

FULL BOARD MINUTES

DATE: February 22, 2001
TIME: 7:00 P.M.
PLACE: St. Vincent's Hospital, 170 W. 12th St.
Cronin Building, 1st Floor Dining Room

BOARD MEMBERS PRESENT: Ann Arlen, Steve Ashkinazy, Tobi Bergman, Glenn Bristow, Helene Burgess, Charle-John Cafiero, Keith Crandell, Doris Diether, Noam Dworman, Carol Feinman, Harriet Fields, Alan Jay Gerson, Elizabeth Gilmore, Edward Gold, Jo Hamilton, Anne Hearn, Brad Hoylman, Honi Klein, Lisa LaFrieda, Don Lee, Aubrey Lees, Edward Ma, Rosemary McGrath, Michael Mirisola, T. Marc Newell, David Reck, Carol Reichman, Robert Rinaolo, Debra Sandler, Arthur Z. Schwartz, Shirley Secunda, John Short, Melissa Sklarz, James Smith, Chair, Community Board #2, Manhattan (CB#2, Man.) Sean Sweeney, Lora Tenenbaum, Martin Tessler, Wilbur Weder, Betty Williams, Carol Yankay.

BOARD MEMBERS EXCUSED: Anthony Dapolito, Rev. Keith Fennessy, Arnold L. Goren, Doris Nash, Ann Robinson, Rocio Sanz, Ruth Sherlip, Verna Small, Jeanne Wilcke.

BOARD MEMBERS ABSENT: Suzanne Williamson

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; Blane Roberts, Community Board Liaison, Man. Borough President's office; Alfred Liu, Margaret Chin, Reinhold Schwenk, Renee Esquinl, M.K.Doris, Raymond Chen, John Neill, Robert McBrien, Peter K. Zimmer, Robert Kaufelt, Henry Chung, Ruby Ho, Linda Eng, Wa S. Chan, Dick Lee, Keith Leung, Ngan Tung Lee, Samantha Ridge, Jim Bond, Donald Bensinger, Sylvia Levine, Wendy Cunningham, Steven Tin, Jimmy Mui, Sam Lee, Paul J.Q. Loe, Zho Guen Gur, William Tamg, Yuni Liu, Po-Ling Ng, Rob Halle, Fiona Chan, Kathleen M. Faccini, William McCann, Kathy Yates, David Schaffer, Wai Wah Chan, William P. Chiu, Kevin Kong, Louise Goldstein, William Gerstenmarer, Les Pines, Will Creed, Sr. Maureen Martin, Sr. Rita Marie Malano, Albert Bennett, Peter Falk, He'de Lange, John Chaffee, Robin Mathiesen, Lai Chu, Zach Winestine, Peter W. Greenough, Donna Milrod, Ann Rabinowitz, Peter Feeney, Bob Soltz, Steve Strauss, Suzanne DiPirro, Wilson M. Lee, Kai Yin Liu, May Song, York Chan, Ho Tran, Thien Phuoc Tran, Weng Hong Li, Richard Kai, Joan Schecter, Chei Fong Lez, Tony Lu, Erin Guo, Father Joseph Cogo, Lynn Pacifico, Jessica Tomb, Katy Bordonaro, Arthur MacDonald, Chris Ruocco, K.P. Leung, Kevin Phoo, Peter Ram, Eugene Chen, Sam Chen, Kor Chan Lui, Tie Fu Liang, Wing Mui, Kwai L. Pook, Hua Jun Chen, Wai Kwan Hwang, Ricky Chin, Yu-Xi Liu, Andrew Flamm, Joseph G. Rappaport, Capt. Philip Morretta, Bob Spitz, Jesse Masyr.

MEETING SUMMARY

Meeting Date February 22, 2001
Board Members Present – 400
Board Members Excused–9
Board Members Absent - 1

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II. PUBLIC SESSION

Non-Agenda Items

Fire Safety

Capt. Philip Morretta, of the NYC Fire Dept. spoke re: smoke detector safety.

Dog Run

Katy Yates spoke in favor of a temporary dog run.

Education

Carol Yankay spoke regarding support for teachers.

Introduction

May Song spoke re: the introduction of Falun Gong.

Zoning and Housing Items

600 Washington St. (Yellow Freight) Variance Application

Rob Halle, Kathleen Faccini, Jessica Tomb, Katy Bordonaro, and Bob Spitz, spoke in opposition of the proposed application. Samantha Ridge spoke in favor of the resolution.

Jesse Masyr and Reinhold Schwenk spoke in favor of the variance application.

Business Items

Village Farmers Market, 252 Bleecker St.

Peter Greenough, Donna Milrod, Peter Zimmer, Rev. Joseph Cogo (Our Lady of Pomperii), Ann Rabinowitz, and Rob Kaufelt spoke in opposition to the liquor license application.

Traffic and Transportation Items

MTA Proposal For Changes in Subway Service Due To Renovations on the Manhattan Bridge.

Steve Strauss, of Metropolitan Transportation Authority, presented the proposal for the subway, and was in favor of the proposition.

