

FULL BOARD MINUTES

DATE: April 22, 1999
TIME: 7:00 P.M.
PLACE: St. Vincent's Hospital, 170 W. 12th Street
Cronin Auditorium, 10th Floor

BOARD MEMBERS PRESENT: Ann Arlen, Tobi Bergman, Enid Braun, Glenn Bristow, Charle-John Cafiero, Keith Crandell, Anthony Dapolito, Doris Diether, Noam Dworman, Carol Feinman, Rev. Keith Fenessy, Harriet Fields, Alan Jay Gerson, Chair, Community Board #2, Man. (CB#2-Man.); Edward Gold, Arnold L. Goren, Jo Hamilton, Anne Hearn, Honi Klein, Lisa LaFrieda, Rachel Lavine, Aubrey Lees, Edward Ma, Rosemary McGrath, Michael Mirisola, Doris Nash, T. Marc Newell, David Reck, Carol Reichman, Robert Rinaolo, Debra Sandler,

Arthur Z. Schwartz, Shirley Secunda, Ruth Sherlip, John Short, Sharon Slotnick, Verna Small, James Smith, Sean Sweeney, Abraham Tan, Lora Tenenbaum, Martin Tessler, Wilbur Weder, Jeanne Wilcke, Betty Williams, Suzanne Williamson, Carol Yankay.

BOARD MEMBERS EXCUSED: Betsy Billard, Helene Burgess, Elizabeth Gilmore, Emily Giske, Anthony Hoffmann.

BOARD MEMBERS ABSENT: Donna Blau.

BOARD STAFF PRESENT: Arthur Strickler, District Manager.

GUESTS: Vinnie Maniscalco, Congressman Jerrold Nadler's office; Scott Melvin, Senator Tom Duane's office; Debbie Roth, Assemblymember Deborah Glick's office; Dirk McCall, Man. Borough President C. Virginia Field's office; Councilmember Kathryn Freed; Tom Castele, Councilmember Kathryn Freed's office; Damaris Reyes, Councilmember Margarita Lopez's office; Tony Simone, Councilmember Christine Quinn's office; Vivian Awner, Dept. of City Planning; Julia Rivera-Murray, Sylvia Murray-Rivera, Jim Tempio, J. Ryan, Carl Rosenstein, Ed Scarborough, Ted Freiser, Albert Bennett, Stanley Rosenberg, Dana Giro, Jean Krampner, Ken Wallach, Eric Groth, Matthew Chirichella, Kevin Burke, Edward Kirkland, Ann Amato, Cheryl Grandfield, Edward McWilliams, Konrad Abbott, April Sopkin, Joe Ruggiero, Diane Fong, Mary K. Doris, Adam Kraener, John Hiliker, Bill Hine, George Rudge, Laurence Goldberg, Judith Callet, Sante Scardillo, George Watson, Richard Falcone, Christabel Gough, Susan Goren, Justine Gabler, Arlene Cohen, Robert Davis, Luther Harris.

MEETING SUMMARY

Meeting Date - April 22, 1999
Board Members Present - 42
Board Members Excused - 8
Board Members Absent - 1

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II. Public Session

Non-Agenda Items

Poe House

John Heliker spoke in favor of saving Poe House.

Mulberry St. Mall

Sante Scardillo, LINA, spoke against the mall, and would like a standing committee to handle the issue.

U.S. Census

Mr. Scarborough spoke on the need for an accurate census.

Diallo Protest

T. Mark Newell congratulated CB#2-Man. members arrested at the Amadou Diallo protest.

General

Carl Rosenstein spoke re: wanting CB#2-Man. to commend office for good work done each month. Also, wants to commend Kathryn Freed for effort to ban over-sized trucks.

Business & Institutions Items

NYU Loeb Student Center

Dana Giro, BAMRA, and Luther Harris spoke against the demolition of the Loeb Student Center, and the new Kimmel Center. Laurence Goldberg, Friends of LaGuardia/Committee to Save Washington Sq. Park stated that NYU has broken their word to the community on the size of future buildings.

Traffic & Transportation Items

Traffic-Illegal Tickets

Carl Rosenstein, Trees Not Trucks, spoke in favor of the resolution.

Traffic Modifications on Bleecker St.

Jeanne Wilcke, NoHo Neighborhood Assn., spoke in favor of the traffic-calming measures.

Landmarks & Public Aesthetics Items

102-106 Wooster St.

Robert Davis, attorney representing the applicant, spoke in favor of the application.

17 Greene St.

Justine Gabler and April Sopkin spoke in favor of the proposal.

Parks, Recreation & Open Space

DeSavio Park

Sante Scardillo, LINA, spoke against the showing of movies in the park, due to poor management and noise.

Sidewalks, Public Facilities & Access Items

Ban of Sidewalk Cafes on University Pl.

Stanley Rosenberg, E. 12th/13th St. Block Assn., Arlene Cohen (signed up but did not speak), E. 8th/9th St. Block Assn., and Cheryl Grandfield, E. 11th St. Block Assn., spoke in favor of the resolution banning sidewalk cafes on University Place, primarily a residential area.

Zoning and Housing Items

Chelsea Rezoning

Edward Kirkland, CB#4, spoke on the above-referenced topic.

Luther Harris signed up but did not speak.

III. Adoption of Agenda

IV. Elected Officials Present and Reporting

Vinnie Maniscalco, Congressman Jerrold Nadler's office reported on **a)** Bank Reform Acts-abortion clinics; **b)** social services reform; **c)** hate crimes and the need for legislation, and Bias Crime Compensation Act-victims can bring civil action against perpetrators.

Scott Melvin, of Senator Tom Duane's office reported on **a)** rent laws; **b)** City as School water tunnel; **c)** school board elections.

Debbie Roth, of Assemblymember Deborah Glick's office reported on the Sexual Orientation Bill change of many votes in favor.

Dirk McCall, of Man. Borough President C. Virginia Fields' office reported on the 2nd Avenue subway issue; meeting on west side flooding; spoke in favor of the NoHo Historic District; against the Carousel club; he welcomed all the new appointments to the Board; spoke in favor of Police residence; and against the privatization of hospitals.

