



■ February 15, 2007
 ■ 6:30 P.M.
 ■ St. Vincent’s Hospital, 170 W. 12th Street
 Cronin Auditorium, 10th Floor

■ Steve Ashkinazy, Keen Berger, Tobi Bergman, Carter Booth, Helene Burgess, Leonard Cecere, Maria Passannante Derr, Chair, Community Board #2, Manhattan (CB#2, Man.) John Diaz, Doris Diether, Sheelah Feinberg, Edward Gold, Jo Hamilton, Brad Hoylman, Susan Kent, Raymond Lee, Elizabeth Loeb, Edward Ma, Don MacPherson, Dr. John Maggio, Jason Mansfield, Rosemary McGrath, Rick Panson, Judy Paul, David Reck, Robert Rinaolo, Rocio Sanz, Arthur Z. Schwartz (1/2 present), Shirley Secunda, James Solomon, Richard Stewart, Sean Sweeney (1/2 present), Elaine Young
 ■ Lisa Cannistracci, Harriet Fields, Elizabeth Gilmore, Lawrence Goldberg, Arthur Harris, Anne Hearn, Don Lee, Christine Lindemann, Philip Mouquinho, Patrick Munson, Annie Vanrenterghem-Raven, Robert Riccobono, Shirley H. Smith, Wilbur Weder, Betty Williams, Carol Yankay

■ Mark Harvey, Michael Xu

■ Bob Gormley, District Manager

■ Erin Drinkwater, Congressman Jerrold Nadler’s office; Adam Riff, Senator Tom Duane’s office; Lee Grodin, Council Speaker Christine Quinn’s office; Gregory Brender, Assembly Member Deborah Glick’s office; Cindy Voorspuy, Council Member Alan Gerson’s office; John Fout, Council Member Rosie Mendez’s office; John Ricker, NYC Comptroller’s office; Rosemary Murray, Scott Morrison, Keith McNally, Jodi & Daniel Weber, Michael Bloomberg, Emily Brodsky, Ann W. Arlen, D. Fong, J. McNab, Jim Lane, Ian Dutton, Hunter Johansson, Michael Kramer, Myra Martin, Vicki Blaukenship, Edy Selman, John Czarnecki, Chisato Shimada, Lt. James Klewicki, David Lehmann, Michael Bloomberg, Frank Crapanzano, Jeffrey Raven, Leslie Weaver, Jonathan Greenberg



Meeting Date – February 15, 2007
 Board Members Present – 32
 Board Members Excused–14
 Board Members Absent - 2



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New York University

David Lehmann, from NYU Community Relations, spoke regarding upcoming events.

Village Alliance B.I.D. Event

Shirley Secunda invited everyone to a wine tasting event sponsored by the Village Alliance B.I.D.

Traffic

Ian Dutton spoke regarding traffic issues.

Traffic Light

Hunter Johansson spoke regarding a traffic light.

NYU Co-Generation Plant

Myra Martin, Mercer St. Block Assn., made an announcement regarding an upcoming meeting on this issue.

Gansevoort Hotel Signage

Michael Bloomberg spoke against the Gansevoort Hotel signage that has been erected.

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Morandi, LLC, 15 Charles St.

Jeffrey Raven and Leslie Weaver spoke regarding the sidewalk café proposal.

Frank Crapanzano spoke in favor of the proposed sidewalk café.

Jodi Weber and Jonathan Greenberg, spoke against the sidewalk café proposal.

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Erin Drinkwater, Congressman Jerrold Nadler's office

Adam Riff, Senator Tom Duane's office

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

John Ricker, NYC Comptroller's office

V ■

Adoption of November minutes, and distribution of December minutes.

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1. ■ Maria Passannante Derr reported

2. ■ Bob Gormley reported.

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■ The applicant appeared before the committee; and

This application is for transfer of an On Premise license, pursuant to purchase of Milano's, a small bar located in a 1750 s.f. premise in a mixed use building between Mott and Mulberry Streets, with 30 table seats with 1 bar with 17 seats; and

The applicant stated there are no plans to change current operations; hours of operation will be 8:00 a.m. – 4:00 a.m., seven days per week; there will not be a sidewalk café application; and

There are no complaints regarding the current operation and no one appeared in opposition from the community;

That CB#2, Man. has no objection to the approval of transfer of an On Premise license to

Vote: Unanimous, with 32 Board members in favor.