Alan Gerson, Ed Ma, Yu-Xi Liu, Andrew Flamm, Brad Hoylman, and Joseph G. Rappaport, Director of Transit, Infrastructure & Policy, Public Advocate's office, spoke against the MTA proposal to close Grand St. Margaret Chin, Jimmy Mui, William P. Chiu, Keith Leung, Tie Fu Liang, Alfred Lui, Paul J.Q.Loe, Henry Chung, and Ricky Chin, spoke in favor of the resolution

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, spoke re: a hearing on 3/2/01 on the MTA closing of Grand St.

Debbie Roth, of Assemblymember Deborah Glick's office

Blane Roberts, of Man. Borough President C. Virginia Field'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 January minutes. Distribution of February minutes.

VI. EXECUTIVE SESSION

- **Chair's Report** Jim Smith reported

Proposal for Performance Evaluation Reviews of the District Manager

SEE ATTACHED – EXHIBIT I.

Vote: Referred back to Committee.

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

VII. STANDING COMMITTEE REPORTS

TRAFFIC AND TRANSPORTATION

1. Metropolitan Transit Authority proposal for changes in subway service due to renovations on the Manhattan Bridge.

WHEREAS, starting on or about July 1, 2001 and continuing for four years, the NYC Department of Transportation (NYCDOT) will close the north side of the Manhattan Bridge to subway traffic in order to complete the last phase of the Bridge reconstruction project; and

WHEREAS, as a result of the Bridge Reconstruction Project, the Metropolitan Transit Authority (MTA) is planning to close the Grand Street Subway Station to all thru train service to and from Brooklyn during a four year period; and

WHEREAS, the MTA's proposal for shuttle service to and from the Grand Street Subway Station for four years will result in a drastic reduction in subway service that will severely inconvenience transit riders and create an undue burden on community residents; and

WHEREAS, the proposed changes will have a deleterious effect on the local economy, including small businesses in Chinatown, Little Italy and the Lower East Side and the providers of goods and services to these businesses; and

WHEREAS, our Asian community has expressed the perception that their concerns have been ignored, and that this construction may severely affect the economic survival of this predominantly immigrant community, and

WHEREAS, the MTA did not adequately inform or seek input from the community in preparation for the proposed revisions to service; and

WHEREAS; the MTA and has not yet presented a plan for proper public review; and

WHEREAS, had the Manhattan Bridge been better maintained, the complete closure of the train service on the bridge might have been avoided.

THEREFORE BE IT RESOLVED, that CB#2, Man. requests that the MTA hold full public hearings in the communities affected as soon as possible so that the community and transit riders can express their opinions and participate in the MTA's plans and that adequate notice of the hearings be provided to the community; and,

THEREFORE BE IT FURTHER RESOLVED that CB#2, Man. requests that the MTA develop a better plan for communications and out reach that includes interpreters, multi lingual signage and flyers; and,

THEREFORE BE IT FURTHER RESOLVED that CB#2, Man. requests that the MTA conduct an economic study to assess the severe impacts to our vibrant commercial community and to find methods of mitigating these impacts; and,

THEREFORE BE IT FURTHER RESOLVED that the MTA should work closely with DOT to promote better interagency communication and that both agencies should respond together to community concerns; and,

THEREFORE BE IT FURTHER RESOLVED that the MTA should provide additional surface transportation including bus shuttles between the Grand Street Subway Station and subway connections along Canal St. and bus service to and from the Grand Street Station and key stations in Brooklyn service to help mitigate the impacts caused by the changes in subway service; and,

THEREFORE BE IT FURTHER RESOLVED that the MTA establish a Citizens Advisory Committee that will participate in the planing process and provide ongoing community input during construction; and,

THEREFORE BE IT FURTHER RESOLVED that the New York City Department of Transportation (DOT) provide an ongoing funding source to insure the continuing maintenance of the Manhattan Bridge; and,

THEREFORE BE IT FURTHER RESOLVED that after such public hearing(s), the MTA & DOT must investigate other options and develop and present for public review a plan that addresses the impact of service changes at the Grand Street Subway Station, including steps that the MTA will take to minimize the harmful effects of the Bridge Reconstruction Project on transit riders and small businesses in the area.

Vote: Unanimous, with 38 Board members in favor.

2. ADA compliant (Handicap Accessible) elevators at the West 4th Street subway station.

WHEREAS the Metropolitan Transit Authority (MTA) is planning to install ADA compliant (Handicap Accessible) elevators at the West 4th Street subway station so that this station will be completely accessible to the disabled and the construction work will be minimal and will not disrupt the community or subway service; and,

WHEREAS CB#2, Man. has consistently supported improved accessibility throughout the entire public transit system;

THEREFORE BE IT RESOLVED that CB#2, Man. strongly supports the installation of these ADA compliant elevators and encourages the Metropolitan Transit Authority to implement ADA compliance as soon as possible at additional key subway stations throughout the system.

Vote: Unanimous, with 38 Board members in favor.

