

## FULL BOARD MINUTES

**DATE:** October 23, 2003  
**TIME:** 6:30 P.M.  
**PLACE:** St. Vincent's Hospital, 170 W. 12<sup>th</sup> St., Cafeteria

**BOARD MEMBERS PRESENT:** Steve Ashkinazy, Tobi Bergman, Keith Crandell, Maria P. Derr, Doris Diether, Harriet Fields, Elizabeth Gilmore, Edward Gold, Lawrence Goldberg, Jo Hamilton, Anne Hearn, Brad Hoylman, Barbara Jeter, Honi Klein, Lisa La Frieda, Aubrey Lees, Don MacPherson, Dr. John Maggio, Chad Marlow, Rosemary McGrath, Rick Panson, Judy Paul, David Reck, Carol Reichman, Robert Riccobono, Robert Rinaolo, Ann Robinson, Mark Rosenwasser, Rocio Sanz, Shirley Secunda, Melissa Sklarz, Cynthia Smith, James Smith, Chair, Community Board #2, Manhattan (CB#2, Man.) Shirley H. Smith, Sean Sweeney, Martin Tessler, Jeanne Kazel (Wilcke). Carol Yankay.

**BOARD MEMBERS EXCUSED:** Helene Burgess, Arthur Harris, Don Lee, Edward Ma, T. Marc Newell, Wilbur Weder, Betty Williams.

**BOARD MEMBERS ABSENT:** Doris Nash, Arthur Z. Schwartz, Ruth Sherlip.

**BOARD STAFF PRESENT:** Arthur Strickler, District Manager

**GUESTS:** Daryl Cochrane, Congressman Jerrold Nadler's office; Danielle Cabaldi-Micca, Senator Tom Duane's office; Erin Mears, Sen. Martin Connor's office; Yvonne Morrow, Assembly Speaker Sheldon Silver's office; Assembly Member Deborah Glick's office; Dirk McCall, Council Member Alan Gerson's office; Council Member Margarita Lopez' office; Carin Mirowitz, Council Member Christine Quinn's office; Chara Ann Tappin, Christian Miller, Maho Watanabe, Rick Brommell, Stephan M. Evans III, Nancy Goshow, David Drane, Phyllis Goldberg, John Samuels, Morris Adjmi, Jess Wazkin, L. Hearn, Arthur Hoey, Linda Myers, Ann Arlen, Margaret Jones, N. Syed, V. Campbell, Carter Booth, Enid Portuguese, Gregory Brender, Barrett Gross, Jose Caraballo, Bill Hine, Leonie Harmson, Gary Parker, Michelle Lie.

### MEETING SUMMARY

Meeting Date October 23, 2003  
Board Members Present – 38  
Board Members Excused– 7  
Board Members Absent - 3

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## **II. PUBLIC SESSION**

### **Non-Agenda Items**

#### Senior Citizen Services

Michelle Lie, of NY Foundation spoke re: programs and services for senior citizens.

#### Education Issues

Leonie Harmson spoke re: class size issues in school.

#### Elect Stephen Evans

Stephen M. Evans III introduced himself to the community.

#### Non Partisan Elections

Phyllis E. Goldberg spoke in favor of non-partisan elections.

Melissa Sklarz, GLID, spoke re rally against non-partisan elections.

#### Pumpkin Festival

Honi Klein, Village Alliance B.I.D. spoke in favor re upcoming Urban Pumpkin Festival.

#### Children's Halloween Parade

Gary Parker, NYU, spoke re the upcoming children's parade.

### **Landmarks & Public Aesthetics Items**

#### 714 Broadway application to replace windows (east façade) and create new window openings (north façade).

Arthur Hoey, applicant, and Nancy Goshow, architect, both spoke in favor of the application.

#### 1-2 Sheridan Sq. application to legalize installation of roll-down security gates, tracks and housing, and modification of storefront without LPC permits; and to install new awnings and light fixtures.

Linda Myers spoke re this application.

#### 36-40 Gansevoort St. application to replace the facade and construct a 3-story and penthouse addition.

Morris Adjumi, architect, spoke in favor of the proposed application.

### **Waterfront Items**

#### Skating Rink at Hudson River Park

Barrett Gross spoke in favor of the proposed rink.

Margaret Jones spoke against the proposal.

Assembly Member Deborah Glick spoke re proposal for rink and the lack of information from HRPT on not having a public hearing to ascertain community views and input.

Bill Hine spoke re issues on this topic that need to be resolved.

## **III. ADOPTION OF AGENDA**

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

Daryl Cochrane, of Congressman Jerrold Nadler's office

Brian Sogol, Senator Tom Duane's office

Yvonne Morrow, of Assembly Speaker Sheldon Silver's office

Assembly Member Deborah Glick's office

Dirk McCall, of Council Member Alan Gerson's office.

Council Member Margarita Lopez' office,

Carin Mirowitz, of Council Member Christine Quinn's office

**V. ADOPTION OF MINUTES**

Adoption of July minutes and distribution of September minutes.