The applicant appeared before the committee; and,

This application is for an On Premise license for a white table cloth restaurant, with an internationally known chef, in the location previously licensed as Nolita's, and for decades before that as Patrissy's, in a 3300 s.f. premise in a mixed use building, with the entrance on Kenmare Street between Cleveland Place and Mulberry Street, with 160 table seats, 2 bars with 24 seats, and a maximum legal capacity of 249 persons; and

The applicant appeared before the committee in December with operating hours until 4 a.m. and a more lounge style seating arrangement on the basement floor; that application was denied by the committee and the Full Board of CB#2, Man.; the applicant has canvassed the area and changed the operating plan and application accordingly, hoping to fit in the neighborhood as a restaurant only, at a location that has been a restaurant for roughly 80 years; and

The applicant stated the hours of operation would be 8:00 a.m. – 1:00 a.m. Sunday-Wednesday and 8:00 a.m. – 2:00 a.m. Thursday-Saturday; in light of community concerns, applicant stipulated to reduce the hours for the ground level floor to 12:00 a.m. on weekdays and 1:00 a.m. on weekends; there will be a sidewalk café application but not a backyard garden; music will be background only; applicant and chef are contracted to purchase two residential units in the building, with applicant to live there as primary residence; and

Two members of the community appeared in opposition, citing potential noise and overcrowding issues, as well as the close proximity of other similar licensed establishments; and

The landlord, who appeared before the committee, agreed to stipulate that applicant's lease reflect restaurant use only;

That CB#2, Man. objects to the approval of an On Premise license to unless the conditions pertaining to hours of operations in the 4th above are incorporated in the Method of Operation on the SLA license application.

Vote: Passed, with 27 Board members in favor, 7 in opposition, and 2 abstentions.

The applicant appeared before the committee; and,

This application is for an On Premise license in a mixed use building on Christopher Street between Bedford and Bleecker, for a 504 s.f. restaurant, with 44 table seats and 1 service bar; and

The applicant stated there are no plans to change current operations; the applicant has been operating for 2 years with a Beer and Wine License and stated that the hours of operation are 12:00 p.m. – 12:00 a.m. Sunday-Thursday and 12:00 p.m. – 1:00 a.m. Friday and Saturday; the music is background only; there will be not be a sidewalk café application; and

There are no complaints regarding the current operation and no one appeared in opposition from the community; and

That CB#2, Man. has no objection to the approval of an On Premise license to

Vote: Unanimous, with 32 Board members in favor.

The applicant appeared before the committee; and,

This application is for an On Premise license in a commercial building, with the entrance on Prince Street between Crosby and Lafayette, for a 2,800 s.f. restaurant, with 54 table seats and 1 bar with 7 seats; and

The applicant stated there are no plans to change current operations; the applicant has been operating for 6 months with a Beer and Wine License and stated that the hours of operation are 10:00 a.m. – 10:00 p.m. Sunday, 10:00 a.m. – 12:00 a.m. Monday – Wednesday and 10:00 a.m. – 2:00 a.m. Thursday - Saturday; the music is D.J. and background; there will be not be a sidewalk café but currently operating with a tented garden; and

The applicant has agreed to reduce the garden hours to align with sidewalk café hours; and

There are no complaints regarding the current operation;

That CB#2, Man. has no objection to the approval of an On Premise license to

Vote: Unanimous, with 32 Board members in favor.

The applicant appeared before the committee; and,

This application is for alteration of an existing On Premise license in the premise known as Havana, a 600 s.f. premise with 50 table seats and 1 bar with 2 seats, located in a mixed use building on the corner of Christopher and Bleecker Streets to include the tented backyard area which has a max capacity of 30 seats; and

The applicant stated that the hours of operation will be 12 p.m. – 11 p.m. seven days per week; there will not be a sidewalk café application; and

There was concern from a member of the community regarding singing and noise; applicant stipulated to stop accommodating large groups or private parties in the backyard area and reduce the backyard hours to 10 p.m. on all days; and

Concern was raised by members of the committee regarding noise impact of backyard gardens and that the applicant has been operating in the backyard without an alteration to its license;

That CB#2, Man. recommends denial of the proposed alteration to the On Premise license of

Vote: Passed, with 27 Board members in favor, and 2 abstentions.

The applicant appeared before the committee; and,

This application is for alteration, pursuant to renovation and sale of the operation, of an existing Beer & Wine license in the premise known as Fratelli, a 2,000 s.f. premise located in a mixed use building with the entrance on Mulberry Street between Canal and Hester Streets with 42 table seats and 1 bar with 10 seats; the premise will continue to be an Italian restaurant in the tradition of Mulberry Street; and

The applicant stated that the hours of operation will be 11 a.m. – 2 a.m. seven days per week; there will not be a sidewalk café application nor a backyard garden; and

There are no complaints regarding the current operation and no one appeared in opposition from the community;

That CB#2, Man. has no objection to the approval of the alteration of the Beer & Wine license of

Vote: Unanimous, with 32 Board members in favor.

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

This application is for an On Premise liquor license;

That CB#2, Man. strongly recommends denial of an On Premise liquor license to [REDACTED]

Vote: Unanimous, with 32 Board members in favor.

