

FULL BOARD MINUTES

DATE: November 16, 2000
TIME: 7:00 P.M.
PLACE: St. Vincent's Hospital, O'Toole Building

BOARD MEMBERS PRESENT: Steve Ashkinazy, Tobi Bergman, Glenn Bristow, Charle-John Cafiero, Anthony Dapolito, Doris Diether, Carol Feinman, Rev. Keith Fennessy, Alan Jay Gerson, Arnold L. Goren, Jo Hamilton, Anne Hearn, Brad Hoylman, Honi Klein, Lisa LaFrieda, Don Lee, Aubrey Lees, Edward Ma, Rosemary McGrath, Michael Mirisola, Doris Nash, David Reck, Carol Reichman, Robert Rinaolo, Ann Robinson, Arthur Z. Schwartz, Shirley Secunda, Ruth Sherlip, John Short, Melissa Sklarz, James Smith, Chair, Community Board #2, Manhattan (CB#2, Man.) Sean Sweeney, Lora Tenenbaum, Martin Tessler, Wilbur Weder, Jeanne Wilcke.

BOARD MEMBERS EXCUSED: Ann Arlen, Keith Crandell, Elizabeth Gilmore, Edward Gold, T. Marc Newell, Debra Sandler, Rocio Sanz, Verna Small, Betty Williams, Suzanne Williamson, Carol Yankay.

BOARD MEMBERS ABSENT: Helene Burgess, Noam Dworman, Harriet Fields.

BOARD STAFF PRESENT: Arthur Strickler, District Manager

GUESTS: Daryl Cochrane, Congressman Jerrold Nadler's office; Scott Melvin, Senator Tom Duane's office; Meg Reed, Senator Martin Connor's office; Yvonne Morrow, Assembly Speaker Sheldon Silver's office; Debbie Roth, Assemblymember Deborah Glick's office; Tom Castele, Councilmember Kathryn Freed's office; Kariny Santana, Councilmember Margarita Lopez' office; Maura Keaney, Councilmember Christne Quinn's office; Dirk McCall, Man. Borough President's office; William Cornwell, Len Rubin, William P. Maloney, Steve Gordon, Diane Ghioto, Nadine Penzer, Mary K. Doris, Barbara Page, Tommy Geveran, Jose Caraballo, Chrissa Theodore, Cate Steains, Barbara Hoxworth, Duncan Hoxworth, Biti Strauchn, Monica Nask, Cindy Bowdish, M.A. Pappery, Pam Glaser, George Nashak, James Ripellino, Lynn Gross, Caroline Stone, William Downey, Konrad Abbott, Craig Albert, Christopher Sadoux, Amy Stoller, Peter White, Sharon Sullivan, Polly Horton, Annemarie Maida, Aline Akelis, Betsy Mickel, Scott Meyer, Glen Gonzalez, Patrick Blaine, Nancy Waits, Mark Silver, Donay Queenan, Ellen Peterson-Lewis, Katy Bordonaro, Milos Flamenbaum, Georges stouletis

MEETING SUMMARY

Meeting Date – November 16, 2000
Board Members Present – 36
Board Members Excused–11
Board Members Absent - 3

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II. PUBLIC SESSION

Public Safety Items

Prostitution in Far West Village

Bill Cornwell, Betsy Mickel, and Katy Bordonaro spoke in favor of the resolution calling for enforcement of prostitution arrests and quality-of-life improvements.

Sidewalks, Public Facilities & Access Items

Karavas Place, 162 W. 4th St.

Mary K. Doris spoke against the enclosed sidewalk café application and read a letter from Ed Gold. Sharon Sullivan spoke in opposition to the enclosed sidewalk café and stated that the applicant provided fraudulent information to the Board.

Zoning and Housing Items

Greenwich Village Community School, 272 W. 10th St.

Ellen Peterson-Lewis and Betsy Mickel spoke against the variance for the addition to the school.

Business Items

Charisma, Inc. d/b/a Isla, 37-39-41 Downing St.

Armando Buria, Cate Steains, Barbara Hoxworth, Polly Horton, Livvie Mann, Amy Stoller, Lynn Gross, Donay Queenan, Scott Moyer, BDBA; and Betsy Mickel, spoke against the liquor license application. Christopher Sadoux, Glen Gonzalez, Patrick Blaine, Katy Bordonaro, Peter White, Craig Albert, Len Rubin, Stu Waldman, William P. Maloney, Steve Gordon, Annemarie Maida, Aline Akellis, Jim Ripelino, Laura Dotolo, Pam Glaser, Duncan Hoxworth, and Miles Flamenbaum, spoke against the liquor license application and in favor of the resolution.

Chrissa Theodore spoke in favor of granting additional liquor license.

76 Wooster, Inc. d/b/a The Mix, 76 Wooster St.

William Downey, Caroline Stone spoke in favor of the resolution recommending denial of a liquor license.

III. Adoption of Agenda

IV. Elected Officials Present and Reporting

Daryl Cochrane, of Congressman Jerrold Nadler's office

Scott Melvin, Senator Tom Duane's office

Yvonne Morrow, of Assembly Speaker Sheldon Silver's office

Debbie Roth, of Assemblymember Deborah Glick's office

Tom Castele, of Councilmember Kathryn Freed's office.