**VI. EXECUTIVE SESSION**

- **Chair's Report** Jim Smith reported
- **District Manager's Report** Arthur Strickler reported.

**STANDING COMMITTEE REPORTS**

**BUSINESS**

**1. CGM-GH LLC d/b/a Ono, 18 Ninth Avenue, NYC (Gansevoort Hotel Restaurant)**

**WHEREAS**, the applicants and their attorney appeared before the committee; and

**WHEREAS**, this application is for an On Premise License for the ground floor at this location; and

**WHEREAS**, the applicant stated that he intends to operate a 370 seat, 16,000 square foot, Japanese restaurant with indoor seating of 170 and outdoor seating of 84 and an indoor/outdoor seating of 100 known as the cabana area, plus two bars; and

**WHEREAS**, the applicant stated that the hours of operation will be from 7 AM until 2 AM. In response to community concerns, the applicant has agreed to close the outdoor seating area at Midnight on weekdays and 1 AM on weekends. Also in response to community concerns, the applicant stated that he would consider the same closing times for the indoor/outdoor (cabana area) but he would not commit at this time; and

**WHEREAS**, the applicant stated that music would be background only: and

**WHEREAS**, two members of the community spoke in opposition to this application; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the issuance of an On Premise license to CGM-GH LLC, d/b/a Ono, 18 Ninth Avenue, NYC (Gansevoort Hotel Restaurant).

Vote: Passed, with 37 Board members in favor, and 1 in opposition.

**2. Hotel Gansevoort Group LLC & CGM-GH LLC d/b/a Hotel Gansevoort, 18 Ninth Avenue, NYC**

**WHEREAS**, the applicants and their attorney appeared before the committee; and

**WHEREAS**, this application is a partnership between the hotel ownership and the restaurant licensee to license the following areas of the hotel operation: Room service, Mini Bars, All catering functions including the rooftop indoor hospitality suite and the rooftop pool bar and food area; and

**WHEREAS**, two members of the community appeared in opposition to the use of the rooftop for late night functions. In response to these concerns, the applicant agreed to cease all service and music on the rooftop at Midnight in the areas facing Hudson Street and 13<sup>th</sup> Street and also the entire pool area. However, the applicant will remain open on the Ninth Avenue side of the building until 2 AM (except for the pool area that is partially located on Ninth Avenue, which will close at Midnight); and

**WHEREAS**, in response to community concerns, the hotel management as well as the restaurant management have agreed to be especially sensitive to community problems and have agreed to take whatever steps that are necessary to correct any problems if possible;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the issuance of an On Premise license for the Hotel Gansevoort Group, LLC. & CGM-GH LLC d/b/a Hotel Gansevoort, 18 Ninth Avenue, NYC.

Vote: Passed, with 36 Board members in favor, and 2 in opposition.

**3. BBL Investors LLC, 643 Broadway, NYC**

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

**WHEREAS**, this application is for the transfer of an On Premise license at this location formerly known as V.G. that has been continuously licensed since prior to 1993; and

**WHEREAS**, the applicant stated that the menu will be new American food on the first floor and also in the basement lounge; and

**WHEREAS**, the applicant also stated that music will be background on weekdays and DJ on weekends; and

**WHEREAS**, the applicant stated that the hours of operation will be from 8 AM until 2 AM weekdays and until 4 AM weekends; and

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the issuance of an On Premise license to BBL Investors LLC, 643 Broadway, NYC.

Vote: Passed, with 34 Board members in favor, 3 in opposition, and 1 abstention.

**4. Facosull Corp., 165 West 4<sup>th</sup> Street, NYC**

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

**WHEREAS**, this application is the transfer of the On Premise license that has been at this location since prior to 1993; and

**WHEREAS**, the applicant stated that the hours of operation will be from 11 AM until 2 AM weekdays and until 4 AM weekends; and

**WHEREAS**, the applicant stated that this will be an Irish style restaurant and bar with background music only; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the issuance of an On Premise license for Facosull Corp., 165 West 4<sup>th</sup> Street, NYC

Vote: Unanimous, with 38 Board members in favor.

**5. Trance Gourmet, Inc., 300 Bleecker Street, NYC**

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

**WHEREAS**, the applicant stated that the hours of operation will be from 10 AM until 2 AM seven days; and

**WHEREAS**, this application is for an On Premise license at this location that was formerly operated as a souvenir store and will become a 30 seat South American food restaurant; and

**WHEREAS**, the applicant stated that music will be background only; and

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the issuance of an On Premise license for Trance Gourmet Inc., 300 Bleecker Street, NYC.

Vote: Unanimous, with 38 Board members in favor.