3. Port Authority of NY & NJ (PA) proposal to raise fares at the toll crossings and on the PATH trains.

WHEREAS the PA proposal to raise fares and implement Value Pricing at the toll crossings will reduce traffic, even out traffic flow, and provide some relief to traffic congestion in lower Manhattan; and,

WHEREAS encouraging the use of public transit systems will also discourage vehicular traffic; and,

WHEREAS the NYC subway system has successfully used other fare options to increase ridership;

THEREFORE BE IT RESOLVED that CB#2 Man. supports the implementation of new fares and Value Pricing at the Port Authority toll crossings; and,

THEREFORE BE IT FURTHER RESOLVED that CB#2, Man. opposes any increase to the fares on the PATH trains and recommends that the Port Authority investigate the use of weekly and monthly passes to increase the use of the PATH system.

Vote: Passed, with 37 Board Members in favor and 1 in opposition.

LANDMARKS & PUBLIC AESTHETICS

A. LPC Item: 3- 770 Broadway

WHEREAS the Landmarks Preservation Commission's (LPC) 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 38 Board members in favor.

B. LPC Item: 4 - 455 Broadway

WHEREAS a computer error at the community board misdirected the meeting notification, preventing the applicant from attending the hearing;

THEREFORE, BE IT RESOLVED that CB#2, Man. cannot issue an opinion on this application.

Vote: Unanimous, with 38 Board members in favor.

C. LPC Item: 5 - 537 Broadway

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; 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 38 Board members in favor.

D. LPC Item: 6 – 23-25 Greene St.

WHEREAS a computer error at the community board misdirected the meeting notification, preventing the applicant from attending the hearing;

THEREFORE, BE IT RESOLVED that CB#2, Man. cannot issue an opinion on this application.

Vote: Unanimous, with 38 Board members in favor.

E. LPC Item: 7 – 132-134 Greene St.

WHEREAS a computer error at the community board misdirected the meeting notification, preventing the applicant from attending the hearing;

THEREFORE, BE IT RESOLVED that CB#2, Man. cannot issue an opinion on this application.

Vote: Unanimous, with 38 Board members in favor.

F. LPC Item: 8 – 105-113 Wooster St.

WHEREAS a computer error at the community board misdirected the meeting notification, preventing the applicant from attending the hearing;

THEREFORE, BE IT RESOLVED that CB#2, Man. cannot issue an opinion on this application.

Vote: Unanimous, with 38 Board members in favor.

G. LPC Item: 9 - 113 Spring St. (Mercer/Greene) A neo-Grec style store and loft building built in 1891. Application is to restore the storefront and to install two bracket signs at the storefront.

WHEREAS the proposal to alter the storefront is attractive and will contribute to the building and to the district; but

WHEREAS we question the material proposed for the banner, flexible polyurethane, described as a ‘plasticized banner’ by the applicant, which we believe is a material that has never been introduced into the Cast-Iron district; and

WHEREAS the proposed banner is to be the same size as the existing banner which appeared large in the photographs presented, and the applicant could not tell us its dimensions with certainty, nor could the applicant say for certain that the existing banner has been granted an LPC permit;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of this application regarding the storefront, but urges the applicant to rethink the banner.

Vote: Unanimous, with 38 Board members in favor.

H. LPC Item: 10 - 93 Charles St. (Bleecker/Hudson) A one-story garage building built in 1918. Application is to demolish the garage and construct a five-story-plus-penthouse building.

WHEREAS the applicant graciously made a very professional presentation on short notice; and

WHEREAS the existing garage does not contribute to the historic district and we see no purpose in preserving it; but

WHEREAS the windows of the proposed building are separated by ornamental spandrel panels instead of the traditional masonry piers; and

WHEREAS the proposed multicolored brickwork bears no relationship to the Greenwich Village Historic District where brick is typically a single color; and

WHEREAS the building will be out of proportion with adjacent buildings - for example it is taller than the adjacent building to the east, at the corner of Bleecker St., and we feel that corner buildings should not be overtowered by new construction on the side street;

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

Vote: Unanimous, with 38 Board members in favor.

I. LPC Item: 11 - 273 & 275 W. 11th St. (Bleecker/W. 4th) Two Greek Revival-style rowhouses built in 1846. Application is to install a lift in the areaway and to install a fence in the front of the areaway.

WHEREAS the American Disabilities Act requires a lift for handicap access and the current lift must be replaced; and

WHEREAS the new lift will be painted to match the brownstone; but

WHEREAS the proposed fence is too high for a building of 1846; and

WHEREAS we recommend instead a fence characteristic in scale and design with the mid-1840's, for example, the fences at numbers 30 through 40 Perry Street (approximately 30 inches in height), currently available as a stock from Architectural Iron Works located in Pennsylvania;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of this application regarding the lift and denial regarding the fence.

Vote: Unanimous, with 38 Board members in favor.

J. LPC Item: 12 - 1 Jane St., a.k.a. 115 Greenwich Ave. An apartment building built in 1938. Application is to modify security gates, which were installed without LPC permits and to install an awning.

