

## **FULL BOARD MINUTES**

**DATE:** July 21, 2005  
**TIME:** 6:30 P.M.  
**PLACE:** NYU Silver Building, 32 Waverly Place, Room 703

**BOARD MEMBERS PRESENT:** Steve Ashkinazy, Helene Burgess, Maria Passannante Derr, Chair, Community Board #2, Manhattan (CB#2, Man.) John Diaz, Doris Diether, Elizabeth Gilmore, Edward Gold, Lawrence Goldberg, Garth Harvey, Anne Hearn, Brad Hoylman, Aubrey Lees, Edward Ma, Don MacPherson, Dr. John Maggio, Rosemary McGrath, Philip Mouquinho, Patrick Munson, Rick Panson, Ronald Pasquale, Judy Paul, David Reck, Mark Rosenwasser, Rocio Sanz, Shirley Secunda, Melissa Sklarz, Richard Stewart, Sean Sweeney, Carol Yankay.

**BOARD MEMBERS EXCUSED:** Arthur Harris, Don Lee, Raymond Lee, Robert Rinaolo, Shirley H. Smith, Wilbur Weder.

**BOARD MEMBERS ABSENT:** Galal Chater, Harriet Fields, Susan Kent, Chad Marlow, T. Marc Newell, Robert Riccobono, Arthur Z. Schwartz, Betty Williams, Michael Xu.

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

**GUESTS:** Arturo Garcia-Costas, Congressman Jerrold Nadler's office; Jon Prosnit, Senator Tom Duane's office; Deborah Lester, Assembly Speaker Sheldon Silver's office; Gregory Brender; Assembly Member Deborah Glick's office; Dirk McCall, Council Member Alan Gerson's office; Council Member Margarita Lopez' office; Kate Seeley-Kirk, Council Member Christine Quinn's office; Meredith Taylor, Zheng King Lee, Winnie Hu, M. Johnson, Katie Sonnenborn, Patrick McDonough, Angela B., Dorothy Lieng, Joyce Chang, Shin King Lung, Eric Liu, Sian Tai Lu, Wing T. Lee, Yu Lien Lin, Pi Ping Rong, Ku Ta, Lin Hong Zeng, Ryan Yu, Biu Lee, Anita Kok, Lisa Tan, Josephine Lee, King Yu Lee, Jonathan Eng, Cynthia Ng., A. Berman, Bill Simoneau, Gilda Lavallo, Mary van Valkenburg, Jody Smith, J. McNab, Linda Levit, Jack Faxon, Ron Barney, Sally Marsh, Darren Drew, Margarete Salleu, M. Leuck, Susan Furman, Sharon Wooley, Edy Feldinan, Liza Bear, Ray Brizz, Sol & Vicky Rosenblatt, Yuet Ngor Lam, Yvonne Ho, Bi Tao Ma, Samuel Ng, Lisa Lin, Carmen Ben, Mei Chang Zhao, George Zheng, Yvette Ho, Bobh Lin, Priscilla Lol, Yee in Ping, Tiffany Lee, Betty Truong, Hai Ping Mai, Hui Qin Lin, Qing Ling Deng, Le Zheng, Kwok Kwong Lee, Myent Tso, Sylvia Hung, Wing Chan, Kenny Chen, Don Capoccia, Sook Ling Lai, Kwun Mui Lau, Jennifer Lee.

### **MEETING SUMMARY**

Meeting Date – July 21, 2005  
Board Members Present – 29  
Board Members Excused– 6  
Board Members Absent - 9

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## **II. PUBLIC SESSION**

### **Non-Agenda Items**

#### Summer

David Lehmann, NYU, spoke regarding the Summer Series in Washington Sq. Park.

#### Highline Block Party

Meredith Taylor, Highline, spoke regarding their upcoming block party.

#### Washington Square Park

Jonathan spoke regarding a call to CB#2, Man. to rescind the resolution approving the park redesign and reconsider the plan. Luther Harris and Mary Johnson spoke against the redesign of the park.

#### 237 W. 4<sup>th</sup> St.

Mary van Valkenberg and Gilda Lavallo spoke against a proposed hair salon in a residential building.

### **Business Items**

#### Lucky 168 Rest. Corp., 176 Mott St., NYC 10012;

Sook Ling Lai, Edward Ma, Kwun Mui Lau, Jennifer Lee, of Chinatown Head Start

### **Environment Items**

#### Say No to Clear Skies Initiative

Bill Simoneau spoke in favor of the resolution against the Clear Skies Initiative

### **Traffic and Transportation Items**

Proposed Parking Regulation Change on 8<sup>th</sup> St. bet. 6<sup>th</sup> Ave. & Broadway from “No Standing” 11 PM to 6 AM to “No Stopping” 11 PM to 6 AM.

Ron Barney spoke regarding this item.

### **Zoning and Housing Items**

46-48 Bond St. to facilitate the development of a 12–story residential/retail building, & conversion from a manufacturing use to residential use, to permit retail use below the 2<sup>nd</sup> fl.

Shelly Friedman, representing the applicant, Don Capoccia, and Marvin H. Meltzer spoke in favor of the application. Zella Jones spoke against the proposed application.

#### Proposed Zoning Map Amendment for the Far West Village Zoning

Jessie McNab, Emily Farins and Andrew Berman spoke in favor of the resolution for the rezoning proposal.

482 Greenwich St for Construction of a new 20-Story Residential Building.  
Patrick McDonough and Sol Rosenblatt spoke against the proposed application.

525 Broome St. for a Special Permit for an 6 eating and drinking establishment on the ground floor and cellar.  
Sheldon Lobel, representing the applicant, spoke against the resolution recommending denial.

Jack Faxon spoke against the application for change of use in a commercial unit.

51-53 Christopher St. a/k/a 113 Seventh Ave. South (Cheers of Manhattan) for an extension of the term of the special permit granted to allow an eating and drinking establishment with entertainment and dancing  
Stuart Beckerman, representing the applicant, and Dominick DeSimone, the applicant, spoke in favor of the application.

## **II. ADOPTION OF AGENDA**

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

Arturo Garcia-Costas, Congressman Jerrold Nadler's office

Jon Prosnit, Senator Tom Duane's office

Deborah Lester, of Assembly Speaker Sheldon Silver's office

Gregory Brender, of Assembly Member Deborah Glick's office

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

Council Member Margarita Lopez' office.

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

## **IV. ADOPTION OF MINUTES**

Adoption of May minutes and distribution of June minutes.

## **V. EXECUTIVE SESSION**

1. **Chair's Report** Jim Smith reported
2. **District Manager's Report** Arthur Strickler reported.
3. **Manhattan Veteran Affairs Hospital**

**WHEREAS**, in November 2003, Community Board #6, Manhattan called on the CARES Commission and the Department of Veteran Affairs to not close or scale back, in any way, the Department of Veteran Affairs VA Hospital; and

**WHEREAS**, the Manhattan VA Hospital included six VA designated Centers of Excellence in cardiac surgery, vascular surgery, neurosurgery, rehabilitative and prosthetic medicine, HIV/AIDS and dialysis; and

**WHEREAS**, the level of care coupled with the research facilities of NYU and Bellevue make the Manhattan VA Hospital part of an extraordinary hospital research system that New York is known for, and

**WHEREAS**, the Manhattan VA Hospital is near subway stations and is easily accessible by car and express bus; going to Bay Ridge would be difficult for most veterans and their families; and

**WHEREAS**, many residents in the New York City metropolitan area do not drive; hence getting to Brooklyn from New Jersey, Queens or Staten Island involves negotiating a complicated route of subway and buses; and

**WHEREAS**, the Brooklyn VA Hospital is two miles from a subway station making this level of travel for disabled and elderly veterans an inexcusable burden; and

**WHEREAS**, the CARES Commission has continued to hold hearings focused on the feasibility of closing and scaling back services at the Manhattan VA Hospital; and

**WHEREAS**, at the hearings held, it has been readily apparent that such closure of scaling back would have a detrimental impact on the health of veterans, we well as a detrimental impact on the overall providing of health care services in New York City; and

**WHEREAS**, such closure of scaling back has been denounced by virtually all of New York City's Congressional delegation, including Senators Schumer and Clinton, and Representatives Rangel, Maloney, Nadler and Velazquez;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. opposes the closure or scaling back of the Manhattan VA Hospital.