**6. Brass Monkey, LLC, 55 Little West 12<sup>th</sup> Street, NYC**

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

**WHEREAS**, this application is for an On Premise license for a 68 seat 1900 square foot Irish Restaurant with background music only; and

**WHEREAS**, the applicant stated that the hours of operation will be from 11 AM until 2 AM weekdays and until 4 AM weekends; and

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of an On Premise license for Brass Monkey, LLC, 55 Little West 12<sup>th</sup> Street, NYC.

Vote: Passed, with 37 Board members in favor, and 1 in opposition.

**7. Barbuto LLC, 775 Washington Street, NYC**

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

**WHEREAS**, this application is for an On Premise license for this 1000 square foot restaurant that will seat 60 persons; and

**WHEREAS**, the applicant stated that the hours of operation will be from 9 AM to 2 AM; and

**WHEREAS**, the applicant stated that the music will be background only; and

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the issuance of an On Premise license for Barbuto LLC, 775 Washington Street, NYC.

Vote: Unanimous, with 38 Board members in favor.

**8. Lesu LLC, d/b/a Risa, 47 East Houston Street, NYC**

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

**WHEREAS**, this application is for an upgrade from beer and wine to a full On Premise license at this 62 seat location that has been in operation since 2000 without incident; and

**WHEREAS**, the applicant stated that there would be no change to the method of operation; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the issuance of an On Premise license for Lesu LLC, d/b/a Risa, 47 East Houston Street, NYC.

Vote: Unanimous, with 38 Board members in favor.

**9. Golden Faan, Inc., d/b/a Faan, 404 Sixth Avenue, NYC**

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

**WHEREAS**, this application is for an On Premise license for a 73 seat Asian Fusion restaurant at this location currently operated as Jenny Wang since 2000; and

**WHEREAS**, the applicant stated that the hours of operation will be from 11 AM until 1 AM with background music only; and

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the issuance of an On Premise license for Golden Faan Inc., d/b/a Faan, 404 Sixth Avenue, NYC.

Vote: Unanimous, with 38 Board members in favor.

**10. MGT Enterprises LLC, d/b/a Meet, 71-73 Gansevoort Street, NYC**

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

**WHEREAS**, this application is to include the 48 seat sidewalk café in the existing On Premise license; and

**WHEREAS**, this applicant has been at this location since 2001 and further stated that there will be no change to the method of operation;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the alteration of the existing On Premise license at this location to include the sidewalk café for MGT Enterprises LLC, d/b/a Meet, 71-73 Gansevoort Street, NYC.

Vote: Passed, with 36 Board members in favor, and 2 in opposition.

**11. NYC Libations, d/b/a Mannahatta, 316 Bowery, NYC**

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

**WHEREAS**, this application is to add an additional bar in this already licensed premise; and

**WHEREAS**, the applicant stated that there would not be any change to the method of operation; and

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the alteration of the existing On Premise license for NYC Libations, d/b/a Mannahatta, 316 Bowery, NYC.

Vote: Passed, with 37 Board members in favor, and 1 in opposition.

**12. Green Door Entertainment, LLC, 190 Elizabeth Street, NYC**

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

**WHEREAS**, this area is already overloaded with On Premise licenses; and

**WHEREAS**, one member from the community representing a neighborhood organization appeared in opposition to this application and submitted a letter of objection; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. opposes the issuance of an On Premise license for Green Door Entertainment, LLC, 190 Elizabeth Street, NYC and calls upon the SLA to return this applicant to the community should an application be filed in order that the concerns of the community can be fully aired.

Vote: Unanimous, with 38 Board members in favor.

**13. 144 Tavern Corp., d/b/a Nocturne, 144 Bleecker Street, NYC**

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

**WHEREAS**, this location is already operating under the prior licensee's license without having first presented their plans to the community; and

**WHEREAS**, the presumed owner who has appeared on television and in the press as the owner a Mr. Michael Ault, is operating another premise in the area and is not named on that license either, making the committee skeptical of this operation as well; and

**WHEREAS**, a representative of BAMRA, the neighborhood organization appeared in opposition to this application;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. strongly objects to the issuance of an On Premise license to 144 Tavern Corp., d/b/a Nocturne, 144 Bleecker Street, NYC and calls upon the SLA to fully investigate this applicant and determine if the licensees are in fact the operators and owners; and

**BE IT FURTHER RESOLVED** that CB#2, Man. calls upon the SLA to return this applicant to the community should an application be filed in order that the concerns of the community can be fully aired.

Vote: Passed, with 37 Board members in favor, and 1 recusal (R. Rinaolo).

**Application to the NYC Dept. of Consumer Affairs for a Cabaret License for: Sway Lounge LLC, d/b/a Sway, 305 Spring Street, NYC**

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

**WHEREAS**, this application is for a Cabaret license at this existing location; and

**WHEREAS**, the applicant stated that there would be no change to the method of operation; and

**WHEREAS**, this applicant has been in business for five years without any violations or neighborhood problems;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the issuance of a Cabaret license for Sway Lounge LLC., d/b/a Sway, 305 Spring Street, NYC

Vote: Unanimous, with 38 Board members in favor.