WHEREAS the fixed awnings proposed to cover the unattractive security-gate housing are of three different sizes, creating an erratic appearance on the façade; and

WHEREAS any pre-existing awnings were likely retractable; and

WHEREAS the awnings bring more unnecessary attention to the façade than the illegal awnings, which were painted black; and

WHEREAS we question why these large housings are placed on this relatively delicate storefront; and

WHEREAS the housing separates the corner from the rest of the building and interrupts the original design concept;

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

Vote: Unanimous, with 38 Board members in favor.

- **626 Hudson St. Application is to alter storefront.**

WHEREAS a computer error at the community board misdirected the meeting notification, preventing the applicant from attending the hearing;

THEREFORE, BE IT RESOLVED that CB#2, Man. cannot issue an opinion on this application.

Vote: Unanimous, with 38 Board members in favor.

SIDEWALKS, PUBLIC FACILITIES AND ACCESS

Application to NYCDOT for revocable consent for: restoration of historic brownstone stoop, fence and planted area at 10 W. 10th St.

The applicant failed to appear. The matter was continued until next month's meeting.

2. New application for revocable consent to operate an unenclosed sidewalk cafe by 38 Corp., d/b/a Sammy's Asian Gourmet, 301-303 6th Ave., with 10 tables and 32 seats, DCA #1027523.

The matter was continued until next month's meeting in order to have the area posted.

3. Modification of application for revocable consent to operate an unenclosed sidewalk cafe by Smithfield Associates LLC d/b/a Pastis with 22 tables and 72 seats, DCA #1016778-increase.

The applicant failed to appear and the matter was continued until next month's meeting.

4. Renewal application for revocable consent to operate an unenclosed sidewalk cafe by IL Commandatore Restaurant, Inc. d/b/a Casa Bella, 127A Mulberry St., with 10 tables and 20 seats, DCA #817008.

WHEREAS the area was posted, the applicant appeared before the committee and represented that the platform attached to the restaurant complied with current access regulations for persons that have mobility problems;

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 unenclosed sidewalk cafe to IL Commandatore Restaurant, Inc. d/b/a Casa Bella, 127A Mulberry St., with 10 tables and 20 seats, DCA #817008.

VOTE: Unanimous, with 38 Board members in favor.

5. Renewal application for revocable consent to operate an unenclosed sidewalk cafe by Lu-Ann Bakery Shop, inc., d/b/a Bruno Bakery, 506 LaGuardia Pl. with 8 tables and 16 seats, DCA #0762511.

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

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 unenclosed sidewalk cafe to Lu-Ann Bakery Shop, inc., d/b/a Bruno Bakery, 506 LaGuardia Pl. with 8 tables and 16 seats, DCA #0762511.

VOTE: Unanimous, with 38 Board members in favor.

6. Renewal application for revocable consent to operate an enclosed sidewalk cafe by J.E.F. Management Corp. d/b/a JA, 84 7th Ave., South with 6 tables and 21 seats, DCA #1005818.

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

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 J.E.F. Management Corp. d/b/a JA, 84 7th Ave., with 6 tables and 21 seats, DCA #1005818.

VOTE: Unanimous, with 38 Board members in favor

7. Iron Fences in front of 160-174 Christopher Street (bet. Washington & West Streets).

It was agreed that it would be determined if appropriate building permits were issued for said construction.

8. Application to NYC Dept. of Consumer Affairs for a proposed newsstand at 247 Canal St. (Northeast corner of Canal St.)

The applicant failed to appear. The matter was continued until next months meeting at the applicant's request.

BUSINESS

156-160 Bleecker St./185 Thompson St. - Bleecker St. Theater

WHEREAS this is a proposal for a legitimate theater to be run by a known theatrical family with an international track record, and

WHEREAS the liquor license is required for the concession stand and possibly for private parties or corporate events held when the theater is dark, and

WHEREAS there is some concern about the effect of the non-theatre activities proposed by the applicant on this narrow active street; and

WHEREAS, although the proposal for the use of the space when the theatrical productions were not running was rather broad, hopefully these times will be short with successful shows keeping the house occupied, and

WHEREAS the application for a cabaret license is to cover the applicant should he have to use the theater for other purposes when he did not have a production on the stage, and

WHEREAS the addition of a successful Off-Broadway theater on this block would upgrade the street and encourage other uses to up-grade the street, and

WHEREAS community members expressed concerns at the committee hearing about potential noise and traffic problems, but subsequently the neighborhood organization (BAMRA) met with the theatre owner and then withdrew opposition;

THEREFORE BE IT RESOLVED that CB#2, Man. approves the applications of the Nederlander Organization for both a liquor license and a cabaret license for Bleecker Street Theater, 156-160 Bleecker St./185 Thompson St.; and

BE IT FURTHER RESOLVED that the Community Board insists that the theatre organization assure adequate soundproofing so that sound does not extend into apartments and that the theatre organization meet periodically with neighborhood organizations to deal with traffic and outside noise issues as needed; and

BE IT FURTHER RESOLVED since there are more than 3 liquor licenses within the area, we request a 500' hearing.

Vote: Unanimous, with 38 Board members in favor.

