

FULL BOARD MINUTES

DATE: October 21, 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, Charle-John Cafiero, Keith Crandell, Doris Diether, Noam Dworman, Rev. Alan Jay Gerson, Elizabeth Gilmore, Edward Gold, Arnold L. Goren, Jo Hamilton, Anne Hearn, Brad Hoylman, Honi Klein, Lisa LaFrieda, Aubrey Lees, Edward Ma, Rosemary McGrath, Michael Mirisola, Doris Nash, T. Marc Newell, David Reck, Carol Reichman, Arthur Z. Schwartz, Shirley Secunda, Ruth Sherlip, John Short, Verna Small, James Smith, Chair, Community Board #2, Manhattan (CB#2, Man.) Sean Sweeney, Lora Tenenbaum, Martin Tessler, Wilbur Weder, Jeanne Wilcke, Suzanne Williamson, Carol Yankay

BOARD MEMBERS EXCUSED: Glenn Bristow, Helene Burgess, Anthony Dapolito, Anthony Hoffmann, Robert Rinaolo, Abraham Tan, Betty Williams,

BOARD MEMBERS ABSENT: Carol Feinman, Keith Fennessy, Harriet Fields, Rachel Lavine, Debra Sandler,

BOARD STAFF PRESENT Arthur Strickler, District Manager.

GUESTS: Yvonne Morrow, Assembly Speaker Sheldon Silver's office; Debbie Roth, Assemblymember Deborah Glick's office; Tom Castele, Councilmember Kathryn Freed's office; Tony Simone, Councilmember Christne Quinn's office; Pat Banta, Charles King, Sean Mackell, Arnela Ten Meer, Rob Zand, Sandy Russo, Robin Young, Randy Bernfeld, Hal Magida, Robert McBrien, Albert Capsouto, Rose Alcine, Valentina Poletti, Jose Caraballo, Jane Rothstein, Gardner Rankin, Elizabeth Greene, Konrad Abbott, Mary K. Doris, Laurence Goldberg, Eliza Bradley, Kurt Barnes, Stephen Lyle, Lynne Brown, Jared Friedman,

MEETING SUMMARY

Meeting Date – October 21, 1999
Board Members Present – 37
Board Members Excused – 7
Board Members Absent - 5

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II. PUBLIC SESSION

Non-Agenda Items

Graduate Students of NYU

Jane Rothstein , of Graduate Students of NYU, spoke regarding graduate assistant union, and wants to make CB#2, Man. aware of plays, benefits and issues of the union.

NYU Kimmel/Loeb Student Center

Laurence Goldberg, of the Committee to Save Washington Square, spoke regarding the above-referenced issue.

Lynne Brown, Vice President of NYU, spoke in favor of the new center and addressed questions

Sidewalk Café Information

Mary K. Doris reported that CB#2, Man. has a large amount of sidewalk cafes, some not legal, and spoke on the need for more enforcement

Social Services, Homeless and Senior Services Items

Support of Housingworks Programs

Charles King, Executive Director, spoke in favor of the resolution and thanked the Board for their support.

Traffic and Transportation Items

Canal/Washington Streets Intersection

Albert Capsouto, CB1, read the Board’s resolution regarding this issue and Jared Friedman reiterated.

III. Adoption of Agenda

IV. Elected Officials Present and Reporting

Yvonne Morrow, of Assembly Speaker Sheldon Silver’s office reported on: a) health care reform; and b) a 5yr. Capital plan-Silver will veto the plan if there is no 2nd Ave. subway.

Debbie Roth, of Assemblymember Deborah Glick's office.

Tom Castele, of Councilmember Kathryn Freed's office .

Tony Simone, of Councilmember Christine Quinn's office reported on a) court ruling for people with AIDS; b) garbage problems; c) small parks to open; d) dog owners open space.

V. Adoption of Minutes

Adoption of May minutes. Distribution of June minutes.

VI. Executive Session

A. **Chair's Report** Jim Smith reported

B. **District Manager's Report** Arthur Strickler reported.

1. District Manager Salary Increases

SEE ATTACHED RESOLUTION –EXHIBIT I

Vote: Unanimous, with 37 Board members in favor.