Councilmember Kathryn Freed reported on Canal St., watershed-reducing regulations required on preservation and protection to water shed.

Tom Castele, of Councilmember Kathryn Freed's office reported on **a)** the Mayor's budget problems: cuts to social services, youth, and money going to a school voucher program. The monies should go to City public schools; **b)** legislation on elephant abuse, the NoHo Historic District, against the M-10 bus cut; **c)** traffic sign on Prince, Thompson and Spring Sts. More coordination is needed

Tony Simone, of Councilmember Christine Quinn's office reported on **a)** water tunnel park hearing; **b)** budget cuts to libraries, sanitation, etc.; **c)** sewer problems-meeting with DEP; **d)** request for trees and curb cuts; and **e)** meeting for INCR in funds for AIDS housing.

Damaris Reyes, of Councilmember Margarita Lopez's office.

V. Adoption of Minutes

Adoption of March minutes. Distribution of April minutes.

VI. Executive Session

A) Chair's Report **1)** Alan Jay Gerson reported on 3 meetings: **a)** Little Italy and Chinatown Town Hall meeting coming up on Tuesday, May 4th; **b)** Hidden poverty forum on June 3rd; **c)** diesel fuel pollution hearing; **d)** related that the Mediation Center is up and running: 1) Mulberry St. Mall 2) Noise on 8th St.; **e)** slides of Pier 40 Design Competition on hand at the CB#2-Man. office; **f)** April 28th joint meeting with Boards 1 & 3 re: traffic, safety issue due to construction of Canal St.; **g)** tour conducted of Chinatown re: businesses use of sidewalks - special subcommittee to be formed; **h)** Welcomed new Board members and thanked those who were not reappointed; **i)** announced the new Acting Commissioner of Youth and

Community Development Violet Mitchell.

2) LETTER OF SUPPORT FOR THE CARING COMMUNITY

It was agreed that, as in the past, we write a letter of support for Caring Community.

Vote: Unanimous, with 41 Board members in favor.

3) REQUEST FOR FUNDING

It was agreed that we request from the Borough President, funding for a Canal Street traffic Study, the heart defibrillator project (\$15,000), the Mediation Center and Community Court development (\$15,000) and the CHAMPS youth program (\$45,000).

Vote: Unanimous, with 41 Board members in favor.

B) District Manager's Report

STANDING COMMITTEE REPORTS

PUBLIC SAFETY & HEALTH

1. Request for Increase of Local precinct Staffing.

SEE ATTACHED RESOLUTION EXHIBIT 1A.

Vote: Passed, with 40 Board members in favor and 1 abstention.

2. Recognition of "Community Police" Officers.

SEE ATTACHED RESOLUTION EXHIBIT 1B.

Vote: Unanimous, with 41 Board members in favor.

YOUTH

Homeless Youth Shelter

SEE ATTACHED RESOLUTION EXHIBIT 1I.

Vote: Unanimous, with 41 Board members in favor.

TRAFFIC AND TRANSPORTATION

1. NOHO traffic calming and safety on Bleecker St. from Lafayette to Bowery.

WHEREAS, Bleecker St. between Lafayette and Bowery has become an east bound street alternative for the heavily trafficked Houston St., and Elizabeth St. is being used as an alternative north bound street for Bowery up to Bleecker where it can't go any further; and

WHEREAS, Mulberry, Mott and Elizabeth Sts. end at Bleecker, and Bleecker ends @ Bowery creating "T" intersections (not through streets), and the ill timed Bowery traffic lights @ Bleecker, First St. and Bond St. cause traffic back ups on Bowery not allowing Bleecker traffic to turn north or south resulting in traffic backing up and horn honking on Bleecker to Lafayette throughout the night; and

WHEREAS, the Bleecker/Bowery traffic back up happens on weekday PM rush hours, but also now that the NOHO and Northern Little Italy neighborhoods have become popular tourist and entertainment areas in the last five years, traffic is to backing up on weekends till after 3:00 am with horns honking at each of these "T" intersections, disturbing the resident's sleep and their quality of life; and

WHEREAS, five new restaurant-bars have opened in the last several years on Bleecker, the expansion of CBGB's across Bowery @ Bleecker, and five new

restaurant bars on Elizabeth St. between Houston & Prince have increased pedestrian and vehicle traffic from Thursday through Sunday; and

WHEREAS, the community has experienced tremendous residential, business, retail, institutional expansions on the Broadway, Houston, Lafayette, Bleecker corridors causing increased pedestrian and vehicle traffic as well as trucks using the small narrow local streets on Mulberry, Mott and Elizabeth as through streets which they aren't; and

WHEREAS, the NoHo neighborhood currently being considered for landmarking by the Landmark Preservation Commission excluded Houston St. to Astor Place east of Lafayette, which will not protect this part of NoHo from additional massive development and additional traffic generators already in the planning stage; and

WHEREAS, Lafayette St. between Bleecker to Great Jones has had a tremendous influx of pedestrian traffic and has been the site of a shooting last spring and several muggings and attacks due to the low street lighting causing these streets to be exceptionally dark; and

WHEREAS, the corners of Mulberry, Bleecker & Lafayette (MLB Triangle) create an irregular triangle with six corners and five entrances and exits to the IRT No. 6 and the Bway/Lafayette IND subway lines @ the n/w, s/w and n/e corners of Bleecker/Lafayette, and the s/w and s/e corners of Mulberry/ Bleecker with a bus stop on the north east corner of Lafayette/Bleecker, and these narrow corners are heavily pedestrian trafficked areas day and night without any high visibility crosswalks creating danger to both pedestrians and vehicles; and

WHEREAS, the MLB Triangle now has thousands of people crossing this irregular, dangerous intersection to use public transportation, without crosswalks, stop lines for traffic or clear corners for the masses of people

entering and exiting, and due to the increased populations, popular Metro

access and transfer stops this Triangle has become a new traffic generator; and

WHEREAS the north bound traffic on narrow Mulberry St. ends at Bleecker, which doesn't have a cross walk or stop line, and traffic often makes an illegal left turn on Bleecker into oncoming traffic to get onto (uptown) Lafayette, causing danger to unsuspecting pedestrians going to the subway and to eastbound Bleecker traffic; and