252 Bleecker St. - Village Farmer's Market

WHEREAS this application is for a wine license in connection with a restaurant that will be part of a grocery store and deli, and

WHEREAS the applicant has indicated that he will be applying for a sidewalk cafe permit for Bleecker St., and

WHEREAS this site is across narrow Leroy St. from Our Lady of Pompeii School, which uses the street between the school and market, Leroy St., as a play street during the day, and

WHEREAS the site is also used for the loading and unloading of school buses for the students from the school, and

WHEREAS the applicant was not definite in his answers to various queries from the committee, and

WHEREAS 11 letters of opposition were received about this application including one from the Leroy Street Block Association and one from the Pastor of the Church of Our Lady of Pompeii;

THEREFORE BE IT RESOLVED that CB#2, Man. opposes this application for a wine license for Village Farmer's Market at 252 Bleecker St.

Vote: Passed, with 28 Board members in favor, and 10 in opposition.

Le Gourmet, Inc. d/b/a Goodfellas, 91 Christopher St. - renewal

WHEREAS there were two outstanding Dept. of Transportation violations on this premises, and

WHEREAS the applicant appeared at the hearing with his attorney and followed up with a letter stating that "the table had been removed and will not reappear. Furthermore, my client has removed the planter, plant and trellis from the sidewall of the building;

THEREFORE BE IT RESOLVED that CB#2, Man. has no objection to the renewal of this license for Le Gourmet d/b/a/ Goodfellas at 91 Christopher St.

Vote: Unanimous, with 38 Board members in favor.

125B Elizabeth St. - Lois' Boutique d/b/a Beard Cafe - upgrade

WHEREAS this is an upgrade from a beer & wine license to a full liquor license, and

WHEREAS this is a small place with entertainment but no dancing, and there were no persons in opposition to this grant,

THEREFORE BE IT RESOLVED that CB#2, Man. does not oppose the grant of a liquor license for Lois's Boutique d/b/a Beard Cafe at 125B Elizabeth St.

Vote: Unanimous, with 38 Board members in favor.

35 Grand LLC, 35 Grand St.

WHEREAS this is an application for a new liquor license for a premises that has been occupied by a restaurant, and

WHEREAS two of the principals will be living in the residential building above the premises, and

WHEREAS the applicants submitted petitions signed over 30 area residents, and

WHEREAS the restaurant will be open from 11 AM to midnight with 15 tables, 32 seats, and a bar seating 8,

THEREFORE BE IT RESOLVED that CB#2, Man. has no objection to the grant of a liquor license to 35 Grand LLC at 35 Grand St. but

BE IT FURTHER RESOLVED there are more than 3 liquor licenses within the 500' area we requests a 500' hearing on this application.

Vote: Unanimous, with # of Board members in favor.

75-77 Greenwich Ave. d/b/a Greenwich Cafe, D.D. Greenwich Cafe, Inc. - alteration

WHEREAS the applicant had previously obtained a liquor license by transfer from the previous establishment at this site, and

WHEREAS, in February 2000 he appeared before CB#2, Man. which recommended that, because of problems by the previous owners of the establishment, the SLA require these owners to meet with the neighbors to work out the problems, and

WHEREAS these problems dealt with noise from the backyard and garbage placed in front of the adjoining residential building, and

WHEREAS the applicant is now requesting an alteration of the liquor license, but did not appear at the hearing this month to explain his new application and whether the previous problems had been addressed,

THEREFORE BE IT RESOLVED that CB#2, Man. requests that the SLA does not approve any alteration to the application until the applicant meets with CB#2, Man. and answers questions also about the previous problems at this location.

Vote: Unanimous, with 38 Board members in favor.

Biassanot Corp. d/b/a De Andrea Ristorante, 557 Hudson St. - wine license

WHEREAS this is a transfer of an existing wine license to this operator, and

WHEREAS there was no opposition to this transfer,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of this application for a transfer of a wine license to Biassanot Corp. d/b/a De Andrea Ristorante, 557 Hudson St.

Vote: Unanimous, with 38 Board members in favor.

675 Hudson St. Vault LLC, 675 Hudson St., alteration

WHEREAS this is an application to add a first floor kitchen to the underground restaurant, and

WHEREAS the restaurant had been approved by CB#2, Man. in April 2000 but is not yet open, and

WHEREAS there was no opposition to this addition to the proposed restaurant,

THEREFORE BE IT RESOLVED that CB#2, Man. does not oppose this alteration to the premises by 675 Hudson St. Vault LLG at 675 Hudson St.

Vote: Unanimous, with 38 Board members in favor.

Cafe Nacional, LLC, 60 Thompson St.

