to roof line and all noise levels remain within legal limits; and,

**Whereas**, the applicant has signed an agreement which includes all these stipulations with the community; and

**Whereas**, there is a petition against the applicant with 15 signatures; and,

**Whereas**, the address on this application has never had a liquor license of any kind prior; and,

**Whereas**, the community also request the name of the business is spelled **Balaboosta** at the applicant’s premise and should be so noted on his application to the SLA; and,

**Whereas**, we ask the SLA to review the 500 ft rule in considering this applicant; and,

**Whereas**, this committee would like to note that this applicant had come before this committee before and was denied a full On Premise License, but has come back for the Beer and Wine License with an agreement from the community; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of the proposed Beer and Wine license for **Mika Food, LLC, d/b/a Bala Boosda, 214 Mulberry St., NYC 10012** unless this applicant agrees to strictly adhere to all Whereas stipulation in this resolution.

Vote: Unanimous, with 35 Board members in favor.

**12. Oliver Todd, LLC, 25 Great Jones St., NYC 10012-(hotel)**

**Whereas**, the applicant has appeared before the committee several time beginning in July 2009; and,

**Whereas**, this is an application for a On Premise License with a restaurant capacity of 194 persons, a daytime Conference room for 36, and 44 hotel rooms with maximum capacity of 220 on Block 530, Lot 19 which Incorporates 25 Great Jones and 22 Bond Streets, in an M1-5B Zone which is Landmarked, and

**Whereas**, there were over 30 people from the surrounding NOHO community that attended this meeting many representing co-op and condominium buildings; and

**Whereas**, there has been outreach to more than 80 property owners in this neighborhood; and,

**Whereas**, this applicant has spent over 6 months negotiating with the NOHO Community; and,

**Whereas**, a legal stipulations document has been signed by the applicant, the community, and CB2 (see attached document) for the purpose of attachment to the Method of Operation of this license; and,

**Whereas**, there are still 7 community members who stated their objection to this application; and,

**Whereas**, we ask the SLA to review the 500 ft rule in considering this applicant since there are more than 20 OP licenses already extant within that area; and,

**Whereas**, the committee would like the SLA to note the outstanding work done by the NOHO community with a “Benchmark” legal agreement; and,

**Whereas**, this committee also urges D.O.T. and our own CB2 Traffic and Transportation Committee to review unresolved future issues regarding this application and its’ affects on Traffic and signage on Great Jones, Lafayette and Bond Streets;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of the proposed On Premise license for **Oliver Todd, LLC, 25 Great Jones St., NYC 10012-(hotel)** unless this applicant agrees to strictly adhere to all the stipulations stated within the signed legal document that has been attached to this resolution.

**THE ABOVE RESOLUTION WAS REVISED AND ADDITIONAL DOCUMENTS WERE ADDED. PLEASE SEE REVISED RESOLUTION BELOW, AS WELL AS THE ATTACHED MEMORANDUM OF UNDERSTANDING.**

**Oliver Todd, LLC, 25 Great Jones St., NYC 10012-(hotel)**

**Whereas**, the applicant has appeared before the committee several times beginning in July 2009; and,

**Whereas**, this is an application for a On Premise License with a restaurant capacity of 194 persons, a daytime Conference room for 36, and 44 hotel rooms with maximum capacity of 220 on Block 530, Lot 19 which Incorporates 25 Great Jones and 22 Bond Streets, in an M1-5B Zone which is Landmarked, and

**Whereas**, this applicant's capacity is broken down into the following 5 spaces:

1. The Tapas Restaurant with 715 s.f. with 8 tables and 32 seats  
with hours of operation from 6 a.m. to 2 a.m. 7 days a week.
2. The Todd English Restaurant (1st floor) with 1280 s.f. with 30 tables and 90 seats  
with hours of operation from 6a.m. to 12 a.m. Sun – Wed. and 6 a.m. to 2 a.m. Thurs – Sat.
3. The Todd English Restaurant (below grade) with 760 s.f. with 14 tables and 48 seats  
with hours of operation from 6a.m. to 12 a.m. Sun – Wed. and 6 a.m. to 2 a.m. Thurs – Sat.
4. The Bond Street Greenhouse Room with 575 s.f. with 7 tables and 24 seats  
with hours of operation from 6 a.m. to 2 a.m. 7 days a week.
5. The 2 Board Rooms (2nd floor) with 300 s.f. each with 2 tables and 18 seats each  
with hours of operation from 8 a.m. to 8 p.m. with F&B until 6p.m. only.