2. Community Board #2, Manhattan Support for Clean Air/Truck Safety Rally, Thursday, October 21st, 5:30 to 7:30 p.m. at Broome & Lafayette Streets

SEE ATTACHED RESOLUTION –EXHIBIT II

Vote: Unanimous, with 37 Board members in favor.

3A. A Plea to the Federal EPA to Require New York City to Attain Compliance with the Clean Air Act

WHEREAS, results of a long-term study by the Federal Environmental Protection Agency (EPA) show that Manhattan, the Bronx, Brooklyn and Queens are among the 10 regions nationwide with the highest concentrations of airborne, cancer-causing toxins; and

WHEREAS, the study shows that the air in Manhattan is 400 times more carcinogenic than the standard established by the EPA pursuant to the 1990 Clean Air Act (CAA); and

WHEREAS, the Federal EPA has repeatedly allowed New York City to avoid meeting the health standards of the Clean Air Act and has allowed New York State to fail to meet the deadlines of its own clean air State Implementation Plan, without enforcement consequences; and

NOW THEREFORE BE IT RESOLVED that Manhattan’s Community Board #2, representing 100,000 citizens of New York City with high rates of asthma, especially childhood asthma and other respiratory diseases, urgently requests that the Federal Environmental Protection Agency enforce the Clean Air Act here in New York City, particularly the laws which apply to motor vehicles under the National Ambient Air Quality Standards (NAAQS).

Passed by CB#2, Man.’s Executive Committee on Oct. 13, 1999

Vote: Unanimous, with 37 Board members in favor.

3B. Changes Required of The MTA for a City Which Has Allowed Its Air To Make The ‘Ten Most Carcinogenic List

WHEREAS, results of a long-term study by the Federal Environmental Protection Agency (EPA) show that Manhattan (second only to Baltimore), along with the Bronx, Brooklyn and Queens are among the 10 regions nationwide with the highest concentrations of cancer-causing airborne toxins; and

WHEREAS, this study shows that the air in Manhattan is 400 times more carcinogenic than the standard established by the EPA pursuant to the 1990 Clean Air Act; and

WHEREAS, studies by the EPA and others show that a major portion of these breathable toxins are created by emissions from diesel-burning buses and trucks;

THEREFORE BE IT RESOLVED that Manhattan’s Community Board #2 (CB#2, Man.) urges that Governor Pataki, Mayor Giuliani, and Speaker Silver require of their MTA Capital Plan Board members that they veto any five-year plan which includes diesel buses, including diesel/electric hybrids, and that they require instead buses with compressed natural gas (CNG) and other technologies which will relieve this City of the curse of diesel fumes; and

BE IT FURTHER RESOLVED that CB#2, Man. urges that the law mandating emissions checks for trucks be enforced in this City, and within the CB#2, Man. district particularly along Broome, Canal and Houston Streets, which are plagued with Holland Tunnel-bound cross-borough truck traffic; and that the ‘no through trucks’ prohibition on Broome Street be enforced, complete with new signage; and

BE IT FINALLY RESOLVED that CB#2, Man. urges rigorous enforcement of the three-minute idling law, which could go a long way toward cleaning our air, yet which is glaringly not enforced.

Previously passed by CB#2, Man’s Executive Committee on Oct. 13, 1999.

Vote: Unanimous, with 37 Board members in favor.

STANDING COMMITTEE REPORTS

ARTS

Release of Public Funds to the Brooklyn Museum

SEE ATTACHED RESOLUTION –EXHIBIT III

Vote: Passed with 35 Board members ** in favor, 1 abstention and 1 in opposition.

SIDEWALKS, PUBLIC FACILITIES AND ACCESS

1. Application to NYC Dept. of Transportation for revocable consent to construct and maintain ETL electrical conduits and sidewalk lights at Waterloo Brasserie, 685 Washington St.

SEE ATTACHED RESOLUTION –EXHIBIT IV

Vote: passed, with 36 Board members in favor and 1 in opposition.

A. New Application for revocable consent to operate an unenclosed sidewalk café for Pee Wee & Tyson, Ltd., 242 Mott St., with 4 tables & 8 seats

SEE ATTACHED RESOLUTION – EXHIBIT V.

