

FULL BOARD MINUTES

DATE: February 16,2006
TIME: 6:30 P.M.
PLACE: St. Vincent's Hospital, 170 W. 12th Street, Cafeteria

BOARD MEMBERS PRESENT: Steve Ashkinazy, Helene Burgess, Lisa Cannistracci, Maria Passannante Derr, Chair, Community Board #2, Manhattan (CB#2, Man.) John Diaz, Doris Diether, Harriet Fields, Elizabeth Gilmore, Lawrence Goldberg, Arthur Harris, Anne Hearn, Brad Hoylman, Susan Kent, Aubrey Lees, Edward Ma, Don MacPherson, Dr. John Maggio, Rosemary McGrath, Patrick Munson, Rick Panson, Ronald Pasquale, Judy Paul, David Reck, Robert Riccobono, Robert Rinaolo, Mark Rosenwasser, Arthur Z. Schwartz, Melissa Sklarz, Richard Stewart, Michael Xu.

BOARD MEMBERS EXCUSED: Garth Harvey, Don Lee, Raymond Lee, Philip Mouquinho, Anthony Perrotta, Rocio Sanz, Shirley Secunda, Shirley H. Smith, Sean Sweeney, Wilbur Weder, Betty Williams, Carol Yankay.

BOARD MEMBERS ABSENT: Edward Gold,

BOARD STAFF PRESENT: Arthur Strickler, District Manager

GUESTS: Arturo Garcia-Costas, Congressman Jerrold Nadler's office; Jon Prosnit, Senator Tom Duane's office; Matt Viggiano, Sen. Martin Connor's office; Deborah Lester, Assembly Speaker Sheldon Silver's office; Kate Seeley-Kirk, Council Speaker Christine Quinn's office; Gregory Brender; Assembly Member Deborah Glick's office; Council Member Alan Gerson's office; John Fout, Council Member Rosie Mendez's office; Liza Sohn, Frank Settecasì, Valerie Zito, Frank Buscemi, Eileen Dunn, Diane Fong, Lisa Ruiz, Keith Dereino, John Hiltonan, Muriel Smith, John Ricker, Roy Leavitt, Sean Huitter, Mark Miller, Geraldine Smith, Peter Kelahen, Lolita Silva-Vaquez, Doreen Geprin, Michael Falr., M. Bloom, Brent Buell, Ruth Baumann, Linda Levit, Susan Goren, Cindy Voorspuy, Jean Krampner, Carter Booth, Stuart Bloy.

MEETING SUMMARY

Meeting Date February 16, 2006

Board Members Present – 30

Board Members Excused– 11

Board Members Absent - 2

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PUBLIC SESSION

Non-Agenda Items

John Fout, of Council Member Rosie Medez's office, introduced himself.

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

Gregory Brender, of Assembly Member Deborah Glick's office, spoke in favor of a City SLA commissioner appointment.

Susan Goren spoke regarding street furniture.

Wilbur Weder spoke regarding Medicaid cuts at the VA Hospital.

Liza Sohn spoke regarding providing extra help with prescription drugs for low-income seniors

Business Items

B-Flat, 26 Bond St.

Ruth Baumann, Brent Buell and Zella Jones, spoke against the proposed liquor license. Frank Buscemi, representing the applicant, spoke in favor of the application.

Joint Institutions and Social Services, Homeless & Senior Services

St. Vincent's Resolution

Marlene Bloom spoke against the resolution. Frank Settecasì, Eileen Dunn and Valerie Zito spoke in favor of the resolution.

Parks, Recreation, Open Space & Waterfront

NoHo BID Open Sculpture Exhibit

Stuart Bloy spoke regarding the proposed exhibit at Mercer Park.

Zoning and Housing Items

Proposal by GVSHP for NYC to assist NYU in locating new facilities by outside of Greenwich Village, the East Village, Union Square, SoHo, and NoHo.

Andrew Berman, of GVSHP, spoke in favor of the resolution.

ADOPTION OF AGENDA

ELECTED OFFICIALS PRESENT AND REPORTING

Arturo Garcia-Costas, Congressman Jerrold Nadler's office

Jon Prosnit, Senator Tom Duane's office

Matt Viggiano, Sen. Martin Connor's office;

Deborah Lester, of Assembly Speaker Sheldon Silver's office

Gregory Brender, of Assembly Member Deborah Glick's office

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

Council Member Alan Gerson's office.

John Fout, Council Member Rosie Mendez's office,

ADOPTION OF MINUTES

Adoption of December 2005 minutes and distribution of January 2006 minutes.

II. EXECUTIVE SESSION

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

STANDING COMMITTEE REPORTS

BUSINESS

1. 99 South Rest. Corp. d/b/a The Garage, 97-99 7th Avenue South, NYC 10014

WHEREAS, the applicant appeared before the committee; and,

WHEREAS, this application is for a Cabaret license, pursuant to purchase of 100% of the operation by one of the previous co-owners, for a 5,000 s.f. restaurant, located in a commercial building between Christopher and Bleecker Streets, with 120 table seats and 1 bar with 50 seats; and

WHEREAS, the applicant stated that the hours of operation are 12:00 p.m. – 3 a.m.; music is live and as background; the previous owner had a cabaret license which was primarily used two occasions per year, Gay Pride and New Year’s Eve; there are no plans to change the operation of the restaurant; and

WHEREAS, there are plans to continue to use an outdoor café, but not 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 a Cabaret license to **99 South Rest. Corp. d/b/a The Garage, 97-99 7th Avenue South, NYC 10014.**

Vote: Passed, with 27 Board members in favor, 1 abstention, and 2 recusals (M. Derr & R. Rinaolo).

