

FULL BOARD MINUTES

DATE: May 18, 2006
TIME: 6:30 P.M.
PLACE: St. Vincent's Hospital, 170 W. 12th St.
Cronin Auditorium

BOARD MEMBERS PRESENT: Steve Ashkinazy, Tobi Bergman, Carter Booth, Helene Burgess, Lisa Cannistracci, Leonard Cecere, Maria Passannante Derr, Chair, Community Board #2, Manhattan (CB#2, Man.) John Diaz, Doris Diether, Harriet Fields, Sheelah Feinberg, Elizabeth Gilmore, Edward Gold, Lawrence Goldberg, Jo Hamilton, Arthur Harris, Garth Harvey, Brad Hoylman, Susan Kent, Raymond Lee, Elizabeth Loeb, Edward Ma, Don MacPherson, Dr. John Maggio, Rosemary McGrath, Philip Mouquinho, Annie Vanrenterghem-Raven, David Reck, Robert Riccobono, Rocio Sanz, Arthur Z. Schwartz, James Solomon, Shirley H. Smith, Richard Stewart, Sean Sweeney, Wilbur Weder, Betty Williams, Carol Yankay, Elaine Young

BOARD MEMBERS EXCUSED: Keen Berger, Anne Hearn, Don Lee, Christine Lindemann, Jason Mansfield, Patrick Munson, Rick Panson, Judy Paul, Robert Rinaolo, Shirley Secunda, Michael Xu

BOARD MEMBERS ABSENT: None

BOARD STAFF PRESENT Florence Arenas, Julio Mora

GUESTS: Arturo Garcia-Costas, Congressman Jerrold Nadler's office; Adam Riff, Senator Tom Duane's office; Deborah Lester, Assembly Speaker Sheldon Silver, Gregory Brender, Assembly Member Deborah Glick's office; Lee Grodin, Council Speaker Christine Quinn's office; Cindy Voorspuy, Council Member Alan Gerson's office; John Fout, Council Member Rosie Mendez's office; John Ricker, NYC Comptroller's office; Neil Weisbard, David Weinber, Christine Shakespeare, Jordan Most, Allan Horland, David Leong, William Lee, Marjorie Colt, Steve Tzolis, Richard Dodd, Brian Murphy, Richard Brodie, Jerry Marlow, Lois Rakoff, D. Fong, Marlene Bloom, Pablo Garcia, Edy Selman, Morgan Dar, Gail Thacker, Ken Wallach, Kent Underwood, Stanley Rosenberg, Sugar Barry, Julie Weprin, Elizabeth Pettit, Nancy Akwaart.

MEETING SUMMARY

Meeting Date May 18, 2006
Board Members Present – 39
Board Members Excused–11
Board Members Absent - 0

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PUBLIC SESSION

Non-Agenda Items

General Report

John Ricker, NYC Comptroller's office, gave a monthly update.

NYU

Christine Shakespeare introduced herself and reported.

David Weinberg spoke.

Business Items

Newgate Bar & Grill, 535 La Guardia Place

Allan Horland, Kent Underwood, and Jerry Marlow spoke in favor of denying the renewal of Newgate's liquor license.

Banchet Bianca Design, Inc., 809 Washington St.

Marjorie Colt spoke against the proposed beer and wine license.

Landmarks & Public Aesthetics Items

110 Greene St. a/k/a 123-125 Mercer St.

Neil Weisbard spoke in favor of the proposal.

Sidewalks, Public Facilities & Access Items

LADL, LLC d/b/a Jack, 80 University Place

Stanley Rosenberg, Sugar Barry, Nancy Akwaart, and Richard Dodd, spoke against the proposed sidewalk café.

Julie Weprin, proprietor, spoke in favor of the sidewalk café application.

Elizabeth Pettit suggested the full board hold off on the vote on the sidewalk café and lay the applicant over to next month

ADOPTION OF AGENDA

ELECTED OFFICIALS PRESENT AND REPORTING

Arturo Garcia-Costas, Congressman Jerrold Nadler's office

Adam Riff, Senator Tom Duane's office

Deborah Lester, Assembly Speaker Sheldon Silver reported on an upcoming hearing sponsored by the Assembly Speaker on legislation to reform the State Liquor Authority laws.

Gregory Brender, of Assembly Member Deborah Glick's office

Lee Grodin, of Council Speaker Christine Quinn's office

Cindy Voorspuy, Council Member Alan Gerson's office.

John Fout, Council Member Rosie Mendez's office.

ADOPTION OF MINUTES

Adoption of March minutes and distribution of April minutes.

II. EXECUTIVE SESSION

1. **Chair's Report** Maria Passannante Derr reported
2. **District Manager's Report** None

STANDING COMMITTEE REPORTS

NOMINATING COMMITTEE

Pursuant to Article II of our Bylaws, the Nominating Committee reports to the Board the following candidates for officers of the Board:

CHAIR – Maria Derr

FIRST VICE CHAIR – Brad Hoylman

SECOND VICE CHAIR – John Martin Diaz

SECRETARY – Dr. John Maggio

ASSISTANT SECRETARY – Susan Kent

TREASURER – Rocio Sanz

The following candidates were nominated from the floor:

CHAIR – David Reck

FIRST VICE CHAIR – none

SECOND VICE CHAIR – Don MacPherson

SECRETARY – Jo Hamilton

ASSISTANT SECRETARY – none

TREASURER – Sheelah Feinberg

BUSINESS

1. T. Madison LLC, 73 8th Avenue, NYC 10014

WHEREAS, the applicant appeared before the committee; and

WHEREAS, this application is for a New York City Cabaret license for an existing 2,500 s.f. nightclub, located in a mixed use building between W. 13th Street and W. 14th Street, consisting of 58 table seats, and 1 bar with 15 seats; and

WHEREAS, there have been significant complaints from community members regarding excess noise from the music system, excess noise from the air conditioning and ventilating equipment, and failure to clear the area in front of the premises at closing time, resulting in loitering and noise; and

WHEREAS, it is the opinion of the committee that issuance of a Cabaret license will only amplify the existing problems, and such license should not be issued unless and until these conditions have been suitably remedied; and

THEREFORE, BE IT RESOLVED that CB#2, Man. objects to the approval of a Cabaret license to T. Madison LLC, 73 8th Avenue, NYC 10014.

