

## FULL BOARD MINUTES

**DATE:** December.22, 2005  
**TIME:** 6:30 P.M.  
**PLACE:** Metro NY DDSO, 75 Morton St.  
Activity Center, 1<sup>st</sup> Floor

**BOARD MEMBERS PRESENT:** Steve Ashkinazy, Maria Passannante Derr, Chair, Community Board #2, Manhattan (CB#2, Man.) John Diaz, Doris Diether, Elizabeth Gilmore, Arthur Harris, Anne Hearn, Brad Hoylman, Susan Kent, Edward Ma, Dr. John Maggio, Rosemary McGrath, Rick Panson, Ronald Pasquale, Judy Paul, Anthony Perrotta, Robert Riccobono, Mark Rosenwasser, Rocio Sanz, Shirley Secunda, Melissa Sklarz, Sean Sweeney.

**BOARD MEMBERS EXCUSED:** Helene Burgess, Lisa Cannistracci, Don Lee, Raymond Lee, Aubrey Lees, Don MacPherson, Philip Mouquinho, Robert Rinaolo, Arthur Z. Schwartz, Wilbur Weder, Betty Williams, Carol Yankay.

**BOARD MEMBERS ABSENT:** Harriet Fields, Edward Gold, Lawrence Goldberg, Garth Harvey, Patrick Munson, David Reck, Shirley H. Smith, Richard Stewart, Michael Xu.

**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; 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, Sheelah Feinberg, Cindy Vgarspuy.

### **MEETING SUMMARY**

Meeting Date – December 22, 2005

Board Members Present – 22

Board Members Excused–12

Board Members Absent - 9

### **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	2
EXECUTIVE SESSION	2
STANDING COMMITTEE REPORTS	2
BUSINESS	2
LANDMARKS AND PUBLIC AESTHETICS	5
PUBLIC SAFETY AND HEALTH	7
SIDEWALKS, PUBLIC FACILITIES AND ACCESS	8
TRAFFIC AND TRANSPORTATION	7
NEW BUSINESS	8
ROLL CALL	9

## **II. PUBLIC SESSION**

### **Non-Agenda Items**

#### General Announcement

John Ricker, NYC Comptroller's office made a general announcement.

## **III. ADOPTION OF AGENDA**

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

Arturo Garcia-Costas, 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

Council Member Alan Gerson's office.

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

John Ricker, of NYC Comptroller's office

## **V. ADOPTION OF MINUTES**

Adoption of October minutes. Due to the Transit strike, November minutes were not available for adoption and will be distributed in January 2006.

## **VI. EXECUTIVE SESSION**

1. **Chair's Report** Maria Passannante Derr reported
2. **District Manager's Report** Arthur Strickler reported.

### **STANDING COMMITTEE REPORTS**

#### **BUSINESS**

##### **1. Les Minots LLC, 73 Thompson Street, NYC 10012**

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

**WHEREAS**, this application is for an On Premise license for a gourmet French bistro, in the space formerly known as Denizen, located in a 6 story mixed use building at 73 Thompson Street between Broome and Spring Streets; total capacity of the 1100 s.f. space is 60 persons, with 45 table seats and 1 bar with no seating; and

**WHEREAS**, the applicant stated the hours of operation will be 12:00 p.m. – 12:30 a.m. Sunday – Thursday, and 12:00 p.m. – 1:30 a.m. Friday and Saturday; there will not be a backyard garden nor a sidewalk café; music is background only; and

**WHEREAS**, no one from the community appeared in opposition to this application; and

**THEREFORE, BE IT RESOLVED**, that contingent on the requirement that after 11:00 p.m., applicant must keep closed any exterior doors/partitions which open onto the sidewalk, CB#2, Man. has no objection to the approval of the On Premise license of **Les Minots LLC, 73 Thompson Street, NYC 10012**.