Vote: Unanimous, with 37 Board members in favor.

B. Renewal Application for revocable consent to operate an unenclosed sidewalk café for Caliente Cab Rest. Co., Inc. d/b/a Caliente Cab Co., 61 7th Ave South, with 42 tables and 84 seats;

SEE ATTACHED RESOLUTION – EXHIBIT V.

Vote: Passed, with 36 Board members in favor and 1 in opposition.

ZONING AND HOUSING

1. 286 Spring Street a/k/a 290 Hudson Street Variance Application to convert floors 2-6 to residential use in a M1-6 zoning district (BSA Cal. #145-99-BZ).

WHEREAS, CB#2 accepts the applicant’s Statement of Facts and Findings in that, among other things, there is only about 9 feet of soil between the premises and the top of the Holland Tunnel, the premise’s shape paired with narrow width and economic analysis show that the applicant cannot receive as high an income from its present use as office space as it could by converting to full-floor condominiums and there are already some residential uses in the immediate area, particularly on the block across the street, on the other side of Hudson Street; and

WHEREAS, CB#2, Man. was concerned about the displacement of about 25 businesses employing about 100 persons (mostly in the graphic arts field), but no lessees registered protests and the applicant noted that there is a large turnover and that, with the dumping of new (and better) office space on the market by Trinity Church, the applicant simply cannot compete. There will continue to be a lot of non-residential visitors to the existing ground floor uses, and the value of the condominiums might be effected by the presence of the Jet Lounge, a club which is open all night until 5a.m. The value of the condominiums might also be reduced by the presence of lot-line windows next to a potential development site; and

WHEREAS, the applicant, in support of its argument that one of the unique conditions was the structural inability to build on top of the building, agreed that the Variance and the Certificate of Occupancy will limit the FAR to the existing 4.4 and that no structures, including a Penthouse, could be build on top of the building; and also agreed to fully disclose in its condominium Offering the problems associated with lot line windows;

THEREFORE, BE IT RESOLVED that CB#2, Man, recommends approval of the variance application upon the condition that the permit and the Certificate of Occupancy specify that the FAR may not be increased and that there could be no structure built on top of the building.

Vote: Unanimous, with 37 Board members in favor.

2. 625 Greenwich Street (N. of Leroy). Variance Application to add a 478 square foot residential penthouse and legalize UG 6 use in an M1-5 zoning district. BSA Calendar No. 147-99-BZ. *

WHEREAS, the applicant received a variance in the early 90’s, legalizing the then (and now) current use, which was (and is) commercial use on the ground floor (expanded later into the basement), three rental residences and a duplex owner-occupied residence on the two upper floors; and

WHEREAS, the premises has a manual elevator which has not been made available to any tenant and is used solely by the owner; and

WHEREAS, the applicant has fallen ill and finds that the manual elevator must be replaced by an automatic elevator in order to provide her with more secure access to her upper floor quarters; and

WHEREAS, the applicant proposes to release one of the owner-occupied floors for rental at market rates in order to fund the construction of the elevator, the construction of an owner-occupied 478-square foot penthouse and to increase the market value of the rental spaces; and

WHEREAS, the building already exceeds the allowable bulk, but the additional penthouse structure would not significantly alter the bulk of the building and will cast no shadows or obstruct any views of its neighbors; and

WHEREAS, some concern has been expressed regarding the precedence of allowing an applicant to fund a capital expense by means of addition additional floor area to a building;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of the application for the reasons cited above, but notes that, due to the unusual circumstances, such approval should not be considered a precedent for other such variance applications.

Vote: Unanimous, with 37 Board members in favor.

