

## FULL BOARD MINUTES

**DATE:** May 19, 2005

**TIME:** 6:30 P.M.

**PLACE:** NYU Silver Building, 32 Waverly Place, Room 703

**BOARD MEMBERS PRESENT:** Steve Ashkinazy, Helene Burgess, Maria P. Derr, John Diaz, Doris Diether, Harriet Fields, Elizabeth Gilmore, Edward Gold, Lawrence Goldberg, Arthur Harris, Anne Hearn, Don Lee, Raymond Lee, Aubrey Lees, Don MacPherson, Dr. John Maggio, Rosemary McGrath, Philip Mouquinho, T. Marc Newell, Rick Panson, Ronald Pasquale, Judy Paul, Robert Riccobono, Robert Rinaolo, Mark Rosenwasser, Rocio Sanz, Arthur Z. Schwartz, Shirley Secunda, James Smith, Chair, Community Board #2, Manhattan (CB#2, Man.) Shirley H. Smith, Richard Stewart, Sean Sweeney, Wilbur Weder, Betty Williams, Michael Xu, Carol Yankay

**BOARD MEMBERS EXCUSED:** Brad Hoylman, Edward Ma, Melissa Sklarz

**BOARD MEMBERS ABSENT:** Galal Chater, Keith Crandell, Chad Marlow, David Reck

**BOARD STAFF PRESENT:** Arthur Strickler, District Manager

**GUESTS:** Arturo Garcia-Costas, Congressman Jerrold Nadler's office; Jon Prosnit, Senator Tom Duane's office; Deborah Lester, Assembly Speaker Sheldon Silver's office; Gregory Brender; Assembly Member Deborah Glick's office; Dirk McCall, Council Member Alan Gerson's office; Council Member Margarita Lopez' office; Kate Seeley-Kirk, Council Member Christine Quinn's office; John Ricker, NYC Comptroller's office; Tresa Horney, Gabriel Meister, Joohee Maeng, Marjorie Colt, Karla Baroman, Jack Chaplin, Stacy Dietin, N. Weinstock, H. Fillore, K. Roers, Elon Kenchington, Tiziana Hardy, Carol Blu, Susan Goren, Ziare Schoenholt, Lois Rakoff, Jordan Rogone, Jonathan Geballe, Mary Johnson, Valerie Campbell, Edy Selman, Bob Cohen, Richard Tsuchy, Arthur Webb, Roman Fichman, Eli Elbaun, Janet Freeman, G. Schwarz, Isaac Ben-Aurham, Zella Jones.

### MEETING SUMMARY

Meeting Date May 19, 2005

Board Members Present – 36

Board Members Excused– 3

Board Members Absent - 4

### I. SUMMARY AND INDEX

ATTENDANCE	1
MEETING SUMMARY	1
SUMMARY AND INDEX	1
PUBLIC SESSION	2
ADOPTION OF AGENDA	3
ELECTED OFFICIALS' REPORTS	3
ADOPTION OF MINUTES	3
EXECUTIVE SESSION	3
STANDING COMMITTEE REPORTS	3
ASTOR PLACE JOINT TASK FORCE	4
BUSINESS	6
14 <sup>ST</sup> STREET/GANSEVOORT MARKET AREA	9
LANDMARKS AND PUBLIC AESTHETICS	9
PARKS, RECREATION AND OPEN SPACE	13
SIDEWALKS, PUBLIC FACILITIES AND ACCESS	14
SOCIAL SERVICES, HOMELESS & SENIOR SERVICES	19
TRAFFIC AND TRANSPORTATION	19
ZONING AND HOUSING	20
NEW BUSINESS	22
ROLL CALL	23

## **II. PUBLIC SESSION**

### **Non-Agenda Items**

#### Park Permits

Edy Selman spoke against parks permits.

#### Hotel Gansevoort

Elon Kenchington spoke regarding noise from the hotel.

#### Green Space and Park Planting

Susan Goren spoke regarding this issue.

#### BAMRA

Lois Rakoff spoke.

### **Astor Place Task Force Items**

#### Astor Place Joint Task Force Recommendations

Tresa Harvey, Transportation Alternatives, spoke in favor of the recommendations.

Bob Cohen, NYU spoke against the closing of Astor Place.

### **Business Items**

#### Mei Mae Corporation, 26 Bond St., NYC

Joohee Maeng spoke in favor of the liquor license application. Zella Jones spoke in favor of the resolution recommending denial of the liquor license.

### **Parks, Recreation And Open Space**

#### Washington Square Park

Mary Johnson spoke against the park redesign.

### **Sidewalks, Public Facilities & Access Items**

#### Application to DOT to construct, maintain and use an egress stair to cellar and wrought iron sidewalk staircase enclosure at 640 Broadway, NYC

Tiziana Hardy spoke against the application. G. Schwarz spoke against the resolution recommending denial.

Isaac Ben-Aurham spoke regarding the application.

#### Spring Café Realty d/b/a Bon Marche, 14 Spring Street, New York,

Richard Tsudy and Janet Freeman spoke against the sidewalk café application.

#### PM Operating Group d/b/a PM, 50 Gansevoort Street, NYC

Marjorie Colt spoke against the proposed sidewalk café.

### **Social Services, Homeless And Senior Services**

#### Proposed Closing of Veterans Hospital

Shirley Secunda spoke against the proposed closing. Will Weder spoke in favor of the resolution supporting our veterans.

### **Zoning and Housing Items**

#### 214-218 West Houston Street, 50-56 Downing Street

Arthur Webb and Jonathan Geballe spoke in favor of the new construction project.

Roman Fichman spoke against the project.

#### 350 West Broadway variance application to permit the enlargement of an existing building to contain commercial uses in the cellar and first floor levels with residential use on the 2nd through 13th floors.

Eli Elbaun spoke in favor of the proposal.

### **III. ADOPTION OF AGENDA**

### **IV. ELECTED OFFICIALS PRESENT AND REPORTING**

Congressman Jerrold Nadler's office

Jon Prosnit, Senator Tom Duane's office

Deborah Lester, of Assembly Speaker Sheldon Silver's office

Gregory Brender, of Assembly Member Deborah Glick's office

Dirk McCall, of Council Member Alan Gerson's office.

Council Member Margarita Lopez' office,

Kate Seeley-Kirk, of Council Member Christine Quinn's office

### **V. ADOPTION OF MINUTES**

Adoption of March minutes and distribution of April minutes.

### **VI. EXECUTIVE SESSION**

1. **Chair's Report** Jim Smith reported
2. **District Manager's Report** Arthur Strickler reported.
3. **Distribution of Remaining Archives Funds**

**WHEREAS**, on March 31, 2005, the Archives Committee sent letters to 22 community organizations inviting applications for shares of the remaining Federal Archives Funds (\$19,575) and

**WHEREAS**, the deadline for applications was April 30, 2005 and

**WHEREAS**, after allowing additional days for mail delays, the Archives Committee (J. Smith, Chair, A. Lees, R. McGrath and D. Reck) met on May 3, 2005 at 6 PM in the Community Board Conference Room, 3 Washington Sq. Village, NYC 10012 to select applications for recommendation of approval to the board and

**WHEREAS**, there had been nine applications (all available for view at the board office) and the board had been advised by the Empire State Development Corporation (ESDC), which makes the final decisions on the disposition of all funds, that it would entertain no more than four recommendations and

**WHEREAS**, in determining its four recommendations the Archives Committee,s aim was to recommend projects that can be largely (or totally) completed with an Archives grant and which support a basic human need of people within CB#2, Man. and

**WHEREAS**, the stipulations of the ESDC were as follows:

- The project must be a new capital project benefiting a large segment of the public.
- Recommended recipients must be located within Community Board #2.
- Matching funds by the applicant would not be required but was deemed a "plus."
- The project must be completed in 2005; and

**WHEREAS**, the projects unanimously recommended by the Archives Committee are:

**1. Organization: The Caring Community-20 Washington Square North -New York, NY 10011 - Contact: Arthur Makar - Executive Director - Tele. 212- 777-3555 - Ext. 118**

This is a support group in CB#2, Man. that helps our area,s seniors stay independent by offering assistance in everyday chores and in providing at its Centers thousands of hot lunches each year (often the only weekday hot meal among comrades that many of our seniors get).