Vote: Unanimous, with 29 Board members in favor.

## **STANDING COMMITTEE REPORTS**

### **BUSINESS**

#### **1. 94 Christopher, Inc. d/b/a Havana Village, 94 Christopher Street, NYC 10014**

**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 the alteration of a beer and wine license to a full On Premise liquor license; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. strongly recommends denial of an On Premise liquor license to 94 Christopher, Inc. d/b/a Havana Village, 94 Christopher Street, NYC 10014, and requests that the SLA send this applicant back to CB#2, Man. 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 29 Board members in favor.

#### **2. Supper Club NYC, LLC, 446 West 14<sup>th</sup> Street, NYC 10014.**

**WHEREAS**, a member and general manager of the applicant, their leasing agent, architect and attorney appeared before the committee; and,

**WHEREAS**, this application is for a new On Premise license for a 10,000 s.f. restaurant located in a commercial building between 10<sup>th</sup> and 11<sup>th</sup> avenues, formerly a meat packing operation, consisting of 48 tables and 240 seats and two bars with 40 seats; and,

**WHEREAS**, the applicant stated that the hours of operation will be 6 p.m. – 4 a.m. with one seating at 8 p.m. to a multi-course gourmet eating experience with live entertainment to include performance art; music will be provided primarily as background during dinner; some dancing is anticipated after dinner and a cabaret license is on application though there is no plan for a designated dance floor; and,

**WHEREAS**, the applicant stated detailed plans for security in and around the premises, smoking areas for patrons that will not impact the community and plans for valet parking if demand exists; there are no plans to include an outdoor café; and,

**WHEREAS**, the applicant operates similar establishments in Amsterdam, Rome and San Francisco and produced letters of recommendation from officials in those cities; and

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

**WHEREAS**, should the SLA determine that there are more than three similarly licensed premises within 500 feet, then a 500 foot rule hearing must be held;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the approval of an On Premise license to Supper Club NYC, LLC, 446 West 14<sup>th</sup> Street, NYC 10014.

Vote: Unanimous, with 29 Board members in favor.

#### **3. DGNY Restaurant Group, Inc., 9 9<sup>th</sup> Avenue, NYC, 10014.**

**WHEREAS**, two principals of the applicant appeared before the committee; and,

**WHEREAS**, the application is for a new On Premise license for a 4,850 s.f. restaurant located in a commercial building between Little West 12<sup>th</sup> Street and 13<sup>th</sup> Street, formerly a parking garage, consisting of 75 table and 150 seats and 1 bar with 50 seats; and,

**WHEREAS**, this operation will be a Cuban/Latino, tapas style, neighborhood restaurant; and,

**WHEREAS**, the applicant stated that the hours of operation will be 11 a.m. – 1 a.m., seven days a week; the music will be background with occasional live Spanish guitar music and Flamenco dancers; there will be a sidewalk café; and,

**WHEREAS**, the applicant also operates Flor de Sol and Son Cubano; and,

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

**WHEREAS**, should the SLA determine that there are more than three similarly licensed premises within 500 feet, then a 500 foot rule hearing must be held;

Vote: Passed, with 28 Board members in favor, and 1 in opposition.

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the approval of an On Premise license to **DGNY Restaurant Group, Inc., 9 9<sup>th</sup> Avenue, NYC, 10014.**

Vote: Unanimous, with 29 Board members in favor.

#### **4. Kareem Café. Inc. d/b/a Caffe Rafaella, 134 7<sup>th</sup> Avenue South, NYC 10014.**

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

**WHEREAS**, this application is for an expansion of the licensed space and an upgrade of the current beer and wine license to an On Premise license for a 3,000 s.f. restaurant located in a commercial building between West 10<sup>th</sup> and Charles Streets, consisting of 126 seats and one bar with 10 seats and a sidewalk cafe; and

**WHEREAS**, this restaurant has had a beer and wine license for approximately fifteen years; and,

**WHEREAS**, the applicant stated that the hours of operation will be 11 a.m. – 3 a.m., seven days a week; the music will be background only; and,

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

**WHEREAS**, should the SLA determine that there are more than three similarly licensed premises within 500 feet, then a 500 foot rule hearing must be held;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the approval of an On Premises license to **Kareem Café. Inc. d/b/a Caffe Rafaella, 134 7<sup>th</sup> Avenue South, NYC 10014.**

Vote: Unanimous, with 29 Board members in favor.

#### **5. SoHo Room Group, LLC, 203 Spring Street, NYC 10012**

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

**WHEREAS**, this application is for a new On Premise license for new operator to take over an existing 2,000 s.f. restaurant/lounge currently trading as 203 Spring Street Lounge, with additional kitchen facilities and storage space to be installed in the basement, located in a residential building, between Spring and Sullivan Streets, consisting of 100 table seats with one bar, 8 bar seats and a sidewalk café, and,

**WHEREAS**, the applicant stated that the hours of operation are 5 p.m. – 1 a.m. weekdays, 10 a.m. – 3 a.m. Saturdays, and 10 a.m. – 1 a.m. Sundays; there will be background music only; and,

**WHEREAS**, the applicant stated that a letter of approval of the applicant by the Co-op Board of the building the premise is located in would be produced to the Community Board; and,

**WHEREAS**, the applicant satisfactorily produced a letter of approval of the applicant by the Co-op Board of the building; and,

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

**WHEREAS**, should the SLA determine that there are more than three similarly licensed premises within 500 feet, then a 500 foot rule hearing must be held;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the approval of an On Premise license to **SoHo Room Group, LLC, 203 Spring Street, NYC 10012.**

Vote: Unanimous, with 29 Board members in favor.

**6. Askew Restaurant, LLC, 504 LaGuardia Place, NYC 10012**

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

**WHEREAS**, this is an application for a new On Premise license in a 1,750 s.f. restaurant, formerly Jasper, located between Houston and Bleecker Streets in a mixed use building; and,

**WHEREAS**, the applicant stated that the hours of operation are 5 p.m. – 2 a.m., Tuesday through Sunday; music will be background only and there will be an application for a sidewalk café; the menu will be American-style tapas; and,

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

**WHEREAS**, should the SLA determine that there are more than three similarly licensed premises within 500 feet, then a 500 foot rule hearing must be held;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the approval of an On Premise license to **Askew Restaurant, LLC, 504 LaGuardia Place, NYC 10012.**

Vote: Unanimous, with 29 Board members in favor.