THEREFORE BE IT RESOLVED that CB#2-Man., urges that NYCDOT work with the MTA and NYPD to investigate and implement short and long term pedestrian safety and traffic calming improvements on the Bleecker St. corridor between Lafayette and Bowery to mitigate the high volume of traffic and create safety for the high volume of pedestrians using these streets to access public transportation and for their everyday life; and

BE IT FURTHER RESOLVED that CB#2-Man., urges that the immediate improvements requested by the community be included but not limited by NYC DOT to the following:

1. install crosswalks on Bleecker @ Mulberry, Mott, Elizabeth and Lafayette with stop lines at the stop signs and traffic lights;
2. install painted (temporary) neck downs @ both the south and west corners of Bleecker and Lafayette St. at the downtown IRT #6/ IND subways entrance/exit with a high visibility crosswalk across Lafayette street to the uptown IRT @ the s/w and S/e corners of Mulberry;
3. install painted (temporary) neckdown @ the entrance to the IRT uptown #6 @ the S/W corner of Mulberry/Bleecker with a high visibility crosswalk across to the s/e corner of Mulberry and another entrance to the IRT # 6 Uptown subway;
4. install on Mulberry @ Bleecker "NO LEFT TURN" [onto Bleecker] signage;
5. install singage on Bleecker St. between Bowery and Lafayette and on Elizabeth, & Mulberry @ Houston St.: "No Truck Deliveries except

Local Deliveries" and "NO Horn Honking";

6. install "NOT A THROUGH STREET" and "No Trucks except Local Deliveries" signage for east bound Houston traffic @ Elizabeth and for north bound Elizabeth St. @ Houston;
7. install blockades Friday & Saturday nights on Bleecker @ Lafayette St. until the timing of the lights on Bowery are adjusted to stop the traffic back up @ Bleecker/Bowery;
8. restrict First St. traffic @ Bowery going south by installing signage "NO LEFT TURN" onto Bowery @ 1st St.;
9. "**Day-Light**" Bleecker St. corners (one car length long), @ s/w & s/e Mulberry, and the s/e & s/w of Lafayette streets the location of the subway entrance/ exits;
10. replace and rewire the hanging electric wire strung over Bleecker St. and replace the **Traffic light** with a Pole on which a street lamp can be mounted, on the n/e corner of Lafayette/Bleecker,
11. paint the word STOP on the roadbeds of all the above cross streets as well as **stop lines** to stop cars from rolling into the pedestrian crosswalks ;
12. install a street lamp on the east side of Lafayette street between Bond & Great Jones;
13. adjust traffic light timing on Bowery @ First St., Bleecker, Bond and Great Jones to alleviate the choke point @ Bleecker/ Bowery, additionally adjust First St. (a low traffic street) traffic light to remain red for several cycles; and
14. install curb cuts on Bleecker St. from Broadway to Bowery that are currently missing

BE IT FURTHER RESOLVED that CB#2-Man., asks the NYPD-9th Precinct to set up and take down the blockades on Bleecker @ Lafayette and @ Elizabeth & Houston Sts. every weekend as well as on festival days such as the Saint Genero Feast in September; and

BE IT FURTHER RESOLVED that CB#2-Man., demands that the temporary neckdowns on the corners of Lafayette, Bleecker and Mulberry be place on the NYCDOT the 2001 capital budget for permanent construction.

Vote: Unanimous, with 41 Board members in favor.

2. Illegal trucks using local streets-Enforcement of Local Law No. 6 "pedestrian Bill of Rights"

WHEREAS, CB#2-Man, has been extremely concerned by the high volume of truck traffic in our district and the flagrant disregard of the trucking industry to conform to regulations concerning size and weight limitations on City streets, especially our local narrow, historic and landmarked areas and, including but not limited to Houston, Broome, Grand, Canal, 7th Ave. So./Varick, lower 6th Ave, Broadway, Centre/Lafayette, Mulberry, Mott, Elizabeth and Bowery; and

WHEREAS in 1996, Local Law #6, known as the "Pedestrian Bill of Rights," amended the Administrative Code (Sections One, Chapter 1 of Title 19) to include subchapter three, 19-178, which reads: "*The commissioner shall post a sign at each exit within the city of New York of each bridge and tunnel having only one terminus in the city of New York that states the limits of truck weight and truck length within the city.*"; and

WHEREAS, curbing the influx of over-sized trucks will have a tremendous impact on limiting the damage these oversized, overweight trucks are doing to the infrastructure of our streets and roadways in our district, and on all New York City neighborhoods; and

WHEREAS, New York City is committed to improvements in air quality, particularly in non attainment areas such as Canal St. and its impacted areas ("Hot Spots"), and Local Law #6 is in fact an incentive that, if enforced, could redirect illegal over sized/length transiting trucks, neither delivering or picking up in Manhattan would reduce the amount of diesel particulate matter [PM10 (2.5)], emitted from these trucks, which is an attributing element to the high incidence of asthma and respiratory illness, especially in lower Man.; and

WHEREAS, "Local Law #6 also requires the NYCDOT to provide a "traffic calming study," (i.)*"The commissioner shall conduct a study on feasibility of installing traffic calming measures, including but not limited to, raised crosswalks, traffic circles and protected pedestrian phases in appropriate locations in the city. Within one year of the effective date of this local law, the commissioner shall submit a report of the department's findings to the City Council"*; "for the purpose of this section the following terms shall have the following meanings:"

1. "traffic calming" shall mean any engineering measure which slows vehicular traffic and accommodates other street users such as pedestrians, bicyclists or children at play;

2. "raised crosswalks" shall mean crosswalks which are raised several inches above street level in order to slow vehicular traffic;

3. "traffic circles" shall mean landscaped islands in the middle of intersections, which can replace traffic control indications or stop signs on non-arterial streets;

4. "protected pedestrians phases" shall mean traffic control indications that are adjusted to provide that all conflicting vehicular movements are stopped in order to accommodate pedestrian movement;

" this local law shall take effect sixty days after its enactment into law, which was signed by the council on December 20, 1995 and approved by the Mayor on January 12, 1996.; and