Project: Install 800 hundred square feet of acoustical panels in the dining room ceiling in the 20 Washington Square North Center to relieve the din during lunch caused by sound of many voices bouncing off a tile floor and sheetrock walls and ceiling. It's hard for the elderly to hear their conversation mates.

Funds requested: \$3000  
Recommended grant: \$3000

**2. Organization: Visiting Neighbors - 611 Broadway - Suite 510 - New York, NY 10012  
Contact: Cynthia Maurer, Executive Director - Tele. 212-260-6200**

This is a support group in CB#2, Man. that offers home help for elderly citizens in our area.

Project: Facilitate a new program at the organization,s office offering visually impaired seniors a “Laugh and Lunch” program in which students escort these elderly to and from their homes. While at the office the seniors will enjoy each other’s company and discuss large-print books and books-on-tape provided by the organization followed by a light lunch. (Also needing equipment is the organization,s program of training students in assisting seniors needs equipment). All in all the organization needs to buy 3 desktop computers, 1 rolling file cabinet, 1 small air-conditioner, 2 desks (one-executive, one-standard), 2 side chairs, 1 couch, 10 conference chairs and 2 lamps.

Funds requested: \$9300  
Recommended grant: \$6575

**3. Organization: Greenwich House - 27 Barrow Street - New York, NY 10014  
Contact: Neal Napolitano-Facilities Director -Tele. 212-242-4140 ext. 253**

This is a settlement house, which offers a variety of programs of support for all the demographics that make up our neighborhoods.

Project: Replace current excessively heavy, non-foldable furniture with lighter, foldable pieces in the 4th floor Senior Center. This will allow the space to become multi-use and flexible, so that it may also accommodate children,s art classes, lectures, performances, etc., as well as allow for rental space to provide additional income for the agency,s programs. Matching funds available, if necessary.

Funds Requested: \$5000  
Recommended grant: \$5000

**4.Org.: Friends of LaGuardia Place-532 LaGuardia Pl.-New York, NY 10012- Contact: Lawrence Goldberg-Tel. 212-252-8300 or Ellen Peterson-Lewis Tel. 212 741-6244**

This is a neighborhood volunteer organization promoting the maintenance, improvement and protection of La Guardia Place. The group notes that NYU sidewalk scaffolding (recently removed) has killed the Children’s Garden.

Project: Replant the garden and replace the ground cover and the damaged metal arbor at the entrance. Children will participate in the replanting and maintenance under the supervision of adults. Matching funds available, if necessary.

Funds requested: \$3000  
Recommended grant: \$3000

**THEREFORE, BE IT RESOLVED** that CB#2, Man. asks that the Empire Sate Development Corporation distribute the Federal Archives Funds it holds to the above applicants in the amounts recommended above.

Vote: Passed, with 28 Board members in favor, and 8 in opposition.

**STANDING COMMITTEE REPORTS**

**ASTOR PLACE JOINT TASK FORCE**

**1A. Astor Place Joint Task Force Recommendations**

**WHEREAS**, the Joint Community Board #2 and #3 Manhattan Astor Place Task Force (APTF) was formed over a year ago to address the NYC Dept. of Transportation’s (DOT’s) proposed Astor Place/Cooper Square traffic/pedestrian plan; and

**WHEREAS**, the APTF has been holding regular public meetings since July 2004, many of which DOT has attended, to study and discuss DOT's proposal, to ask pertinent questions and get detailed information from DOT; and

**WHEREAS**, DOT has fully responded to the APTF, providing details on crash statistics, traffic counts, street design options, emergency access, goods delivery, bus layovers, parking, and the pros and cons of alternative street and open space configurations; and

**WHEREAS**, the APTF met on April 4, 2005 to select among, prioritize and/or to provide input on the four proposed measures that the DOT believes would improve vehicular and pedestrian traffic flow and create additional open space in the Astor Place area, and discussed and voted on each of the four proposed measures individually;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. supports the following recommendations of the Joint Community Board 2 and 3 Astor Place Task Force (APTF):

1. Regarding the expansion of Cooper Park, the APTF supports the narrowing of 4th Avenue and eliminating the southbound lane of the road, and regularizing the turn from 3rd Avenue to 4th Avenue at E. 5th Street, thereby expanding the park. This support is based on creating a contiguous park and finding a solution to the bus turn-around and layover problem, which under the DOT proposal creates a bisected park. The TA's desire to preserve its bus-turnaround flexibility while the community's preference for an integrated park parcel uninterrupted by traffic has resulted in a log-jam on this issue. As no dialogue has truly taken place on this matter with the TA, the APTF will continue to press forward with the goal of an expanded but uninterrupted Cooper Park until compelling evidence convinces this body to revise its opinion. Any solution to the bus issue here must be found in consultation with the relevant community board.

2. Regarding the Astor Place Uptown Subway Triangle, the APTF supports the expansion of the triangle on its current east and west borders by eliminating bus layovers on both sides and moving them to the extreme east and west curbs of 4<sup>th</sup> Avenue (adjacent to the K-mart and the Cooper Union Engineering Building.) The redesign of the triangle must be done in consultation with the community and with its approval. The redesign must include greenery and plantings, minimize hard surfaces and the opportunity for the noisy congregation of people, a problem which has historically plagued spaces in this area.

3. Regarding the closing of Astor Place, the majority felt that closing Astor Place east of Lafayette Street should be considered if a plan for the redesign could be developed with community input and approval based on the following principals: a) maintenance of the Stuyvesant Street view corridor, b) recognition and incorporation of the historical significance of Astor Place and the Indian trail path which it follows, c) concern for the avoidance of areas that would allow for the gathering of persons who would use the open space for noisy street activities such as musical performances, amplified protests, demonstrations and rallies, that would negatively impact the surrounding residential area, d) incorporation of plans for the area's on-going management and maintenance. The APTF also called for additional information regarding the street de-mapping approval process and clarification of the plan for this area during this process. However, those who oppose closing the street agreed with the majority that if the street were de-mapped, maintaining the view corridor, noting the historic significance of Astor Place, creating a quiet space, and ensuring adequate maintenance would be essential conditions for the community.

4. Regarding the creation of a median strip in 3rd Avenue, the APTF supported the creation of this strip. The median should be green, but should not block the view corridor at the intersection with Stuyvesant Street. The APTF was concerned that the preliminary estimates of the cost of this median were high compared with the estimates for the other proposals. If necessary because of financial constraints, the APTF felt that creating the median from 6<sup>th</sup> Street north to 9<sup>th</sup> Street might be a priority, especially if Cooper Park was extended south creating more open space in the southern sector.

5. The APTF urges DOT to take into consideration in its final plans for the area, the findings and principals that have been developed by the NoHo Neighborhood Association and CB#2, Man.