**7. O&C Table, LLC & L’Orientale, Inc., as Manager, 92 Prince Street, NYC 10012**

**WHEREAS**, the applicant, their attorney and a representative of L’Orientale, Inc. appeared before the committee; and,

**WHEREAS**, this is an application for a new On Premise license in an 80 seat existing restaurant, currently possessing a Beer and Wine license, located in the mezzanine of a 2,521 s.f. basement (consisting of a commercial bakery) and ground floor establishment (consisting of a café, retail bakery and L’Occitane, a retail store, located in a commercial use building, at the corner of Prince and Mercer Streets, with 70 table seats and one bar with 10 seats; and,

**WHEREAS**, the applicant stated that the hours of operation are 8 a.m. – 3 a.m., seven days a week and there will not be a sidewalk cafe; and,

**WHEREAS**, the applicant stipulated that the restaurant will close the earlier of 3 a.m. or when the kitchen closes for food service; and,

**WHEREAS**, no one from the community appeared in opposition to this application; discussions between the applicant and the community and the resulting community support for the application was brought to the attention of the committee; and,

**WHEREAS**, should the SLA determine that there are more than three similarly licensed premises within 500 feet, then a 500 foot rule hearing must be held;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the approval of an On Premise license to **O&C Table, LLC & L’Orientale, Inc., as Manager, 92 Prince Street, NYC 10012** for its designated mezzanine restaurant space.

Vote: Unanimous, with 29 Board members in favor.

**8. ASC, Inc., 134 Mulberry Street, NYC 10013**

**WHEREAS**, the applicant’s attorney appeared before the committee; and,

**WHEREAS**, this is an application for transfer of an On Premise license in a 1,600 s.f. restaurant, currently known as Costa Azzurra, located between Hester and Grand Streets in a commercial building, with 60 table seats and one bar with 3 seats; and,

**WHEREAS**, the applicant stated that the hours of operation are 12 p.m. – 11 p.m., seven days a week; music will be background only and there will be a sidewalk café; the menu will be Italian cuisine; 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 approval of an On Premise license to **ASC, Inc., 134 Mulberry Street, NYC 10013.**

Vote: Unanimous, with 29 Board members in favor.

**9. Employees Only, LLC/American Bartending Institute of NY, Inc., 510 Hudson Street, NYC 10014**

**WHEREAS**, three of the principals of the applicants appeared before the committee; and,

**WHEREAS**, this is an application for an alteration to an existing On Premise license in a restaurant operating as Employees Only, located between Christopher and West 10<sup>th</sup> Streets in a mixed use building, to allow operation of a bartending school with up to ten students per session; and,

**WHEREAS**, the applicant stated that the hours of operation of the school are 9 a.m. – 12:30 p.m., projected to be 3 days a week; no music or outdoor spaces will be used for school operations; and,

**WHEREAS**, five members of the community appeared, not in opposition to this application, but to the operation of Employees Only in the evenings, specifically to loud conversation and other noise coming from the backyard garden after midnight; and,

**WHEREAS**, the applicant stated plans to have the backyard garden fully enclosed by the fall season, which the community members stated would likely improve conditions of noise;

**WHEREAS**, pending the enclosure of the backyard garden, the applicant stipulated they would bar customers from the backyard garden after 12 a.m. Sunday through Thursday, and after 1 a.m. on Fridays and Saturdays; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the approval of the alteration to the On Premise license of **Employees Only, LLC/American Bartending Institute of NY, Inc., 510 Hudson Street, NYC 10014.**

Vote: Unanimous, with 29 Board members in favor.

**10. Stoned Crow, LLC, 85 Washington Place, NYC 10014**

**WHEREAS**, a member of the applicant appeared before the committee; and,

**WHEREAS**, this is an application for transfer of an On Premise license from Washington Place Crow, Inc. d/b/a Stoned Crow, to Stoned Crow, LLC, in a 1,600 s.f. bar, currently operating as The Stoned Crow, located between 6<sup>th</sup> Avenue and Washington Square West, in a mixed use building, with 42 table seats and one bar with 20 seats; and,

**WHEREAS**, the applicant stated that the hours of operation are 4 p.m. – 4 a.m., seven days a week; music will be juke box only and there will not be a sidewalk café; food served includes burgers, sandwiches and appetizers; and,

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the approval of transfer of an On Premise license to Stoned Crow, LLC, 85 Washington Place, NYC 10012.

Vote: Unanimous, with 29 Board members in favor.

**11. HI SoHo, owner, L.P., 138 Lafayette Street, NYC 10013**

**WHEREAS**, the general manager and the attorney for the applicant appeared before the committee; and,

**WHEREAS**, this is an application for a new hotel On Premise license in a 121,000 s.f. Holiday Inn hotel that has been in existence since 1992 but never licensed, located between Howard and Canal Streets, in a commercial building, with 180 table seats and one bar with 6 seats, in addition to hotel rooms; and,

**WHEREAS**, the applicant stated that the hours of operation are twenty-four hours a day, seven days a week; room service will be included; and,

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the approval of a hotel On Premise license to HI SoHo, owner, L.P., 138 Lafayette Street, NYC 10013.

Vote: Unanimous, with 29 Board members in favor.

## **12. BE Lounge, LLC, 290 Hudson Street NYC**

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

**WHEREAS**, this application was previously objected to by a majority vote of the Full Board of Manhattan Community Board 2, and is for a new On Premise license for a 2,000 s.f. restaurant/lounge, located in a commercial building, between Spring and Dominick Streets, consisting of 47 table seats and 10 bar seats, with a 140 person capacity; and,

**WHEREAS**, the applicant stated that the hours of operation will be Monday – Thursday, 5 p.m. – 2 a.m. and Friday and Saturday, 5 p.m.- 4 a.m. (closed on Sunday); the music will be live, d/j and background; and,

**WHEREAS**, the applicant agreed to stipulate not to apply for a cabaret license; and,

**WHEREAS**, the applicant plans to apply for a sidewalk cafe; and,

**WHEREAS**, the applicant has entered into a memorandum of understanding with a community group, The Friends of Hudson Square, who are in favor of this application; and,

**WHEREAS**, the issues of noise pollution, garbage removal and hours of operation were not addressed by the Board but with the community group, The Friends of Hudson Square; and,

**WHEREAS**, the applicant produced letters and petition signatures in support of the application; and,

**WHEREAS**, the Board is concerned that this area is a fast growing, quiet residential neighborhood; and,

**WHEREAS**, there was never a liquor license issued at this premises; and,

**WHEREAS**, a member of the community appeared in opposition to the application and requested that in addition to foregoing a cabaret license, the applicant consider reducing the operating hours to 12 a.m. on weekdays and 2 a.m. on the weekends; and,

**WHEREAS**, such request was put to the applicant by the committee and the request was refused; closing at 2 a.m. on weekdays and 4 a.m. on weekends is not in the community interest; and,

**WHEREAS**, should the SLA determine that there are more than three similarly licensed premises within 500 feet, then a 500 foot rule hearing must be held;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. objects to the issuance of an On Premise license to BE Lounge, LLC, 290 Hudson Street NYC 10013.

Vote: Passed, with 28 Board members in favor, and 1 abstention.

## **13. Salsa Salon, Inc., 47 E. 12<sup>th</sup> Street, NYC 10003.**

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

**WHEREAS**, this application is for a new On Premise license for a 750 s.f. restaurant located in a mixed use building, between University Place and Broadway, consisting of 28 table seats, 8 bar seats and a sidewalk cafe; and,

**WHEREAS**, the applicant stated the operation would be called Mexicana Mama, the menu would be Mexican food and the hours of operation are 12 p.m. to 11:00 pm., seven days a week; and,

**WHEREAS**, the applicant also operates Mexicana Mama, a Mexican restaurant on 525 Hudson Street; and,

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

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

**WHEREAS**, should the SLA determine that there are more than three similarly licensed premises within 500 feet, then a 500 foot rule hearing must be held.

