

## FULL BOARD MINUTES

**DATE:** May 24, 2007  
**TIME:** 6:30 P.M.  
**PLACE:** St. Vincent's Hospital, 170 W. 12<sup>th</sup> Street  
Cronin Auditorium

**BOARD MEMBERS PRESENT:** Keen Berger, Tobi Bergman, Carter Booth, Sigrid Burton, Lisa Cannistracci, Leonard Cecere, Maria Passannante Derr, Chair, Community Board #2, Manhattan (CB#2, Man.) Doris Diether, David Ethan, Harriet Fields, Sheelah Feinberg, Elizabeth Gilmore, Edward Gold, David Gruber, Jo Hamilton, Anne Hearn, Zella Jones, Amanda Khan, Susan Kent, Raymond Lee, Christine Lindemann, Elizabeth Loeb, Edward Ma (missed 1<sup>st</sup> vote), Ke-Wei Ma, Jason Mansfield, Rosemary McGrath, Philip Mouquinho, Judy Paul, Lois Rakoff, Annie Vanrenterghem-Raven, David Reck, Robert Riccobono, Erin Roeder, Rocio Sanz, Wendy Schlazer, Arthur Z. Schwartz (missed 1<sup>st</sup> vote), Shirley Secunda, James Solomon, Sean Sweeney, Carol Yankay, Elaine Young

**BOARD MEMBERS EXCUSED:** Steve Ashkinazy, Shirley H. Smith, Richard Stewart, Wilbur Weder

**BOARD MEMBERS ABSENT:** Robert Ian Dutton, Lawrence Goldberg, Brad Hoylman, Arthur Kriemelman, Don MacPherson

**BOARD STAFF PRESENT:** Bob Gormley, District Manager, and Florence Arenas, Community Coordinator

**GUESTS:** Erin Drinkwater, Congressman Jerrold Nadler's office; Adam Riff, Senator Tom Duane's office; Kate Seeley-Kirk and Grey Elam, Council Speaker Christine Quinn's office; Gregory Brender, Assembly Member Deborah Glick's office; Paul Nagle and Peter Pastor, Council Member Alan Gerson's office; John Fout and Lisa Kaplan, Council Member Rosie Mendez's office; John Ricker, NYC Comptroller's office; Simeon Banister, Public Advocate Betsy Gotbaum's office; Amalia Bueno, David Lehmann, Chisato Shimada, Corrine Bourie, Miki Gruber, Debbie Ciralo, Beverly Brin, Robert Brin, Cathy Chambers, Michael Huritz, Keith Goggin, Nicholas Weiss, Robert Perone, Stephan Dorian, Timothy DiMarco, Virginia Syron, Mary Johnson, Susan Goren, Jessie McNab, Vicki Purso, Lisa Kaplan, Paul P. Kearney, Caroline Harris, Edy Selman, Jennifer Craft, Christian Miller, Margie Rubin, Bernadette Kingham-Bez, Constance Dondore, John Foot, Rick Panson, Anthony Floravanti, Joanna Rosi, Robert Schwartzman, Claudia Steves, John Roccasalva, Samantha Haspel, John Gilbert

### MEETING SUMMARY

Meeting Date – May 24, 2007  
Board Members Present – 41  
Board Members Excused–4  
Board Members Absent - 5

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**II. PUBLIC SESSION**

**Non-Agenda Items**

YMCA

Christian Miller updated everyone on new and upcoming events.

Public Library at Mulberry St.

Jennifer Craft updated everyone on upcoming events.

New York University

David Lehmann updated everyone on upcoming events.

Community Emergency Preparedness

Rick Panson, spoke regarding this issue.

Related Companies

Anthony Floravanti and Joanna Rosi spoke.

NYU Science Building

Constance Dondore spoke regarding this issue.

NYU Co-Gen Facility

Robert Schwartzman spoke against the project. Samantha Haspel spoke regarding this project.

NYU Noise

Mary Johnson spoke regarding noise emanating from NYU's air conditioning vents.

St. Vincent's Hospital

John Gilbert and Bernadette Kingham-Bez spoke regarding upcoming construction and restructuring projects within and around the hospital's vicinity.

**Business Items**

La Palette, 94 Greenwich Avenue

Debbie Ciralo, Paul Kearney and John Roccasalva spoke against the renewal of a liquor license at this location.

Claudia Steves, owner, spoke in favor of the renewal of her liquor license.

**Traffic and Transportation Items**

Pedestrian Ramps within the CB#2 Area

Margie Rubin spoke in favor of the resolution for pedestrian ramps.

**III. ADOPTION OF AGENDA**

**IV. ELECTED OFFICIALS PRESENT AND REPORTING**

Congressman Jerrold Nadler’s office

Adam Riff, Senator Tom Duane’s office

Gregory Brender, of Assembly Member Deborah Glick’s office

Kate Seeley-Kirk and Grey Elam, of Council Speaker Christine Quinn’s office

Peter Pastor and Paul Nagle, Council Member Alan Gerson’s office.

John Fout and Lisa Kaplan, Council Member Rosie Mendez’s office,

John Ricker, NYC Comptroller’s office;

Simeon Banister, Public Advocate Betsy Gotbaum’s office;

**V. ADOPTION OF MINUTES**

Adoption of March minutes and distribution of April minutes.

**VI. EXECUTIVE SESSION**

1. **Chair's Report** Maria Passannante Derr reported

2. **District Manager's Report** Bob Gormley reported.

**STANDING COMMITTEE REPORTS**

**BUSINESS**

**1. Way Out West LLC, 425 West Street (Corner of W. 11<sup>th</sup> St.) NYC**

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

**WHEREAS**, this application is for transfer of an On Premise license, pursuant to purchase and located in a 1500 s.f. premise in a mixed use building on the corner of West and 11<sup>th</sup> Streets, with 25 table seats and 1 bar with 20 seats and a maximum legal capacity of 74 persons; and,

**WHEREAS**, the applicant stated the hours of operation would be 5:00 p.m. – 4:00 a.m. Seven Days a Week; there will not be a sidewalk café application and no backyard garden; music will be background only; and,

**WHEREAS**, there are no complaints regarding the current operation and no one appeared in opposition from the community; and,

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan has no objection to the approval of transfer of an On Premise license to **Way Out West LLC, 425 West Street.**

Vote: Unanimous, with 39 Board members in favor.

**2. AM Operating Group, LLC, 53 Gansevoort St., (9<sup>th</sup> Avenue and Washington St.), NYC**

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

**WHEREAS**, this application is for an On Premise license for a bar/restaurant in a 9300 s.f. premise in a commercial building, with the entrance on Gansevoort Street between 9<sup>th</sup> Avenue and Washington Street, with 240 table seats, 2 bars with 14 seats, and a maximum legal capacity of 280 persons; and,

**WHEREAS**, the applicant stated the hours of operation are 11:00 a.m. – 4:00 a.m. Monday-Thursday and 10:00 a.m. – 4:00 a.m. Friday-Sunday; there will be a sidewalk café application but no backyard garden; music will be background only and live dj will be coordinating background music only; and,

**WHEREAS**, the applicant has agreed to sound proof the premises where possible; and

**WHEREAS**, members of the community appeared in opposition under speculation that the applicant is affiliated with PM Lounge, 50 Gansevoort Street, citing noise and overcrowding issues at the premises; and,

**WHEREAS**, a signed affidavit has been issued by the applicant indicating no such affiliation with PM Lounge, 50 Gansevoort Street and is attached;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the approval of an On Premise license to **AM Operating Group, LLC, 53 Gansevoort St.**

Vote: Unanimous, with 39 Board members in favor.