Vote: Unanimous, with 39 Board members in favor.

2. LaGuardia Tavern Corp., d/b/a Newgate Bar, 535 LaGuardia Place, NYC 10012

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

WHEREAS, this application is for renewal of an existing On Premise license for an 1,800 s.f. bar/restaurant, located in a commercial building between Bleecker and 4th Streets, consisting of 55 table seats, one bar with 10 seats, and an outdoor deck facing the windows of a large residential apartment building complex; and

WHEREAS, the applicant's stated hours of operation are 12:00 p.m. - 12 a.m., Monday through Thursday, and 12:00 p.m. – 4:00 a.m. weekends; the music is background only; there is no sidewalk café; and **WHEREAS**, the applicant previously appeared before the committee on this renewal application in April, but by vote of the Full Board at the April meeting, the matter was tabled to May in order to grant the community more time to respond to the application; and

WHEREAS, there have been long standing, numerous and ongoing significant complaints regarding this applicant, primarily regarding noise from patrons on the outdoor deck until late in the evening and from ventilation fans all night long, as well as patrons being disruptive in front of the operation, to include fistfights and public urination; and

WHEREAS, nine members of the community appeared before the committee in opposition to applicant's renewal; significant opposition and complaints have also been articulated by the Washington Square Village tenants' association, as 3 Washington Square Village abuts the applicant's location; additionally, numerous community members and Board Members have made a point to voice complaints about the applicant in conversation with various members of the Business Committee; and

WHEREAS, the applicant has shown little interest in rectifying the manner in which it runs an operation highly disruptive to the surrounding community; and

THEREFORE, BE IT RESOLVED that CB#2, Man. strongly objects to the approval of the renewal of the existing On Premise license of **LaGuardia Tavern Corp., d/b/a Newgate Bar, 535 LaGuardia Place, NYC 10012**, and strongly recommends revocation of said On Premise license.

Vote: Unanimous, with 39 Board members in favor.

3. Pudding, LLC, 150 West 10th Street, NYC 10012

WHEREAS, the applicant appeared before the committee; and

WHEREAS, this application is for an On Premise license for a 750 s.f. restaurant off Waverly Place, in a mixed use building, with 28 table seats and 1 bar with 8 seats; and

WHEREAS, the applicant stated that the hours of operation will be 5:00 p.m. – 12:00 a.m.; music will be background only; and

WHEREAS, the applicant stated there are no plans for 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 Pudding, LLC, 150 West 10th Street, NYC 10012.

Vote: Unanimous, with 39 Board members in favor.

4. T&K Restaurant Corp., 68-74 Charlton Street, NYC 10014

WHEREAS, the applicant appeared before the committee; and

WHEREAS, this is an application for an On Premise license in a 45,000 s.f., 3 floor catering/banquet facility, including a ground floor restaurant, in a commercial building, formerly a factory, between Varick and Hudson Streets, with maximum floor capacity of 2,700 and 1 bar with 18 seats; and

WHEREAS, the applicant stated that the hours of operation are 11:00 a.m. – 12:00 a.m.; music is primarily background; there will be no sidewalk café nor a backyard garden; and

WHEREAS, no one from the community appeared in opposition to this application; the principals of the applicant live in the neighborhood and are operators of Aureole and other operations in New York City, and enjoy a reputation as responsible operators; and

WHEREAS, members of the committee inspected the location and found no residential buildings in the immediate area, confirming applicant's assertions that the location is suitable for a banquet facility; the plans presented clearly indicate a catering/banquet facility and not a nightclub; and

THEREFORE, BE IT RESOLVED that CB#2, Man. has no objection to the approval of an On Premise license to T&K Restaurant Corp., 68-74 Charlton Street, NYC 10014.

Vote: Unanimous, with 39 Board members in favor.

5. Rare WV Restaurant Group LLC, 228 Bleecker Street, NYC 10012

WHEREAS, the applicant appeared before the committee; and

WHEREAS, this application is for upgrade of a Beer & Wine license to an On Premise license in a 1,500 s.f. restaurant, located in a mixed use building between 6th Avenue and Carmine Street, with 50 table seats and 1 bar with 11 seats; and

WHEREAS, the applicant stated that the hours of operation will be 11:00 a.m. – 12:00 a.m.; and

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

WHEREAS, the Carmine Street Block Association opposes this application and applicant is clearly within 200’ of Our Lady of Pompeii Church and School, requiring denial of an On Premise license; and

THEREFORE, BE IT RESOLVED that CB#2, Man. strongly objects to the approval of an On Premise license to **Rare WV Restaurant Group LLC, 228 Bleecker Street, NYC 10012.**

Vote: Unanimous, with 39 Board members in favor.

6. Superior Restaurant NYC, L.P., 223 Mulberry Street, NYC 10012

WHEREAS, the applicant appeared before the committee; and

WHEREAS, this application is for an On Premise license, pursuant to purchase of a currently licensed 4,000 s.f. restaurant, located in a commercial building between Spring and Prince Streets, consisting of 88 table seats, 2 bars with 12 seats; the applicant’s principals also operate Public Restaurant; and

WHEREAS, the applicant stated that the hours of operation are 11:00 a.m. - 2 a.m.; the music is background only; there is no sidewalk café and no backyard garden; and

WHEREAS, the applicant did present plans to include a partially enclosed rooftop dining area, but agreed to withdraw those plans, with no bar to appearing before CB2, Manhattan again at some point in the future, with plans calculated to minimize the impact of any rooftop area on neighboring residents; and

THEREFORE, BE IT RESOLVED that, CB#2, Man. has no objection to the approval of an On Premise license for **Superior Restaurant NYC, L.P., 223 Mulberry Street, NYC 10012**, so long as said license does not include any rooftop area.