**Whereas**, the applicant will not serve alcohol in any venue before 10 a.m. and

**Whereas**, the applicant agrees that weekend hours will be in effect for the prior evening when the observed day of any of the following holidays falls between Monday and Thursday: Presidents' Day, Martin Luther King's Birthday, Valentine's Day, Memorial Day, July 4th, Labor Day, Columbus Day, Halloween, Thanksgiving Eve and Thanksgiving Day, Christmas Day and New Years Day.

**Whereas**, there were over 30 people from the surrounding NOHO community that attended this meeting many representing co-op and condominium buildings; and

**Whereas**, there has been outreach to more than 80 property owners in this neighborhood; and,

**Whereas**, this applicant has spent over 6 months negotiating with the NOHO Community; and,

**Whereas**, a legal stipulations document has been signed by the applicant, the community, and CB#2, Man. (see attached document) for the purpose of attachment to the Method of Operation of this license; and,

**Whereas**, there are still 7 community members who stated their objection to this application; and,

**Whereas**, we ask the SLA to review the 500 ft rule in considering this applicant since there are more than 20 OP licenses already existent within that area; and,

**Whereas**, the committee would like the SLA to note the outstanding work done by the NOHO community with a “Benchmark” legal agreement; and,

**Whereas**, this committee also urges the NYC Dept. of Transportation. and our own CB#2 Traffic and Transportation Committee to review unresolved future issues regarding this application and its’ affects on traffic and signage on Great Jones, Lafayette and Bond Streets; and,

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends denial of the proposed On Premise license for **Oliver Todd, LLC, 25 Great Jones St., NYC 10012-(hotel)** unless this applicant agrees to strictly adhere to all the stipulations stated within the signed legal document that has been attached to this resolution.

Vote: Unanimous, with 35 Board members in favor.

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

#### **1. Support of Various Street Fair Permit Applications (Renewals)**

**WHEREAS**, each of the street fair permit applications listed below were approved by CB#2, Man. last year and are up for renewal this year; and

**WHEREAS**, each of the street fair permit applications listed below appear to not have changed in any manner from last year; and

**WHEREAS**, each of the street fair permit applications listed below include a setup and breakdown time between 7:00 a.m. and 7:00 p.m.; and

**WHEREAS**, the sponsors of the street fair permit applications listed below appeared before the Committee to answer questions, and the Committee has determined in the exercise of its sound judgment that the sponsors meet the requirements of Chapter 11, Section 1-03(b), of the Rules of the Street Activity Permit Office Relating to Applications, Fees and Charges, in that each such sponsor is a “community based, not-for-profit organization, association or the like, which has an indigenous relationship to the specific street or the community or both, for which the event is proposed and which demonstrates that it has the support of the community and is willing to take full advantage for the conduct of the event”; and

**WHEREAS**, there is no community opposition to such applications from the public; now

**THEREFORE BE IT RESOLVED**, that CB#2, Man. supports the street fair permit applications on the dates and at the locations listed below:

- 1. 3/27/10 - Friends of Jackson Square Park (multi-block), Greenwich Ave. bet. 6<sup>th</sup> & 7<sup>th</sup> Aves.**

Vote: Passed, with 33 Board members in favor, 1 abstention (T. Bergman) and 1 recusal (B. Hoylman).

- 2. 3/21/10 - Waverly Block Association (multi-block), Waverly Pl. bet. Christopher & MacDougal Sts. (LAID OVER)**



3. **5/08/10** - Village Committee for the Jefferson Market Area (**multi-block**), Greenwich Ave. bet. 6<sup>th</sup> & 7<sup>th</sup> Aves.

Vote: Passed, with 33 Board members in favor, 1 abstention (T. Bergman) and 1 recusal (B. Hoylman).

4. **5/15/10** - Bedford Barrow Commerce, Block Assn. (**multi-block**), Bedford, Barrow, Commerce bet. 7<sup>th</sup> Ave. So. & Hudson St.

Vote: Passed, with 32 Board members in favor, 1 abstention (T. Bergman) and 2 recusals (K. Berger, B. Hoylman).

5. **5/29/10** - Caring Community, Waverly Pl. bet. 5<sup>th</sup> Ave. & University Pl.

Vote: Passed, with 33 Board members in favor, 1 abstention (T. Bergman) and 1 recusal (B. Hoylman).

6. **6/05/10** - 6<sup>th</sup> Precinct Community Council (**multi-block**), Bleecker bet. 7<sup>th</sup> Ave. & 8<sup>th</sup> Ave.

Vote: Passed, with 33 Board members in favor, 1 abstention (T. Bergman) and 1 recusal (B. Hoylman).