Kariny Santana, Councilmember Margarita Lopez' office,

Maura Keaney, of Councilmember Christine Quinn's office

V. Adoption of Minutes

Adoption of September minutes. Distribution of October minutes.

VI. Executive Session

1. **Chair's Report** Jim Smith reported
2. **District Manager's Report** Arthur Strickler reported.

STANDING COMMITTEE REPORTS

PARKS, RECREATION AND OPEN SPACE

1. Presentation Of Plans By Bob Redmond, Chief Of Staff Of Manhattan Department Of Parks, For New Playground On Canal St. Near West St.

WHEREAS the Department of Parks has developed plans to build a new park at the Canal Street and Washington Street intersection extending to West Street on Canal Street and

WHEREAS the Department of Parks has incorporated in their plans suggestions made previously by our Traffic Committee and passed by Community Board #2 and

WHEREAS at a public meeting of the Parks Committee, of Community Board #2, attended by many citizens, the plans met with overwhelming approval and

THEREFORE BE IT RESOLVED that Community Board #2, Man., accepts and supports the Department of Parks plans for this new park and urges full speed ahead.

Vote: Unanimous, with 36 Board members in favor.

2. Discussion On Maintenance Of All Our Parks And Playground

WHEREAS the enjoyment of clean and safe parks is an important part of the quality of life in our neighborhoods;

WHEREAS our parks are showing signs of insufficient maintenance in general and in particular litter and trash are not picked up on a daily basis; and

WHEREAS filthy parks create conditions for a declining cycle of disuse and misuse of our parks;

WHEREAS the Department of Parks is in crisis because of a drastic reduction in number of work hours provided through the Welfare to Work program which has helped keep parks clean in lieu of adequate funding for regular maintenance employees; and

WHEREAS the effectiveness of this program for park maintenance may fall have fallen victim to its own success in its primary goal of moving people from welfare to a productive role in the workforce; and

WHEREAS the Department of Parks budget has not been restored after years of cutbacks despite the improved financial condition of the city; and

WHEREAS the Department of Parks has invested millions of dollars over the past years in renovating and restoring many of our parks, and the these improvements will be threatened if the parks are not properly maintained;

THEREFORE BE IT RESOLVED that CB#2, Man. calls on the New York City Council to take immediate action to modify the current budget to respond to the current inability of the Parks Department to keep our parks clean; and

IT IS FURTHER RESOLVED that CB#2, Man. calls on Mayor Rudolph Giuliani, Manhattan Borough President C. Virginia Fields, and Council Members Christine Quinn and Kathryn Freed to take leadership in restoring the budget for the Parks Department to an appropriate level whereby all parks can be kept clean and safe and well-maintained for the long-term benefit of all the people of the City of New York and its visitors; and

IT IS FURTHER RESOLVED that CB#2, Man. calls on all other community boards to pass similar resolutions directed to the Mayor, Borough Presidents, and City Council Members, and to take leadership in their communities to build a citywide campaign to restore the Department of Parks budget so all parks can be well maintained.

Vote: Unanimous, with 36 Board members in favor.

SIDEWALKS, PUBLIC FACILITIES AND ACCESS

1. New application for revocable consent to operate an unenclosed sidewalk cafe by BCD Restaurant Corp., d/b/a Hudson Corner, 570 Hudson St., with 14 tables and 28 seats, DCA #1029547.

WHEREAS the area was posted and the applicant appeared before the committee;

WHEREAS there is sufficient passage for pedestrian safety and access;

THEREFORE BE IT RESOLVED that CB#2-Man. recommends approval to operate an unenclosed sidewalk cafe by BCD Restaurant Corp., d/b/a Hudson Corner, 570 Hudson St., with 14 tables and 28 seats, DCA #1029547.

VOTE: Unanimous, with 36 Board members in favor.

2. New application for revocable consent to operate an enclosed sidewalk cafe by Biz Cafe Inc. 51 7th Ave. South, with 11 tables and 22 seats, DCA#1059775.

WHEREAS the area was posted and the applicant failed to appear for the second consecutive month;

WHEREAS the committee has an established policy of denying applications when the applicant fails to appear, without explanation, for two consecutive months;

THEREFORE BE IT RESOLVED that CB#2-Man. recommends denial to operate an enclosed sidewalk cafe by Biz Cafe Inc. 51 7th Ave. South, with 11 tables and 22 seats, DCA #1059775.

VOTE: Passed, with 32 Board members in favor and 4 in opposition.

3. New application for revocable consent to operate an enclosed sidewalk cafe by NYC Dragon Fly, Inc., 47-49 7th Ave., with 21 tables and 52 seats, DCA #1064679.

