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COMMUNITY BOARD No. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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FULL BOARD MINUTES

DATE: November 19, 2009

TIME: 6:00 P.M.

PLACE: St. Vincent's Hospital, 170 W. 12th St. Cronin Auditorium, 10th Floor

BOARD MEMBERS PRESENT: Keen Berger, Tobi Bergman, Carter Booth, Sigrid Burton, Maria Passannante Derr, Doris Diether, Ian Dutton, Sheelah Feinberg, Harriet Fields, Amanda Kahn Fried, Elizabeth Gilmore, Alison Greenberg, Sasha Greene, David Gruber, Jo Hamilton, Chair, Community Board #2, Manhattan (CB#2, Man.), Anne Hearn, Mary Johnson, Zella Jones, Susan Kent, Arthur Kriemelman, Raymond Lee, Edward Ma, Ke-Wei Ma, Jason Mansfield, Jane McCarthy, Judy Paul, Lois Rakoff, David Reck, Robert Riccobono, Rocio Sanz, Maury Schott, Shirley Secunda, Sean Sweeney, Elaine Young, Jin Ren Zhang

BOARD MEMBERS EXCUSED: Steve Ashkinazy, Lisa Cannistracci, Edward Gold, Brad Hoylman, Renee Kaufman, Erin Roeder, Wendy Schlazer, Shirley H. Smith, James Solomon, Richard Stewart, Carol Yankay

BOARD MEMBERS ABSENT: Makrand Bhoot, Arthur Z. Schwartz, 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; Jennifer Hong, 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's office; Kate Mikuliak, Council Member Rosie Mendez's office; Leslie Gill, Weber Hsu, Kyle Matzes, Anat Amanger, Louise Perazzo, Anne Frevola, Connie Colbert, Brian Bergen, Daniel Rose, Lorraine Oriente, Tay Oriente, Valerie Paulin, Lara Idzi, Makeba Marshall, Paloma Woo, Kathleen McIntyre, Rona Trokie, Susan Elkin Fitzgerald, M. Blake Otte, Ken Schager, Terri Cude, Elizabeth Morris, Scot Edwards, Salmaan Khan, Sarah Stutman, Russ Trent, Luca Russotto, Elizabeth Adam, Penny Damaskos, CM Palandrani. Robert Savage, Chenault Spence, Robin Rothstein, Sonia Parcechanian, Kathleen Arttmann, Claudia Seymour, Ian Rasmussen, John K. Leo, Luca DiPietro, Emily Simon, Brook Schafran, Sarah O'Neill, Laura Mosso, Kelly Postlewait, David Spielman, MaryBeth Romeo, Catherine Gavin, Kate Turley, Rebecca Martin, Richard Rajca, Kevin Bone, Nicole Breskin, Nadia Paladino, Roseann Margiotta, Sr. Maureen Flynn, Charlotte Davidson, Vincent Margiotta, Robert Petrillo, Kwoklai Fan, Roseann Poalino, Jasan Wishner, Irene Kaufmann, Olgalyn Jolly, Amy Wachtel, Aki Matsui, Hugo Dwyer, Abbe Borov, Lynn Vaag, Zvi Shreiber, Elizabeth Solomon, Dan Rose, Danya Sherman, Dan Ferris

MEETING SUMMARY

Meeting Date –November 19, 2009

Board Members Present – 36

Board Members Excused–11

Board Members Absent - 3

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II. PUBLIC SESSION

Non-Agenda Items

Chinatown Survey

Kelly Postlewait spoke regarding a survey and interview for a Chinatown study.

Salamagundi Club NY

Kathleen Arttmann gave an introduction to the Salmaguni Club of NY

Con Edison Programs

John Leo, representing Con Edison spoke regarding energy efficiency programs that are available to the public.

Friends of the Highline

Danya Sherman updated everyone on the Highline events.

NYU Informed Neighbor Holiday Party

Dan Ferris, representing NYU, invited everyone to their upcoming holiday party at Amity Hall.

Landmarks & Public Aesthetics Items

144-150 W. 13th St. & 161-165 W. 12th St. (City & Country School) Application is to create window openings, and construct rooftop rear yard additions.

Kate Turley, Charlotte Davidson, Sarah O'Neill, and Bob Savage, spoke in favor of the application.

Sidewalks, Public Facilities & Access Items

App. to NYCDOT for revocable consents: to construct, a stair and railing at 640 Broadway

Ian Rasmussen, representing the applicant, spoke in favor of the revocable consent.

SLA Licensing Items

Il Rifugio, Inc., 172 Waverly Pl., NYC

Luca DiPietro, the applicant, spoke regarding the proposed liquor license.

Traffic and Transportation Items

Restoration of Parking and one-way eastbound conversion on Carmine St. Bet. 7th Ave. S. & Bleecker St.

Hugo Dwyer spoke in favor of the traffic conversion.

Zoning and Housing Items

57-63 Greene Street CPC Special Permit Application for conversion of previously unconverted units on floors 2-6 to Joint Living Work Quarters for Artists and to convert ground floor and cellar to retail use.

Russ Trent, M. Blake Otte, Lara Iden, Elizabeth Solomon, and Lynn Vaag, spoke against the application. Dan Rose did not speak, but was against the application.

Olgalyn Jolly and Rona Trokie spoke against the proposed application, stating that more time was needed for evaluation.

Emily Simons, representing the applicant, spoke in favor of the proposal.

Irene Kaufman spoke regarding the proposal for conversion.

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

Paul Nagle, Council Member Alan Gerson's office.

Kate Mikuliak, Council Member Rosie Mendez's office,

V. ADOPTION OF MINUTES

Adoption of September minutes.

VI. EXECUTIVE SESSION

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

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

STANDING COMMITTEE REPORTS

LANDMARKS AND PUBLIC AESTHETICS

1ST LANDMARKS MEETING

Item 1 - 54 Howard Street (n.w. Mercer)– SoHo –Cast Iron Historic District. A store and warehouse building built in 1860. Application is to alter the base of the building and install storefront infill.