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the approval of an On Premise license to **Salsa Salon, Inc., 47 E. 12<sup>th</sup> Street, NYC 10003.**

Vote: Unanimous, with 29 Board members in favor.

**14. NSCF NY, Inc., d/b/a Café Del Arte, 143 Mulberry Street, NYC 10013**

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

**WHEREAS**, this application is for an alteration of an existing On Premise license for a 2,200 s.f. restaurant/chocolatier, located in a mixed use building, between Hester and Grand Streets, consisting of 120 table seats, one bar with 12 seats, and a sidewalk café, to include use of 32 seats under the Mulberry Street Mall rules; and,

**WHEREAS**, the applicant stated that the hours of operation are 11:00 a.m.- 12 a.m., seven days a week; the music would be background only and the sidewalk café would be configured and operated under the applicable rules of the Mulberry Street Mall; and,

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the approval of an alteration to the existing On Premise license of **NSCF NY, Inc., d/b/a Café Del Arte, 143 Mulberry Street, NYC 10013.**

Vote: Unanimous, with 29 Board members in favor.

**15. SJM Food & Beverage, Inc. d/b/a/ Salon, 507 West Street, NYC 10014**

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

**WHEREAS**, this application is to extend the existing On Premise license of this 2800 s.f. restaurant, located in the Riverview Hotel building on Jane and West Streets, with 45 table seats and two bars with 5 seats, to include a sidewalk café consisting of 14 tables and 32 seats; and,

**WHEREAS**, this establishment has a positive relationship with the Jane Street Block Association; and,

**WHEREAS**, the applicant stated that the hours of operation are 6 p.m.- 11 p.m., seven days a week, the music is background only; and,

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the approval of an alteration of the existing On Premise license to **SJM Food & Beverage, Inc. d/b/a/ Salon, 507 West Street, NYC 10014.**

Vote: Unanimous, with 29 Board members in favor.

**16. 128 Billiards, Inc., 128 Elizabeth Street, NYC 10013**

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

**WHEREAS**, this application is for a beer and wine license in a billiard parlor; and,

**WHEREAS**, this applicant has previously sought approval of CB#2, Man. for an On Premise license which was objected to by unanimous vote of the Full Board; and,

**WHEREAS**, this applicant has a documented history in the community, with CB#2, Man. and with the 5<sup>th</sup> Precinct of the NYPD, as an operator that fails to address the problems emanating from in and around the establishment; and,

**WHEREAS**, 3 members of the community appeared in opposition to the application, stating that the previously documented problems continue, including groups of minors loitering at the billiard parlor creating noise disturbances, an intimidating atmosphere, what appears to be drug sales and use, increased graffiti and garbage around the establishment, and loud music; and,

**WHEREAS**, the establishment is within 100 feet of Holy Trinity Ukrainian Orthodox Church, one reason among many for CB#2, Man.'s objection to the applicant's previous On Premise license application; and,

**WHEREAS**, a Board Member of Holy Trinity Ukrainian Orthodox Church has written a letter in opposition to this application which cites loitering, graffiti, vandalism, and verbal abuse by the teenagers patronizing the establishment; and

**WHEREAS**, many teenagers frequent this establishment; there would be no way to monitor that they were not being served alcohol;

**THEREFORE, BE IT RESOLVED** that a beer and wine license at this establishment is not in the best interests of the community; and

**BE IT FURTHER RESOLVED** that CB#2, Man. strongly recommends denial of a beer and wine license to **128 Billiards, Inc., 128 Elizabeth Street, NYC 10013.**

Vote: Unanimous, with 29 Board members in favor.

### **ENVIRONMENT**

#### **Vote No on The Clear Skies Initiative as Well as Any Compromises That Would Weaken The Clean Air Act**

**WHEREAS**, the Clear Skies Initiative would allow coal burning power plants to emit 7 times more mercury pollution and twice the amount of smog causing pollution than is allowed under the Clean Air Act.

**WHEREAS**, New Yorkers are not only affected by pollution of nearby coal burning power plants. We are also affected by air pollution from coal burning power plants in the Midwest that arrives here through our weather system.

**WHEREAS**, mercury pollution is linked to causing mental and behavioral problems in children, and the increased smog causing pollution can cause respiratory problems.

**WHEREAS**, the proposed increase in mercury and smog pollution will create greater health risks, as previously mentioned, to those exposed to these increased levels.

**NOW THEREFORE BE IT RESOLVED**, that CB#2, Man. calls upon Senators Hillary Clinton and Charles Schumer and the United States Senate to make certain that the Clear Skies Initiative is defeated in a Senate vote.

**BE IT FURTHER RESOLVED**, that CB#2, Man. calls upon Senators Hillary Clinton and Charles Schumer and the United States Senate to vote against any compromise that would weaken the planned pollution reductions set forth by the Clean Air Act.

**BE IT FINALLY RESOLVED**, that CB#2, Man. calls upon Senators Clinton and Schumer to provide the leadership necessary to gain the votes needed to defeat the Clear Skies Initiative.

Vote: Unanimous, with 29 Board members in favor.

### **14<sup>ST</sup> STREET/GANSEVOORT MARKET AREA**

#### **1. Parking Signs Changed to "No Standing between 10:00pm and 4:00am Thursday – Saturday**

**WHEREAS** there has been an ongoing problem with traffic congestion in the Gansevoort Market especially from Thursday nights through Saturday nights, between the hours of 10:00pm and 4:00am, on 9th Avenue between Little West 12th and 14th Streets, and

**WHEREAS**, this was shown dramatically in a video tape of a typical night in the study done by the **Project For Public Spaces** and was a major concern of nearby residents, and

**WHEREAS**, cars and taxis are forced to double and triple park because of the existing parking regulations to discharge or pick up passengers, and

**WHEREAS**, there are very few sidewalk spaces for people to unload in the busy area on 9th Avenue between Little West 12<sup>th</sup>/Gansevoort (The Plaza) and 14th Streets, and

**WHEREAS**, the area between West 13<sup>th</sup> and 14<sup>th</sup> Streets on 9<sup>th</sup> Avenue has been shown by the **Project For Public Spaces**, a non-profit group that received a grant to do a traffic study in the area, to be a dangerous and chaotic traffic bottleneck, further congested by parked cars or trucks, and

**WHEREAS** the remaining meatpacking trucks that need to park in this section of the Gansevoort Market to await unloading the next morning can find other areas in the Gansevoort Market to “stage” during this time frame,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends that the Department of Transportation place “No Standing between 10:00pm and 4:00am Thursday – Saturday” signs on both the East and West sides of 9th Avenue between 14th Street and Little West 12th/Gansevoort Streets; and on the north and the south side of 13th Street between Hudson and 9<sup>th</sup> Avenues on a trial basis.

Vote: Unanimous, with 29 Board members in favor.