2. 150 RFT Varick Corp., 150 Varick Street, NYC 10013

WHEREAS, the applicant appeared before the committee; and,

WHEREAS, this application is for a Cabaret license, pursuant to the purchase of a 4,000 s.f. nightclub, previously operating as Flow, new trade name to be determined, located in a commercial building off Van Dam Street, with 90 table seats, 2 bars with 30 seats, and a capacity of 400; and,

WHEREAS, the applicant stated that the hours of operation will be 5:00 p.m. – 4 a.m.; music will be by D.J and live entertainment; and,

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

WHEREAS, during their recent application for an On Premise license, the applicant’s principals, attorney and security consultant appeared before the committee and addressed the community’s concerns regarding control of the entrance area to the club; 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 a Cabaret license to **150 RFT Varick Corp., 150 Varick, NYC 10013.**

Vote: Passed, with 29 Board members in favor, and 2 abstentions.

3. MacDougal Bleecker Corp., d/b/a Café Del Mar, 89 MacDougal Street, NYC 10012

WHEREAS, the applicant appeared before the committee; and

WHEREAS, this application is for alteration of an On Premise license to add a 10’ x 6’ bar with no seats in the 600 s.f. basement level of a 1900 s.f. bar/restaurant, located off Bleecker Street in a 6 story mixed use building, with the same original 128 table seats, and now 2 bars with 14 total seats; and

WHEREAS, the applicant stated that the hours of operation will be 8:00 a.m. – 2 a.m.; music will be background only; and

WHEREAS, the applicant stated there is an outdoor café, but not 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 alteration to the On Premise license of **MacDougal Bleecker Corp., d/b/a Café Del Mar, 89 MacDougal Street, NYC 10012.**

Vote: Unanimous, with 30 Board members in favor.

4. Four Green Fields LLC d/b/a Agave, 140 7th Avenue, NYC 10014

WHEREAS, the applicant appeared before the committee; and

WHEREAS, this is an application for the alteration of an on Premise license in a 1600 s.f. restaurant operating as Agave, located between Charles and West 10th Streets, in a mixed use building, with 122 table seats and 1 bar with 15 seats, to add 40 table seats, pursuant to expansion into newly available 480 s.f. adjacent space; and

WHEREAS, the applicant stated that the hours of operation are 11 a.m. – 4 a.m.; music is background only; there will be a sidewalk café but no backyard garden; and

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

THEREFORE, BE IT RESOLVED that, CB#2, Man. under condition that the applicant appear again before CB#2, Man. regarding any expansion of its On Premise license to include any sidewalk café adjacent to the new space, CB2, Manhattan has no objection to the approval of the alteration to the On Premise license of **Four Green Fields LLC d/b/a Agave, 140 7th Avenue, NYC 10014;**

Vote: Unanimous, with 30 Board members in favor.

5. Waverly Restaurant LLC, 16-18 Bank Street, NYC 10014

WHEREAS, the applicant appeared before the committee; and,

WHEREAS, this application is for an On Premise license, pursuant to purchase of a 2,400 s.f. restaurant/bar currently operating as Waverly Inn, located in a mixed use building off West 4th Street, with 107 table seats and 1 bar with 6 seats; and

WHEREAS, the applicant stated that the hours of operation will be 6 a.m. – 4 a.m., serving breakfast, lunch and dinner, with no changes to current operations other than not soliciting tour bus or party business; music will be provided as background only; and

WHEREAS, the applicant stated there are no plans to include an outdoor café, but there is a backyard garden which is partially enclosed; the applicant stipulated to not use the unenclosed section of backyard garden after 12 a.m.; 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 **Waverly Restaurant LLC, 16-18 Bank Street, NYC 10014.**

Vote: Unanimous, with 30 Board members in favor.

6. Amaredo Kensington LTD d/b/a Nobel, 7 Spring Street, NYC 10013

WHEREAS, the applicant appeared before the committee; and

WHEREAS, this application is for an On Premise license for a 1,200 s.f. seafood restaurant located in a mixed use building between Elizabeth Street and the Bowery, with 30 table seats and 1 bar with 8 seats; and

WHEREAS, the applicant stated that the hours of operation will be 5 p.m. – 12 a.m.; music will be provided as background only; and

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

WHEREAS, the Nolita Association appeared, and upon review, were in favor of the application; and

THEREFORE, BE IT RESOLVED that CB#2, Man. has no objection to the approval of an On Premise license to **Amaredo Kensington LTD, 7 Spring Street, NYC 10013.**

Vote: Unanimous, with 30 Board members in favor.

7. Brother Gibbs Inc. and 164 Capital Partners, LLC as Manager, 591-593 Broadway, a/k/a 166 Mercer Street, NYC 10012

WHEREAS, the applicant appeared before the committee; and,

WHEREAS, this application is for alteration of a Beer and Wine license to an On Premise license for a 1,000 s.f. café operating as Casablanca Tea Room, in a mixed use building between Prince and Houston Streets, with 50 table seats and 1 bar with 6 seats; and,

WHEREAS, the applicant stated that the hours of operation will be 10 a.m. – 2 a.m.; music will be provided as background only; and,

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

WHEREAS, the SoHo Alliance endorsed the application via letter to the SLA under the signature of Executive Director Sean Sweeney; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. has no objection to the approval of an On Premise license to **Brother Gibbs Inc. and 164 Capital Partners, LLC as Manager, 591-593 Broadway, a/k/a 166 Mercer Street, NYC 10012.**

Vote: Unanimous, with 30 Board members in favor.