Whereas, this corner building is on a narrow street surrounded by much taller buildings to the west and south. Thus, this storefront is in the shade most of the time, if not always. Hence, the purpose of these ten awnings is not to protect from the sun, since there will be none, but rather to serve as ten large advertising banners, in an attempt to counter the existing regulation that permits a mere six square-foot blade sign. One awning is too many; the ten proposed are overkill; and

Whereas, on the Mercer Street side, the door is necessary for commercial purposes, in order to provide access to a newly created store; thus the loss of historic masonry and style may be justified; but

Whereas, the other window openings should be left undisturbed, because the proposal calls for the unnecessary and wanton destruction of historic brick and limestone coursing, as well as upsetting the existing scale of the windows; and

Whereas, the historic metal bars should be preserved as well; and

Whereas, on the Howard Street side, again retailers should not egregiously alter an historic façade by destroying existing material and extending windows that are out-of-scale historically, merely to create modern-style showroom windows. They should rather be trying to restore the decrepit bulkhead underneath the existing window; now

Therefore, be it resolved that CB#2, Man. recommends denial of this application, with the exception of the addition of a new door on the Mercer Street side.

Vote: Unanimous, with 36 Board members in favor.

Item 2 - 208 West 11th Street (s.w. 7th Avenue South) – Greenwich Village Historic District
A rowhouse with Italianate-style elements built in 1856. Application is to install a painted wall sign.

Whereas, although Seventh Avenue South is a recent street, gashed out in the early part of the last century and has eclectic and idiosyncratic features, this building is a mid-nineteenth century Italianate rowhouse, where such advertising signs were never appropriate; and

Whereas, this building serves as a transition from Seventh Avenue South to the well preserved neighborhood to the west; now

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

Vote: Unanimous, with 36 Board members in favor.

Item 3 - 263 West 12th Street (W.4th/Greenwich)– Greenwich Village Historic District. A house with a store built in 1868-1869 and a back house built in the century. Application is to modify the facades, construct a rooftop bulkhead and railing, replace windows and install new storefront infill. Zoned R-6

Whereas, the building has been severely altered several times; and

Whereas, the renovation of the front façade of the front house basically maintains the style, materials and scale of the original building, and although the front “store” window of proposed etched glass is OK, we would prefer clear glass in keeping with all the other storefront window treatment in the Village. Perhaps the family could use interior shades or blinds for needed privacy while maintaining a more traditional glazing; and

Whereas, the required front railing on the roof is barely visible and presents no great distraction; and

Whereas, on the side façade, the reopening of the existing bricked-up window is welcomed; and

Whereas, the proposed yard gate is stylish and an improvement on the existing one; and

Whereas, on the rear building, the cleaning of the bricks on the side and the restoration of the brickwork on the rear façade adds to the building; and

Whereas, the new passageway in glass is acceptable; and

Whereas, on the front façade of the rear building, although the proposed removal of some historic material is regrettable, the existing amalgam of windows and other elements is sloppy and unappealing, the applicant is salvaging as much original material as possible, and the alteration will be barely visible from the street; now

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

Vote: Unanimous, with 39 Board members in favor.

Item 4 - 628 Broadway (Houston/Bleecker)– NoHo Historic District. An office building designed by H.J. Schwarzmans & Co. and built in 1882-83. Application is to alter storefront infill installed in non-compliance with Certificate of No Effect 06-5427.

Whereas, we agree with the applicant that the two non-historic ramps that at one time led to doorways should now be removed; but

Whereas, the cement block infill that was installed in non-compliance is brutal and detracts greatly from the building; and

Whereas, although this portion of Crosby Street was quite dodgy a decade or two ago, that situation doesn't exist currently and the covering of the fenestration with cement blocks detracts from the historic district; and

Whereas, although Crosby Street was sometimes the neglected stepchild of the more elegant Broadway fronts, this building's architect put great care in the detail, style and materials, as evidenced by the surviving cast-iron work; and

Whereas, the proposal merely to cover the violation with blackened glass, maintaining indefinitely a Potemkin Village solution, is completely unacceptable; now

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

Further, be it resolved that CB#2, Man. recommends that the applicant restore the rear façade of this distinguished building to the original condition as much as is possible, for example using clear glass, removing as much of the unsightly ventilation grill work as possible, and restoring the bulkhead with appropriate materials.

Vote: Unanimous, with 36 Board members in favor.

2ND LANDMARKS COMMITTEE

Item 1 - 18-20 Wooster Street (Canal/Grand)- SoHo Cast-Iron Historic District. A one-story garage altered in 1964 from a five-story building originally constructed in 1890. Application is to retain paint and a stretch banner installed pursuant to Certificate of No Effect 05-3265.

Whereas, the selection of silver paint reflects past art installations in the neighborhood and will not detract from this utilitarian building currently used as an art gallery; and

Whereas, although we usually prefer smaller banner, this banner is placed close to the building and doesn't obscure any adjacent facades, and its verticality and scale seems elegant on this plain building; now

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

Vote: Unanimous, with 36 Board members in favor.

Item 2 - 515 Broadway, aka 513-517 Broadway (Prince/Spring)- SoHo Cast-Iron H.D. A Queen Anne style commercial building designed by Samuel Warner and built in 1884. Application is to install storefront infill.

Whereas, the H&M signage on the window will be reduced; and

Whereas, the bulkhead below the window remains the same 18", a height in scale with the infill; and

Whereas, removing the mullions and metal framing that segmented the windows, as well as painting over of the current beige portions to a green color, will unify the facade; now

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

Vote: Unanimous, with 36 Board members in favor.

Item 3 - 62 West 9th Street (Sixth/Fifth)- Greenwich Village Historic District. A Greek Revival style rowhouse built in 1839, with a ground floor storefront. Application is to alter the storefront.