## **2. Taxi Pick-Up and Drop-Off Stands**

**WHEREAS** there has been a traffic problem with taxis that continually circle the Gansevoort Market to find passengers, that honk and move dangerously across lanes of traffic to do so; and

**WHEREAS** many residents and visitors agree there is a great need for organized locations so that taxis and passengers can link up in a more orderly and organized way; and

**WHEREAS** the Project For Public Spaces, a non-profit group that received a grant to do a detailed traffic study, both vehicular and pedestrian, has determined that taxis, darting through traffic to pick up or deliver passengers causes a chaotic situation to occur, especially on 9<sup>th</sup> Avenue between Little West 12<sup>th</sup> and 14<sup>th</sup> Streets leaving pedestrians no way to cross these streets safely, and

**WHEREAS**, the **Project For Public Spaces** has determined that between the hours of 6:30pm and 9:00pm 1600 arrivals to the Gansevoort Market Area were clocked of which 2/3rds of the traffic was taxi cabs, and

**WHEREAS**, the honking of horns and the screeching of tires have become intolerable in the immediate and surrounding areas during dinner hours and during the hours of midnight to 4am leaving residents in these areas with a diminished quality of life, and

**WHEREAS**, a film clip shown by the **Project For Public Spaces** graphically showed residents trying to cross streets, darting in and out of the way of taxis, with their dogs and groceries, and

**WHEREAS**, taxi stands could be strategically located could help resolve some of the major problems of cruising taxis, that honk to show availability, and could facilitate, not impede the flow of traffic, which could then enable pedestrians to cross in a more safely manner, and

**WHEREAS**, this has long been used in Manhattan in the past as well as in the present, as a way for passengers to easily, safely and in an organized way, find available taxis, without the need for continual cruising, honking and screeching of brakes,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends that the Department of Traffic should place two taxi stands in the Gansevoort Market area, on a trial basis, to try to control the chaotic traffic; one taxi stand of at least three car lengths, on the west side of 9<sup>th</sup> Avenue between 14<sup>th</sup> and 13<sup>th</sup> Streets, near the corner of 14<sup>th</sup> Street and another on the West side of Hudson Street, between Little West 12th and 13<sup>th</sup> Streets,

**BE IT FURTHER RESOLVED**, that it is determined that the area on Hudson Street between Little West 12<sup>th</sup> and West 13<sup>th</sup> Street, on the West side be not used as a bus storage spot during the targeted hours, as this is a preferred location for an extended taxi waiting area, as it is a long area and could enable more taxis to wait in a safe and organized manner.

Vote: Unanimous, with 29 Board members in favor.

**3. Reversing the Traffic Flow of the Small Block of West 13<sup>th</sup> Street between Hudson and 9<sup>th</sup> Avenues from Westbound to Eastbound.**

**WHEREAS**, the traffic flow in the small block of West 13<sup>th</sup> Street between Hudson and 9<sup>th</sup> Avenues needs to reverse the traffic flow from West bound to East bound so that traffic can leave the busy 9<sup>th</sup> Avenue area quickly after drop off without continuing along this route to 14<sup>th</sup> Street, and

**WHEREAS**, this was shown by the **Project For Public Spaces** traffic study to be a traffic bottleneck every evening into the early morning hours- as it is currently the only outlet for traffic, and

**WHEREAS**, the current traffic flow does not allow traffic in the 9<sup>th</sup> Avenue area from Little West 12<sup>th</sup> Street/Gansevoort Plaza to 14<sup>th</sup> Street to leave the Avenue until 14<sup>th</sup> Street, and

**WHEREAS**, the traffic study done by the **Project For Public Spaces** has shown this to be a bottleneck of traffic and a dangerous area for pedestrians, and

**WHEREAS**, the same **Project For Public Spaces** has shown that the traffic can enter in the Gansevoort Plaza but not leave until 14<sup>th</sup> Street and that most people coming into the area discharged in the Plaza or the block between Gansevoort and West 13<sup>th</sup> Street and then cabs jockey along 9<sup>th</sup> Avenue until 14<sup>th</sup> Street either empty or darting across lanes to pick up passengers,

**THEREFORE BE IT RESOLVED**, that reversing the traffic flow in the small block between 9<sup>th</sup> Avenue and Hudson Street, on 13<sup>th</sup> Street on a trial basis could enable taxis and limos to discharge passengers in the area of the Plaza or in front of the Hotel Gansevoort entrance, and quickly leave into Hudson Street without continuing along 9<sup>th</sup> Avenue to 14<sup>th</sup> Street, which is a major bottleneck of traffic every night, and

**BE IT FURTHER RESOLVED**, that doing this in conjunction with Resolutions #1 and #2 will be a help in controlling the unbridled and chaotic traffic that now exists in the area.

Vote: Unanimous, with 29 Board members in favor.

**LANDMARKS AND PUBLIC AESTHETICS**

**Item 1 – 357 West Broadway (Broome/Grand Sts.) SoHo Cast Iron District.** A Federal-style brick dwelling built c. 1825. Application is to construct a rear yard addition.

**WHEREAS**, the proposal is to add a partial 4-story addition to an existing two-story building; and

**WHEREAS**, the addition is to be constructed only on part of the rear portion of the existing building, and will have wide windows onto the created yard which will match the windows currently on the front of the building; and

**WHEREAS**, the applicant did not bring any drawings showing the rear elevation or how it would impact the adjoining building to the rear; and

**WHEREAS**, although it is claimed the addition is not visible from the street, the new addition detracts from the original structure and does not contribute to either the existing building or the SoHo Cast Iron District area;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. feels this proposal should be denied.

Vote: Unanimous, with 29 Board members in favor.

**Item 2 – 490 Broadway – Haughwout Building Individual Landmark SoHo Cast Iron District.** An Anglo-Italianate-style store and loft building designed by J.P. Gaynor and built in 1857. Application is to install new storefront infill and to construct a rooftop bulkhead.

**WHEREAS**, this building, when it was built, was not constructed to accommodate the handicapped, with inadequate space in front of the elevator just inside the entrance door; and

**WHEREAS**, in order to make the elevator and entrance handicapped accessible it is necessary to enlarge the elevator and also to move the entrance door; and

**WHEREAS**, the proposal is to close off the current entrance door at the far left corner of the building, but leave the outer doors as they were built so as not to alter the look of the building, and to change the store window immediately adjacent to it into a matching door and use this door as an entry to the space in front of the elevator, and to increase the size of the elevator to accommodate wheelchairs; and

**WHEREAS**, the increase in size of the elevator will require minor enlargement of the elevator bulkhead;

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

**Item 3 – 128 Spring Street (Greene/Wooster Sts.) SoHo Cast Iron District.** A store building built in 1879 and altered in 1936. Application is to construct a one-story rooftop addition.

**WHEREAS**, this building was originally a taller building, but the upper floors were removed in 1936, reducing it to its present 2-story size; and

**WHEREAS**, the addition is set back from both street lines, 17'6" from the front and 10' on the side; and

**WHEREAS**, the addition is planned for a dull gray or beige stucco which adds little to the character of the Historic District; and

**WHEREAS**, the applicant claims that the banner attached to the front of the building is approved, but since the building will have several blade signs, which are the current approved signage for SoHo, we question whether there is a need for an oversized banner also;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the proposal for the addition to the building, we question the choice of materials and also the banner.

**Item 4 – 520 Broadway – Laid over.**

**Item 5 – 37 E. 4<sup>th</sup> Street Tredwell Skidmore House Individual Landmark.** Applicant is seeking change of use as provided in Section 74-711 of the New York City Zoning Resolution and modification of bulk regulations. The proposal includes the exterior restoration and an interior renovation of a designated landmark (which the owners have deliberately allowed to fall into a disgraceful state of disrepair.) (Remarks in () are from Doris Diether.)

**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**, this is not the first time this applicant has failed to appear before the Community Board committee, nor did he contact us for a layover;

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

Vote: Unanimous, with 29 Board members in favor.