### **3. 235 Mulberry St. Rest., LLC, 235 Mulberry St., (Prince and Spring), NYC**

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

**WHEREAS**, this application is for an On Premise license for a restaurant in a 2500 s.f. premise in a mixed use building, with the entrance on Mulberry Street between Prince and Spring Streets, with 48 table seats, 1 bar with 22 seats, and a maximum legal capacity of 74 persons; and,

**WHEREAS**, the applicant stated the hours of operation are 7:30 a.m. – 2:00 a.m. Sunday-Wednesday and 7:30 a.m. – 3:00 a.m. Thursday-Saturday; there will be no sidewalk café application; music will be background only; and,

**WHEREAS**, no beverages will be served or taken in the backyard garden; and,

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the approval of an On Premise license to **235 Mulberry St. Rest., LLC, 235 Mulberry St.**

Vote: Unanimous, with 39 Board members in favor.

### **4. Hairy Canary, LLC, d/b/a Chick Inn, 420 Hudson St., (Hudson and Leroy Streets), NYC**

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

**WHEREAS**, this application is for alteration of an existing On Premise license in the premise known as the Chick Inn, a 1000 s.f. restaurant with 26 table seats and 1 bar with no seats and a maximum legal capacity of 74 persons, located in a mixed use building at the corner of Hudson and Leroy Streets; and,

**WHEREAS**, the applicant stated the hours of operation are 8:00 a.m. – 12:00 a.m. Sunday-Thursday and 8:00 a.m. – 2:00 a.m. Friday-Saturday; there will be a sidewalk café application but no backyard garden; music will be background only; and,

**WHEREAS**, there are no complaints regarding the previous operation and no one appeared in opposition from the community; and,

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan has no objection for the proposed alteration to the On Premise license of **Hairy Canary, LLC, d/b/a Chick Inn, 420 Hudson St.**

Vote: Unanimous, with 39 Board members in favor.

### **5. Sweetiepie, LLC, 19 Greenwich Ave., (Christopher and W. 10<sup>th</sup> Streets), NYC**

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

**WHEREAS**, this application is for an On Premise license for a bar/restaurant in a 1200 s.f. premise in a mixed use building, with the entrance on Greenwich Street between Christopher and W. 10th Streets, with 52 table seats, 1 bar with 17 seats, and a maximum legal capacity of 70 persons; and,

**WHEREAS**, the applicant stated the hours of operation are 7:00 a.m. – 11:30 p.m. Seven Days a Week; there will be no sidewalk café application and no backyard garden; music will be background only; and,

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the approval of an On Premise license to **Sweetiepie, LLC, 19 Greenwich Ave.**

Vote: Unanimous, with 39 Board members in favor.

**6. Midnight Café Inc., 218 Lafayette St., (Spring and Broome), NYC**

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

**WHEREAS**, this application is for a Beer and Wine license for a restaurant in a 1980 s.f. premise in a commercial building, with the entrance on Lafayette Street between Spring and Broome Streets, with 68 table seats, 1 bar with 12 seats, and a maximum legal capacity of 68 persons; and,

**WHEREAS**, the applicant stated the hours of operation are 7:00 a.m. – 2:00 a.m. Monday-Saturday and 7:00 a.m. - 12:00 a.m. Sunday; there will be no sidewalk café application and no backyard garden; music will be background only; and,

**WHEREAS**, in light of community concerns with the previous establishment known as The Falls, the applicant has agreed to seek a Beer and Wine license exclusively; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the approval of a Beer and Wine license to **Midnight Café Inc., 218 Lafayette St.**

Vote: Unanimous, with 39 Board members in favor.

**7. Ruby's United, Inc., 121 W. 10<sup>th</sup> Street, (Greenwich and 6<sup>th</sup> Avenues) NYC**

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

**WHEREAS**, this application is for transfer of an On Premise license for a restaurant, pursuant to purchase and located in a 2800 s.f. premise in a commercial building with the entrance on West 10<sup>th</sup> Street between Greenwich and 6<sup>th</sup> Avenues with 100 table seats and 2 bars with 12 seats and a maximum legal capacity of 150 persons; and,

**WHEREAS**, the applicant stated the hours of operation will be 9:00 a.m. – 3:00 a.m. Monday-Saturday and 9:00 a.m.-1:00 a.m. Sunday; there will not be a sidewalk café application and no backyard garden; music will be background only; and,

**WHEREAS**, there are no complaints regarding the previous operation and no one appeared in opposition from the community; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the approval of transfer of an On Premise license to **Ruby's United, Inc., 121 W. 10<sup>th</sup> Street.**

Vote: Unanimous, with 39 Board members in favor.

**8. 7<sup>th</sup> Avenue Restaurant Group, LLC, 130-138 Seventh Avenue South, (at W. 10<sup>th</sup> Street) NYC**

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

**WHEREAS**, this application is for an On Premise license in the premise known as Rafaella, a 2100 s.f. premise located in a commercial building between Charles and West 10<sup>th</sup> Streets, to operate as restaurants under two trade names, Tasca and Central Kitchen, with a connecting premise under one On Premise license, with 140 table seats with 3 bars with 20 seats; and,

**WHEREAS**, the applicant has been operating for 6 months with a Temporary On Premise license at Tasca and stated that the hours of operation are 4:00 p.m.-2:00 a.m. Seven Days a Week; there will be a sidewalk café application but no backyard garden; music will be background only; and,

**WHEREAS**, the applicant appeared before the committee in December; the application was denied by the committee and the Full Board of CB#2, Man. primarily due to a landmarks issue concerning a new storefront on the south portion of the premises that is comprised of one continuous row of doors that open onto the sidewalk; and,

**WHEREAS**, there was further discussion regarding the landmarks issue concerning the new storefront; the applicant has provided evidence that the storefront has been approved by the Landmarks Committee, The Full Board of CB#2, Man. and New York City's Landmarks Preservation Commission as required; and,

**WHEREAS**, there were 10 persons from the community in support of the applicant; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the approval of an On Premise license to **7<sup>th</sup> Avenue Restaurant Group LLC, 130-138 7<sup>th</sup> Avenue South.**

Vote: Unanimous, with 39 Board members in favor.

**9. Tom Kenny or an entity to be formed, 157 Bleecker St., (Sullivan and Thompson) NYC**

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

**WHEREAS**, this application is for transfer of an On Premise license for a bar/restaurant for estate planning purposes, located in a 2000 s.f. premise in a mixed use building with the entrance on Bleecker Street between Sullivan and Thompson Streets, with 80 table seats and 1 bar with 15 seats and a maximum legal capacity of 120 persons; and,

**WHEREAS**, the applicant stated there are no plans to change current operations; the applicant stated the hours of operation are 12:00 p.m. – 4:00 a.m. daily; there will not be a sidewalk café application and no backyard garden; music will be live and jukebox only; and,

**WHEREAS**, there are no complaints regarding the current operation d/b/a Kenny's Castaways and no one appeared in opposition from the community; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the approval of transfer of an On Premise license to **Tom Kenny or an entity to be formed, 157 Bleecker St.**

Vote: Unanimous, with 39 Board members in favor.