Vote: Unanimous

##### **2. New Cho Ga, Inc., 145 Bleecker Street, NYC 10012**

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

**WHEREAS**, this application is for an On Premise license, pursuant to a corporate change in ownership, for a 1,200 s.f. restaurant, located in a commercial building between LaGuardia and Thompson Streets, with 62 table seats and 1 bar with 2 seats; and

**WHEREAS**, the applicant stated that the hours of operation are 12:00 p.m. – 2 a.m.; music is background only; and

**WHEREAS**, the applicant stated there are no plans to include an outdoor café nor a backyard garden; and

**WHEREAS**, no one from the community appeared in opposition to this application; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the approval of an On Premise license to **New Cho Ga, Inc., 145 Blecker Street, NYC 10012.**

Vote: Unanimous

**3. 29 Bedford LLC, 29 Bedford Street, NYC 10012**

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

**WHEREAS**, this application is for a new On Premise license, in the location formerly known as Yumcha, for a 1,600 s.f. oyster bar/restaurant, located in a residential building between Downing and West Houston Streets, trade name to be determined, with 42 table seats, 1 bar with 12 seats; and,

**WHEREAS**, the applicant stated that the hours of operation will be 7:00 a.m. – 2 a.m.; music will be background only; and,

**WHEREAS**, the applicant stated there are no plans to include an outdoor café nor a backyard garden; and,

**WHEREAS**, no one from the community appeared in opposition to this application; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the approval of an On Premise license to **29 Bedford LLC, 29 Bedford Street, NYC 10012.**

Vote: Unanimous

**4. Lantern Pub, Inc., d/b/a Village Lantern, 167 Blecker Street, NYC 10012**

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

**WHEREAS**, this application is for transfer of an On Premise license, pursuant to purchase of a 2,500 s.f., bar, currently operating as the Village Lantern, occupying 2 floors of a 5 story residential building off Sullivan Street, with 56 table seats and 1 bar with 16 seats; and,

**WHEREAS**, the applicant stated that the hours of operation are 12:00 p.m. – 4 a.m.; music is background only; no changes are to be made to the current operation, against which there are no complaints on record; and,

**WHEREAS**, the applicant stated there are no plans to include an outdoor café nor a backyard garden; and,

**WHEREAS**, no one from the community appeared in opposition to this application; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the approval of transfer of an On Premise license to **Lantern Pub, Inc., d/b/a Village Lantern, 167 Blecker Street, NYC 10012.**

Vote: Unanimous

**5. Little West 12<sup>th</sup>, LLC, 28 Little West 12<sup>th</sup> Street, NYC 10014**

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

**WHEREAS**, this application is for alteration of a recently approved On Premise license to expand existing construction on a 9,000 s.f. restaurant by an additional 3,000 s.f. which has been made available by the landlord; the restaurant occupies 3 floors of a 6 story commercial building between 9<sup>th</sup> Avenue and Washington Street, with no residents in the building nor in those on either side of the premises, with 370 table seats, and 3 bars with 24 seats; and

**WHEREAS**, the applicant stated that the hours of operation will be 11:30 a.m. – 4 a.m.; music will be by D.J. and background; and

**WHEREAS**, the applicant stated there are no plans to include an outdoor café nor a backyard garden; and

**WHEREAS**, the applicant stipulated in its original application to keep closed doors/partitions opening to the sidewalk starting at 11:00 p.m. on weekdays and 12:00 a.m. on weekends; and

**WHEREAS**, no one from the community appeared in opposition to this application; and

**THEREFORE, BE IT RESOLVED** that, CB#2, Man. has no objection to the approval of alteration to the On Premise license of **Little West 12<sup>th</sup>, LLC, 28 Little West 12<sup>th</sup> Street, NYC 10014.**

Vote: Unanimous

**6. Brian Bui, 73 Thompson Street, NYC 10012**

**WHEREAS**, the applicant failed to appear before the committee or request a layover of consideration of the application to the next hearing; and,

**WHEREAS**, this application is for an On Premise liquor license; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. strongly recommends denial of an On Premise liquor license to **Brian Bui, 73 Thompson Street, NYC 10012**, and requests that the SLA send this applicant back to CB#2, Man. should this application proceed in order that this important step is not avoided and that the concerns of the community be fully heard.

