



COMMUNITY BOARD No. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

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

December 19, 2011

Jonathan Mintz, Commissioner
NYC Department of Consumer Affairs
42 Broadway
New York, NY 10004

Dear Commissioner Mintz:

At its Full Board Committee meeting on December 15, 2011, Community Board #2, Manhattan adopted the following resolution:

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

- 1. Sange Restaurant, Inc. d/b/a Tio Pepe, 168 W. 4th St. (btw Jones St & Cornelia St), with 8 tables & 16 seats, DCA# 0693313**

Block:590 Lot:29

Year Built:1920 (estimated)

Floors:6

Residential Units:15 Total # of Units:17

Landmark Building: Yes

Historic Dist. Ext. II

Lot Frontage:44.75' Lot Depth:72.83

Number of Buildings:1; Number of

Zoning:R6 ; Commercial Overlay:C1-5

Historic District: Greenwich Village

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant's assistant was present, and

Whereas, this café has been operated by this applicant for many years with no known issues,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Enclosed sidewalk café for **Sange Restaurant, Inc. d/b/a Tio Pepe, 168 W. 4th St. (btw Jones St & Cornelia St), with 8 tables & 16 seats, DCA# 0693313**

VOTE: Unanimous, with 35 Board members in favor.

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

2. P.M.W., Inc. d/b/a Spring Street Natural Restaurant, 62 Spring St. (SE corner Cleveland Pl/Lafayette St), with 7 tables & 27 seats, DCA# 1193198

Block:481 Lot:7502 Lot Frontage:75.67' Lot Depth:114.33
Year Built:1926 Number of Buildings:1; Number of
Floors:12
Residential Units:41 Total # of Units:42 Zoning:C6-2

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant was present, and

Whereas, this café has been operated by this applicant for many years, and

Whereas, the committee noted that since this café is entirely on Lafayette St, this application is not approvable as filed as only small sidewalk cafes are allowed on Lafayette St between Canal St and Houston St, and

Whereas, the current plan does not meet the criteria for small sidewalk cafes, and

Whereas, the applicant continues to have existing violations in the café including several large planters, no separation between smoking and non-smoking areas, a food service cart, a beverage cooler and a sandwich board sign,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **DENIAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **P.M.W., Inc. d/b/a Spring Street Natural Restaurant, 62 Spring St. (SE corner Cleveland Pl/Lafayette St), with 7 tables & 27 seats, DCA# 1193198**

AND requests DCA work with the applicant to correctly file an application under the small sidewalk café provisions found within Chapter 4, Section 14-30 of the NYC Zoning Ordinance

VOTE: Unanimous, with 35 Board members in favor.

3. 7th Avenue Rest. Group, LLC, d/b/a Tasca, 130-138 7th Ave. So. (NW corner W 10 St), with 23 tables & 68 seats, DCA# 1252679

Block:611 Lot:38 Lot Frontage:103.08' Lot Depth:78.08
Year Built:1920 Number of Buildings:1; Number of
Floors:1
Residential Units:0 Total # of Units:4 Zoning:C2-6
Landmark Building: Yes Historic District: Greenwich Village

Whereas, the area was posted, community groups notified and there were community members present regarding this application, and the applicant was present, and

Whereas, this café has been operated by this applicant for two years, and

Whereas, the committee continues to be confused that the d/b/a on this license ('Tasca') is from a former business and the applicant confirmed that the correct d/b/a is 'Veranda', and

Whereas, the committee noted that the applicant often leaves planters on the sidewalk after café hours in order to use all or part of the café space not as café seating but as smoking, congregating and 'velvet rope' areas after the restaurant is changed to a late-night lounge/nightclub, and

Whereas, the use of the restaurant as a nightclub, which can be extensively documented via websites, (YouTube, etc) as well as being confirmed in person by at least one member of this committee, is in direct violation of the applicant's SLA license Method of Operation and dancing allowed in the restaurant is also illegal as the establishment has no Cabaret License from the NYC Dept. of Consumer Affairs, and

Whereas, the current usage of the restaurant in violation of NYC law and its SLA license have been reflected in numerous fines from the NYC Dept. of Buildings, and continuing action from the SLA with whom the applicant is now in an Article 78 action having been denied a renewal of their liquor license, and

Whereas, this illegal usage has directly affected the late-night use of the sidewalk space permitted exclusively as a sidewalk café,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **DENIAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **7th Avenue Rest. Group, LLC, d/b/a Tasca, 130-138 7th Ave. So. (NW corner W 10 St), with 23 tables & 68 seats, DCA# 1252679**

VOTE: Unanimous, with 35 Board members in favor.