WHEREAS, CB#2-Man. highly commends the NYPD Traffic Enforcement Dept. (NYPD-TED) for very successfully implementing Local Law No. 6 with the Canal/Broome Task Force, with the help of that community, but the NYPD-TED severely lacks the resources to deploy additional officers to implement the law in the above mentioned areas, although "No Truck" signs on Broome have recently be replaced by DOT allowing trucks, at night, causing additional traffic and noise; and

WHEREAS, the Port Authority of New York and New Jersey (PA-NY/NJ) has offered to work with the NYCDOT, NYPD and the community to find areas on their property or city property near the Holland Tunnel to weigh and measure trucks; and

WHEREAS, the community has not been able to find one sign posted at any of the exits/entrances to any of the bridges and tunnels in our district nor has the NYCDOT supplied us with a list of where these signs have been posted nor have they supplied us a copy of the required, "within one year of the effective date [January 1996] of this local law, a copy of the report of the department's findings from the traffic calming study"; and

WHEREAS, Councilmember Kathryn Freed introduced Int. No 243 on March 18, 1998 to amend the administrative code of the city of New York, in relation to prohibiting trucks which are more than thirty-three feet in length from certain areas of the city, bounded by the north side of Canal street, the south side of Houston St., the west side of Bowery and the east side of Ave of Americas and the north side of Worth, the south side of Canal, the west side of Baxter and the west side of Bowery;

THEREFORE BE IT RESOLVED that CB#2, Man. requests the New York City Dept. of Transportation (NYCDOT) to supply a list of the number of truck weight and length signs that have been installed and where, for all tunnels and bridges, as required by the law, and additionally supply us with a copy of the "traffic Calming study" that was supposed to be supplied to the city council in January 1997; and

BE IT FURTHER RESOLVED CB#2, Man. calls on the Office of the Manhattan Borough President, and other elected officials and demands that the City of New York supply the additional funds needed to the NYPD TED for scales, state certified measuring devices and police officers to be deployed on a regular bases to specifically enforce Local Law #6 to CB#2, Man. "hot spots" to include but not limited to the Holland Tunnel entrances/exits, Canal/Broome/ Watts, Hudson, 7th Ave. So./Varick, West St., Bowery/Canal; and

BE IT FURTHER RESOLVED that the Traffic and Transportation Committee and

CB#2, Man's Executive Committee acting upon the recommendation of the Traffic and Transportation Committee to establish a commendation program for the NYPD TED and other NYPD officers to show our appreciation for the good work they are doing in the community by reducing illegal truck traffic by issuing Proclamations to Police officers whose names are submitted for special mention; and

BE IT FURTHER RESOLVED that CB#2, Man. strongly suggests the NYCDOT to work with the MTA-Bridges & Tunnels and PA-NY/NJ to create weight & measures stations to inspect transversing illegal over weight/ length trucks, as well as to establish transfer stations outside of Manhattan to help stop the infrastructure damages being done to our city streets; and

BE IT FURTHER RESOLVED that CB#2, Man. desires Council members Christine Quinn and Margarita Lopez, other elected officials, the Manhattan Borough Board, and other Borough Boards to support Council Member Freed's March 28, 1998 Intro. 243 and pressure the City to pass this very important legislation for all of New York, to include restricting trucks to thirty-three feet.

Vote: Unanimous, with 41 Board members in favor.

3. M10/M20 Bus Route Proposed service division Into two overlapping routes

WHEREAS The Metropolitan Transportation Authority (MTA) has proposed to divide the M10 bus route into two, overlapping routes, with one new route (to be called the M10) operating between 159th St. and Penn Station (31st St.); the other new route (to be called the M20) operating between Lincoln Center (66th St.) and Battery Park City; and

WHEREAS the new routes' shorter distances covered as well as their overlap will require customers traveling between lower and upper Manhattan to complete their trips with multiple transfers, in some cases costing an additional fare; and

WHEREAS the overlapping routes, as proposed, will increase travel times, cause delays in service, inconvenience customers and decrease reliability; and

WHEREAS the increased head times of 15 to 20 minutes will inconvenience riders thereby discouraging usage and creating a self fulfilling prophecy of reduced ridership; and

WHEREAS head times of 10 to 12 minutes would be more appropriate to serve customers needs; and

WHEREAS in November 1998 the New York City Transit Authority (NYCTA/ MTA) rerouted the northbound M-10 bus to operate on West St. rather than on Hudson St., between Harrison St. and Spring St., as a way of avoiding Holland Tunnel traffic; and

WHEREAS at its full Board meeting on November 19, 1998, CB#2-Man. adopted a resolution emphatically opposing this M-10 route change, which the MTA had proposed but the MTA obstinately defied the needs of community by implementing the rerouting of this mass transit life line to several communities; and

WHEREAS in November 1998, CB#1, Man. opposed the proposed M-10 route change, and CB#2, Man. supports CB#1's position; and

WHEREAS in November 1998, the MTA only presented their proposed M-10 route change and did not present the plan to divide the M10 bus route into two, and overlapping routes, deliberately withholding information about the proposed split; and

WHEREAS the MTA has not effectively reached out to the Community Boards and has not given proper notice and information; and

WHEREAS the M-10 is the only bus that goes below 14th St., west of 6th Avenue, serving a growing population not only to the west, but to the east of Hudson St., a population that includes numerous children for whom this bus is the primary link to the middle schools serving School District 2, all of whom are now greatly inconvenienced, discomforted and endangered by having to navigate three extra very long blocks to West St. and to wait for the bus in a dark and desolate area that is extremely cold in the winter; and

WHEREAS West St. itself is very congested, and Route 9A construction, which has adversely affected bus schedules in other parts of the city, will be continuing for the next three years, compounding this congestion; causing delays in service; and

WHEREAS movement of through traffic along Hudson St. around the Holland Tunnel has recently improved with better management, including designated lanes for tunnel traffic, and conditions would be further improved by increased NYPD enforcement; and

WHEREAS the one-way toll change at the Verrazano Narrows Bridge several years ago has had a major impact on the increase of traffic at the Holland Tunnel;