WHEREAS the area was posted, the applicant appeared before the committee

WHEREAS the application is due to a change of ownership and the enclosed sidewalk cafe has existed at this location for many years without complaints;

WHEREAS there is sufficient passage for pedestrian safety and access;

THEREFORE BE IT RESOLVED that CB#2-Man. recommends approval to operate an unenclosed sidewalk cafe by NYC Dragon Fly, Inc., 47-49 7th Ave., with 21 tables and 52 seats, DCA #1064679.

VOTE: Passed, with 34 Board members in favor and 2 in opposition.

4a. Renewal application for revocable consent to operate an enclosed sidewalk cafe by Karavas Food Ltd. d/b/a Karavas Place Tavern, 162 West 4th Street, with 10 tables and 27 seats, DCA #1013466.

WHEREAS the area was posted, the applicant appeared before the committee and;

WHEREAS there is sufficient passage for pedestrian safety and access;

THEREFOR BE IT RESOLVED that CB#2, Man. recommends approval of a three (3) year revocable consent to operate an enclosed sidewalk cafe to Karavas Food Ltd. d/b/a Karavas Place Tavern, 162 West 4th Street, with 10 tables and 27 seats, DCA #1013466.

Vote: Failed, see new resolution below.

4b. Renewal application for revocable consent to operate an enclosed sidewalk cafe by Karavas Food Ltd. d/b/a Karavas Place Tavern, 162 West 4th Street, with 10 tables and 27 seats, DCA #1013466.

WHEREAS CB#2, Man. in 1987 adopted a Committee Report entitled "Sidewalks are For People" which stated the following with respect to Enclosed Cafes:

1. Enclosed Sidewalk Cafes have become permanent extensions of the restaurant not seasonal amenities;
2. Enclosed Sidewalk Cafes cause permanent loss of public sidewalks;

WHEREAS there is not sufficient passage for pedestrian safety and access;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the three (3) year revocable consent to operate an enclosed sidewalk cafe to Karavas Food Ltd. d/b/a Karavas Place Tavern, 162 West 4th Street, with 10 tables and 27 seats, DCA #1013466.

VOTE: Passed, with 30 Board members in favor and 6 in opposition.

5. Renewal application for revocable consent to operate an unenclosed sidewalk cafe by Alfama Restaurant, 551 Hudson Street, with 13 tables and 26 seats, DCA #103500.

WHEREAS the area was posted, the applicant appeared before the committee and 5 people from the community came to support the application;

WHEREAS there is sufficient passage for pedestrian safety and access;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of a three (3) year revocable consent to operate an unenclosed sidewalk cafe to Alfama Restaurant, 551 Hudson Street, with 13 tables and 26 seats, DCA #103500.

VOTE: Unanimous, with 36 Board members in favor.

6. Renewal application for revocable consent to operate an unenclosed sidewalk cafe by Da Silvano, 260 Avenue of Americas, with 15 tables and 31 seats, DCA #738422.

WHEREAS the area was posted, the applicant appeared before the committee and;

WHEREAS there is sufficient passage for pedestrian safety and access;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of a three (3) year revocable consent to operate an unenclosed sidewalk cafe to Da Silvano, 260 Avenue of Americas, with 15 tables and 31 seats, DCA #738422.

VOTE: Unanimous, with 36 Board members in favor.

7. Renewal application for revocable consent to operate an unenclosed sidewalk cafe by Restaurant 597, Inc. d/b/a Bus Stop, 597 Hudson St., with 10 tables and 20 seats, DCA #918358.

WHEREAS the area was posted, the applicant appeared before the committee and 5 people from the community came to support the application;

WHEREAS there is sufficient passage for pedestrian safety and access;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of a three (3) year revocable consent to operate an unenclosed sidewalk cafe to Restaurant 597, Inc. d/b/a Bus Stop, 597 Hudson St., with 10 tables and 20 seats, DCA #918358.

VOTE: Unanimous, with 36 Board members in favor.

8. Renewal application for revocable consent to operate an enclosed sidewalk cafe by Oliver King Enterprises, Inc. d/b/a Empire Szechuan Village, 173 Seventh Ave. So., with 10 tables and 20 seats, DCA #10007220.

WHEREAS the area was posted, the applicant appeared before the committee and;

WHEREAS there is sufficient passage for pedestrian safety and access;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of a three (3) year revocable consent to operate an enclosed sidewalk cafe to 173 Seventh Ave. So., with 10 tables and 20 seats, DCA #10007220.

VOTE: Unanimous, with 36 Board members in favor.

ZONING AND HOUSING

1. Village Community School, 272 West 10th Street (between Washington and Greenwich Streets). Variance application to permit lot coverage and front setback variances with respect to the development of a new 5-story structure (plus basement) on the site of the current 1-story gymnasium, to be connected to the existing school.