## ENVIRONMENT

### **The Inspector General's Report On The EPA's Response To The World Trade Center Collapse**

**WHEREAS**, recently the office of the Environmental Protection Agency's (EPA) Office of the Inspector General (OIG) issued two reports, "EPA's Response to the World Trade Center Collapse . . ." in August, 2003, and "Survey of Air Quality Information Related to the World Trade Center Collapse" in September, 2003; and

**WHEREAS**, these evaluations report that EPA Administrator Whitman downplayed the air quality risk to New Yorkers posed by the massively contaminated air following the disaster and instead issued reassuring press releases in response to direction by the Council on Environmental Quality (CEQ), on behalf of the White House, which was more concerned with getting New York business and especially the New York Stock Exchange up and running in the national interest and in doing so callously sacrificed the health of people living, working and attending school downtown; and

**WHEREAS**, in the same vein, although the EPA is the federal agency charged with redemption of hazardous materials outside and inside buildings following a terrorist attack, EPA ignored these obligations and failed to assume responsibility for comprehensive remediation, despite the warnings of many downtown groups, with valuable leadership from Congressman Jerrold Nadler; and

**WHEREAS**, after a year of public exposure to these hazardous materials the EPA offered a cleanup, but on a voluntary basis and only to those in Manhattan below Canal Street, ignoring scientific and photographic evidence of the spread of hazardous materials to Manhattan above Canal Street and outside of Manhattan; and

**WHEREAS**, the OIG's reports document evidence of the spread of hazardous materials outside the EPA's chosen boundaries, including into CB#2, Man.; and

**WHEREAS**, members of EPA's union and other EPA staffers have publicly protested the failure of EPA leadership to act to protect the health of people in the affected areas;

**NOW THEREFORE BE IT RESOLVED** that CB#2, Man. welcomes the OIG's report on the EPA's response to the World Trade Center disaster but protests that it has now been two years since September 11, 2003, and many have been continuously exposed to residues of hazardous materials in schools, homes and work places, often redistributed by contaminated HVAC systems; and

**BE IT FURTHER RESOLVED** that CB#2, Man. joins 9/11 Environmental Action and other groups, with which it has worked to limit environmental harm from the disaster, in once again demanding a comprehensive cleanup, federally funded and supervised by the EPA, of all places where hazardous materials remain as a result of the World Trade Center collapse, with a particular focus on interiors and HVAC systems, and with the cleanup areas to be determined by testing, including in CB#2, Man. and

**BE IT FURTHER RESOLVED** that CB#2, Man. urges that the investigation announced by Senator Clinton and members of the Senate leadership be broadened to include consideration of whether de-politicization of the appointments of the EPA Administrator and the membership of the CEQ might better equip the EPA to fulfill its statutory mandate "to protect human health and to safeguard the natural environment"; and

**BE IT FINALLY RESOLVED** that this is a disaster without boundaries, and we demand that the Mayor and the City Council address this in the strongest terms.

Vote: Unanimous, with 38 Board members in favor

## **LANDMARKS AND PUBLIC AESTHETICS**

**1. LPC Item: 6 - 349 6<sup>th</sup> Avenue (W. 4<sup>th</sup>) - Greenwich Village Historic District.** A Greek Revival style house built in 1848 and later altered to accommodate storefronts at the first and second floors. Application is to alter the ground floor storefront infill.

**WHEREAS,** the application uses the vocabulary of the adjacent buildings, for example, matching wood panels and symmetry of fenestration; and

**WHEREAS,** the cast-iron column will be maintained; and

**WHEREAS,** the sign band aligns with the capital of the cast-iron column and the transom bars line up with the entablature of the adjacent building; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of this application.

Vote: Unanimous, with 38 Board members in favor.

**2. LPC Item: 7 - 345-347 6<sup>th</sup> Avenue (W. 4<sup>th</sup>)- Greenwich Village Historic District.** A residential and commercial building with Federal style details built in 1825, and enlarged in the mid- and late-19th century; and a Greek Revival style residential and commercial building built in 1848. Application is to install new storefront infill and signage.

**WHEREAS,** this applicant, North Fork Bank, has appeared twice before us with signage applications, once for the NoHo Historic District and once for the SoHo Cast-Iron Historic District, which were marked by an inappropriate excess of signage that we and the LPC modified greatly to a more acceptable level; and

**WHEREAS,** now they are before us again, this time in the Greenwich Village Historic District, again with a plethora of redundant signage; and

**WHEREAS,** the bank's architect stated that the bank intended to place at least four illuminated signs behind the windows on both facades, 18" from the pane, which is beyond the purview of the Commission; and

**WHEREAS,** the bank wishes to replace the current GAP sign, which is quite large already, with a North Fork logo, as well as a prominent sign band; and

**WHEREAS,** this is an excess of signage for this highly visible location; and

**WHEREAS,** the four illuminated interior signs, over which there is no LPC jurisdiction, will sufficiently announce the bank's presence; and

**WHEREAS,** we cannot understand the continuing inability of the applicant to grasp that although this signage may be appropriate for, say, a strip mall off the Long Island Expressway, it is unsuitable for historic districts in lower Manhattan; now

**THEREFORE, BE IT RESOLVED** that in lieu of the adequate illuminated signage to be installed in several windows on two facades, Community Board 2 recommends denial of any other signage, specifically, the painted wall sign and the sign band.

