

FULL BOARD MINUTES

DATE: March 21, 2002
TIME: 6:30 P.M.
PLACE: St. Vincent's Hospital, 170 W. 12th Street
Cronin Auditorium, 10th Floor

BOARD MEMBERS PRESENT: Ann Arlen, Tobi Bergman, Helene Burgess, Charle Cafiero, Keith Crandell, Anthony Dapolito, Doris Diether, Noam Dworman, Carol Feinman, Harriet Fields, Elizabeth Gilmore, Edward Gold, Arnold L. Goren, Jo Hamilton, 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, T. Marc Newell, Judy Paul (excused for Feb. Full Bd.), David Reck, Carol Reichman, Robert Rinaolo, Rocio Sanz, Arthur Z. Schwartz, Shirley Secunda, John Short, Melissa Sklarz, James Smith, Sean Sweeney, Lora Tenenbaum, Wilbur Weder, Jeanne Wilcke, Betty Williams, Carol Yankay.

BOARD MEMBERS EXCUSED: Steve Ashkinazy, Ruth Sherlip, Verna Small, Martin Tessler

BOARD MEMBERS ABSENT: Rev. Keith Fennessy, Ann Robinson

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; Carin Mirowitz, Councilmember Christne Quinn's office, Blane Roberts, Man. Borough President's office; Pamela Hepburn, Huntley Gill, Florent Morellet, George Haikilis, Betty Rinckwitz, Chris Miller, Jessie McNab, Margie Rubin, Albert Bennett, Marjorie Kouns, David Folcy, Peter Falk, Wendy Chenbg, Janet Lai, Janice Huang, Jungyun Shin, Jason Lew, Jim Bond, Andrew Berman, Jay Segal, Lisa Yustzavige, Carol Wreszin, Jean Krampner, George Vellonakis, Charlie Ritchie.

MEETING SUMMARY

Meeting Date March 21, 2002
Board Members Present – 41
Board Members Excused– 4
Board Members Absent - 2

I. SUMMARY AND INDEX

ATTENDANCE	1
MEETING SUMMARY	1
SUMMARY AND INDEX	1
PUBLIC SESSION	2
ADOPTION OF AGENDA	2
ELECTED OFFICIALS' REPORTS	2
ADOPTION OF MINUTES	3
EXECUTIVE SESSION	3
STANDING COMMITTEE REPORTS	3
ARTS	3
BUSINESS	4
ENVIRONMENT	7
LANDMARKS	8
PARKS, RECREATION AND OPEN SPACE	12
SIDEWALKS, PUBLIC FACILITIES AND ACCESS	13
TRAFFIC AND TRANSPORTATION	18
WATERFRONT	19
ZONING AND HOUSING	20
NEW BUSINESS	22
ROLL CALL	23

II. PUBLIC SESSION

Non-Agenda Items

City Budget

Andrew Berman, Greenwich Village Society for Historic Preservation, spoke regarding the city's proposed Landmarks Preservation Commission's budget,

LMDC

Don Lee, Board member CB2, spoke regarding the Lower Manhattan Development Corp.

EPA Meeting

Betty Williams, CB2 member, spoke regarding the air quality and environment meeting she attended.

Zoning

Doris Diether made a zoning announcement.

YMCA

Christian Miller gave an update on the McBurney YMCA.

Arts Items

New Subcommittee

Marc Newell spoke regarding a new subcommittee.

Landmarks & Public Aesthetics Items

Abingdon Square Park

George Vellonakis, Dept. of Parks, and Jean Krampner, Landmarks Committee Public Member spoke regarding Abingdon Square Park. Peter Falk spoke in favor and against the proposal. Margie Rubin spoke against the proposal

Parks, Recreation & Open Space Items

Bleecker Park Sitting Area

Betty Rinckwitz, Perry St. Block Assn., and Carol Wreszin, spoke against the proposal to remove the fence, etc.

Waterfront Items

Pier 40

Huntley Gill and Pamela Hepburn, of Lilac/Pegasus, spoke regarding preservation project for Pegasus Tugboat & Tender Lilac Lighthouse. Charlie Ritchie, PAL, spoke in favor of Tug Pegasus/Lilac @ Pier 40.

Zoning and Housing Items

104 Charlton St.-Variance application for warehouse conversion to residential use, and new partial 8th floor & commercial catering on 1st floor;

Jay Segal, representing the applicant, and Lisa Yustzavige, spoke in favor of the application.

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

Meg Reed, Senator Martin Connor'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 Mirowitz, of Councilmember Christine Quinn's office

V. Adoption of Minutes

Adoption and Distribution of February minutes

VI. Executive Session

1. **Chair's Report** Aubrey Lees reported
2. **District Manager's Report** Arthur Strickler reported.

3. In Appreciation of Bob Cohen

WHEREAS Robert “Bob” Cohen has been, for decades, a tireless worker for the good of the people of our state, our city and our district; and

WHEREAS Bob Cohen has acted for all the people as a man of wisdom and as a man with the right conviction that conciliation serves all, whether in his service at the state and city level (including service as a City Commissioner) or as a government relations professional at the highest, most enlightened, public-conscious level of private endeavor at New York University (NYU); and

WHEREAS Bob Cohen has judged deftly, time and again, whether honesty with diffidence or honesty with candor best serves the long-term goal of amity between our institutions; and

WHEREAS Bob Cohen, both in days of amity and in days of contention between our two institutions, has consistently maintained an open door for the siting of many CB#2, Man. hearings and committee meetings at NYU facilities; and

WHEREAS Bob Cohen in his unfailing sagacity and ready kindness to all serves as a lesson, especially for our youth, that effectiveness and civility are not mutually exclusive, indeed they necessarily complement each other,

THEREFORE BE IT RESOLVED that CB#2, Man. celebrates the outstanding career and service of Robert “Bob” Cohen and bids him an emphatic “Thanks a million, Bob.”

Vote: Unanimous, with 41 Board members in favor.