THEREFORE BE IT RESOLVED That CB#2, Man. prefers that the M10 bus route not be divided into two, overlapping routes, since it eliminates lower Man west side access and service to the Abingdon Square leg; and

BE IT FURTHER RESOLVED if the M10 bus route is divided into two, overlapping routes, the division should occur at 81st St. and Central Park West a more reasonable and convenient location for connections to neighborhood services, cultural locations, subway and other bus lines; and

BE IT FURTHER RESOLVED that CB#2, Man. strongly urges the MTA to adequately service customers needs and encourage continued usage of this extremely important bus line by implementing 8 to 10 minute headway's, as well as maintain timetables and reliable service by having NYPD enforce bus lanes and improve rider signage along this route; and

BE IT FURTHER RESOLVED that CB#2, Man. continues to strongly oppose the rerouting of the northbound M-10 bus from Hudson St. to West St. between Harrison and Spring Sts. and emphatically urges returning the northbound M10 route to the previous, more convenient and serviceable to the community; and

BE IT FURTHER RESOLVED that CB#2-Man. again vehemently urges, as previously resolved, that the toll change at the Verrazano Bridge be reversed; and

BE IT FURTHER RESOLVED that CB#2-Man. demands that the NYPD, Traffic Enforcement Dept. increase traffic enforcement along Hudson St., Canal and Varick/7th Ave. South during AM/PM rush hours as well as on the very congested Sat. and Sun afternoons as is done @ 59th St. entrances/exits to the bridge; and

BE IT FURTHER RESOLVED That CB#2-Man. strongly recommends that the MTA work together with the NYC Dept. of Transportation, the NYS Dept. of Transportation, the NYC Police Dept. and the Port Authority of NY and NJ and the affected community boards to devise collaborative solutions that will holistically address the diverse conditions, including pedestrian safety crossings street design, bus lanes through congested areas, bridge and tunnel management, as well as bus routing and user needs, concerning traffic along Hudson St., Canal, Varick/7th Ave. So. and impacted streets around the Holland Tunnel.

Vote: Unanimous, with 41 Board members in favor.

ENVIRONMENT

1. OPPOSITION TO REVERSAL OF CITY POLICY OF PROTECTING THE LAND SURROUNDING OUR DRINKING WATER RESERVOIRS

SEE ATTACHED RESOLUTION EXHIBIT 11IA.

Vote: Unanimous, with 41 Board members in favor.

2. SUPPORT OF CITY COUNCIL BILL INTRO 482 GOVERNING PURCHASING AND PROCUREMENT IN ORDER TO INCREASE WASTE PREVENTION AND INCREASED USE FOR RECYCLED PRODUCTS BY THE CITY

SEE ATTACHED RESOLUTION EXHIBIT 11IB.

Vote: Unanimous, with 41 Board members in favor.

BUSINESS & INSTITUTIONS

1a. Applications to the SLA for New Licenses to Sell Liquor on Premise

Ryan 46 Grand Corp. d/b/a Denial, 46 Grand Street, NYC 10012 (B'way.-Thompson).

WHEREAS under previous resolution of CB#2-Man. it was requested of the SLA that it postpone action on this matter so that the entire Board can hear the full presentation which will have taken place 2 days after the originally scheduled 500' rule hearing; and

WHEREAS CB#2-Man. was advised that the SLA would accede to this request; and

WHEREAS the applicant has been in operation for approximately 14 months under a beer and wine license; and

WHEREAS a review of the record indicates that there have been no complaints against this applicant during the course of these 14 months; and

WHEREAS it is noted that the applicant's premises is not covered by an appropriate NYC Building Dept. Certificate of Occupancy that allows a restaurant/bar on the ground floor thus indicating that the use is not currently in compliance with the NYC Building Code; and

WHEREAS it is noted that the applicant's premises is within 500' of more than 3 on-premises locations thus requiring a 500' rule hearing by the SLA;

THEREFORE BE IT RESOLVED that CB#2-Man. opposes the granting of an on-premises license to **Ryan 46 Grand Corp. d/b/a Denial, 46 Grand Street, NYC 10012**, until the applicant obtains the proper Certificate of Occupancy in complying with the NYC Building Code; and

BE IT FURTHER RESOLVED that CB#2-Man. calls upon the SLA to hold a 500' rule hearing to ascertain the impact of another on-premises license on the community.

Vote: Passed, with 40 Board members in favor, and 1 in opposition.

New Image 2000 Corp. d/b/a Little Basil, 39 Greenwich Avenue, NYC 10011 (Charles St.).

WHEREAS the applicant is purchasing an existing establishment which has operated as a Thai cuisine restaurant at this location for several years; and

WHEREAS the hours of operation are 11 AM-11 PM and do not involve any changes either in physical or operational character; and

WHEREAS, notwithstanding the above, it is noted that the applicant and the previous owner have operated in a building whose Certificate of Occupancy

does not comply with a restaurant use on the ground floor; and

WHEREAS it is noted that the applicant's premises is within 500' of more than 3 on-premises locations thus requiring a 500' rule hearing;

THEREFORE BE IT RESOLVED that CB#2-Man. opposes the granting of an on-premises license to **New Image 2000 Corp. d/b/a Little Basil 39 Greenwich Ave. NYC 10011**, until applicant obtains the proper Certificate of Occupancy in complying with the NYC Building Code; and

BE IT FURTHER RESOLVED that CB#2-Man. calls upon the SLA to hold a 500' rule hearing to ascertain the impact of another on-premises license on the community.

Vote: Unanimous, with 41 Board members in favor.

Santa Ana Restaurant Corp. d/b/a Sala, 344 Bowery, NYC 10012 (Great Jones St.).

WHEREAS the applicant is proposing to establish a Spanish cuisine restaurant with 20 tables and a capacity of 74; and

WHEREAS It is noted that the applicant's premises is not covered by a Certificate of Occupancy from the NYC Building Department that allows a restaurant/bar on the ground floor; and

WHEREAS the applicant's premises is within 500' of more than 3 on-premises liquor establishments;

THEREFORE BE IT RESOLVED that CB#2-Man. recommends that the SLA deny the granting of an on-premises license by the SLA to **Santa Ana Restaurant Corp, 344 Bowery, NYC 10012** until such time that the applicant complies with the required Certificate of Occupancy from the NYC Department of Buildings; and

BE IT FURTHER RESOLVED that CB#2-Man. calls upon the SLA to hold the appropriate 500' rule public hearing so that the affected community residents can be heard.

