

## **FULL BOARD MINUTES**

**DATE:** February 21, 2002  
**TIME:** 6:30 P.M.  
**PLACE:** St. Vincent's Hospital, 170 W. 12<sup>th</sup> Street  
Cronin Auditorium, 10<sup>th</sup> Floor

**BOARD MEMBERS PRESENT:** Ann Arlen, Steve Ashkinazy, Tobi Bergman, Helene Burgess, Charle Cafiero, Keith Crandell, Doris Diether, Harriet Fields, Elizabeth Gilmore, Edward Gold, Arnold L. Goren, Anne Hearn, Brad Hoylman, Honi Klein, Lisa La Frieda, Don Lee, Aubrey Lees, Chair, Community Board #2, Manhattan (CB#2, Man.) Edward Ma, Don MacPherson, Rosemary McGrath, Doris Nash, David Reck, Carol Reichman, Ann Robinson, Rocio Sanz, Shirley Secunda, Melissa Sklarz, James Smith, Sean Sweeney, Lora Tenenbaum, Martin Tessler, Wilbur Weder, Jeanne Wilcke, Betty Williams, Carol Yankay.

**BOARD MEMBERS EXCUSED:** Anthony Dapolito, Jo Hamilton, Robert Rinaolo, Ruth Sherlip, John Short

**BOARD MEMBERS ABSENT:** Noam Dworman, Carol Feinman, Rev. Keith Fennessy, T. Marc Newell, Judy Paul, Arthur Z. Schwartz, Verna Small

**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; Gary Parker, Assemblymember Deborah Glick's office; Tom Castele, Councilmember Alan Gerson's office; Andree Tenemas, Councilmember Margarita Lopez' office; Karen Maurer, Councilmember Christne Quinn's office, Blane Roberts, Man. Borough President's office; Warren Pesetsky, D. Cappolla, Howard Burke, Isaac Zakoulo, Mario Espinoza, Amelia Sxhwartz, Emily Drabinski, Rondi Lotter, Christian Miller, Benjamin Ryan, Peter Bafitis, J. McNab, Jessica Berk, Daniel Schaffer, Louis Santoro, Jay Segal, Jonathan Marvel.

### **MEETING SUMMARY**

Meeting Date February 21, 2002  
Board Members Present – 35  
Board Members Excused– 5  
Board Members Absent - 7I.

**I. SUMMARY AND INDEX**

ATTENDANCE	1
MEETING SUMMARY	1
SUMMARY AND INDEX	2
PUBLIC SESSION	2
ADOPTION OF AGENDA	2
ELECTED OFFICIALS' REPORTS	2
ADOPTION OF MINUTES	3
EXECUTIVE SESSION	3
STANDING COMMITTEE REPORTS	4
BUSINESS	4
ENVIRONMENT	8
INSTITUTIONS	8
LANDMARKS	9
SIDEWALKS, PUBLIC FACILITIES AND ACCESS	11
SOCIAL SERVICES, HOMELESS & SENIOR SERVICES	13
ZONING AND HOUSING	14
NEW BUSINESS	14
ROLL CALL	15

**II. PUBLIC SESSION**

**Non-Agenda Items**

SoHo Branch Library

Amelia Schwartz and Jonathan Marvel, of the NY Public Library, made a presentation regarding the new SoHo branch that will be opening.

YMCA

Christian Miller gave an update.

**Landmarks & Public Aesthetics Items**

433-439 Broadway Application to demolish existing building and construct new, 6-story building.  
Jay Segal, Attorney, and Peter Bafitis, architect, spoke in favor of the landmarks application.

Sylvia Rivera

Melissa Sklarz, CB2 member spoke.

**Business Items**

Caliente Tequila Grill Rest. Corp., 57 7<sup>th</sup> Ave. South

Warren Pesetsky, representing the applicant, Howard Berke, principal, Isaac Zakoulo & Louis Santoro, spoke against the resolution recommending denial of the 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

Gary Parker, of Assemblymember Deborah Glick's office

Tom Castele, of Councilmember Alan Gerson's office.

Andree Tenemas, Councilmember Margarita Lopez' office,

Carin Meyrowitz, of Councilmember Christine Quinn's office

**V. ADOPTION OF MINUTES**

Distribution and Adoption of January minutes.