WHEREAS this is an application for a new liquor license for a new hotel being built at 60 Thompson St. and

WHEREAS the restaurant hours will be from 6 AM to 1 AM inside the building, and there is planned both a front yard and use of the rear yard for restaurant use, and

WHEREAS the applicant has agreed by stipulation that the hours of the outdoor café and rear canopied area will be from 11 AM to 11 PM, Mon. through Thurs., and to midnight Friday, Saturday and Sunday, and

WHEREAS the applicant has now changed his proposal from the retractable roof over the rear yard restaurant to a canvas covering over the rear yard, and

WHEREAS the number of patrons will be about 148 at 46 tables and 8 seats at the bar, 20 of these seats to be in the front yard and 40 in the rear yard, and

WHEREAS the applicant has dropped plans for a rooftop restaurant, and

WHEREAS, although we were told that the front yard restaurant would be accessed only through the hotel, from the plans, the tables on the south side of the yard could and would be entered directly from the street since there is no door from the hotel lobby to that side of the restaurant, and

WHEREAS the area was posted and a number of persons showed up in opposition to this application, and

WHEREAS the stipulation from the applicant stated that the restaurant would not be using the basement of the adjacent residential building for storage or other use, and this statement was in the letter but not in the stipulation, but the applicant agreed to add it, and

WHEREAS the stipulation further states that “the applicant will install outdoor refrigeration which is designed to operate quietly and without vibration; should this system prove inadequate to the needs of the immediate neighbors in the area, the applicant will provide further sound damping in and around the unit to further quiet the system”; and

WHEREAS the applicant has agreed that this stipulation should be affixed to its permanent liquor license; and

WHEREAS there is still a question about the use of the rear yard of the adjacent residential building for the refrigeration equipment for the hotel, and the noise generated by the heating and cooling equipment for the canvas covered rear yard, and

WHEREAS, in our Zoning Committee resolution, we noted the traffic problem on the narrow Thompson St. across the street from a garage, the fact that the property is on the borderline between a residential and a manufacturing district, and that the use of the front and rear yards could adversely affect the surrounding residential buildings and the manufacturing uses, and

WHEREAS the applicant has indicated his willingness to negotiate with the adjoining tenants, however

WHEREAS CB#2, Man. opposes all rear yard food service establishments because of the harm they cause to the quality of life of overlooking residents;

THEREFORE BE IT RESOLVED that CB#2, Man. opposes the grant of a liquor license for Cafe Nacional, Inc., at 60 Thompson St.; and

BE IT FURTHER RESOLVED also, since there are more than 3 liquor licenses within the 500' area, we request the SLA hold a 500' hearing.

Vote: Unanimous, with 38 Board members in favor.

1818 Rest. Corp. d/b/a SoHo SoHo Restaurant, 475-477 West Broadway

WHEREAS this is an application for a full liquor license for what is described as "a full line continental restaurant," and

WHEREAS hours of operation are listed as 12 noon to 12 midnight, and

WHEREAS the capacity is 61 tables for 104 seats and 6 seats at the bar, and

WHEREAS the hours of operation of the outdoor portion are to be the same as the indoor portion, and

WHEREAS there were no protesters at the hearing,

THEREFORE BE IT RESOLVED that CB#2, Man. has no objection to the grant of a liquor license for 1818 Rest. Cap. d/b/a SoHo SoHo Restaurant at 475-477 West Broadway, but

BE IT FURTHER RESOLVED since there are more than 3 on-premises liquor licenses within the 500' radius we request a 500' hearing.

Vote: Unanimous, with 38 Board members in favor.

LH Hospitality LLC, 100 West Houston St. - transfer

WHEREAS this is the transfer of a liquor license from an existing restaurant but with a reduction to cover only the first floor and not the basement, and

WHEREAS the first floor will have 98 seats, with a service bar and the basement will 10 tables and 32 seats, and

WHEREAS hours of operation will be 11 Am to 1 AM during the week and 2 AM weekends, and

WHEREAS the menu features contemporary American cuisine,

THEREFORE BE IT RESOLVED that CB#2, Man. has no objection to the transfer of the liquor license to LH Hospitality LLC at 100 West Houston St.

Vote: Unanimous, with 38 Board members in favor.

HL One LLC, 1 Fifth Avenue - transfer

WHEREAS this application is merely a change of partners in the corporation, and no change is planned in the operation of the present restaurant,

THEREFORE BE IT RESOLVED that CB#2, Man. has no objection to the proposed transfer for HL One LLC at 1 Fifth Ave.

Vote: Unanimous, with 38 Board members in favor.

Neva Restaurant & Catering, 28 7th Ave. So. – Renewal

WHEREAS the applicant requested a second meeting with the Business Committee, and

WHEREAS the applicant indicated that violations had either been eliminated or were in the process of being corrected, and

WHEREAS the applicant said he had closed for 5 days to soundproof the wall next to the adjoining building, but

WHEREAS, although at least some of the violations have been corrected, 3 Landmarks ones are still on the record, and more important, and

WHEREAS the soundproofing done by the sound technician has not taken care of the sound problem and tenants are still complaining to both CB#2, Man. and Council Member Christine Quinn's office, and

WHEREAS it was suggested that the applicant needed to hire a sound engineer who is experienced in soundproofing and not a sound technician who works with sound systems for music and recordings, and

WHEREAS Councilwoman Quinn and the neighbors again opposed approval of this renewal,

THEREFORE BE IT RESOLVED that CB#2, Man. again opposes the renewal of the license for NEVA Restaurant & Catering at 28 7th Ave. So.