Vote: Unanimous, with 41 Board members in favor.

SOHO Billiard Sports Center, Inc., 298 Mulberry St. NYC 10012 (Houston St.).

WHEREAS the applicant operates a billiard parlor that caters to young teenager customers who are considerably below the legal drinking age of 21; and

WHEREAS testimony from residents of the subject building which contains apartments in the upper floors disclosed that the noise and music from the applicant's premises are exceedingly loud and have disturbed their peace and tranquility to the point where the owners of SOHO Billiard Sports Center Inc. have disregarded such complaints and allowed the loud music to continue to the point where tenants have been forced to move; and

WHEREAS this disregard and contempt of the public is exemplified by the fact that applicants did not appear before CB#2-Man. to present their application and answer any community questions; and

WHEREAS there are 6 other on-premises establishments within 500' of applicant's premises thus indicating that the public is being adequately served;

THEREFORE BE IT RESOLVED that CB#2-Man. strongly recommends denial by the SLA of an on-premises license to **SOHO Billiard Sports Center, Inc., 298 Mulberry St., NYC 10012**, as not being in the public interest, not the least of which is applicant's disregard for the community and the likelihood that there will be a proliferation of underage drinking given the nature of applicant's business and appeal to teenage customers, and

BE IT FURTHER RESOLVED that CB#2-Man. calls upon the SLA to hold a 500'

rule hearing so that the public can be heard on this matter.

Vote: Unanimous, with 41 Board members in favor.

Woo Lae Oak, Inc. d/b/a Woo Lae Oak Soho, 148 Mercer St. NYC 10012 (Prince-Houston).

WHEREAS the applicant is proposing to open a Korean cuisine restaurant with 48 tables and up to 199-person capacity with serving hours until 11 PM and

WHEREAS the applicant's premises is located within 500' of an area containing 8 on-premises establishments and

WHEREAS the applicant's documentary submission shows a Letter of No Objection from the NYC Dept. of Buildings for a Restaurant with **less than 75 persons on the first floor and**

WHEREAS this will be vastly exceeded according to the applicant's own submission thus jeopardizing the safety and welfare of the public;

THEREFORE BE IT RESOLVED that CB#2-Man. cannot support an on-premises license to **Woo Lae Oak Inc. d/b/a Woo Lae Oak Soho, 148 Mercer St. NYC 10012** in its present physical form and strongly urges the SLA to insure that applicant's submission comply with all NYC Building Code regulations which currently does not comply with the NYC Building Department's Letter of No Objection; and

BE IT FURTHER RESOLVED that CB#2-Man. calls upon the SLA to hold a 500' rule hearing so that the impact upon the community can be ascertained.

Vote: Unanimous, with 41 Board members in favor.

JAK Management Corp. d/b/a Jazzy's, 163 Varick St., NYC 10014 (Charlton-Van Dam).

WHEREAS the applicant is proposing to serve liquor on-premises after being open 4 months; and

WHEREAS the applicant is proposing to operate at a capacity of 75 persons with a closing time of 10 PM; and

WHEREAS the applicant has a Letter of No Objection from the NYC Building Dept. allowing for an eating and drinking establishment non- place of Assembly with less than 75 person capacity;

THEREFORE BE IT RESOLVED that CB#2-Man. does not object to **JAK Management Corp. d/b/a Jazzy's 163 Varick St. NYC 10014** request for an on-premises license.

Vote: Unanimous, with 41 Board members in favor.

Bedford 44, Inc., 44 Bedford St., NYC 10014 (7th Ave. South).

WHEREAS the applicant is proposing to open an 8 table, 34- seat restaurant with serving hours until 3 AM; and

WHEREAS this restaurant will be replacing the former Universal Grill which had an on-premises license but which operated as a neighborhood bar with earlier closing hours; and

WHEREAS this location is in a densely developed low-rise residential neighborhood that could adversely affect the adjacent residential buildings because of the early morning closing hours and

WHEREAS this concern was expressed at the CB#2-Man. public hearing by at least one of the residents of the community and

WHEREAS there are more than 3 on-premises establishments within 500' of applicant's location

THEREFORE BE IT RESOLVED that CB#2-Man. recommends to the SLA conditional approval of an on-premises license to Bedford 44, Inc., 44 Bedford St., NYC 10014 contingent upon the applicant adhering to his proposal to that the establishment will be a bona-fide restaurant and not a bar and also contingent upon applicant altering its hours of serving until 1 AM rather than the legal closing hour of 4 AM in order to preserve the residential ambience of the neighborhood and

BE IT FURTHER RESOLVED that the SLA hold a 500' rule hearing so that the impact upon the community can be ascertained.

Vote: Passed, with 30 Board members in favor, 10 in opposition, and 1 abstention.

LANDMARKS

PUBLIC HEARING:LANDMARKS PRESERVATION COMMISSION 4/27/99

1. **102-106 Wooster Street Application #1** is to restore facade, replace windows and modify fire escape.

WHEREAS existing wooden windows will be replaced, and the kalamine windows and exit doors on the fire escape will be replaced with wooden 2 over 2 windows; and

WHEREAS the connecting ladders of the fire escape will be removed to create non-historic balconies; and

Whereas the facade will be cleaned, painted and repointed (although inspection reveals the mortar presently to be in good condition);

THEREFORE BE IT RESOLVED that CB#2-Man. recommends approval of this application.

Vote: Unanimous, with 41 Board members in favor.

2. **102-106 Wooster Street Application #2** is a request that the LPC issue report to City Planning Commission relating to Authorization Pursuant to Sec. 42-142 of the Zoning Resolution.

WHEREAS it appears that the extent of work is not sufficient to qualify for a 142-42 authorization, but represents work that a conscientious building owner would perform in the normal course of maintaining a valuable investment property;

THEREFORE BE IT RESOLVED that CB#2-Man. requests the LPC not issue a report to the Department of City Planning calling for a Chairman's authorization.