**Vote to strike out #3 passed with 36 Board members in favor. See amended resolution below.**

## **2. Astor Place Joint Task Force Recommendations**

**WHEREAS**, the Joint Community Board #2 and #3 Manhattan Astor Place Task Force (APTF) was formed over a year ago to address the NYC Dept. of Transportation's (DOT's) proposed Astor Place/Cooper Square traffic/pedestrian plan; and

**WHEREAS**, the APTF has been holding regular public meetings since July 2004, many of which DOT has attended, to study and discuss DOT's proposal, to ask pertinent questions and get detailed information from DOT; and

**WHEREAS**, DOT has fully responded to the APTF, providing details on crash statistics, traffic counts, street design options, emergency access, goods delivery, bus layovers, parking, and the pros and cons of alternative street and open space configurations; and

**WHEREAS**, the APTF met on April 4, 2005 to select among, prioritize and/or to provide input on the four proposed measures that the DOT believes would improve vehicular and pedestrian traffic flow and create additional open space in the Astor Place area, and discussed and voted on each of the four proposed measures individually;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. supports the following recommendations of the Joint Community Board 2 and 3 Astor Place Task Force (APTF):

1. Regarding the expansion of Cooper Park, the APTF supports the narrowing of 4th Avenue and eliminating the southbound lane of the road, and regularizing the turn from 3rd Avenue to 4th Avenue at E. 5th Street, thereby expanding the park. This support is based on creating a contiguous park and finding a solution to the bus turn-around and layover problem, which under the DOT proposal creates a bisected park. The TA's desire to preserve its bus-turnaround flexibility while the community's preference for an integrated park parcel uninterrupted by traffic has resulted in a log-jam on this issue. As no dialogue has truly taken place on this matter with the TA, the APTF will continue to press forward with the goal of an expanded but uninterrupted Cooper Park until compelling evidence convinces this body to revise its opinion. Any solution to the bus issue here must be found in consultation with the relevant community board.
2. Regarding the Astor Place Uptown Subway Triangle, the APTF supports the expansion of the triangle on its current east and west borders by eliminating bus layovers on both sides and moving them to the extreme east and west curbs of 4<sup>th</sup> Avenue (adjacent to the K-mart and the Cooper Union Engineering Building.) The redesign of the triangle must be done in consultation with the community and with its approval. The redesign must include greenery and plantings, minimize hard surfaces and the opportunity for the noisy congregation of people, a problem which has historically plagued spaces in this area.
3. Regarding the closing of Astor Place, the majority felt that closing Astor Place east of Lafayette Street should not be considered.
4. Regarding the creation of a median strip in 3rd Avenue, the APTF supported the creation of this strip. The median should be green, but should not block the view corridor at the intersection with Stuyvesant Street. The APTF was concerned that the preliminary estimates of the cost of this median were high compared with the estimates for the other proposals. If necessary because of financial constraints, the APTF felt that creating the median from 6<sup>th</sup> Street north to 9<sup>th</sup> Street might be a priority, especially if Cooper Park was extended south creating more open space in the southern sector.
5. The APTF urges DOT to take into consideration in its final plans for the area, the findings and principals that have been developed by the NoHo Neighborhood Association and CB#2, Man.

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

## **BUSINESS**

### **1. Tora Rest., 29 7<sup>th</sup> Ave. South, NYC 10014**

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

**WHEREAS** this application is for a transfer to a new owner and an upgrade from beer and wine; and

**WHEREAS** this applicant stated that this will be a 45-50 seat restaurant with a total capacity of 60; and

**WHEREAS** this applicant stated that the hours of operation will be from 11:00am- 11:00pm 7 days a week and no DJ or dancing will be permitted; and

**WHEREAS** the community has not had any prior problems with the restaurant and no one from the community appeared against or in favor of this applicant.

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of an on premise license for **Tora Rest., 29 7<sup>th</sup> Ave. South, NYC 10014.**

Vote: Unanimous, with 36 Board members in favor.

**2. Mei Mae Corporation, 26 Bond St., NYC 10012 – cont'd**

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

**WHEREAS** this application is for new owner on premise license for the 1<sup>st</sup> floor below grade level; and

**WHEREAS** this applicant stated that this will be a 40-seat restaurant with a total capacity of 40; and

**WHEREAS** this applicant stated that the hours of operation will be from 5:00pm - 2:00 am Sun-Wed. and 5pm-4am Thurs-Sat. with background music but no dancing will be permitted. The bar will be operated as a rule intensive speakeasy where patrons will be instructed to be courteous and respectful while at the bar. It will be similar to the existing Village bar called “Milk and Honey”; and

**WHEREAS** the community has expressed problems with the premises and many residents from the building and neighborhood appeared in opposition to the applicant. The community expressed concerns with the premises and not necessarily against the applicant. The expressed concerns were about the safety of the building and premises, as the Landlord has failed to cure Hazardous violations of record, including but not limited to the sprinkler system, since 1999.

The Landlord did not present evidence of any immediate plans to install the required sprinkler system in the building. The community expressed concerns of the unprecedented traffic and use of this premises and the saturation of liquor licenses in the neighborhood.

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of an on premise license for **Mei Mae Corporation, 26 Bond St., NYC 10012.**

Vote: Unanimous, with 36 Board members in favor.

**3. Prince 23, LLC, 24 Prince St., NYC 10012**

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

**WHEREAS** this application is for new owner, on premise licensed for the 1<sup>st</sup> floor & basement; and

**WHEREAS** this applicant stated that this will be a 135 seat restaurant with a total capacity of 150; and

**WHEREAS** this applicant stated that the hours of operation will be from 11:00am - 12:00am 7 days a week with DJ and background music but no dancing will be permitted. The restaurant will be operated with liquor on both the 1<sup>st</sup> floor and basement; and

**WHEREAS** no one from the community appeared in favor or against the applicant, the community has not expressed any precedent of problems with this location.

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of an on premise license for **Prince 23, LLC, 24 Prince St., NYC 10012.**

Vote: Unanimous, with 36 Board members in favor.

**4. Giorgione 508, LLC 508 Greenwich St., NYC 10013**

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

**WHEREAS** this application is for new owner, on premise license on the 1<sup>st</sup> floor; and

**WHEREAS** this applicant stated that this will be a 48-seat restaurant with a total capacity of 59; and

**WHEREAS** this applicant stated that the hours of operation will be from 7:00am - 12:00am 7 days a week with background music and no dancing will be permitted. The restaurant will be operated with liquor on the 1<sup>st</sup> floor; and

**WHEREAS** the community appeared in favor of the applicant. The community has not expressed any precedent of problems with this location. The applicant runs other restaurants in the neighborhood, which have a proven record of being in the communities' best interest;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of an on premise license for **Giorgione 508, LLC 508 Greenwich St., NYC 10013**

Vote: Unanimous, with 36 Board members in favor.

**5. Laura Christy, LLC, 421 W. 13<sup>th</sup> St., NYC 10014**

**WHEREAS** the applicant did not appeared before the Committee;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of an on premise license for **Laura Christy, LLC, 421 W. 13<sup>th</sup> St. NYC 10013**

**6. MGT Enterprises, LLC, 71-73 Gansevoort St., NYC 10014**

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

**WHEREAS** this application is for extension of the sidewalk 90 sq ft to the West side of the restaurant;

**WHEREAS** this applicant stated that this will be an 86 seat restaurant with a total capacity of 176;

**WHEREAS** this applicant stated that the hours of operation will be from 12:00 pm - 12:00 am Sunday – Thursday & 12:00 pm-1:00 am Friday and Saturday with background music and a DJ but no dancing will be permitted. The restaurant will be operated with liquor on the 1<sup>st</sup> floor.

**WHEREAS** the community appeared in favor of the applicant. The community has not expressed any precedent of problems with this location. The sidewalk is large enough to accommodate the extra seats, and the restaurant is surrounded by commercial buildings;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of an on premise license for **MGT Enterprise, LLC, 71-73 Gansevoort St., NYC 10014.**

Vote: Unanimous, with 36 Board members in favor.