Vote: Unanimous, with 38 Board members in favor.

**3. LPC Item: 8 - 375 Bleeker Street (Charles/Perry)) - Greenwich Village Historic District.** A rowhouse designed by Louis Berger and constructed in 1867. Application is to legalize alterations to the roof, dormers, and cornice without Landmarks Preservation Commission permits.

**WHEREAS,** work was done without permits, and the applicant supplied only before- and-after photographs of the dormers and no other information or materials upon which we could make a judgment; and

**WHEREAS,** we were at a loss to determine whether the work conformed with the state of the building at the time of designation; now

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of this application and respectfully requests the applicant return with more information.

Vote: Unanimous, with 38 Board members in favor.

4. **LPC Item: 9 - 624 Hudson Street, a/k/a 57 Jane Street** - Greenwich Village H.D. A townhouse built in 1846. Application is to construct a barrier free access ramp at the Jane Street facade.

**Previously voted on by us. See archives**

5. **LPC Item: 10 - 87 7th Avenue South (Sushi Samba 7)** - Greenwich Village Historic District. A commercial building. Application is to modify the construction of rooftop alterations executed in non-compliance with Certificate of Appropriateness 01-2327 and to legalize the installation of a chimney flue without Landmarks Preservation Commission permits. Zoned C4-5

**WHEREAS**, the request to paint the illegally installed chimney flue to match the bricks would reduce its visibility; and

**WHEREAS**, this applicant has a history of thumbing its nose at both the community and the administrative processes of several city agencies, including Landmarks; and

**WHEREAS**, the original request was for a simple trellis on the roof, but the applicant went ahead and constructed large tent-like structures on the roof, clearly visible; and

**WHEREAS**, now, instead of simply removing the offending structure, the applicant wishes to add yet another structure on the roof, a screen made of clear glass that would allegedly hide the illegal structure; but

**WHEREAS**, the screen, being transparent, screens nothing; and,

**WHEREAS**, when the restaurant is in operation at night with all its lights on, would clearly reveal the illegal tent on the roof; but

**WHEREAS**, more egregiously, we were able to get from the applicant that the glass doors would slide open, in effect, clearly exposing the illegal structure to all; now,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of the painted flues; but,

**BE IT FURTHER RESOLVED** that CB#2, Man. recommends denial of this transparent application.

Vote: Unanimous, with 38 Board members in favor.

6. **LPC Item: 11 - 40 Fifth Avenue** - Greenwich Village Historic District. A neo-Georgian style apartment building, designed by Van Wart & Wein, and built in 1929. Application is to enlarge a window opening at the eastern secondary elevation.

**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 did not contact the Community Board or appear before the Landmarks Committee to present this application; now

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

Vote: Unanimous, with 38 Board members in favor.

7. **LPC Item: 12 - 388-394 6th Avenue** - Greenwich Village Historic District. A Modern style bank building built in 1956. Application is to install an internally illuminated sign box.

**WITHDRAWN**

8. **LPC Item: 13 - 1 Sheridan Square (Washington/W. 4<sup>th</sup> St.)** - Greenwich Village H.D. A loft building designed by Mulliken & Moeller and built in 1902-03. Application is to legalize the installation of exterior roll-down security gates, tracks and housing, and the modification of storefronts without Landmarks Preservation Commission permits; and to install new awnings and light fixtures.

**WHEREAS**, the existing awning on Washington Street will be replaced by one with open sides; and

**WHEREAS**, the three proposed awnings on the West 4<sup>th</sup> Street provide a uniformity to the façade, and the color and material are in conformity with other awnings in the district; and

**WHEREAS**, the plan to recess the air conditioner is welcomed; but

**WHEREAS**, we realize the expense incurred by these small businesses in reinstalling the exterior roll-down gates and we appreciate the effort they have made in improving the facade; nevertheless, other businesses have been required to remove exterior security gates; now

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of this application with the exception of the security gates.

Vote: Unanimous, with 38 Board members in favor.

**9. LPC Item: 14 - 675 Hudson Street** - Gansevoort Market Historic District. A vernacular/neo-Grec style factory building built in 1849, enlarged in 1854-60 and altered c. 1884. Application is to install a duct on the 9th Avenue facade.

#### **WITHDRAWN**

**10. LPC Item: 15 - 416 West 13th Street (Collier Building)**- Gansevoort Market Historic District. A neo-Classical style factory/office building designed by Trowbridge and Livingston and built in 1901-02. Application is to alter the ground floor window openings and to install bracket signs.