**10. Martin Shiel or an Entity to be formed, 21-23 Waverly Pl., (at Greene Street) NYC**

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

**WHEREAS**, this application is for transfer of an On Premise license for a bar/restaurant pursuant to purchase, located in a 2500 s.f. premise in a mixed use building with the entrance on Waverly Place at Greene Street, with 70 table seats and 1 bar with 32 seats and a maximum legal capacity of 120 persons; and,

**WHEREAS**, the applicant stated the hours of operation are 11:00 a.m. – 1:00 a.m. Sunday-Wednesday and 11:00 a.m. - 2:00 a.m. Thursday-Saturday; there will not be a sidewalk café application and no backyard garden; music will be jukebox only; and,

**WHEREAS**, there are no complaints regarding the previous operation d/b/a Caliente Cab Company and no one appeared in opposition from the community;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the approval of transfer of an On Premise license to **Martin Shiel or an Entity to be formed, 21-23 Waverly Pl.**

Vote: Unanimous, with 39 Board members in favor.

**11. DLA LLC, 79 Macdougall St., (Houston and Bleecker) NYC**

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

**WHEREAS**, this application is for transfer of an On Premise license for a restaurant, pursuant to purchase and located in a 2000 s.f. premise in a mixed use building with the entrance on

Macdougall Street between Houston and Bleecker Streets, with 70 table seats and 1 bar with 6 seats and a maximum legal capacity of 70 persons ; and,

**WHEREAS**, the applicant stated the hours of operation will be 5:30 p.m. – 11:30 p.m. Monday-Thursday and 5:30 p.m.-12:00 a.m. Friday-Sunday; there will not be a sidewalk café application and no backyard garden; music will be background only; and,

**WHEREAS**, there are no complaints regarding the previous operation d/b/a Café Dante and no one appeared in opposition from the community; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the approval of transfer of an On Premise license to **DLA LLC, 79 Macdougall St.**

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

#### **12. 9<sup>th</sup> Street Restaurant, LLC, 19-21-23 W. 9<sup>th</sup> St., (5<sup>th</sup> and 6<sup>th</sup> Avenues) NYC**

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

**WHEREAS**, the application is for an On Premise license, pursuant to purchase of a restaurant encompassing 6000 s.f., located in a mixed use building with the entrance on 9<sup>th</sup> Street between 5<sup>th</sup> and 6<sup>th</sup> Avenues, consisting of 90 table seats and 1 bar with 12 seats and a maximum legal capacity of 110 persons; and,

**WHEREAS**, the applicant stated that the hours of operation will be 11:30 a.m. – 1:00 a.m. Seven Days a Week; the music is background only; there will be no sidewalk café application and no backyard garden; and,

**WHEREAS**, one member of the West 9<sup>th</sup> Street Block Association appeared to express potential noise and overcrowding concerns; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the approval of an On Premise license to **9<sup>th</sup> Street Restaurant, LLC, 19-21-23 W. 9<sup>th</sup> St.**

Vote: Unanimous, with 39 Board members in favor.

#### **13. Steppum, Inc., 99 Macdougall St., (Minetta Lane and Bleecker), NYC**

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

**WHEREAS**, this application is for transfer of an On Premise license for an Indian restaurant pursuant to purchase, located in a 1100 s.f. premise in a mixed use building with the entrance on Macdougall Street between Minotta Lane and Bleecker Streets, with 52 table seats and 1 bar with 11 seats and a maximum legal capacity of 65 persons; and,

**WHEREAS**, the applicant stated the hours of operation will be 11:00 a.m. – 1:00 a.m. Sunday-Thursday and 11:00 a.m. - 2:00 a.m. Friday and Saturday; there will not be a sidewalk café application and no backyard garden; music is background only; and,

**WHEREAS**, a Letter of No Objection to an eating and drinking establishment at 99 Macdougall Street has been issued by the New York City Department of Buildings; and

**WHEREAS**, there no one appeared in opposition from the community; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the approval of transfer of an On Premise license to **Steppum, Inc., 99 Macdougall St.**

Vote: Unanimous, with 39 Board members in favor.

#### **14. La Palette, 94 Greenwich Avenue, (at W. 12<sup>th</sup> Street) NYC**

**WHEREAS**, the applicant has received numerous 311 complaints but no violations on record; and,

**WHEREAS**, the applicant appeared before the committee to address the backyard garden noise complaints by a member of the community; and,

**WHEREAS**, this application is for a renewal of an On-premise license for a 500 s.f. restaurant with a 500 s.f. backyard garden in a mixed use building on Greenwich Avenue off W. 12<sup>th</sup> Street; and,

**WHEREAS**, the applicant has been operating for 2 ½ years with an On-premise license and stated that the hours of operation are 11:00 a.m. - 11:00 p.m. Monday-Saturday, 11:00 a.m. – 10:00 p.m. Sunday; the music is background only; and,

**WHEREAS**, the applicant stipulated to reduce the new hours of operation for the backyard garden to be 11:00 a.m. - 10:00 p.m. Sunday-Wednesday and 11:00 a.m.-11:00pm Thursday-Saturday; and,

**WHEREAS**, there were concerns from a member of the community regarding crowd and noise control in the backyard garden; in light of the community's concerns, applicant has agreed to prohibit "happy hours", private event functions, and live and background music in the backyard garden; and,

**WHEREAS**, the applicant has agreed, in good faith, to show spirit of cooperation and mutual respect towards the community, interact and communicate with the surrounding neighbors, keep information readily available about construction and renovations plans, and continue to cooperate with Community Board 2, Manhattan representatives to resolve and mediate conflicts whenever issues arise; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of the On Premise license renewal to La Palette, 94 Greenwich Avenue, unless: APPLICANT HONORS those conditions agreed to above by applicant relating to USE OF THE BACKYARD GARDEN, including reduced hours, prohibition of "happy hours" AND private event functions and music; APPLICANT demonstrates cooperation and mutual respect with the community; AND THOSE CONDITIONS in the fifth, sixth, and seventh "whereas" clauses above, are incorporated into the "Method of Operation" on the applicant's SLA On Premise license.

Vote: Unanimous, with 39 Board members in favor.

#### **15. The Sunny Hill LLC, or entity to be formed, 178 Mulberry St., NYC**

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

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. strongly recommends denial of an On Premise liquor license to **The Sunny Hill LLC, or entity to be formed, 178 Mulberry St. and requests that the SLA send this applicant back to CB2 should this application proceed in order that this important step not be avoided and that the concerns of the Community be fully heard.**

Vote: Unanimous, with 39 Board members in favor.

#### **LANDMARKS AND PUBLIC AESTHETICS**

##### **1<sup>ST</sup> MAY MEETING**

**Item 4 – 114 Greene St, a/k/a 102 Prince St. – SoHo Cast Iron Historic District** A Classical style store building designed by Henry Fernbach & built in 1882 & an Italianate style store building designed by Henry Fernbach & built in 1882. Application is to construct a rooftop addition.