**7. Great Performances Artist as Waitresses, Inc., 68 Vandam St., NYC 10013**

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

**WHEREAS** this application is applying to limit/reduce its existing liquor license so that they can apply to warehouse liquor in their premises where it used to be licensed to serve liquor; and

**WHEREAS**, there was no one from the community in favor or against this application. The community has not expressed any precedent of problems with this location;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of an on premise license for **Great Performances Artist as Waitresses, Inc., 68 Vandam St., NYC 10013.**

Vote: Unanimous, with 36 Board members in favor.

**8. 164 Mulberry Street Corp. d/b/a Da Nico, 164 Mulberry St., NYC 10013**

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

**WHEREAS** this application is for Extension of the liquor license to include the 2<sup>nd</sup> floor; and

**WHEREAS** this applicant stated that this will be a 140 seat restaurant with a total capacity of 148; and

**WHEREAS** this applicant stated that the hours of operation will be from 12:00 pm - 11:00 pm Monday – Thursday and 12:00 pm-12:00 am Saturday and Sunday with background music and no dancing will be permitted. The restaurant will be operated with liquor on the 1<sup>st</sup> and 2<sup>nd</sup> floors; and



**WHEREAS** the community appeared in favor of the applicant. The community has not expressed any precedent of problems with this location;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of an on premise license for **164 Mulberry Street Corp. d/b/a Da Nico, 164 Mulberry St., NYC 10013**

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

**9. Spring Leopard, LLC d/b/a II Gattopardo, 307 Spring St. NYC 10013;**

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

**WHEREAS** this application is applying to convert the location of the bar to accommodate the indoor / outdoor seating. It is a simple reconfiguration of the bar; and

**WHEREAS** this applicant stated that this will provide seating of 12 seats at the bar; and

**WHEREAS** this applicant stated that the hours of operation and all other restaurant operations will remain the same; and

**WHEREAS** the community appeared in favor of the applicant. The community has not expressed any precedent of problems with this location;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of an on premise license for **Spring Leopard, LLC d/b/a II Gattopardo, 307 Spring St. NYC 10013.**

Vote: Unanimous, with 36 Board members in favor.

**10. 76 E. 13<sup>th</sup> Partners LLC, 76 E. 13<sup>th</sup> St., NYC 10003;**

**WHEREAS** the applicant did not appeared before the Committee;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of a cabaret license for **76 E. 13<sup>th</sup> Partners LLC, 76 E. 13<sup>th</sup> St., NYC 10003.**

Vote: Unanimous, with 36 Board members in favor.

**14<sup>ST</sup> STREET/GANSEVOORT MARKET AREA**

**Stop Sign Request for West 13<sup>th</sup> Street,**

**WHEREAS** there has been a problem with cars not stopping at 13<sup>th</sup> street and 9<sup>th</sup> Avenue when entering the Gansevoort Market; and

**WHEREAS** there are many people walking across the street at 13<sup>th</sup> street and 9<sup>th</sup> Avenue; and

**WHEREAS** cars must be able to clearly see a stop sign at 13<sup>th</sup> Street and 9<sup>th</sup> Avenue so as to allow people to safely cross the street and to create a safer traffic flow at this congested intersection;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval for the installation of stop signs on the North East Corner of 13<sup>th</sup> Street and 9<sup>th</sup> Avenue and across the street on the North West Side of 13<sup>th</sup> and 9<sup>th</sup> Avenue.

Vote: Unanimous, with 36 Board members in favor.

**LANDMARKS AND PUBLIC AESTHETICS**

**1<sup>ST</sup> LANDMARKS MEETING**

**Item 5 - 452 Broadway (Broome/Grand)- SoHo-Cast Iron Historic District.** A store and warehouse building built in 1877 designed by Schweitzer and Greve. Application is to install a new storefront.

**WHEREAS**, regrettably, the stairs need to be removed to comply with the ADA law; but

**WHEREAS**, the proposal will not seriously detract from the historic district; now

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

Vote: Unanimous, with 36 Board members in favor.

**Item 4 - 149 Wooster Street (Houston/Prince)- SoHo Cast-Iron HD.** A manufacturing building built in 1897-98 designed by Neville and Bagge. Application is to construct a rooftop addition. Zoned MI-5A

**WHEREAS**, the repairs to the cornice, windows, masonry and parapet, and the repointing and cleaning of the brownstone, and the repair to the storefront are extensive and meaningful; and

**WHEREAS**, the removal of the vent pipes and water tanks do not detract architecturally from the building; and

**WHEREAS**, the proposed rooftop addition is barely visible from the street; now

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

Vote: Unanimous, with 36 Board members in favor.

**Item 5 - 149 Wooster Street (Houston/Prince)- SoHo Cast-Iron HD**

A manufacturing building designed by Neville and Bagge built in 1897-98. Application is to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to an application for a Modification of Use pursuant to Section 74-711 of the Zoning Resolution. Zoned MI-5A

**WHEREAS**, this application covers extensive and expensive restoration work, and the proposed use-change is commensurate with the scope of the work, unlike some of the recent applications under 74-711 in SoHo that requested unprecedented spot-zoning for restoration of limited scope; and

**WHEREAS**, approval of the landmark portion of the application does not necessarily indicate approval for the zoning changes; now

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

Vote: Unanimous, with 36 Board members in favor.

**Item 6 - 107 Christopher Street (Hudson/Bleecker) Greenwich Village Historic District** An apartment house designed by Bernstein & Bernstein Application to install new storefront infill.

**WHEREAS**, the materials proposed are consistent with this style building; but

**WHEREAS**, the proposal includes constructing a new base for the storefront, but, oddly, it will be a different height than the base of the adjoining storefront; and

**WHEREAS**, the side panel at the left of the store door is unnecessarily unsymmetrical, and it would be better if it be removed, balancing the windows and door; and

**WHEREAS**, the applicant does not intend to remove the exterior roll-down gate; now

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of this application and suggests that the storefront be restored to a more historic appearance; and

**BE IT FURTHER RESOLVED** that CB#2, Man. suggests that a Master Plan for this building would be helpful.

Vote: Unanimous, with 36 Board members in favor.

**Item 7 - 131 Bank Street (Washington St.)- Greenwich Village HD.** An apartment building with Classical and Romanesque style details built in 1899 designed by Charles Rentz. Application is to enlarge an existing rooftop bulkhead. Zoned C6-1

**WHEREAS**, the proposed lot-line window would not be visible from the street; and

**WHEREAS**, the rooftop addition is barely visible; and

**WHEREAS**, and the proposed exhaust vent is necessary for this environmentally-friendly and efficient heating system, and would be all but invisible; now

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

Vote: Unanimous, with 36 Board members in favor.

**Item 8A - Washington Square Park** - Greenwich Village Historic District. A public park built in 1826 with subsequent alterations. Application is to alter the paved pathways and landscape features.