Vote: Unanimous, with 39 Board members in favor.

7. K.K. Operation, Inc., d/b/a Isle, 282 Bleecker Street, NYC 10014

WHEREAS, the applicant appeared before the committee; and

WHEREAS, this application is for upgrade of a Beer & Wine license to an On Premise license in a 2,000 s.f. restaurant, located in a mixed use building between Jones and Morton Streets, with 31 table seats and no bar; and

WHEREAS, the applicant stated that the hours of operation are 11:00 a.m. – 11:00 p.m. Monday-Thursday, and 11:00 a.m.-2:00 a.m. Friday-Sunday; and

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

WHEREAS, the applicant is clearly within 200’ of the Neighborhood Church on Bleecker Street, requiring denial of an On Premise license; and

THEREFORE, BE IT RESOLVED that CB#2, Man. strongly objects to the approval of an On Premise license to **K.K. Operation, Inc., d/b/a Isle, 282 Bleecker Street, NYC 10014.**

Vote: Unanimous, with 39 Board members in favor.

8. Papatzul, LLC, 55 Grand Street, NYC 10012

WHEREAS, the applicant appeared before the committee; and

WHEREAS, this application is for an On Premise license for a 1,200 s.f. Mexican/Mayan restaurant, in a mixed use building between West Broadway and Wooster Street, in the location previously licensed as La Jumelle, with 62 table seats and 1 bar with 8 seats; and

WHEREAS, the applicant stated that the hours of operation will be 11:00 a.m. – 12:00 a.m. Sunday-Thursday, 11:00 a.m. - 1:00 a.m. Friday and Saturday; music will be background only; no changes will be made to the basic floor plan of La Jumelle; and

WHEREAS, the applicant stated there are no plans for 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 **Papatzul, LLC, 55 Grand Street, NYC 10012.**

Vote: Unanimous, with 39 Board members in favor.

9. Healthy Village LLC, 401 6th Avenue, NYC 10014

WHEREAS, the applicant appeared before the committee; and

WHEREAS, this application is for transfer, pursuant to a corporate ownership change, of an On Premise license for a 2,600 s.f. Asian restaurant, in a commercial building between 8th Street and Waverly Place, operating as Gobo, with 60 table seats and no bar; and

WHEREAS, the applicant stated that the hours of operation are 11:30 a.m.–11:00 p.m.; music is background only; no changes will be made to the existing operation of Gobo; and

WHEREAS, the applicant stated there are no plans for 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 **Healthy Village LLC, 401 6th Avenue, NYC 10014.**

Vote: Unanimous, with 39 Board members in favor.

LANDMARKS AND PUBLIC AESTHETICS

1ST LANDMARKS MEETING

110 Greene St./123-125 Mercer St. – Application is to make repairs to facades of the buildings, relocate flagpoles, convert and/or legalize JLWQA on upper floors, & request modification from City Planning Commission for change of use.

WHEREAS, the proposal is to convert floors 9 through 12 in the 110 Greene St. building, and floors 6 to 13 in the Mercer St. buildings to Joint Living Work Quarters for Artists, and

WHEREAS, the proposal is logical since these floors, because of the height of the buildings, have lot line windows, which are protected by lot line easements from the adjoining buildings, so that the windows cannot be blocked at some later date, and

WHEREAS, the changes proposed for Greene St., which has a larger scale façade, are to drop the right hand door down to street level and recreate the first floor by installing or refurbishing three new full height doors and two with arched door tops, recreate the square window transom over the center door to match the two end ones, and paint the trim in dark green, and

WHEREAS, the four existing flagpoles in the façade will be replaced with 3 new flagpoles correctly installed and attached to the masonry higher up than presently, and the intention is to reduce the size of the flags to 5'9" x 9'6" in the same colors as at present, two for the building management and one for the retail store, and

WHEREAS, all the windows will be replaced or repaired as 6 over 6 windows with the same dark green trim, and

WHEREAS, the lighting on the Greene St. side will be replaced with a strip lighting fixture 2-1/2' wide across the façade to lend a smooth even light to the façade, and

WHEREAS, the detailing on the front of the Greene St. building will be retained or replaced to match the original except for the fan design which was not original, and

WHEREAS, on the Mercer St. side of the building, the wooden front and wood trim will be repaired, and

WHEREAS, the stone piers and tabature will be retained, and also the three cast iron piers and two wood piers under the tabature, and

WHEREAS, the roof area will be utilized for the required recreation space, with part of the roof space covered, but open on all sides, by a second recreation space, which will not really be visible because of the greater height of this building with shorter neighboring buildings,

THEREFORE, BE IT RESOLVED CB#2, Man. recommends approval of the work on 110 Greene St. and 123-125 Mercer St. but requests that the Landmarks Commission apply the usual size limitations on the banners as it has in other SoHo buildings.

Vote: Unanimous, with 39 Board members in favor.

Item 10 – 471 Sixth Ave. – Greenwich Village Historic District. A Greek Revival style rowhouse built in 1842. Application is to reconstruct the façade.

WHEREAS, the proposal is to remove the top projecting part of the façade and replace it with a new cornice, and

WHEREAS, the proposal is to raise the height of the new cornice to hide the existing air conditioning unit at the front of the building, and

WHEREAS, the applicant intends to replace or repair the windows with six over six windows with white trim, and

WHEREAS, the cornice proposed is of fiberglass, with a 6" overhang and in white, and

WHEREAS, the intention is to restore the brownstone where necessary, and

WHEREAS, it was pointed out that the profile and projection of the proposed cornice is incorrect, and the placement of the cornice is also wrong, and

WHEREAS, the proposed window frames do not have the usual molded edges common to this style building, and

WHEREAS, the arguments made for why the existing bricks could not be reused for repair work did not seem correct,

THEREFORE, BE IT RESOLVED that, although CB#2, Man. can recommend approval of the 6 over 6 windows and the white color, CB#2, Man. cannot recommend approval of the other elements of the plan, and requests that the Landmarks Commission send the applicant back to the Community Board after he takes into consideration the comments and suggestions made at the committee meeting.