**Item 6 – 147-153 Waverly Pl (Waverly & Waverly), former site of Gus' Place).** A twelve-story commercial building. Proposal is to convert this building into residential, replace current fold-out glass doors with store-type windows, change current freight entrance and lobby into residential lobby with residential elevator, remove old water tanks on the roof, change existing tank room on the roof into additional roof-top space for apartment below, change water system to pump system.

**WHEREAS**, the proposal is to change this building from commercial (office) use to residential; and

**WHEREAS**, to accomplish this the current freight elevator and docking area will be changed to a residential elevator with doorman lobby; and

**WHEREAS**, the current fold-out glass doors for the restaurant will be changed to store-type windows, and the trim below the windows will be recreated to match the former trim, and there will be no change to the current elevator area on the west side of the building; and

**WHEREAS**, in order to comply with the regulations about recreational space for residential tenants, the water tanks on the roof will be removed and two areas will be created, one for the top floor tenants and the other for the rest of the tenants in the building; and

**WHEREAS**, the current tank room on the roof of the building will be converted into a room for the apartment below, with new stairs,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the proposed changes to this building, but regrets the loss of the water tanks which are a sort of landmark in the area, especially because of the height of the building.

Vote: Unanimous, with 29 Board members in favor.

**92 Jane St. (Washington St.)** An Italianate-style house built in 1858, Greenwich Village Historic District. Application is to enlarge window openings, replace windows, entrance door and ironwork, and the areaway.

**WHEREAS**, the proposal is to extend the 1<sup>st</sup> floor windows to the floor, to match a house built at the same time, and to conform to the indications of their original size as was found when the covering material was removed, and

**WHEREAS**, the proposal is to remove the existing double doors and replace them with a single door and columns on each side; and

**WHEREAS**, the fence proposed is to be reduced to 36" high; and

**WHEREAS**, the new windows to be installed will also be 6 over 6 on the upper floors to match the current 6 over 6 windows;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the proposed changes for 92 Jane St.

Vote: Unanimous, with 29 Board members in favor.

#### **LESBIAN, GAY, BISEXUAL AND TRANSENDER**

**Trans Day of Action for Social and Economic Justice**

**SEE ATTACHED RESOLUTION - EXHIBIT I.**

Vote: Unanimous, with 29 Board members in favor.

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

**1. NEW application to NYCDCA for revocable consent to operate an unenclosed sidewalk café for Brass Monkey, LLC, 55 Little West 12<sup>th</sup> Street bet. Washington St. and 10<sup>th</sup> Ave., New York, NY 10014 with, 4 Tables & 8 Seats, DCA #1198825.**

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

**WHEREAS**, there was no community opposition; and

**WHEREAS**, the owner removed an illegal platform that had previously been installed; and

**WHEREAS**, this location between Washington St. and 10<sup>th</sup> Ave is primarily a commercial block;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to Brass Monkey, LLC, 55 Little West 12<sup>th</sup> Street, New York, NY 10014, with 4 Tables & 8 Seats, DCA #1198825.

Vote: Unanimous, with 29 Board members in favor.

**2. NEW application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by The Paulie Walnuts Corp., 237 Sullivan Street, New York, NY 10012 Bet. W. 3<sup>rd</sup> St. and Bleecker St., with 6 tables and 12 seats, DCA#1199346.**

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

**WHEREAS**, the applicant's representative appeared and answered questions from the committee members; and

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

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

**WHEREAS**, the applicant explained that he would be a working partner and serve bar;

**THEREFORE, BE IT RESOLVED** CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to The Paulie Walnuts Corp., d/b/a Pinch on 237 Sullivan Street, New York, NY 10012, between West 3<sup>rd</sup> St. and Bleecker Street, with 6 tables and 12 seats, DCA#1199346

Vote: Unanimous, with 29 Board members in favor.

**3. NEW Application to NYCDCA to operate an unenclosed sidewalk café to Abitino's Bleecker St. Corp., 233 Bleecker St., New York, NY 10014 at the corner of Bleecker and Carmine St., with 10 tables and 20 seats, DCA #1198567.**

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

**WHEREAS**, this location has been a Pizzeria for at least 30 years; and

**WHEREAS**, the applicant has agreed to reduce the number of tables from 10 to 8 and the number of seats from 20 to 16, allowing for a better pedestrian flow on a busy corner; and

**WHEREAS**, there was no desire to place seating on the Bleecker St. side of the business as was thought to be the case by some neighbors; and

**WHEREAS**, the applicant's representative agreed to submit new plans addressing the revised seating; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Abitino's Bleecker St. Corp., 233 Bleecker St., New York, NY 10014, with 8 tables and 16 seats, DCA #1198567

Vote: Unanimous, with 29 Board members in favor.

**4. NEW Application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by Air Chef Inc. d/b/a/ Baluchi's, 361 6<sup>th</sup> Ave., New York, NY 10014, with 19 tables and 40 seats, DCA #1201162.**

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

**WHEREAS**, this restaurant is located on the corner of 6<sup>th</sup> Ave. and Washington Place; and

**WHEREAS**, the applicant agreed to scale back the size of his outdoor café application to exclude the Washington Place seating completely; and

**WHEREAS**, the applicant in so doing has agreed to reduce his total seating from 40 to 24 and tables from 19 to 11; and

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

**WHEREAS**, the applicant's representative agreed to submit revised plans to the Community Board to reflect the above changes; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a TWO-YEAR revocable consent to operate an unenclosed sidewalk café to Air Chef, Inc. d/b/a/ Baluchi's, 361 6<sup>th</sup> Ave., New York, NY 10014, with 11 tables and 24 seats, DCA #1201162.

Vote: Unanimous, with 29 Board members in favor.

**5. Renewable Application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by West End Kids Corp., d/b/a/ Henrietta Hudson, 438-444 Hudson Street, New York, NY 10014, with 8 tables and 16 seats, DCA # 0908690.**

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

**WHEREAS**, this restaurant is located on the corner Hudson St. and Morton St.; and

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

**WHEREAS**, there was no community opposition; and

**WHEREAS**, the Police Dept. went on record as saying the owners have managed this location effectively so as to avoid any complaints; and

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends approval of a 2 year revocable consent to operate an unenclosed sidewalk café to West End Kids Corp., d/b/a/ Henrietta Hudson, 438-444 Hudson Street, New York, NY 10014, between Morton and Barrow Streets, with 8 tables and 16 seats, DCA # 0908690.

Vote: Unanimous, with 29 Board members in favor.

**6. Renewable Application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by Ferrara Bakery & Café, 195 Grand St., New York, NY 10012 with 3 tables and 12 seats, DCA#1193894.**

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

**WHEREAS**, this restaurant, has had a sidewalk café for over 20 years; and

**WHEREAS**, there are no police violations; and

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

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

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Ferrara Bakery & Café, 195 Grand St., New York, 10012, between Mulberry and Mott Streets, with 3 tables and 12 seats, DCA#1193894.

Vote: Unanimous, with 29 Board members in favor.

**7. Renewable Application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by Great Jones Restaurant Corp., d/b/a Five Points, 31 Great Jones Street, 10013 with 11 tables and 22 seats, DCA #1034252.**

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

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

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

**WHEREAS**, the applicant has operated a sidewalk café at this location for over 3 years; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Great Jones Restaurant Corp., d/b/a Five Points, 31 Great Jones Street, 10013, with 11 tables and 22 seats, DCA #1034252.