WHEREAS, The Village Community School plans to replace its 1-story gymnasium space in the corner lot at West 10th Street and Washington Street with a 5-story enlargement, most of which is as of right for a community facility under the site's R6 zoning. However, two variances are being sought, i.e., that: (a) the building occupy 89.5% of the corner lot rather than 70% and (b) the building first rise to a height just short of 70 feet in order to line up with the main school building and accommodate a gymnasium on its top floor rather than having the building rise to a height of 60 feet at the street line and then set back 20 feet before rising again to the sky exposure plane; and

WHEREAS, VCS has indicated that it has no intention of increasing its enrollment as a result of the increased space and, in fact, aims to reduce its enrollment to 300 students, which number will then be its maximum. It must be noted that 5 years ago, enrollment was closer to 260 students and, also that in 1993 they had increased the height of the main building by adding a library and science room; and

WHEREAS, the design for the gym shows quite a number of windows in order to provide natural light during the day. However, as the school intends to rent the use of its gym out most evenings (primarily for adult basketball games) we have concerns about the negative effect of artificial light shining out of those windows into the homes of its neighbors and also of the general change in the look of the neighborhood at night; and

WHEREAS, a number of residents in the area voiced various concerns including, among other things, concerns about the impact of shadows on their own buildings, about the covering up of lot-line windows on the next-door tenement, about the windowless façade on Washington Street (pointing it out as a possible haunt for the prostitutes currently plaguing the area) and about VCS's lack of response to the block association's and other neighbors' complaints about current problems; and

WHEREAS, the applicant, which has been operating in the community as a private, non-profit K-8 school for 30 years, voiced a willingness to meet with the community during the course of construction and to also respond to other complaints.

THEREFORE BE IT RESOLVED, that CB#2, Man. recommends approval for the two variances being sought by the Village Community School PROVIDED THAT:

- In return for the increase in lot coverage being sought, the plan for the new addition be amended so as to allow light and air for the lot-line windows in the next-door tenement.
- Shadow studies be prepared and presented to the community and the BSA
- A more animated façade be designed for the Washington Street side of the new addition.
- Occupancy of the two buildings not exceed 400 (including staff and visitors).
- Steps taken to ensure that light will not shine out of the gymnasium's windows after sundown (e.g., automatic shades set on a timer?)

- the applicant will not seek to do any construction or demolition outside of 7am to 7pm on business days, unless agreed to by the local block associations.

Vote: Passed, with 32 Board members in favor and 4 in opposition.

2. Manhattan Ensemble Theatre, 55 Mercer Street (between Grand and Broome Streets). Variance application to permit an increase in seating capacity from 99 seats to 139 seats.

WHEREAS, the primary question with respect to this application to permit an as of right theatre of 99 seats to increase its seating capacity to 139 seats, is whether the proposed addition of 40 seats would impair the character or future use or development of the surrounding area; and

WHEREAS, Manhattan Ensemble Theatre is a new, non-profit, Off-Broadway theatre company working under an Actors' Equity contract and intending to presenting adaptations of classic novels and other works of literature; and

WHEREAS, the applicant, as the new tenant of the first floor and cellar of this 5-story loft building in SoHo, replaces a former theatre that had operated at the site for quite some years without any major complaint about noise or street crowds; and

WHEREAS, the applicant has cemented over the windows of the performance space on the first floor (the only source of complaints from the neighbors) and has a large lobby. MET intends to present only live dramatic performances with a schedule of one performance per evening (ending about 10 pm) Tuesday through Saturday, with a Saturday matinee. The applicant has even indicated an interest in making his space available for community uses on "dark" nights, which would be a welcome addition to the CB#2 neighborhood; and

WHEREAS, it should be noted that the City Planning Commission recently issued a special permit for a UG8 99-seat theatre in the basement of 47-49 Mercer Street, just two doors down from the applicant. This causes some concern that there could be about 250 people seeking taxis at 10 pm or 11 pm at night on a very narrow cobblestone street with JLWQA in each building on the block. Nevertheless, despite the special permit at 47-49 Mercer, no theatre seems to have opened as yet; and

WHEREAS, because this is a working community that prefers quiet after 10 pm, we are concerned about the applicant's assertion that there will be no undue congestion in the streets caused by the addition of 40 additional patrons because, among other things, such patrons will stay in the area after leaving the theater, we believe this negative factor is offset by the nature of the business, which enhances the character of the SoHo community as a center for the Arts.

THEREFORE BE IT RESOLVED, that CB#2, Man. recommends approval of a special permit for a 139-seat theatre at 55 Mercer Street for the reasons cited above.

Vote: Unanimous, with 36 Board members in favor.

3. SoHo Playhouse, 15 Vandam Street (between 6th Ave. and Varick St.) Application to extend the term of a variance first granted in 1960 for an additional 10 years.

WHEREAS, the owner of 15 Vandam Street, seeks to extend for another 10 years a variance expiring in April 2001; and

WHEREAS, the original variance (1960) permitted the second floor use to change from a card room to light manufacturing and grinding of optical lenses in a residence use district and the subsequent amendment and renewals (1971, 1981, 1991) permitted the change of use of the building from restaurant, light manufacturing and 1-family apartment to theatre and dwelling; and

WHEREAS, CB#2, Man. has not received any complaints about the applicant premises, no opposition to the extension was indicated, and the area was posted.

THEREFORE BE IT RESOLVED that CB#2, Man., supports reopening the application solely with respect to the term of the variance for 15 Vandam Street and recommends that the variance granted by the BSA allowing a theatre and dwelling Street in a residence district be extended for a term expiring on April 11, 2011.