Vote: Unanimous, with 39 Board members in favor.

2ND LANDMARKS MEETING

Item 27 – 16 Bank St. – Greenwich Village Historic District.

A Greek Revival style rowhouse built in 1844. Application is to alter garden fence & wall. (Waverly Inn.)

WHEREAS, the restaurant currently has a metal picket fence enclosing the rear yard from the sidewalk in the area between the rear wall of the restaurant and the adjoining property, and

WHEREAS, the proposal is to create an exit from the rear yard by moving a portion of the metal picket fence back 18” so that the gate can open without blocking the sidewalk and

WHEREAS, this change will not materially change the look of the property,

THEREFORE, BE IT RESOLVED CB#2, Man. recommends approval of this minor change for 16 Bank St.

Vote: Unanimous, with 39 Board members in favor.

Item 28 – 67 Horatio St. – Greenwich Village Historic District. A Greek Revival style house built in 1842. Application is to construct a rear addition & rooftop addition.

WHEREAS, the proposal is to remove the current 16’ partial addition on the first 2 floors and erect an 8’ addition across the total width of the building 3 stories high, and

WHEREAS, the new addition will have glass casement windows on all three floors, creating a mostly glass wall, and

WHEREAS, the applicant stated that, even with the rear yard extension, there will still be a 31’ yard, and

WHEREAS, the proposal also includes a rooftop addition set back 16’ from the front wall and 11’ from the side wall, which will extend 7’6” above the roof & 6’ above the cornice, and

WHEREAS, a fence will be installed behind the parapet, reducing the visibility of the rooftop addition, and

WHEREAS, CB#2, Man. has no objection to the rooftop addition or the fence proposed for the roof,

THEREFORE, BE IT RESOLVED CB#2, Man. feels that where a 2 story addition of the size proposed might be acceptable, the three story addition is too high, and

BE IT FURTHER RESOLVED CB#2, Man. opposes the amount of glass used on the rear façade addition and feels the proposal should be in a style more consistent with this 1842 building at 67 Horatio St.

Vote: Unanimous, with 39 Board members in favor.

Item 29 – 25 West 11 St. – Greenwich Village Historic District. A Greek Revival style rowhouse built in 1834. Application is to construct a rear yard addition.

WHEREAS, the proposal includes a renovation & cleanup of the building façade & new glass panels at the top of the front doors, and

WHEREAS, the rear façade proposal involves adding to the existing 18” addition on the building by 9’6”, making a 10’6’ addition on the garden level plus the next 2 stories, and

WHEREAS, the new windows on floors 2 and 3 will have 6 pane casement windows while the garden floor will have sliding glass windows, and

WHEREAS, the upper floors will be brick with mahogany trimmed windows, and

WHEREAS, this addition will create a rear facade with the garden floor extending out 18’, floors 2 and 3 extending out 10’ and the top floor unchanged, creating, instead of the flat facade usual for this style building, a wedding cake effect,

THEREFORE, BE IT RESOLVED CB#2, Man. recommends denial of the wedding cake rear façade, the sliding glass doors on the garden floor, and the stained mahogany trim on the upper floor windows.

Vote: Unanimous, with 39 Board members in favor.

Item 30 – 67 Bedford St. – Greenwich Village Historic District. A Greek Revival style rowhouse built in 1836-37. Application is to construct a rooftop bulkhead, enlarge masonry openings & replace windows.

WHEREAS, this application is to construct an 8' by 8' bulkhead on the roof for stairs from the floor below, and

WHEREAS, because of this bulkhead, the chimney must be extended, and

WHEREAS, the current iron fence on the roof will be continued around the roof, and

WHEREAS, the proposal is to change the present top floor windows on the front of the building to wood frame casement windows, and add a cornice below the windows, and

WHEREAS, it is also planned to change the top floor windows on the rear of the building to casement windows,

THEREFORE, BE IT RESOLVED CB#2, Man. recommends approval of the changes, despite some minor visibility of the bulkhead & chimney, but does not feel the proposed cornice is appropriate for this building.

Vote: Unanimous, with 39 Board members in favor.

Item 31 – 770 Broadway – NoHo Historic District. A neo-Renaissance style store & loft building designed by William C. Frohne & built in 1906-07. Application is to install new storefront infill & signage.

WHEREAS, this proposal by Bank of America involves replacing the first floor windows with slightly larger ones with the new granite baseboard lowered to approximately 13-15" high, and

WHEREAS, the proposed signage consists of one exterior sign of channel-lit letters over the main entrance, and

WHEREAS, the bulkhead planned for the bank does not match the bulkhead height on the adjacent storefronts,

THEREFORE, BE IT RESOLVED CB#2, Man. recommends denial and asks that the Landmarks Preservation Commission require a Master Plan for the ground floor facades of this important landmark building.

Vote: Unanimous.

Item 32 – 250 Mercer St. a/k/a 687-690 Broadway – NoHo Historic District. A neo-Grec style store building designed by J.A. Wood, built in 1885-88 & altered in 1978-79. Application is to replace granite sidewalk.

WHEREAS, the current sidewalk originally had bluestone on the Broadway side, with a brick sidewalk entry installed sometime in the past, and a granite sidewalk on the Mercer St. side of the building, and

WHEREAS, the proposal is to replace the deteriorating sidewalk with a new granite one, and

WHEREAS, the granite sidewalks are important elements of the historic district; and

WHEREAS, the committee did not have sufficient information to evaluate the possibility of restoration or repair of the existing sidewalk;

THEREFORE, BE IT RESOLVED that CB#2, Man. asks the Landmarks Preservation Commission to consider whether the sidewalk can be repaired, and if so, require repair instead of replacement.