7. **6/13/10, 7/10/10, 08/21/10** - Our Lady Of Pompeii (**multi-block**), Bleecker St. (Carmine St.) bet. 6<sup>th</sup> Ave. & 7<sup>th</sup> Ave. (Varick St.).

Vote: Passed, with 33 Board members in favor, 1 abstention (T. Bergman) and 1 recusal (B. Hoylman).

8. **6/19/10** - Village Reform Democratic Club (**multi-block**), Waverly Pl. bet. Broadway & 5<sup>th</sup> Ave.

Vote: Passed, with 28 Board members in favor, 1 abstention (T. Bergman) and 6 recusals (K. Berger, M.P. Derr, B. Hoylman, S. Kent, L. Rakoff, A. Schwartz).

9. **6/26/10** - Bleecker Area Merchants & Residents Assoc. (**multi-block**) Bleecker St. bet. 6<sup>th</sup> Ave. & Broadway.

Vote: Passed, with 32 Board members in favor, 1 abstention (T. Bergman) and 2 recusal (B. Hoylman, L. Rakoff).

10. **6/5/10** - NYC Lab Tastes (Lab School), Gansevoort St. bet Hudson St./9th Ave/Greenwich St.

Vote: Passed, with 33 Board members in favor, 1 abstention (T. Bergman) and 1 recusal (B. Hoylman).

11. **5/23/10** - Greenwich Village Youth Council (**multi-block**), Bleecker, Bank and Christopher Sts.

Vote: Passed, with 33 Board members in favor, 1 abstention (T. Bergman) and 1 recusal (B. Hoylman).

12. **8/14/10**- Village Visiting Neighbors, (**multi-block**), University Pl. bet. Waverly Pl. & 14th St.

Vote: Passed, with 33 Board members in favor, 1 abstention (T. Bergman) and 1 recusal (B. Hoylman).

13. **9/5/10**- Greenwich Village Chamber of Commerce, (**multi-block**), Broadway bet. Waverly Pl. & 14th St.

Vote: Passed, with 31 Board members in favor, 1 abstention (T. Bergman) and 3 recusals (M.P. Derr, B. Hoylman, R Sanz).

14. 9/18/10- Village Center for Care, (**multi-block**), Bleecker St. bet. 7th & 8th Aves.

Vote: Passed, with 33 Board members in favor, 1 abstention (T. Bergman) and 1 recusal (B. Hoylman).

15. 08/07/10- Friends of LaGuardia Pl., (**multi-block**), LaGuardia Pl. bet. Houston St. & 4th St.

Vote: Passed, with 31 Board members in favor, 1 abstention (T. Bergman) and recusals (B. Hoylman, L. Rakoff, D. Reck).

16. 7/31/10 - Stonewall Democratic Club, (**multi-block**), Waverly Pl. bet Broadway & 5th Ave.

Vote: Passed, with 30 Board members in favor, 3 in opposition (Z. Jones, M. Johnson, E. Young), 1 abstention (T. Bergman) and 1 recusal (B. Hoylman).

17. 09/25/10 - Stonewall Veterans Association, Greenwich Ave. bet 6th & 7th Aves.

Vote: Failed (denied), with 8 Board members in favor, 21 in opposition (S. Ashkinazy, K. Berger, C. Booth, S. Burton, M.P. Derr, D. Diether, S. Feinberg, E. Gilmore, S. Greene, J. Hamilton, B. Hoylman, Z. Jones, S. Kent, A. Kriemelman, J. Mansfield, D. Reck, R. Sanz, M. Schott, A. Schwartz, R. Stewart, E. Young,) and 6 abstentions (T. Bergman, I. Dutton, R. Lee, K.W. Ma, L. Rakoff, S. Secunda).

18. 5/29-31/10, 6/5-6/6/10, 9/4, 5, 6, 11, 12/10- Washington Square Outdoor Art Exhibit (**multi-day, multi-block**), University Pl. from 12<sup>th</sup> St. to West 3<sup>rd</sup> St.; Washington Pl. to Greene St.

Vote: Passed, with 33 Board members in favor, 1 abstention (T. Bergman) and 2 recusals (B. Hoylman).

19. 4/2-12/24/10 - St. Joseph Church (**multi-block**), Christopher St. bet Washington Pl. and Waverly Place.