**WHEREAS**, the proposal is to erect a new bulkhead 25' long and 9' high, and a small elevator bulkhead for an elevator from the top floor to the roof, and

**WHEREAS**, the proposal is also for a pyramid-shaped structure which will slide across the roof above one of the rooms of the floor below, opening to the sky in the open position and giving a view of the pyramid shape from within the apartment when the pyramid is closed, and

**WHEREAS**, both the bulkhead and the pyramid shape are visible from the street, and

**WHEREAS**, in addition, the pyramid obscures the cornice line and water tower,

**THEREFORE, BE IT RESOLVED** CB#2, Man. opposes this application for these structures on the roof of 114 Greene St. a/k/a 102 Prince St.



Vote: Unanimous, with 41 Board members in favor.

**Item 5 – 599 Broadway – SoHo Cast Iron Historic District** A store & loft building designed by J. Odell Whitenach & built in 1917. Application is to install windows.

**WHEREAS**, this proposal is to install new windows on the three visible facades of this building – Broadway, Houston St. & Mercer St. – and

**WHEREAS**, the proposal calls for a variety of different windows – 3 over 3 and 2 over 2 on the Broadway façade; and 1 over 1 on the Houston St. & Mercer St. facades – and

**WHEREAS**, the applicant had no historical photos of the building so there was no way to know whether the proposed windows were in the style of the original windows on the building, and

**WHEREAS**, since the building was only built in 1917, some photos of the façade should have been available,

**THEREFORE, BE IT RESOLVED** CB#2, Man. cannot recommend approval of the current proposal for 599 Broadway without further information on the original configuration of the windows.

Vote: Unanimous, with 41 Board members in favor.

**Item 6 – 59 West 8 St. – Greenwich Village Historic District.** A Queen Anne style rowhouse built in 1879. Application is to legalize the installation of signage without LPC permits.

**WHEREAS**, the Landmarks Preservation Commission’s publication “The Certificate of Appropriateness Public Hearing: Information for Applicants” states that “Applicants are strongly encouraged to contact the Community Board to arrange for review of the proposal before the public hearing,” and

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

**THEREFORE, BE IT RESOLVED** CB#2, Man. recommends denial of the application for 59 West 8 St. in the absence of this important step in the review process.

Vote: Unanimous, with 41 Board members in favor.

**Item 7 – 152 West 11 St. – Greenwich Village Historic District.** A Greek Revival style house built in 1836 & altered in the 20<sup>th</sup> Century. Application is to construct a rear yard addition.

**WHEREAS**, the applicant cited the small size of the building, 17’ x 26’, as the reason for wanting a rear yard extension, and

**WHEREAS**, no façade work is planned, all work to be at the rear of the building, reducing the size of the small rear yard by 4’7” by 5’6”, and

**WHEREAS**, the addition will enclose the staircase, which will be relocated from the interior of the building, and

**WHEREAS**, the addition on the building runs up to the top floor of the building, and then, at the top floor becomes a skylight, and

**WHEREAS**, the sides of the extension will be brick, but the front will be glass panels, and

**WHEREAS**, the top floor existing window will be extended and enlarged, and a balcony 18” deep will be added running across the new 9’ window, and

**WHEREAS**, the first floor windows will also be extended to 7’ high doors, and a balcony added on this floor also,

**THEREFORE, BE IT RESOLVED** CB#2, Man. recommends denial of this application for 152 West 11 St. since it completely alters the rear façade of this Greek Revival townhouse.

Vote: Unanimous, with 41 Board members in favor.

**31 West 11 St.** – Application is to construct rooftop additions. This application is scheduled for a later date at LPC.

**WHEREAS**, this application was previously heard by the Landmarks Committee of CB#2, and

**WHEREAS**, the Community Board recommendation was to reject the application because it was too visible, and

**WHEREAS**, the applicant requested permission to resubmit to the Committee, since some changes had been made, and they were concerned about the original rejection, and

**WHEREAS**, the Committee appreciated the applicant's attempts to come to an agreement on the application, and

**WHEREAS**, the change in the proposal was to install a beige acoustical screen in front of the mechanical equipment to block it from view, and

**WHEREAS**, the brick colors for the building were clarified, with only two brick colors to be used, one on the front and the other on the remaining walls, and

**WHEREAS**, despite the best efforts of the applicant, they were not able to reduce or relocate the two penthouses to reduce their visibility,

**THEREFORE, BE IT RESOLVED** CB#2, Man. unfortunately, still cannot recommend approval of the penthouses on the roof of 31 West 11 St. because of their visibility.

Vote: Passed, with 33 Board members in favor, 4 in opposition, 1 abstention, and 1 recusal (E.Gold).

## **2<sup>ND</sup> MAY MEETING**

**Item #2- 524 Broadway - SoHo Cast Iron Historic District** A store & loft building designed by Arthur H. Bowditch & built in 1903. Application is to construct a rooftop bulkhead.**WHEREAS**, the application is to replace the current 3 freight elevators on the roof with a new bulkhead containing two larger freight elevators also used for passengers, and

**WHEREAS**, the current elevators need to be modernized, and

**WHEREAS**, the location of the new elevator bank is set by the location of the current elevators, and **WHEREAS**, the new bulkhead is 24' long and extends 12' above the building parapet, so that, even with the beige color, it is clearly visible from the Crosby St. side of the building,

**THEREFORE, BE IT RESOLVED** CB#2, Man. recommends denial of this application for 524 Broadway because it is too visible.

Vote: Unanimous, with 41 Board members in favor.

**Item #6 - 32 Little West 12 St. – Gansevoort Market Historic District** A neo-Grec style building designed by James Stroud & built in 1880. Application is to legalize the installation of security gates & bracket signs without LPC permits.

**WHEREAS**, the two bracket signs are for the shops "Destination" & "Tramando" and are box signs with interior lighting, and

**WHEREAS**, the proposal is to change these signs to thin, non-lighted signs with exterior lighting, and

**WHEREAS**, the current metal gates are metal mesh which are rolled between two columns on the front of the building and rolled down at night, protecting the windows while still permitting a view of the windows within,

**THEREFORE, BE IT RESOLVED** CB#2, Man. has no objection to the approval of the current roll-down gates since they do not mask the building, and approves of the change of the current bracket signs to 2 new, thin, signs without interior lighting for the store fronts at 32 Little West 12 St.

Vote: Unanimous, with 41 Board members in favor.

**ITEM 7 – 1-3 Ninth Ave. a/k/a 49 & 51 Gansevoort St. – Gansevoort Market Historic District** A Greek Revival style rowhouse built c. 1849 & altered in 1887 & an altered one-story stable building built in 1887. Application is to alter facade, demolish the one-story building & construct an addition.