4. Le Basket, Inc. d/b/a Le Basket, 683 Broadway (NW corner W 3 St), with 10 tables & 20 seats, DCA# 1334388

Block:535 Lot:7501

Year Built:1908

Floors:12

Residential Units:274 Total # of Units:275

Landmark Building: Yes

Lot Frontage:209' Lot Depth:200

Number of Buildings:1; Number of

Zoning:C6-2

Historic District: NoHo

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant's representative, Michael Kelly, was present, and

Whereas, this café has been operated for many years with established issues, but this is a new applicant, and

Whereas, the committee noted there is no table service at this café and there have been and continue to be issues with supervision, clean up, non-patrons using the space and café size creep,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **DENIAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Le Basket, Inc. d/b/a Le Basket, 683 Broadway (NW corner W 3 St), with 10 tables & 20 seats, DCA# 1334388**

VOTE: Unanimous, with 35 Board members in favor.

5. Pee Wee & Tyson, Ltd, d/b/a Café Gitane, 242 Mott St. (NE corner Prince St), with 4 tables & 8 seats, DCA# 1011960

Block:508 Lot:53	Lot Frontage:27.83' Lot Depth:79.17
Year Built:1910 (estimated)	Number of Buildings:1; Number of
Floors:6	
Residential Units:16 Total # of Units:19	Zoning:C6-2

Whereas, the area was posted, community groups notified and there were community members present regarding this application, and the applicant was present, and

Whereas, this café has been operated for several years by this applicant, and

Whereas, the committee noted that the café seating is not being kept against the façade as required on this 12.5 ft sidewalk and includes planters, cigarette sand pots and umbrellas which further extend the café into the public sidewalk, and

Whereas, the committee noted and an additional community member stated the restaurant does nothing to control waiting patrons who often completely block the public sidewalk, and

Whereas, one community member said there has been seating beyond that approved for the café, and

Whereas, one community member claimed he has witnessed alcoholic beverage service from the establishment's take-out window and the applicant was unable to assure the committee that this was not true,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **DENIAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Pee Wee & Tyson, Ltd, d/b/a Café Gitane, 242 Mott St. (NE corner Prince St), with 4 tables & 8 seats, DCA# 1011960**

VOTE: Unanimous, with 35 Board members in favor.

6. K.I.D. Restaurant Corp. d/b/a Manatus Restaurant, 340 Bleecker St. (btw Christopher St & W 10 St), with 6 tables & 12 seats, DCA# 0885879

Block:619 Lot:26	Lot Frontage:90.5' Lot Depth:50.17
Year Built:1930	Number of Buildings:1; Number of
Floors:6	
Residential Units:35 Total # of Units:38	Zoning:C1-6
Landmark Building: Yes	Historic District: Greenwich Village

Whereas, the area was posted, community groups notified and there were community members present regarding this application, and the applicant was present, and

Whereas, this café has been operated by this applicant for many years with no known issues, and

Whereas, several community members expressed their support for the approval of this renewal,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **K.I.D. Restaurant Corp. d/b/a Manatus Restaurant, 340 Bleecker St. (btw Christopher St & W 10 St), with 6 tables & 12 seats, DCA# 0885879**

VOTE: Unanimous, with 35 Board members in favor.

7. Claudisal Rest. Corp. d/b/a Da’Massimo & Caffè Rellini, 206 Thompson St. (btw Bleecker St & W 3 St), with 9 tables & 18 seats, DCA# 1187924

Block:537 Lot:37 Lot Frontage:57.17' Lot Depth:100
Year Built:1900 (estimated) Number of Buildings:2; Number of
Floors:6
Residential Units: 40 Total # of Units:44 Zoning:R7-2 ; Commercial Overlay:C1-5

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant’s representative, Michael Kelly, was present, and

Whereas, this café has been operated by this applicant for many years with no known issues, and

Whereas, the committee noted that the entire approved seating area is not always used, but that the applicant needs to ensure that 4-seat tables are only used at the ends of whatever seating is set up and Mr. Kelly committed to that,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Claudisal Rest. Corp. d/b/a Da’Massimo & Caffè Rellini, 206 Thompson St. (btw Bleecker St & W 3 St), with 9 tables & 18 seats, DCA# 1187924**

VOTE: Unanimous, with 35 Board members in favor.