Vote: Unanimous, with 39 Board members in favor.

Item 33 – 495 Broome St. – laid over.

Item 34 – 309 Canal St. – SoHo Cast Iron Historic District. A store building built in 1856 & extended in 1862. Application is to replace storefront infill.

Item 35 – Application is to request LPC to issue a report to CPC for modification of use.

WHEREAS, this building actually has three frontages—Canal St., Mercer St. & Howard St. – and is currently an almost vacant building with one residential tenant & 1 store, and

WHEREAS, on the Canal St. façade, in the space formerly occupied by Industrial Plastics, after removing part of the current façade it was found that much of the original columns still existed, and it is proposed to remove the covering façade and restore or repair these columns, and

WHEREAS, because the existing doors on Canal St. had been shortened because of the signage, the two doors on either end of the façade will be replaced with ones more to the original height and the two store windows between the doors will also be raised, and

WHEREAS, a new translucent transom will be installed between the columns along the whole Canal St. first floor façade, and a metal grilled bulkhead will be installed under the two windows, and the façade will be painted “foggy sheep” white, and

WHEREAS, on the Mercer St. façade the existing fire escape will be removed exposing the attractive façade, and

WHEREAS, necessary repairs will be done to the existing windows & façade, and the façade will remain red brick with “foggy sheep” white window trim, and

WHEREAS, on the first floor, the metal grilling will be removed & replaced with new fixed windows and the stone base under the windows will be cleaned & repaired, and

WHEREAS, the two end panels on the first floor will be replaced with retail store windows with the same metal grilled bulkheads as on Canal St., and

WHEREAS, on the Howard St. facade the upper floors will involve primarily a restoration of the existing windows, trim, and façade, with red brick & “foggy sheep” white trim, and

WHEREAS, the Howard St. first floor façade will be substantially rebuilt between the existing columns, with, from left to right, the first panel relatively untouched since it is in front of the existing elevator, the second panel changed to an entrance for the 17 residential units on the upper floors, the third narrow panel for an emergency exit from the upper floors, panels 4 & 6 as entries into the retail space, and panel 7 a store window, and

WHEREAS, the panels above the doors & store window will be used for signage, and the store window will have a metal grill bulkhead to match the others in the building,

THEREFORE, BE IT RESOLVED CB#2, Man. enthusiastically recommends approval of this major restoration of this important large building at 309 Canal St. and also approves the request for the Landmarks Preservation Commission’s letter to the City Planning Commission for the change of use.

Vote: Unanimous, with 39 Board members in favor.

74 Bank St. - previously heard. A Greek Revival rowhouse designed by Baldwin & Mills & built in 1842. Application is to construct a rooftop addition, alter the rear façade & excavate the rear yard.

WHEREAS, Community Board #2, at its first viewing of the plans for this building, had no problems with the front facade changes, but felt that the two-story glass façade at the rear of the building was totally inappropriate & recommended denial of this part of the application, and also expressed concern about the massive excavation planned for both the whole rear yard and the excavation under the cellar of the existing building, and

WHEREAS, the design for the rear façade has been somewhat modified with the second floor windows changed to more conventional windows with infill between, and

WHEREAS, the rooftop bulkhead has been raised and dormer installed at the rear of the building on part of the roof, and

WHEREAS, the proposal still includes excavation under the whole existing cellar, but the excavation in the rear yard has been cut back about 3 feet to accommodate the roots of an existing tree on the adjacent property, and

WHEREAS, the owner of one of the abutting buildings expressed concern about the safety of her building despite the assurances of the engineer who the applicant brought to our meeting,

THEREFORE, BE IT RESOLVED CB#2, Man. has no objection to the newly proposed 2nd floor windows at the rear facade, but still opposes the 1st floor windows (3 Committee Members ‘no’) and recommends denial of the new dormers while feeling that the bulkhead planned is much too high, and

BE IT FURTHER RESOLVED CB#2, Man. still has serious reservations about the massive excavation under this 1842 building at 74 Bank St, and the effect this might have on the adjacent buildings.

Vote: Unanimous, with 39 Board members in favor.

PARKS, RECREATION, OPEN SPACE & WATERFRONT

1. Vesuvio Playground

WHEREAS CB#2, Man. has previously resolved that the Parks Department ought to renovate the comfort station at Vesuvio Playground as part of the current renovation so that it can be handicapped-accessible; and

WHEREAS the Parks Department is ready to move forward with such a renovation if capital funds are made available; therefore be it

THEREFORE, BE IT RESOLVED that CB#2, Man. calls upon Council Speaker Quinn, Borough President Stringer, and/or Mayor Bloomberg to allocate an additional \$1 million towards the recently commenced Vesuvio Playground renovation during the 2006-2007 fiscal year so that the comfort station can be made handicapped-accessible.

Vote: Unanimous, with 39 Board members in favor

2. Arthur Strickler Memorial

WHEREAS Artie Strickler served the Village and SoHo communities for many years as a gay rights activist, Democratic District Leader, Chair of CB2, and District Manager for CB2; and

WHEREAS, on his block, he was known as the "Mayor of Bethune Street"; and

WHEREAS Artie Strickler worked closely with Arthur Schwartz to turn a traffic island on Hudson Street between Bank and Bethune Streets into a community garden; and

WHEREAS naming that garden after Arthur Strickler would be a fitting memorial for his years of service to the community; it is hereby

THEREFORE, BE IT RESOLVED that the Department of Transportation and/or the Parks Department name the garden on the west side of Hudson Street between Bank and Bethune Streets Arthur Strickler Triangle, and that an appropriate plaque be placed in the garden to commemorate Arthur Strickler’s life and contributions.

