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



Amanda Kahn Fried, *Treasurer*
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COMMUNITY BOARD No. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

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October 26, 2009

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 October 22, 2009, CB#2, Manhattan (CB#2-Man.), adopted the following resolution:

24-26 East 13th St. Board of Standards and Appeals Special Permit application pursuant to Section 73-36 of the Zoning Resolution, on behalf of New York Health and Racket Club to allow the expansion of a Physical Culture Establishment into the third floor of an existing building, for a term not to exceed 10 years.

WHEREAS, the surrounding area was posted and there was no community opposition to this application, And,

WHEREAS, there have been no complaints for this establishment, And,

WHEREAS, The usage is consistent and compatible with the other uses in this building and in the surrounding buildings and has had no adverse impacts on the neighborhood,

THEREFORE BE IT RESOLVED, that CB#2, Man. is satisfied that the applicant has met the requirements for this special permit, And,

THEREFORE BE IT FURTHER RESOLVED, that CB#2, Man. supports this application for a Board of Standards and Appeals Special Permit Application, pursuant to ZR §73-36, on behalf of New York Health and Racket Club, to allow the expansion of a Physical Culture Establishment into the third floor of an existing building, for a term not to exceed 10 years.

Vote: Unanimous, with 39 Board members in favor.

Meenakshi Srinivasan, Chair
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October 26, 2009
Page Two

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



Jo Hamilton, Chair
Community Board #2, Manhattan



David Reck, Chair
Zoning and Housing Committee
Community Board #2, Manhattan

JH/fa

cc: Hon. Jerrold Nadler, Congressman
Hon. Thomas Duane, NY State Senator
Hon. Deborah Glick, Assembly Member
Hon. Scott Stringer, Man. Borough President
Hon. Alan Jay Gerson, Council Member
Hon. Margarita Lopez, Council Member
Hon. Christine Quinn, Speaker of the Council
Sandy Myers, Community Board Liaison, Man. Borough President
Lolita Jackson, Manhattan Director, CAU
Vivian Awner, Community Board Liaison, Dept. of City Planning
Jeff Mulligan, Executive Director, Board of Standards & Appeals
Magdi Mossad, P.E., Man. Borough Commissioner, NYC Department of Buildings
Applicant

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Dear Chair Srinivasan:

At its Full Board meeting on October 22, 2009, CB#2, Manhattan (CB#2-Man.), adopted the following resolution:

58 Washington Square South, New York University Center For Academic And Spiritual Life (Block 538, Lot 27) Board of Standards and Appeals Variance Application to allow the construction of a five story (plus mechanical penthouse) building. The Proposed Building would comply with the applicable floor area regulations but would require modification of the lot coverage and height and setback regulations of the Zoning Resolution. Mapped within an R7-2 zoning district with a partial C1-5 commercial overlay.

WHEREAS, CB#2, Man. finds that the “as of right” massing does not suit the programmatic requirements of the University and is not the best massing for the community, And,

WHEREAS, there will be improved efficiency in the new building by combining it functionally with the existing Kimmel Center, And,

WHEREAS, the site is a very important corner in Greenwich Village and the new building will be around for a very long time, And,

WHEREAS, Judson Church is one of the more important historic structures in the area and it is directly across the street from this site, And,

WHEREAS, CB#2, Man. was presented with only one proposed massing that is a simple large box that looks out of place next to Judson Church and Tower and does not relate well to the streetscape, And,

Meenakshi Srinivasan, Chair
NYC Board of Standards & Appeals
October 26, 2009
Page Two

WHEREAS, While an argument can be made for the proposed monolithic form, the Board believes that there are other massing schemes that would be more in context with the neighborhood, provide a more interesting architectural form, and still meet the programmatic requirements of the University, And,

WHEREAS, A wider range of more creative massing could include options for alternative set backs on Thompson St. as well as Washington Square South that might help to break down the scale of the proposed monolith, And,

WHEREAS, the Kimmel Center has detracted from the West 3rd Street streetscape and the new façade of the Center for Academic and Spiritual Life does not contribute and the Thompson Street façade is uninteresting and bland, And,

THEREFORE BE IT RESOLVED, that CB#2, Man. requests that the Board of Standards and Appeals not approve this application at this time and that the Applicant return to the Community Board with alternative massing schemes so the community can have the opportunity to review other possible massing options that might be more compatible with the surrounding neighborhood, And,

THEREFORE BE IT FURTHER RESOLVED, that CB#2, Man. requests that both the Thompson Street and the West 3rd Street facades be reexamined and that the Community Board be presented with alternative options.

