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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

February 22, 2013

Meenakshi Srinivasan, *Chair*
NYC Board of Standards & Appeals
40 Rector Street, 9th Floor
New York, New York 10006-1705

Dear Chair Srinivasan:

At its Full Board meeting on February 21, 2012, CB#2, Manhattan (CB#2-Man.), adopted the following resolution:

69-71 Macdougall Street. Application 292-01-BZ to the Board of Standards and Appeals pursuant to ZR 72-21 seeking a ten-year extension to the term of a previous variance allowing an eating and drinking establishment (Villa Mosconi) with accessory cellar storage in an R7-2 residential zone

Whereas,

(Regarding the application information)

1. The application was presented to the committee by Frederick Becker, representing the applicant, and John Ghezzi and Peter Mosconi of Villa Mosconi;
2. The application is for a ten-year extension to a prior variance to allow UG 6 use in this R7-2 district;

(Regarding the request to extend the variance.)

3. There were not changes proposed to the prior variance;
4. No one appeared at the hearing to speak for or against the proposal;

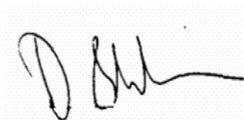
Whereas, there is an apparently illegal advertising sign on the south side of the building because the building borders on a public park;

Therefore it is resolved that CB2, Man. recommends approval of this request for a ten-year extension of a prior variance upon proof that the illegal sign has been removed.

Vote: Unanimous, with 40 Board members in favor.

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

Sincerely,



David Gruber, Chair
Community Board #2, Manhattan



Tobi Bergman, Chair
Land Use & Business Development Committee
Community Board #2, Manhattan

DG/fa

cc: Hon. Jerrold L. Nadler, Congressman
Hon. Brad Hoylman, NY State Senator
Hon. Daniel 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
Vivian Awner, Community Board Liaison, Dept. of City Planning
Jeff Mulligan, Executive Director, Board of Standards & Appeals

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Meenakshi Srinivasan, *Chair*
NYC Board of Standards & Appeals
40 Rector Street, 9th Floor
New York, New York 10006-1705

Dear Chair Srinivasan:

At its Full Board meeting on February 21, 2013, CB#2, Manhattan (CB#2-Man.), adopted the following resolution:

106-108 West 13th Street. Application 8-98-BZ to the Board of Standards and Appeals pursuant to ZR 72-01 and 72-22 seeking an amendment to modify a previous variance permitting limited commercial use in the cellar of a building in an R6 residential zone to allow retail use and extend the allowed hours

Whereas:

(Regarding proposal information.)

1. The proposal is to amend a prior variance.
2. The prior variance allowed limited UG6 use in the cellar of this 6 story residential building in an R6 zone.
3. The prior variance had a 20 year term expiring in 2018;
4. The prior variance limited uses to antique store, art gallery, furniture store or jewelry or art metal craft store.
5. The prior variance limited hours of operation to 10am to 7pm Tuesday through Friday and 11am to 6pm Saturday and Sunday.
6. The current proposal is to amend the variance to remove the term entirely, to allow all UG6 uses except “eating and drinking establishments”, and to extend the hours to 8am to 11pm Monday to Sunday.

(Regarding applicant statements and community response.)

7. The owner stated that since a furniture store had moved out, efforts to lease the cellar had been unsuccessful, but presented no documentation of such efforts.

8. One resident of the building spoke against the proposal and in favor of retaining the current restrictions.
9. The resident submitted a petition with 30 signatures, which she stated were residents of all apartments in the building except.
10. Three neighbors purporting to represent the 13th Street block association spoke in favor of the proposal based on their preference that the cellar be occupied.
11. In response to questions from the committee, the applicant agreed to amend the application to leave the term limitation in place.
12. The owner also agreed to amend the application to include a strict limitation on all food and beverage sales and service including cafes and food stores.
13. The applicant also agreed to amend the application for hours of operation from 9am to 9pm Monday through Sunday.

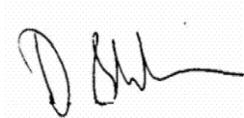
Therefore it is resolved that CB#2, Man.

1. Recommends approval of this application in accordance with the agreements contained in paragraphs 11 – 13 above and included in the attached letter.

Vote: Unanimous, with 40 Board members in favor.

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

Sincerely,



David Gruber, Chair
Community Board #2, Manhattan



Tobi Bergman, Chair
Land Use & Business Development Committee
Community Board #2, Manhattan

DG/fa

cc: Hon. Jerrold L. Nadler, Congressman
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