Vote: Unanimous, with 36 Board members in favor.

BUSINESS

Geneaux, Inc., 11 Abingdon Square, NYC

Vote: Referred to December Committee meeting.

Von Design Ltd. d/b/a Von, 3 Bleecker St., NYC

WHEREAS this is an application to upgrade from a beer and wine to a full liquor license; and

WHEREAS this application, when it came up previously, brought forth objections from both the tenants immediately above the bar and also from the NoHo Neighborhood Association; and

WHEREAS although there has been some improvement on the noise complaints, opponents still appeared at the hearing and submitted a letter outlining noise complaints; and

WHEREAS the applicant states that the noise problems cannot be dealt with unless she receives the full liquor license in order to make enough money to afford the soundproofing; but

WHEREAS the premises also intends to construct a kitchen on-site, which would also require money; and

WHEREAS it has been at least 4 years that the premises has been in operation, and problems still exist;

THEREFORE BE IT RESOLVED that CB#2, Man. opposes the grand of a liquor license at this time, but would reconsider the application when the sound-proofing is completed and the kitchen is installed.

Vote: Unanimous, with 36 Board members in favor.

Taste Me Concepts, Ltd. d/b/a Fish, 280 Bleecker St., NYC

WHEREAS this is a white-tablecloth restaurant and also has a retail fish component; and

WHEREAS there were no objections to the license for this establishment;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of the liquor license for Taste Me Concepts, Ltd. d/b/a Fish, 280 Bleecker St., NYC, but we bring to the attention of the SLA that the premises is located within 200 ft. of the Neighborhood Church; and

BE IT FURTHER RESOLVED there are more than 5 establishments with liquor licenses within the 500-ft. Radius, therefore we call for a 500-ft. rule hearing on this new license.

Vote: Unanimous, with 36 Board members in favor.

D&K Bleecker d/b/a Village Cottage, 343 Bleecker St., NYC

WHEREAS this is a transfer of a liquor license previously at this location; and

WHEREAS hours of operation are 7 am to 2 am serving 64 patrons; and

WHEREAS there were no objectors to this application;

THEREFORE BE IT RESOLVED CB#2, Man. recommends approval of this application for D&K Bleecker d/b/a Village Cottage, 343 Bleecker St., NYC

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

August Restaurants, Inc. d/b/a Maurin, 91 Charles St. a/k/a 368 Bleecker St., NYC

WHEREAS this is a transfer of a liquor license; and

WHEREAS this is an extremely large establishment which is located partially under the three adjacent stores, and also has an enclosed courtyard and plans to have a sidewalk café; and

WHEREAS there were questions about the soundproofing especially of the outdoor courtyard; and

WHEREAS the establishment has an entrance or doorway on Charles St., which is a residential street; and

WHEREAS this operator also is or has been connected with Halo, a restaurant-bar-lounge at 49 Grove St., which some of the Committee felt had created problems, and

WHEREAS there are many other establishments selling liquor within the immediate vicinity of this restaurant;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the license for August Restaurants, Inc. d/b/a Maurin, 91 Charles St. a/k/a 368 Bleecker St., NYC, since there are many other establishments within the 500-ft. radius and this restaurant is of such a large size that it will overload the area; and

BE IT FURTHER RESOLVED that CB#2, Man. calls upon the SLA to thoroughly investigate whether this is truly a transfer from the former licensee and not a new application between the landlord and the new tenant. If the SLA finds that this is not a transfer, then CB#2, Man. calls upon the SLA to hold a 500-ft. rule hearing.

Charisma, Inc. d/b/a Isla, 37-39-41 Downing St.

WHEREAS CB#2, Man., passed a resolution in June 1999 opposing the grant of a liquor license to 37-39-41 Downing St., based on the number of liquor licenses within the immediate area and testimony from area residents about the impact of the present number of such establishments in the area which would exasperate the situation; and

WHEREAS the SLA ignored the view of CB#2, Man., granting a liquor license to this establishment; and

WHEREAS the neighbors took a lawsuit against the SLA, and the courts reversed the grant of this license; and

WHEREAS this decision, if it is not reversed, will effectively remove the license from Isla, causing them financial harm; but

WHEREAS the original decision of CB#2, Man. is still valid in that the number of establishments selling liquor in the small area totals 19, which is just more than this area can absorb;

THEREFORE BE IT RESOLVED that CB#2, Man., reiterates its former resolution, and chides the SLA for causing this unfortunate situation to occur. The resolution remains: **THEREFORE BE IT RESOLVED** that CB#2, Man., strongly recommends denial by the SLA of an on-premises licenses to Charisma, Inc., d/b/a Isla, 37-39-41 Downing St., NYC.

Vote: Passed, with 25 Board members in favor, and 11 in opposition.

Little Charlie's Oyster Bar, 19 Kenmare St., NYC

WHEREAS this is a restaurant which has been operating at this location with a wine and beer license; and

WHEREAS there were no objectors to this license;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of a liquor license for Little Charlie's Oyster Bar, 19 Kenmare St., NYC, but

BE IT FURTHER RESOLVED since there are more than 5 liquor licenses within the 500-ft. radius, we request a 500-ft. rule hearing so that the public can be heard.