8. Caliente Tequila Grill, LLC, d/b/a Caliente Grill, 282 Bleecker St. aka 59 7th Ave. So. (btw Bleecker St & Morton St), with 10 tables & 30 seats, DCA# 1103058

Block:587 Lot:24 Lot Frontage:21' Lot Depth:75
Year Built:1910 (estimated) Number of Buildings:1; Number of
Floors:3
Residential Units:2 Total # of Units:3 Zoning:C2-6

Landmark Building: Yes
Historic Dist. Ext. II

Historic District: Greenwich Village

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant was present, and

Whereas, this café has been operated by this applicant for many years with no known issues,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Caliente Tequila Grill, LLC, d/b/a Caliente Grill, 282 Bleecker St. aka 59 7th Ave. So. (btw Bleecker St & Morton St), with 10 tables & 30 seats, DCA# 1103058**

VOTE: Unanimous, with 35 Board members in favor.

9. Salsa Salon, Inc. d/b/a Mexicana Mama, 47 E. 12th St. (btw University Pl & Broadway), with 3 tables & 6 seats, DCA# 1252203

Block:564 Lot:19

Year Built:1910 (estimated)

Floors:4

Residential Units:0 Total # of Units:10

Lot Frontage:37.5' Lot Depth:116.75

Number of Buildings:2; Number of

Zoning:C6-1

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant's representative, Steve Wygoda, was present, and

Whereas, this café has been operated by this applicant for many years with no known issues, and

Whereas, the committee noted the seating is often turned 90 degrees from its approved orientation and Mr. Wygoda committed to ensure the applicant sets up the seating as approved,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Salsa Salon, Inc. d/b/a Mexicana Mama, 47 E. 12th St. (btw University Pl & Broadway), with 3 tables & 6 seats, DCA# 1252203**

VOTE: Unanimous, with 35 Board members in favor.

10. NoHo Star, Inc. d/b/a The NoHo Star, 330 Lafayette St. (SW corner Bleecker St), with 16 tables & 32 seats, DCA# 0931822

Block:522 Lot:7501

Year Built:1910

Floors:8

Residential Units:11 Total # of Units:13

Landmark Building: Yes

Lot Frontage:43.08' Lot Depth:116.08

Number of Buildings:1; Number of

Zoning:M1-5B

Historic District: NoHo

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant's manager was present, and

Whereas, this café has been operated by this applicant for many years with no known issues,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **NoHo Star, Inc. d/b/a The NoHo Star, 330 Lafayette St. (SW corner Blecker St), with 16 tables & 32 seats, DCA# 0931822**

VOTE: Unanimous, with 35 Board members in favor.

11. The Original Vincent's, Established 1904 Inc. d/b/a Vincent's, 119 Mott St. (SW corner Hester St), with 9 tables & 18 seats, DCA# 1139678

Block:205 Lot:19	Lot Frontage:25.33' Lot Depth:100
Year Built:1910 (estimated)	Number of Buildings:3; Number of
Floors:5	
Residential Units:14 Total # of Units:16	Zoning:C6-2G

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant's representative, Michael Kelly, was present, and

Whereas, this café has been operated by this applicant for many years with no known issues, and

Whereas, the café plan does not show café seating on the west side of the main entrance that is used by the applicant and appears to be included in the licensed seat count,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **The Original Vincent's, Established 1904 Inc. d/b/a Vincent's, 119 Mott St. (SW corner Hester St), with 9 tables & 18 seats, DCA# 1139678**

CONDITIONAL UPON DCA confirming there is an approved plan showing the seating on the west side of the main entrance to the establishment

VOTE: Unanimous, with 35 Board members in favor.

12. Angelo of Mulberry Street, 146 Mulberry St. (btw Hester St & Grand St), with 3 tables & 10 seats, DCA# 0964932

Block:237 Lot:11	Lot Frontage:36' Lot Depth:100
Year Built:1900 (estimated)	Number of Buildings:1; Number of
Floors:6	
Residential Units:15 Total # of Units:16	Zoning:C6-2G

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant’s manager was present, and

Whereas, this café has been operated by this applicant for many years with no significant issues, and

Whereas, the committee noted the restaurant typically replaces the seating with an entry enclosure in winter, and

Whereas, the committee noted a large menu board on the sidewalk and the manager was reminded to keep any menu boards against the façade of the building,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Angelo of Mulberry Street, 146 Mulberry St. (btw Hester St & Grand St), with 3 tables & 10 seats, DCA# 0964932**

VOTE: Unanimous, with 35 Board members in favor.