[REDACTED]

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

This application is for an On Premise liquor license;

That CB#2, Man. strongly recommends denial of an On Premise liquor license to [REDACTED]

Vote: Unanimous, with 32 Board members in favor.

[REDACTED]

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

This application is for an On Premise liquor license;

That CB#2, Man. strongly recommends denial of an On Premise liquor license to [REDACTED]

Vote: Unanimous, with 32 Board members in favor.

[REDACTED]

The applicant failed to appear before the committee or request a layover of consideration of the application to the next hearing;

This application is for an On Premise liquor license;

That CB#2, Man. strongly recommends denial of an On Premise liquor license to [REDACTED]

Vote: Unanimous, with 32 Board members in favor.

[REDACTED]

[REDACTED]

PREFACE

WHEREAS, the Dept. of Sanitation of NY (“DSNY”) did not bring this project to Community Board 2 (“CB#2, Man.”) and, therefore, CB#2, Man. has not had an opportunity to perform its required advisory function, which must be completed prior to commencement of work on an environmental impact statement; and

WHEREAS, in 1999, DSNY did come to CB#2, Man. with a proposal for a facility at Spring Street which was approved by CB#2, Man., but this proposal was only for an open parking area for DSNY trucks and did not include a multi-story garage, did not include any facility for District 5 trucks, did not include a truck washing facility, and did not include a salt storage facility;

THEREFORE, it is resolved that CB#2, Man. objects to continuation of the scoping process at this time and requests that DSNY suspend all work on this project, including the Environmental Impact Statement scoping until CB#2, Man. has had the opportunity to review and act upon the proposal.

WHEREAS, the Environment Committee of CB#2, Man. held a public hearing and discussed and studied

with members of the community the Dept. of Sanitation's Draft Scoping Document for a proposal to build a consolidated Sanitation garage for community boards 1, 2, and 5, for storage of garbage and recycling trucks and other equipment and incorporating a municipal fueling facility, truck-washing facility, and salt storage facility; and

WHEREAS, the need for Sanitation parking has arisen because the City is required by consent order, pursuant to the Hudson River Park Act, to remove its Sanitation equipment from Gansevoort Peninsula in order that Hudson River Park may be developed there; and

WHEREAS, in February 1999, CB#2, Man. agreed to the placement of a Sanitation parking facility for District 1 in an open air lot on the United Parcel Service site at Spring and Washington Streets, in exchange for the Department's removal from Gansevoort Peninsula; and

WHEREAS, at that time CB#4, Man. accepted the burden of trucks from 2 districts, in order to clear the Peninsula for a park, in exchange for CB#2, Man.'s agreement that CB#4, Man. shall have an equal share with CB#2, Man. in planning, programming and designing for this site just south of the boundary between the two districts; and

WHEREAS, a plan for placing two districts' Sanitation garages in CB#4, Man. was incorporated into the rezoning for Hudson Yards, and was approved by CB 4, City Planning Commission and the City Council in 2004 and 2005; and

WHEREAS, the EIS for the Hudson Yards Rezoning (Appendix X, page X-9) rejects the UPS site as an Alternative, saying it "would result in significant adverse [air quality] impacts":

THEREFORE BE IT RESOLVED that, given that a plan for placing two districts' Sanitation garages in Community Board 4 Manhattan was incorporated into Hudson Yards Rezoning, and approved by CB 4, City Planning Commission and the City Council in 2004 and 2005, which satisfies the consent decree and the CB 4 component of our 1999 agreement, CB#2, Man. finds that the need for Department of Sanitation's proposed consolidated sanitation garage has not been demonstrated; and

BE IT FURTHER RESOLVED that CB#2, Man. has discussed and studied the Dept. of Sanitation's Draft Scoping Document for their proposed consolidated sanitation garage for garbage trucks, recycling trucks and other equipment for Community Boards 1, 2, and 5, with added truck-washing facility, municipal fueling facility and salt storage facility, and includes below its Scoping questions and comments related to the environmental health and safety of the project; and

BE IT FINALLY RESOLVED that CB#2, Man. agrees with the February 2007 resolution of CB#1, Man., that the lead agency should be another City agency and not the Department of Sanitation (DSNY).

Vote: Unanimous, with 32 Board members in favor.

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■ SoHo Cast Iron Historic District A residence built in 1822-1823. Application is to install new storefront infill.

■ The Landmarks Preservation Commission's publication "The Certificate of Appropriateness Public Hearing: Information for Applicants" states that "Applicants are strongly encouraged to contact the Community Board to arrange for review of the proposal before the Public Hearing," and

■ The applicant failed to appear before the Community Board Committee, nor were we contacted for an adjournment, and

■ Members of the CB#2, Man.'s Landmarks and Aesthetics Committee expressed strong concern that the unique characteristics of this 1822-23 historic residence be restored and maintained in its original historic condition,

■ CB#2, Man. recommends denial of this application for 423 Broadway in the absence of this important step in the review process.