Vote: Unanimous, with 41 Board members in favor.

3. **305 Canal Street** Application is to install painted wall sign.

WHEREAS this application is for a 'business' sign advertising a business located within the building; and

WHEREAS there is historical precedence for signs on that wall, and the sign is of historical size (540 sq.ft.), and the palette is appropriate; and

WHEREAS approval of the sign does not indicate any approval of the garish signage on the front facade of the building;

THEREFORE BE IT RESOLVED that CB#2-Man. recommends approval of this application, provided that the rest of the wall is painted a uniform color and there is a wider border surrounding the sign.

Vote: Unanimous, with 41 Board members in favor.

4. **15-17 Greene Street** Application is to install flagpole and banner.

WHEREAS this particular block on Greene Street is renowned for having some of the most handsome cast-iron buildings in the historic district and still retains the special character of old industrial SoHo, including the welcomed absence of commercial banners and flagpoles; and

WHEREAS the banner across the street is illegal and the small sign at 23 Greene St. is grandfathered; and

WHEREAS permitting this sign will inevitably open a Pandora's Box of signage on this pristine block, ruining its unique panorama of facades unobscured by advertising at this, the southern gateway to SoHo, and will not contribute one iota to historical preservation;

THEREFORE BE IT RESOLVED that CB#2-Man. strongly recommends denial of this application.

Vote: Passed, with 15 Board members in favor, and 11 in opposition.

5. 143 Greene Street Application is to install painted wall sign.

WHEREAS the LPC has had some success in toning down the gross signage along Houston Street in the Historic District; and

WHEREAS there is no precedent for advertising signage on this building, nor precedent in the Historic District for a sign of almost 1700 sq.ft; and

WHEREAS historic advertising signs were between 300 and 500 sq.ft., and these modest signs existed in an age without the vast variety of advertising opportunities available to today's advertisers; and

WHEREAS the palette is over-saturated with colors; and

WHEREAS this Community Board has received many complaints from the tenants in the I.M. Pei residential buildings across Houston Street who have been very critical of the Landmarks Preservation Commission in the past for permitting signs which dominate and ruin the views from their living rooms and bedrooms as they gaze across the street towards the Cast-Iron District.

THEREFORE BE IT RESOLVED that CB#2-Man. strongly recommends denial of this application.

Vote: Passed, with 40 Board members in favor, and 1 in opposition.

6. 114 Mercer Street Application is to enlarge lot line window opening.

WHEREAS Department of Buildings has a formula for the amount of opened area in lot-line walls in proportion to the total wall area, on a per-floor basis; and

WHEREAS for precedent the applicant has relied on the large window located above the proposed new window, but did not show that this window was approved by Buildings or Landmarks; and

WHEREAS the applicant has not shown us permits from the Department of Buildings for the proposed window;

THEREFORE BE IT RESOLVED that CB#2-Man. recommends denial of this application until the proper permits are presented.

Vote: Unanimous, with 41 Board members in favor.

7. 158 Mercer Street Application is to install flagpole and banner.

WHEREAS the method of attachment of the flagpole is commendable and the gray paint is an improvement over the existing ochre; but

WHEREAS there is a profusion of banners on that block, and the applicant

will consider reducing the size of the banner;

THEREFORE BE IT RESOLVED that CB#2-Man. recommends approval of this application if the banner were reduced somewhat in size.

Vote: Unanimous, with 41 Board members in favor.

8. 35 West 10th Street Application is to construct rooftop addition.

WHEREAS the proposed addition extends slightly into the sightline; and

WHEREAS the applicant recognizes that the proposal slightly exceeds the F.A.R.;

THEREFORE BE IT RESOLVED that CB#2-Man. would like to see a revised plan that meets the requirement of F.A.R. limitations with the expectation that such a reduction in F.A.R. will eliminate the portion of rooftop addition within the sightline.

Vote: Unanimous, with 41 Board members in favor.

9. 28-30 Greenwich Avenue Application is to modify storefront and legalize sign which were installed without LPC permits.

WHEREAS this application should unify the cast-iron portion of the two storefronts at 26 & 28 Greenwich Avenue, and also reduce the size of the menu signbox, and remove the streamers and lighting conduit; and

WHEREAS we approve of the restoration of the 18" bulkhead and the removal of the awning and roll-down gate housing; and

WHEREAS we are pleased that the air conditioner will be recessed and we agree with LPC staff that the logo on the slope of the awning is inappropriate;

THEREFORE BE IT RESOLVED that CB#2-Man. recommends approval of this application, but urges that the lighting fixture at 26 Greenwich Avenue be pointed downwards so as not to disturb the upstairs neighbor.

Vote: Unanimous, with 41 Board members in favor.

10. 72 Charles Street Application is to legalize installation of windows without LPC permits.

WHEREAS the LPC's 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; and

THEREFORE BE IT RESOLVED that CB#2-Man. recommends denial of this application in the absence of this important step in the review process

Vote: Unanimous, with 41 Board members in favor.

SIDEWALKS, PUBLIC FACILITIES AND ACCESS

SEE ATTACHED REPORT FOR ALL RESOLUTIONS - EXHIBIT IV.

ZONING AND HOUSING

1. Chelsea Rezoning Plan: ULURP Nos. N990452 ZRM and N990453 ZMM (a Zoning Map Change and a Zoning Text Amendment).

WHEREAS, it is CB#2-Man.'s position that it is appropriate for us to ask for revisions pertaining to our own district only and that we may also comment on those proposals for zoning changes within the borders of CB#4

which we expect will have a significant impact on Planning District 2; and

WHEREAS, it is disheartening that CB#2-Man. was not invited to participate in the negotiations that we understand were held between CB#4 and City Planning because a friendly discussion at the table might have resulted in a current Plan satisfactory to all parties rather than a Plan that is not; and

WHEREAS, the Chelsea Rezoning Plan's call for upzoning on the south side of West 14th Street, within CB#2-Man.'s borders, is totally unnecessary and gratuitous and, while CB#2 unequivocally rejects the idea promulgated by others that the purpose of extending the upzoning into our district is to "get revenge" for not adopting City Planning's revisions to our own 197-a plan for the West Village, we were somewhat surprised when the representative presenting the Plan for the DCP stated that the upzoning was so small as to be insignificant, and was then unable to respond to the logical question, "then why do it?"; and