13. 567 Hudson Street, Inc. d/b/a White Horse Tavern, 567 Hudson St. (SW corner W 11 St), with 24 tables & 48 seats, DCA# 0769952

Block:633 Lot:52

Year Built:1910 (estimated)

Floors:3

Residential Units:1 Total # of Units:2

Landmark Building: Yes

Lot Frontage:30' Lot Depth:50

Number of Buildings:2; Number of

Zoning:C1-6

Historic District: Greenwich Village

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant was present, and

Whereas, this café has been operated by this applicant for many years, and

Whereas, there appears to be a discrepancy between the approved plan and the seat count with the 12 picnic tables along the outer edge providing the full 48 seats, and

Whereas, the picnic tables should not be allowed in any case as the applicant does not remove them from the sidewalk overnight when the café is not in operation, and

Whereas, the additional small 2-seat tables against the façade appear to have been originally approved under a previous application that had a larger table/seat count, and

Whereas, both plans the committee was shown had more seats than the 48 that are currently approved,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **567 Hudson Street, Inc. d/b/a White Horse Tavern, 567 Hudson St. (SW corner W 11 St), with 24 tables & 48 seats, DCA# 0769952**

CONDITIONAL UPON DCA confirming there is an approved plan matching the approved seating of 24 tables and 48 seats for the establishment or that the approved seating is changed to reflect the approved plan

VOTE: Unanimous, with 35 Board members in favor.

14. Cavallacci, Fabrizio, d/b/a Café Reggio, 119 Macdougall St.(SW corner W 3 St) with 4 tables & 8 seats, DCA# 0782318

Block:543 Lot:21	Lot Frontage:25' Lot Depth:100
Year Built:1900 (estimated)	Number of Buildings:1; Number of
Floors:7	
Residential Units:24 Total # of Units:29	Zoning:R7-2 ; Commercial Overlay:C1-5

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant's manager was present, and

Whereas, this café has been operated by this applicant for many years with no known issues, and

Whereas, the manager noted there is increasing drunken and disorderly conduct among patrons of surrounding bars, recently including the smashing of some of his restaurant's plate glass windows, and requests improved policing of the area,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Cavallacci, Fabrizio, d/b/a Café Reggio, 119 Macdougall St.(SW corner W 3 St) with 4 tables & 8 seats, DCA# 0782318**

VOTE: Unanimous, with 35 Board members in favor.

15. Twelfth Street Corp. d/b/a Village Den Restaurant, 225 W. 12th St. (NE corner Greenwich Ave), with 7 tables & 14 seats, DCA# 1035310

Block:617 Lot:21	Lot Frontage:102.17' Lot Depth:103.25
Year Built:1930 (estimated)	Number of Buildings:1; Number of
Floors:6	
Residential Units:50 Total # of Units:53	Zoning:C1-6
Landmark Building: Yes	Historic District: Greenwich Village

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant was present, and

Whereas, this café has been operated by this applicant for many years with no known issues,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Twelfth Street Corp. d/b/a Village Den Restaurant, 225 W. 12th St. (NE corner Greenwich Ave), with 7 tables & 14 seats, DCA# 1035310**

VOTE: Unanimous, with 35 Board members in favor.

16. MRG Restaurant Corp. d/b/a Positano, 122 Mulberry St. (btw Canal St & Hester St), with 3 tables & 6 seats, DCA# 1035770

Block:205 Lot:12

Year Built:1910 (estimated)

Floors:3

Residential Units:2 Total # of Units:3

Lot Frontage:17' Lot Depth:50.08

Number of Buildings:1; Number of

Zoning:C6-2G

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant's representative, Michael Kelly, was present, and

Whereas, this café has been operated by this applicant for many years with no known issues,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **MRG Restaurant Corp. d/b/a Positano, 122 Mulberry St. (btw Canal St & Hester St), with 3 tables & 6 seats, DCA# 1035770**

VOTE: Unanimous, with 35 Board members in favor.

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

17. Apicio, LLC, 359 6th Ave. (btw W 4 St & W Washington Pl), with 6 tables & 12 seats, DCA# 1424241

Block:592 Lot:19

Year Built:1910(estimated)

Floors:4

Residential Units:3 Total # of Units:5

Landmark Building: Yes

Lot Frontage:39.25' Lot Depth:85

Number of Buildings:2; Number of

Zoning:R7-2 ; Commercial Overlay:C1-5

Historic District: Greenwich Village

Whereas, the area was posted, community groups notified and there were no community members present regarding this application and the applicant, Seamus Mullen, was present, and

Whereas, the plan for the café is based on the use of the building's residential entry for service which is not allowed, and additionally shows a fire hydrant that does not exist on the sidewalk, and

Whereas, the committee noted the café design was dictated in part by the clearance required from the non-existent hydrant, but the depth of the café would primarily be constrained by the required 3 ft clearance from the sidewalk grate in front of the full length of the establishment, and

Whereas, the current access to the restaurant is substantially different than what is shown on the print and is based on the use of a previous tenant and must be redrawn to show among other things the inaccessibility of the left-hand door,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **DENIAL** of this application for a NEW App. for revocable consent to operate an Unenclosed sidewalk café for **Apicio, LLC, 359 6th Ave. (btw W 4 St & W Washington Pl), with 6 tables & 12 seats, DCA# 1424241**

UNLESS DCA receives from the applicant a plan that does not include use of the residential entrance and correctly shows the current uses of the entrances to the establishment

VOTE: Unanimous, with 35 Board members in favor.