Vote: Unanimous, with 39 Board members in favor.

SIDEWALKS, PUBLIC FACILITIES AND ACCESS

1. New Applications by NYC Dept. of Information Technology & Telecommunications for Public Pay Telephone Installation at 21 Dominick Street. Application I.D. 67662.

WHEREAS, this location is on the S/W corner of Dominick and Varick Streets; and

WHEREAS, this corner is composed of broken and cracked sidewalk adjacent to a parking lot; and

WHEREAS, no one appeared before the committee; and

WHEREAS, the committee wanted to ask some questions of the applicant as to how they select these locations for consideration;

WHEREAS, these pay phones serve no purpose other than to attract garbage and graffiti;

THEREFORE BE IT RESOLVED, that CB#2, Man. recommends DENIAL of the application for a Public Pay Telephone at 21 Dominick Street to NYC Dept. of Information Technology & Telecommunications, and

asks that DOITT come to the Board to discuss the process of choosing sites for pay phones and look toward coordinating with the community for appropriate locations.

Vote: Unanimous, with 39 Board members in favor.

2. New Applications by NYC Dept. of Information, Technology & Telecommunications for Public Pay Telephone Installation at 256 Spring Street. Application I.D. 67632

WHEREAS, when this site was visited it was observed that a pay phone was already installed at 256 Spring Street; and

WHEREAS, the pay phone kiosk was stuffed with empty and dented beer cans, discarded paper bags, graffiti and empty soda bottles; and

WHEREAS, this double bank of phones appeared as the epitome of urban blight; and

WHEREAS, the committee was confused as to why they were being asked to approve the construction of a pay phone that was already in place; and

WHEREAS, no one appeared before the committee; and

WHEREAS, this phone kiosk is located on Spring Street between Varick and Hudson Streets; and

THEREFORE BE IT RESOLVED, that CB#2, Man. recommends DENIAL of the application for a Public Pay Telephone at 256 Spring Street to NYC Dept. of Information Technology & Telecommunications.

Vote: Unanimous, with 39 Board members in favor.

3. Application to NYCDOT for revocable consent for: new concrete and aluminum ramp, steps and canopy to provide accessible entry at 2 West 13th Street by the New School for Social Research.

WHEREAS, the architect appeared before the committee; and

WHEREAS, the reports and application are in order; and

WHEREAS, there was no community opposition; and

WHEREAS, the project will be completed in August of 2007; and

WHEREAS, the plan meets all ADA/NYC push/pull clearances; and

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL FOR REVOCABLE CONSENT to construct a new concrete and aluminum ramp, steps and canopy to provide accessible entry at 2 West 13th Street.

Vote: Unanimous, with 39 Board members in favor.

SIDEWALK CAFÉ RENEWAL APPLICATIONS

1. RENEWAL APPLICATION for 637 Hudson Café, Inc., d/b/a Café Bivio, 637 Hudson Street, New York, N.Y. 10014, for a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café with 8 tables and 16 seats. DCA # 1158471.

WHEREAS, the owner Daniel Emerman 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

WHEREAS, this restaurant is located on the NW corner of Hudson Street, between 13th Street and 12th Street; and

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL to 637 Hudson Café, Inc., d/b/a Café Bivio, 637 Hudson Street, New York, N.Y. 10014, for a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café with 8 tables and 16 seats. DCA # 1158471.

Vote: Unanimous, with 39 Board members in favor.

2. RENEWAL application for Monster Sushi Hudson, INC., d/b/a Monster Sushi, 535 Hudson Street, New York, N.Y. 10014, for a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café with 11 tables and 23 seats. DCA # 1109205.

WHEREAS, the Architect Steve Wygoda 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 to Monster Sushi Hudson, INC. d/b/a Monster Sushi, 535 Hudson Street, New York, N.Y. 10014, for a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café with 11 tables and 23 seats. DCA # 1109205.

Vote: Unanimous, with 39 Board members in favor.

3. RENEWAL application for Hairy Canary LLC, d/b/a Chick Inn, 420 Hudson Street, New York, N.Y. 10014, for a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café, with 14 tables and 36 seats. DCA # 1160577.

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, this restaurant is located on the NE corner of Hudson Street and Leroy 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 Hairy Canary LLC, d/b/a Chick Inn, 420 Hudson Street, New York, N.Y. 10014, with 14 tables and 36 seats. DCA # 1160577.

Vote: Unanimous, with 39 Board members in favor.

4. RENEWAL application for 7th & Barrow LLC, d/b/a/ Sushi Samba, 87 Seventh Ave. South, New York, New York 10014 for a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café, with 16 tables and 40 seats. DCA# 1080161.

WHEREAS, the manager and the attorney appeared before the committee; and

WHEREAS, there appeared a tenant and her mother who both reside in the building and complained about excessive noise from the rooftop, the inside restaurant and the sidewalk cafe; and

WHEREAS, the same residents also complained about the smell of fish from the garbage bags on the sidewalk after closing; and

WHEREAS, the same tenants complained about excessive noise and vibration from the restaurant's air conditioning units; and

WHEREAS, the manager Mr. Hayes has agreed not to seat anyone at the table next to the tenant's window after 9:30 P.M. and to steam clean the sidewalk every three weeks by professional cleaners, and also agreed to close the doors and the windows of the restaurant by 10:00 P.M. every night to lessen the noise affecting the tenants; and

WHEREAS, the manager has agreed to install vibration dampers on the A/C units as well as refrigeration compressors located on the roof; and

WHEREAS, both the tenant and the manager have agreed to try to meet once a month to address any differences they may have; and

WHEREAS, the restaurant's lease is due to expire in 2013; and

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café to 7th & Barrow LLC, d/b/a/ Sushi Samba, 87 Seventh Ave. South, New York, New York 10014, with 16 tables and 40 seats. DCA # 1080161.

Vote: Failed with 37 Board members in opposition and 2 Board members in favor.