Whereas, the dark painted wood is acceptable; and

Whereas, removing the electrical conduit is an improvement, but the proposed lighting fixtures are a bit *faux* and we would suggest something more appropriate to this style building; and

Whereas, replacing the aluminum awning with a crank retractable awning is commendable; and

Whereas, replacing the fence is likewise commendable, but we suggest a style more compatible with this 1839 Greek Revival building; but

Whereas, the black and white stonework proposed for the front patio is not in keeping with the building or the district; and

Whereas, the proposed French doors are not a style characteristic of Greek Revival buildings, and indeed are fairly recent additions to the Village. i.e. the latter half of the 20th century; so French doors would detract from the historic district and set a bad precedent, particularly for this, a side street; now

Therefore, be it resolved that CB#2, Man. recommends denial for much of this application: specifically, the black and white stonework for the front patio, the lighting fixtures, and particularly the French doors, requesting that the fixed windows be maintained, since that would be more in keeping with the character of the building.

Vote: Unanimous, with 36 Board members in favor.

Item 4 - 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 the Landmarks Preservation Commission's own publication *The Certificate of Appropriateness Public Hearing: Information for Applicants* states that "applicants are strongly encouraged to contact the Community Board to arrange for review of the proposal before the public hearing"; and

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

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

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

Vote: Unanimous, with 36 Board members in favor.

Item 5 - 144-150 West 13th Street/161-165 West 12th Street (6th/7th Aves) – City & Country School - Greenwich Village H.D. Application is for a rooftop addition to create a multi-purpose space on its West 13th Street properties (144-150 West 13th Street.) and for rear-yard additions to its West 13th and West 12th Street properties (161-165 West 12th Street) to improve ADA accessibility including elevators and egress, and to add new classroom space.

Whereas, there was legitimate concern and opposition from some neighbors; however, many more came out in support, both neighbors and graduates of the school; and

Whereas, we recognize the crushing problem of lack of school facilities in this neighborhood, whose classroom growth was not commensurate with its population growth; and

Whereas, this school has played a role in the history and culture of the district and the country, in fact being one of the first Progressive schools and introducing novel teaching techniques; and

Whereas, this project is being undertaken by the school itself, instead of in partnership with a private, for-profit developer, which lends it the mantle of a more community-based undertaking; and

Whereas, the plan is more successful than many of the modifications that typically come before us; and

Whereas, this building has a long history of evolution; and

Whereas, the existing fire escape and stairwell is insufficient for a burgeoning enrollment and this proposal will improve safety and handicapped accessibility; and

Whereas, on the 12th Street side there is no visible presence of the proposed changes from the street; and

Whereas, the applicant stated that the additions to the rear yard are as minimal as possible; and

Whereas, this proposal is merely a Master Plan for the future, so that the building will grow in a controlled and orderly fashion; many of these proposals may not happen for years to come, depending on funding; and

Whereas, the concept of putting the stairwell circulation on the outside of the rear façade utilizes a transparent glass structure to support the stairs and bring in light, while still revealing the original rear wall fabric; and

Whereas, the 13th Street rear façade of brick and glass is stylish, although such an expanse of glass is a bit unusual for Greenwich Village rear facades; and

Whereas, because it is a community facility, it could utilize its permitted FAR of 4.8 but gratifyingly is only proposing to build out to an FAR of 3.1. However, the allowed FAR, were it a residential building in this residential zone, would be 1.86. So, there is some cause for concern that the additions will cause nearby buildings to be dwarfed, although there are a couple of other buildings of similar scale nearby on this street; and

Whereas, we worry that it might set a precedent for community facilities to grow larger than the surrounding buildings, as witnessed at St. Vincent's nearby; and

Whereas, we question the introduction of a glass wall at the rear; it doesn't go with the rest of the building and is not characteristic of the historic district. Although it will not block the original masonry of the rear façade, it could lead us down a slippery slope, if others use this technique; and

Whereas, further, there is a real and serious problem that will result from the code-mandated bright stairwell lights shining into the rear yard doughnut and, worse, into other people's homes at all hours of the night, ruining the ambience of the surroundings; now

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

Further, be it resolved that CB#2, Man. recommends that the Commission urge the applicant to modify the rear stairwell, so as not to have the illumination intrusively invade the space of others. Perhaps directional lighting would work or soft lighting.

Vote: Unanimous, with 36 Board members in favor.

SIDEWALKS, PUBLIC FACILITIES AND ACCESS

1. App. to NYCDOT for revocable consents: to construct, a stair and railing at 640 Broadway, southeast corner, at Bleecker St. **Block:** 522, **Lot:**14, **Police Precinct:**9, **Owner:** HELLER REALTY.

Whereas, the area was posted, community groups notified and no people representing the community were present but the applicant's representative, Marvin Mitzner, Esq. and the Architect were present, and

Whereas, this lot has frontage of 25.25 feet on Broadway, and depth of 196.33 feet along Bleecker St., with one building of nine stories, built in 1900 (est), with 21 residential units of a total 31 units in an area of Multi-Family Elevator Buildings, Zoning: M1-5B, in the NoHo 1 Landmarked District, Zoning Map #: 12C, and

Whereas, this application proposes the REMOVAL of the stairway and cage at the corner of Broadway and Bleecker and the installation of a smaller stairway farther east, and

Whereas, the stairwell will be 4.4 feet wide leaving 8 feet of pedestrian right of way which is more pedestrian right of way than the existing stairwell, and

Whereas, this stairway will be surrounded by a 3.6 foot high railing with gate that will close off the stairway when the below grade area is not open, and the railing and gate are of a style and configuration denied by CB#2 Landmarks Committee in January 2008, but modified and approved by the Landmarks Preservation Commission, and

Whereas, the Sidewalks Committee feels this new placement and treatment is a major improvement to the previous below-grade entrance to this Landmarked building,

THEREFORE BE IT RESOLVED THAT CB#2, Man. **APPROVES** the App. to NYCDOT for revocable consents: to construct, a stair and railing at 640 Broadway. Block: 522, Lot:14, Police Precinct:9, Owner: HELLER REALTY.