STANDING COMMITTEE REPORTS

ARTS

Abingdon Square War Memorial Sculpture by Philip Martiny

SEE ATTACHED RESOLUTION – EXHIBIT I.

Motion to Table - Vote: Passed with 27 Board members in favor, 9 in opposition, and 1 abstention.

BUSINESS

Ia. Applications to State Liquor Authority for New License to sell liquor on-premise

Summer LLC d/b/a Arawaks, 133 W. 13th Street, New York, NY 100 11

WHEREAS, the applicant did not appear before the Business Committee, thus, skipping this important step in the application process;

THEREFORE, BE IT RESOLVED that CB#2, Man. opposes the application for an on-premises liquor license by Summer LLC at 133 W. 13th Street, New York, NY 10011.

Vote: Unanimous, with 41 Board members in favor.

RPT Inc., 298 Mulberry Street, Now York, NY 1001

WHEREAS, the applicant did not appear before the Business Committee, thus, skipping this important step in the application process;

THEREFORE, BE IT RESOLVED that CB#2, Man. opposes the application for an on-premises liquor license by RPT, Inc. at 298 Mulberry Street, New York, NY 10013.

Vote: Unanimous, with 41 Board members in favor.

46 K Corp., 46 Grand Street, New York, NY 10013

WHEREAS, the application is for a new on-premise license for a bar/lounge (with Italian sandwiches) at this location with a total capacity of 74 including one bar (12 seats) and eight tables (16 seats); and

WHEREAS, the bar/lounge will operate Monday through Wednesday 5:00 p.m. to 3:00 a.m., Thursday and Friday 4:00 p.m. to 4:00 a.m., and Saturday and Sunday 7:00 p.m. to 4:00 a.m.; and

WHEREAS, there are three or mote other licensed premises within 500 feet of this location; and

WHEREAS, one community resident did not object to the application but raised concerns about the former operator at the location (Denial), and

WHEREAS, the applicant stated that he would provide additional soundproofing including a drop ceiling and conduct sound checks involving residents in the building;

THEREFORE, BE IT RESOLVED that CB#2, Man. has no objection to the application for an on-premises liquor license by 46 K Corp. at 46 Grand Street, New York, NY 100 13 and calls upon the State Liquor Authority to conduct a 500 foot hearing on this application.

Vote: Unanimous, with 41 Board members in favor.

Soju, Inc. d/b/a Soju, 57 Great Jones Street, New York, NY 10012

WHEREAS, the application is for a new on-premise license for a restaurant (with Korean food) at this location with a total capacity of 74 including one bar (10 seats) and 32 tables (64 seats); and

WHEREAS, die restaurant will operate daily from 4-30 PM to 12-00 am; and

WHEREAS, there are three or more other licensed premises within 500 feet of this location; and

WHEREAS, there was no community opposition to this application;

THEREFORE, BE IT RESOLVED that CB#2, Man. has no objection to the application for an on-premises liquor license by Soju, Inc., at 57 Great Jones Street, New York, NY

10012 and calls upon the State Liquor Authority to conduct a 500 foot hearing on this application.

Vote: Unanimous, with 41 Board members in favor.

PEN Entertainment LLC, 14-20 Little West 12th Street, New York, NY 10014

WHEREAS, the application is for a new on-premise license for a bar (with a sushi bar and desserts) at this location with a total capacity of 150 including one bar (12 seats) and 20 tables (80 seats); and

WHEREAS, the restaurant will operate daily from 6-00 p.m. to 4:00 am; and

WHEREAS, there are three or more other licensed premises within 500 feet of this location; and

WHEREAS, there was no community opposition to this application; and

THEREFORE BE IT RESOLVED that CB#2, Man. has no objection to the application for an on-premises liquor license by PEN Entertainment LLC at 14-20 Little West 12th Street, New York, NY 100 14 and calls upon the State Liquor Authority to conduct a 500 foot hearing on this application.

Vote: Unanimous, with 41 Board members in favor.

JAM Entertainment Group, LLC d/b/a Sweet Rhythm, 88 7th Ave. South, New York NY 10014

WHEREAS, the application is for a new on-premise license for a restaurant/bar (With Asian/Thai food) at this location with a total capacity of 130 including one bar (11 seats) and 33 tables (107 seats), and

WHEREAS, the restaurant will operate weekdays from 4:00 p.m. to 2:00 a.m., and weekends from 1:00 p.m. to 4:00 a.m.; and

WHEREAS, there are three or more other licensed premises within 500 feet of this location; and

WHEREAS, there was no community opposition to this application; and

THEREFORE BE IT RESOLVED that CB#2, Man. has no objection to the application for an on-premises liquor license by JAM Entertainment Group, LLC d/b/a Sweet Rhythm, 88 7th Ave. South, New York, NY 100 14 and calls upon the State Liquor Authority to conduct a.500 foot hearing on this application.

Vote: Unanimous, with 41 Board members in favor.

Perry St. Taverna, LLC d/b/a Osteria del Sole, 267 West 4th Street, New York, NY 10014

WHEREAS, the application is for a new on-premise license for a restaurant (with Italian food) at this location with a total capacity of 70 including one bar (5 seats) and 18 tables (50 seats); and

WHEREAS, the restaurant will operate daily from 12:00 p.m. to 3:00 am; and

WHEREAS, there are three or more other licensed premises within 500 feet of this location; and

WHEREAS, there was no community opposition to this application; and

THEREFORE, BE IT RESOLVED that CB#2, Man. has no objection to the application for an on-premises liquor license by Perry St. Taverna LLC d/b/a Osteria del Sole, 267

West 4th Street, New York, NY 10014 and calls upon the State Liquor Authority to conduct a 500 foot hearing on this applicati7

Vote: Passed, with 40 Board members in favor, and 1 recusal (R. Sanz).