Vote: Unanimous, with 29 Board members in favor.

## **TRAFFIC AND TRANSPORTATION**

**1. Proposed Parking Regulation change on 8<sup>th</sup> Street between 6<sup>th</sup> Avenue and Broadway from “No Standing” 11 PM to 6 AM to “No Stopping” 11 PM to 6 AM.**

**WHEREAS**, excessive motorcycle traffic is a chronic problem on 8<sup>th</sup> Street between 6<sup>th</sup> Avenue and Broadway, having a negative impact on the quality of life for residents and merchants in the area, especially on week-ends, which can create dangers for pedestrians and block access by emergency vehicles; and

**WHEREAS**, motorcycles frequently stop on this portion of 8<sup>th</sup> Street to “rev” their engines, and the local police precinct, residents (including several members of the West 8<sup>th</sup> Street Block Association) and the local business improvement district have informally endorsed this parking regulation change as a strategy to dissuade motorcyclists from frequenting these blocks *en masse*; and

**WHEREAS**, a similar regulation on MacDougal Street from West 3<sup>rd</sup> to Bleecker apparently has helped keep the street free of excessive numbers of motorcycles.

**THEREFORE BE IT RESOLVED**, that Community Board No. 2, Manhattan, supports changing the parking regulations on 8<sup>th</sup> Street between 6<sup>th</sup> Avenue and Broadway from “No Standing” 11 PM to 6 AM to “No Stopping” 11 PM to 6 AM.

**VOTE**: Unanimous, with 29 Board members in favor.

## **2. Request to Con Edison to Provide Direct Power to the Contractor at the Shaft 27B/Gansevoort.**

**WHEREAS**, construction of the shafts for the Third City Water Tunnel are major infrastructure projects having a significant impact on this community board in three locations, the most within any single community board in Manhattan; and

**WHEREAS**, the use of a back-up generator at the Shaft 27B location (Gansevoort and Hudson) will cause unnecessary noise, significantly disturbing the quiet enjoyment of the neighborhood and the numerous users of the nearby playground and community facilities in the immediate vicinity; and

**WHEREAS**, the community board has been informed that Con Edison could provide electric back-up power directly to the contractor for the project, obviating the use of a freestanding electric generator, as is already the practice at the Shaft 28B location (Hudson and West Houston).

**THEREFORE BE IT RESOLVED**, CB#2, Man. , urges Con Edison to provide electric back-up power directly to the contractor of the shaft for the Third City Water Tunnel at the Shaft 27B location (Gansevoort and Hudson), as it already does at the Shaft 28B location (Hudson and West Houston), in order to help preserve the quiet enjoyment of the numerous residents and visitors in the area.

**VOTE**: Unanimous, with 29 Board members in favor.

## **ZONING AND HOUSING+666**

### **1. Proposed zoning map amendment for the Far West Village Zoning**

**WHEREAS**, The Far West Village has traditionally had a pleasing scale and a unified urban fabric and an increasing amount of development is currently taking place in the Far West Village, And;

**WHEREAS**, New development in this area has been out of scale and context with the surrounding neighborhood and has eroded the local urban fabric, And;

**WHEREAS**, The community and the Community Board are greatly concerned that future development will not be in context with the Far West Village and will further eroded the local urban fabric, And;

**WHEREAS**, There is an urgent need to ensure that new development under the zoning will help maintain the quality and the historic nature of the Far West Village, And,

**WHEREAS**, City Planning has studied the Far West Village area and has engaged in conversation with the community and the Board to see how the zoning can be modified to the benefit of all of our mutual interests, And,

**WHEREAS**, The Department of City Planning is moving forward in an expeditious fashion with a proposal for a zoning map amendment for a 14-block area of the far western part of the West Village, And,

**WHEREAS**, The rezoning would limit the commercial uses to more neighborhood-oriented retail establishments, rather than the broader range of commercial uses allowed under the existing C6 districts, And

**WHEREAS**, The proposal would change much of the area’s zoning to contextual zoning districts to ensure that new development is consistent with the predominant built form and land uses And,

**WHEREAS**, The areas proposed to be down zoned will have densities and heights that are more consistent with the existing scale of the neighborhood, And,

**WHEREAS;** The community and the Community Board have expressed great concern that two important sites, the White Hall storage site and the Superior Ink site, that will not be down zoned and there are current plans for these sites that are out of context with the Far West Village.

**THEREFORE BE IT RESOLVED,** That CB#2, Man. thanks the NYC Planning Commission and the NYC Landmarks Preservation Commission for showing great concern for the future of the Far West Village, And

**BE IT FURTHER RESOLVED,** That CB#2, Man. also thanks our local public officials for their strong leadership on this issue, And

**BE IT FURTHER RESOLVED,** That CB#2, Man. generally supports this proposed zoning map amendment however the Board believes that the plan can be significantly improved, And,

**BE IT FURTHER RESOLVED,** That CB#2, Man. requests that the New York City Planning Commission revisit the White Hall storage site and the Superior Ink site and reconsider the proposed zoning for these areas, And,

**BE IT FURTHER RESOLVED,** That CB#2, Man. recommends that the C1-6A District, FAR 4.0, be extended to include the entire Superior Ink site and that the White Hall storage site be down zoned to no more than FAR 4, And,

**BE IT FURTHER RESOLVED,** That CB#2, Man. requests that the Department of City Planning continue to meet with the community, our local public officials, and the Community Board and to further improve this plan, And,

**BE IT FURTHER RESOLVED,** That CB#2, Man. requests that the Department of City Planning continue to move forward in an expeditious fashion with the proposed zoning map amendment for the Far West Village Zoning.

Vote: Passed, with 20 Board members in favor, 6 in opposition, and 3 abstentions.

**2. 46-48 Bond Street (Block 530 Lot 44) BSA Cal. No. 05-BZ application for a Board of Standards and Appeals variance pursuant to Section 72-21 to facilitate the development of a 12-story residential/retail building, to allow conversion from a manufacturing use to residential use, to permit retail use (Use Group 6) below the New Building's second floor, and a base height and setback waiver.**

**WHEREAS;** The applicant meet with the community and adapted the design to address community concerns, And,

**WHEREAS,** the existing floor area ratio of 5 for the existing M1-5B zoning district will be maintained, And,

**WHEREAS;** The applicant has stated that a willingness to revise the design to include 1,200 SQFT minimum size units, And

**WHEREAS;** The main concern for the community was to reduce the overall height by nine feet, And,

**WHEREAS;** The applicant has engaged with the other projects in the area to coordinate construction and to restore the cobble stones in the street, And,

**THEREFORE BE IT FURTHER RESOLVED,** That CB#2, Man. supports this application for a Board of Standards and Appeals variance pursuant to Section 72-21 to facilitate the development of a 12-story residential/retail building providing that the applicant reduce the overall height by nine feet and that minimum size units will be 1,200 SQFT, And,

**BE IT FURTHER RESOLVED,** That CB#2, Man. supports the first floor Use Group 6 eating and drinking establishment at this location providing that there will be no entertainment or live music or dancing and that adequate soundproofing be provided, And

**BE IT FURTHER RESOLVED,** That CB#2, Man. requests regular construction coordination meetings with the community as this project progresses, And,

**BE IT FURTHER RESOLVED** that CB#2, Man. urges the applicant to work with both the surrounding project and community to restore the cobblestones in the street; and

**BE IT FURTHER RESOLVED**, That CB#2, Man. requests that that every effort be made to minimize the impacts of construction and that the contractor must carefully inspect the subsurface excavation and use seismic monitors to protect the surrounding buildings and engage in construction coordination with the other projects in the area.