**WHEREAS**, we do not like to see important buildings radically altered, but here the alteration is sensitive, maintains the integrity and proportions of the original design, allows for adaptive re-use of this important building, and is a great example of what can be done right; and

**WHEREAS**, we applaud the effort put in by the applicant; and

**WHEREAS**, the change of paint color to a dark green is harmonious with the color of the masonry; and replacing the windows, recessing the doors, installing bracket signs, and removing the street-level AC units does not detract from the building nor the district; now

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of this application.

Vote: Unanimous, with 38 Board members in favor.

**11. LPC Item: 16- 36-40 Gansevoort Street** (Greenwich/9<sup>th</sup> Ave) - Gansevoort Market Historic District. A building constructed in 1947-48. Application is to replace the facade of an existing two-story building and add three stories and penthouse addition. Zoned M1-5.

**WHEREAS**, although the existing building is without style, it is located in a prominent location (the expansive Gansevoort piazza) in a district characterized most by its sense of place; and

**WHEREAS**, we appreciate the careful and serious effort put in by the applicant; and

**WHEREAS**, this new construction can set a precedent for future new buildings; and

**WHEREAS**, the materials proposed are sympathetic to the surrounding buildings and we particularly like the inclusion of the metal awning, evocative of the meat market's history; and

**WHEREAS**, we like the treatment used for the first two stories, which is consistent with other elements in the Gansevoort Market Historic District; but

**WHEREAS**, the multi-paned square windows - referencing factory windows - have an overwhelming squareness to them (which the architect intended), unlike traditional factory window lights which often have a slight verticality and which windows are usually encased horizontally; and

**WHEREAS**, the overall effect is not a 19<sup>th</sup> or 20<sup>th</sup> century industrial building, but a distinctively 1980's post-Modern work in the style of Robert Venturi and Michael Graves and clearly references that time period which is not an architectural style that can be found in the district; and

**WHEREAS**, as the eye moves up, the building appears to get heavier culminating with a bulky penthouse with this square motif; and

**WHEREAS**, we need to see more articulation, such as piers and banding; now

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of this application as is, but respectfully suggests the applicant work further on it with greater reference to other buildings in the district.

Vote: Passed, with 37 Board members in favor, and 1 in opposition.

**12. LPC Item: 17 - 48 9<sup>th</sup> Avenue** - Gansevoort Market Historic District. A Greek Revival style rowhouse constructed in 1845-46. Application is to construct dormers at the roof. Zoned C6-2A

**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 did not contact the Community Board or appear before the Landmarks Committee to present this application; now

**THEREFORE, BE IT RESOLVED** that CB2 recommends denial of this application in the absence of this important step in the review process.

Vote: Unanimous, with 38 Board members in favor.

**13. LPC Item: 18 - 92 Prince Street (s.w. corner Mercer)** - SoHo Cast-Iron H.D. A commercial building constructed in 2001 designed by ABC Architects. Application is to install gooseneck style light fixtures on both facades.

**WHEREAS**, the application for nine simple gooseneck lighting fixtures does not detract or distract from the building or the district; now

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of this application.

Vote: Unanimous, with 38 Board members in favor.

**14. LPC Item: 19 - 453 Broome Street** - SoHo-Cast Iron Historic District. A store building designed by Griffith Thomas and built in 1872-73. Application is to install flagpoles and banners and blade signs at the Mercer Street and Broome Street facades

**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 did not contact the Community Board or appear before the Landmarks Committee to present this application; now

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

Vote: Unanimous, with 38 Board members in favor.

**15. LPC Item: 20 - 714 Broadway** (opposite Washington Pl)- NoHo Historic District. A neo-Classical style store building built in 1896-97 and designed by Buchman and Deisler. Application is to replace windows on the east facade and to create new window openings on the north facade.

**WHEREAS**, the window openings on the north façade are so minimally visible and the change to the rear window so obscured as to be virtually unnoticeable; and

**WHEREAS**, this sight is visible only in front of a parking lot which will be surely built upon soon; now

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of this application.

Vote: Unanimous, with 38 Board members in favor.

## **TRAFFIC AND TRANSPORTATION**

### **1. Change the parking regulations on Charlton Street, Barrow Street, Greenwich Street and Mulberry Street (held over from September's meeting).**

**WHEREAS**, there exists a shortage of parking lots in and around the neighborhood near Charlton, Barrow, Greenwich and Mulberry streets; and