## VI. EXECUTIVE SESSION

1. **Chair's Report** Aubrey Lees reported
2. **District Manager's Report** Arthur Strickler reported.
3. **West Village Initiative**

**WHEREAS** on January 8<sup>th</sup>, 2002 at the Public Safety Committee, there was a request for a resolution in support of more police personnel for the 6<sup>th</sup> precinct due to the serious increase in drug dealing, panhandling, prostitution and other quality of life problems;

**WHEREAS** on February 12, 2002, a subsequent Public Hearing was held entitled Quality of Life in Greenwich Village-is it spiraling out of control?-YES!, which was co-sponsored by many Elected Officials, neighborhood groups and institutions;

**WHEREAS** several hundred people attended and expressed their frustration and concern that the neighborhood has gotten to be unsafe and overwhelmed with drug dealing, panhandling, prostitution and other quality of life problems;

**WHEREAS** many people also expressed the need for more social service programs, outreach and support for the homeless and transgender youth;

**WHEREAS** NYC Police Commissioner Raymond Kelly attended along with Deputy Inspector Kevin Fitzgerald of the 6<sup>th</sup> Precinct, as well as numerous other police personnel, and set forth the following: that there is a plan that it is being implemented called "The West Village Initiative" to target identified areas of concerns in Greenwich Village; that the 6th Precinct has been temporarily increased by one additional sergeant and six police officers and that the 6<sup>th</sup> precinct will receive additional police this Spring from the next graduating class of the Police Academy;

**WHEREAS** CB#2, Man. is on record, pursuant to earlier resolutions, calling for increased funding for more social service programs, and for outreach and support for the homeless and transgender youth;

**WHEREAS** it is clear that we all want our neighborhood and community to have safe and clean streets;

**THEREFORE BE IT RESOLVED** that CB#2 Man. supports the West Village Initiative, for increased police personnel and the on going efforts of the 6<sup>th</sup> Precinct.

Vote to table: Passed, with 30 Board members in favor and 1 in opposition.

### 5. **NYC Teachers' Need for a Contract**

**WHEREAS** New York City Teachers have been working without a contract since November, 2000; and

**WHEREAS** former Mayor Giuliani failed to invest in New York City public schools or their staff when the economy was booming; and

**WHEREAS** now that there is a deficit in the city budget; and

**WHEREAS** the lack of a good contract has caused a severe shortage of certified teachers in our public schools; and

**WHEREAS** Governor Pataki has offered and earmarked \$200 million for the first year and \$200 million for the second year to raise salaries to recruit and retain well-qualified and well-prepared teachers and to prevent pitting contract against budget concerns; and

**WHEREAS** the future of our city depends upon a strong public education system that invests and retains well-qualified teachers and doesn't reduce services to children;

**THEREFORE BE IT RESOLVED** that we urge Mayor Bloomberg to accept Governor Pataki's offer immediately and to not hold the teachers' contract and raises hostage.

Vote: Unanimous, with 35 Board members in favor.

## STANDING COMMITTEE REPORTS

### BUSINESS

#### **1. GFS, Inc., d/b/a 3 C's, 3 Howard Street, NYC 10013**

**WHEREAS**, he applicant appeared before the committee; and

**WHEREAS** the area was posted; and

**WHEREAS**, this application is for a removal of an On Premise license from 193 Centre Street and a relocation of the license to 3 Howard Street, and

**WHEREAS**, the applicant stated that there would be no change in the menu or hours or method of operation, and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the removal of an On Premise license from 193 Centre Street and a relocation of the license to 3 Howard Street for GFS, Inc., d/b/a 3 C's, 3 Howard Street, NYC 10013.

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

#### **2. 120 W. 3<sup>rd</sup> Street, Inc., d/b/a B & B Sandwich Bar, 120 W. 3<sup>rd</sup> Street, NYC 10014**

**WHEREAS**, the applicant appeared before the committee; and

**WHEREAS**, this application is for a new On Premise license at this location; and

**WHEREAS**, the applicant has been operating under the name Sonia Rose on Lexington Avenue for many years; and

**WHEREAS**, the applicant stated that he wishes to become an upscale French, white tablecloth, restaurant during the dinner hours, despite the name; and

**WHEREAS**, the applicant stated that the hours of operation will be from Noon to 10:30 PM, 7 days; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man, recommends approval of an On Premise license for 120 W. 3<sup>rd</sup> Street, Inc. d/b/a B & B Sandwich Bar, 120 W. 3<sup>rd</sup> Street, NYC 10014; and

**BE IT FURTHER RESOLVED** that CB#2, Man. calls upon the SLA to conduct a 500-foot rule hearing on this application

Vote: Unanimous, with 31 Board members in favor.

#### **3. George Forgeois, and/or 785 Washington Bistro Inc. (To be formed), 785 Washington Street, NYC 10014**

**WHEREAS**, the applicant appeared before the committee; and

**WHEREAS** the area was posted; and

**WHEREAS**, this application is for an On Premise license for a restaurant/bar; and

**WHEREAS**, the applicant stated that the premise will be used as a Spanish restaurant; and

**WHEREAS**, the applicant is a known operator with several other locations in the city, including the Café Noir at 32 Grand St. that has been a noise and violation prone location for many years as a result of the applicant's failure to comply with local codes; and

**WHEREAS**, over 20 residents of the area attended the Committee meeting to protest this application and the Board received several letters in opposition as well; and

**WHEREAS** CB#2, Man. questions the appropriateness of placing a licensed establishment at this particular site due to factors such as its windowless condition, the business activity in the area and the impact on the block;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. strongly recommends denial of this application for an On Premise license to George Forgeois and/or 785 Washington Street Inc., 785 Washington Street, NYC 10014; and

**BE IT FURTHER RESOLVED** that CB#2, Man. calls upon the SLA to conduct a 500 foot hearing on this application.

Vote: Unanimous, with 31 Board members in favor.