**WHEREAS**, this is a proposal to remedy the hodge-podge of alterations that have occurred over 180 years and is a serious attempt to restore it to the historic accuracy of an early American 19<sup>th</sup>-century park; and

**WHEREAS**, the proposed park buildings are not yet designed, so we shall address that in Phase 2 next year; and

**WHEREAS**, the urns on the fountain would add to the attractiveness and historical accuracy of the park, as would the asphalt hexagonal pavers, the historic lighting fixtures, the historic benches, and the interior post and chain fence around the lawns; and

**WHEREAS**, the redesign of the pathways eliminating the twists and turns and additions of two centuries of piece-meal planning remarkably restores the original design of the park, one which recreates the geometric and angled pathways of a formal early 19<sup>th</sup> century English garden; and

**WHEREAS**, raising the fountain will not detract from the park or the district; but

~~**WHEREAS**, there is no compelling logic for moving the fountain in order to align it with the arch, because the arch is a latter addition, constructed at the end of the 19<sup>th</sup>-century, and the fountain preceded the arch by a half-century; so the proposal to move the fountain to accommodate the arch is akin to putting the cart before the horse; and~~

**The above was removed by vote with 27 Board members in favor and 9 in opposition.**

**WHEREAS**, without hearing from the Landmarks Committee, but solely as a result of earlier meetings of the Parks Committee, the Community Board unanimously voted to have a low fence; but

~~**WHEREAS**, if we are to return the park to its original style, to be consistent, we should have a fence the same height as the original fence, that is, 6 feet; now~~

**The above was removed by vote with 35 Board members in favor and 1 in opposition.**

**THEREFORE, BE IT RESOLVED** that Community Board 2 recommends approval of the furniture and architectural elements of this application, as well as the configuration of the pathways and lawns; but

**BE IT FURTHER RESOLVED** that although Community Board 2 recommends approval for the raising of the fountain, ~~we do not approve repositioning it; and~~

**The above section was removed by vote with 35 Board members in favor and 1 in opposition.**

~~**BE IT FURTHER RESOLVED** that Community Board 2 recommends the height of the fence be that of the original 1827 fence.~~

**The above was removed by vote with 35 Board members in favor and 1 in opposition.**

See amended resolution below

**Item 8B - Washington Square Park** - Greenwich Village Historic District

A public park built in 1826 with subsequent alterations. Application is to alter the paved pathways and landscape features.

**WHEREAS**, this is a proposal to remedy the hodge-podge of alterations that have occurred over 180 years and is a serious attempt to restore it to the historic accuracy of an early American 19<sup>th</sup>-century park; and

**WHEREAS**, the proposed park buildings are not yet designed, so we shall address that in Phase 2 next year; and

**WHEREAS**, the urns on the fountain would add to the attractiveness and historical accuracy of the park, as would the asphalt hexagonal pavers, the historic lighting fixtures, the historic benches, and the interior post and chain fence around the lawns; and

**WHEREAS**, the redesign of the pathways eliminating the twists and turns and additions of two centuries of piece-meal planning remarkably restores the original design of the park, one which recreates the geometric and angled pathways of a formal early 19<sup>th</sup> century English garden; and

**WHEREAS**, raising the fountain will not detract from the park or the district; but

**WHEREAS**, without hearing from the Landmarks Committee, but solely as a result of earlier meetings of the Parks Committee, the Community Board unanimously voted to have a low fence; but

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of the furniture and architectural elements of this application, as well as the configuration of the pathways and lawns; but

**BE IT FURTHER RESOLVED** that CB#2, Man. recommends approval for the raising of the fountain.

Vote: Passed, with 31 Board members in favor, 4 in opposition, and 1 abstention.

## 2<sup>ND</sup> LANDMARKS MEETING

### **Proposal to designate an Individual Landmark: Crawford Clothes Building – 36 East 14<sup>th</sup> Street (University)**

**WHEREAS**, this building, also known as the Patterson Silks Building, was designed by Morris Lapidus, renowned for his flamboyant hotel designs, particularly in Miami Beach, as well as eye-catching retail storefronts and interiors in New York, notable for their playful modernity and glamour; and

**WHEREAS**, there is a dearth of landmarked Modern-style buildings in the city; and

**WHEREAS**, this building has been an eye-grabbing icon in our community for years, a sharp contrast to the older styles that predominate; now

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

**BE IT FURTHER RESOLVED** that we urge the Commission and owner do their best to see that the slanted glass tower that was removed in March 2005 just prior to the building being calendared is restored.

Vote: Unanimous, with 36 Board members in favor.

### **Item 11 - 10 East 8th Street (University/Fifth)- Greenwich Village H.D.**

A townhouse built in 1835 and altered in the early 20th Century. Application is to alter the facade and to construct rooftop and rear yard additions. Zoned C1-7

**WHEREAS**, overall this is a splendid restoration and improvement; and

**WHEREAS**, the rooftop addition, although relatively prominent for a building of this era, is at the same time unobtrusive and blends in better than most rooftop additions that we see; and

**WHEREAS**, this addition recalls the 1920's atelier skylight; and

**WHEREAS**, the rear-yard addition actually contributes to the building and the district; but

**WHEREAS**, the storefront is too modern for this 1830's building; now

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval for the façade restoration, and rooftop and rear-yard additions; but

**BE IT FURTHER RESOLVED** that the design of the storefront should be reworked to a more traditional appearance. For example, add a storefront bulkhead and pilasters in order to break up the monotony of the overwhelming 1-1/2 story storefront. Additionally, adding a transom line to the large glass window would make the division between the first and second floor (the mezzanine level) appear as two stories which is more appropriate for a building of this style.

Vote: Unanimous, with 36 Board members in favor.

**Item 13 - 253 West 13th Street, a/k/a 120 Greenwich Avenue - Greenwich H.D.**

A Moderne style substation building built in 1930. Application is to create new masonry openings, replace doors and install louvers, grilles and light fixtures.

**WHEREAS**, the application will repair years of neglect and improve the building; but

**WHEREAS**, we urge the applicant and the Commission to somehow save the ‘ghost’ advertising sign; now

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

**BE IT FURTHER RESOLVED** that the applicant and the Commission do their best to preserve the ‘ghost’ sign, such as repointing, using a different treatment than parging to repair the wall, or, if that is not practical, to reproduce the old sign once the wall is repaired.

Vote: Unanimous, with 36 Board members in favor.

**Item 15 - 56 Bank Street (W. 4<sup>th</sup> /Bleecker)- Greenwich Village H.D.**

A Greek-Revival style rowhouse built in 1833. Application is to enlarge an existing rear well. Zoned R6 I

**WHEREAS**, the rear-yard stairwell will not be seen from the street; now

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

Vote: Unanimous, with 36 Board members in favor.

**Item 16 - 46 West 14th Street (9<sup>th</sup>/10)- Gansevoort Market Historic District**

A Moderne style market building built in 1936-37, by H. Peter Henschien and Axel S. Hedman. Application is to construct a rooftop addition, install new windows and storefront infill, and alter the canopy. Zoned M1-5

**WHEREAS**, the restoration work to the masonry and awning is admirable; and

**WHEREAS**, the removal of the existing mechanical equipment on the roof contributes to the building and the district; and

**WHEREAS**, the slight visibility of the clerestory is mitigated by the removal of the existing rooftop mechanicals; now

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

Vote: Unanimous, with 36 Board members in favor.

**447 Broome Street (s.e. Wooster) SoHo Cast-Iron Historic District.** Application is to extend the parapet wall and add a rooftop addition.

**WHEREAS**, extending the parapet wall actually improves the look of the roofline and would hide most of the proposed addition; and

**WHEREAS**, the addition is hardly noticeable from the street; now

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

Vote: Unanimous, with 36 Board members in favor.

**PARKS, RECREATION AND OPEN SPACE**

**Proposal to Erect in Washington Square Park, a figurative bronze statue on a granite base, of Mayor Philip Hone, the Father of Washington Square**

**WHEREAS**, the committee was presented with a proposal to erect, at a prominent place in Washington Square Park, during the 2005 renovation, a figurative bronze statue on a granite base of Mayor Philip Hone, which is commensurate with the Garibaldi monument and;

**WHEREAS**, the Hones statue should be erected during the 2005 renovation of the park;

**THEREFORE, BE IT RESOLVED** that CB#2 Man., approves the Proposal to erect in Washington Square Park, a figurative bronze statue on a granite base, of Mayor Philip Hone, the Father of Washington Square.

Vote: Unanimous, with 36 Board members in favor.