Vote: Unanimous, with 36 Board members in favor.

Cowgirl, Inc. d/b/a Cowgirl Hall of Fame, 519-521 Hudson St., NYC

WHEREAS this is a minor alteration to their existing liquor license; and

WHEREAS there were no objectors to this small expansion from a service bar to a stand-up bar in the small dining room;

THEREFORE BE IT RESOLVED that CB#2, Man. has no objection to the application for the change of use of the bar at Cowgirl, Inc. d/b/a Cowgirl Hall of Fame, 519-521 Hudson St., NYC.

Vote: Passed, with 34 Board members in favor, and 2 in opposition.

76 Wooster St. Corp. d/b/a The Mix, 76 Wooster St., NYC

WHEREAS this application is for a restaurant with 108 seats on the lower level and 44 seats and 7 bar stools on the 1st floor; and

WHEREAS the hours of operation are scheduled for 4 p.m. to midnight; and

WHEREAS the information submitted by the applicant dealt with a restaurant catering to children and their families, which raised a question of why they were applying for a liquor license; and

WHEREAS there are already 16 similarly-licensed premises within the 500-ft. radius;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of the liquor licenses for 76 Wooster St. Corp. d/b/a The Mix, 76 Wooster St., NYC.

Vote: Unanimous, with 36 Board members in favor.

LH Hospitality LLC d/b/a Bacchanal, 70 W. 3rd St., NYC

WHEREAS this is a transfer of a liquor license from a restaurant called Tsunami; and

WHEREAS there were no objectors to this application;

THEREFORE BE IT RESOLVED that CB#2, Man. has no objection to the transfer of the liquor license to LH Hospitality LLC d/b/a Bacchanal, 70 W. 3rd St., NYC.

Vote: Unanimous, with 36 Board members in favor.

Cowboy South, Inc. d/b/a Polly Esther's, 186 W. 4th St, NYC

WHEREAS this establishment has been in operation for 5 years; and

WHEREAS the proposed alteration of moving the bar from the first floor to the cellar should reduce noise onto West 4th St, since the activities will be on the lower level;

THEREFORE BE IT RESOLVED that CB#2, Man. does not object to this alteration of Cowboy South, Inc. d/b/a Polly Esther's, 186 W. 4th St, NYC, provided there is no increase in the capacity of the club and that the applicant supplies CB#2, Man. with a copy of the Certificate of Occupancy showing that this change will be permitted by the Department of Buildings.

Vote: Unanimous, with 36 Board members in favor.

Dumbo II d/b/a Le Gamin, 27 Bedford St., NYC

WHEREAS the applicant did not stay to explain his application; and

WHEREAS there complaints about the number of licenses within the small area;

THEREFORE BE IT RESOLVED that CB#2, Man. opposes the grant of a beer and wine license to Dumbo II d/b/a Le Gamin, 27 Bedford St., NYC.

Vote: Passed, with 29 Board members in favor, and 7 in opposition.

Wine, Cheese & Whatever, 55A Leroy St., NYC

WHEREAS the applicant did not appear at two hearings to explain his proposal; and

WHEREAS there was some question about the narrow cement stairs as the entrance to the establishment, definitely not handicapped-accessible; and

WHEREAS this location is in the cellar of a double-residential building; and

WHEREAS the establishment backs up onto a courtyard, and there was a question about whether the place would be utilizing the courtyard, disturbing the residents; and

WHEREAS several residents of the area came to oppose the application, citing the narrow street and the traffic and parking already congested in the area; and

WHEREAS there are at least nine documented premises selling liquor within the 500-ft. radius, although we have been informed the applicant stated there were none;

THEREFORE BE IT RESOLVED that CB#2, Man. opposes the application for a liquor license for Wine, Cheese & Whatever, 55A Leroy St., NYC.

Vote: Unanimous, with 36 Board members in favor.

Benito's Original Food Service, 174 Mulberry St., NYC

WHEREAS this is an application for an upgrade from a beer and wine license to a full liquor license; and

WHEREAS the applicant failed to appear at the public hearing despite notice;

THEREFORE BE IT RESOLVED that CB#2, Man. opposes this application for a full liquor license for Benito's Original Food Service, 174 Mulberry St., NYC.

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

Caffe Tina, 184 Prince St., NYC

WHEREAS this is an application for an upgrade from beer and wine to a full liquor license; and

WHEREAS despite notification and a personal visit to the premises, the applicant did not appear at the public hearing;

THEREFORE BE IT RESOLVED that CB#2, Man. opposes this application for an upgrade to a full liquor license for Caffe Tina, 184 Prince St., NYC

Vote: Passed, with 34 Board members in favor, 1 in opposition, and 1 abstention.