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Brad Hoylman, Chair
Community Board #2, Manhattan



Maury Schott, Chair
Sidewalks & Public Access Committee
Community Board #2, Manhattan

JH/gh

c: Hon. Jerrold L. Nadler, Congressman
Hon. Thomas Duane, NY State Senator
Hon. Daniel L. Squadron, NY State Senator
Hon. Deborah J. Glick, Assembly Member
Hon. Scott M. Stringer, Man. Borough President
Hon. Christine C. Quinn, Council Speaker
Hon. Margaret Chin, Council Member
Hon. Rosie Mendez, Council Member
Sandy Myers, CB2 Liaison, Man. Boro. President's Office
Pauline Yu, Community Assistance Unit
Peter Janosik, Council, Land Use Division



COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

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December 16, 2011

Janette Sadik-Khan, Commissioner
Division of Franchises, Concessions and Consents
55 Water St. Floor 9 West
New York, NY 10004

Dear Commissioner Sadik-Khan:

At its Full Board meeting December 15, 2011, Community Board #2, Manhattan, adopted the following resolution:

App. revocable consent from NYCDOT to construct, maintain and use:

18. Entrance detail at 95 Horatio Street (on Gansevoort St side, btw Washington St & West St)

Block:643 Lot:1

Year Built:1930

Floors:10

Residential Units:272 Total # of Units:279

Landmark Building: Yes

Lot Frontage:81.67' Lot Depth:100

Number of Buildings:1; Number of

Zoning:C6-2A

Historic District: Gansevoort Market

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant's architect and engineer were present, and

Whereas, this application is for consent to use 4 ft, 8 in of the 12 ft, 7.5 in sidewalk on the Gansevoort St. side of the building, which is in the Gansevoort Market Historic District, to construct two 'loading dock' type structures as barrier-free access ramps to new retail storefronts being developed along this block, and

Whereas, the western ramp/dock is roughly 105 ft long and the eastern one has been increased in this modification from roughly 70 ft to 120 ft, and

Whereas, this sidewalk is immediately across the street from the entrance to the High Line and what will be the main entrance to the Whitney Museum, and

Whereas, a different version of this proposal was included in a Landmarks application for a master plan for the building which was heard approved by the Commission on 11/27/2007, but the length has now been increased from approximately 105 ft and the proposal apparently did not specify a depth of the dock nor the width of the sidewalk or the percentage of what would be required for this structure, and

Whereas, the LPC approval was given 18 months before the opening of the first phase of the High Line and the increase in pedestrian use of this block from the park and soon the Whitney Museum could not have been anticipated by the Commission, and

Whereas, the committee has seen no evidence that a ‘loading dock’ of this type was ever part of the façade of these buildings, and

Whereas, on a block that will soon see a substantial increase in pedestrian traffic this proposal will reduce the publicly accessible sidewalk to the minimum 8 ft allowed by current law, and

Whereas, given the substantial expansion of the length of the proposed structure since the Master Plan was originally presented and the subsequent popularity of the High Line and impending addition of the Whitney Museum, we request this application be given further scrutiny by the Landmarks Preservation Commission,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **DENIAL** of this application for revocable consent from NYCDOT to construct, maintain and use an **Entrance detail at 95 Horatio Street (on Gansevoort St side, btw Washington St & West St)**

VOTE: Unanimous, with 35 Board members in favor.

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Brad Hoylman, Chair
Community Board #2, Manhattan



Maury Schott, Chair
Sidewalks & Public Access Committee
Community Board #2, Manhattan

BH/gh

- c: Hon. Jerrold L. Nadler, Congressman
Hon. Thomas Duane, NY State Senator
Hon. Daniel L. Squadron, NY State Senator
Hon. Deborah J. Glick, Assembly Member
Hon. Scott M. Stringer, Man. Borough President
Hon. Christine C. Quinn, Council Speaker
Hon. Margaret Chin, Council Member
Hon. Rosie Mendez, Council Member
Pauline Yu, Community Assistance Unit
Peter Janosik, Council, Land Use Division
Sandy Myers, CB2 Liaison, Man. Borough President’s Office