TRAFFIC AND TRANSPORTATION

II. Sheridan Square, @ 7th Ave. So./West 4th, & Christopher/ Waverly Triangle Pedestrian Safety:

WHEREAS, there have recently been two very serious personal injury pedestrian accidents at Sheridan Sq. resulting from cars turning left off of 7th Ave. So. Onto West 4th Street traveling east. These cars are rear-ended by fast moving traffic on 7th Ave and the force of the hit thrusts these cars into the pedestrian crossing on West 4th Street by the egress of the IRT Sheridan Sq. subway station; and

WHEREAS, there are many reasons for these pedestrian accidents occurring, and Assembly Member Deborah Glick offers a temporary solution: to add a left turning lane on 7th Ave. from West 10th to West 4th, demarcated by a broad solid line with two large left turn arrows painted on the roadbed; and

WHEREAS, CB#2 Man., supports Assembly Member Glick petitioning the NYCDOT for this temporary solution, but strongly urges NYCDOT to live up to its responsibility and unfulfilled promises of following through on the street improvement initiatives asked for in 1992 for the Sheridan Sq. intersection and surrounding impacted blocks; and

WHEREAS, CB#2 Man., has been and continues to be extremely concerned about numerous pedestrian/vehicle conflicts at this intersection and surrounding streets since 1992 as stated in "Streets for People"- Traffic Calming in CB#2-Man., a Phase Two Report for Transportation Alternatives, which was prepared by Barry Benepe and George Haikalis; and

WHEREAS, CB#2 Man, in a resolution dated November 1994 supported NYC DOT's funded CMAQ application submitted November 10, 1994 with the input of CB N2, to study pedestrian and traffic flows and recommend appropriate solutions, with the goals and objectives for CB No. 2 pedestrian improvements specifically stated: (i.) to improve pedestrian safety and comfort, especially at intersections (ii.) to link parks, major pedestrian generators and public transit with pedestrian emphasis streets, (iii.) to implement pedestrian improvements responding to the planning efforts of the local community, and (iv.) analyze impacts of pedestrian improvements; and

WHEREAS, CB#2 Man, in a resolution dated January 1996 asked for temporary pedestrian measures for the intersection of Waverly, Grove and Christopher Streets @ Sheridan Square until conceptual plans were developed with NYCDOT's Pedestrian Projects Group that would include all of the impacted streets of Sheridan Square including the contentious intersection @ 7th Ave. South, and to date NYCDOT has done nothing to analyze the filtering of west-bound traffic onto Grove Street, backing up traffic into the West 4th/ Grove intersection as mandated in their 1994 CMAQ application; and

WHEREAS, CB#2 Man., in a separate resolution dated January 1996 with the NYCDOT Pedestrian Projects group identified the received \$1million in Federal Congestion and Mitigation Air Quality (CMAQ) funds to be earmarked for six locations:

- (1) Sheridan Sq. (@7th Ave. So/ West 4th) and Waverly Place/Grove/Christopher St. intersections
- (2) Canal & Centre Intersection
- (3) Bleecker St. from Bowery to Eighth Ave;
- (4) University Pl. from Waverly to 14th Street;
- (5) Broadway between Union Sq. and Canal;
- (6) Washington Street from 14th to Canal St.

WHEREAS, the only work the NYCDOT has done was to create a tar-pit at the Waverly end of the Christopher Triangle at Sheridan Sq., refusing to revisit or analyze the impacts of the changes from this temporary solution such as: not posting proper signage; not implementing the permanent form of the triangle and gardens; which the local community is willing to pay for and tend; allowing cars and taxis to stand on 7th Ave. So. by the IRT subway egress at West 4th Street and generally not living up to the covenants of the 1994 CMAQ application and ignoring the CB#2, Man. resolution dated May 1998; and

WHEREAS, the NYS DOT as the coordinating agency responsible for receiving, distributing and overseeing the ICE TEA-CMAQ federal funds has failed to oversee the NYC DOT's use of these funds for the specific requests made in the original CMAQ application, which was presented to the community and Community Board No. 2 Man.; and

WHEREAS, the NYCDOT has not lived up to the goals and objectives as outlined in their 1994 CMAQ application, in which \$1million of federal funds was earmarked and received for CB#2, Man. to improve pedestrian safety and comfort, especially at intersections, to link parks to major pedestrian generators and public transit, to implement pedestrian improvements responding to planning efforts of the local community,

and to analyze the impacts of pedestrian improvements, not only at 7th Ave. So. and West 4th Street but at any of the above listed six locations picked by the NYCDOT itself, which pose enormous dangers to life and limb in our community.