Vote: Unanimous, with 32 Board members in favor.

■ SoHo Cast Iron Historic District An Italianate style factory and store building built in 1860. Application is to install new storefront infill and restore existing stairway.

■The applicant failed to bring the existing 1938 tax photo for the subject premises, or any other evidence of its prior historic condition, it is impossible for the Committee to determine whether the proposed work is consistent with such prior historic condition, and

■Although the building has a number of violations which the landlord has been directed to remove, neither the landlord nor a representative appeared before the Committee, and the sole appearance was a contractor retained by a prospective commercial tenant of a portion of the first floor who could only present a plan for work to be done relating to space to be leased by that commercial tenant, and

■The Committee does not have before it a comprehensive plan for the removal of existing violations and/or the restoration of the subject premises to its historic condition, and

■The Committee strongly agrees with the proposal of the prospective tenant's contractor that the existing roll-down gates be removed and that the cast iron elements of the building be restored, such contractor could only speculate as to whether the landlord would do such work with respect to the remainder of the building, and

■The prospective tenant's contractor presented a plan and schematics for the renovation of a portion of the first floor of the subject premises, no sample of the materials to be used was presented and the Committee was provided with no detail as to the signage and lighting to be used at this site, and

■The prospective tenant's contractor stated that the historic brick entrance archway was to be partially saved but that the top half was to be removed and replaced with glass,

■That given the incomplete application and lack of a comprehensive plan CB#2, Man. is forced to object to the application as it currently exists and requests that the applicant return to the Committee with such comprehensive plan.

Vote: Unanimous, with 32 Board members in favor.

■Application is to install a through-the-wall air conditioning unit with the only the venting grill exposed to public view.

■The subject premises is a non-contributing apartment building will no discernable landmark significance at this time, and

■The Applicant was previously scheduled to appear before the Committee on a date when the meeting was cancelled, and

■Committee members familiar with the subject premises noted that there are a number of through-the-wall air conditioners which do not detract from the historical significance of the building or area,

■CB#2, Man. does not object to the application to install a through-the-wall air conditioner at 11 Charlton Street.

Vote: Unanimous, with 32 Board members in favor.

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WHEREAS, the Department of Sanitation of New York ("DSNY") did not bring this project to Community Board 2 ("CB#2, Man.") and, therefore, CB#2, Man. has not had an opportunity to perform its required advisory function, which must be completed prior to commencement of work on an environmental impact statement; and

WHEREAS, in 1999, DSNY did come to CB#2, Man. with a proposal for a facility at Spring Street which was approved by CB#2, Man., but this proposal was only for an open parking area for DSNY trucks and did not include a multi-story garage, did not include any facility for District 5 trucks, did not include a truck washing facility, and did not include a salt storage facility;

THEREFORE, it is resolved that CB#2, Man. objects to continuation of the scoping process at this time and requests that DSNY suspend all work on this project, including the Environmental Impact Statement scoping until CB 2 has had the opportunity to review and act upon the proposal.

■

1. Getting the sanitation uses off of the Gansevoort Peninsula is of tremendous importance to the communities served by both CB#2, Man. and CB#4, Man., and plans and promises to do that should not be deterred by ill-considered proposals to relocate the trucks and salt presently on the Gansevoort Peninsula.
2. In 1999, after negotiations between the Department of Sanitation, CB#2, Man. and CB#4, Man.,
 - (a) DOS expressed a willingness to leave Gansevoort and move its trucks to other locations,
 - (b) CB#2, Man. agreed to accept the option of an open-air parking lot for Sanitation District 1 trucks at the UPS site at Spring and Washing Sts. and to the maintenance of a DOS facility at Canal and Spring Sts., and
 - (c) CB#4, Man. agreed to accept trucks for two additional sanitation districts at a site located between 29th and 30th St. and 11th and 12th Aves.
3. The City has done an EIS for placement of a Sanitation truck parking facility for the West 29th/30th St. site for the parking of Sanitation District 2 and District 5 trucks.
4. CB4, again, in 2004, agreed to the placement of a Sanitation parking facility at the 29th/30th St. site.
5. CB4 has also, recently, agreed to the study of placement of a solid waste transfer facility on Pier 76 in order to get such uses off the Gansevoort Peninsula and Pier 97 (at 57th St.).
6. Impact on Hudson River Park are not sufficiently addressed in the scope of the EIS for the proposed DOS facility at Spring and Washington Sts.

■ That the EIS for the proposed DOS facility at Spring Street discuss the following:

1. The reasons why the already approved site at 29th/30th St. is not being utilized.
2. The feasibility of utilizing a portion of Pier 76 both as a DOS parking and storage facility and as a waste transfer facility location.
3. The impact of the proposed facility on the ability of pedestrians to cross Route 9A to get to Hudson River Park, smells in Hudson River Park and Canal Street Park, and the rodent population in Hudson River Park and Canal Street Park.