Vote: Unanimous

**7. R4D, Inc., d/b/a Room Four Dessert, 17 Cleveland Place, NYC 10013**

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

**WHEREAS**, this application is for transfer of an On Premise license, the location having previously been licensed as a wine bar, in a mixed use 4 story building between Spring and Kenmare Streets; the space is to be a 670 s.f. gourmet French dessert café, with 34 seats at the sushi-style dessert bar; and,

**WHEREAS**, the applicant stated that the hours of operation will be 4 p.m. – 12 a.m.; music is background only; there are no plans to include an outdoor café nor a backyard garden; and,

**WHEREAS**, no one from the community appeared in opposition to this application; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the approval of transfer of an On Premise license to **R4D, Inc., d/b/a Room Four Dessert, 17 Cleveland Place, NYC 10013.**

Vote: Unanimous

**8. Tiger Ale LLC, d/b/a Blind Tiger Ale House, 281 Bleecker Street, NYC 10012**

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

**WHEREAS**, this application is for transfer of an On Premise license, in the location previously licensed as Figa, for an 850 s.f. bar, located in a mixed use 3 story building between Jones and Morton Streets, occupied solely by the landlord and the applicant, with 47 table seats and 1 bar with 14 seats; and,

**WHEREAS**, the applicant stated that the hours of operation will be 12 p.m. – 4 a.m.; music is background only; and,

**WHEREAS**, the applicant stated there are plans to include an outdoor café but not a backyard garden; applicant further stipulated to keep French doors and other openings to the sidewalk closed after 11:00 p.m. to minimize noise to neighbors; and,

**WHEREAS**, no one from the community appeared in opposition to this application; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the approval of transfer of an On Premise license to Tiger Ale LLC, d/b/a Blind Tiger Ale House, 281 Bleecker Street, NYC 10012.

**This resolution was revised. See revised resolution below.**

**8. Tiger Ale LLC, d/b/a Blind Tiger Ale House, 281 Bleecker Street, NYC 10012**

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

**WHEREAS**, this application is for transfer of an On Premise license, in a location, which has been continuously licensed since at least 1988, most recently licensed as Figa, for an 850 s.f. bar, located in a mixed use 3 story building between Jones and Morton Streets, occupied solely by the landlord and the applicant, with 47 table seats and 1 bar with 14 seats; and,

**WHEREAS**, the applicant stated that the hours of operation will be 12 p.m. – 4 a.m.; music is background only; and,

**WHEREAS**, the applicant stated there are plans to include an outdoor café but not a backyard garden; applicant further stipulated to keep French doors and other openings to the sidewalk closed after 11:00 p.m. to minimize noise to neighbors; and

**WHEREAS**, no one from the community appeared in opposition to this application; and

**THEREFORE, BE IT RESOLVED** that, CB#2, Man. has no objection to the approval of transfer of an On Premise license to **Tiger Ale LLC, d/b/a Blind Tiger Ale House, 281 Bleecker Street, NYC 10012.**

Vote: Passed, with 1 abstention and 1 recusal (M. Derr).

**LANDMARKS AND PUBLIC AESTHETICS**

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

**Item 8 – 732 Broadway - NoHo Cast Iron Historic District.** A building built pre-1854, altered in 1885 and redesigned in the Renaissance Revival style in 1900 by Bruno W. Berger. Application is to install a bracket sign & lighting.

**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 failed to appear before the Community Board committee, nor did he contact us for a layover,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of this application for 732 Broadway, in the absence of this important step in the review process.

Vote: Unanimous

**Item 9 – 351 6<sup>th</sup> Avenue – Greenwich Village Historic District.** A French neo-Grec style house built in 1877. Application is to legalize the installation of signage without Landmarks Preservation Commission permits.