Culture Club of NYC, Inc., 179 Varick St., NYC

WHEREAS this club has made an application for renewal of its liquor license; and

WHEREAS there is a history of police reports involving this premises dating back to October 1999, with the most recent report dated July 22nd, of this year; and

WHEREAS because of these reports, the applicant was requested to come to the public hearing to explain what was being done to remedy this situation; and

WHEREAS the applicant did not appear at the public hearing to explain this;

THEREFORE BE IT RESOLVED that CB#2, Man. opposes the renewal of the liquor license for Culture Club of NYC, Inc., 179 Varick St., NYC.

Vote: Unanimous, with 36 Board members in favor.

PUBLIC SAFETY AND HEALTH

Quality-of-Life Problems Due to Prostitution at West Village

WHEREAS the CB #2, Man. area has long been seriously afflicted by the practice of prostitution in areas near to and within residential streets where mixed populations, including single individuals and diverse family units including working families with children live and have every right to the peaceful enjoyment of their environment, and

WHEREAS prostitution is an exceedingly high-risk activity for both practitioners and clients which facilitates the spread of AIDS and other sexually-transmitted diseases, and

WHEREAS prostitution also has grave quality-of-life consequences in the CB #2, Man. area including noise, urination, drug trafficking, episodes of public indecency and streets littered with discarded condoms visible to citizens of all ages going about their normal business, and

WHEREAS prostitution cannot, because of its above-mentioned negative consequences, be considered a “victimless” crime and must therefore be subject to strong, meaningful penalties and rehabilitation efforts directed towards discouraging its practice in vulnerable residential districts, and

WHEREAS we approve of new and continuing police efforts to arrest prostitutes in the Meat Market, Christopher Street, West 10th Street, Jane Street, Horatio Street, and elsewhere within our district, but

WHEREAS police and community-group efforts to curtail prostitution in the CB#2, Man. area are being thwarted by a cavalier, uncaring pattern within the court system as manifested by many judges who facilitate its continuation by treating it as a “victimless” crime meriting no jail terms and no fines, and

WHEREAS this form of “revolving door justice” is causing severe damage to our stability as a safe and pleasant residential neighborhood where all can live without violating the rights of others, and

WHEREAS a petition signed by approximately 200 West Village residents from all parts of the area has recently been directed to the Mayor and other city officials describing the situation and demanding enforcement, following on similar correspondence and comments received over many years by CB#2, Man. from concerned residents and business people,

THEREFORE BE IT RESOLVED that CB#2, Man. supports fully present and future police efforts to curb the practice of prostitution in our neighborhood’s public streets, parks etc., and demands that adequate year-round police staffing be maintained so that proper ongoing enforcement can be carried on in our community, and

BE IT FURTHER RESOLVED that CB#2, Man. demands that both criminal and community courts as a matter of course support our efforts in a concrete, community-affirming way to discourage prostitution in our buildings, doorways, streets, parks, and other public places, and

BE IT FINALLY RESOLVED that CB#2, Man. calls upon the Justice system and the City to provide the social services needed to assist persons in transitioning from prostitution to other means of earning a living.

Vote: Tabled-sent back to Committee.

TRAFFIC AND TRANSPORTATION

Presentation by The Tunnels, Bridges & Terminal Department of the Port Authority of New York and New Jersey on two topics: Holland Tunnel Traffic Management and Anticipated work on a Standpipe associated with Holland Tunnel.

RESOLUTION: A proposal by The Tunnels, Bridges & Terminals Department of the Port Authority of New York and New Jersey for a 90 day test of traffic modifications at the Holland Tunnel Exit Rotary

WHEREAS CB#2-Man. has long recognized that the existing traffic pattern's at both the exit and entrance rotaries of the Holland Tunnel have major impacts throughout Boards #1 & #2, and

WHEREAS the Port Authority has presented a short term experimental plan that would begin by the end of November and last for 90 days as well as a longer term, capital improvement plan, and

WHEREAS Authority the Port Authority plan is intended to improve traffic flow and pedestrian safety, and

WHEREAS the Port Authority plan as presented is:

- Exit 1 would allow only two lanes for traffic to precede west towards West Street connecting to Route 9A North and South. The right turn onto Hudson Street would no longer be allowed. In coordination with NYC DOT, Laight Street parking regulations would also be adjusted to increase efficiency of movement.
- Exit 2 would direct traffic to either make a right turn onto Hudson Street heading north and uptown or onto Beach Street heading west to Greenwich Street and then south.
- Exit 3 would allow traffic to proceed east only onto Beach Street from Ericsson Place, there would be a new exit 3A built that would direct traffic onto Varick Street heading only south and downtown.
- The traffic pattern at exit 4 would remain the same.

