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## COMMUNITY BOARD No. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

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

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March 2, 2011

Amanda Burden, *Chair*  
Department of City Planning  
22 Reade Street  
New York, New York 10007

Dear Chair Burden:

At its Full Board meeting on February 17, 2011, CB#2, Manhattan (CB#2-Man.), adopted the following resolution:

**59-61 Thompson Street (Block 489, Lot 36) (C 110043 ZSM) Department of City Planning Special Permit application pursuant to Section 74-781 to modify the use regulations of Section 42-14(D)(2)(b) to allow Use Group 6 Retail uses on portions of the ground floor and cellar of an existing six-story building, on property located at in an M1-5B District.**

**WHEREAS**, This application seeks to legalize a preexisting non-conforming use that lapsed for more than two years, And,

**WHEREAS**, This application also seeks to expand the preexisting non-conforming use of 300 Sq. Ft. by eliminating four rent stabilized apartments that have already been demolished, And,

**WHEREAS**; The existing non-conforming commercial uses in the 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 3,800 Sq. Ft. commercial space for this site would be much larger than other stores on the block and would include restaurant seating in a cellar that has previously been used for utilities only; And

**WHEREAS**; Given the high value of commercial space in this area, the likely tenants will not be of the type serving neighborhood needs as normally anticipated for this street, And,

**WHEREAS**; the proposed two- level Eating and Drinking Establishment for this space would be very different in character from both the existing commercial uses on the site and existing commercial use in the other lots on this street and would greatly change the character of this block, And,

**WHEREAS;** The sidewalks on this block are very narrow and cannot accommodate the crowds that would inevitably congregate outside the restaurant to smoke; And

**WHEREAS,** There have been many problems with Eating and Drinking Establishments in the surrounding area, And

**WHEREAS,** The applicant refused a request to ban Eating and Drinking Establishments at this location; and

**WHEREAS;** Six neighbors came to a meeting on-site with the property owners representatives and the proposed restaurant operator and all were strongly opposed to expanding the commercial use on the site and to allowing a large eating and drinking establishment there.

**THEREFORE BE IT RESOLVED,** that CB#2, Man. finds that the preexisting non-conforming use is an acceptable and appropriate usage at this location, however, the Community Board finds that this is not an appropriate location to expand this commercial use, And

**THEREFORE BE IT FURTHER RESOLVED,** That CB#2, Man. strongly opposes the elimination of the four rent stabilized apartments and recommends that they be restored, And,

**THEREFORE BE IT FURTHER RESOLVED,** that CB#2, Man. recommends denial of this Department of City Planning Special Permit application pursuant to Section 74-781 to modify the use regulations of Section 42-14(D)(2)(b) to allow Use Group 6 Retail uses on portions of the ground floor and cellar of an existing six-story building, on property located at in an M1-5B District.

Vote: Passed, with 40 Board members in favor and 1 in opposition (R. Sanz).

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



Jo Hamilton, Chair  
Community Board #2, Manhattan



David Reck, Chair  
Land Use and Business Development Committee  
Community Board #2, Manhattan

JH/fa

cc: Hon. Jerrold L. Nadler, Congressman  
Hon. Thomas K. 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  
Sandy Myers, CB2 Liaison, Man. Borough President's office  
Lolita Jackson, Manhattan Director, CAU  
Vivian Awner, Community Board Liaison, Dept. of City Planning  
Land Use Review Unit, Dept. of City Planning  
Jeff Mulligan, Executive Director, Board of Standards & Appeals  
Derek Lee,  
Man. Borough Commissioner, NYC Department of Buildings  
Applicant

Jo Hamilton, *Chair*  
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February 22, 2011

Hon. Andrew M. Cuomo  
Governor of New York  
NYS Capital Building  
Albany, New York 12224

Hon. Dean G. Skelos  
Senate Majority Leader  
Legislative Office Building,  
Room 909  
Albany, NY 12247

Hon. Sheldon Silver  
Speaker of the Assembly  
250 Broadway, Suite 2307  
New York, NY 10007

Dear Governor Cuomo, Senator Skelos and Speaker Silver:

At its Full Board meeting on, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

### **MANHATTAN BOROUGH BOARD REQUEST FOR A RESOLUTION IN 2307 (Tenant Protection Act of 1974)**

**WHEREAS**, all middle-class New Yorkers and especially rent-regulated tenants have 1000

**WHEREAS**, New York City continues to lose affordable rent regulated units; and

**WHEREAS**, provisions of the rent regulation laws have eroded tenant rights and protections over the past two decades; and

**WHEREAS**, the Manhattan Borough Board supports the right of hard working middle-class New Yorkers to live and raise a family in their home communities; and

**WHEREAS**, New York City resident on fixed incomes should be able to continue to live in their home communities; and

**WHEREAS**, New Yorkers should never have to suffer housing discrimination, harassment, or unsafe living conditions; and

**WHEREAS**, a recent analysis on rent regulation published by the Citizens Budget Commission concluded that 49.2 percent of Manhattan residents living in rent-regulated units would experience rent increases of fifty percent or more if rent regulation laws are allowed to sunset later this year; and

**WHEREAS**, the expiration of the New York State Rent Regulation Laws on June 15, 2011 without extension would be a disaster for millions of New York City residents;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. strongly supports the renewal and strengthening of New York State Rent Laws in anticipation of their sunset on June 15, 2011.

Vote: Unanimous, with 41 Board members in favor.

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



Jo Hamilton, Chair  
Community Board #2, Manhattan



David Reck, Chair  
Land Use and Business Development Committee  
Community Board #2, Manhattan

JH/fa

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