**SEE SUBSTITUTE RESOLUTION BELOW FOR #19.**

**2. Denial of Village Crosstown Trolley, Astor Pl. bet. Broadway & Lafayette St.**

**Date:** 5/15/10

**Set up:** 8am

**Breakdown:** 7pm

**WHEREAS**, The Village Crosstown Trolley seeks a renewal of its street fair application permit, which was approved last year by CB#2, Man.; and

**WHEREAS**, Chapter 11, Section 1-03(b), of the Rules of the Street Activity Permit Office Relating to Applications, Fees and Charges, states that a street fair sponsor should be a “community based, not-for-profit organization, association or the like, which has an indigenous relationship to the specific street or the community or both, for which the event is proposed and which demonstrates that it has the support of the community and is willing to take full advantage for the conduct of the event”; and

**WHEREAS**, the applicant was unable to identify any events sponsored by the Village Crosstown Trolley Association that take place within our community or anywhere in Manhattan for that matter; and

**WHEREAS**, the applicant’s only apparent activity is handing out flyers to the public from time to time about his organization and its activities; and

**WHEREAS**, there are already a overwhelmingly large number of promoter based street fairs that take place annually within CB#2, Man. and therefore CB#2, Man. believes that only those street fair permit applications sponsored by a not-for-profit organization or the like with a close nexus to and ongoing activities within CB#2, Man. should be approved; now

**THEREFORE BE IT RESOLVED**, that CB#2, Man. denies the street fair permit application of the Village Crosstown Trolley.

Vote: Passed, with 31 Board members in favor, 2 in opposition (I. Dutton, B. Hoylman) and 2 abstentions (E. Gilmore, S. Secunda).

**3. Denial of Delta Phi Fraternity (multi-block), West 4<sup>th</sup> St. bet. Lafayette St. & Washington Square East**

**Date:** 4/18/10

**Set up:** 8am

**Breakdown:** 7pm

**WHEREAS**, The Delta Phi Fraternity seeks a renewal of its street fair application permit, which was approved last year by CB # 2 Man.; and

**WHEREAS**, Chapter 11, Section 1-03(b), of the Rules of the Street Activity Permit Office Relating to Applications, Fees and Charges, states that a street fair sponsor should be a “community based, not-for-profit organization, association or the like, which has an indigenous relationship to the specific street or the community or both, for which the event is proposed and which demonstrates that it has the support of the community and is willing to take full advantage for the conduct of the event”; and

**WHEREAS**, while the Delta Phi Fraternity is a public service focused student organization that R. Kauffman, receive funding and ample support from the university, student membership dues and the national organization; and

**WHEREAS**, members of the Delta Phi Fraternity can continue their public service activities in the community without the necessity of closing down public streets and inconveniencing the public; and

**WHEREAS**, there are already a large number of street fairs that take place annually within CB#2, Man. and therefore CB#2, Man. believes that only those street fair permit applications sponsored by a not-for-profit organization with a close nexus to CB#2, Man. or that is located within CB#2, Man. should be approved; now

**THEREFORE BE IT RESOLVED**, that CB#2, Man. denies the street fair permit application of the Delta Phi Fraternity.

Vote: Passed, with 23 Board members in favor and 12 in opposition (C. Booth, M.P. Derr, I. Dutton, S. Greenberg, Z. Jones, R. Kauffman, S. Kent, D. Reck, R. Sanz, M. Schott, A. Schwartz, E. Young).

**4. St. Joseph Church (multi-block), 6<sup>th</sup> Ave. bet. Washington Pl. & University Pl.**

**(SUBSTITUTE RESOLUTION FOR #19 ABOVE).**

**Date: 4/2-12/24/10**

**Set up: 11am**

**Breakdown: 8pm**

**Whereas**, St. Joseph's Church seeks a renewal of its street fair permit application; and

**Whereas**, this permit involves vending activities on the sidewalk; and

**Whereas**, vending on Sixth Avenue is restricted from West Houston Street to midway between West 12<sup>th</sup> & West 13<sup>th</sup> Streets; and

**Whereas**, general vending tables can only be eight feet in width and five feet in height, according to the Department of Consumer Affairs; and

**Whereas**, the vending tables in front of St. Joseph's Church exceed the permitted regulations for street vending; and

**Whereas**, a street fair permit for nine months on a restricted street is exceptionally long;

**Therefore, be it resolved** that CB#2, Man. cannot support this street fair permit application unless the vendor tables meet the stated requirements of the Department of Consumer Affairs and that the length of time of the permit is reduced to three months.

Vote: Passed, with 33 Board members in favor, with 1 abstention (T. Bergman) and 1 recusal (B. Hoylman).

**ST. VINCENT'S HOSPITAL OMNIBUS**

**Resolution on CB2 Comments on the Draft Scope of Work issued by the Department of City Planning (DCP) for the Saint Vincent's Hospital and Residential Development Project.**

**Whereas**, Community Board No. 2, Manhattan (CB 2), held a public hearing on the Draft Scope of Work for the Environmental Impact Statement issued by the Department of City Planning (DCP) in connection with the ULURP application for the Saint Vincent's Hospital – New Acute Care Hospital and Emergency Department and Residential Development Project on December 1, 2009; and

**Whereas**, CB 2's comments are based on information received at this meeting, and address points in each of the impact areas for environmental review under the Rules of Procedure for Environmental Review (CEQR).