Vote: Unanimous, with 32 Board members in favor.

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■ The owner's representative appeared before the committee; and

■ This establishment serves beer and wine only; and

■ Tenant of the building appeared before the committee and expressed concern for the blocking of the fire escape drop down ladder; and

■ The owners rep showed the plans and how the café would avoid the path of the drop down ladder; and

■ The tenant also expressed concern about noise emanating from a rear courtyard window; and

■ The owners rep agreed to address this issue as well as to reaffirm he would not violate his legal hours of operation;

■ That CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an UNENCLOSED SIDEWALK CAFE to Café Vetro, Inc., d/b/a Epistrophe Café, 200 Mott Street, NY, NY 10013 with 6 tables and 12 seats. DCA 1245908.

Vote: Unanimous, with 32 Board members in favor.

The area was posted and the owner, Keith McNally, appeared before the committee; and

Some tenants from the building also showed up to protest the application; and

The committee heard individual concerns from a number of opponents about the size and the nature (more of a bar than a restaurant) of the sidewalk café; and

Some tenants expressed a fear that the sidewalk would be too congested and might not provide the legal clearance for passage; and

The applicant provided detailed plans satisfying legal requirements for adequate pedestrian passage; and

The applicant reduced his original request for 31 tables and 62 seats to 19 tables and 38 chairs at the request of the committee; and

Long-time member of CB#2, Man., testified as to Mr. McNally’s long history as a responsible restaurant operator; and

The committee also heard individual testimony from a number of tenants in support of the café and as to the good reputation and history of the owner; and

The owner negotiated an agreement and made concessions to the condo board of this building; and

The owner made further concessions to Annie Raven who is a member of CB#2, Man. and a tenant of the building; and

These concessions entailed having a doorman at all times to minimize noise and sidewalk congestion; and

We also agreed with members of the community to accept deliveries of provisions and pickup of garbage on the 7th Ave. South side of the building to limit noise and activity on Charles and Waverly Place; and

The applicant agreed to the following:

- Morandi will have a Waverly Place address;
- Morandi will ensure that tables/chairs do not swing into sidewalk circulation area. We will not proscribe a specific strategy, but they could possibly include a barrier to stop people from pulling chairs into the passage;
- Morandi will place a doorman outside the restaurant in order to help direct traffic and keep the noise down;
- Morandi will work with CB#2, Man. to obtain a sign against horns;
- Mr. McNally will meet with local residents if problems arise; and
- Mr. McNally will ensure 8 feet of “passable sidewalk” and will limit the rows of tables to two at the intersection with Charles St., where the Waverly Pl. sidewalk is most narrow.

That CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café to Morandi, LLC, d/b/a/ Bar Vieri, 15 Charles Street, NY, NY 10014 with 19 tables and 38 seats. DCA 1247038.

Vote: Unanimous, with 32 Board members in favor.

[REDACTED]

The area was posted and the owner’s representative appeared before the committee; and

There was no changes to the existing plans; and

The café has been at this location for many years; and

There was no community opposition; and

There is sufficient passage for pedestrians;

That CB#2, Man. recommends APPROVAL to A.C.A. 110 Mulberry Inc., d/b/a La Bella Ferrara, 110 Mulberry Street, NY, NY 10013 with 6 tables and 12 seats. DCA # 0787968.

Vote: Unanimous, with 32 Board members in favor.

1

1

The street fair permit applications listed below are applications for renewals; and

There was no community opposition to such applications;

That CB#2, Man., supports the street fair permit applications on the dates and at the locations listed below:

(multi day) St. Patrick's Old Cathedral, Prince bet. Mott & Mulberry;

(multi-day) St. Anthony's Church, W. Houston bet. Sullivan, Thompson & Macdougall;

(multi-day) Our Lady of Pompeii Church, Bleecker (south side) bet. Carmine & Leroy;

St. Joseph's School, Washington Pl. bet. 6th Ave. & Macdougall;

(multi-block) Waverly Block Assn., Waverly Pl. bet. Christopher & Macdougall Sts.;

(multi-block) Friends of Jackson Square, Greenwich Ave. bet. 6th & 7th Aves.;

(multi-block) Friends of La Guardia Pl., La Guardia Pl. bet. W. 4th & Houston Sts.;

(multi-block) Bailey House, Christopher St. bet. Greenwich & 7th Ave. So.; and

9th Precinct Community Council, Astor Pl. bet. Broadway & Lafayette St.

Vote: Unanimous, with 32 Board members in favor.

2

The applicant (the "Applicant") of the multi-block street fair permit application for April 14, 2007 is Delta Phi Fraternity, a social fraternity at NYU; and

Applicant attested to the fact that it pursues charitable efforts to benefit the local community, such as assisting with the "meals on wheels" program; and

The Community Board wants to ensure that the entire proceeds from Applicant's street fair benefit the local community and are not used for Applicant's general operating expenses.