Vote: Unanimous, with 39 Board members in favor.

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Dear Chair Srinivasan:

At its Full Board meeting on October 22, 2009, CB#2, Manhattan (CB#2-Man.), adopted the following resolution:

503 Broadway (Block 484, Lot 17) BSA No. 163-99-BZ, Board of Standards and Appeals Special Permit application pursuant to Section 73-36 of the Zoning Resolution, on behalf of New York Sports Club for the renewal of a Special Permit which had been granted by the Board in June 2000 to allow a Physical Culture Establishment located on the 3rd floor of an existing building, in a M1-5B District, for a term not to exceed 10 years

WHEREAS, The surrounding area was posted and there was no community opposition to this application, And,

WHEREAS, there have been no complaints for this establishment, And,

WHEREAS, The proposed usage is consistent and compatible with the other uses in this building and in the surrounding buildings and has had no adverse impacts on the neighborhood,

THEREFORE BE IT RESOLVED, that CB#2, Man. is satisfied that the applicant has met the requirements for this special permit, And,

THEREFORE BE IT FURTHER RESOLVED, that CB#2, Man. supports this application for a Board of Standards and Appeals Special Permit Application, pursuant to ZR §73-36, on behalf of New York Sports Club for the renewal of a Special Permit to allow a Physical Culture Establishment located on the 3rd floor of an existing building, in a M1-5B District, for a term not to exceed 10 years

Vote: Unanimous, with 39 Board members in favor.

Meenakshi Srinivasan, Chair
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October 26, 2009
Page Two

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Dear Chair Srinivasan:

At its Full Board meeting on October 22, 2009, CB#2, Manhattan (CB#2-Man.), adopted the following resolution:

88-90 Jane Street (Block 641, Lot 1001-1006) BSA CAL. NO.: 149-01-BZ Board of Standards and Appeals application to remove the condition included in BSA Resolution 149-01 BZ, June 18, 2002, which required that one (1) of the residential dwelling units authorized by the 2002 variance be restricted for a term of ten (10) years; to a "qualified senior citizen at a subsidized rate".

WHEREAS, the building, as originally built, was larger than a strictly residential building because it included a Community Use, And,

WHEREAS, the Board of Standards and Appeals in 2002 granted a variance to convert to residential the space occupied by the Community Use which resulted in substantial benefit to the owner with the only significant condition being the one that the owner is now seeking to remove, And,

WHEREAS, the Board of Standards and Appeals resolution from 2007 to extend the time to obtain a Certification of Occupancy notes that the term of ten years for a qualified senior citizen starts when the new Certification of Occupancy is obtained, meaning that the term still has eight years to run, And,

WHEREAS, The Community Board recognizes that the original agreement was not well considered as to how this restriction might be administered, however, it was agreed to and to remove the condition without an equitable alternative agreement certainly violates the spirit of the original agreement, And,

WHEREAS, CB#2, Man. first heard this application in June and laid it over at the applicants request so that the applicant could develop an alternative proposal., however, the Board has not been presented with an equitable alternative, And,

WHEREAS, The asking rent of \$4,000 per month does not seem to be a “subsidized rate” even for the West Village and continuing to ask this rent would prevent any senior citizen from occupying the apartment,

THEREFORE BE IT RESOLVED, that CB#2, Man. requests that the condition included in BSA Resolution 149-01 BZ, June 18, 2002, which required that one (1) of the residential dwelling units authorized by the 2002 variance be restricted for a term of ten (10) years; to a "qualified senior citizen at a subsidized rate" starting when the new Certification of Occupancy was obtained remain and that the applicant be required to fulfill this commitment to the community.

Vote: Passed, with 38 Board members in favor, and 1 in opposition (S. Ashkinazy).

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