Vote: Unanimous, with 36 Board members in favor.

Renewal Apps. For revocable consent to operate an unenclosed sidewalk café for:

2. Schatzi Corp. d/b/a Wallse, 342-344 West 11th St., at the corner of Washington St., Block:633, Lot:6; Police Precinct:6, with 8 tables & 16 seats, DCA# 1257073

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

Whereas, this lot has frontage of 81.75 feet and depth of 79.83 feet and with seven buildings of five stories, built in 1900 (est), with 41 residential units of a total 45 units in an area of Multi-Family Walk-Up Buildings; Zoning C1-6, Landmarked; Zoning Map# 12A and,

Whereas, the applicant did not appear before this Committee in October as planned, but this committee extended the courtesy of hearing this application if the applicant agreed to appear in this November meeting, and,

Whereas, the applicant has complied with the conditions of the New Application reviewed in July 2007, including those specified by the Co-Op Board for these properties, and

Whereas, there is currently a large planter placed at curbside on the Washington St. side, and

Whereas, there is a bench placed at curbside on the Washington St. side, and

Whereas, the applicant has agreed to remove the bench immediately and to move the planter to a rear yard garden, and,

Whereas, in all other aspects this sidewalk café has complied with all previous requests and has met the approval of the Co-Op owning this group of buildings,

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for **Schatzi Corp. d/b/a Wallse, 342-344 West 11th St., at the corner of Washington St., Block: 633, Lot: 6; Police Precinct:6, with 8 tables & 16 seats, DCA# 1257073.**

Vote: Unanimous, with 36 Board members in favor.

3. Tre Giovani, Inc., 548 LaGuardia Pl., betw West 3rd and Bleecker Sts., Block: 537, Lot: 21, Police Precinct: 6, with 4 tables & 12 seats, DCA# 0997686

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

Whereas, this lot has frontage of 20 feet and depth of 55 feet and is one building of four stories, built in 1900 (est), with 3 residential units of a total 4 units in an area of Mixed Residential and Commercial Buildings; Zoning R7-2 with a C1-5 Commercial Overlay, Zoning Map# 12C and,

Whereas, the sidewalk plan has been well maintained and there was no community complaint,

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for **Tre Giovani, Inc., 548 LaGuardia Pl., betw West 3rd and Bleecker Sts., Block: 537, Lot: 21, Police Precinct: 6, with 4 tables & 12 seats, DCA# 0997686**

Vote: Unanimous, with 36 Board members in favor.

4. 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 was NOT 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, it is the practice of this Committee to deny any application that is not represented before this Committee, but the applicant has agreed to appear in December,

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends DENIAL, 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, UNLESS the applicant appears before this Committee in December 2009.**

Vote: Unanimous, with 36 Board members in favor.

5. Tanti Baci Caffè, LLC, 135 ½ 7 Avenue South, betw Perry and West 11th Sts., Block: 611, Lot: 32, Police Precinct: 6, with 6 tables & 12 seats, DCA# 1252026

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

Whereas, this lot has frontage of **25** feet onon Seventh Ave. South. and is one building of five stories, built in 1900 (est), with 18 residential units of a total 21 units in an area of Mixed Residential and Commercial Buildings; Zoning C2-6, Zoning Map# 12A and,

Whereas, the sidewalk café and restaurant were not open at the time of this Committee’s inspection, and,

Whereas, the Barber Shop next door in the same building that had in June 2007 objected but did not appear at this renewal with any objection regarding the sidewalk plan, and there were no other community members present objecting to its current use,

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for **Tanti Baci Caffè, LLC, 135 ½ 7 Avenue South, betw Perry and West 11th Sts.**, Block: **611**, Lot: **32**, Police Precinct: **6**, with **6 tables & 12 seats, DCA# 1252026**

Vote: Unanimous with 36 Board members in favor.

6. P.M.W., Inc. d/b/a Spring Street Natural Restaurant, 62 Spring Street at the southwest corner of Lafayette, Block: 481, Lot: 7502, Police Precinct: 5, with 7 tables & 27 seats, DCA# 1193198

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

Whereas, this lot has frontage of **75.67** feet ib Spring St. and depth of 114.33 on Lafayette where the sidewalk café is located, and is one building of 12 stories, built in 1926, with 41 residential units of a total 42 units in an area of Mixed Residential and Commercial Buildings; Zoning C2-6, Zoning Map# 12C and,

Whereas, within the sidewalk café there are large tree planters set along the building line but not extending more than 3 feet, and,

Whereas, this Committee observed a serving cart which does not belong n the Sidewalk Café plan, but the applicant has agreed to remove it immediately, and

Whereas, this Sidewalk Café has been operating for many years without community complaint,

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for **P.M.W., Inc. d/b/a Spring Street Natural Restaurant, 62 Spring Street at the southwest corner of Lafayette, Block: 481, Lot: 7502, Police Precinct: 5, with 7 tables & 27 seats, DCA# 1193198.**

Vote: Unanimous, with 36 Board members in favor.

SLA LICENSING

1. TLM Restaurant, Inc., 115 Mulberry St. (at Canal Street), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a transfer of an existing On Premise license in a mixed use building at the corner of Mulberry and Canal Streets for a 1,500 s.f. Italian restaurant with 34 table seats, 1 bar with 6 seats, and a maximum legal capacity of 45 persons; and,

Whereas, the applicant stated there are no plans to change the previously approved method of operation; the applicant stated the hours of operation are Sunday – Thursday from 11:00 a.m. – 12:00 a.m. and Friday and Saturday from 11:00 a.m. – 1:00 a.m.; there is no sidewalk café and no backyard garden; music is background only; and,

Whereas, the applicant has agreed to close the windows by 9:00 p.m. daily; and,

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

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial to the proposed transfer of an On Premise license for **TLM Restaurant, Inc., 115 Mulberry St.**, unless the condition agreed to by applicant relating to the fourth “whereas” clause is incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 36 Board members in favor.