**4. Caliente Tequila Grill, LLC., d/b/a Caliente Tequila Grill, 57 Seventh Avenue South, NYC 10014**

**WHEREAS** the area was posted; and

**WHEREAS** the applicant and their attorney and their consultants appeared before the committee; and

**WHEREAS** this application is for a new on premise license for a Mexican restaurant with a sidewalk café at this location with a capacity of 25 to 30 persons plus an additional 30 in the sidewalk café; and

**WHEREAS** the Committee has been informed that the applicant plans to operate a tequila shot bar at this location as the prototype of a chain that they planned to franchise nationwide. (The applicant has denied this allegation and has removed the stand-up bar from the plans that were submitted.) The applicant now states that liquor will be served only to patrons at tables; and

**WHEREAS** 4 members of the public (all tenants of the applicants) spoke in favor of this application. In addition the applicant submitted a total of 11 letters in support (5 of which are from tenants of the applicants) and a petition signed by 60 customers of Caliente Cab (none who live in the immediate area); and

**WHEREAS** 4 members of the public (Including the Bedford Barrow Commerce Block Association and BAMRA plus 2 individuals) spoke in opposition to this application. In addition, the Board has received letters from 2 additional Block Associations and State Senator Tom Duane, State Assemblymember Deborah Glick and City Councilmember Christine Quinn in opposition to this application; and

**WHEREAS**, the plans that were submitted show only one restroom in this 60-person total premise. (NYC Building Code RS-20 states that one water closet is required for each sex in locations with a capacity of up to 100 persons.) Installation of an additional restroom will be necessary; and

**WHEREAS** it is virtually impossible to fit a full kitchen, full bar (service or otherwise), two restrooms plus 9 tables and 20 seats in the space of a small studio apartment (less than 400 sq. ft.)

**WHEREAS**, this area is already over saturated with more than 30 locations that have full liquor licenses and another 20 additional locations that serve beer and/or wine within 500 feet of this location; and

**WHEREAS** vehicular traffic in this area is extremely heavy with traffic regularly backing up in front of this location from the Holland Tunnel as well as double-parked cars, limousines and taxis in front of the applicant's other restaurant, Caliente Cab, two doors to the north. The addition of yet another licensed premise on this busy block will only exacerbate the already untenable situation; and

**WHEREAS** the availability of parking in the area is virtually non existent, therefore, any increase in vehicular traffic should be avoided; and

**WHEREAS** a Mexican restaurant with a sidewalk café at this location serving alcoholic beverages will raise the noise level beyond the current level which is already too noisy; and

**THEREFORE BE IT RESOLVED** that CB#2, Man. joins with State Senator Thomas Duane, State Assemblymember Deborah Glick, City Councilmember Christine Quinn, The Morton Street Block Association, The Carmine Street Block Association and The Bedford, Barrow, Commerce Block Association in strongly recommending denial of this application for an On Premise license for Caliente Tequila Grill LLC., d/b/a Caliente Tequila Grill, 57 Seventh Avenue South, NYC 10014; and

**BE IT FURTHER RESOLVED** that CB#2, Man. does not find that the granting of this license will be in the public interest and calls upon the State Liquor Authority to hold a 500 foot hearing on this application.

Vote to Substitute resolution: Passed with 20 Board members in favor, 9 in opposition and 2 abstentions.

**SEE SUBSTITUTE RESOLUTION BELOW.**

**Caliente Tequila Grill, LLC., d/b/a Caliente Tequila Grill, 57 Seventh Avenue South, NYC 10014**

1 **WHEREAS** the area was posted; and

2       **WHEREAS** the applicant and their attorney and their consultants appeared before the committee;  
and

3       **WHEREAS** this application is for a new on premise license for a Mexican restaurant with a sidewalk  
café at this location with a capacity of 25 to 30 persons plus an additional 25 in the sidewalk café; and

4       **WHEREAS** in response to the Committee’s concerns, the applicant has agreed not to have a stand-  
up bar on the premises. The applicant stated that liquor will be served only to patrons at tables; and

5       **WHEREAS** in response to the Committee’s concerns, the applicant agreed to install a dishwasher on  
the premises in order to use real plateware and glassware as opposed to paper products as had been originally  
planned; and

6       **WHEREAS** in response to the Committee’s concerns, the applicant agreed not to use the name  
Caliente Tequila Grill as their d/b/a and has agreed to use the name Caliente Grill instead; and