Spring Street Group, LLC d/b/a Keltic Kitchen, 53 Spring St., New York, NY 10013

WHEREAS, the application is for a new on-premise license for a restaurant (with Irish food) at this location with a total capacity of 125 including one bar (18 seats) and 24 tables (84 seats); and

WHEREAS, the restaurant will operate daily from 12.00 p.m. to 4:00 a.m.; and

WHEREAS, there are three or more other licensed premises 71thin 500 feet of this location; and

WHEREAS, there was no community opposition to this application; and

THEREFORE, BE IT RESOLVED that CB#2, Man. has no objection to the application for an on-premises liquor license by Spring Street Group, LLC d/b/a Keltic Kitchen, 53 Spring Street, New York, NY 10013 and calls upon the State Liquor Authority to conduct a 500 foot hearing on this application.

Vote: Unanimous, with 41 Board members in favor.

Macdougall G Corp. d/b/a Wreck Room, 116 Macdougall Street, New York, NY 10012

WHEREAS, the application is for a new on-premise license for a bar/lounge at this location with one bar (11 seats) and 7 tables (29 seats); and

WHEREAS, the restaurant will operate daily from 10:00 am to 4:00 am, and

WHEREAS, there are three or more other licensed premises within 500 feet of this location; and

WHEREAS, there was no community opposition to this application; and

THEREFORE, BE IT RESOLVED that CB#2, Man. has no objection to the application for an on-premises liquor license by Macdougall G Corp. d/b/a Wreck Room, 116 Macdougall Street, New York, NY 10012 and, calls upon the State Liquor Authority to conduct a500 foot hearing on this application.

Vote: Unanimous, with 41 Board members in favor.

Ib. Applications to State Liquor Authority for Alteration to sell liquor on-premise

(10) The 7th Avenue Hospitality Group, LLC d/b/a Chateau, New York, NY 3.0014

WHEREAS, the application is for an alteration to an existing on-premise license for exterior additions including an additional bar on the second floor; and sconces and barnwood panels to the front door, exterior facade in the doorway and the window panels; and

WHEREAS, there was no community opposition to this application; and

THEREFORE, BE IT RESOLVED that CB#2, Man. has no objection to the alteration of the existing liquor license to add of a bar on the second floor and facade changes by The 7'h Avenue Hospitality Group, LLC d/b/a Chateau, New York, NY 10014.

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

1c. Applications to State Liquor Authority for Renewal of liquor license

I Grulli Inc. d/b/a Nipotino Restaurant, 133 W. 13th St., New York, NY 10011

WHEREAS, the applicant did not appear before the Business Committee, thus, skipping this important step in the application process; and

WHEREAS, there is community opposition to this application due to excessive noise problems.

THEREFORE, BE IT RESOLVED that CB#2, Man. **opposes** the renewal of an on-premises liquor license by I Grulli, Inc. d/b/a Nipotino Restaurant, 133 W. 13th St., New York, NY 10011.

Vote: Unanimous, with 41 Board members in favor.

ENVIRONMENT

Indoor Air Quality following the 9/11 Atrocity

WHEREAS although six months have passed since the September 11 atrocity, very little has been done to clean the interiors of buildings in the area directly affected; and

WHEREAS, residents and workers of the area still have no assurance that the indoor air in their homes and workplaces is safe to breathe; and

WHEREAS, the destruction at the World Trade Center released enormous clouds of toxic fumes and dust over a region far wider than the immediate area known as "Ground Zero," including portions of Manhattan, Brooklyn and New Jersey, a spread of smoke, dust, and debris which continued for several months; and

WHEREAS most buildings affected by the spread of toxins have neither been tested for safety, nor professionally cleaned to the exacting standards required; the testing and clean-up having been left to residents, workers, or landlords -- most of whom have neither the knowledge nor special skills and equipment required; and

WHEREAS, the Environmental Protection Administration has the authority and the mandate to do reliable indoor testing and clean-up immediately according to Representative Jerrold Nadler, who cites Section 303 of the Clean Air Act, which says the EPA has the authority in an emergency situation to protect human health when there is an imminent and substantial endangerment presented by a source of pollution and who also cites the National Contingency Plan of the Comprehensive Environmental Response, Compensation, and Liability Act, which gives the EPA authority to act on indoor air;

THEREFORE BE IT RESOLVED that that CB#2, Man. (at its nearest point less than a mile from Ground Zero), strongly urges residents, workers, and building owners who suspect that toxic materials from the September 11th atrocity may have entered their indoor air space to write or telephone the Environmental Protection Administration insisting that EPA test and, if necessary, clean the interior of their building; and

BE IT FURTHER RESOLVED that the Environmental Protection Administration staff appropriately handle requests from affected residents, workers, and owners; and

BE IT FURTHER RESOLVED that the Environmental Protection Administration undertake an intensive study of the impact of toxic matter from the September 11th atrocity on the health of nearby residents and workers and report such results forthwith to the community; and

BE IT FINALLY RESOLVED that CB#2, Man. strongly urges the Environmental Protection Administration to carry out a continuing campaign of health information for residents, workers, and building owners in the areas affected by the atrocity.

Vote: Unanimous, with 41 Board members in favor.

LANDMARKS AND PUBLIC AESTHETICS

PUBLIC HEARING: LANDMARKS PRESERVATION COMMISSION, March 26th, 2002

1. LPC Item: 4 – 149 Mulberry Street (Paolucci’s) Individual Landmark
A Federal style house built c. 1816. Application is to legalize the re-surfacing of the façade, the installation of a canopy, awning, bracket sign and light fixtures, and the replacement of a dormer window without LPC permits.

WHEREAS, the cementaceous coating should be removed and the brickwork repaired; and

WHEREAS, the canopy is not sympathetic to this old house; and

WHEREAS, the awning is unnecessary, since it only blocks the beam of the existing lights, whose claimed purpose is to illuminate the building; and

WHEREAS, the style of the existing lights is inappropriate and should be replaced with something more sympathetic to the building; and

WHEREAS, the dormer window should be restored; and

WHEREAS, the blade sign above the canopy should go; now

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

Vote: Unanimous, with 41 Board members in favor.