8A. B Flat Inc., 26 Bond Street, NYC 10012

WHEREAS, the applicant appeared before the committee; and,

WHEREAS, this application is for an On Premise license for a 1,225 s.f. Japanese restaurant, in a mixed use building between Bowery and Lafayette Street, with 32 table seats and 1 bar with 17 seats; and,

WHEREAS, the applicant stated that the hours of operation will be 6 p.m. – 3 a.m.; music will be provided as background only; and,

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

WHEREAS, there has been significant opposition to this application based on the safety of the overall building outside of the applicant's control, and access to the applicant's space, however, upon conferring with the community, in addition to soundproofing, the applicant has agreed to pay half of the cost of installing fire sprinkler systems in all common areas of the building, with the landlord to pay the other half, as well as to constructing an egress in the back of the premises to aid exit by patrons and entry by firefighters; there were still members of the community in opposition; and,

WHEREAS, it is in the best interest of the community to get an operator in this space who will work with the community and landlord to improve the premises; any other safety issues that may exist which are the responsibility of the landlord or the applicant will be addressed properly by the Department of Buildings and/or the FDNY; and,

THEREFORE, BE IT RESOLVED that CB2, Manhattan has no objection to the approval of an On Premise license to **B Flat Inc., 26 Bond Street, NYC 10012.**

THIS RESOLUTION WAS NOT VOTED ON. SEE SUBSTITUTE RESOLUTION BELOW.

8B. B Flat, Inc., 26 Bond Street, NYC 10012

WHEREAS, the NoHo Neighborhood Association, signatures of more than 100 NoHo residents and the in-person attendance of more than 15 community residents at two Committee meetings indicate substantive community objection; and

WHEREAS, there are 8 liquor-licensed establishment holding 11 licenses within 500 feet of this location; and

WHEREAS, while the applicant has shown awareness of certain unsuitable underlying conditions of the building in which they will be leasing space and have obtained verbal confirmation from the owner that these conditions will be addressed, no written document stating date or plans for the initiation or remedy have been submitted; and

WHEREAS, the applicant, while having produced drawings as to the layout of the restaurant and an accommodation for a new rear yard egress, has not produced architectural plans for submission to the Department of Buildings to show details of cooking ventilation, food storage, and sound insulation; and

WHEREAS, the applicant has submitted a Letter of No Objection from the Department of Buildings belonging to another party's application for a Speakeasy without a kitchen; and

WHEREAS, this applicant plans for a restaurant with full kitchen, for which the Department of Buildings would not issue a Letter of No Objection; and

WHEREAS, the applicant has not reduced their hours of operation to accommodate the extremely close proximity of residential units and the applicant's potential impact on reasonable quality-of-life issues as a result of this close proximity; and

WHEREAS, there is not an existing Certificate of Occupancy for this building;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends that this applicant be denied on the basis of the community's concerns for the safety of the tenants and for the impact of a 9th licensed establishment within 500-ft. of this address on the public good of this neighborhood.

Vote: Passed, with 23 Board members in favor, 4 in opposition, and 3 in abstention.

Resolution to Governor Pataki regarding adequate NYC representation on the SLA

WHEREAS, a New York State Liquor Authority Commissioner vacancy currently exists; and,

WHEREAS, the residency and experience of the current commissioners, none of whom reside in New York City, does not leave them adequately familiar with the special circumstances faced by New York City communities regarding liquor licenses to effectively represent those communities or adjudicate those communities' issues regarding liquor licenses; and,

WHEREAS, a majority of New York State's liquor licenses are issued in New York City; and,

WHEREAS, it is the strongly held belief of Manhattan Community Board 2 that a commissioner who resides in New York City, and most preferably New York County, will be far more effective in weighing the issues regarding liquor licenses in this dense urban environment, with all of the attendant concerns brought about by having residences and businesses in such close proximity to each other simply by the nature of the city; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. strongly supports the letter by New York State Assemblyperson Deborah Glick, calling for the appointment of a New York State Liquor Authority Commissioner who resides in the City of New York, and supports the proposal that requests Governor Pataki consult with the legislative delegation from New York City in considering the appointment of the next New York State Liquor Authority Commissioner.

Vote: Unanimous, with 30 Board members in favor.

ENVIRONMENT

Proposal for a New York Sun Works Science Barge

WHEREAS representatives from *New York Sun Works Center for Sustainable Engineering* appeared before the committee; and

WHEREAS the group proposes a New York Sun Works Science Barge with educational and research programs concerning Watershed environmental sustainability on the Manhattan Waterfront to be moored on the Hudson River within the boundaries of CB#2; and

WHEREAS the committee considers the proposal to be, in principle, beneficial to our community and neighborhood;

THEREFORE BE IT RESOLVED that CB#2 Man. supports, in principle, the proposal presented by New York Sun Works for a Science Barge, provided it conforms to the requirements of the Hudson River Park Act and the Estuarine Sanctuary included therein.