7       **WHEREAS**, the plans that were submitted show only one restroom in this 60 person total restaurant  
premise. The Committee is concerned that this will be inadequate; and

8       **WHEREAS** 5 members of the public (all tenants of the applicants) spoke in favor of this application.  
In addition, as a result of the compromises outlined above, the Central Village Block Association and The  
Morton Street Block Association withdrew their letters of opposition and instead submitted letters of support  
as did the Executive Director of Greenwich House and the Barrow Street Nursery School; and

9       **WHEREAS** the Bedford Barrow Commerce Block Association, the Carmine Street Block  
Association, State Senator Tom Duane and State Assemblymember Deborah Glick submitted letters in  
opposition to this application; and

10      **WHEREAS**, there are more than 30 locations that have full liquor licenses and another 20 additional  
locations that serve beer and/or wine within 500 feet of this location; and

**THEREFORE BE IT RESOLVED** that as a result of the concessions listed in items 4, 5 and 6 above and  
the cooperative spirit of the applicant, CB#2, Man. recommends approval of this application for an On  
Premise license for Caliente Tequila Grill LLC., d/b/a Caliente Grill, 57 Seventh Avenue South, NYC  
10014; and

**BE IT FURTHER RESOLVED** that CB#2, Man. calls upon the State Liquor Authority to hold a 500 foot  
hearing on this application.

Passed: with 20 Board members in favor, 9 opposed and 3 abstentions.

**5. Sway Lounge LLC d/b/a Sway, 305 Spring Street, NYC 10013**

**WHEREAS**, the applicant’s attorney appeared before the Committee; and

**WHEREAS**, this is an application to change the ownership structure of this licensee from a corporation to  
an LLC; and

**WHEREAS**, Dominick D’Alleva is the sole shareholder of the corporation and will be the sole member of  
the LLC; and

**WHEREAS**, there will be no change in the method of operation or of the hours of operation; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. does not object to the change from a corporation to  
an LLC for Sway Lounge LLC., d/b/a Sway, 305 Spring Street, NYC 10013

Vote: Unanimous, with 31 Board members in favor.

**6. 52<sup>nd</sup> – 8<sup>th</sup> Operating LLC., d/b/a Art Bar, 52 Eighth Avenue, NYC 10014**

**WHEREAS**, the applicant appeared before the Committee; and

**WHEREAS**, this is an application to change the ownership structure of this licensee from a corporation to  
an LLC; and

**WHEREAS**, the shareholders of the corporation and members of the LLC will be the same as at present; and

**WHEREAS**, there will be no change in the method of operation or of the hours of operation; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. does not object to the change from a corporation to an LLC for 52<sup>nd</sup> – 8<sup>th</sup> Operating LLC, d/b/a Art Bar, 52 Eighth Avenue, NYC 10014

Vote: Unanimous, with 31 Board members in favor.

**7. SoHo Billiard Sports Center Inc., 298 Mulberry St. (Houston St.), NYC 10012**

**WHEREAS**, the applicants appeared before the Committee; and

**WHEREAS**, this application is for an upgrade from beer and wine to a full On Premise license; and

**WHEREAS**, this location is a 9,000 sq. ft. billiard parlor that caters primarily to a very young clientele; and

**WHEREAS**, a member of the NoHo Neighborhood Association spoke in opposition to this application and the Committee also received correspondence in opposition to this application citing the fact that there are more than 3 other premises with full On Premise licenses within 500 feet of this location; and

**WHEREAS**, the applicant had previously applied for this upgrade in 1999, resulting in a strong denial by the Committee and the Full Board; and

**WHEREAS**, the Committee felt that a full liquor license will only attract more underage clientele; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of this application for an On Premise license for SoHo Billiards Sport Center, Inc., 298 Mulberry Street, NYC 10012; and

**BE IT FURTHER RESOLVED** that CB#2, Man. calls upon the SLA to conduct a 500 foot hearing on this application

Vote: Unanimous, with 32 Board members in favor.

**8. 30 Sweet Thing Inc., d/b/a Flow, 150 Varick Street, NYC 10013**

**WHEREAS**, the applicant appeared before the Committee; and

**WHEREAS** the area was posted; and

**WHEREAS**, this application is an alteration wherein the applicant wishes to add a bar and lounge in the basement of this existing location; and

**WHEREAS**, this premise has 2,200 sq. feet on the main floor and 1,500 sq. feet in the basement; and

**WHEREAS**, there are no complaints against this applicant and no one from the public spoke in opposition to this application; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the addition of a bar and lounge in the basement of this existing location for 30 Sweet Thing Inc., d/b/a Flow, 150 Varick Street, NYC 10013; and

**BE IT FURTHER RESOLVED** that CB#2, Man. calls upon the SLA to conduct a 500-foot hearing on this application

Vote: Unanimous, with 32 Board members in favor.