2. Candle Café, 8th Street, LLC d/b/a Candle Café, 33 West 8th St., (MacDougal & 6th Ave.), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license in a mixed use building on West 8th Street between MacDougal and 6th Avenue for a 1900 s.f. Vegan restaurant with 57 table seats, 1 bar with 10 seats, and a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation are Sunday – Wednesday from 11:30 a.m. – 12:00 a.m., Thursday – Saturday from 11:30 a.m. – 2:00 a.m.; there will not be a sidewalk café application and no backyard garden; music is background only; and,

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

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of an On Premise license for **Candle Café, 8th Street, LLC d/b/a Candle Café, 33 West 8th St.**

Vote: Passed, with 35 Board members in favor, and 1 recusal (D. Gruber).

3. Spain Taste New York Corp., d/b/a Lizarran, 45 Mercer St., (Grand and Broome Streets), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license in a mixed use building on Mercer Street between Grand and Broome Streets for a 2275 s.f. Spanish restaurant with 63 table seats, 1 bar with 4 seats, and a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation are 11:00 a.m. – 2:00 a.m. seven days per week; there will not be a sidewalk café application and no backyard garden; music is background only; and,

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

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of an On Premise license for **Spain Taste New York Corp., d/b/a Lizarran, 45 Mercer St.**

Vote: Unanimous, with 36 Board members in favor.

4. Mahogany Fine Foods and Catering, LLC, 75 Varick St., (Watts and Canal Streets), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license in a commercial building on Varick Street between Watts and Canal Streets for a 3000 s.f. restaurant with catering services with 40 table seats, no bar with no seats, and a maximum legal capacity of 60 persons; and,

Whereas, the applicant stated the hours of operation are Monday – Friday from 7:00 a.m. – 7:00 p.m.; there will not be a sidewalk café application and no backyard garden; music is background only; and,

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

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of an On Premise license for **Mahogany Fine Foods and Catering, LLC, 75 Varick St.**

Vote: Unanimous, with 36 Board members in favor.

5. Il Rifugio, Inc., 172 Waverly Pl., (at Christopher), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license in a residential building at the corner of Waverly and Christopher Streets for a 900 s.f. restaurant with 30 table seats, 1 bar with 14 seats, and a maximum legal capacity of 44 persons; and,

Whereas, the applicant stated the hours of operation are 5:00 p.m. – 2:00 a.m. seven days a week; there will not be a sidewalk café application and no backyard garden; music will be background only; and,

Whereas, the applicant agreed to amend the Certificate of Occupancy to support an eating and drinking establishment; install soundproofing inside the premises; and reach out to the residents in the building; and,

Whereas, the committee recognizes the proliferation of bars and restaurants in this residential block; the committee also expressed concerns with adding a new licensed establishment to the neighborhood that is not qualified as a restaurant under SLA guidelines, since it does not have a kitchen and chef;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial to the proposed On Premise license for **Il Rifugio, Inc., 172 Waverly Pl.**

Vote: Unanimous, with 36 Board members in favor.

6. The Lion Restaurant Group, LLC, 62 W. 9th St., (5th and 6th Avenues), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license in a residential building on West 9th Street between 5th and 6th Avenues for a 3,200 s.f. restaurant with 130 table seats, 2 bars with 15 seats, and a maximum legal capacity of 145 persons; and,

Whereas, the applicant stated the hours of operation are Monday – Friday from 5:00 p.m. – 4:00 a.m. and Saturday and Sunday from 10:00 a.m. – 4:00 a.m.; there will not be a sidewalk café application and no backyard garden; music is background only; and,

Whereas, the applicant has agreed to receive a Letter of No Objection or a revised Certificate of Occupancy and Public Assembly Permit from the New York City Department of Buildings prior to operating the restaurant; and,

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

Whereas, the applicant has agreed to the following set of stipulations:

1. The applicant has agreed to prohibit the use of the rear courtyard
2. The applicant has agreed to prohibit any seating outside the establishment
3. The applicant has agreed to close all windows by 9:30 p.m. daily
4. The applicant has agreed to deter smoking on West 9th Street and direct smoking on 6th Avenue
5. The applicant has agreed to community outreach measures including but not limited to hosting a quarterly meeting with nearby residents during its 1st year of operation

Whereas, the applicant has submitted several letters from nearby residents in support of the proposed establishment; and,

Whereas, a member of the community appeared to express her concerns with the proposed establishment; citing potential overcrowding and refuse issues;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise license for **The Lion Restaurant Group, LLC, 62 W. 9th St.** unless all conditions agreed to by applicant relating to the fourth, fifth and sixth “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Passed, with 35 Board members in favor, and 1 in opposition (D. Diether).

7. Matthew Isaacs and Justin McManus or Entity to be formed 248 W. 14th St. (7th and 8th Avenues), NYC

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

Whereas, this application is for an On Premise license in a mixed use building on West 14th Street between 7th and 8th Avenues for a 4,400 s.f. sports bar/restaurant with 23 table and 102 seats, 2 bars with 26 seats, and a maximum legal capacity of 196 persons; and,

Whereas, the applicant stated the hours of operation for the establishment are Monday - Friday from 5:00 p.m. to 4:00 a.m. and Saturday and Sunday from 12:00 p.m. – 4:00 a.m.; there will not be a sidewalk café application and no backyard garden; music will be background and D.J. only; and,

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

Whereas, the applicant has agreed to no third party promoters; and,

Whereas, the applicant has agreed to no open windows (including French doors); and,

Whereas, the applicant has agreed to no garden access; and,

Whereas, the applicant has agreed to no velvet ropes and will provide an interior holding area for guest; and

Whereas, the applicant has agreed to install a full service kitchen in the basement level space; and,

Whereas, the applicant has agreed to waive any rights to a Cabaret License; and,

Whereas, the applicant will submit a signed affidavit agreeing to the above-mentioned stipulations to CB#2, Man., prior to opening the establishment (attached);

Whereas, the applicant has presented 4 letters from the community in support of this application;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial to the proposed On Premise license for **Matthew Isaacs and Justin McManus or Enity to be formed 248 W. 14th St.** unless those conditions agreed to by applicant relating to fourth through eleventh “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 36 Board members in favor.