**WHEREAS**, the applicant stated that the current building is dangerous and in need of structural work, and

**WHEREAS**, the site consists of a three story townhouse, a one story former stable building, and a portion of another building left over when the street was put through, and

**WHEREAS**, most of the former stable has been demolished and only a facade still exists, and

**WHEREAS**, the proposal is to make the necessary repairs to the 3 story building and cellar to produce a new cellar, 1st floor retail, and a two story duplex for residential purposes on the 2nd & 3rd floors, and

**WHEREAS**, it is proposed to extend the one story facade into the rear and create a one story building with a roof terrace, and extend the front wall of that building with a metal mesh fence 42" high for vines, and

**WHEREAS**, the first floor of the 1 story structure will be replaced with a metal base containing 6' glass panels creating a solid glass window with sliding metal panels in front which can be opened or closed to give views of whatever portions of the windows the store wishes, and

**WHEREAS**, this metal frontage will also be extended to the first floor of the 3 story structure, with windows and doors, each with a glass transom above, and an awning, with signage on the flap of the awning and at the base of the windows, and

**WHEREAS**, the windows on the upper floors of the three story building will be 6 over 6 all of the same size, placed where the current openings are, and with wood sashes,

**THEREFORE, BE IT RESOLVED** CB#2, Man. approves the general approach to this project and applauds the applicant for maintaining the scale and massing of these historic buildings at 1-3 Ninth Ave. a/k/a 49 & 51 Gansevoort St, because of their significant impact on the area due to their highly visible location from Gansevoort Plaza, and

**BE IT FURTHER RESOLVED** CB#2, Man. approves the restoration work proposed on the façade of the 3-story building including removing the applied woodwork, repointing the bricks, replacing the windows with appropriate six over six on the upper floors and reworking the openings on the ground floor in a style more appropriate to this Greek Revival building, and

**BE IT FURTHER RESOLVED** CB#2, Man. approves the idea of the proposed awnings and signage, although we would ask the applicant to return with more specific details as to color and size for both, and

**BE IT FURTHER RESOLVED** CB#2, Man. disapproves the use of metal for the ground floor façade for both buildings, and would prefer to see the applicant maintain, as much as possible, the historic fabric of the existing masonry surrounds behind the applied woodwork, or replace as necessary with masonry, because metal, while a predominant element in the Gansevoort Market Historic District, is not seen anywhere as façade treatment except in the Hotel Gansevoort which is outside the historic district, and

**BE IT FURTHER RESOLVED** CB#2, Man. approves the idea of moveable metal gates on tracks in front of a fixed glass opening for the one story building and approves the size of the opening, but we ask that the applicant return with specific details as to the actual design and materials of these metal gates, and

**BE IT FURTHER RESOLVED** CB#2, Man. would like the applicant to return with a proposal for a more appropriate design, with specific details and drawings, for the trellis/parapet extension above the 1 story building which, although covered with greenery part of the year, would be bare and clearly visible for much of the year.

Vote: Unanimous, with 41 Board members in favor.

## **SIDEWALKS, PUBLIC FACILITIES AND ACCESS**

**1. NEW Application to NYCDCA for revocable consent to operate an ENCLOSED sidewalk café for W.T. Restaurant on Greenwich, Inc. d/b/a Empire Szechuan Greenwich, 15 Greenwich Avenue, with 5 tables and 10 seats DCA#1244493.**

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

**WHEREAS**, this restaurant is located between Christopher and 10<sup>th</sup> Streets; and

**WHEREAS**, this is a new application because there is a change in the ownership;

**WHEREAS**, there has been an enclosed sidewalk café at this location for more than 20 years; and

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

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

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an ENCLOSED sidewalk café to W.T. Restaurant on Greenwich, Inc. d/b/a/ Empire Szechuan Greenwich, 15 Greenwich Avenue, with 5 tables and 10 seats DCA#1244493.

Vote: Unanimous, with 41 Board members in favor.

**2. NEW Application to NYCDCA for revocable consent to operate an UNENCLOSED sidewalk café for Tanti Baci Caffè, LLC, 135 ½ 7<sup>th</sup> Avenue South with 12 tables and 24 seats DCA#1252026.**

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

**WHEREAS**, this restaurant is located between Charles and 10<sup>th</sup> Streets; and

**WHEREAS**, there already exists a legal café operation within the property line adjacent to the café; and

**WHEREAS**, the owner of the barber shop adjacent to the café appeared before the committee opposing the application, on the grounds that it would create an economic hardship to him in that the chairs and umbrellas would block visibility of the barber shop; and

**WHEREAS**, the applicant agreed to remove two tables and not to use umbrellas that would block the windows of the barber shop during its hours of operation; and

**WHEREAS**, the plans submitted to the committee show that the northern café line, as drawn, encroaches upon the adjacent building's sidewalk space; and

**WHEREAS**, it was pointed out that the applicant illegally puts tables on the public sidewalk, also outside their private patio space; and

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends DENIAL of a TWO YEAR revocable consent to operate an UNENCLOSED sidewalk café to for Tanti Baci Caffè, LLC, 135 ½ 7<sup>th</sup> Avenue South with 12 tables and 24 seats, DCA#1252026.

Vote: Unanimous, with 41 Board members in favor.

**3. NEW Application to NYCDCA for revocable consent to operate an UNENCLOSED sidewalk café to 186 West 4<sup>th</sup> Street Management Co. d/b/a Oliver's, 186 West 4<sup>th</sup> Street with 9 tables and 21 seats, DCA#1252194.**

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

**WHEREAS**, this restaurant is located on the corner of West 4<sup>th</sup> Street and Barrow Streets; and

**WHEREAS**, there has been an unenclosed sidewalk café at this location for more than 20 years; and

**WHEREAS**, a member of a community organization opposed the application because of the congested corner and small sidewalk; and

**WHEREAS**, in response to complaint, the applicant agreed to reduce its seating to 8 tables and 18 seats and submitted a revised plan as requested;

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an UNENCLOSED sidewalk café to 186 West 4<sup>th</sup> Street Management Co. d/b/a Oliver's, 186 West 4<sup>th</sup> Street with 8 tables and 18 seats, DCA#1252194.

Vote: Unanimous, with 41 Board members in favor.

**4. NEW Application to NYCDCA for revocable consent to operate an UNENCLOSED sidewalk café to Salon Salsa, Inc. 47 East 12<sup>th</sup> Street with 3 tables and 6 seats, DCA#1252203.**

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

**WHEREAS**, this restaurant is located between University Place and Broadway; and

**WHEREAS**, there is a garage door to the west and commercial offices above the restaurant; and

**WHEREAS**, the applicant operates a sidewalk café, "Mexicana Mama", on Hudson Street; and

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

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

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an UNENCLOSED sidewalk café to Salon Salsa, Inc. 47 East 12<sup>th</sup> Street with 3 tables and 6 seats, DCA#1252203.

Vote: Passed, with 38 Board members in favor, and 1 in opposition.

**5. NEW Application to NYCDCA for revocable consent to operate an UNENCLOSED sidewalk café to 7<sup>th</sup> Ave. Restaurant group, LLC d/b/a Café Tasca, 130-138 7<sup>th</sup> Avenue South with 23 tables and 68 seats, DCA#1252679.**

**WHEREAS**, the area was posted and the applicant and its attorney and architect appeared before the committee; and

**WHEREAS**, this restaurant is located on 7<sup>th</sup> Avenue South between West 10<sup>th</sup> and Charles Streets in one story commercial building with no commercial units above; and

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

**WHEREAS**, the applicant submitted a Permit Certificate of No Effect, issued by LPC, dated May 3, 2007 which permits the construction of the sidewalk café as shown in the plans; and

**WHEREAS**, the aforementioned Permit further states that a Certificate of Appropriateness hearing to legalize the storefront was approved on April 27, 2007; and

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

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an UNENCLOSED sidewalk café to 7<sup>th</sup> Ave. Restaurant group, LLC d/b/a Café Tasca, 130-138 7<sup>th</sup> Avenue South with 23 tables and 68 seats, DCA#1252679.