Vote: Unanimous, with 30 Board members in favor.

JOINT INSTUTIONS AND SOCIAL SERVICES, HOMELESS & SENIOR SERVICES

1. St. Vincent's Hospital

WHEREAS Saint Vincent's Hospital has served the Community Board area as its primary health care facility since it's founding more than 150 years ago; and

WHEREAS the residents of our community rely on Saint Vincent's Hospital to continue providing excellent care in the complete spectrum of medical, surgical and behavioral health services for which they have earned an a outstanding reputation in a number of fields, including: geriatrics, neurosurgery, obstetrics, pediatrics, and physical rehabilitation; and

WHEREAS Saint Vincent Hospital also provides comprehensive programs in Orthopedics, Cancer Care, Cardiovascular Treatment, and HIV Treatment; and

WHEREAS Saint Vincent's Hospital has experienced financial problems in the last year, which have forced it to seek protection under Chapter 11; and

WHEREAS Saint Vincent's Hospital, in a financial agreement with the General Electric Company, has agreed to have their policies, procedures and daily activities monitored and assessed by an outside team, which has no medical training, as a means to make decisions about economic cutbacks; and

WHEREAS recent cutbacks and chronic understaffing are now threatening Saint Vincent's Hospital's reputation for excellence in Nursing Care; and

WHEREAS Bedside Registered Nurses are in a better position to advocate for the needs of their patients, and understand how the hospital, as an institution, should respond; and

WHEREAS only adequate staffing, which is in strict adherence to professional guidelines regarding Nurse-to-patient ratio can insure that a hospital operate as safely and as comfortably as possible; and

WHEREAS the Hospital must remain focused on providing quality, community –based care as its main emphasis, and not allow revenue-generating specialties to alter this mission; and

WHEREAS health programs that are of great importance to the community should remain intact, regardless of their revenue-generating capacity; and

THEREFORE BE IT RESOLVED that CB#2, Man. calls upon Saint Vincent's Hospital to inform the community in a timely manner of all alterations and cuts in services and to give the community assurance that its needs are being met; and

BE IT FURTHER RESOLVED that CB#2, Man. calls on Saint Vincent's Hospital to give its Nurses the time and resources that they need in order to provide quality patient care and to also give them a clear and influential voice in the development of policies and procedures that effect the way they perform their jobs.

Vote: Passed, with 23 in favor, 2 in opposition, 4 abstentions, & 1 recusal-(Dr. J. Maggio),

2. Greenwich House Methadone Maintenance Treatment

WHEREAS Greenwich House has been providing a full spectrum of quality social services to the CB#2, Man. areas for more than 100 years; and

WHEREAS Greenwich House has always been an excellent neighbor, and has always taken into consideration the needs and desires of the community in making decisions about its development and growth; and

WHEREAS Greenwich House has been providing Methadone Maintenance Treatment Programs in our neighborhood since 1969; and

WHEREAS Methadone Maintenance has proven itself to be an effective treatment for those patients who are unable to quit their chemical dependency, enabling them to safe, healthy and productive lives; and

WHEREAS in over 30 years, at two different locations, The Greenwich House Methadone Maintenance Treatment Program has maintained good relationships within its Greenwich Village/Chelsea and Lower East Side neighborhoods; and

WHEREAS Greenwich House has been operating these programs at their current locations, one at 50B Cooper Square, and the other at 24 West 20th Street, since 1993; and

WHEREAS neither clinic has been a focus of negative attention by the local Community Boards (CB2 and CB5), nor have they been the object of any complaints from the local Community Councils, at the 9th or 13th Police Precincts. In fact most local residents and business owners are unaware that the clinics operate in their respective neighborhoods; and

WHEREAS recent construction on a property adjacent to the 20th Street site, has made it unsafe to continue operating there, and has created conditions which will not meet necessary standards of the New York State Office of Addiction services for continued funding of the program at that location; and

WHEREAS an emergency move, six months ago, to temporarily consolidate both programs at the Cooper Square location has proven highly successful, very cost effective, and has creative no noticeable impact on the neighborhood, due to staggered hours doubled security, and regular staff monitoring; and

WHEREAS each of the programs had been licensed to treat up to 400 Methadone Treatment Patients, and had been operating at near capacity; and

WHEREAS Greenwich House would like to make permanent this consolidation of its two programs in order to go on operating them at one facility, and to expand its license with NYS OASAS to treat 800 patients at the 50B Cooper Square location; and

THEREFORE BE IT RESOLVED that CB#2, Man. commends Greenwich House for the excellent job it has done in providing quality care in the Delivery of Methadone Treatment Services in our neighborhood; and

BE IT FURTHER RESOLVED that CB#2, Man. expresses its full support for the plans of Greenwich House to expand services of its Methadone Treatment Program, located at 50B Cooper Square, by increasing from 400 to 800 patients.

Vote: Unanimous, with 30 Board members in favor.

LANDMARKS AND PUBLIC AESTHETICS

Items laid over:

28 West 8 St. & 159 West 12 St. – at the request of the applicants,

1-7 Astor Place a/k/a 746-750 Broadway. Item withdrawn

???? – 35 Wooster St. – telephone call but no letter or reason.