**THEREFORE BE IT RESOLVED** that CB#2, Man. submits the following comments on the Draft Scope of Work:

**I. Land Use, Zoning, and Public Policy**

- *Study Entirety of FAR Being Requested* - St. Vincent's is seeking a rezoning on the proposed new hospital site that would increase the allowable Floor Area Ratio (FAR) from 6.5 to 10. However, the plans presented to the community show a proposed new hospital that uses only 9.26 FAR.

CB 2 urges that the Scope of Work examine alternative development scenarios that utilize the entirety of the FAR requested (for example, “big box” retail).

- *Expand Study Area Boundaries* – The impact of this project, the largest to be proposed in the history of the Greenwich Village Historic District, extends far beyond the ¼ mile perimeter for the Land Use, Socioeconomic, Historic Resources/Urban Design study areas and the ½ mile perimeter for the Schools and Open Space study area. We request that DCP expand the study area boundary to cover all or most of the Greenwich Village Historic District.
- *Concern about Completion Date* - According to St. Vincent’s, the entire project will not be completed for at least a decade (the replacement hospital would be constructed from 2011 – 2015; the residential portion of the project would be constructed from 2016 – 2019). CB 2 is concerned that many of the conditions being examined in the Scope of Work have the potential to change significantly during this ten-year period and requests that DCP take this into consideration.
- *Concern about Future Projects in the Area* – NYC Transit has proposed the construction of an emergency ventilation fan plant in the Mulry Square area (Greenwich Avenue and Seventh Avenue South) where the Seventh and Eighth Avenue subway lines intersect. This project could result in several years of construction, including street closings. The impact of this project alone on local residents, small businesses, traffic and the environment will be tremendous. CB 2 requests that DCP examine this project in connection with the new hospital and residential complex and consider ways that their combined impacts on the community could be mitigated.

## **II. Socioeconomic Conditions**

- *Lack of Affordable Housing* - CB 2 is concerned about the impact of the addition of up to 450 – 658 units of luxury (market rate) housing to the area. Already, there is a severe shortage of affordable housing in the CB 2 area, and the addition of a substantial number of market rate units will continue to put more pressure on this limited affordable housing stock, which we think has the potential to result in residential displacement.

## **III. Community Facilities and Services**

- *Increase Estimate of School Students* - The Draft Scope of Work projects the introduction of approximately 80 elementary, 27 middle, and 40 high school students for 450 units of housing. CB 2 thinks this projection is far too low, notwithstanding the student generation ratios provided in the *CEQR Technical Manual*. As we believe this housing will be marketed primarily to families, it seems likely that more than 25% of the units will have residents with school-aged children. In addition, CB 2 requests that DCP examine the impact of the housing project on pre-school and day-care seats (public and private) given the current critical shortage in the area, in addition to the impact on elementary, middle and high school seats, and look at the impact on schools in the immediate study area as well as the broader District 2. It is important to note that the NYC Department of Education has proposed relocating the Greenwich Village Middle School downtown to 26 Broadway. Such a move would leave no middle school in CB 2.

Middle schools North and South of CB 2 are already overcrowded, so the impact on 11-14 year olds is particularly intense. One way to project the number of elementary seats required for the neighborhood is to compare the number of 5<sup>th</sup> graders to the number of kindergartners in PS 41 this year, which suggests an exploding need for schools for young children in the near future. The BOE statistics, and the formulas used, are recognized as severely inadequate by every political leader in Manhattan. An early childhood center in the St. Vincent’s complex would be filled immediately with neighborhood children.

- *Relocation of Physicians’ Offices* – CB 2 is concerned about the impact to the local community of the relocation of the ambulatory care facilities and physicians’ offices that are currently located in the O’Toole Building.

- *Impact on Police and Fire Facilities* – CB 2 requests an assessment of the impact on fire and police facilities. The addition of 450 – 658 units of housing will create a greater need for fire and police services in the community, as will the lengthy period of construction.
- *Impact on Libraries* – CB 2 is concerned about the potential impact on public libraries, even though the applicant has stated that the CEQR threshold for such examination has not been triggered. Only one library serves the central Greenwich Village neighborhood and the close proximity of the proposed residential complex to this library suggests that it will be utilized to a great degree.