**9. KOS 73 Eighth Corp., d/b/a Go, 73 Eighth Avenue, NYC 10014**

**WHEREAS**, the applicant appeared before the Committee; and

**WHEREAS**, the area was posted; and

**WHEREAS**, this application is for an alteration of an existing premise to increase the capacity from 150 persons to 200 persons and also seek approval for a Cabaret license; and

**WHEREAS**, this location is a bar only with no food open until 4 AM; and

**WHEREAS**, there are no complaints against this applicant and no one from the public spoke in opposition to this application; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the increase in capacity from 150 to 200 persons and also no objection to the issuance of a Cabaret License for KOS 73 Eighth Corp., d/b/a Go, 73 Eighth Avenue, NYC 10014; and

**BE IT FURTHER RESOLVED** that CB#2, Man. calls upon the SLA to conduct a 500 foot hearing on this application.

Vote: Passed, with 31 Board members in favor, and 1 in opposition.

## **ENVIRONMENT**

**Revisiting the issue of the NYC region's air space in light of Man. CB#7's resolution asking the Federal Aviation Administration to continue its post-September 11<sup>th</sup> policy of rerouting airline traffic over water instead of over densely populated neighborhoods.**

**WHEREAS**, CB#2, Man. has long sought to end the unnecessary and unconscionable practice of permitting helicopter flights over City neighborhoods, where their noise destroys quality of life-destroying, making them inappropriate to neighborhoods with residential use; and

**WHEREAS**, CB#2, Man. also raised the issue of the unnecessary crash risk imposed on neighborhoods below by these flights; and

**WHEREAS**, in January 2002 Man.'s CB#7 voted unanimously to ask the Federal Aviation Administration to continue its post-September 11<sup>th</sup> policy of rerouting air traffic over water instead of over densely populated neighborhoods;

**THEREFORE BE IT RESOLVED**, that CB#2, Man. concurs in CB#7, Man.'s request that the Federal Aviation Administration continue its post September 11<sup>th</sup> policy of rerouting air traffic over water instead of over densely populated neighborhoods; and

**BE IT FURTHER RESOLVED**, that CB#2, Man. calls upon the FAA to end the practice of permitting air traffic, including helicopter flights, over City neighborhoods, not only because of the unconscionable noise, so destructive to health and quality of life, but because these overflights pose a mortal threat to those living and working in the densely populated region below, a threat made clear to all on September 11<sup>th</sup>, a threat to which the FAA should respond by seeking to safeguard lives, not put them in jeopardy in the interest of expediency.

Vote: Unanimous, with 35 Board members in favor.

## **INSTUTIONS**

### **Fence at St. Vincent's Hospital**

**WHEREAS** the West 13<sup>th</sup> St. Block Assn. has indicated that there have been ongoing problems posed by the gathering of a hard core homeless group who congregate in the landscaped setback areas of St. Vincent's O'Toole Building; and

**WHEREAS** these problems are repetitive and continuously involve drug dealing, severe breaches of hygiene and morals such as public defecation, urination, sexual activity all clearly in view of the residents of 12<sup>th</sup>/13<sup>th</sup> Streets and passersby including medical personnel from St. Vincent's, and

**WHEREAS** the neighborhood residents have been threatened and intimidated by this hard core bunch of homeless who have refused social and medical outreach by various City agencies, and

**WHEREAS** the 6<sup>th</sup> Police Precinct has indicated that although they monitor activity any warrants issued for arrests of miscreants usually result in their being released by the courts within 24 hours only to return to the scene, and

**WHEREAS** the administration of St. Vincent's has previously met with the community and indicated that they had intended to construct a new iron fence within 2001, only to be foiled by events of September 11<sup>th</sup> and that current plans are to have the project start by July 2002 at a total cost of \$500,000;

**THEREFORE BE IT RESOLVED** that CB#2, Man. realizes that a certain amount of forbearance for St. Vincent's is due owing to September 11<sup>th</sup> events but is looking to the promised construction project to correct a long-standing problem that threatens the residents and hospital workers, and



**BE IT FURTHER RESOLVED** that CB#2, Man. calls upon St. Vincent's to keep the lines of communication open with the community should the timing of the project change due to circumstances beyond its control.

Vote: Passed, with 31 Board members in favor, and 1 in opposition.

## **LANDMARKS AND PUBLIC AESTHETICS**

### **PUBLIC HEARING: LANDMARKS PRESERVATION COMMISSION, February 26<sup>th</sup>, 2001**

**1 LPC Item: 3 – 55 Greene Street (s.w. corner of Broome) A store and storehouse building built in 1872. Application is to construct an elevator bulkhead.**

**WHEREAS**, a new elevator requires this new bulkhead which will be only slightly visible at one spot two blocks away; and

**WHEREAS**, the material proposed, bronzed anodized aluminum, is consistent with other bulkhead material utilized in the Cast-Iron Historic District;

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

Vote: Unanimous, with 35 Board members in favor.