462 Broadway – Application to replace sidewalk & install electrical vault.

WHEREAS, the Landmarks Preservation Commission’s publication “The Certificate of Appropriateness Public Hearing: Information for Applicants’ states that the ‘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 462 Broadway in the absence of this important step in the review process, and requests that the Landmarks Commission not hear this case until the applicant has appeared before the Community Board.

Vote: Unanimous, with 30 Board members in favor.

32-34 Greene St. – Application is to construct a rooftop addition, to install new storefront infill, and alter the loading dock.

WHEREAS, 32 & 34 Greene St. were originally two separate buildings built approximately 1873 and sometime thereafter linked, and

WHEREAS, the buildings are quite similar in style and the plan is to retain this similarity while making minor changes on the building facades, and

WHEREAS, the restoration will retain the fenestrations on the two buildings which are a major architectural feature of the structures, and

WHEREAS, the plan also calls for the construction of a small penthouse on the roof, approximately 780 sq. ft. and 14' tall, set back from the façade and without a variance since the floor area will be recovered from changes on the lower floors, and

WHEREAS, the current fire escapes will be repaired and retained since they are still necessary to the current use of the building, and

WHEREAS, the proposal also calls for the removal of the current loading dock which is situated between the entrances to the two buildings, and the construction of a continuous set of stairs across both the structures,

THEREFORE, BE IT RESOLVED CB#2, Man. recommends approval of the restoration of the building facades and the fire escapes, and has no objection to the small penthouse on the roof which will be minimally visible from any street, but

BE IT FURTHER RESOLVED CB#2, Man. does not recommend approval of the removal of the loading dock, a characteristic common to our area, and feels that the stairs should continue to delineate the building as two separate structures.

Vote: Unanimous, with 30 Board members in favor.

325 West Broadway/23-25 Wooster St. – application is to replace windows, façade restoration and repair and construction of rooftop additions on two existing buildings on Wooster St., and the demolition of 325 W. Broadway and construction of a new building on that site. (This case is not scheduled for Feb. 7 hearing.)

WHEREAS, this a complex application for restoring two small buildings on Wooster St. and the demolition of a larger loft building on west Broadway, replacing it with new 9-story building, and

WHEREAS, all of these buildings, many years ago, were combined into a chocolate factory which use has now been discontinued, and

WHEREAS, the Wooster St. structures are two quite different 3 story buildings (1873) which the applicant wishes to restore to their original look as two-three family residences, and

WHEREAS, for 25 Wooster St., this means restoring the Federal cornice and replacing the windows with 4 over 4 windows and making the necessary repairs to the building's façade, and

WHEREAS, for 23 Wooster St., this means replacing or repairing the paneled parapet and reinstalling metal framed industrial windows, and

WHEREAS, these small houses will have access to the rear courtyard from the first floor apartments, with the upper floors having a view of the courtyard, and

WHEREAS, the building at 325 West Broadway is considered a non-contributing building, having been built as a warehouse with minimal windows and a blank façade, and

WHEREAS, the proposal is to demolish this building and construct a new building, either residential or JLVQA, with 9 stories to match the surrounding 8 and 9 story buildings on this block, and

WHEREAS, the new building will be 89' to setback, then 109' high with a 120' bulkhead height, and

WHEREAS, this building, which will have a doorman, will have direct access to the interior courtyard via a hall running from the front to the rear of the building, and

WHEREAS, the architect had made a conscious effort to create an interesting building in the context of the neighborhood with 2 vertical sections dividing the building into 25' and 50' segments, and

WHEREAS, the 25' northern section features set-back sections of the façade, with a divider between this and the other section, and

WHEREAS, the southern, larger section is flatter, but with the first two floors set back 2' from the property line, and

WHEREAS, this southern section has two metal panels set in an irregular alignment on the façade, and there is also a concrete canopy over the area having the entrances to the building, and

THEREFORE, BE IT RESOLVED CB#2, Man. recommends approval of both the restoration of the Wooster St. buildings and the new structure on West Broadway (23-25 Wooster St. & 325 West Broadway) except for the concrete canopy over the entrances on West Broadway which we do not feel is characteristic of the District, and we question the metal panels on the West Broadway façade.

Vote: Unanimous, with 30 Board members in favor.

PARKS, RECREATION, OPEN SPACE & WATERFRONT

1. Proposal by NoHo NY B.I.D. for an Open Sculpture Exhibit in Mercer Street Park

WHEREAS the NOHO Business Improvement District ("BID") has proposed to conduct a five-day open sculpture exhibit in Mercer Street Park; and

WHEREAS the open nature of the project and its roots in the artistic tradition of Greenwich Village Justifies the five-day disruption of normal park use.

THEREFORE BE IT RESOLVED that:

1. CB#2, Man. supports the location of the NOHO BID 10th Anniversary Sculpture Exhibit in Mercer Park from August 27 to Sept 2, 2006, on the condition that:

a. its hours of operation be from no earlier than 9:00 am and no later than 7:00 pm

b. sculptors not utilize any power tools as part of the exhibit.

c. NOHO BID make an effort in conjunction with the Arts Committee of Community Board to include local artist in the exhibit.

2. The disruption of normal park use that this exhibit will require should not be seen as a precedent, but merely a reflection of the extraordinary public as part of this exhibit.

Vote: Unanimous, with 30 Board members in favor.