**WHEREAS**, the sign appears to be a plastic sign merely attached to the original sign (& slightly at an angle), and

**WHEREAS**, the sign is not advertising just the store name, but advertises various other companies, leading to too much wording, and

**WHEREAS**, the applicant had no proof of what was there at the time of designation, and

**WHEREAS**, the plastic sign hides the architectural elements on the building front, and

**WHEREAS**, a plastic sign is inappropriate in the Greenwich Village Historic District, and

**WHEREAS**, even if the sign was grandfathered, this sign would still be inappropriate on this building,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of this application for 351 Sixth Avenue.

Vote: Unanimous.

**Item 10 – 37-39 7<sup>th</sup> Avenue – Greenwich Village Historic District.** An Italian Renaissance style apartment house designed by Charles Kreyborg & Son and built in 1924. Application is to legalize the installation of storefront infill without Landmarks Preservation Commission permits

**WHEREAS**, the applicant did not come with enough information to decide whether the storefront was in line with what had been at the site previously, and

**WHEREAS**, the storefront did not appear to match the adjoining storefront,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of this application for 37-39 Seventh Avenue.

Vote: All in favor except 1 Board Member.

**Item 11 – 33 Barrow St. a/k/a 73 Seventh Avenue South – Greenwich Village Historic District.** A two-story building designed by Samuel H. Brooks and built in 1927. Application is to legalize the installation of signage, an awning and lighting, storefront modifications, and painting the façade, all without Landmarks Preservation Commission permits.

Laid over – letter from applicant. (Also some confusion about the exact location of the violations. More than one storefront with this address.)

**Item 12 – 675 Hudson St. – Gansevoort Market Historic District.** A vernacular/neo Grec style factory building built in 1849, enlarged in 1854-60 and altered c. 1884. Application is to install new vault lights in the sidewalk.

**WHEREAS**, this application is part of one heard several months ago, where Landmarks approved the vaults under the sidewalk, and

**WHEREAS**, the covering on some of the vaults was unsafe and had to be replaced, and

**WHEREAS**, the applicant has proposed square opaque glass panels set in a metal frame over each of the vault openings, the overall size being 4'6" by 3'1-3/4", and

**WHEREAS**, the only lighting would be from any light coming from the space below the vault coverings when the lights were being used, and

**WHEREAS**, the matching vault covers and their size appeared appropriate,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of the new vault coverings in this proposal for 675 Hudson St.

Vote: Unanimous.

**Item 3 – 154 Spring St. - SoHo Cast Iron Historic District.** A store & loft building designed by Louis Sheinart & built in 1941. Application is to legalize the installation of a flagpole without Landmarks Preservation Commission permits,

**WHEREAS**, according to the owner, this flagpole has been on the building for a number of years, and

**WHEREAS**, it appears that no violation was issued when the other façade changes and repairs were made to the building, and

**WHEREAS**, the flagpole is installed in the terra cotta façade of the building, which is not the area where such installations should be made, and

**WHEREAS**, if the flagpole was not already installed, we would recommend that it should be installed elsewhere, and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of this installation of the flagpole at this location because removal of it would cause more irreparable damage to the terra cotta and the building than would its continued location here.

Vote: Unanimous.

**Item 4 – 520 Broadway – SoHo Cast Iron Historic District.** A Beaux-Arts style store & loft building designed by Buchman & Fox & built in 1900-01, Application is to replace windows.

**WHEREAS,** the windows on floors 3 through 6 have already been approved for aluminum windows, and

**WHEREAS,** the proposal is to replace the windows on floors 1 and 2 and the upper floor with new windows, also in aluminum but in the style of the existing windows, and

**WHEREAS,** the second floor windows are changed from windows that open to fixed windows, and changed from wood to aluminum since they are in poor condition, and

**WHEREAS,** the upper floor windows, also in poor condition, are to be replaced by new double paned windows with the upper floor having windows openable to the small balconies, as were the originals, and

**WHEREAS,** the decorative scrolling on the windows is being duplicated by exterior mock mullions recreating, from a distance, the original decorative work on the upper floor windows, and

**WHEREAS,** the trim on the new windows will match what was on the original windows,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of the new windows at 520 Broadway.