2. LPC Item: 5 – 169 Mercer Street (Houston) A warehouse built in 1895.
Application is to install a painted wall sign.

WHEREAS, members of the community spoke against this application; and

WHEREAS, this building led the way with the billboard invasion of the Cast-Iron Historic District when it was granted a C of A a half dozen years ago to remove a wall mural painted by feminist artist Dorothy Gillespie commemorating the ‘Year of the Woman’ sponsored by UNESCO in 1976 in order to cover the wall with a garish advertising sign for sneakers; and

WHEREAS, this building has already profited immensely from ad revenues for years, while blighting the community, 99% of whose buildings do not have these huge advertisements; and

WHEREAS, when the permitted ad sign was removed a while back, the building management willfully, contemptuously and illegally installed a 5,000 square-foot vinyl sign before receiving a violation, knowing full well it required an LPC permit; and

WHEREAS, this applicant, as usual, did not send anyone to present the current application to the community board; now

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

BE IT FURTHER RESOLVED that CB#2, Man. urges the artist residents in this building to pay a little back to their community, blighted for years, by installing a public art mural to replace the one they removed.

Vote: Unanimous, with 41 Board members in favor.

3. LPC Item: 6 – 47 Wooster Street (Broome/Grand) (original Gourmet Garage) A garage built in 1945. Application is to renovate the façade.

WHEREAS, there is proposed too much uninterrupted glass; and

WHEREAS, the introduction of some more vertical elements would counter this excess of glass; but

WHEREAS, overall, the design is well-proportioned and attractive, with modest signage and an interestingly unique security gate, and the lighting is appropriate to this non-contributing building; now

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

Vote: Unanimous, with 41 Board members in favor.

4. LPC Item: 7 - 477 Broadway (Broome/Grand) A Classical style warehouse built in 1869. Application is to install a storefront infill.

WHEREAS, this proposal is sympathetic to contributing buildings in the historic district in style, proportion, symmetry, ornamentation, materials, and palette; now

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

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

5. LPC Item: 8 – 477 Broadway (Broome/Grand) A Classical style warehouse built in 1869. Application is to request LPC to issue a report to CPC for an Authorization for a modification of use pursuant to Section 74-711 of the ZR

WHEREAS, this proposed restoration certainly serves an historical preservation purpose; now,

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

BE IT FURTHER RESOLVED that CB#2, Man. reminds the applicant that our approval for an Authorization report by Landmarks does not necessarily indicate our approval for a change of use.

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

6. LPC Item: 9 –627 Broadway A Renaissance Revival style warehouse built in 1894. Application is to install a storefront infill.

WHEREAS, this proposal is sympathetic to contributing buildings in the NoHo Historic District in style, proportion, symmetry, ornamentation, materials, and palette; now

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

Vote: Unanimous, with 41 Board members in favor.

7. LPC Item: 10 – 419 Lafayette St. HELD OVER

8. LPC Item: 11 – 7 West 8th

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 41 Board members in favor.

9. LPC Item: 12 – 240 West 12th Street. An Italianate style row house built in 1859. Application is to paint the façade.

WHEREAS, because it is difficult to restore this building's brickwork; and

WHEREAS, the color proposed for the trim of the lintels seems appropriate; now,

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

Vote: Unanimous, with 41 Board members in favor.

10. LPC Item: 13 - 87 Seventh Ave South (Sushi Samba 7)

WHEREAS, recent changes at this site, some with, and some without, LPC permits, have provoked unusual disdain at the design, materials, and colors introduced into the Historic District; and,

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 41 Board members in favor.

11. LPC Item: 14 – 24 Eighth Ave. HELD OVER

12. LPC Item: 15 – 830 Greenwich Street (Horatio) One of two Greek Revival style row houses, built in 1838. Application is to alter the windows and cornice on the rear façade, alter windows on Horatio St. and alter the skylight and windows.

WHEREAS, the proposed pattern and symmetry of the 6-over-6 windows is excellent; and,

WHEREAS, the fire escape will be removed; and,

WHEREAS, the brick will be painted and graffiti removed; and,

WHEREAS, removal of the studio skylight and grills is not inappropriate; now,

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

Vote: Unanimous, with 41 Board members in favor.

11. LPC Item: 14 – 24 Eighth Ave. HELD OVER

12. LPC Item: 15 – 830 Greenwich Street (Horatio) One of two Greek Revival style row houses, built in 1838. Application is to alter the windows and cornice on the rear façade, alter windows on Horatio St. and alter the skylight and windows.

WHEREAS, the proposed pattern and symmetry of the 6-over-6 windows is excellent; and,

WHEREAS, the fire escape will be removed; and,

WHEREAS, the brick will be painted and graffiti removed; and,

WHEREAS, removal of the studio skylight and grills is not inappropriate; now,

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

Vote: Unanimous, with 41 Board members in favor.

14. LPC Item: 17 - 183 – 85 West 4th Street (6th/7th Aves)- A neo-Federal style stable built between 1897 & 1899 and altered in 1919, and a new-Federal style house built in 1917. Application is to create an areaway, to install fences and planting wells at both houses, and to construct a stoop at #183.

WHEREAS, the applicant will get a Revocable Consent from DOT to build this project on a portion of the public sidewalk; and

WHEREAS, the fence materials, details, height, color and style are appropriate to the Historic District; and

WHEREAS, the blue stone and planting is attractive; and

WHEREAS, stoop is characteristic of the District; now

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

Vote: passed, with 39 Board members in favor, and 2 in opposition.

15. LPC Item: 18 – 11 Christopher Street, a/k/a 134 West 10th Street (at the head of Gay Street, and the W. 10th parking garage, near Greenwich Avenue) A parking lot and a brick stable constructed in 1874. Application is to construct a new five-story building at 11 Christopher Street, and to install a new storefront infill and construct a rooftop addition at 134 West 10th Street.