THEREFORE BE IT RESOLVED that CB#2 Man. demands that the NYCDOT immediately address the pedestrian hazards at 7th Ave. So. and West 4th Street, the site of a major pedestrian generator that links a park with public transit, that has had these major vehicle pedestrian turning conflicts causing harm to life and limb, which the community has been petitioning NYCDOT to correct since 1992, and

BE IT FURTHER RESOLVED CB#2 Man. strongly suggests that the NYCDOT implement the temporary solutions suggested by Assembly Member Glick to immediately correct the danger at the 7th Ave. So./ West 4th intersection, and undertake a serious, unbiased study of traffic and pedestrian conflicts in this area as was stated in the 1994 CMAQ goals and objectives for CB#2, Man.; and

BE IT FURTHER RESOLVED CB#2, Man. calls on the Federal Highway Administration (FHWA), New York City Transportation Coordinating Committee (NYCTCC), NYSDOT, Congressman Nadler, Attorney General Eliot Spitzer, Office of the Manhattan Borough President- Virginia Fields, City Council Members- Freed & Quinn, State Senators Connor & Duane, Assembly Member Glick and the Mayor's office of Transportation to immediately investigate the use of the ISTEA-CMAQ \$1million Federal Funds appropriated to the NYCDOT to address these problems in CB#2, Man., which to date NYCDOT has refused to list on their capital budget/expense requests to OMB for 1998, 1999, 2000, and 2001; and

BE IT FURTHER RESOLVED CB#2, Man. calls on the NYS DOT to fulfill their responsibility in appropriating these funds as was presented to and approved by the Federal ICE TEA-CMAQ application and the community.

Vote: Unanimous, with 37 Board members in favor.

III. Canal Street Improvements (from Traffic Strategies Subcommittee Workshop)

WHEREAS the Canal Street corridor has a long history of vehicular congestion, pedestrian safety problems with many accidents and, resulting from this uncontrolled traffic situation, severe air and noise pollution impacts on the area, continually failing to meet legal environmental requirements; and

WHEREAS CB#2 Man. has in fact written and submitted a CMAQ application in December 1998, proposing improvements to Canal Street, which was sponsored by the New York City Department of Transportation, but unfortunately, this sponsorship was withdrawn several months later; and

WHEREAS CB#2 Man.'s Traffic Strategies Subcommittee has been holding meetings to address these continuing problems, particularly as they impact the area from the Bowery to West Street (within the District 2 area), and receiving input from the surrounding community concerning salient issues and potential solutions; and

WHEREAS there are a number of new traffic generators that have aggravated, or promise to aggravate, an already dangerous situation along the western corridor - such as:

- the reconfiguration of Route 9A,
- the Hudson River Park,
- a new HRA (FEGS or Federated Employment Guidance Service) facility on Hudson and Vandam Streets that services 2000 people and is bringing new vehicles into the area,
- a new television studio proposed for the top of the St. John's building, the possible expansion of the Department of Sanitation trucking site at Canal and Washington Streets to the UPS facility,
- new FedEx facilities adding more heavy truck activity to the area;
- Increased truck and motor vehicle traffic from the Manhattan Bridge and Holland Tunnel; and

WHEREAS the reconstruction of Route 9A causes more motorists to approach the Holland Tunnel from West Street, both from the north and the south, with two dedicated turning lanes from the north onto Canal Street. There's nothing in the intersection to sort tunnel traffic from local/ through traffic, causing jockeying between lanes, honking, and general motorist frustration; and

WHEREAS there is a traffic light at Washington Street and a new traffic light has been installed at Greenwich Street in response to community requests, but there are no painted high visibility crosswalks for pedestrians at any intersection west of Hudson Street - namely, Greenwich, Washington, or West Streets. Stopped tunnel traffic blocks these intersections, thus pedestrians must wind their way between a combination of stopped and moving vehicles; and

WHEREAS the community reports continuing vehicle conflicts in this area that lead to at least one accident a week. Eastbound traffic on Canal has two lanes of stopped traffic waiting to enter the Holland Tunnel, and at the far right, one moving lane for through traffic. Motorists heading west on Canal who want to turn south onto Greenwich Street have a difficult time crossing the two congested tunnel lanes, and often don't realize that the last, 'third,' lane is moving with through traffic. All traffic exiting the Holland Tunnel and heading uptown is prohibited from making a left turn onto 6th Avenue and instead is funneled onto West Broadway, already a very congested street; and