5. RENEWAL application for Erjo Company, LLC, d/b/a Motsu, 285 Mott Street, New York, N.Y. 10012 for a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café with 9 tables and 18 seats. DCA # 0968091.

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, the restaurant is located at 285 Mott St. between East Houston Street and Prince Street; and

WHEREAS, the owner has furnished the committee with new architectural plans as requested by the board in 2004; and

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL for a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café to Erjo Company, LLC, d/b/a Motsu, 285 Mott Street, New York, N.Y. 10012 with 9 tables and 18 seats DCA # 0968091.

Vote: Unanimous, with 39 Board members in favor.

6. RENEWAL application for a Dynamic Music Corp., d/b/a Olive Tree Café, 117 MacDougal Street, New York, N.Y. 10012 for a TWO YEAR revocable consent to operate an Unenclosed Sidewalk with 3 tables and 6 seats. DCA # 0807555.

WHEREAS, the owner, Ava Harel 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 is located on MacDougal Street between Minetta Lane and W.3th Street; and

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unclosed sidewalk café to Dynamic Music Corp., d/b/a Olive Tree Café, 117 MacDougal Street, New York, N.Y. 10012, with 3 tables and 6 seats. DCA # 0807555.

Vote: Unanimous, with 39 Board members in favor.

7. RENEWAL application for a Silvestri, Inc., d/b/a Caffe Napoli, 191 Hester Street, New York, N.Y. 10013 for a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café with 26 tables and 47seats. DCA # 0956923.

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, this restaurant is located on the N/E corner of Mulberry and Hester Streets; and

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café to Silvestri, Inc., d/b/a Caffè Napoli, 191 Hester Street, New York, N.Y. 10013 with 26 tables and 47 seats. DCA # 0956923.

Vote: Unanimous, with 39 Board members in favor.

NEW APPLICATIONS FOR SIDEWALK CAFES:

1. NEW APPLICATION for revocable consent to operate an Unenclosed Sidewalk Café for Grand Italian Food Center LLC., 186 Grand Street, New York, N.Y. 10013 with 16 tables and 32 seats. DCA #1223194.

WHEREAS, the architect appeared before the committee; and

WHEREAS, this was an Italian Deli with a beer license; and

WHEREAS, there was no community opposition; and

WHEREAS, there was testimony from a resident and a member of the board that this operation is an improvement from the previous owner; and

WHEREAS, this operation will be completely in the Special Little Italy district; and

WHEREAS, this sidewalk café will wind around the N/W corner of Mulberry and Grand Streets; 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 Grand Italian Food Center LLC., 186 Grand Street, New York, N.Y. 10013 with 16 tables and 32 seats. DCA #1223194.

Vote: Passed, with 38 Board members in favor, and 1 recusal (J.M. Diaz).

2. NEW APPLICATION for revocable consent to operate an Unenclosed Sidewalk Cafe for Benito's Original Food Service Inc., 174 Mulberry Street, New York, N.Y. 10013, with 4 tables and 8 seats. DCA #1224320.

WHEREAS, this restaurant has been in existence for over 25 years; and

WHEREAS, there was no community opposition; and

WHEREAS, this restaurant is located along the Mulberry Street Mall Corridor which has several other sidewalk cafes; and

WHEREAS, there is sufficient passage for pedestrian safety; and

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

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café, to Benito's Original Food Service Inc., 174 Mulberry Street, New York, N.Y. 10013, with 4 tables and 8 seats. DCA #1224320.

Vote: Unanimous, with 39 Board members in favor.

3. NEW APPLICATION for revocable consent to operate an Unenclosed Sidewalk Cafe for Mesquite Forest Inc., d/b/a Brothers Barbecue, 225 Varick Street, New York, N.Y. 10014, with 16 tables and 52 seats. DCA #1224034.

WHEREAS, this is seen as an improvement in what is currently a dark, dismal and lonely street corner; and

WHEREAS, this proposed café appears to liven up and populate the streetscape; and

WHEREAS, there was no community opposition; and

WHEREAS, this is a commercial building with no residential buildings on its border lines; and

WHEREAS, the sidewalks are 20 feet wide; and

WHEREAS, the manager agreed to remove the planters outside the entrance to the restaurant; and

WHEREAS, the owner shared that he has just received a new 12 year lease; and

WHEREAS, they propose to eventually transform the barbecue style restaurant to a more upscale French Restaurant; and

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café, to Mesquite Forest Inc., d/b/a Brothers Barbecue, 225 Varick Street, New York, N.Y. 10014, with 16 tables and 52 seats. DCA #1224034.

Vote: Unanimous, with 39 Board members in favor.

4. NEW APPLICATION for a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café for LADL LLC., d/b/a Jack, 80 University Place, New York, N.Y. 10003, with 17 tables and 34 seats. DCA # 1226076.

WHEREAS, the applicant's architect sent certified notices to adjacent buildings; and

WHEREAS, there was no community opposition; and

WHEREAS, applicant agreed to reduce the sidewalk café by 3 tables and 6 chairs in response to the committee's request for a reduction as a good faith gesture; and

WHEREAS, this location was formerly the Lemongrass Grill a problem corner; and

WHEREAS, this restaurant is located in a commercial building; 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 LADL LLC., d/b/a Jack, 80 University Place, New York, N.Y. 10003, with 14 tables and 28 seats. DCA # 1226076.

Vote: This resolution was tabled and was sent back to committee.

4. NEW APPLICATION for a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café for Mouquinho Enterprises Inc., d/b/a P.J. Charlton, 549 Greenwich Street, New York, N.Y. 10013, with 15 tables and 33 seats. DCA # 1225847.

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

WHEREAS, this restaurant has been at this location for 26 years under the same ownership; and

WHEREAS, this is a dead end block with truck loading bays and platforms on all sides of the building; and

WHEREAS, the sidewalk café would be an improvement to what would otherwise be a very desolate and unfriendly corner at night; 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 Mouquinho Enterprises, Inc. d/b/a P.J. Charlton, 549 Greenwich Street, New York, N.Y. 10013, with 15 tables and 33 seats. DCA # 1225847.