- There would be new signage to indicate the new patterns as well as new paint and stripping. There would be no permanent physical changes,
- These changes would be monitored and the Port Authority will come back to CB #2 after 90 days to give the results of their findings. And,

WHEREAS The Port Authority would release to public pedestrian use its part of the triangle directly adjacent to exit 4 on Varick Street, Laight Street and Canal Street which is now being used as a parking area and

WHEREAS CB#2-Man. welcomes any improvements that would improve traffic flow however, we are greatly concerned that the improved traffic flow might result in increased traffic, and

THEREFORE BE, IT RESOLVED that CB#2-Man. joins CB#1-Man. in support of the proposal by The Port Authority for a 90 day test of traffic modifications at the Holland Tunnel Exit Rotary, and

THEREFORE BE IT FURTHER RESOLVED that CB#2-Man. recommends that The Port Authority also look at improving the pedestrian crossings and traffic patterns at the entrance rotary to the Holland Tunnel, and

THEREFORE BE IT FURTHER RESOLVED that the signage and pavement markings out of the tunnel and on surrounding streets should be visually efficient and placed in such a way as to help the motorist anticipate the patterns at these exits, and

THEREFORE BE IT FURTHER RESOLVED that CB#2-Man. requests that The Port Authority work closely with the NYC DOT and the NYPD Traffic Enforcement Unit to improve traffic flow and pedestrian safety on an ongoing basis, and

THEREFORE BE IT FURTHER RESOLVED that CB#2-Man. requests that The Port Authority closely monitor the 90 day test and return to the board to present current traffic data as well as the results of the test, and

THEREFORE BE IT FURTHER RESOLVED that CB#2-Man. supports improvements to the aesthetics and the greening of the interior of the rotary, and

THEREFORE BE IT FURTHER RESOLVED that CB#2-Man. supports the offer for the release of the triangle area adjacent to exit 4. Pedestrian safety devices and sidewalks should be installed at this vulnerable area of Canal Street and it should be developed as a public amenity.

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

LANDMARKS AND PUBLIC AESTHETICS

9. LPC Item: 9 - 770 Broadway (K-Mart)

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; now

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 36 Board members

2. 115 Spring Street (Greene/Mercer) Application is to install a flagpole and banner on a loft building.

WHEREAS, this flagpole will be installed into brittle cast iron which can be fractured; and

WHEREAS, the banner is over 20 square feet and it is to be placed in a block with so many banners that the architecture is obscured to the passer-by; and

WHEREAS, the banner material is brightly-colored reflective fabric; and

WHEREAS a simple bracket sign attached to the wooden door frame could draw more the attention of passers-by than yet another repetitive banner;

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

Vote: Unanimous, with 36 Board members in favor.

3. 3 M^{ac}Dougal Alley (off M^{ac}Dougal Street) Application is for replacement of non-original windows, window grilles, and door units; for a new window opening; for repainting and repointing; and for replacement of gutter and ladder.

WHEREAS, this attractive renovation will contribute to this street and to the historic district;

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

Vote: Unanimous, with 36 Board members in favor

4. 47-49 Charles Street & 253 West 4th Street A 19th c. Italianate-style row house. Application is to open up window openings and replace other windows, and to install a new railing on the Charles St. building, and to replace stucco infill with a typical garage/carriage- house door on W. 4 St.

WHEREAS the applicant withdrew his request for a curb cut at 253 W. 4th Street; and

WHEREAS a block association representative voiced no serious objections to the proposal; but

WHEREAS a life-long neighborhood resident stated that the vertical row of three large glass windows with sliding glass doors on the side wall of 49 Charles Street were cut into the wall after historic designation (perhaps the Commission has original photos); and

WHEREAS if these windows were in fact installed without proper permits, then it is our preference to have this façade restored to its original condition, namely, brick; and

WHEREAS the proposed railing at 49 Charles picks up as its reference the style of the ironwork of the 1920's building at 253 W. 4th; instead we believe it should be Italianate in style so that it would serve as precedent for any future installation of a front stoop for this Italianate-style building;

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

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

5. 361 Bleecker Street (Charles) Application is to install a new storefront in this 19th century rowhouse.

WHEREAS, we approve of the new retractable awnings, the new crown moldings and the scissor security gates; but

WHEREAS, we would prefer a more suitable residential door instead of the glass door proposed; and

WHEREAS, there is an excessive amount of glass, particularly the area to the left of the storefront door, which should have masonry instead;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of this application if some of the glass material is reduced.

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

SOCIAL SERVICES, HOMELESS AND SENIOR SERVICES

Family Health Plus

WHEREAS there has been a crisis in New York City because 25% of the population has been without health care coverage; and

WHEREAS in January 2000 the State of New York created a new health insurance program for low income parents and childless adults, called Family Health Plus, which can supply coverage for hundreds of thousands of New Yorkers who have not had such coverage; and

WHEREAS the intent of this legislation was not only to launch this new program but also to create a simplified and streamlined application and enrollment procedure so that the maximum number of uninsured individuals and families would be able to enroll rather than drop out of the application process because of degrading, confusing and stigmatizing procedures; and

WHEREAS the current extensive documentation that is required of Medicaid applicants in New York City goes far beyond what is demanded by federal and state laws and, instead appears to be part of the city's efforts to trim the Medicaid rolls.

THEREFORE BE IT RESOLVED that New York City's Human Resources Administration should simplify, to the extent allowable under the law, the application process for Medicaid and Family Health Plus as well as retrain the staff members who deal with those applying for these programs.

Vote: Unanimous, with 36 Board members in favor.

Respectfully submitted,

Michael Mirisola, Secretary
Community Board #2, Manhattan