WHEREAS, for Christopher Street, the building is in scale and the massing mirrors the town houses on the block; and

WHEREAS, the materials and palette employed are sympathetic to other buildings in the District; but

WHEREAS, we would like to see the bulkhead below the commercial plate glass window heightened somewhat; and

WHEREAS, on West 10th, the storefront infill proposed to replace the garage opening is appropriate to the District; now

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

Vote: Unanimous, with 41 Board members in favor.

16. LPC Item: 37 – 666 Broadway (Bond) A store and loft building constructed in 1903. Application is to install signage on the Broadway and Bond Street façades.

WHEREAS, there is an excess and repetition of signage; now

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

Vote: Unanimous, with 41 Board members in favor.

PARKS, RECREATION AND OPEN SPACE

1. Bleecker Sitting Area Renovation

WHEREAS, CB#2, Man. has requested capital funding for renovation of the Bleecker Sitting Area for Fiscal Year 2003; and

WHEREAS, the sitting area is dilapidated and seriously needs renovation; and

WHEREAS, various approaches to growing crime, prostitution, drug use, and drug dealing in the area need to be explored; and

WHEREAS, a subcommittee of the Parks Committee and the Parks Committee has made recommendations after holding three public meetings in December 2001, January 2002, and February 2002, and a public hearing in March 2002, it is hereby

RESOLVED, that the Parks CB#2, Man. Committee makes the following recommendations to the Parks Department for the renovation of the Bleecker Sitting Area:

- a) The renovation should maintain the open feeling of the space.
- b) The brick paving should be leveled and replaced without disturbing the tree roots.
- c) The sidewalk around the area should be repaved.
- d) In the sitting area, benches should be replaced with single seat structures
- e) All seating should be moved away from 295 West 11th Street.
- f) Seating should be increased in the area along the edge of the sidewalk
- g) Gaming tables should be eliminated.
- h) In the walkway, the flat benches should be replaced with World's Fair-type benches, with elements, which discourage sleeping
- i) Lighting should be improved; such lighting should be low-glare and low-intensity.
- j) The renovation should not include a dog run.
- k) The renovation should include consideration of a fence around some or all of the area if other approaches cannot deter crime, prostitution and drug use in the area.
- l) The sitting area and walkway should be renamed Bleecker Grove.

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

2. Request for Funds

WHEREAS, the Bleecker Sitting Area is in run-down condition, with old rotting benches and an uneven surface which is sinking in many areas; and

WHEREAS, the Bleecker Sitting Area is an important and vibrant part of the West Village community; and

WHEREAS, Community Board 2 has previously requested that Borough President Fields and City Council Member Quinn include, in their capital budget requests for Fiscal Year 2003, sufficient money to renovate the Bleecker Sitting Area; and

WHEREAS capital spending may be greatly curtailed in the Fiscal Year 2003 City Budget; and

WHEREAS Assembly Member Glick has devoted considerable energy to the debate concerning the Bleecker sitting area, and appears to have special concern for this park space;

THEREFORE, it is **RESOLVED** that CB#2, Man. requests that Assemblymember Glick exercise her considerable influence to secure all funds available from State, City or private sources, to renovate the Bleecker sitting area in the manner suggested by CB2.

Vote: Unanimous, with 41 Board members in favor.

SIDEWALKS, PUBLIC FACILITIES AND ACCESS

1. NEW application for revocable consent to operate an enclosed sidewalk café by Washington Square North Restaurant, 24 Fifth Ave., NYC, with 17 tables and 35 seats. DCA# 1100989.

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

WHEREAS, there was no opposition from the community and;

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

WHEREAS, the applicant is a well known chef/owner with an international reputation and;

WHEREAS, this establishment has been a restaurant with an enclosed café for over thirty years and;

WHEREAS, the applicant did not do any renovations to the enclosed café portion of this establishment and;

WHEREAS, there is two separate businesses located at this at this address, but this application is for the restaurant portion only:

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of a ONE YEAR revocable consent to operate an enclosed sidewalk café with 17 tables and 35 seats for Washington Square North Restaurant, 24 Fifth Ave., NYC.

VOTE: Unanimous, with 41 Board members in favor.

2. NEW application for revocable consent to operate an enclosed sidewalk café by Johnny Rockets Restaurant 42 East 8th St., NYC, with 6 tables 19 seats, DCA# 1101614.

The applicant failed to appear. We will hear this application in April.

3. NEW application for revocable consent to operate an unenclosed sidewalk café by MGT Enterprises LLC, a/k/a Meet Café Restaurant, 71-73 Gansevoort St., NYC, with 22 tables and 64 seats, DCA# 1101944.

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 this sidewalk is nineteen feet wide and;

WHEREAS, the applicant states there are ninety seats inside of the restaurant and;

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

WHEREAS, the blue prints of this restaurant does not show two metal grates in sidewalk near the front door and;

WHEREAS, the blue prints do not show two sets of cellar doors located on the sidewalk and;

WHEREAS, the committee advised the applicant to obtain new blue prints, the present ones have some mistakes in the number of tables and the size of the front doors and;

WHEREAS, this new restaurant is located in the meat packing district also it is in a building that use to be a meat company.

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of a ONE YEAR revocable consent to operate an unenclosed sidewalk café to MGT Enterprises LLC, a/k/a Meet Café Restaurant, 71-73 Gansevoort St., NYC with 16 tables and 52 seats.

VOTE: Unanimous, with 41 Board members in favor.

4. NEW application for revocable consent to operate an unenclosed sidewalk café by Due Amici Pizzeria Restaurant, 304 West 14th St., NYC, with 8 tables and 21 seats DCA# 1100543.

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

WHEREAS, there is no opposition from the community but one public member of CB#2, Man. spoke in favor of this application, because he lives on the same Street and;

WHEREAS, the applicant advised the committee he will be hiring waiter service and;

WHEREAS, the applicant stated he will be put a removal railing around the sidewalk café 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, this establishment has been approved by CB#2, Man. for a beer and wine license;

THEREFORE, BE IT RESOLVED That CB#2, Man. recommends approval of a ONE YEAR consent revocable to operate an unenclosed sidewalk café to Due Amici Pizzeria Restaurant, 304 West 14th St., NYC for 8 tables and 21 seats.