2. Washington Square Park Fountain

THEREFORE, BE IT RESOLVED that CB#2, Man. supports City Council member Gerson's efforts to maintain conditions in the Washington Square Park Fountain, post renovation, which will allow the continued historic use of the fountain, including the ability of public access into the fountain; and

BE IT FURTHER RESOLVED that CB#2, Man. calls upon the Department of Parks, in maintaining such uses, to take all reasonable steps to guarantee the quality safety of the water.

Vote: Passed, with 28 Board members in favor and 2 abstentions

SIDEWALKS, PUBLIC FACILITIES AND ACCESS

1. NEW Application for revocable consent to operate an Unenclosed Sidewalk Café for 99 South Rest. Corp. d/b/a Garage Café, 99 Seventh Ave. South, New York N.Y. 10014 with 42 Tables and 84 seats. DCA # 1217775.

WHEREAS, the owner appeared before the committee; and

WHEREAS, the owner agreed to scale back his proposal to the original 9 foot boundary to stay in line with the adjacent sidewalk cafes; and

WHEREAS, there was no community opposition; and

WHEREAS, there is sufficient passage for pedestrian safety; and

WHEREAS, the owner will reduce the size of the tables from 24 inches to 18 inches; and

WHEREAS, the owner will now keep the two doors closed which were previously kept open and would not allow for the placement of tables in front of them; and

WHEREAS, the perimeter size of the café will not change despite the addition of 14 tables and 28 seats; and

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to 99 South Rest. Corp., d/b/a Garage Café, 99 Seventh Ave. South, New York N.Y. 10014 with 42 Tables and 84 seats. DCA # 1217775.

Vote: Passed, with 28 Board members in favor, and 2 recusals (M. Derr, R. Rinaolo).

2. NEW Application for revocable consent to operate an Unenclosed Sidewalk Café for 174 Grand St. Corp., d/b/a Oniel's Café, 174 Grand Street, New York N.Y. 10013. DCA # 1218544.

WHEREAS, the owner appeared before the committee; and

WHEREAS, the restaurant has been in operation for 11 years; and

WHEREAS, there was no community opposition; and

WHEREAS, there is sufficient passage for pedestrian safety; and

WHEREAS, the café will only be on the Grand Street side and not on the smaller street of Centre Market Place; and

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to 174 Grand St. Corp., d/b/a Oniel's Café, 174 Grand Street, New York N.Y. 10013. DCA # 1218544.

Vote: Unanimous, with 30 Board members in favor.

3. RENEWAL Application for revocable consent to operate an Unenclosed sidewalk cafe for La Ripaille Corp., d/b/a/ La Ripaille Restaurant, 605 Hudson St., New York, N.Y. 10014, with 4 tables and 9 seats. DCA # 1010686.

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

WHEREAS, there was no community opposition; and

WHEREAS, the owner is asking for the addition of two more chairs without affecting the size of the perimeter of the café; and

WHEREAS, there are no violations on record for this establishment; and

WHEREAS, this restaurant has had a sidewalk café for many years; and

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to La Ripaille Corp., d/b/a/ La Ripaille Restaurant, 605 Hudson St., New York, N.Y. 10014, with 4 tables and 9 seats. DCA # 1010686.

Vote: Unanimous, with 30 Board members in favor.

4. RENEWAL application for Wogie’s Inc. d/b/a Wogie’s 39 Greenwich Ave New York, N.Y. 10014 for a TWO YEAR revocable consent to operate an Unenclosed sidewalk café with 16 tables and 32 seats. DCA # 1160623.

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

WHEREAS, there was no community opposition; and

WHEREAS, the applicant representative Michael Kelly agreed to advise the owner to cure a violation with Landmarks Commission; and

WHEREAS, this restaurant was formerly known as Sweet Basil or Jean’s Patioa with a sidewalk for over 20 years; and

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Wogie’s Inc. d/b/a Wogie’s 39 Greenwich Ave New York, N.Y. 10014 with 16 tables and 32 seats. DCA # 1160623.

Vote: Unanimous, with 30 Board members in favor.

5. RENEWAL application for Bar Giacosa Corp. d/b/a/ Bar Pitti, 261 Sixth Ave New York, N.Y. 10014 for a TWO YEAR revocable consent to operate an unenclosed sidewalk café with 21 tables and 49 seats. DCA # 1097155.

WHEREAS, the owner’s representative appeared before the committee; and

WHEREAS, there are no violations against this restaurant at this time; and

WHEREAS, there was no community opposition; and

WHEREAS, there is sufficient passage for pedestrian safety; and

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to to Bar Giacosa Corp. d/b/a/ Bar Pitti, 261 Sixth Ave New York, N.Y. 10014 with 21 tables and 49 seats. DCA # 1097155.

Vote: Unanimous, with 30 Board members in favor.

6. RENEWAL application for JEC II. LLC d/b/a ONE LITTLE WEST 12, 1-3 Little West 12 Street, New York, N.Y. 10014 for a TWO YEAR revocable consent to operate an Unenclosed sidewalk café with 31 tables and 62 seats. DCA # 1161856.

WHEREAS, the owners appeared before the committee; and

WHEREAS, there are no violations against this restaurant at this time; and

WHEREAS, there was no community opposition; and

WHEREAS, there is sufficient passage for pedestrian safety; and

WHEREAS, this street is 20 feet wide on Ninth Ave. and 15 feet wide on Little West 12th Street; and

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an Unenclosed sidewalk café to JEC II. LLC d/b/a ONE LITTLE WEST 12, 1-3 Little West 12 Street, New York, N.Y. 10014 consent to operate an unenclosed with 31 tables and 62 seats. DCA # 1161856.