That CB#2, Man., opposes Delta Phi Fraternity's application for a multi-block street fair on April 14, 2007 on 4th St. bet. Lafayette St. & Washington Square East, unless the Applicant provides a letter to the Community Board indicating that all of the proceeds from Applicant's street fair will be used towards charitable efforts to benefit the local community and specifying the nature of such efforts.

Vote: Unanimous, with 32 Board members in favor.

3

The Sierra Club ("Applicant") is a nonprofit organization that engages in many worthwhile activities; however, according to Applicant, none of such activities are for the specific benefit of the CB#2, Man. area; and

This year Applicant has requested its street fair be moved from Waverly Place between University Pl. and Broadway, where it has been held in previous years, to Broadway; and

The Community Board strongly objects to street fairs on Broadway because of the excessive and dangerous levels of traffic and pedestrian congestion in this area on weekends, a situation that will only be exacerbated by the addition of Applicant's multi-block street fair.

That CB#2, Man. strongly opposes the Sierra Club's application for a multi-block street fair on April 22, 2007 on Broadway between W. Houston and Grand Streets.

Vote: Unanimous, with 32 Board members in favor.

4

The applicant (the "Applicant") is applying for the renewal of a multi-block street fair on April 28, 2007 on University Place between Waverly Place and 14th Street; and

Representatives of the local community, including residents and the local business improvement district, have stated that the fair is too long and has a detrimental impact on local merchants and quality of life; and

Applicant has agreed to shorten the length of its street fair by two blocks;

That CB#2, Man., opposes the Police Athletic League's application for a multiblock street fair on April 28, 2007 unless the applicant's street fair is shortened by two blocks to extend on University from 8th Street to 13th Street, rather than from Waverly Place and 14th Street.

Vote: Unanimous, with 32 Board members in favor.

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WHEREAS, the Department of Sanitation of New York ("DSNY") did not bring this project to Community Board 2 ("CB#2, Man.") and, therefore, CB#2, Man. has not had an opportunity to perform its required advisory function, which must be completed prior to commencement of work on an environmental impact statement; and

WHEREAS, in 1999, DSNY did come to CB#2, Man. with a proposal for a facility at Spring Street which was approved by CB#2, Man. but this proposal was only for an open parking area for DSNY trucks and did not include a multi-story garage, did not include any facility for District 5 trucks, did not include a truck washing facility, and did not include a salt storage facility; and

THEREFORE, it is resolved that CB#2, Man. objects to continuation of the scoping process at this time and requests that DSNY suspend all work on this project, including the Environmental Impact Statement scoping until CB 2 has had the opportunity to review and act upon the proposal.

DSNY appeared before the Community Board 2, Manhattan (CB#2, Man.) Traffic & Transportation Committee to give an overview of its proposed sanitation garage and related facilities project and to discuss and answer questions about the project's Final Scoping Document (which CB#2, Man. has reviewed), as well as to solicit comments on and additional items to include in the Final Scoping Document; and

On November 22, 2004, the City Planning Commission approved ten ULURP actions to rezone Hudson Yards (Calendar Item C-040407 MMM) and on January 19, 2005, the City Council voted to adopt the ULURP applications for the Hudson Yards proposal, including action C 040501 PCM for site selection and acquisition of property bounded by West 29th and West 30th streets and Eleventh and Twelfth Avenues (Block 675) for use as a sanitation garage and tow pound facility to accommodate a DSNY garage for District 2 and District 5, allowing for the relocation of these uses from within the Hudson River Park; and

As part of this ULURP process, CB#4, Man. had voted 30-0 with no abstentions on August 24, 2004 to accept the ULURP plan and sanitation garage conditioned on community input during the design process to ensure a safe and high quality environment in the surrounding area and the removal of all CB#2, Man.'s

truck from the Gansevoort peninsula to enable its inclusion in the Hudson River Park, *which was the project's original purpose and need*; and,

■ The *CEQR Technical Manual*, Chapter 2B-200 indicates that the scope of a project without a specific location should be based on this *purpose and need*, to define an unbiased range of alternatives to be analyzed in the EIS; and

■ DSNY has now paired the Gansevoort relocation with a new plan and their preferred alternative is to build a consolidated facility that merges three districts (CBs 1, 2 and 5M), and includes a garage, a fueling depot, fuel storage and washing facility, and salt storage in three different buildings around one location adjacent to residential communities with no buffering; and

■ Refining and limiting the *purpose and need* of the proposed action to building the proposed consolidated facility compromises the development of a full range of alternatives to be objectively analyzed in a Generic Environmental Impact Statement, and