Vote: Unanimous, with 38 Board members in favor.

Village Grill, 137 7th Ave. So. - Beer & wine

WHEREAS this is an application for a beer & wine license for a 24 hour restaurant, and

WHEREAS it contains 16 tables seating 32 people and a bar seating 8, and

WHEREAS the applicant is also involved with Arthur's Tavern at 57 Grove St. and

WHEREAS there was no opposition at the hearing,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of the beer & wine license for Village Grill at 137 7th Ave. So.

Vote: Passed, with 37 Board members in favor and 1 in opposition.

Negril Village, 70 West 3 St.

WHEREAS this is a purchase of an existing restaurant, but a new license, and

WHEREAS there is a capacity of 125, and

WHEREAS the hours of operation are noon to 2 AM Thurs.-Sat., to midnight the rest of the week, and

WHEREAS the applicant intends to operate both sections of the premises as a restaurant

THEREFORE BE IT RESOLVED that CB#2, Man. has no objection to a new liquor license for Negril Village at 70 W. 3rd St.

Vote: Unanimous, with 38 Board members in favor.

Lexi's Restaurant d/b/a Rosa's Cucina, 90 West 3 St. -

WHEREAS this is an application for a beer & wine license, and

WHEREAS the restaurant has 24 tables and 48 seats, and

WHEREAS the hours of operation are 11 AM to 11 PM, and

WHEREAS this is a Mexican Restaurant in a building with three residential floors, and

WHEREAS there was no opposition at the hearing,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of the beer and wine license for Lexi's Restaurant d/b/a Rosa's Cucina at 90 West 3 St.

Vote: Unanimous, with 38 Board members in favor.

Cucina Gourmet d/b/a Caffè Torino, 139 West 10 St.

WHEREAS this is the transfer of part of the ownership of this restaurant and bar, and

WHEREAS there were several Landmarks violations at this premises, and

WHEREAS, at the public hearing there was a strong complaint about noise from the rear yard which disturbed the tenant from the adjoining building, and

WHEREAS the new owners were unaware of these problems, but stated they would attempt to correct the situation, and

WHEREAS three of the Landmarks violations seem to be connected with the Café installation of metal windows without permits, alteration of the parlor level entry, and facade work; however

WHEREAS CB#2, Man. opposes all rear yard food service establishments because of the harm they cause to the quality of life of overlooking residents;

THEREFORE BE IT RESOLVED that CB#2, Man. opposes the grant of a liquor license for Cucina Gourmet d/b/a Caffè Torino, 139 W. 10th St.

Vote: Passed, with 33 Board members in favor, and 5 in opposition.

Dektor Campi, Inc., 372-374 West 11 St.

WHEREAS this is a new application for a liquor license by Dektor Campi for a storefront at 372-374 West 11 St., and

WHEREAS this is planned as a restaurant and bar with hours from 2 PM to 2-4 AM, and

WHEREAS it is planned to have 20 tables seating 50 people, with a sushi bar seating another 25 people, and

WHEREAS there are no plans for either a sidewalk cafe or backyard use, and

WHEREAS, after a meeting with representatives from the community, mW certain guidelines were set down:

- No outdoor signage and all signs to be considerate of neighbors.
- Will meet with the community as needed.
- Will tell patrons not to use cell phones on the street.
- Garbage collection will be on West St., not West 11 St.
- The lease states there shall be no loudspeakers after midnight.
- The applicant will keep a log of complaints with phone numbers
- The windows on West 11 St. will be shut at 11 PM at the latest.
- If the West St. windows are approved, the same rule would apply. And

WHEREAS, at the second public hearing, representatives spoke to these conditions, and

WHEREAS there are only two other such establishments within the 500' radius because the area is primarily residential,

THEREFORE BE IT RESOLVED that CB#2, Man. does not oppose the grant of a new liquor license to Dektor Campi, Inc, for the premises at 374 West 11 St.

Vote: Passed, with 36 Board members in favor, and 2 in opposition.

Borgo Antico, 22 East 13 St. - renewal

WHEREAS the applicant is in the process of removing the exhaust violation issued by the Dept. of Buildings,

THEREFORE BE IT RESOLVED that CB#2, Man. has no objection to the renewal of the liquor license for Borgo Antico at 22 East 13 St.; but

BE IT FURTHER RESOLVED that CB#2, Man. calls upon the SLA to make the completion of the removal of the exhaust a condition of the liquor license.

Vote: Unanimous, with 38 Board members in favor.

ZONING AND HOUSING

600 WASHINGTON ST.-(BSA #287-00-BZ) Variance application to the BSA to construct a mixed-use commercial/retail/residential 5 to 17-story building with excess accessory parking on the block bounded by Washington, Morton, West and Leroy Sts.