Vote: Unanimous, with 29 Board members in favor.

**3. 51-53 Christopher Street a/k/a 113 Seventh Avenue South (Block 610, Lot 1), Cheers of Manhattan, Inc., BSA Cal. No. 213-96-A (SOC) Board of Standards and Appeals application for an extension of the term of the special permit granted pursuant to Section 73-244 of the Zoning Resolution to allow, in a C4-5 district, an eating and drinking establishment with entertainment and dancing (Use Group 12) on the second floor and A waiver of Section 1-05(d) of the Rules of Practice and Procedure to permit filing more than 30 days subsequent to the 3/24/04 expiration date.**

**WHEREAS**; The applicant has had this approval for 4 years and has generated endless complaints from community members, neighboring businesses, and the 6<sup>th</sup> Precinct Police has had 25 complaints in the last year alone, And,

**WHEREAS**; The Board of Standards and Appeals originally included measures intended to minimize the impacts on the community that have not worked, And,

**WHEREAS**; the 3 year term required for the existing special permit expired on 3/14/2004 and the applicant did not reapply in a timely basis, And,

**WHEREAS**; The applicant has not operated this establishment in a community friendly manner and has abused the privilege of this special permit,

**THEREFORE BE IT RESOLVED**, That CB#2, Man. strongly opposes this Board of Standards and Appeals application for an extension of the term of the special permit granted pursuant to Section 73-244 of the Zoning Resolution to allow, in a C4-5 district, an eating and drinking establishment with entertainment and dancing (Use Group 12) on the second floor.

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

**4. 482 Greenwich St Board of Standards and Appeals variance pursuant to Section 72-21 to permit the construction of a new ten-story residential building with ground floor retail use within a C6-2A zoning district in which residential uses are permitted as of right, the floor area ratio of the proposed new building (FAR 7.98) would exceed the maximum permitted floor area ratio in this district of 6.02 and would also not comply with certain bulk regulations.**

**WHEREAS**, The area was posted and there was significant community opposition to this application, And;

**WHEREAS**, At the time that the recently enacted Hudson Square rezoning was reviewed, Community Board #2 Manhattan strongly supported the rezoning, And,

**WHEREAS**, Although the Hudson Square rezoning down zoned most of the area, this block benefited from a slight up zoning and the right to build residential buildings as of right, And,

**WHEREAS**; There are two other buildings at Spring Street and Renwick St. currently under construction that are in complete compliance with the C6-2A and both are on small lots, and have "E designations," and both are next to the Holland Tunnel and have similar foundation, and similar flood plain issues, And,

**WHEREAS**, This application represents an up zoning from FAR 6.02 to FAR 7.98, And;

**WHEREAS**, CB#2, Man. recognizes that the lot is a small irregular lot that does present a valid hardship but not sufficient to justify an increase in bulk, And;

**WHEREAS**, there was some support for the Accessory parking and curb cuts.

**THEREFORE BE IT RESOLVED**, That CB#2, Man. finds no justification for any increase in bulk over the current FAR of 6.02 and the Board strongly opposes this part of the application, And,

**BE IT FURTHER RESOLVED**, That CB#2, Man. the lot is a small irregular lot that does present a valid hardship sufficient to justify an increase in Lot coverage, And,

**BE IT FURTHER RESOLVED**, That CB#2, Man. supports the inclusion of Accessory parking and curb cuts.

Vote: Passed, with 26 Board members in favor, 1 in opposition, and 2 abstentions.

**5. 74-88 Ave. of the Americas (Block 227, Lots 50, 52 and 56) Board of Standards and Appeals application for a variance to permit the development of a mixed use building 9 stories tall and with ground floor retail, a small amount of community facility space, and approximately 25 residential units within an M1-5B zoning district.**

**WHEREAS**; This application requests an increase in bulk over the existing floor area ratio of 5 for the M1-5B zoning district and other applicants in SOHO have requested an FAR of 6.5 and the buildings have been built at FAR 5.0 which indicates that an FAR of 5.0 is financially feasible, And,

**WHEREAS**; The applicant has requested that the first floor be a Use Group 6 eating and drinking establishment without entertainment or music or dancing on the 6<sup>th</sup> Ave. side of the building, And,

**WHEREAS**; The applicant was advised to reach out to the adjoining building on Thompson Street and the outreach was delayed and the concerns of the community have not yet been adequately addressed, And,

**WHEREAS**, CB#2, Man. recognizes that the construction of “Green Buildings” is an important consideration for the future of the city, And,

**THEREFORE BE IT RESOLVED**, That CB#2, Man. finds no justification for any increase in bulk over the current FAR of 5.0 and the Board strongly opposes this part of the application, And,

**BE IT FURTHER RESOLVED**, That CB#2, Man. supports a residential building of FAR 5.0 at this location providing that the minimum size residential units are 1,200 SQFT, And,

**BE IT FURTHER RESOLVED**, That CB#2, Man. supports the use of the first floor as a Use Group 6 eating and drinking establishment at this location, formerly the site of the Moondance Diner, providing that there will be no entertainment or live music or dancing and that adequate soundproofing be provided and that the main entry be located on 6<sup>th</sup> Ave., And,

**BE IT FURTHER RESOLVED**, That CB#2, Man. requests that the applicant engage in further outreach with the community and the Adjoining building and that the applicant adapt the design in response to community concerns, And,

**BE IT FURTHER RESOLVED**, CB#2, Man. supports the “Green Building” aspects of the construction of this building, And,

**BE IT FURTHER RESOLVED**, That CB#2, Man. requests regular construction coordination meetings with the community as this project progresses, And,

**BE IT FURTHER RESOLVED**, That CB#2, Man. requests that that every effort be made to minimize the impacts of construction and that the contractor must carefully inspect the subsurface excavation and use seismic monitors to protect the surrounding buildings.

Vote: Unanimous, with 29 Board members in favor.

**6. 525 Broome Street (Block 476, Lots 1001 & 1002) Application for a City Planning Special Permit pursuant to Section 74-781 of the Zoning Resolution for a Use Group 6 eating and drinking establishment on the ground floor and cellar (approximately 3,100 square feet) of a building located in an M1-5B Zoning District.**

**WHEREAS**; This location has a long history of very bad operation of an eating and drinking establishment on the ground floor and cellar that did not have the proper required permits, And,

**WHEREAS**; The applicant was advised to reach out to the condo owners in this building and the surrounding community and the outreach was never done, And,

**WHEREAS**; The condo owners in this building appeared at the committee meeting and noted the neglect of the space by the current owner and they strongly opposed this application, And,

**WHEREAS;** Two years ago this space was the subject of an Application for a Board of Standards and Appeals Special Permit pursuant to Section 73-241 of the Zoning Resolution for a Use Group 6 eating and drinking establishment on the ground floor and cellar that was denied, And,

**WHEREAS;** It is questionable if any eating and drinking establishment would be successful at this location.

**THEREFORE BE IT RESOLVED,** That CB#2, Man. strongly opposes this City Planning Special Permit pursuant to Section 74-781 of the Zoning Resolution for a Use Group 6 eating and drinking establishment on the ground floor and cellar (approximately 3,100 square feet) of a building located in an M1-5B Zoning District.

Vote: Unanimous, with 29 Board members in favor.

**NEW BUSINESS**

Respectfully submitted,

Mark Rosenwasser, Assistant Secretary  
Community Board #2, Manhattan