**WHEREAS**, there is an urgent need for residential parking in the neighborhood; and

**WHEREAS**, the current parking regulations are obsolete;

**THEREFORE BE IT RESOLVED** that CB#2, Man. supports changing the parking regulations as follows:

- On Charlton Street, between Hudson and Greenwich Streets, change the parking regulations from currently "No Parking, 8 AM – 5 PM, Monday through Friday" to the following: On the north side of Charlton Street, "No Parking, 11 AM – 12:30 PM, Monday and Thursday" and on the south side of Charlton Street, "No Parking, 11 AM – 12:30 PM, Tuesday and Friday";
- On Barrow Street, on the north side between Hudson and Greenwich streets, change the parking regulations from currently "No Parking, 8 AM – 6 PM, Monday through Friday" to the following: "No Parking, Monday and Thursday, 11 AM – 12:30 PM";
- On Mulberry Street, on the west side between Grand and Broome streets, change the parking regulations from currently "No Parking, 8 AM – 6 PM" to the following: "No Parking except trucks loading and unloading, 8 AM – 4 PM";
- On Greenwich Street, on the west side between Leroy and Clarkson streets, change the parking regulations from currently "No Parking Anytime" to the following: "No Parking, Monday and Thursday, 11 AM – 12:30 PM." The sign for this regulation should be no more than 100 feet from the corner of Clarkson Street.

Vote: Unanimous, with 38 Board members in favor.

### **2. Resolution To Commend the Port Authority of NY & NJ for Its Decision to Continue the Ban of Large New York-Bound Tractor Trailers And Trucks; and**

**WHEREAS**, the residents of Lower Manhattan remain concerned about the health and safety dangers and traffic congestion caused by large tractor trailers and trucks in their neighborhoods; and

**WHEREAS**, the Port Authority has lifted the ban instituted after September 11<sup>th</sup> for the Holland Tunnel on New York-bound commercial vehicles and trucks in classes 1, 2 and 3 (small two and three-axle single-unit trucks); however, the Port Authority continues to ban larger New York –bound tractor trailers and trucks in classes 4, 5 and 6 (four, five and six-axle trucks); and

**WHEREAS**, on October 14, 2003, an official from the PA informed the members of the Traffic and Transportation Committee that the PA has decided to continue indefinitely the ban on large tractor trailers and trucks for the Holland Tunnel;

**THEREFORE BE IT RESOLVED**, that CB#2, Man. strongly supports the Port Authority's decision to continue to ban large tractor trailers and trucks from the Holland Tunnel on an indefinite basis and commends the agency for taking into the consideration the health and safety needs of the residents of Lower Manhattan in reaching this decision

Vote: Unanimous, with 38 Board members in favor.

### **3. Request By SoHo House Hotel for A Loading Zone In Front of the Main Entrance at 29-35 9<sup>th</sup> Avenue, Approximately Three Spaces Long From 4 PM To 4 AM Every Day of the Week And A "No Standing" Zone, From 9<sup>th</sup> Avenue And 13<sup>th</sup> Street To the Western Edge of the SoHo House Loading Dock, 24 Hours Per Day, 7 Days Per Week.**

**WHEREAS**, the safety of the guests of the SoHo House Hotel who must exit taxis and cars in the middle of 9<sup>th</sup> Avenue is a legitimate concern as is the ability of SoHo House to accommodate other deliveries; and

**WHEREAS**, the construction of the Gansevoort Hotel has eliminated numerous parking spaces and created additional congestion and the need for additional parking in the neighborhood; and

**WHEREAS**, support for the meatpacking businesses in the neighborhood continues to be a priority of this community board and over broad parking regulations in the area would have an adverse effect on the ability of these businesses to conduct their trade; and

**THEREFORE BE IT RESOLVED**, that CB#2, Man. supports the creation of a hotel loading zone in front of the main entrance of the SoHo House Hotel at 29-35 9<sup>th</sup> Avenue approximately two (2) spaces in length but limited to the times from 4 PM to 12 AM every day of the week; and

**BE IT FURTHER RESOLVED**, that CB#2, Man. supports a “No parking except trucks” zone from the northwest corner of 13<sup>th</sup> Street, 75 feet from 9<sup>th</sup> Avenue to the western edge of the SoHo House loading dock, 24 hours per day, 7 days per week.

Vote: Unanimous, with 38 Board members in favor

#### **4. Update of the Reconstruction of Houston Street.**

**WHEREAS**, the NYC Department of Design and Construction and the NYC Department of Transportation presented an update of the status on the reconstruction of Houston Street and design proposals; and

**WHEREAS**, there exists concern about the aesthetic qualities, sight obstruction and safety of the proposed median wall approximately 2 - 2.5 feet high and numerous aspects of its design require further clarification; and

**WHEREAS**, there did not appear to be sufficient evidence that the plan for westbound left-turn bays at the intersections of Houston and Mercer Street and West Broadway would be safe for pedestrians and improve traffic flow; and

**WHEREAS**, the plan raises concerns about the safety of pedestrians at the corner of Bedford Street and Houston Street;

**THEREFORE BE IT RESOLVED**, that CB#2, Man. requests the following:

- Details about the barrier wall to be constructed on the median of Houston Street, including a detailed drawing or model, showing elevation, information about the materials to be used, further information about the height and depth of the barrier wall, and landscaping details within the median (including specifics about the plantings and information which trees will be moved);
- Reconsideration of the plan for left-turn bays at the intersections of Houston and Mercer Street and West Broadway to ensure pedestrian crossing safety ; and
- Consideration that a pedestrian crossing signal be placed at the southwest corner of Bedford and Houston Street (on the west side of Sixth Avenue).