WHEREAS this proposal is for a site formerly occupied by Yellow Freight Lines and used as a trucking terminal; and

WHEREAS the developer met with the community and made several revisions of the plan in response to objections from the community, but the revisions are not enough; and

WHEREAS the site covers one whole city block, therefore a change in use on this one site has an inordinately large impact on the surrounding areas; and

WHEREAS the businesses which have legal, conforming uses are concerned about the manufacturing zoning being eroded by the numerous variances and they feel that their businesses and the jobs they provide are being threatened; and

WHEREAS manufacturers understand the gentrification of the area through variances is making it harder and harder for manufacturers to run their businesses and they suffer increased complaints about noise, fumes and garbage pick-ups, resulting in more fines and overall community problems, and their ultimate displacement from these as-of-right zones; and

WHEREAS this project could very well impair the appropriate uses under the current zoning as manufacturing uses are further infringed upon; and

WHEREAS the variance would create much needed housing in the area, but residential Use would preclude creating uses which would provide more jobs to the area; and

WHEREAS at the Committee's request the applicant agreed to consider 80/20 low income housing financing; and

WHEREAS especially on the waterfront, projects should not be permitted that exceed the allowed FAR of 5, and an FAR of 6.5 is not the minimum variance required to make a suitable profit on the site; and

WHEREAS in keeping with the area's required FAR of 5 the proposed tower is out of scale compared to the rest of the neighborhood; and

WHEREAS the uniqueness claimed by the developer is that the PATH train tunnel is very close to one corner of their property, preventing the sinking of deep piles at that part of the site, but the soil conditions on the rest of the site are common throughout our area; and

WHEREAS the low return on investment from building a commercial building versus a residential building is an estimate, given the fact that there have been constructed in this area much fewer commercial buildings than residential buildings in recent times, and we have reason to believe that new commercial buildings have been successful and fully rented; and

WHEREAS the residents are concerned about the overtaxing of services to the neighborhood, ranging from the problems with serious sewage backups, which are well documented, to the burden on the school system; and

WHEREAS the applicant's own analysis shows that the proposed increase in residential population will greatly reduce the already dimly low proportion of open space person in the vicinity; and

WHEREAS there continue to be environmental concerns in connection with this site (see attached Environment Resolution)

THEREFORE BE IT RESOLVED CB#2, Man. does not recommend approval of the variance for 600 Washington Street because of the impact of a variance of this size on the fragile mixed-use area of the West Village; and

BE IT FURTHER RESOLVED that granting a variance for residential use would constitute spot-zoning, which in this case would set a bad precedent for future projects in the neighborhood and would forever change the balance of this mixed-use community by threatening manufacturing and other as-of-right uses.
Vote: Passed, with 37 Board members in favor and 1 recusal (Doris Diether).

ENVIRONMENT

600 WASHINGTON ST. - BSA #287-00-BZ [appendix to Zoning Committee resolution] Variance application to the BSA to construct a mixed-use commercial/retail/residential 5 to 17 story building with excess accessory parking on the block bounded by Washington, Morton, West and Leroy streets

WHEREAS, community research documents use of this site as an historic landfill and later for industrial and automotive uses that left behind hazardous residues of asbestos, lead and other heavy metals, and petroleum by-products, including those from major petroleum spills; and

WHEREAS, the potential exists for groundwater contaminated with hazardous materials from the site to wind up in neighboring homes and businesses because:

- there is a high water table in the entire area and a chronic area-wide problem with sewer back-ups into homes and businesses during heavy rains, when the storm sewers are over capacity [please see CB#2 Man. January 2000 Environment Committee report on sewer back-up public meeting with NYC/DEP];
- the groundwater at the site is known to be contaminated with hazardous residues, and the water table at the site and in the area is high;
- the increase in water use from the project's large increase in residential units will exacerbate this problem;

THEREFORE BE IT RESOLVED that, owing to the complex environmental problems presented by the site at 600 Washington Street, CB#2, Man. urges the Board of Standards and Appeals to issue a Positive Declaration on the Environmental Assessment [please see CB#2, Man. May 2000 Environment Committee resolution urging EIS on Yellow Freight site], requiring that an Environmental Impact Statement be conducted, with CB#2, Man. to be involved in the scoping process; and

BE IT FURTHER RESOLVED that, in order to protect the neighborhood from the harmful effects of hazardous residues in the soil and groundwater at the site, a Health and Safety Plan should be required by the Board of Standards and Appeals, to be approved by representatives of the affected community together with CB#2, Man., prior to further demolition, excavation or construction, and that the plan should require:

- Containment and suppression of fine dust during excavation, demolition and construction to insure that fugitive particles of hazardous substances do not migrate into the surrounding community where they would pose a health hazard to young children and others
- Shrouding and wetting down among the containment and suppression methods to be employed;
- Ongoing testing of groundwater for contaminants, with appropriate containment and diversion to prevent contaminated groundwater from making its way into the local sewer system or into the Hudson River;
- Establishment of a community advisory panel to meet regularly with the developers as the work goes forward, until completion of the project, including resolution of any resulting environmental problems.

Vote: Unanimous, with 38 Board members in favor.

Respectfully submitted,

Michael Mirisola, Secretary
Community Board #2, Manhattan