VOTE: Unanimous, with 41 Board members in favor.

5. MODIFICATION of application for revocable consent to operate an unenclosed sidewalk café by RDK Restaurant Corp. d/b/a Bistro Les Amis Restaurant, 108 Spring St., NYC with 13 tables and 28 seats DCA# 1101999.

WHEREAS, the area was posted, the applicants and architect 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 this location has been a restaurant for over sixty years with a sidewalk café and;

WHEREAS, the applicant will be putting the tables against the building line only and;

WHEREAS, when the applicant came before the committee in 1999 he took the advice of the committee to reduced the number of tables and seats and;

WHEREAS, this committee has already approved three tables on the side street which has other commercial businesses on it.

THEREFORE, BE IT RESOLVED That CB#2, Man. recommends approval for a ONE YEAR revocable consent to operate and unenclosed sidewalk café to RDK Restaurant Corp. d/b/a Bistro Les Amis, 180 Spring Street, NYC for 13 tables and 28 seats.

VOTE: Unanimous, with 41 Board members in favor.

6. RENEWAL application for revocable consent to operate an unenclosed sidewalk café by Rasu Realty Corp. d/b/a Po, 31 Cornelia St., NYC with 2 tables and 4 seats DCA# 910355.

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 1994 and;

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

WHEREAS, the applicant will put the tables against the building;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of a THREE YEAR revocable consent to operate unenclosed sidewalk café for Rasu Realty Corp. d/b/a Po, 31 Cornelia St., NYC with 2 tables and 4 seats.

VOTE: Unanimous, with 41 Board members in favor.

7. RENEWAL application for revocable consent to operate an unenclosed sidewalk café by Macelleria Restaurant, 48 Gansevoort St., NYC with 13 tables and 22 seats, DCA # 1074969.

WHEREAS, the applicant appeared before the committee and;

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

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

WHEREAS, the sidewalk of this establishment is not useable at this time for a sidewalk café and could be very dangerous if tables were put on it and;

WHEREAS, the applicant has a letter from his landlord office stating that they will repair the sidewalk by May 15th, 2002 and;

WHEREAS, the landlord of this building is known to the community as a person who does not like to do repairs to his buildings.

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends on CONTINGENCE ONLY when new plans are submitted to the Board and if the sidewalk is fixed by May 15th, 2002 approval of a ONE YEAR ONLY revocable consent to operate an unenclosed sidewalk café to Macelleria Restaurant, 48 Gansevoort St., NYC, with 13 tables and 22 seats.

VOTE: Unanimous, with 41 Board members in favor.

8. RENEWAL application for revocable consent to operate an unenclosed sidewalk café by Lunella Ristorante, 173 Mulberry St., NYC, with 4table and 8 seats, DCA # 1072629.

WHEREAS, the area was posted and he applicant's expediter appeared before the committee and;

WHEREAS, there is no opposition from the community and no complaints on file at the board office and;

WHEREAS, the chair of this committee stated there is an additional entrance on the sidewalk to stop the cold air from entering the restaurant and it would have to be removed to allow for a sidewalk café. The applicant said it will be removed.

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of a THREE YEAR revocable consent to operate an unenclosed sidewalk café to Lunella Ristorante, 173 Mulberry St., NYC, with 4 tables and 8 seats.

VOTE: Unanimous, with 41 Board members in favor.

9. RENEWAL application for revocable consent to operate an unenclosed sidewalk café by Mirchi Restaurant, 29 Seventh Ave. South, NYC with 18 tables and 36 seats. DCA # 1030988.

WHEREAS, the area was posted, the applicant appeared before the committee 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 has really brought life to this block with this new restaurant;

THEREFORE BE IT RESOLVED that CB#2, Man. recommends approval of a THREE YEAR revocable consent to operate an unenclosed sidewalk café for Mirchi Restaurant, 29 Seventh Ave. South, NYC, with 18 tables and 36 seats.

VOTE: Unanimous, with 41 Board members in favor.

10. RENEWAL application for revocable consent to operate an unenclosed sidewalk café by 195 Spring St. Rest. Corp. d/b/a La Dolce Vita Restaurant, 195 Spring St., NYC with 3 tables and 6 seats. DCA # 922739.

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

WHEREAS, there was no opposition from the community and;

WHEREAS, this restaurant opened in 1986 and the owner did not apply for a sidewalk café license till 1994 and;

WHEREAS, this has been a sidewalk café since 1995, and there are no complaints on file at the board office.

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of a THREE YEAR revocable consent to operate an unenclosed sidewalk café to 195 Spring St. Rest. Corp. d/b/a La Dolce Vita Restaurant, 195 Spring St., NYC, with 3 tables and 6 seats.

VOTE: Unanimous, with 41 Board members in favor.

11. RENEWAL application for revocable consent to operate an unenclosed sidewalk café by New Image 200 Corp. d/b/a Little Basil Restaurant, 39 Greenwich Ave., NYC, with 13 tables and 26 seats. DCA # 1035734.

WHEREAS, the applicant and his architect appeared before the committee and;

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

WHEREAS, when the applicant first came before the committee of CB#2, Man. he took the advice of the committee and reduced his number of seats not have any seats on the residential street and;

WHEREAS, the applicant submitted new drawings requested by the chair of this committee.

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of a THREE YEAR revocable consent to operate an unenclosed sidewalk café to New Image 200 Corp. d/b/a Little Basil Restaurant, 39 Greenwich Ave., NYC, with 13 tables and 26 seats.

VOTE: Unanimous, with 41 Board members in favor.

12. RENEWAL application for revocable consent to operate an unenclosed sidewalk café by Smithfield Associates, LLC d/b/a Pastis Restaurant 9-19 Ninth Ave., NYC, with 23 tables and 76 seats. DCA # 1016778.