WHEREAS the Chinese Consolidated Benevolent Association reports that there have been 5 accidents in the recent past at intersections of Canal between the Bowery and Lafayette Street exacerbated by the extreme width of Canal Street and the short, inadequate duration of the pedestrian crossing lights at Bowery, Elizabeth, Mott, Baxter, Centre and Lafayette Streets; and there is no light at Baxter; and there is a problem with speeding and oversize trucks, particularly those coming off the Manhattan Bridge; and

WHEREAS a survey of durations of signal light timing cycles by local residents also confirms that the pedestrian green light times to cross Canal at the intersections between the Bowery and West Street are inadequate;

THEREFORE BE IT RESOLVED that CB#2, Man., requests that NYCDOT install a traffic signal at the intersection of Canal and Baxter Street; and

BE IT FURTHER RESOLVED that CB#2, Man., asks that NYCDOT consider the following measures to help control the volume, speed, and behavior of vehicular traffic on Canal Street between the Bowery and West Street:

- use signs, cones, and painted lanes with arrows to help segregate Holland Tunnel traffic from local through traffic in such a way as to allow local traffic to keep moving,
- paint "Don't Block the Box Grids" at each intersection, with accompanying "Don't Block the Box " signage with notice of receiving fines and points on license, as has been done, for example, on Norfolk Street in Manhattan,
- install "No Horn Blowing" signage with notice of penalty, similarly also to the Norfolk Street example,
- work to stop illegal and oversize trucks on Canal, and
- improve the design, clarity, size and placement of signage along Canal Street so that directions to motorists are clearly understood and easily visible, and to avoid the confusing clutter of too many signs (consider using the new display board signage, such as on Jamaica Avenue in Queens and 181st Street in Washington Heights, Manhattan), and
- investigate allowing a left turn from Canal Street into 6th Avenue to prevent the current traffic backup as cars turn uptown out of the Holland Tunnel uptown onto West Broadway; and

BE IT FURTHER RESOLVED that CB#2, Man. understands that signs and painting work best when supplemented by enforcement activities to ensure compliance, and therefore requests that NYC DOT work with the NYC Police Department and the Port Authority to provide regular enforcement at all major intersections of Canal Street, especially during peak volume hours, to enforce all the traffic laws of NYC; and

BE IT FURTHER RESOLVED that CB#2, Man., requests that NYCDOT implement the following measures to ensure the safety of pedestrians along the entire corridor of Canal Street from the Bowery to West Street:

- build sidewalk extensions, neckdowns at each intersection to shorten pedestrian crossing distances,
- paint high-visibility crosswalks at each intersection of Canal Street, preferably textured, or with stenciled texture or tinting, to stand out from the painted gridbox, with STOP bars and the word "stop" in the roadbed, to accommodate pedestrians in straight lines for easy, clear, and safe crossings,
- increase the timing of the crossing green light at each intersection to give pedestrians sufficient time to safely cross Canal, including
- increasing pedestrian crossing time from 15 seconds to at least 20 seconds at Bowery, Elizabeth, Mott, Baxter, Centre and Lafayette Streets, and with particular attention to providing sufficient pedestrian crossing time at the major intersections, including Washington and Greenwich Streets, Sixth Avenue, Broadway, Lafayette Street and the Bowery.
- disallow parking within 20 feet of each crosswalk to increase visibility for pedestrians and reduce turning conflicts, and

- clear the sidewalks of clutter, for example, unnecessary news boxes, vending, etc., especially at the eastern section of Canal Street, where pedestrians crowd the sidewalks; and

BE IT FURTHER RESOLVED that CB#2, Man., requests that NYCDOT meet with Manhattan Community Boards No. 1, 2, and 3, to discuss the proposal outlined in this resolution.

Vote: Unanimous, with 37 Board members in favor

BUSINESS AND INSTUTIONS

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

The Slaughtered Lamb, 182 W. 4th St. NYC 10014.