WHEREAS, CB#4's original 197-a Plan sought to increase light and air within the district and, at the same time, to provide affordable housing, but in this final iteration of the Plan, the downzoned areas are more than balanced by upzoned areas, shifting the light and air from one place to another, and the possibility of affordable housing is still not realized; and

WHEREAS, while City Planning notes that the proposed "moderately greater densities than permitted today" along 14th Street would "provide opportunities for new residential development", there is no provision to ensure that such development would be low or moderate income only and thus, if the trend to "upscale" apartments continues (e.g., the oversized 80/20 Related Building at Broadway and 14th Street), we will simply find ourselves suffering with more taxis and with cars seeking parking spots where no spots are to be found; and

WHEREAS, it is a given that upzoning results in (a) increased vehicular traffic, (b) increased pedestrian traffic, and (c) increased demands on the public transportation system; and

WHEREAS, as Seventh Avenue traffic flows southward, we should expect an unacceptable increase in traffic along that avenue, particularly in our own district, as more people in more vehicles travel to the Holland Tunnel. It must be noted that the Holland Tunnel traffic already backs up all the way to 14th Street one or two times a week; and

WHEREAS, the MTA recently reduced the number of entrances to the subway system along 14th Street and continues to refuse to do neckdowns at the entrances, which would help ameliorate the backups onto the streets of subway users at the entrances to the system; and any increase in the number of people trying to use the subway, as would happen with upzoning, will only worsen the already intolerable situation which CB#2-Man. and CB#4 have been seeking to relieve; and

WHEREAS, a significant majority of the buildings on the south side of 14th Street that will be upzoned pursuant to the current Plan are five stories or less, which is below the current permitted FAR (this includes the Southwest Corner of 14th and Seventh Avenue— with 4 4-story buildings and one 1-story building and the area) and a vast majority of the buildings are mixed residential and commercial; and the same is true for the north side as well; and

WHEREAS, the air rights of the undersized buildings (constituting the majority) could be sold so as to allow grossly oversized buildings in the area; and

WHEREAS, there is also a concern of the impact on the types of small, low-cost retail stores occupying the ground floors of these buildings, which we often see not surviving such upzoning; and

WHEREAS, while the overall Plan received CB#4's approval (albeit not unanimous and somewhat guarded), it does not have the support of the Chelsea-Village Partnership, the Fifteenth Street Block Association, and

other community groups along West 14th Street and West 15th Street; and

WHEREAS, many residents and community groups in the area (including the Chelsea-Village Partnership, the Fifteenth Street Block Association, the Armory Action Committee) have objected to or voiced grave concerns with respect to the proposed upzoning along 14th Street; and

WHEREAS, CB#2-Man. was advised that downzoning is not possible under the current Plan, although a request for no change is;

THEREFORE, for the reasons cited above, with respect to the proposed changes within Planning District 2, CB#2-Man. calls upon the DCP to make no changes to the existing zoning and, in essence, to remove our district from the Plan; and

BE IT FURTHER RESOLVED, that CB#2-Man. calls for the following to be done prior to finalizing the Chelsea Plan and to be incorporated into the Plan:

a thorough traffic and transportation study of the effects of the proposed increase in density along Sixth and Seventh Avenues and along 14th Street on (i) traffic within our district, (ii) public transportation and (iii) pedestrian safety, and

a scheme, based on the study, to (i) apply traffic calming measures, (ii) prevent an increase in usage of the Holland Tunnel, (iii) provide adequate and appropriate accessibility to public transportation and (iv) to effect pedestrian safety issues; and

BE IT FURTHER RESOLVED, that CB#2-Man. calls upon the DCP and the MTA to work together so that any increase in allowable density of an area is accompanied by a reasonable increase in access to public transportation, rather than the reduction of access Boards 2 and 4 are experiencing here.

Vote: Unanimous, with 41 Board members in favor.

2. Proposed Zoning of Greenwich Street between Morton and Barrow Streets, 990418ZZM/CEQR 99DCP034M: Discussion of Environmental Assessment Statement.

WHEREAS, the Zoning and Housing Committee met with members of the community and representatives of the Applicants to review the Environmental Assessment Statement (EAS) filed by the Applicants in March. The Applicants are, separately, the owners of 636 Greenwich Street and of 95 Morton Street. The proposal is to rezone their lots and four others in a 1-1/2 block area bound by Barrow, Washington, Morton and Hudson Streets from manufacturing to commercial/residential and the applicants plan to use both their buildings for residences. The Application for Zoning Map Modification will not be certified until the EAS is reviewed and the Department of City Planning is satisfied that the application is ready. The purpose of the meeting was for the Committee to review the EAS and suggest modifications and additional studies to develop a better idea of the impact of the proposed changes; and

WHEREAS, it should be pointed out that 636 Greenwich Street was converted into a as-of-right transient hotel about two years ago, and was then immediately leased to New York University for student housing, which is not as of right. NYU and the Applicant Owner of the building insisted that no students stayed more than the maximum 30 days and that the use is conforming and, despite repeated complaints from the Board, so did the Buildings Department. It is particularly telling that the instant application openly describes the current use as a "hotel/interim student residence" but consistently refers to "residents" occupying "dwelling units"; and

WHEREAS, over an hour's worth of discussion resulted in a very detailed list of items that need to be addressed, preferably in letter form;

THEREFORE BE IT RESOLVED, that CB#2-Man. send a letter to the Applicants and the Department of City Planning setting forth a detailed request for more information and for revisions of the Environmental Assessment

Statement; and

BE IT FURTHER RESOLVED, that Ron Livian of the Department of Buildings be contacted again, with copies to Commissioner Gaston Silva, stating that the applicant is now describing the building as a student residence, showing the discrepancies on the "hotel register" provided to the DOB as "proof" that students do not stay more than 30 days, and requesting yet again that the appropriate violations be found.

Vote: Unanimous, with 41 Board members in favor.

Respectfully submitted,

Carol Yankay, Secretary
Community Board #2, Manhattan