Vote: Unanimous, with 41 Board members in favor.

**6. NEW Application to NYCDCA for revocable consent to operate an UNENCLOSED sidewalk café to ALN Restaurant, Inc. d/b/a Giovanna's, 128 Mulberry Street a/k/a 180 Hester Street, with 13 tables and 26 seats, DCA#1252281.**

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

**WHEREAS**, this restaurant is located on the corner of Hester and Mulberry Streets; and

**WHEREAS**, the café will be located on Mulberry Street and not on Hester Street; and

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

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

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an UNENCLOSED sidewalk café to ALN Restaurant, Inc. d/b/a

Giovanna's, 128 Mulberry Street a/k/a 180 Hester Street with 13 tables and 26 seats, DCA#1252281.

Vote: Unanimous, with 41 Board members in favor.

**7. NEW Application to NYCDCA for revocable consent to operate an UNENCLOSED sidewalk café to 7<sup>th</sup> & Barrow, LLC d/b/a Sushi Samba, 87-7<sup>th</sup> Avenue South, with 28 tables and 56 seats, DCA#1253042.**

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

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

**WHEREAS**, the applicant has demonstrated to the committee: 1 – a resolution of its outstanding legal issues; 2 – community outreach, including but not limited to monthly meeting and providing the community with a contact number of the general manager; 3 - execution of a letter agreement as to its operation; 4 – provided the committee with a copy of its Certificate of Appropriateness issued by LPC which permitted the construction of the second story enclosed structure; and

**WHEREAS**, the applicant agreed to remove 16 seats and has submitted a revised plan showing the decreased seating; and

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

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

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an UNENCLOSED sidewalk café to 7<sup>th</sup> & Barrow, LLC d/b/a Sushi Samba, 87-7<sup>th</sup> Avenue South with 20 tables and 40 seats, DCA#1253042.

Vote: Passed, with 38 Board members in favor, and 1 in opposition.

**8. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for ASC, Inc. d/b/a Costa Azzurra, 134 Mulberry Street with 6 tables and 12 seats, DCA#1208521.**

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

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

**WHEREAS**, there has been a sidewalk café at this location since 1996; and

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

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

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to ASC, Inc. d/b/a Costa Azzurra, 134 Mulberry Street with 6 tables and 12 seats, DCA1208521.

Vote: Passed, with 36 Board members in favor, and 5 abstentions.

**9. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for Rio Mar, Corp. d/b/a Kana, 324 Spring Street, New York, N.Y. 10013 with 4 tables and 13 seats DCA#1003195.**

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

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

**WHEREAS**, there has been a sidewalk café at this location for 8 years; and

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

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

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Rio Mar, Corp. d/b/a Kana, 324 Spring Street, New York, N.Y. 10013, with 4 tables and 13 seats.

Vote: Passed, with 36 Board members in favor, and 5 abstentions.

**10. RENEWAL and MODIFICATION application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for Gadberry Pizza, Inc. d/b/a Bleecker Street Pizza, 69-71 7<sup>th</sup> Avenue South to increase the seating from 2 tables and 4 seats to 4 tables and 8 seats, DCA#1183527.**

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

**WHEREAS**, this restaurant is located at the intersection of Bleecker and Barrow Streets and 7<sup>th</sup> Avenue South; and

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

**WHEREAS**, there is opposition from the community upon the following grounds:

- 1 – No waiter service outside;
- 2 - Ongoing accumulation of garbage in front of the pizzeria;
- 3 – At least three bicycles chained to the lamppost further inhibiting pedestrian access on this already crowded corner;

**WHEREAS**, the applicant agreed to reduce his seating from 4 tables and 8 seats to 3 tables and 6 seats; employ a waiter outside; make sure the area is kept clean and position bicycles as to not take up any of the pedestrian walkway;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends DENIAL of a TWO YEAR revocable consent and Modification to operate an unenclosed sidewalk café to Gadberry Pizza, Inc. d/b/a Bleecker Street Pizza, 69-71 7<sup>th</sup> Avenue South with 4 tables and 8 seats, DCA#1183527.

Vote: Unanimous, with 41 Board members in favor.

**11. NEW Application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by Spring Leopard LLC d/b/a Giorgione, 307 Spring Street, with 5 tables and 10 seats, DCA# 1175526.**

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

**WHEREAS**, this restaurant is located between Greenwich and Hudson Streets; and

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

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

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café by Spring Leopard LLC d/b/a Giorgione, 307 Spring Street, with 6 tables and 12 seats, DCA# 1175526.

Vote: Passed, with 36 Board members in favor, and 5 abstentions.

**12. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for JVC Pizzeria, Inc. d/b/a Il Fornaio, 132A Mulberry Street with 7 tables and 14 seats, DCA#1143227.**

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

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

**WHEREAS**, there has been a sidewalk café at this location since 2003; and

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

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

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to JVC Pizzeria, Inc. d/b/a Il Fornaio, 132 Mulberry Street with 7 tables and 14 seats, DCA#1143227.

Vote: Passed, with 36 Board members in favor, and 5 abstentions.

**13. RENEWAL Application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for Macelleria Restaurant, Inc., 48 Gansevoort Street, New York, N.Y. 10014 with 9 tables and 18 seats DCA#1188887.**

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

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

**WHEREAS**, there has been a sidewalk café at this location since 2000; and

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

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

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

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Macelleria Restaurant, Inc., 48 Gansevoort Street, New York, N.Y. 10014 with 9 tables and 18 seats.

Vote: Passed, with 36 Board members in favor, and 5 abstentions.

**14. RENEWAL Application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for Andikiana Corp. d/b/a Silver Spurs, 490 LaGuardia Place with 16 tables and 32 seats, DCA#0941701.**

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

**WHEREAS**, this restaurant is located at the corner of Houston and LaGuardia Place; and

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

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

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

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to for Andikiana Corp. d/b/a Silver Spurs, 490 LaGuardia Place with 16 tables and 32seats, DCA#0941701.

Vote: Passed, with 36 Board members in favor, and 5 abstentions.

**15. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for Jekyll and Hyde, Inc d/b/a Jekyll & Hyde, 91 7<sup>th</sup> Avenue South, with 13 tables and 26 seats, DCA#0884675**



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

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

**WHEREAS**, there has been a sidewalk café at this location for 12 years; and

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

**WHEREAS**, there is sufficient passageway 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 Jekyll and Hyde, Inc d/b/a Jekyl & Hyde, 91 7<sup>th</sup> Avenue South, with 13 tables and 26 seats, DCA#0884675.

Vote: Passed, with 36 Board members in favor, and 5 abstentions.