**SIDEWALKS, PUBLIC FACILITIES AND ACCESS**

**1. New application to NYCDOT for a revocable consent to construct and maintain and use an egress stair to cellar and wrought iron sidewalk staircase enclosure at 640 Broadway, NYC**

**WHEREAS**, the applicant’s architect appeared before the committee; and,

**WHEREAS**, CB#2, Man. on June 17, 2004 denied this owner’s application to “legalize the cellar entrance” installed in the sidewalk without LPC permits; and,

**WHEREAS**, the NYC Landmarks Preservation Commission (LPC), on November 9, 2005, denied the proposal to legalize the egress stairs in the sidewalk at the corner of Bleecker Street and Broadway and metal stair enclosure, all installed without LPC permits; and,

**WHEREAS**, CB#2, Man. on November 18, 2004, denied this owner’s application to “modify the cellar entrance” when it presented a second proposal to the CB#2 Landmark’s Committee and concluded that this would set a dangerous precedent i.e. “illegally introducing structures on public sidewalks to accommodate a property owner who illegally chose the unorthodox approach of using public sidewalks as a means of egress from a non-conforming use”; and

**WHEREAS**, the NoHo NY B.I.D. and a tenant’s association appeared and the NoHo NY B.I.D. submitted a letter strongly opposing this application as a reiteration of prior applications that, in effect, would permit hollow vaulted sidewalks to be used as basement entrances to additional below grade, commercial storefronts.

**THEREFORE, BE IT RESOLVED** that CB#2, Man. STRONGLY recommends DENIAL of a revocable consent to construct and maintain and use an egress stair to the cellar and wrought iron sidewalk staircase enclosure at 640 Broadway, NYC.

Vote: Unanimous, with 36 Board members in favor.

**2. NEW application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for D.E.L., Inc. d/b/a Alexandra Café, 455 Hudson Street, New York, N. Y. 10014 with 7 tables and 14 seats, DCA#1192285.**

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

**WHEREAS**, the applicant, her husband and small child also live in this building located between Morton and Barrow Streets; and

**WHEREAS**, the applicants agrees to close the outdoor café at 11 p.m.; and

**WHEREAS**, the applicants agrees to remove the small tree in the container; and

**WHEREAS**, this operation has been observed as neat, clean and orderly restaurant; and

**WHEREAS**, there is sufficient passageway for pedestrian safety; and

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to D.E.L., Inc. d/b/a Alexandra Café, 455 Hudson Street, New York, N. Y. 10014 with 7 tables and 14 seats.

Vote: Unanimous, with 36 Board members in favor.

**3. NEW Application to NYCDCA to operate an unenclosed sidewalk café to P.M.W., Inc. d/b/a Spring St. Natural Restaurant, 62 Spring Street, New York, N.Y. 10012 with 7 tables and 28 seats, DCA#1193198.**

**WHEREAS**, the area was posted and applicant, applicant’s attorney and applicant’s architect appeared; and

**WHEREAS**, this restaurant has been at this location (at the corner of Spring and Lafayette Streets) for more than 20 years; and

**WHEREAS**, the applicants agrees to remove the menu sign; and

**WHEREAS**, there is sufficient passageway for pedestrian safety; and

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to P.M.W., Inc. d/b/a Spring St. Natural Restaurant, 62 Spring Street, New York, N.Y. 10012 with 7 tables and 28 seats, DCA#1193198.

Vote: Unanimous, with 36 Board members in favor.

**4. NEW Application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by Spring Café Realty d/b/a Café Lebowitz, 14 Spring Street, New York, N.Y. 10012 with 4 tables and 8 seats, DCA#1193517**

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

**WHEREAS**, this restaurant is located between Mott and Elizabeth Streets; and

**WHEREAS**, the applicant agree to remove the benches; and

**WHEREAS**, the applicant agreed to close the café at 1 a.m. on Friday and Saturday; and

**WHEREAS**, there is sufficient passageway for pedestrian safety; and,

**WHEREAS**, some concerns about pedestrian access were expressed by the community; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Spring Café Realty d/b/a Café Lebowitz, 14 Spring Street, New York, N.Y. 10012 with 4 tables and 8 seats.

Vote: Passed, with 33 Board members in favor, and 3 in abstention.

**5. NEW Application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by PM Operating Group d/b/a PM, 50 Gansevoort Street, New York, N.Y. 10014 with 12 tables and 29 seats, DCA#1194152**

**WHEREAS**, the area was posted and the applicant's general manager and his attorney appeared before the committee; and

**WHEREAS**, this establishment is located between Washington and Greenwich Streets; and

**WHEREAS**, the applicants agreed to close between 10-10:30 p.m.; and

**WHEREAS**, the applicant represented that food sales represent no more than 10% of the gross sales; and

**WHEREAS**, in December, 2002, the applicant represented themselves to be a 136 seat, bistro style restaurant; and

**WHEREAS**, in May, 2004, this applicant, when seeking a cabaret license, represented themselves to be 490 person capacity tapas lounge; and

**WHEREAS**, there was strong opposition from neighbors who live next door in the form of ongoing and chronic complaints as to noise and vibrations; and

**WHEREAS**, these complaints were previously raised at a Business Committee meeting and never corrected or adequately addressed;

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends DENIAL of a revocable consent to operate an unenclosed sidewalk café to PM Operating Group d/b/a PM, 50 Gansevoort Street, New York, N.Y. with 12 tables and 29 seats.

Vote: Unanimous, with 36 Board members in favor.

**6. NEW Application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by Butterfly Grill, Inc., 189 Bleecker Street, New York, N.Y. 10012 with 13 tables and 26 seats, DCA#1193894.**

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

**WHEREAS**, this restaurant, formerly Carpo's, is located at the northwest corner of MacDougal and Bleecker Streets; and

**WHEREAS**, there has been a café in this location for 18 years; and

**WHEREAS**, there is sufficient passageway for pedestrian safety and access; and

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a TWO-YEAR revocable consent to operate an unenclosed sidewalk café to Butterfly Grill, Inc., 189 Bleecker Street, New York, N.Y. 10012, with 13 tables and 26 seats.

Vote: Unanimous, with 36 Board members in favor.

**7. NEW Application to NYCDCA for revocable consent to operate an unenclosed café by Il Commandatore Restaurant, Inc., d/b/a Casa Bella, 127 Mulberry Street, New York, NY 10013 with 11 tables and 21 seats, DCA#1189682.**

**WHEREAS**, the applicant's expeditor appeared before the committee; and

**WHEREAS**, this restaurant is located between Mulberry and Hester Streets and

**WHEREAS**, this is the same configuration as the sidewalk café that has been in this location for 18 years; and

**WHEREAS**, the applicant is a new owner; and

**WHEREAS**, there is sufficient passageway for pedestrian safety and access; and

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Il Commandatore Restaurant, Inc., d/b/a Casa Bella, 127 Mulberry Street 10013 with 11 tables and 21 seats.

Vote: Unanimous, with 36 Board members in favor.

**8. RENEWAL Application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by Tre Giovanni, Inc., 548 La Guardia Place, New York, N.Y. 10012, with 4 tables and 12 seats, DCA#0997686.**

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

**WHEREAS**, this restaurant is located between Bleecker and West 3<sup>rd</sup> Streets; and

**WHEREAS**, there is no change in the configuration of this sidewalk café which has been at this location for more than 10 years; and

**WHEREAS**, there is sufficient passageway for pedestrian safety and access; and

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



**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Tre Giovanni, Inc. 548 La Guardia Place, New York, N.Y. 10012 with 5 tables and 10 seats, DCA#0997686.

Vote: Unanimous, with 36 Board members in favor.

**9. RENEWAL Application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by Xing Hao, Inc. d/b/a Okinawa’s Japanese Rest., 496 LaGuardia Place, New York, N.Y. 10012 with 5 tables and 10 seats, DCA#1136299.**

**WHEREAS**, the applicant failed to appear before the committee; and

**THEREFORE BE IT RESOLVED** that CB#2, Manhattan recommends DENIAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Xing Hao, Inc. d/b/a Okinawa’s Japanese Rest., 496 LaGuardia Place, New York, N.Y. 10012 with 5 table and 10 seats.