Vote: Unanimous.

**Item #5 – 306 Bowery – NoHo Historic District.** A Federal style house built in 1820. Application is to alter the roof.

**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 failed to appear before the Community Board committee, nor did he contact us for a layover,

**THEREFORE, BE IT RESOLVED** CB#2, Man. recommends denial of this application for 306 Bowery, in the absence of this important step in the review process.

Vote: Unanimous

## **PUBLIC SAFETY AND HEALTH**

### **Avian Flu**

**WHEREAS,** the bird flu is a potential world wide problem; and

**WHEREAS,** the city has a Preparedness Plan in the event of a breakout of the flu; and

**THEREFORE BE IT RESOLVED,** that CB#2-Man., strongly supports the Health Department efforts in educating the public about the flu by Posting in Lavatories, across the City;

1. Wash your hands.
2. Cover your cough with your elbow or use a tissue.
3. Eat right and exercise

Vote: Unanimous.

**SIDEWALKS, PUBLIC FACILITIES AND ACCESS**

**1. NEW application to NYCDCA for revocable consent Vault on Southeast corner of 675 Hudson Street, New York N.Y. 10014.**

WHEREAS, the applicant did not appeared before the committee;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends DENIAL for revocable consent Vault on Southeast corner of 675 Hudson Street, New York N.Y. 10014

VOTE: Unanimous

**2. NEW application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by ITM GARDEN, Inc., 10-12 Little West 12<sup>th</sup> Street, with 13 tables & 28 seats DCA #12142912.**

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

WHEREAS, the applicant’s representative appeared and answered questions from the committee members; and

WHEREAS, no one from the community appeared in opposition to the application; and

WHEREAS, there is sufficient passageway for pedestrian safety; and

WHEREAS, the applicant explained that he would be a working partner and serve bar;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to ITM GARDEN, Inc, 10-12 Little West 12<sup>th</sup> Street, with 13 tables & 28 seats DCA #1214291.

VOTE: Passed Unanimous

**3. Renewal Application to NYCDCA to operate an unenclosed sidewalk café to 172 Bleeker Street. Restaurant, Inc. d/b/a Café Espanol, 190 Sullivan Street, with 4 tables & 8 seats, DCA # 1080119**

WHEREAS, the area was posted, and the applicant did not appear;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends DENIAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk 172 Bleeker Street. Resterant, Inc. d/b/a Café Espanol, 190 Sullivan Street, with 4 tables & 8 seats, DCA # 1080119

VOTE: Unanimous

**TRAFFIC AND TRANSPORTATION**

**CATS Enforcement Demonstration Pilot Project.**

WHEREAS, this community board helped create and has long supported the Canal Area Transportation Study (CATS), an assembly of regional agencies and transportation providers including NYMTC, city and state Departments of Transportation, the Port Authority, the Metropolitan Transportation Authority, and others that serve New York City and surrounding areas, as well as community members and representatives of public officials, which is involved in analyzing and implementing short-term solutions along the Canal Street corridor, such as new street lighting, traffic-signal timing, and high-visibility crosswalks at many Canal Street intersections; and

WHEREAS, observation and community input has revealed that a team of enforcement officers managing key intersections is one effective means of managing the multi-faceted problems of the Canal Street corridor and the CATS Enforcement Task Force has recommended a six-week demonstration project along Canal Street to analyze the effectiveness of comprehensive and integrated intersection management in the Canal Street corridor.

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. supports the CATS Enforcement Demonstration Pilot Project as described in the document attached hereto, and strongly recommends that two additional intersections be examined as part of the pilot project: Watts Street and Varick and Watts Street and Sixth Avenue.

**Vote: Unanimous**

**NEW BUSINESS**

Respectfully submitted, Mark Rosenwasser, Assistant Secretary, Community Board #2, Manhattan