**16. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for Red Mulberry, Ltd. d/b/a Sambucca's, 105 Mulberry Street with 10 tables and 20 seats, DCA#1158751.**

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

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

**WHEREAS**, there has been a sidewalk café at this location for 17 years; and

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

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

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Red Mulberry, Ltd. d/b/a Sambucca's, 105 Mulberry Street with 10 tables and 20 seats, DCA#1158751.

Vote: Passed, with 36 Board members in favor, and 5 abstentions.

**17. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for 164 Mulberry St. Corp. d/b/a Da Nico, 164 Mulberry St. with 4 tables and 8 seats, DCA#0949447.**

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

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

**WHEREAS**, there has been a sidewalk café at this location since 1998; and

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

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

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to for 164 Mulberry St. Corp. d/b/a Da Nico, 164 Mulberry St. with 4 tables and 8 seats, DCA#0949447.

Vote: Passed, with 36 Board members in favor, and 5 abstentions.

**18. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed café for Da Silvano Corp. d/b/a Da Silvano, 260 Sixth Avenue, New York, N.Y. 10014 with 27 tables and 57 seats, DCA#1187717.**

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

**WHEREAS**, this restaurant is located between Bleecker and West Houston Streets; and

**WHEREAS**, there has been a sidewalk café at the location since 1998; and

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

**WHEREAS**, the applicant submitted a "change order" agreeing: 1 – not to go over the café boundary line and to mark the perimeter corners with tape and 2 – keep the waiting line out of the pedestrian walkway so as to provide a clear path.;

**THEREFORE, BE IT RESOLVED** THAT CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to Da Silvano Corp., d/b/a Da Silvano, 260 Sixth Avenue, New York, N.Y. 10014 with 27 tables and 57 seats; DCA # 1187717.

Vote: Passed, with 36 Board members in favor, and 5 abstentions.

**19. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for Spring Café Realty, d/b/a Café Lebowitz, 14 Spring Street with 4 tables and 8 seats, DCA#1193517.**

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

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

**WHEREAS**, there has been a sidewalk café at the location since 2004; and

**WHEREAS**, in response to and at the request of a member of the community, the applicant agreed 1 - to reconfigure the café to two round tables thus reducing the seating by one seat; 2 – that no seating arrangement will project more than 48" from the storefront and 3 - to meet with the community once a month; and

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Spring Café Realty d/b/a Café Lebowitz, 14 Spring Street with 2 tables and 7 seats, DCA#1193517.

Vote: Passed, with 36 Board members in favor, and 5 abstentions.

**20. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café to T. Hospitality, Inc. d/b/a Highline, 835 Washington Street with 29 tables and 58 seats, DCA#1190801.**

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

**WHEREAS**, this restaurant is located at the corner of Little West 12<sup>th</sup> and Washington Streets: and

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

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

**WHEREAS**, there is sufficient passageway for pedestrian safety in that there is an 18' sidewalk; and

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to unenclosed sidewalk café to T. Hospitality, Inc. d/b/a Highline, 835 Washington Street with 29 tables and 58 seats, DCA#1190801.

Vote: Passed, with 36 Board members in favor, and 5 abstentions.

**21. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for Caffe Sorrento, Inc. d/b/a Caffe Sorrento, 321 Mulberry Street with 4 tables and 8 seats, DCA#0885835.**

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

**WHEREAS**, this restaurant is located at the corner of Grand and Hester Streets; and

**WHEREAS**, there has been a sidewalk café at this location for 21 years; and

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

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to unenclosed sidewalk café for Caffe Sorrento, Inc. d/b/a Caffe Sorrento, 321 Mulberry Street with 4 tables and 8 seats, DCA#0885835.

Vote: Passed, with 36 Board members in favor, and 5 abstentions.

**22. RENEWAL and MODIFICATION application to NYCDCA for revocable consent to operate an unenclosed sidewalk café to D.E.L., Inc. d/b/a Alexandra, 455 Hudson Street to increase seating from 7 tables and 14 seats to 10 tables and 20 seats DCA# 1192285.**

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

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

**WHEREAS**, there has been a sidewalk café at this location since 2005; and

**WHEREAS**, this restaurant will be increasing its seating, from 7 tables and 14 seats to 10 tables and 20 seats by reconfiguring the tables and not increasing the café space; and

**WHEREAS**, the applicant has always maintained removable barriers at the perimeter of the café; and

**WHEREAS**, applicant agreed to “tape” the corner boundaries of the café; and;

**WHEREAS**, the applicant and his family reside in the residential portion of the building; and

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

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to D.E.L., Inc. d/b/a Alexandra, 455 Hudson Street with 10 tables and 20 seats DCA# 1192285.

Vote: Passed, with 36 Board members in favor, and 5 abstentions.

### **STREET FAIR PERMIT SUBCOMMITTEE**

#### **1. Support of the Proposed Greenmarket on 6<sup>th</sup> Ave. between Downing and West Houston Streets**

**WHEREAS**, all of the block associations in the local community strongly support the creation of a new greenmarket on the sidewalk of 6<sup>th</sup> Avenue between Downing and West Houston Streets to operate on Sundays from 8 - 5 p.m. from 7/8/07 to 11/18/07 because of the dearth of outlets in the neighborhood from which to purchase fresh produce and the sense of community a greenmarket would help foster; and

**WHEREAS**, the proposed greenmarket will be run by a nonprofit organization which is a program of the Council on the Environment of NYC, a privately funded citizens organization in the Mayor’s Office that currently runs greenmarkets at 45 other locations throughout the city, works with over 200 farmers throughout the region and donates unsold produce to City Harvest to help feed the hungry; and

**WHEREAS**, while this greenmarket is supported by the landlord at 10 Downing Street (in front of which the greenmarket will operate), for the record this Community Board assumes that all insurance issues involving the greenmarket, landlord and the City of New York are in accordance with the prevailing standard for other greenmarkets operating on City sidewalks.

**THEREFORE BE IT RESOLVED**, that CB#2, Man., strongly supports the support the creation of a new greenmarket on the sidewalk of 6<sup>th</sup> Avenue between Downing and West Houston Streets to operate on Sundays from 8 - 5 p.m. from 7/8/07 to 11/18/07 and credits the local block associations for their joint initiative in bringing this project to fruition.

Vote: Unanimous, with 41 Board members in favor.

## **2. Support of the Renewal of Various Street Fair Permit Applications**

**WHEREAS**, all but one of the street fair permit applications listed below are applications for renewals; and

**WHEREAS**, the sponsors of the proposed street fairs listed below appear to meet the requirements of Chapter 1-03(b) the Rules of the Office of the Mayor, Community Assistance Unit, Street Activity Permit Office Relating to Applications, Fees and Charges for street fairs, in that the each such sponsor is a “community-based, not-for-profit organization, association, or the like, which has an indigenous relationship to the specific street or the community or both, for which the event is proposed and which demonstrates that it has the support of the community and is willing to take full responsibility for the conduct of the event.”

**THEREFORE BE IT RESOLVED**, that CB#2, Man., supports the street fair permit applications on the dates and at the locations listed below:

6/15 – P.S. 3, Grove St. between Hudson and Bedford Streets.

6/21 – Waverly Bank II Neighbors Assn., Bank St. between W. 4<sup>th</sup> St. and Greenwich Ave.