**2. LPC Item: 4 - 433-439 Broadway, a/k/a 44-46 Howard Street. A bank building built in 1967. Application is to demolish the existing building and construct a new six-story building.**

**WHEREAS**, this quirky little building and open plaza with its stand of linden trees is deeply appreciated by many members of the SoHo community; and

**WHEREAS**, many wish the building could be preserved, and it will be sorely missed if demolished; but

**WHEREAS**, others feel that it does not contribute to the Historic District; and

**WHEREAS**, the materials proposed, aluminum cladding bonded to a steel structure with glass in between, is not inconsistent with materials used in this District; and

**WHEREAS**, the rhythm of the elements, and the strong vertical and horizontal movements are evocative of contributing buildings in the District; and

**WHEREAS**, the 24" base is common in buildings in the area, and

**WHEREAS**, the silk screen on plate glass signage is not obtrusive; but

**WHEREAS**, some members felt that the structure is rather stark, lacking in details, and could use more articulation on the façade; and

**WHEREAS**, the mesh cornice is a post-modern interpretation that may soon become dated, and should be made more solid in appearance; and

**WHEREAS**, the proposed off-white color for the façade is too bright, will soon become dirty looking, and should be reconsidered;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. reluctantly recommends approval of this application and urges that our design comments be incorporated into the plan; and

**BE IT FURTHER RESOLVED** that CB#2, Man. strongly urges the applicant to plant new trees in pits or planters to replenish the trees that will be eliminated from our community.

Vote: Unanimous, with 35 Board members in favor.

**3.LPC Item: 120 Wooster Street (Prince/Spring) A store and warehouse built in 1894. Application is to legalize the installation of flagpoles and banners without LPC permits.**

**WHEREAS**, the 9' flagpoles overextend above this narrow 11' wide sidewalk; and

**WHEREAS**, the banners are large and detract from the architecture;

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

Vote: Unanimous, with 35 Board members in favor.

**4. LPC Item: 6 - 594-596 Broadway (Houston/Prince) A store building built in 1898. Application is to install signage at the second floor.**

**WHEREAS**, the applicant presented historic photos of similar signage treatment in the 19<sup>th</sup> century, but that does not mean that this is a benefit and should be re-introduced in the 21<sup>st</sup> century; and

**WHEREAS**, historic signage of this nature was generally placed on the frieze, not across windows; and

**WHEREAS**, if the plastic logo was eliminated, it would enable the lettering to be centered and more balanced; and

**WHEREAS**, similar signage treatment for the New York Sports Club approved about five years ago has elicited unfavorable comments once it was put in place; and;

**WHEREAS**, if every upper-floor business requested this signage treatment, it could rapidly get out of control and overwhelm the architectural details of the buildings that attract businesses to this District;

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

Vote: Unanimous, with 35 Board members in favor.

**5 LPC Item: 7 - 32 Morton Street, a/k/a 32 7th Ave South A vacant lot. Application is to modify a fence and wall installed without LPC permits.**

**WHEREAS**, we understand the applicant's need for security and privacy; but

**WHEREAS**, this long wall tends to be monolithic and could use something to break up the monotony and make it more interesting; and

**WHEREAS**, this openness could be achieved by using a cast iron fence for a portion of the wall, or a more interesting use of the brick through articulation or patterned design;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of this application until the applicant modifies the treatment to make it more interesting and appealing to view.

Vote: Unanimous, with 35 Board members in favor.

**6 LPC Item: 8 – 724 Broadway**

**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 35 Board members in favor.

**7 LPC Item: 9 – 388-394 Sixth Avenue (Waverly/Eighth St) (Sam Goody) A modern style bank building built in 1956. Application is to modify a window opening and install a new storefront infill.**

**WHEREAS**, the treatment, style, materials, scale and proportions of this proposal are appropriate for this particular building;

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

Vote: Unanimous, with 35 Board members in favor.

**8 LPC Item: 10 - 419 Lafayette St. - HELD OVER**

## **SIDEWALKS, PUBLIC FACILITIES AND ACCESS**

### **1. NEW application for revocable consent to operate an unenclosed sidewalk café by Café Ciao Restaurant, 185 Bleecker Street, NYC, with 11 tables and 22 seats. DCA# 109950.**

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

**WHEREAS** there was no one from the community to oppose this application and;

**WHEREAS** this establishment used to be known as Café Borgia with 10 tables and 24 seats, with a fixed wrought fence and;

**WHEREAS** the applicant agreed to install a removal fence with canvas and;

**WHEREAS** the applicant agreed to put tables against the building only and not serve food over the fence like the old owners did and;

**WHEREAS** the applicant will reduce the number of seats by two and the size of the tables;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of a ONE YEAR revocable consent to operate an unenclosed sidewalk café with 11 tables and 22 seats for Café Ciao Restaurant, 185 Bleecker Street, NYC.