■ *Criteria for the Location of City Facilities (Fair Share Criteria)*, Article 6.1(c) indicates that “To lessen local impacts and increase broad distribution of facilities, the new facility should not exceed the minimum size necessary to achieve...delivery of services,” and development of an equitable fair share distribution and alternate site analyses is critical because of the significant impacts from the traffic, air quality and public health concerns of the consolidated plan; and

■ More and more initiatives to promote waste prevention and reduction are anticipated in the upcoming years, such as improved recycling through enhanced source separation, which will reduce the volume of waste and lessen the need for larger facilities; and

■ Excessive parking requirements to accommodate employees can be reduced through incentives to use mass transit and through fees for parking small vehicles (both employee cars and trucks), as in other municipalities, thereby requiring smaller facilities; and

■ Petition with just short of 300 signatures and over 65 letters were submitted to CB#2, Man. objecting to the elimination of a parking facility in connection with the proposal, which would lead to the loss of over 400 spaces, thereby causing additional congestion, which would compromise pedestrian safety and increase toxic emissions; and

■ The projected cost of the facility is not known, but it has been acknowledged that real estate costs will be very expensive, that there has been no acquisition of the proposed sites and that negotiations will be intensive;

■ That CB#2, Man. strongly urges DSNY to revisit the already approved FGEIS which found the property bounded by West 29th and West 30th Streets and Eleventh and Twelfth Avenues (Block 675) to be eminently suitable and to have no significant impacts as the housing for all CB 2M's trucks that are to be removed from the Gansevoort Peninsula, and that was already approved and mapped through the ULURP process (instead of returning to square one and conducting an unnecessary, costly and flawed EIS procedure); and

■ That CB#2, Man. also urges DSNY to return to its original plan for relocating all CB 2M's trucks that are to be removed from the Gansevoort Peninsula, in addition to relocating the CB#5- Man. Sanitation Facilities to the approved Block 675 location; and

■ That should DSNY still see the necessity to conduct an EIS, CB2M asks that DSNY give a full explanation of why they are starting from scratch, and urges

1. That this document be generic and base its scope on the *purpose and need* of the original project (relocating trucks from Gansevoort Peninsula) and in keeping with the *CEQR Technical Manual*, define an unbiased range of alternatives to be analyzed;
2. That following Fair Share precepts, every attempt should be made to keep the facility limited to a small site (and distribute other small facilities equitably elsewhere), to ensure community health, safety, welfare and well-being as opposed to expediency.
3. That detailed construction and property cost estimates from both the Block 675 site and the newly proposed Spring Street, Canal Street, West Street, West Houston Street, Washington Street, Greenwich Street and Clarkson Street be provided.
4. That the Scope include projections of reforms, such as anticipated waste reduction and improved recycling through enhanced source separation, and new policies including fees and incentives to promote transit use (as well as the items recommended by the Zoning, Environment, Parks Waterfront and Open Space Committees.

Vote: Unanimous, with 32 Board members in favor.

PREFACE

WHEREAS, the Department of Sanitation of New York (“DSNY”) did not bring this project to Community Board 2 (“CB#2., Man.”) and, therefore, CB#2, Man. has not had an opportunity to perform its required advisory function, which must be completed prior to commencement of work on an environmental impact statement; and

WHEREAS, in 1999, DSNY did come to CB#2, Man. with a proposal for a facility at Spring Street which was approved by CB#2, Man., but this proposal was only for an open parking area for DSNY trucks and did not include a multi-story garage, did not include any facility for District 5 trucks, did not include a truck washing facility, and did not include a salt storage facility; and

THEREFORE, it is resolved that CB#2, Man. objects to continuation of the scoping process at this time and requests that DSNY suspend all work on this project, including the Environmental Impact Statement scoping until CB 2 has had the opportunity to review and act upon the proposal.

The Draft Scoping Document was studied, the Feb. 8 meeting was a Public Hearing, and the Zoning Committee broke its responses down to four major areas of concern, feeling that these additional items should be considered for the Final Scoping Document, with either mitigation measures proposed, or suggestions for alternate sites if there were not adequate mitigation measures possible (CB#2, Man. will also be responding to the Final Scoping Document, and there are two or more items which will require approval by the City Planning Commission which will also be coming back to CB#2, Man. for recommendation.)

What effect will the combined move of facilities at Gansevoort Peninsula and the addition of facilities for CB#1 and CB#5 have on traffic volume in this area?

A detailed map of the routes taken by the equipment and where these routes interact with the current local traffic is needed.

There was nothing in the Draft document about the impact on current parking by the elimination of the existing garage at Clarkson St.

The Draft report anticipates 98 parking spaces for employees. Will none of these people be using subways or local transportation? Why?