WHEREAS the applicant did not appear at the meeting, and

WHEREAS CB#2, Man. was not given any information on the plans of the applicant to operate an on-premises liquor license establishment, and

WHEREAS CB#2, Man. has no basis for either recommending approval or denial by the SLA in this matter,

THEREFORE, BE IT RESOLVED that **CB#2, Man. recommends that the SLA defer any action for an on-premises license for The Slaughtered Lamb 182 W. 4th St., NYC 10014 until such time as the applicant appears before CB#2, Man. and apprises the community of its plans for operations, and**

BE IT FURTHER RESOLVED that **CB#2, Man. urges the SLA to direct the applicant to appear before it at its November meeting.**

Vote: Unanimous, with 37 Board members in favor.

Progressive Management, LLC, 350 W. 14th St. NYC 10014.

WHEREAS the applicant is proposing to operate with an on-premises license in an 8 story residential condominium with 49 residential units, all of whom appeared to protest the applicant's license request, and

WHEREAS the applicant's plans call for 2 bars on the ground floor and in the basement with a total capacity of 500 along with live music which would require a cabaret license, and

WHEREAS the applicant had commenced work on the premises in the absence of a NYC Work Permit from the Dept. of Buildings, and

WHEREAS such work has been alleged by the Board of Mangers of the Condominium to have damaged the building and also to be in violation of its by-laws and Declaration of Condominium, and

WHEREAS residents from an adjacent building at 345 W. 13th St. which contains 47 newly renovated condominium units appeared to protest this application along with representatives of the Chelsea-Village Partnership, a community group that represents residential, institutional and commercial interests in the area, and

WHEREAS there are approximately 15 on-premises establishments within 500' of the applicant's premises that collectively bring in substantial numbers of patrons from outside the community which is experiencing stabbings, fights, robberies and other types of anti-social behavior which threaten the neighborhood,

THEREFORE, BE IT RESOLVED that **CB#2, Man. strongly recommends that the SLA deny an on-premises license to Progressive Management, LLC, 350 W. 14th St. NYC 10014 and also calls upon the SLA to hold a 500' rule hearing so that it may hear all of the community concerns expressed at the October meeting.**

Vote: Unanimous, with 37 Board members in favor.

Acme 9 Mgt. LLC, 9 Great Jones St. NYC 10012

WHEREAS the applicant is purchasing the existing business of the Acme Bar & Grill, and

WHEREAS this business has been operating for several years and has fitted in harmoniously with its surrounding neighborhood,

THEREFORE, BE IT RESOLVED that CB#2, Man. does not oppose the granting of an on-premises license by the SLA to ACME 9 Mgt., 9 Great Jones St. NYC 10012.

Vote: Unanimous, with 37 Board members in favor.

Village LP, 62 W. 9th St. NYC 10012.

WHEREAS the applicant is purchasing the existing Bondini's which has operated at the premises for many years, and

WHEREAS the applicant will be operating a bonafide restaurant with no substantial changes other than cuisine,

THEREFORE, BE IT RESOLVED that CB#2, Man. does not oppose the granting of an on-premises license by the SLA to Village LP, 62 W. 9th St. NYC 10012.

Vote: Unanimous, with 37 Board members in favor.

Belga Corp., 400 W. 14th St. NYC 10014 (cor. 9th Ave)

WHEREAS the applicant has operated with a beer and wine license for 2 years, and

WHEREAS the applicant does not have any record of complaints from the community, and

WHEREAS there was no neighborhood opposition,

THEREFORE, BE IT RESOLVED that CB#2, Man. does not oppose the granting of an on-premises license by the SLA to Belga Corp., 400 W. 14th St. NYC 10014.

Vote: Unanimous, with 37 Board members in favor.

LANDMARKS AND PUBLIC AESTHETICS

1. ITEM:18 - 302 Blecker Street

WHEREAS the Landmarks Preservation Commission'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 37 Board members in favor.

2. LPC Item: 18 - 62 West 9th Street

WHEREAS the existing design relates with the residential character of the street and has architectural merits as part of the 1920's remodeling; and

WHEREAS we object to the applicant's proposal taking the decorative trim from on top of the restaurant door in order to raise the height of what appears to be the original door; and

WHEREAS it would be preferable to have muntins on the proposed four windows similar to those present on the other windows and doors; and

WHEREAS we approve of the retractable awning, although we question its presence on this particular block which has no awnings on the residential buildings;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of the awnings, but denial of the work on the restaurant door and windows.