Vote: Unanimous, with 30 Board members in favor.

7. RENEWAL application for Restaurant 597 Inc. d/b/a Bus Stop, 597 Hudson Street, New York, N.Y. 10014 for a TWO YEAR revocable consent to operate an Unenclosed sidewalk café with 10 tables and 20 seats. DCA # 0918358.

WHEREAS, the owner appeared before the committee; and

WHEREAS, there are no violations against this restaurant at this time; and

WHEREAS, there was no community opposition; and

WHEREAS, there is sufficient passage for pedestrian safety; and

WHEREAS, there were letters written in support of this applicant from neighbors; and

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an Unenclosed sidewalk café to Restaurant 597 Inc. d/b/a Bus Stop, 597 Hudson Street, New York, N.Y. 10014, with 10 tables and 20 seats. DCA # 0918358.

Vote: Unanimous, with 30 Board members in favor.

7. RENEWAL application for BENNY’S BURRITOS, INC. d/b/a Benny’s Burritos 111-113 Greenwich Avenue, New York, N.Y. 10014 for a TWO YEAR revocable consent to operate an Unenclosed sidewalk café with 8 tables and 24 seats. DCA # 1067914.

WHEREAS, the owner appeared before the committee; and

WHEREAS, there are no violations against this restaurant at this time; and

WHEREAS, there was no community opposition; and

WHEREAS, there is sufficient passage for pedestrian safety; and

WHEREAS, there are no changes in the configuration of the café since its last application; and

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an Unenclosed sidewalk café to BENNY’S BURRITOS, INC. d/b/a Benny’s Burritos 111-113 Greenwich Avenue, New York, N.Y. 10014, with 8 tables and 24 seats. DCA # 1067914.

Vote: Unanimous, with 30 Board members in favor.

8. RENEWAL application for BLEECKER TRATTORIA, INC d/b/a Trattoria Spaghetto, 232 Bleecker Street New York, N.Y. 10014 for a TWO YEAR revocable consent to operate an Unenclosed sidewalk café with 14 tables and 28 seats. DCA # 0917885.

WHEREAS, the owners appeared before the committee; and

WHEREAS, there are no violations against this restaurant at this time; and

WHEREAS, there was no community opposition; and

WHEREAS, there is sufficient passage for pedestrian safety; and

WHEREAS, this restaurant has had a good working relationship with the community for many years; and

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an Unenclosed sidewalk café to BLEECKER TRATTORIA, INC d/b/a Trattoria Spaghetto, 232 Bleecker Street New York, N.Y. 10014, with 14 tables and 28 seats. DCA # 0917885.

Vote: Unanimous, with 30 Board members in favor.

9. RENEWAL application for a TWO YEAR revocable consent to operate an Enclosed sidewalk café for KARAVAS FOOD LTD d/b/a Karavas’ Place 162 West 4th Street, New York, N.Y. 10014, with 10 tables and 21 seats. DCA # 1001562.

WHEREAS, the owner appeared before the committee; and

WHEREAS, there are no violations against this restaurant at this time; and

WHEREAS, there was no community opposition; and

WHEREAS, there is sufficient passage for pedestrian safety; and

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an Enclosed sidewalk café to KARAVAS FOOD LTD d/b/a Karavas' Place 162 West 4th Street, New York, N.Y. 10014 with 10 tables and 201 seats. DCA # 1001562.

Vote: Unanimous, with 30 Board members in favor.

10. RENEWAL application for a TWO YEAR revocable consent to operate an Unenclosed sidewalk café for 172 BLEECKER STREET RESTAURANT, INC. d/b/a Café Espanol, 190 Sullivan St., New York, N.Y. 10012, with 4 tables and 8 seats. DCA # 1080119.

WHEREAS, the owner appeared before the committee; and

WHEREAS, there are no violations against this restaurant at this time; and

WHEREAS, there was no community opposition; and

WHEREAS, there is sufficient passage for pedestrian safety; and

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an Unenclosed sidewalk café to 172 BLEECKER STREET RESTAURANT, INC. d/b/a Café Espanol, 190 Sullivan St., New York, N.Y. 10012, with 4 tables and 8 seats. DCA # 1080119.

Vote: Passed, with 29 Board members in favor, and 1 in opposition.

TRAFFIC AND TRANSPORTATION

Pedestrian Signals at Varick Street Entrance to Holland Tunnel.

WHEREAS, Varick St. as it approaches the Holland Tunnel entrance at Broome St. is divided, with three lanes continuing southbound and three lanes entering the tunnel; and,

WHEREAS, vehicles in the two rightmost lanes of the three lanes turning to enter the Holland Tunnel frequently continue straight ahead southbound, apparently unaware that all lanes are expected to turn and enter the tunnel, creating a dangerous conflict; and,

WHEREAS, the only place where there is indication that all three lanes are expected to turn to enter the tunnel is an overhead sign two blocks north of the tunnel entrance at Spring St.; and,

WHEREAS, currently the pedestrian signal across the entrance to the Holland Tunnel from Varick St. is timed such that pedestrians have a "Don't Walk" sign when vehicles entering the tunnel from Varick St. are stopped at their red light, and then get a "Walk" sign just as the traffic light on Varick St. changes to green and the traffic surges into the tunnel.