#### **IV. Open Space**

- *Impact on Residential Open Space* – CB 2 is concerned about the impact on the residential user population, but as noted above, believes the study area should be extended, especially given the lack of open space in the Greenwich Village area. In addition, while the applicant states that the proposed project would result in a net reduction of workers coming to the project site (and therefore an assessment on the worker population is not called for), CB 2 believes the proposed St. Vincent’s triangle open space will serve as an amenity to employees of St. Vincent’s given its proximity next to the hospital, and therefore requires examination.
- *Playgrounds and Athletic Fields* – CB 2 requests that DCP include an analysis of current usage of existing open spaces, particularly children’s playgrounds and athletic fields, together with the impacts of any incremental increases in use/demand resulting from the new residential impact. This should include toddler facilities and after-school programs.

#### **V. Shadows**

- *Concern about Study Area for Shadows* – As mentioned above, CB 2 is concerned that the study area will not encompass all of the portions of the local area impacted by shadows cast by the proposed new hospital and residential buildings, including the potential for loss of sunlight and/or shadows on all the affected buildings on 11th Street, 12th Street, 13th Street and 7th Avenue.
- *Methodology of Shadow Study* – Shadow studies at a minimum should be run for the existing condition and the proposed condition showing shadows on an hour-by-hour basis for the winter and summer solstices and equinoxes. Depending on the results of these studies, monthly studies may be necessary.

#### **VI. Historic Resources**

- *Impact on Historic Structures* – CB 2 urges DCP to take into consideration the number of old houses that are part of the Greenwich Village Historic District that will be affected by this project. These impacts are not only “visual and contextual,” but include potential structural risks flowing from the demolition/construction process. The subsurface conditions at both the O’Toole Building and the East Campus need to be examined to evaluate the impact of excavation, as well as the underground environment for the new facilities.
- *State Office of Historic Preservation (SHPO)* – The EIS should include SHPO’s views on historic resources in the neighborhood, including its views of the project’s impacts on the Greenwich Village Historic District.

#### **VII. Urban Design and Visual Resources**

- *Modeling of View Corridors* – CB 2 endorses the idea that the existing and proposed building bulk should be modeled from every view corridor, and at a minimum, with viewing locations starting at the project edge and moving away at a distance of 100 feet, half a block, and then one block intervals, until neither the existing or proposed buildings are visible. Each pair of views (existing and proposed) should extend sufficiently vertically to show some sky above the taller of the conditions.

## **VIII. Neighborhood Character**

- *Examine Impact on Side Streets* – CB 2 believes the impacts of the project on neighborhood character are particularly important. Obviously, the impact of building two oversized buildings will need to be analyzed. Among the impacts that also need to be considered, however, is that the residential project will change the character of a street – 12th Street -- that now has the feel of a typical village residential block and add visual retail and a fourth parking garage (materially closer to the center of the block than the other garages). This will create a block with a significantly greater commercial feel. In addition, by adopting an out-of-context design for the building to replace Reiss the proposed plan also negatively affects the character of the block.

## **IX. Natural Resources**

- *Subsurface Conditions* – CB 2 endorses the idea that the EIS should identify any subsurface conditions (including diverted watercourses) that might be affected by construction of the projects.

## **X. Hazardous Materials**

- *Include Asbestos Abatement* – An analysis of the presence of asbestos is important since it will require special precautions in connection with any demolition. The EIS should identify how buildings will be decontaminated in a safe manner prior to any demolition.
- *Materials Handling Building* – CB 2 requests that the EIS address any dangers of oxygen storage in the Materials Handling Building (and its piping to the new tower) and the fuel tanks for generators.
- *EPA Enforcement* - The Draft Scope of Work should explain how St. Vincent's will comply with the EPA's new compliance/enforcement initiative.

## **XII. Infrastructure**

- *Sewer Infrastructure* – CB 2 urges DCP to address the impacts the project will have on the Hudson River and any other receiving body of sanitary sewage/wastewater, particularly during rainstorms that cause backups and overflow. The EIS should identify the likely frequency of such discharges and the incremental discharges that will be caused by the project, as well as the impact of the proposed hospital's "green" building status on preventing such discharges.

## **XIII. Solid Waste and Sanitation Services**

- *Waste Disposal* – The EIS should address the impacts of disposing of medical waste and the quantity of demolition of solid waste that will be created by the demolition of the O'Toole Building and part of the East Campus.

## **XIV. Energy**

- *Assess Overall Energy Implications* - The overall energy implications of the project should be assessed, including the energy required for demolition, hauling of debris, mining, manufacture and transportation of building materials, and construction of two new structures.