8. Cerulean Management, 170 Mercer St. (Prince and West Houston), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license in a commercial building on Mercer Street between Prince and West Houston Streets for a 2300 s.f. restaurant with 66 table seats, 1 bar with 5 seats, and a maximum legal capacity of 80 persons; and,

Whereas, the applicant stated the hours of operation are Sunday - Wednesday from 12:00 p.m. – 2:00 a.m. and Thursday - Saturday from 12:00 p.m. – 3:00 a.m.; there will not be a sidewalk café application and no backyard garden; music is background only; and,

Whereas, the applicant has agreed to operate as a full service restaurant only and provide menu and food items available up to 2 hrs prior to closing (available until 12:00 a.m. Sunday – Wednesday and 1:00 a.m. Thursday – Saturday); and,

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

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise license for **Cerulean Management, 170 Mercer St.** unless the condition agreed to by applicant relating to the fourth “whereas” clause is incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 36 Board members in favor.

9. Downtown Restaurant Co., LLC, 372-376 West Broadway (at Broome Street), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an alteration of an existing On Premise license in a commercial building on West Broadway between Broome and Spring Streets for a 2,500 s.f. restaurant with 240 table seats (120 seats on each floor), 2 bars with 12 seats (7 seats in the Ground Floor and 5 seats in the 2nd Floor) with a maximum legal capacity of 240 persons; **to relocate and convert a service bar into a stand-up bar**; and,

Whereas, the applicant stated the hours of operation are 12:00 p.m. – 4:00 a.m. seven days a week; there will not be a sidewalk café application and no backyard garden; music is D.J. only; and,

Whereas, the applicant has agreed to waive their rights to seek a Cabaret License; and,

Whereas, this committee has serious concerns with the use of the 2nd floor space for the past several years (with recent closure for renovations) with no valid Certificate of Occupancy, Public Assembly permits and a violation from the NYC Department of Buildings for operating without a Public Assembly Permit on March 10, 2004, for which no compliance is recorded (ECB Violation #34431720Y; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial of the proposed alteration to an existing On Premise license for **Downtown Restaurant Co., LLC, 372-376 West Broadway**.

Vote: Unanimous, with 39 Board members in favor.

10. RRBV Associates, LLC 290 Hudson St. (at Dominick), NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an alteration to an existing On Premise license for a 2,500 s.f. restaurant located in a commercial building on Hudson between Spring and Dominick Streets, with 67 table seats and 1 bar with 10 seats; and a maximum legal capacity of 145 persons; **to modify the restaurant hours to Sunday – Wednesday from 5:00 p.m. – 2:00 a.m. and Thursday – Saturday from 5:00 p.m. 4:00 a.m.**; and,

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

Whereas, the applicant has been operating successfully for a few months with no known issues; and,

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

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of the proposed alteration to an On Premise license for **RRBV Associates, LLC 290 Hudson St.**

Vote: Passed, with 35 Board members in favor, and 1 abstention (S. Secunda).

11. AB Green Gansevoort, LLC et al, 844-848 Washington St (at West 13th), NYC.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an alteration to an existing On Premise license in an upscale Hotel for the covered outdoor garden cafe consisting of 4,200 s.f. with 179 table seats and 1 bar with 12 seats; and a maximum capacity of 204; **to convert the existing service bar into a stand-up bar**; AND for an application to an existing On Premise license for the 18th Floor bar consisting of 5,264 s.f. with 75 table seats and 1 bar with 17 seats; and a maximum capacity of 267; **to include a stand-up bar to the previously licensed area on the west side of the premises**;

Whereas, the applicant stated there are no plans to change the previously approved method of operation; the applicant stated the hours of operation for the outdoor garden café are Sunday – Thursday from 7:00 a.m. – 12:00 a.m. and Friday and Saturday from 7:00 a.m. – 1:00 a.m.; and the hours for the 18th floor are 12:00 p.m. – 4:00 a.m. seven days a week; and,

Whereas, the applicant has been operating successfully for the past several months; and,

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

Whereas, the applicant has agreed to the following stipulations for the 18th Floor spa bar; to have a defibrillator and any other first aid equipment available at all times; to have trained and certified personnel available in the event of an emergency; to cover the pool by 7:00 p.m. daily; and,

Whereas, the applicant has agreed to use the West 13th Street entrance as the primary means of entering and existing the 18th Floor bar; and,

Whereas, the applicant has agreed to continue their community outreach efforts, including but not limited to quarterly meetings with nearby residents during the next calendar year; and,

Whereas, a few members of the community appeared to express their concerns; citing overcrowding issues with a large hotel establishment; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial of the proposed alteration to On Premise license for **AB Green Gansevoort, LLC et al, 844-848 Washington St** unless those conditions agreed to by applicant relating to the fifth, sixth, seventh and eighth “whereas” clauses above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 36 Board members in favor.

STREET ACTIVITY & FILM PERMITS

1. 12/13 – Winter on Crosby Street, Crosby St. bet. Bleecker & Houston Streets.

Setup: 10am

Breakdown: 5pm

Whereas, the applicant was represented by the NOHO NY B.I.D.; and

Whereas, this event will highlight NOHO’s independent small businesses and celebrated performance venues with a show from the Bleecker Street Opera company, and tables and chairs for winter shoppers to sit and watch; and

Whereas, the Committee recognizes the severe strain being put on small businesses in our community due the current economic environment; and

Whereas, the small businesses in the area of the proposed street closure are being especially impacted by the poor economy due to the multiple construction projects taking place in their vicinity; and

Whereas, all of the small businesses in this commercial area are in support of the proposed street closure because they feel it will help draw shoppers to the area and their stores; and

Whereas, the applicant has agreed to call the relevant city agencies concerning the affect of the street closure on traffic in and out of a garage located at the very end of Crosby Street; now

Therefore Be It Resolved that CB#2, Man. recommends approval for the Street Permit for Winter in Crosby Street on the condition that the applicant has agreed to resolve the traffic situation set forth in the last “Whereas” clause above with the appropriate city agencies.