Vote: Unanimous, with 36 Board members in favor.

**10. RENEWAL Application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by Rajmar Holdings, Inc. d/b/a Hudson Bar and Books, 636 Hudson Street, New York, N.Y. 10014 with 8 tables and 18 seats, DCA#1092103.**

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

**WHEREAS**, this restaurant has been at this location, between Horatio and Jane Streets; and

**WHEREAS**, the applicant agrees to stop serving liquor at 11:30 p.m. in the configuration of this sidewalk café; and

**WHEREAS**, the applicant agreed to the placement of tables tents requesting people to be considerate of their neighbors; and

**WHEREAS**, there is sufficient passageway for pedestrian safety and access;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to by Rajmar Holdings, Inc. d/b/a Hudson Bar and Books, 636 Hudson Street, New York, N.Y. 10014 with 8 tables and 18 seats.

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

**11. RENEWAL Application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by MRG Restaurant Corp. d/b/a Positano, 122 Mulberry Street, New York, N.Y. 10013 with 3 tables and 6 seats, DCA#1135770.**

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

**WHEREAS**, this restaurant is located between Canal and Hester Streets; and

**WHEREAS**, there has been a sidewalk café at this location for 2 years; and

**WHEREAS**, there is no change in the configuration of this sidewalk café; and

**WHEREAS**, there is sufficient passageway for pedestrian safety and access; and

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a TWO-YEAR revocable consent to operate an unenclosed sidewalk café to MRG Restaurant Corp. d/b/a Positano, 122 Mulberry Street, New York, N.Y. 10013 with 3 tables and 6 seats.

Vote: Unanimous, with 36 Board members in favor.

**12. RENEWAL Application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by Jekyll & Hyde, 91 7<sup>th</sup> Avenue South, New York, N.Y. 10014 with 13 tables and 26 seats, DCA#0884675.**

**WHEREAS**, the applicant’s manager appeared before the committee; and

**WHEREAS**, this restaurant is located between Grove and Barrow Streets; and

**WHEREAS**, there has been a sidewalk café at this location for approximately 10 years; and

**WHEREAS**, there is no proof of a current assembly permit; and

**WHEREAS**, the owner’s representative was inadequately prepared to answer any questions posed by the committee;

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends DENIAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to by Jekyll & Hyde, 91 7<sup>th</sup> Avenue South, New York, N.Y. 10014 with 13 tables and 26 seats.

Vote: Passed, with 35 Board members in favor, and 1 recusal (R. Rinaolo).

**13. RENEWAL Application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by Café Del Fico, LLC 97-101 Greenwich Avenue, New York, N.Y, 10014 with 7 tables and 17 seats, DCA#1140902.**

**WHEREAS**, the applicant’s expeditor appeared before the committee; and

**WHEREAS**, this sidewalk café has been at this location (at the corner of West 12<sup>th</sup> Street and Greenwich Avenue) for 3 years; and

**WHEREAS**, there is no change in the configuration of this sidewalk café; and

**WHEREAS**, there is sufficient passageway for pedestrian safety and access; and

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Café Del Fico, LLC 97-101 Greenwich Avenue, New York, N.Y 10014 with 7 tables and 17 seats.

Vote: Unanimous, with 36 Board members in favor.

**14. RENEWAL Application to NYCDCA for revocable consent to operate an unenclosed sidewalk café Red Mulberry Ltd. d/b/a Sambuca’s Café, 105 Mulberry Street, New York, N.Y. 10013 with 8 tables and 16 seats, DCA#1158751.**

**WHEREAS**, the applicant’s expeditor appeared before the committee; and

**WHEREAS**, this restaurant is located between Canal and Hester Streets; and

**WHEREAS**, there has been a restaurant at this location for 15 years; and

**WHEREAS**, there is no change in the configuration of this sidewalk café; and

**WHEREAS**, there is sufficient passageway for pedestrian safety and access; and

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

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Red Mulberry Ltd. d/b/a Sambuca’s Café 105 Mulberry Street, New York, N.Y. 10013 with 8 tables and 16 seats.

Vote: Unanimous, with 36 Board members in favor.

**15. RENEWAL Application to NYCDCA for revocable consent to operate an unenclosed sidewalk café Cheers of Manhattan, Inc. d/b/a Stonewall Bistro, 113 7<sup>th</sup> Avenue South, New York, N. Y. 10014 with 12 tables and 24 seats, DCA#1078190.**

**WHEREAS**, the applicants office manager appeared before the committee and was unable to answer any questions about the operation; and

**WHEREAS**, there has been a sidewalk café at location between West 10<sup>th</sup> and Christopher Streets for 3 years; and

**WHEREAS**, the applicant has demonstrated a callous disregard for and total lack of co-operation with the community in that they have fostered and promoted lewd amateur strip tease contests; and

**WHEREAS**, the applicant has illegally displayed curtains in the storefront windows, presumably to conceal the activities within; and

**WHEREAS**, a large number of patrons are observed gathering in front of the premises, effectively reducing the required 8-foot pedestrian walkway;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends DENIAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Cheers of Manhattan, Inc. d/b/a Stonewall Bistro, 113 7<sup>th</sup> Avenue South, New York, N.Y. 10014 with 12 tables and 24 seats.

Vote: Unanimous, with 36 Board members in favor.

**SOCIAL SERVICES, HOMELESS AND SENIOR SERVICES**

**1A. Proposed Closing of the Veterans Administration Hospital**

**THEREFORE, BE IT RESOLVED** CB#2, Man. fully supports the Veterans and Public Officials to keep the Veteran Hospitals in our area open and without reduction of benefits.

See amended and full resolution below.

**1B. Proposed Closing of the Veterans Administration Hospital**

**WHEREAS** the Veteran's Administration has proposed consolidation of the Manhattan VA Hospital with the Brooklyn VA facility which would greatly reduce services at the Manhattan VA Hospital, and

**WHEREAS** this consolidation and possible closing of the Manhattan VA Hospital would impose considerable hardship on the caregivers of veterans who would have to travel to the Brooklyn VA facility for healthcare, and

**THEREFORE BE IT RESOLVED** that CB#2 Man. fully supports our veterans who receive care at the Manhattan VA Hospital and our Elected Officials in demanding that the VA keep the Manhattan VA Hospital open and without any reduction in the services available.

Vote: Unanimous, 36 Board members in favor.

**2. Expansion of Metropolitan College of New York's Manhattan Campus**

**SEE ATTACHED LETTER - EXHIBIT I.**

Vote: Unanimous, with 36 Board members in favor.

**TRAFFIC AND TRANSPORTATION**

**Accessible Pedestrian Signals** *(based on a resolution passed by Community Board No. 1, Queens)*

**WHEREAS**, City Council Member Gale Brewer has called on the Department of Transportation (DOT) to install "accessible pedestrian signals" at major NYC intersections that would emit a "chirping" or "buzzing" sound to allow people with disabilities or visual impairments to know when the light has turned and when it is safe to cross a street; and

**WHEREAS**, earlier this year Council member Gale Brewer introduced a bill in the City Council to require DOT to install at least 10 such signals over the first year; and

**WHEREAS**, NYC has 159,000 crosswalk intersections in the five boroughs; and

**WHEREAS**, the purpose of these signals is to provide all the information conveyed by the visual signals to persons who have a disability which impedes processing of visual information.

**THEREFORE BE IT RESOLVED**, that CB#2, Man., strongly supports the speedy installation of “accessible pedestrian signals” at all existing crosswalk intersections and urges DOT to install these signals on all new traffic lights.