## **XV. Traffic and Parking**

- *Undertake Traffic and Parking Analysis* - The Draft Scope concludes that detailed traffic and parking analysis are not required. CB 2 strongly urges a detailed analysis, given that the new residential building will add new traffic, including resident trips, deliveries and trips generated by retail and doctors' offices components. In addition, 12th Street between Sixth and Seventh Avenues already has significant cross-town traffic. Such an analysis plainly needs to examine the combined impacts of the fourth parking garage on 12th Street and the delivery, construction related and other vehicles which will inevitably double park on 12th (and 11th ) Streets as they service 450+ residential units, as well as the effects of a proposed additional 250 residential

parking spaces. Also, the effect of adding an auxiliary ambulance entrance on 12th Street needs to be addressed. Finally, the impacts of new traffic circulation patterns also should be considered.

- *Examine potential for alternative transportation options* - In assessing automotive traffic impacts, scenarios should be developed that include transportation alternatives, such as bicycle lanes, racks and other accommodations, that would reduce vehicular impacts. The effects of a proposed transference of required-by-law indoor bicycle parking to other facilities also needs to be examined.
- *Loss of Employee Parking* – Approximately 200 spaces for hospital employee parking currently under the O’Toole Building. CB 2 requests an examination of the impact of this on the surrounding streets.
- *Ambulette Entrance on W. 13<sup>th</sup> St.* – CB 2 is concerned about the vehicular traffic, pedestrian, noise impacts and the impact on the character of the affected side street of the proposed ambulette entrance and non-emergency drop-off pickup on W. 13<sup>th</sup> Street and requests DCP examine these issues.

#### **XVI. Transit and Pedestrians**

- *Include Side Streets* - It is unclear whether the transit/pedestrian analysis in the Draft Scope of Work factors in the true impact of adding over 1,000 new residents to West 12<sup>th</sup> and 11<sup>th</sup> Streets.

#### **XVII. Air Quality**

- *Include Traffic Congestion* - CB 2 urges that DCP requires the air quality analysis to consider the effects from traffic congestion, double parked delivery vehicles and the like.
- *LEEDS Status* – CB 2 would like to know to what degree, if any, the LEEDS “green” status of the proposed hospital will mitigate HVAC systems’ emissions.

#### **XVIII. Noise**

- *Vehicle Traffic* – CB 2 believes the Draft Scope of Work’s noise analysis wrongly assumes no increased vehicle traffic.
- *Construction Noise* – CB 2 is concerned about the noise from demolition, construction and cranes and other heavy machinery, especially given the long period of construction.
- *HVAC* – We request an examination of the noise impacts from the HVAC units for the proposed hospital, new residential building and the Materials Handling Building. The EIS should focus on these impacts in a nighttime environment, when background noise is less.

#### **XIX. Construction**

- *Additional Points of Analysis* – CB 2 has an extensive set of construction protocols for major developments that we wish to see followed by the applicant and should be considered by DCP in its analysis. Points to consider are:
  - How to avoid structural damage to surrounding buildings from the demolition/construction process, especially given the inherent difficulty of excavation down to five stories at the proposed hospital site and the impact from heavy construction trucks operating on side streets;
  - How to prevent street closings – any more than occasional brief (less than a day) closings during a project of this duration is unacceptable;
  - Potential rodent hazards arising from demolition activity;
  - Asbestos cleaning protocols prior to any demolition;
  - An approximate construction schedule that identifies, among other things, duration of demolition, excavation and construction at each site;
  - Limitations on hours and stays of work;
  - Pedestrian accessibility; and
  - Dust control.



## **XX. Public Health**

(Please refer to other sections.)

## **XXI. Mitigation**

- *Importance of Mitigation* - The enormity of this project and the major impacts on a relatively small and extremely dense area of CB 2 requires that as a general matter DCP should require the examination of any and all ways to mitigate impacts both during construction and on completion.
- *Height of Hospital Tower* – One mitigation approach that should be considered is reducing the height of the hospital tower. One advocacy group suggested to CB 2 that the elimination of as few as 15 additional beds could allow the tower to be shortened by an entire floor (or 15 feet).
- *NYC Transit Emergency Fan Plant Mitigation* – As noted above, NYC Transit has proposed the construction of an emergency ventilation fan plant in the Mulry Square area. CB 2 requests that DCP examines the feasibility for St. Vincent's to mitigate the combined impact of its project and the fan plant by relocating the fan plant underneath the St. Vincent's Triangle.

## **XXII. Alternatives**

- *Analyze Reasonable Alternatives* - The EIS should include an in-depth evaluation of all reasonable alternatives, including evaluation of a specific alternative that does not involve demolition of the Reiss building.

Vote: Unanimous, with 35 Board members in favor.