Vote: Unanimous, with 36 Board members in favor.

PLEASE NOTE THAT THE APPLICANT HAS CANCELED THE ABOVE STREET EVENT.

2. 01/2010-12/20/2010 - Street Activity Permit Application for Carmine Street Block Association Farmers Market, 6th Ave. between Carmine Street and West 3rd Street.

Setup: 9am

Breakdown: 5:00pm

Whereas, the applicant was represented before the Committee by David Gruber; and

Whereas, the Carmine Street Block Association wishes to sponsor a small farmers market that will sell locally grown fresh fruits and vegetables; and

Whereas, the community members living in the area of the proposed farmers market lack nearby stores that sell fresh produce; and

Whereas, the farmers market will be on the sidewalk and require no street closures; and

Whereas, no community members appeared against the proposed farmers market; and

Whereas, the sidewalk where the farmers market will be located is an extra wide sidewalk that will allow plenty of right of way access for pedestrians; now

Therefore Be it Resolved that CB#2, Man. supports the Street Permit request for The Carmine Street Block Association Farmers Market.

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

TRAFFIC AND TRANSPORTATION

Resolution in support of day lighting the south side of Grove St. just east of the Bleecker & Grove Sts. intersection by installing “No Standing Anytime” regulations.

Whereas, Grove St. between Bleecker St. and 7th Ave. is exceptionally narrow, with a street bed measuring only 23 ½ feet across, including a travel lane and 2 parking lanes, constricting movement of vehicles larger than average-size cars; and

Whereas, FDNY reports that emergency vehicles have difficulty getting through on this block, and neighbors assert that garbage trucks and ambulances sometimes have to back up, and there's constant horn honking nightly; and

Whereas, vehicular turning movements into Grove St. east from Bleecker St. are severely impeded;

Therefore Be It Resolved that CB#2, Man. requests that the south side of Grove St. just east of the Bleecker & Grove Sts. intersection be day lighted by installing "No Standing Anytime" regulations for two car lengths.

Vote: Unanimous, with 36 Board members in favor.

ZONING AND HOUSING

1. 57-63 Greene Street (Block 486, Tax Lot 28) City Planning Commission Special Permit Application pursuant to Section 74-711 for the conversion of the previously unconverted units on floors 2 through 6 of the building to Joint Living Work Quarters for Artists (Use Group 17D) and to convert the ground floor and the cellar to Use Group 6 retail use in a M1-5A zoning district.

Whereas, The area was posted and there was significant concern from the residents of the building, And,

Whereas, The rent stabilized tenants and the property owner have recently had legal disagreements that now appear to be resolved, however, the tenants are greatly concerned about their continuing rent stabilized status, And,

Whereas, The rent stabilized tenants have already invested significant monies in their lofts in order to obtain legal status and the current application and renovation will not benefit them but will greatly benefit the owner, And,

Whereas, The current residents of the building voiced apprehension that a passing on of any costs of compliance with the required Landmarks Maintenance Plan and the current renovation would force the rent stabilized tenants to leave their homes, And,

Whereas, The residents of the building are also concerned that the owner might use the current construction work to claim that the building has undergone "demolition" and thereby evict the tenants, And

Whereas, The tenants have noted the lack of safety precautions during the replacement of windows and the lack of any information and of any notice in regards to the ongoing construction work, And,

Whereas, Council Member Alan Jay Gerson, 1st District, has obtained an agreement from the owner (copy attached) that addresses the issues raised by the tenants, And

Whereas, the owners representative has stated to CB#2, Man. and to the current tenants that:

- 1.) There will be no dislocation of any of the rent-stabilized tenants as a result of this special permit.
- 2.) The owner will not pass on of any costs of compliance with the required Landmarks Maintenance Plan to the rent stabilized tenants.

3.) The owner will not pass on any of the costs associated with the current major capital improvements to the rent stabilized tenants.. The owner’s rep has expressed the owner’s willingness to commit to not passing on costs specifically related to the landmark plan and current conversion while retaining the statutory right to charge for other necessary future capital work done on the building.

4.) The owner will not use the current construction work to constitute a “demolition” in order to evict the tenants.

5.) This agreement will succeed the current ownership and be passed on to future ownership.

6.) The owner agrees to conduct work in a safe and minimally disruptive way, develop a better comprehensive construction plan a proactive remediation plan and to have an on site construction manager when work is in progress.

Whereas, CB#2, Man. has recommended that a phone number be provided by the construction manager to respond to emergencies, community comments, and complaints and that there should be Monthly Construction Coordination Meetings and additional meetings as necessary to discuss the ongoing work and to address tenant concerns; and

Whereas, the Rent Stabilization Act provide for compensation equivalent to their monthly rent if they are forced to temporarily vacate but this compensation would be insufficient to cover costs that tenants would in fact incur in such event; and

Whereas, the representatives for owner and tenants have largely concluded negotiations of terms for an agreement to protect tenants during the course of the proposed project but certain details remain unresolved.