Vote: Returned to Committee.

### **WATERFRONT**

#### **Resolution of the Waterfront Committee of Community Board #2 (Manhattan) regarding a proposed Skating Rink at Hudson River Park;**

**WHEREAS** Community Board #2 has received a request from the Hudson River Park Trust (HRPT) to review, comment upon and approve the placement of an Ice Skating Rink at the Park on the south side of Pier 40 and;

**WHEREAS** the Lower Manhattan Development Corporation (LMDC) has provided grant money to HRPT for the specific purpose of funding the construction of a skating rink and that a number of residents suggested that we wait for an interim plan OR the final development plans for Pier 40 to introduce a skating rink and;

**WHEREAS** numerous comments from the community, committee members and Community Board #2 members among the audience of the Public Hearing (which was conducted just prior to the Waterfront Committee meeting and its vote on this issue) indicated that there were concerns and objections to the plan as it currently is formulated and;

**WHEREAS** the major aspects of the existing plan that drew public response or criticism are as follows:

- That there should be more passage room on the esplanade between the waterside and the rink;
- That there should not be a chain link fence as is currently proposed which would be aesthetically and visually unappealing;
- That there should not be a traffic turn/drop off and parking configuration introduced into the plan as is currently proposed for the rink area due to safety issues;
- That the fee charged to those using the new rink be below the fees charged either at Rockefeller Center or Chelsea Piers in order to benefit families, children and seniors as well as other residents;
- That CB2 urges the HRPT to give further consideration as to the aesthetics of the plan and consider including a music system at the rink for the benefit of skaters but with the utmost consideration of any noise factor for residents and neighbors.

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends that the HRPT move forward with its plan to build a skating rink just south of Pier 40 subject to the following recommendations:

- That by either a modification of the size or design of the rink or removal of the fencing, the esplanade be enlarged to a minimum of 16 to 18 feet instead of the approximately 12 feet passage space currently planned;
- That the parking/drop off zone be eliminated for safety reasons;
- That the chain link fence be eliminated to afford minimal visual interference and for aesthetics reasons and;
- That the fee structure for use of the rink be lower than that of either Rockefeller Center or Chelsea Piers;
- That the project be moved forward expeditiously so that the community may soon see further concrete benefits from the efforts of the HRPT in our segment of the Park and;
- That the HRPT will consult and work with CB#2 as it proceeds with the design modifications that have been suggested.

Vote: Not voted on. See substitute resolution below.

**Alternative Resolution for Waterfront Committee of Community Board #2 (Manhattan) regarding a proposed Skating Rink at Hudson River Park**

**WHEREAS**, CB#2, Man. has received a request from the Hudson River Park Trust (HRPT) to review, comment upon and approve the placement of an Ice Skating Rink at the Park on the south side of Pier 40; and

**WHEREAS**, according to HRPT, the Lower Manhattan Development Corporation (LMDC) has provided grant money to HRPT for the specific purpose of funding the construction of a skating rink; and

**WHEREAS**, the majority of those present at the Public Hearing (which was conducted just prior to the Waterfront Committee meeting and its vote on this issue) opposed a skating rink at its proposed location; and

**WHEREAS**, no clear statement of the operating costs and fees that would be entailed was presented; and

**WHEREAS**, the possibility of a skating rink is welcomed by the community. The narrow location between the walkway and the bikeway was considered inappropriate by the majority of those present at the hearing for the following reasons:

- it would take up valuable open space and views and would contradict the master plan;
- there would be insufficient passage room especially on the esplanade between the water and the rink;
- a chain link fence would be aesthetically and visually unappealing;
- the traffic turn/drop off and parking configuration would be hazardous; and

**WHEREAS** ,there was a request from the public for a music system at the rink which would be a public nuisance at the proposed location, but would be appropriate at Pier 40; and

**WHEREAS** a skating rink would be compatible either as an interim or permanent use at Pier 40;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. supports the concept of a skating rink in or on Pier 40, but not at the location proposed; and

**BE IT FURTHER RESOLVED:**

- that HRPT take the time to explore locating the skating rink to Pier 40, since even the current proposed construction schedule would not allow for winter 2003-4 use;
- that HRPT do a complete cost analysis and come back to CB#2, Man. with a first year budget including capital costs, operating costs and admission fee structure;
- that HRPT consult and work with CB#2, Man. as it proceeds with plans for the skating rink and for any other interim or permanent uses for Pier 40.

Vote: Passed, with 18 Board members in favor 15 in opposition and 1 abstention.

**NEW BUSINESS**

Respectfully submitted,

Robert Rinaolo, Secretary  
Community Board #2, Manhattan