## **TRAFFIC AND TRANSPORTATION**

**Resolution requesting that the Port Authority of New York/New Jersey continue ban on small trucks in eastbound Holland Tunnel until completion of DDC project to "Install trunk water main in Hudson Street from Laight to Worth Street and connect distribution system to City Tunnel #3."**

**Whereas** the Port Authority of New York/New Jersey (PANYNJ) has informed Community Board 2 Manhattan (CB#2) that it plans to lift the ban on small trucks in the eastbound Holland Tunnel beginning January 3, 2010; and

**Whereas** this action will result in an estimated 2,100 small trucks entering Lower Manhattan from the Holland Tunnel, adding traffic to our already congested local streets around and leading away from the Tunnel; and

**Whereas** CB2 has been advised that in Spring 2010 a construction project lasting three to five years will be launched to establish pipe connections to the water tunnel shaft located in the Holland Tunnel exit plaza on Hudson and Laight Sts.; and

**Whereas** this project will have a significant impact on traffic in the area of the Holland Tunnel traffic plazas including CB2's already overburdened streets, and the traffic mitigation plan may include detouring tunnel bound traffic from Hudson St.; and

**Whereas** in view of the major traffic impacts expected from this upcoming water tunnel project in combination with severe existing traffic congestion on local streets such as Spring and Watts, this is not a suitable time to add a further traffic burden;

**Therefore Be It Resolved** that CB#2, Man. requests that the PANYNJ delay lifting the ban on small trucks until the water tunnel connection project is completed, or at least until the actual impact of the project on local traffic is assessed six months after the traffic mitigation plan is implemented.

Vote: Unanimous, with 35 Board members in favor.

## **NEW BUSINESS**

### **1. Nominations for Treasurer**

The Chair requested nominations for the office of Treasurer from the floor. Erin Roeder was nominated and she indicated acceptance. No other accepted nominations were made. Nominations were then closed.

### **2. Resolution Opposing Planned Service Cuts by the MTA**

**WHEREAS**, the Metropolitan Transit Authority approved its 2010 budget on December 16, 2009; and

**WHEREAS**, the MTA budget includes massive service cuts because of a \$383 million budget shortfall; and

**WHEREAS**, the cuts proposed by the MTA include eliminating free and discounted rides for New York City public school children, a policy which has existed since 1948 and currently provides 417,243 students with free Metro cards and 167,912 students with half-fare cards; and

**WHEREAS**, experts predict that by eliminating this policy, it could cost half a million students nearly \$1,000 per year in transportation fees and result in students missing school because their families cannot afford the extra cost of a Metro card; and

**WHEREAS**, the other service cuts proposed include:

- Discontinue W and Z subway routes; terminate G subway route at Court Street
- Increase subway headways on weekends and early mornings; increase off-peak subway load guidelines
- Adjust express bus service to reflect demand and eliminate low performing weekend express bus service
- Discontinue and restructure local bus service on low-performing routes
- Eliminate Rockaway-resident Cross Bay toll-rebate program
- Reduce car consists and increase load standards
- Reduce service on commuter railroads
- Reduce Access-A-Ride service to meet ADA minimum standards; and

**WHEREAS**, these proposed cuts threaten the continued operation of the M8 bus, which is the only east-west route through Greenwich Village, and which Community Board No. 2, Manhattan, is on record in strong support of maintaining.

**THEREFORE, BE IT RESOLVED** that CB#2, Man. strenuously objects to the service cuts proposed by the MTA in its 2010 budget, in particular:

- the elimination of free and discounted rides for NYC public school children because of the unfair burden that it will place on all income students and their families in the middle of a recession, and

- any plan that would eliminate the M8 bus route, a vital transportation link for Greenwich Village seniors, people with special needs, parents with young children, and small businesses.
- the elimination of door-to-door Access-a-ride service for the handicapped and seniors, and

**BE IT FURTHER RESOLVED** that CB#2, Man. implores the MTA to work with the Governor, State Legislature and all of our elected officials to seek alternatives to the proposed cuts; and

**BE IT FURTHER RESOLVED** and assure a consistent source of long-term funding for the MTA, such as through dedicated tolls or congestion pricing revenues.

Vote: Unanimous, with 35 Board members in favor.

**3. Resolution Thanking Council Member Alan J. Gerson for His Service**

**Therefore, be it resolved** that Community Board #2, Manhattan salutes Council Member Alan Gerson for his many years of service to both Community Board #2 and the community, which we serve.

Vote: Unanimous, with 35 Board members in favor.

Respectfully submitted,

Susan Kent  
Secretary  
Community Board #2, Manhattan