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

WHEREAS, the applicant's expediter appeared before the committee and;

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

WHEREAS, the applicant is well known to the community and to this board in having a history of always trying please everyone.

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of a THREE YEAR revocable consent to operate an unenclosed sidewalk café to Smithfield Associates, LLC d/b/a Pastis Restaurant, 9-19 Ninth Ave., NYC, for 23 tables and 76 seats.

VOTE: Unanimous, with 41 Board members in favor.

13. RENEWAL application for revocable consent to operate an unenclosed sidewalk café by 176 7th Ave. Pizza Ltd. d/b/a Rivoli's Pizza Restaurant, 176 Seventh Ave. South, NYC, with 20 tables and 40 seats.

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

WHEREAS, there is no opposition from the community and;

WHEREAS, previously the Committee had approved this application based on the fact the applicant indicated that he would provide waiter/waitress service and silverware and;

WHEREAS, there is no waiter /waitress service and the applicant stated he would be hiring for the sidewalk cafe and;

WHEREAS, this restaurant has 20 tables inside and;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends DENIAL of revocable consent to operate an unenclosed sidewalk café by 176 7th Ave. Pizza Ltd. d/b/a Rivoli's Pizza Restaurant, 176 7th Ave. South, NYC, with 20 tables and 40 seats.

VOTE: Unanimous, with 41 Board members in favor.

TRAFFIC AND TRANSPORTATION

1. Port Authority plans to construct additional entries to the Christopher St. station and the 9th St. station.

WHEREAS; The Christopher Street station has experienced a 700% increase in usage and the 9th Street has experienced a 175% increase due to the destruction of the World Trade Center Path station, And;

WHEREAS; both stations have only a single means of egress, And;

WHEREAS; the Port Authority stated that the primary purpose for the new entrances is to elevate congestion due to a temporary problem, And;

WHEREAS; Construction work at these locations would put at risk for damage many historic village buildings, And;

WHEREAS; The proposed locations would add many commuters to an already crowded Christopher Street, And;

WHEREAS; the Christopher Street station contributes to quality of life problems in the west village by providing a convenient location for young people from New Jersey to "hang out" and to avoid the 10:00 curfew in Jersey City, And;

WHEREAS; The lengthily construction would severely disrupt the operation of local businesses and the peaceful enjoyment of local residents, And;

WHEREAS; The new design for both stations do not include full handicap accessibility, And;

WHEREAS the greatest usage of the Christopher Street station is by commuters heading east and the proposed added entrance would be east of the current entrance and its existence would preclude use of the current entrance.

THEREFORE BE IT RESOLVED, that CB#2, Man. opposes the current design of the new entrances and recommends that the Port Authority investigate other alternatives that will have less impact on the community, And;

THEREFORE BE IT FURTHER RESOLVED, CB#2, Man. recommends that the Port Authority investigate building a tunnel connecting the 9th Street Path station to the West 4th Street subway station as an alternative to a new entrance at that station, And,

THEREFORE BE IT FURTHER RESOLVED, CB#2, Man. recommends that the Port Authority include full accessibility to people with disabilities in any new construction.

Vote: Unanimous, with 41 Board members in favor.

2. To add a new street name in honor of Greenwich House on Barrow St. between West 4th St. and 7th Ave. South.

WHEREAS; Greenwich House has provided services to the Greenwich Village community for 100 years and has been an outstanding example of community service, And;

WHEREAS; community members appeared in opposition before the committee and presented a petition signed by many residents on the block, And;

WHEREAS; the additional signage could lead to confusion, And;

WHEREAS; The community members that appeared in opposition agreed that a reasonable compromise would be the temporary renaming of the street,

THEREFORE BE IT RESOLVED, that CB#2, Man. requests a new temporary street name in honor Greenwich House on Barrow St. between West 4th St. and 7th Ave. South. Signage to read “Greenwich House Way” on Barrow St. between West 4th St. and 7th Ave. South. The signage is to be posted for the remainder of 2002 only and is to read “Greenwich House Way”.

Vote: Passed with 19 in favor and 12 in opposition.

WATERFRONT

1. Segment 5/Pier 54

WHEREAS, CB#2/CB#4 designers participated in a community design effort with architects hired by the Hudson River Park Trust; and

WHEREAS, their design proposals were presented at a public hearing in February 2002, and

WHEREAS, it is the expectation of CB#2, Man. that any final design proposed by or to the Hudson River Park Trust will be the subject of further public hearing; and

WHEREAS, CB#2, Man. believes that the presence of historic boats at Pier 54 would be of benefit to the community, as would a connection between the park and the High Line, it is hereby

RESOLVED that CB#2, Man. strongly encourages the Hudson River Park Trust and its architects, and designers to locate historic boats at Pier 54, and to create a connection at around 1410 Street, between the High Line and the Hudson River Park

Vote: Unanimous, with 41 Board members in favor.

2. Pegasus and Lilac

WHEREAS, the Pegasus & Lilac Preservation Project has teamed up with the Police Athletic League in a laudable effort to preserve the tugboat Pegasus and the lighthouse tender Lilac and to teach children sea-faring skills; and

WHEREAS, this not-for-profit venture is an appropriate use for the new waterfront park, and

WHEREAS, the current permit for Pier 40 expires on December 31, 2002, it is hereby

RESOLVED

1. That CB#2, Man. recommends the placement of the Pegasus & Lilac Preservation Project on the north side of Pier 40 throughout the remainder of the current permit for Pier 40.

2. CB#2, Man. encourages the Preservation Project to reach out to schools and groups in the CB2 area to draw local children into the project.

Vote: Unanimous, with 41 Board members in favor.