THEREFORE BE IT RESOLVED RESOLVED, that CB#2, Man., requests the Department of Transportation to adjust the timing of the pedestrian signal across the Varick St. entrance to the Holland Tunnel so that pedestrians receive a "Walk" signal when vehicles entering the tunnel are held at their red light, coordinating with the Port Authority as necessary.

Vote: Unanimous, with 30 Board members in favor.

ZONING AND HOUSING

Proposal by The Greenwich Village Society for Historic Preservation for the City to assist New York University in locating new facilities by founding one or more auxiliary campuses outside of Greenwich Village, the East Village, Union Square, SoHo, and NoHo.

WHEREAS: NYU is a long-standing and essential member of this community, whose presence also contributes greatly to the economic and cultural health and vitality of our communities, And,

WHEREAS: New York University has stated that they are in the process of preparing a Long Term Plan that will be presented to the community and the Community Board, And,

WHEREAS: NYU has stated that they will invite the Community Board to recommend community members to serve on their planning committee, And

WHEREAS: New York University is the largest private university in the country, made up of 14 schools, colleges, and divisions, occupying all or part of approximately 100 buildings in and around Washington Square and Union Square; And,

WHEREAS: New York University has also built a dozen high-rise buildings in this area in the last 20 years, most larger than zoning for the area normally allows due to utilization of the community facilities bulk bonus, And,

WHEREAS: New York University is currently planning a 13th new high-rise in the area, a 26-story dormitory just outside of CB#2, Man.'s boundaries which will be the tallest building in the East Village, And

WHEREAS: New York University has additionally occupied at least 25 existing buildings in this area since the early 1980's, And,

WHEREAS: New York University's growth continues, and will likely continue in the years to come, And,

WHEREAS: The communities represented by Community Board #2 have expressed a great deal of concern over the years about NYU's expansion and the change in the essential character, physical and otherwise, which it has upon the neighborhood, And,

WHEREAS: it is our understanding that the City of New York finds NYU's continued growth desirable, due to the jobs, economic development, cultural activity, and skilled professionals it draws to our City, And,

WHEREAS: NYU understandably needs and desires to grow in such a manner that its facilities are located in close proximity to one another, And,

WHEREAS: There is, however, a real concern that with NYU's continuing expansion the University will cease to be an important "ingredient" in the make-up of our neighborhoods but become the dominant and overwhelming presence, And,

WHEREAS: It is desirable not only to our neighborhoods but to the City as a whole that Greenwich Village, the East Village, and Noho maintain their world-famous character and diversity, of which NYU and our other institutions of higher learning are an important component but should not be the defining element, And,

WHEREAS: the Greenwich Village Society for Historic Preservation is urging the City and NYU to work together to help NYU establish one or more satellite campuses outside of our neighborhoods, allowing future growth by NYU to be channeled outside of our neighborhood, And,

WHEREAS: This proposal is supported by the Noho Neighborhood Association, the Soho Alliance, the Greenwich Village Community Task Force, the Cooper Square Committee, the Coalition to Save the East Village, the Union Square Community Coalition, and the St. Ann's Committee, among others, And,

WHEREAS: NYU's structure of multiple schools under the umbrella of the University would seem to lend itself to such an arrangement, as NYU used to have a second campus in the Bronx and currently does have a second campus for its medical school in East Midtown, And,

WHEREAS: Such an arrangement would allow NYU to continue to grow as needed while eliminating or reducing the problem of their growth overwhelming our neighborhoods, And,

WHEREAS: The City is encouraging redevelopment of various parts of the city right now, and many of those communities might welcome a satellite campus of a prestigious university like NYU as a catalyst or anchor for economic or cultural development, And,

WHEREAS: Such an arrangement would likely ultimately benefit NYU as well, by potentially allowing the long-range planning and campus-like environment that they cannot attain at their current location, while also avoiding the high land prices and lack of available sites they face in our neighborhoods, And,

WHEREAS: With virtually every subway line in the City coming through our neighborhoods, it would be very easy to establish a satellite campus for NYU which is easily connected by mass transit to their main campus,

THEREFORE BE IT RESOLVED: That CB#2, Man. urges our elected officials, the Mayor, relevant city agencies such as the Department of City Planning and the Economic Development Corporation, and NYU to work together to explore such a possibility and to make it a reality, And,

BE IT FURTHER RESOLVED: That CB#2, Man. thanks NYU for appearing at the CB#2 Zoning Committee and restates its invitation for NYU to come to the Community Board at any time to discuss its land use issues, And,

BE IT FURTHER RESOLVED: That CB#2, Man. accepts invitation from NYU to recommend community members to serve on their planning committee, And,

BE IT FURTHER RESOLVED: that CB#2, Man. offers its forum for NYU to present its Long Term Plan as soon as it is ready, And,

BE IT FURTHER RESOLVED: that CB#2, Man. recognizes that such a plan would take a great deal of time and planning to accomplish, but also recognizes the harm in continuing the status quo, and therefore urges the involved parties to move with great haste to begin the process so that our communities, the City, and NYU may benefit as soon as possible from implementation of this plan.

Vote: Passed, with 28 Board members in favor, and 2 abstention.

NEW BUSINESS

Respectfully submitted,

Robert Rinaolo
Secretary
Community Board #2, Manhattan