Vote: Unanimous, with 35 Board members in favor.

### **2. NEW application for revocable consent to operate an unenclosed sidewalk café by Flying Burrito Brothers Restaurant 165 West 4<sup>th</sup> Street, NYC, with 5 tables 11 seats, DCA# 1099077.**

**WHEREAS** the area was posted, the applicant appeared before the committee with an expediter and;

**WHEREAS** the applicant has had an illegal sidewalk café for (8) years and;

**WHEREAS** this sidewalk is (12) twelve feet (9) inches in length with an existing cement platform of (4) feet (9) inches and;

**WHEREAS** the applicant states he will be putting tables on the top outer ledge of the platform allowing the space against the building for serving and;

**WHEREAS** the applicant also states his tables will be (18) eighteen inches only and;

**WHEREAS** the applicant also makes deliveries and has a bike chained to a parking meter which is an obstruction of pedestrian safety and;

**WHEREAS** there is a building fire escape above this establishment therefore the committee reduced the tables from (5) tables to (4) tables only and from (11) seats to (9) seats.

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of a one year revocable consent to operate an unenclosed sidewalk café with 4 tables and 9 seats for Flying Burrito Brothers Restaurant, 165 West 4<sup>th</sup> Street NYC

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

### **3. NEW application for revocable consent to operate an unenclosed sidewalk café by Luxus Restaurant, 510 La Guardia Place, NYC, with 19 tables and 38 seats, DCA# 1099004.**

**WHEREAS** the applicant and an expediter appeared before the committee and;

**WHEREAS** the area was posted there was no opposition from the community and;

**WHEREAS** there is sufficient passage for pedestrian safety and public access and;

**WHEREAS** the applicant states at this time there is no waiter or waitress service, but will be hiring employees soon and;

**WHEREAS** the applicant will be installing a removal railing around the sidewalk café and;

**WHEREAS** the inside of this establishment has twenty-two seats on the second floor, seventeen on the ground floor with nine stools.

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of a ONE year revocable consent to operate an unenclosed sidewalk café to Luxus Restaurant 510 La Guardia Place, NYC with 19 tables and 38 seats.

Vote: Unanimous, with 35 Board members in favor.

**4. RENEWAL application for revocable consent to operate an unenclosed sidewalk café by Angelo's Restaurant, 146 Mulberry Street, NYC, with 3 tables and 10 seats DCA# 964932.**

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

**WHEREAS** there is no opposition from the community and;

**WHEREAS** this has been a sidewalk café since 1997 and;

**WHEREAS** there is sufficient passage for pedestrian safety and public access and;

**WHEREAS** there are no complaints on file at the Board office and;

**WHEREAS** the applicant agreed to put the tables against the building;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. Recommends Approval of a THREE year consent revocable to operate an unenclosed sidewalk café to Angelo's Restaurant, 146 Mulberry Street, NYC for 3 tables and 10 seats.

Vote: Unanimous, with 35 Board members in favor.

**5. RENEWAL application for revocable consent to operate an unenclosed sidewalk café by Benny's Burritos Restaurant, 111-113 Greenwich Avenue, NYC with 8 tables and 24 seats DCA# 1067914.**

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

**WHEREAS** there was no opposition from the community and;

**WHEREAS** there are no complaints on file at the Board office and;

**WHEREAS** there is sufficient passage for pedestrian safety and public access and;

**WHEREAS** the applicant states he has been in business since 1988 and has a good relationship with the community and;

**WHEREAS** we urge you to keep customers waiting for tables from blocking pedestrians without putting up a rope to do so; and

**WHEREAS** when the applicant came before the committee in 2000 he took the advise of the committee and reduced the number of tables.

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval for a THREE year revocable consent to operate and unenclosed sidewalk café to Benny's Burritos, 111-113 Greenwich Avenue, NYC for 8 tables and 24 seats.

Vote: Unanimous, with 35 Board members in favor.

**6. RENEWAL application for revocable consent to operate an unenclosed sidewalk café by Da Massimo Restaurant, 206 Thompson Street, NYC with 5 tables and 10 seats DCA# 885815.**

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

**WHEREAS** there was no opposition form the community and no complaints on file at the Board office and;

**WHEREAS** there has been an unenclosed sidewalk café at this location since 1992, at that time the establishment was called Il Ponte Vecchio; and

**WHEREAS** there is sufficient passage for pedestrian safety and public access;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. Recommends approval of a THREE year revocable consent to operate unenclosed sidewalk café for Da Massimo Restaurant, 206 Thompson Street, NYC for 5 tables and 10 seats.

Vote: Unanimous, with 35 Board members in favor.