6/21 – Order of the Sons of Italy, Grand St. between Mulberry and Mott Streets (1 – 2 hours)

6/24 – Heritage of Pride (multi-block), *location subject to modifications based on street availability*

9/30 – LGBT Community Services Center, West 13<sup>th</sup> St. between 7<sup>th</sup> and Greenwich Aves.

Vote: Unanimous, with 41 Board members in favor.

## **3. Support of a Street Activity Permit for a Performance Art Piece**

**WHEREAS**, the applicant, the Composers Collaborative, is a nonprofit partnership between filmmakers and composers, and proposes to put on a music and dance production for 1.5 hours in front of the Cornelia Street Café because of its tradition with the arts; and

**WHEREAS**, the production, which involves up to 75 musicians, will not be amplified and there will be no vending at this event.

**THEREFORE BE IT RESOLVED**, that CB#2, Man., supports the street fair permit application on 6/21/07 by the Composers Collaborative, on Cornelia St. between Bleecker and W. 4<sup>th</sup> Streets.

Vote: Unanimous, with 41 Board members in favor.

## **4. Opposition to Block Party Permits by the Nolita Neighborhood Assn.**

**WHEREAS**, the applicant, the Nolita Neighborhood Assn. (the “Applicant”), is a consortium of small businesses in the neighborhood which according to its mission statement exists “...to cooperate and work closely with other organizations and associations in forming coalitions, when it will benefit the Nolita Neighborhood Association.” However, according to the Applicant, the organization is not a nonprofit entity and has never held a public meeting; and

**WHEREAS**, the Applicant has held block parties in the local neighborhood for the last four years, drawing numerous complaints from local residents for their noise, the unruly behavior of attendees (including an alleged assault), open and notorious flouting of the laws regulating the public consumption of alcoholic beverages, and the general negative impact on the neighborhood’s quality of life, which the Applicant itself admitted at the public hearing were at times “disastrous;” and

**WHEREAS**, the representative for the local Council member, Alan Gerson, said at the public hearing that the Council member opposes the Applicant's street fair activity permit applications because of its poor track record with the local community.

**THEREFORE BE IT RESOLVED**, that CB#2, Man., strongly opposes the Applicant's street fair activity permit applications as follows:

- **7/14** – Nolita Neighborhood Assn., Mott St. between Spring and Kenmare Streets
- **7/15** (or 10/13 as suggested by Applicant) – Nolita Neighborhood Assn., Lafayette St. between Spring and Kenmare Streets
- **9/30** – Nolita Neighborhood Assn., Lafayette St. between Spring and Kenmare Streets

Vote: Unanimous, with 41 Board members in favor.

**5. Opposition of Street Fair Activity Permit on 7/7/07 on Bond St., between Broadway and Lafayette St.**

**WHEREAS**, the applicant, the Network of Arab American Professionals of NY/Algerian-American Cultural (the "Applicant"), is a nonprofit organization started in 1999 to promote ethnic identity and cultural understanding, appears to be a worthy and legitimate organization; and

**WHEREAS**, the Applicant's street fair, which consists of local artisans and craftspeople, has received no complaints from residents since its inception in 1999. Also, there is a question of fact whether the Applicant's street fair has operated on this street in past years (e.g., at the public hearing one member of the local community claimed to have "never noticed them before" and assumed this was a new application); and

**WHEREAS**, there is concern on the part of the NoHo NY Bid that the Applicant's presence for one day a year on the Belgian blocks on Bond Street is damaging the street bed, which the NoHo NY Bid restored in 2003 - 2004 at a cost of approximately \$50,000. Photographs showing the general deterioration of Bond Street were presented as evidence of such damage (although it was not claimed that the photos were linked to the Applicant's presence).

**THEREFORE BE IT RESOLVED**, that CB#2, Man., opposes the Applicant's street fair activity permit application on 7/7/07 on Bond St., between Broadway and Lafayette St. However, the Community Board would support the Applicant's street fair application on such date if it were moved to Great Jones Street between Broadway and Lafayette.

Vote: Unanimous, with 41 Board members in favor.

**TRAFFIC AND TRANSPORTATION**

**Pedestrian Ramps within the Community Board No. 2 Area.**

**WHEREAS**, Manhattan Borough President Scott Stringer's Community Planning Fellowship Program is providing community boards throughout the borough with the resources of an Urban Fellow to "enhance the capacity of the community boards to undertake planning activities and impart on the next generation of planners an acute appreciation of local government and the planning perspective;" and

**WHEREAS**, Community Board 2's Community Planning Fellow, Chisato Shimada, has prepared a "Pedestrian Ramp Study" (the Study), a survey of pedestrian ramps for the district, with the goal to create a map containing every street corner in the district showing (i) whether the corner had a pedestrian ramp and (ii) if so, the condition of the ramp. The Community Board was informed by the NYC Department of Transportation (DOT) that when the map was complete, DOT can use it to build pedestrian ramps at every corner that did not have one or repair ramps that were unusable because they were in disrepair or were not even with the abutting street; and

**WHEREAS**, the Study found that of the 2169 crosswalks surveyed, 23% did not have pedestrian ramps, which is greater than the citywide rate of 10%; and

**WHEREAS**, 39% of the intersections surveyed were "problematic" – either the crosswalk had no pedestrian ramp or the pedestrian ramps were found to be degraded and/or uneven; and

**WHEREAS**, the Study found the following streets in the Community Board with the largest number of missing ramps to be the following:

- Greenwich Street between Horatio and Christopher Street;
- Bleecker Street between Christopher and Carmine Street;
- Triangle areas between Greenwich, 7<sup>th</sup> Avenue and Christopher Street;
- Prince Street between Lafayette and 6<sup>th</sup> Avenue;
- Spring Street between Lafayette and 6<sup>th</sup> Avenue; and
- Grand Street between Bowery and 6<sup>th</sup> Avenue.

**WHEREAS**, accessibility of the city's streets and sidewalks is a basic right that should be enjoyed by all, including the differently-abled, and the construction of pedestrian ramps is a longstanding capital request of this Community Board.

**THEREFORE BE IT RESOLVED**, that CB#2, Man., expresses its gratitude to its Community Planning Fellow, Chisato Shimada, and adopts the recommendations of the Study as follows:

- DOT should immediately act to construct pedestrian ramps at every street corner that does not have them so they are on both sides of every street corner, leading into each corresponding crosswalk, rather than on the corner tip which forces both pedestrians and the differently-abled into the intersection, which is both dangerous and disorienting;
- DOT should repair every pedestrian ramp that is either degraded, uneven with adjacent roadbed, or both;
- DOT should construct a pedestrian ramp at every street corner at which a ramp is of "irregular design" is currently in use and should use a long lasting, proper material, not asphalt that easily comes apart and gets soft in the hot weather; and
- When building new ramps or repairing existing one, DOT should consider a design that avoids 'ponding', and
- The Department of Consumer Affairs should review street corners annually to ensure that pedestrian ramps are in good repair.

Vote: Unanimous, with 41 Board members in favor.

**NEW BUSINESS**

Respectfully submitted,

Jo Hamilton, Secretary  
Community Board #2, Manhattan