Vote: Unanimous, with 37 Board members in favor.

3. LPC Item: 20 - 59 Greenwich Avenue

WHEREAS the Landmarks Preservation Commission'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 37 Board members in favor.

4. LPC Item: 21 - 127 Grand Street

WHEREAS the existing sign band is appropriate; and

WHEREAS the proposed swing sign uses suitable materials and is less than 10 sq. ft. in area, relatively small;

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

Vote: Unanimous, with 37 Board members in favor.

5. LPC Item: 22 - 395 West Broadway

WHEREAS the proposed three small metal plaques are modest and in scale; but ;

WHEREAS two proposed banners are excessive, especially considering their 13'4" height, i.e. 67 sq. ft. in area; and

WHEREAS the Community Board suggested creative alternatives to the applicant, who seemed receptive;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of this application regarding the plaques, but strongly urges a reduction in the size and number of the banners.

Vote: Unanimous, with 37 Board members in favor.

6. 30-36 Crosby Street, a.k.a. 472 Broadway

WHEREAS the proposal to reduce the elevator and stairway core results in a reduced bulkhead; and

WHEREAS the proposal regarding the shutters and window frames is acceptable

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

Vote: Unanimous, with 37 Board members in favor.

PARKS, RECREATION AND OPEN SPACE

1. Proposal for outdoor event to commemorate the theatrical release of the film *La Ciudad (The City)*.

WHEREAS Gabriela Marti on behalf of Zeitgeist Films of 247 Centre Street, is promoting a film named *La Ciudad (The City)* by hosting a free outdoor event celebrating Latin Culture in New York; and

WHEREAS they have asked to use John De Salvo Park at Spring and Mulberry Streets to stage this event, offering free food and beverages with Latin music playing for all to enjoy; and

WHEREAS they have agreed to the hours of 6 p.m. till 10 p.m. on October 29th instead of between 7 p.m. and midnight;

THEREFORE BE IT RESOLVED that CB#2-Man. approves this event celebrating Latin Culture in New York and recommends that the Department of Parks issue the necessary permits.

Vote: Unanimous, with 37 Board members in favor.

Restoration of Washington Memorial Arch

SEE ATTACHED RESOLUTION - EXHIBIT VI.

Vote: Unanimous, with 37 Board members in favor.

SOCIAL SERVICES, HOMELESS AND SENIOR SERVICES

Support of Housing Works' Programs and Services

WHEREAS Housing Works' programs have been very successful in providing housing to persons with AIDS medical treatment as well as job training;

WHEREAS New York City has withdrawn its support of Housing Works and now appears to be successful in overturning a NYS Department of Labor contract with Housing Works for the provision of job training;

THEREFORE BE IT RESOLVED that CB#2, Man. reaffirms its support of Housing Works' programs and services and calls upon NYC to withdraw its objection to the contract awarded to Housing Works by the NYS Department of Labor.

Vote: Passed, with 36 Board members in favor, and 1 recusal.

ENVIRONMENT

REGARDING THE DEPARTMENT OF SANITATION'S INTERIM WASTE EXPORT PLAN

WHEREAS, New York City Department of Sanitation describes their interim waste export plan as only temporary and therefore not subject to an environmental impact statement;

NOW THEREFORE BE IT RESOLVED, that so massive a trucking program, powered by diesel, the most polluting fuel commonly in use in the U.S., a fuel identified by respected studies as producing airborne carcinogens and asthma triggers, should be subject to an environmental review and mitigations to offset the environmental and neighborhood street impacts of so massive a plan; and

BE IT FINALLY RESOLVED that mitigations should include, but not be limited to:

- A. replacing diesel with CNG;
- B. routing trucks over highways rather than on local streets;
- C. relying on a strong Waste Prevention program to reduce the amount of trash to be hauled.

Vote: Unanimous, with 37 Board members in favor.

WATERFRONT

Gansevoort Peninsula/Dog Run

SEE ATTACHED RESOLUTION --EXHIBIT VII.

Vote: Passed, with 36 Board members in favor and 1 in opposition.

Respectfully submitted,

Michael Mirisola, Secretary

Community Board #2, Manhattan