ZONING AND HOUSING

1. 104 Charlton St. Variance application to permit residential use in a M1-6 zoning district on the upper six stories, a portion of the first story and a newly constructed eighth story. BSA 371-01-BZ; 02 BSA 079M

WHEREAS there is continuing great debate about new residential uses in manufacturing zones and the incompatibility of residential and manufacturing uses, yet this application is

small (13) units and will have many work/live owners, which is more compatible to the neighborhood than straight residential; and

WHEREAS there is no guarantee that the initial buyers will stay in residence and continue the work/live character of the building, yet in light of such an expensive undertaking it is unlikely that the initial purchasers would sell right away and it is expected they would remain for an extended time period; and

WHEREAS we understand that one of the owners will use part of the ground floor for off-premises catering, an as-of-right use, and this owner has had a 19-year old catering business nearby and therefore a track record, and we requested that the space not be used for events; and

WHEREAS another owner will use the other ground floor space as an artist's studio, an as-of-right use, but the plans need to be revised to reflect the change of use from Use Group 6 to Use Group 9A and specify the separate entrance; and

WHEREAS there was a question on the economics to arrive at the Reasonable Rate of Return and we request comparisons in the area and similar zoning districts (the west side in the 30's is not a good comparison based on character of the neighborhood and uses) and an explanation of the math to arrive at the cost basis, in particular the land cost; and

WHEREAS the surrounding buildings have been at risk through the construction phase and there are common walls which are in danger; and

WHEREAS there are difficulties in the dialog between the construction people and the surrounding neighbors, and we strongly request the owners take a proactive role in mediating problems and overseeing the situation; and

WHEREAS a building next door is a tofu factory and emits strong odors, which again backs up our issue with residential uses in manufacturing districts, and we are concerned that small as-of-right uses will be continually pushed out of the area as residents moving into the area complain about problems with manufacturing uses and therefore the new owners should be forewarned of our concern and their need for tolerance of allowable uses; and

WHEREAS the 15 applicants who attended the public hearing indicated their full knowledge and acceptance of the conditions of living in an M1-5 district, including being adjacent to a 24/7 tofu factory and near the UPS facility and representatives stated that they liked they liked being in such a mixed-use district; and

WHEREAS the case for functional obsolescence of the building is made due to the structural wall down the middle, only two connecting openings, fairly low ceiling heights and the age and condition of the building; and

WHEREAS a member of the public felt that the building could still be used for small manufacturing use, the majority of the committee did not think that in this economic climate it would be likely and that the rate of return would not justify the improvements necessary; and

WHEREAS the attributes of the building and the lot are not a self-created hardship but are inherent in the building itself; and

WHEREAS the applicant states that the Floor-to-Area Ratio will be 70% of what is allowed as-of-right, which supports the Minimum Variance finding;

THEREFORE BE IT RESOLVED CB#2, Man. approves the variance to allow conversion of the building at 104 Charlton Street to residential use with a newly constructed eighth story, with concern about the incompatibility of residential uses in manufacturing zones, but understanding that many of the new owners will use the units as work/live spaces and are expected to be a part of the community for a long time; and

FURTHER BE IT RESOLVED that the findings are supported by the functional obsolescence of the building and problems inherent with its structure and there is no Self-Created Hardship, although we have issues with the comparable sites used and we request further comparisons so that we may fully support the findings of Reasonable Rate of Return and Minimum Variance; and

FURTHER BE IT RESOLVED that we request that the owners themselves take a proactive role in dealing with the neighbors during the construction phase in order to ensure that the aged buildings abutting theirs are not harmed and that the neighbors' fears are allayed, as there are problems in the dialog with the construction workers and the neighbors.

Vote: Unanimous, with 41 Board members in favor.

2. 287 HUDSON ST. Variance application to legalize the conversion of an office into a residential dwelling in an existing four story mixed-use building located in an M1-6 zoning district. BSA 27-02-BZ.

WHEREAS although a complete application was not available for review to all Committee members, but the applicant agreed to make the plans available to those Members who wanted to see them, but the application appears to be straightforward and we agreed not to postpone the public hearing; and

WHEREAS the tenants on the second floor have used the space for many years for residential purposes despite it being classified as a commercial use and the two stories above are residential; and

WHEREAS the legalization to residential use appears to be the end of a long-running tenant/landlord dispute and the court has ordered the legalization; and

WHEREAS the plans are not complete and dimensions need to be shown; and

WHEREAS it is not clear if the soft costs include the legal costs for settling the disputed use and this should be made clear; and

WHEREAS the lack of proper egress is being taken care of by a newly installed sprinkler system;

THEREFORE BE IT RESOLVED CB#2, Man. approves the variance to legalize the conversion of an office at 287 Hudson St. into residential subject to the Fire Department approval of the sprinkler system, the plans being enhanced upon (dimensions) and the soft costs being detailed as to whether the legal costs from the tenant dispute are included.

Vote: Unanimous, with 41 Board members in favor.

3. 43A West 13th St. Special Permit application to allow the operation of a physical culture establishment in the cellar level of the subject premises BSA# 396-01-BZ

WHEREAS the spa will service approximately 20 people at time and is not expected to have a large impact on the area; and

WHEREAS a member of the coop building spoke in favor of the application; and
WHEREAS we received only the portion of the plans that show the spa and we did not receive the plans for the other portion of the building showing the first floor with elevators and exits, and it is important that we receive full plans in order to ensure that our review is complete; and

WHEREAS we did not get exact confirmation of the signage and we would like it to be unobtrusive and tasteful and not brightly lit such as to cause problems with neighboring residents;

THEREFORE BE IT RESOLVED CB#2, Man. approves the Special Permit application to allow the operation of a physical culture establishment /health spa in the cellar level as it appears that it will have no material impact on the neighborhood and the coop building in which it resides supports such use;

FURTHER BE IT RESOLVED that the approval is subject to us receiving the full ground floor and cellar plans and not just the portion relating to the spa and that the signage be discreet and not brightly lit.

Vote: Unanimous, with 41 Board members in favor.

NEW BUSINESS

Respectfully submitted,

Robert Rinaolo,
Secretary
Community Board #2, Manhattan