Vote: Unanimous, with 36 Board members in favor.

## **ZONING AND HOUSING**

**1. 214-218 West Houston Street, 50-56 Downing Street (Block 528, Lot 12) Village Care of New York, Board of Standards and Appeals variance application pursuant to Section 72-21 to allow the construction of a 92-bed, Use Group 3, residential health care facility. The Proposed Building would require modification of applicable height and setback, rear yard equivalent, and coverage regulations.**

**WHEREAS**; Village Care has provided an important and high quality service to the community for many years, And

**WHEREAS**; The applicant held numerous community meetings as the building was being designed and the applicant significantly modified the design in response to community concerns, And

**WHEREAS**; The community has expressed support for this application though there are still some outstanding concerns, And

**WHEREAS**; This Board of Standards and Appeals variance application will result in a better design for the applicant and the users of the building that will be more contextual with the surrounding buildings,

**THEREFORE BE IT RESOLVED**, That Community Board #2 Manhattan thanks the applicant for having reached out to the community and responding to their concerns, And,

**BE IT FURTHER RESOLVED**, That CB#2, Man. supports this Board of Standards and Appeals variance application pursuant to Section 72-21 to allow the construction of a 92-bed, Use Group 3, residential health care facility. The Proposed Building would require modification of applicable height and setback, rear yard equivalent, and coverage regulations, And;

**BE IT FURTHER RESOLVED**, That CB#2, Man. requests that the applicant continue to meet with the community to address the outstanding issues and to reconsider the design of the façade to make it more contextual with the neighborhood, And,

**BE IT FURTHER RESOLVED**, That CB#2, Man. requests that the applicant minimize the rooftop mechanical equipment and the noise it generates, And

**BE IT FURTHER RESOLVED**, That CB#2, Man. requests regular construction coordination meetings with the community as this project progresses, And,

**BE IT FURTHER RESOLVED**, That CB#2, Man. requests that that every effort be made to minimize the impacts of construction and that the contractor must carefully inspect the subsurface excavation and use seismic monitors to protect the surrounding buildings.

Vote: Passed, with 34 Board members in favor, 1 in opposition, and 1 recusal (R. Rinaolo).

**2. 404 Lafayette St. a/k/a 708 Broadway, Crunch Fitness International, BSA #169-91 Board of Standards and Appeals special calendar application under section 73-11 for a permit renewal for a physical culture establishment and to extend the use to the second floor.**

**WHEREAS**; The area was posted and there was no community opposition to this application, and;

**WHEREAS**, The current operation is consistent and compatible with the other legal uses in this building and in the surrounding buildings and there have been no complaints,

**THEREFORE BE IT FURTHER RESOLVED**, that CB#2, Man. supports this application for a Board of Standards and Appeals special calendar application under section 73-11 for a permit renewal for a physical culture establishment at this location for a term not to exceed ten years and to extend the use to the second floor.

Vote: Unanimous, with 36 Board members in favor.

**3. 350 West Broadway (Block: 476, Lot 75) BSA Calendar No.: 29-05-BZ, Board of Standards and Appeals variance application to permit the enlargement of an existing building to contain commercial uses in the cellar and first floor levels with residential use on the 2nd through 13th floors within a M1-5A zoning district.**

**WHEREAS**; The area was posted and there was no community opposition to this application, and;

**WHEREAS**; The applicant held community meetings as the building was being designed and the applicant significantly modified the design in response to community concerns, And,

**WHEREAS**; The existing building is poorly designed and has remained vacant since it was constructed, And;

**WHEREAS**; The proposed building complies with the requirements of the underlying zoning with the exception of the residential use, And;

**WHEREAS**; The community has long objected to the large Advertising Signs in the surrounding area;

**THEREFORE BE IT RESOLVED**, That CB#2, Man. thanks the applicant for having reached out to the community and responding to their concerns, And,

**BE IT FURTHER RESOLVED**, That CB#2, Man. supports this application for a Board of Standards and Appeals variance application to permit the enlargement of an existing building to contain commercial uses in the cellar and first floor levels with residential use on the second through fifteenth floors within a M1-5A zoning district; and

**BE IT FURTHER RESOLVED**, That CB#2, Man. requests regular construction coordination meetings with the community as this project progresses, And,

**BE IT FURTHER RESOLVED**, That CB#2, Man. requests that that every effort be made to minimize the impacts of construction and that the contractor must carefully inspect the subsurface excavation and use seismic monitors to protect the surrounding buildings.

Vote: Unanimous, with 36 Board members in favor.

**4. 425 Broome Street (Block 473, Lot 33,) Board of Standards and Appeals variance application and a special permit to use the sub-cellar for 10 accessory parking spaces, the first floor and cellar for retail use (a hair salon and spa) Construct partial 6th and 7th stories for residential use using reallocated floor area and floor space, and a Physical Culture Establishment (a spa) on the cellar level.**

**WHEREAS**; The area was posted and there was community support for this application, And;

**WHEREAS**; The applicant has reached out to the existing tenants and the surrounding community as the building was being designed and the applicant modified the design in response to community concerns, And,

**WHEREAS**; the community has expressed support for this application though there are still some outstanding concerns, And,

**WHEREAS**; The applicant has significantly upgraded, restored, and improved the building, And;

**WHEREAS**; There is a need for additional parking in this area and the 10 accessory parking spaces will provide some relief, And;

**WHEREAS**; The Physical Culture Establishment (a spa) will provide a welcome amenity in the neighborhood.

**THEREFORE BE IT RESOLVED**, That CB#2, Man. thanks the applicant for having reached out to the community and responding to their concerns, And,

**THEREFORE BE IT FURTHER RESOLVED**, That CB#2, Man. requests that the applicant continue to meet with the community to address the outstanding issues, And,

**THEREFORE BE IT FURTHER RESOLVED**, That CB#2, Man. supports this application for a variance and a special permit to use the sub-cellar for 10 accessory parking spaces, the first floor and cellar for retail use (a hair salon and spa), to construct partial 6th and 7th stories for residential use, using reallocated floor area and floor space, and a Physical Culture Establishment (a spa) on the cellar level

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

**5. 105-113 Wooster Street (Block 501 Lots 1001 through 1016), Wooster LLC, Application for a special permit pursuant to Zoning Resolution Section 74-711 to modify the use regulations to permit Use Group 6/Use Group 10A commercial use below the floor level of the second story and to permit a furniture store (Use Group 10A)**

**WHEREAS**; The area was posted and there was no community opposition to this application, And

**WHEREAS**; CB#2, Man. has no objection to this particular tenant but the board is concerned that a future tenant in this use group might not be compatible with the surrounding community, And

**WHEREAS**; The applicant and the building ownership has agreed to consult with CB#2, Man. before leasing the store for any Use Group 10A retail use in excess of 10,00 square feet of floor area to determine whether the proposed change in use would have detrimental and adverse effects on the community. Furniture stores and low volume, luxury retailers would be exempt from this requirement;

**THEREFORE BE IT RESOLVED**, That CB#2, Man. supports this application for a special permit pursuant to Zoning Resolution Section 74-711 to modify the use regulations to permit Use Group 6/Use Group 10A commercial use below the floor level of the second story and to permit a furniture store (Use Group 10A) providing that the applicant and the building ownership consult with CB#2, Man. before leasing the store for any Use Group 10A retail use in excess of 10,00 square feet of floor area to determine whether the proposed change in use would have detrimental and adverse effects on the community. Furniture stores and low volume, luxury retailers would be exempt from this requirement.

Vote: Unanimous, with 36 Board members in favor.

**NEW BUSINESS**

Respectfully submitted,

Robert Rinaolo, Secretary  
Community Board #2, Manhattan