**7. RENEWAL application for revocable consent to operate an unenclosed sidewalk café by Cowgirl Hall of Fame, 519 Hudson Street, NYC with 11 tables and 22 seats, DCA # 0919917.**

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

**WHEREAS** there is sufficient passage for pedestrian safety and access and;

**WHEREAS** the area was posted and there was no opposition from the community and;

**WHEREAS** the applicant stated he is in business for thirteen years and;

**WHEREAS** there are no complaints on file at the Board office about this sidewalk cafe and;

**WHEREAS** there has been a unenclosed sidewalk café at this location since 1992:

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of a THREE (3) year revocable consent to operate an unenclosed sidewalk café to Cowgirl Hall of Fame Restaurant, 519 Hudson Street, NYC, with 11 tables and 22 seats.

Vote: Unanimous, with 35 Board members in favor.

**8. Renewal application for revocable consent to operate an unenclosed sidewalk café for Macelleria Restaurant 48 Gansevoort Street, NYC, with 13 table and 22 seats, DCA # 1074969.**

There is a problem with the sidewalk not being leveled, the applicant will come back to be heard in March and will advise the committee as to when the sidewalk will be repaired.

**9. Renewal application for revocable consent to operate an unenclosed sidewalk café by PO's Restaurant, 31 Cornelia Street, NYC with 2 tables and 4 seats. DCA # 910355.**

The applicant failed to appear, we will hold over till March.

## **SOCIAL SERVICES, HOMELESS AND SENIOR SERVICES**

### **Proposed Budget Reductions for Seniors - Greenwich House & Caring Community Targeted**

**WHEREAS** New York's senior citizens are living longer and the number of seniors over 85 years of age is doubling every 15 years and is the fastest growing age group in our society; and

**WHEREAS** to keep pace with the need, funding for senior services should be increased rather than diminished; and

**WHEREAS** Mayor Bloomberg's preliminary budget proposal calls for significant reductions in services for senior citizens, including the elimination of seven senior programs, one in Queens, one in the Bronx, three in Brooklyn, and two in CB#2, Man.; and

**WHEREAS** the burden of these reductions falls especially hard on our older neighbors in CB#2, Man. since both targeted Manhattan programs are operated by well-respected agencies in Greenwich Village as follows:

- I. Greenwich House senior programs (27 Barrow St.), serving 400 members, making available two meals a day and a variety of services including activities oriented to lesbian and gay seniors;
- II. Caring Community program (first Presbyterian Church, 12 W. 12<sup>th</sup> St.), serves 75 participants, special emphasis on music programs; and

**WHEREAS** other reductions among the \$25 million cuts proposed in the preliminary budget will affect seniors in all communities, including ours;

**THEREFORE BE IT RESOLVED** that CB#2, Man. expresses its dismay to the Mayor at the program reductions proposed for our senior citizens, including particularly those at Greenwich House and Caring Community; and

**BE IT FURTHER RESOLVED** that CB#2, Man. strongly urges CB#2, Man. neighborhood groups, block associations, and board members to join with Councilmember Christine Quinn, Representative Jerrold Nadler, State Senator Tom Duane, and Assemblymember Deborah Glick, to make their views on these issues clear at the hearing on the preliminary budget for the Department for the Aging, Monday March 11<sup>th</sup>, at 1:30 at City Hall.

Vote: Unanimous, with 35 Board members in favor.

## **ZONING AND HOUSING**

### **Cooper Union Large Scale Development Plan**

**An explanation of the plan and the analysis of the same are outlined in the attached report by the Cooper Union Joint Task Force (SEE EXHIBIT I).**

**WHEREAS** Cooper Union proposes an FAR of 10 for an office building on the Engineering Building site, and

**WHEREAS** this would have a tremendous impact on CB#2, Man. since it is across 4th Avenue from our area, by the additional traffic, both vehicular and pedestrian on our streets and the subway stations in CB#2, Man.; and

**WHEREAS**, although CB#2, Man. is usually opposed to any change in zoning which would increase the FAR permitted in our area, the proposal by the Task Force to rezone the parking lot site across from the Foundation Building of Cooper Union to C6-3A with a Community Facility FAR of 7.5 would not be inappropriate for that site because of the existing streetscape (Fischer Building and K-Mart building) and

**WHEREAS** north of the site is the conjunction of two streets with an open area and a small island with the subway station entrance, and

**WHEREAS** the rezoning of this site is more logical than rezoning the Engineering Building site with its lower scale setting, and

**WHEREAS** rezoning this parcel would not lead to further zoning changes in the area since the adjoining properties are zoned M1-5B and the property is already built up,

**THEREFORE BE IT RESOLVED** that CB#2, Man. would support the rezoning of the parking lot site west of the Foundation Building instead of the rezoning of the Cooper Union Engineering Building site, but only to a C6-3A zone.

Vote: Unanimous, with 35 Board members in favor.

## **NEW BUSINESS**

Respectfully submitted,  
Secretary, Community Board #2, Manhattan