Vote: Passed, with 38 Board members in favor, and 1 recusal (P. Mouquinho).

SOCIAL SERVICES, HOMELESS AND SENIOR SERVICES

Bowery Residents' Committee

WHEREAS, BRC serves men and women who are homeless, or at risk of becoming so, most of who suffer from mental illness, substance addiction or a combination, and

WHEREAS, BRC gives its clients the means to achieve permanent independence, and

WHEREAS, BRC helps these neediest New Yorkers overcome the challenges of addiction, physical and mental illness, and poverty, and improves life in the community, and

WHEREAS, BRC is dependent on its funding from private support and City contracts, and

THEREFOR BE IT RESOLVED, CB#2 – Manhattan supports the mission of the BRC, and

THEREFOR BE IT FURTHER RESPOLVED, CB#2 Manhattan encourages the continued funding of BRC with its City contracts and Private support.

Vote: Unanimous, with 39 Board members in favor.

TRAFFIC AND TRANSPORTATION

1. Support of Changing the Parking Regulations on Bowery between Houston and Prince Streets

WHEREAS, a local business, Bari Restaurant & Pizzeria Equipment Corp., located at 240 Bowery between Houston and Prince Streets, has requested that the parking regulations on its block be changed from “No standing, commercial truck loading and unloading” in order to provide one-hour parking on the block;

WHEREAS, a shortage of parking exists on this block; and

WHEREAS, allowing one-hour parking on this block would make the parking regulations consistent with other blocks along the Bowery that currently permit parking.

THEREFORE BE IT RESOLVED, that CB#2, Man., supports changing the parking regulations on the West Side of Bowery between Houston and Prince Streets from “No standing, commercial truck loading and unloading” to “One hour parking, 9 AM – 4 PM daily, except Sundays.”

Vote: Unanimous, with 39 Board members in favor.

2. Support of the Resolution by Community Board No. 3, Manhattan, Regarding the Abuse of Placard Parking Privileges in Chinatown.

WHEREAS, the abuse of NYC placard parking privileges in Chinatown is routine and pervasive and causing dangerous congestion in Chinatown.

THEREFORE BE IT RESOLVED, that CB#2, Man. supports the attached March 2006 resolution by Community Board No. 3, Manhattan, and urges immediate enforcement of existing laws concerning placard parking in Chinatown.

Vote: Unanimous, with 39 Board members in favor.

ZONING AND HOUSING

1. Support for Community Board #1 the Comprehensive Rezoning of North Tribeca

WHEREAS; Community Board #1 and Community Board #2 share a common border, And;

WHEREAS; Both community boards share common land use issues that do not respect community board boundaries, And;

WHEREAS; Community Board #1 has put forward a community based zoning plan with the support of the North Tribeca neighborhood, And;

WHEREAS; A private developer has proposed a rezoning in North Tribeca that is opposed by the community and Board #1, And;

WHEREAS; CB#2, Man. and our community have recently participated in and supported the Hudson Square rezoning, the West Village rezoning, and the text amendment to Section 74-712, And;

WHEREAS; CB#2, Man. has strongly supported community based zoning,

THEREFORE BE IT RESOLVED, At the invitation of Community Board #1, CB#2, Man. supports Board #1 in its efforts to put forward their community based zoning plan and we encourage City Planning to move forward on this plan as soon as possible, And;

THEREFORE BE IT FURTHER RESOLVED, That CB#2, Man. supports Community Board #1 in their position to reject the rezoning proposed by a private developer and to include these blocks in an overall comprehensive community based rezoning of North Tribeca.

Vote: Unanimous, with 39 Board members in favor.

2. 499 Broadway Block 484 Lot: 23 BSA Cal. No. 58-06-BZ Standards and Appeals variance application pursuant to Section 72-21 to permit the conversion of the first floor and cellar to commercial Use Group 6

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

WHEREAS, The applicant has offered to ban Eating and Drinking Establishments on the ground floor and has stated that only Use Group 6 retail stores will be allowed, And;

WHEREAS, Rent stabilized tenants of the building appeared before the committee and stated that they had no objections to this application providing that there will be no Eating and Drinking Establishments on the ground floor, And;

WHEREAS, The tenants of the building expressed concern that fire proofing on the first floor ceiling and around the fire stair may not be code compliant, And;

WHEREAS, The Architect for the applicant stated that the ground floor will be fully renovated including the fireproofing, that the façade will be fully renovated, and the building will be brought up to full building code compliance, And;

WHEREAS, Community members expressed concern that the main entry would be appropriate on Broadway, not on Mercer St. and this space should not be combined with ground floor space in adjoining buildings, And;

WHEREAS, The proposed usage is consistent and compatible with the other legal uses in this building and in the surrounding buildings and would have no adverse impacts on the neighborhood, And,

WHEREAS, If the applicant had submitted this application as a Special Permit, Community Board #2 is satisfied that the applicant could meet the requirements, And;

WHEREAS, The limited income from the rent stabilized tenants in the building provides a convincing argument for financial hardship,

THEREFORE BE IT RESOLVED, That CB#2, Man. is satisfied that the applicant has met the requirements for this application, And

BE IT FURTHER RESOLVED, that CB#2, Man. supports this application for a Board of Standards and Appeals variance for the conversion of the first floor and cellar to commercial Use Group 6 providing that will be no Eating and Drinking Establishment on the ground floor as stated by the applicant, that the space will be fully renovated and will be fully code compliant, that the main entry be on Broadway, not on Mercer St., and that this space should not be combined with ground floor space in adjoining buildings,

Vote: Passed, 37 with Board members in favor, and 2 in opposition.

NEW BUSINESS

Respectfully submitted,

Community Board #2, Manhattan