The traffic study hours in the Draft report are not logical. Peak traffic is not on Tuesday through Thursday as projected in the Draft report. Hours should also include 6 to 9 AM and 3 to 6 PM and Fridays and probably Monday since those are the times the additional truck and car traffic from the facility will be impacting local traffic. The following additional streets were also suggested for inclusion: Canal St., Houston St. and Clarkson St. from 6th Ave. to the West Side; Varick St. from Houston St. to Canal S.; Hudson St. & Washington St. from Clarkson to Laight St.; the additional traffic on Broome St. & Canal St. to the Holland Tunnel, and traffic on the West Side Highway from Chamber St. to 14th St.

It is not clear whether the “Highway Capacity Manual” includes both cars and trucks,

There should be an offsite parking analysis, especially since so many employees will be driving and one parking facility is being eliminated.

Employee car trips should be added into the analysis of truck trips, with the impact on local traffic. Also, there is no analysis of the possibility of car-pooling.

With the amount of additional traffic, a Mobile Source Analysis is needed.

What are the total number & types of vehicles on site – Sanitation, worker’s cars, U.P.S.?

What are the hours of the truck trips? Are most of them off-peak?

What will be the effect on the M-21 bus route that uses Greenwich St. and Spring St.?

Since the plan is to consolidate facilities, why are there separate mechanical areas for each district? By using just one area for all mechanical work, could the ceiling heights on the other floors be lower?

There should be an analysis of not just the one parking site being lost by this plan, but also the loss of parking spaces which has already occurred by the new construction in the area.

What will be the economic impact of the area, which is becoming more residential, of the sanitation facility with its additional traffic and the loss in local parking?

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The report should detail which of the materials are flammable.

Where are each of these stored and what protection is provided?

How is the waste oil disposed of?

What is done about spillage – fuels, salt, and other materials?

What happens to the wastewater from truck washing? What options are available?

Re: the underground storage sites given in the CPC zoning book, have you analyzed what impact there might be from construction and the traffic?

Are there other sites that might contain contamination?

Since there is ground water on the site, how is this protected from contamination?

Have you considered Compressed Natural Gas or other less toxic fuels? Why are they not feasible?

Since we have been told other city vehicles use the Sanitation gas stations, is there a comprehensive plan for use of fuel by other city agencies?

How often are the fuels replenished? What is the procedure and how is it protected?

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What is the anticipated impact on sewage amounts, since this area already has a problem with overflow of sewage on occasion?

Is there dust from the salt loading, and how is it contained?

There should be an analysis of the additional fumes from trucks and cars used for the facility on the air quality in the area.

The analysis of fumes and environmental concerns should include all 3 sites, not just the main building.

There should be an analysis of ambient noise levels and decibel levels in the area since empty trucks are noisier than cars.

Nothing has been said about the current Incinerator Tower at Gansevoort. Will it stay and still be used and for what?

What will be the impact on electric and water use in the area? We have had some Con Ed blackouts.

Regarding the Holland Tunnel – what effect will the facility have on traffic for the Tunnel and what will be done to protect the Tunnel from impact if there was a fuel fire, explosion, or substantial leakage?

Since the Ventilator Shaft for the Tunnel is adjacent to your facility, what protection will be instituted to prevent damage to the Shaft or to its uses?

Regarding Homeland Security, has the agency been contacted, and what were its comments?

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The report should indicate the locations of all community facilities in the area.

The location of residential uses in the area should also be indicated, including the new additions and contemplated buildings in our area and also across Canal St. in Community Board #1.

What effect will the construction have on landmark buildings in the area, including the ones across Canal St., which were cited in our questions, and the buildings just listed for new designation?

What effect will this have on the Van Dam view corridor?

Will there be pile driving, and if so, how will this affect the surrounding buildings, many of which date back a century?

Since you are in the flood plane, how will this affect the adjacent buildings and what protection methods will you be using for them?

Will garbage be stored on the site? If so, how much, how often, how long?

Will the project seek Landmarks approval since it is adjacent to many landmark buildings and close to a landmark area?

What effect will the project have on property values in the area? Owners of the new condo and co-op units are concerned that, if they have to move, they will not be able to sell their property without a substantial loss.

What effect will the project have on the Canal St. Park and Hudson River Park – access, fumes, noise, safety for small children?

Has any check been made for the possibility of artifacts on the site?

Is any dewatering contemplated, and what effect would this have on adjacent properties?

This area is also in the Hurricane Evacuation Zone. What provisions have been made for handling this possible calamity?

Besides the impact above Canal St. in CB#2, has there been any analysis of the effect on North Tribeca that is in the process of being rezoned?

These concerns came out of analyzing the Draft Scoping Document and the Public Meeting held by the Zoning Committee on Feb. 8,

CB#2, Man. recommends that these concerns be addressed in the Final Scoping Document with remedial measures, if any are possible, and if not, the location of alternative sites for the facility where these concerns would not be issues.

Vote: Unanimous, with 32 Board members in favor.

V

Respectfully submitted,

Jo Hamilton
Secretary
Community Board #2, Manhattan