THEREFORE BE IT RESOLVED, that CB#2, Man. conditionally supports this City Planning Commission Special Permit Application pursuant to Section 74-711 for the conversion of the previously unconverted units on floors 2 through 6 of the building to Joint Living Work Quarters for Artists (Use Group 17D) and to convert the ground floor and the cellar to Use Group 6 retail use in a M1-5A zoning district, based on the conditions in the owners agreement noted above; and

BE IT FURTHER RESOLVED, that CB#2, Man. requests that the City Planning Commission carefully review the owners agreement and make it a condition of approval

BE IT FURTHER RESOLVED, that CB#2, Man. finds this application satisfies the findings in Section 74-711, but due to concerns of the rent stabilized tenants regarding impacts of the work on their rent levels and status, CB-2 conditions its support for this application on the commitment of the applicant to record an instrument against the property sufficient to permit the existing rent stabilized tenants to pursue their legal remedies under the law should they conclude that the applicant, its successors and assigns, has breached any of the commitments described in Attachment A to its letter dated November 18, 2009, to 57-63 Greene Street Rent Stabilized Tenants, a copy of which is attached to this resolution.; and

BE IT FURTHER RESOLVED, that CB#2, Man. support for this project is contingent upon good faith negotiations between the parties within 30 days to resolve outstanding issues and especially the need to provide compensation to tenants that will reasonably provide for their costs if they are forced to vacate as a result of construction associated with this project; and

BE IT FURTHER RESOLVED, that support is also contingent upon receipt by each tenant of an individually addressed letter promising adherence to the terms of the above referenced letter dated November 18th.

Vote: Unanimous, with 36 Board members in favor.

2. 73-75 Sullivan Street (Block 489, Lot 9) City Planning Application for a change in the zoning map to extend the existing C1-5 overlay district along Spring Street, from the northern boundary of the M1-5B zoning district (200 feet north of Broome Street) to the southern boundary of the R7-2 zoning district (100 feet south of Spring Street), to a depth of 100 feet from the eastern Sullivan Street frontage. In total, the Rezoning will affect an approximately 157 foot by 102 foot (16,083 SF) area. The Rezoning Area is located entirely within a R7-2 zoning district.

WHEREAS; The area was posted and there was significant opposition to this application from residents and property owners, And,

WHEREAS; 73-75 Sullivan Street consists of a single lot with two one-story structures currently occupied by a heating contractor and a bakery and bread store; And,

WHEREAS; the exiting non-conforming commercial uses in the proposed overlay area are mostly tiny stores, And,

WHEREAS; the size of these stores helps maintain the predominantly residential, old-New York character of the blocks; And,

WHEREAS; the proposed zoning change would allow construction of a new building on the owners property with up to 5000 square feet of commercial use built full on the ground floor, additional commercial storage or food preparation in the basement, and five floors of residences above the first floor; And,

WHEREAS; the proposed commercial space for this site would be much larger than other stores on this block; And,

WHEREAS; given the high value of commercial space in this area and the adjacent Soho district, the likely tenants will not be of the type serving neighborhood needs as normally anticipated for C1 overlays, And

WHEREAS; the proposed store or stores would be very different in character from both the existing commercial uses on the site and existing commercial use in the other lots within the proposed Rezoning Area and would greatly change the character of this block, And,

WHEREAS; the applicant refused a request from the CB#2, Man. Zoning Committee to agree to not allow eating and drinking establishments.

THEREFORE BE IT RESOLVED, that CB#2, Man. finds that the proposed rezoning area is not an appropriate location to expand commercial uses, And,

THEREFORE BE IT FURTHER RESOLVED, that CB#2, Man. opposes this City Planning Application for a change in the zoning map to extend the existing C1-5 overlay district along Spring Street, from the northern boundary of the M1-5B zoning district (200 feet north of Broome Street) to the southern boundary of the R7-2 zoning district (100 feet south of Spring Street), to a depth of 100 feet from the eastern Sullivan Street frontage. In total, the Rezoning will affect an approximately 157 foot by 102 foot (16,083 SF) area. The Rezoning Area is located entirely within a R7-2 zoning district. And,

THEREFORE BE IT FURTHER RESOLVED, that CB#2, Man. urges the Planning Commission to deny this application.

Vote: Unanimous, with 36 Board members in favor.

NEW BUSINESS

Resolution Directing Ed Gold to Get Better Quickly!

WHEREAS, Ed Gold (“Ed”) is one of the longest-serving members of Community Board No. 2, Manhattan, having been a member since 1967; and

WHEREAS, Ed has served the community board and the wider community in a variety of important roles, including as Vice Chair of CB 2, the resident expert on the State Liquor Authority and the Padavan Law, and as a founding member of a local political club, the Village Independent Democrats; and

WHEREAS, Ed is currently the CB 2’s historian, and as such utilizes his excellent memory and oratory skills to help preserve the history of the community board, especially for the benefit of its members who may not be aware of CB 2’s rich and interesting past; and

WHEREAS, Ed is without question one of CB 2’s most valued, respected and influential members. It is frequently the case that when Ed speaks on an issue, he shifts opinion in his direction; and

WHEREAS, in a just world, if you looked up the definitions of the words “venerable,” “wise” or “eminence grise” in Webster’s dictionary, there would be a picture of Ed next to them; and

WHEREAS, Ed has had major surgery in recent months and is now recovering at home;

THEREFORE BE IT RESOLVED THAT CB#2, Man., hereby approves a leave of absence for Ed Gold during his convalescence; and

BE IT FURTHER RESOLVED THAT CB#2, Man. hereby orders Ed on his feet as soon as possible so he may return to active service on the community board and continue his tremendous service to all of our local neighborhoods. We need you Ed!

Vote: Unanimous, with 36 Board members in favor!

Treasurer's Nomination

Earlier in the evening Amanda Kahn Fried announced her resignation from the board, effective immediately. Chair Jo Hamilton announced that the position of Treasurer was now vacant, and informed the board that CB2's bylaws are silent as to the procedure for electing a mid-term replacement for the office of Treasurer. She suggested that the board adopt one of the procedures embodied in Robert's Rules, i.e. to accept nominations from the floor. A vote was taken and the board unanimously consented to accept nominations for Treasurer from the floor. The board further unanimously consented that nominations for Treasurer would be accepted at the December full board meeting, and that the election would be held at the January full board meeting.

Respectfully submitted,

Susan Kent
Secretary
Community Board #2, Manhattan